(2) by striking subparagraph (G) and inserting the following:

''(G) greater than $1,000,000 but not more than $5,000,000;

''(H) greater than $5,000,000 but not more than $25,000,000;

''(I) greater than $25,000,000 but not more than $50,000,000; and

''(J) greater than $50,000,000.''.

(c) EXCEPTION.—Section 102(e)(1) of the Ethics in Government Act of 1978 is amended by adding after subparagraph (E) the following:

''(F) For purposes of this section, categories with amounts or values greater than $1,000,000 set forth in sections 102(a)(1)(B) and 102(d)(1) shall apply to the income, assets, or liabilities of spouses and dependent children only if the income, assets, or liabilities are held jointly with the reporting individual. All other income, assets, or liabilities of the spouse or dependent children required to be reported under this section in an amount or value greater than $1,000,000 shall be categorized only as an amount or value greater than $1,000,000.''.

SEC. 21. BAN ON TRADE REPRESENTATIVE REPRESENTING OR ADVISING FOREIGN ENTITIES.

(a) REPRESENTING AFTER SERVICE.—Section 207(f)(2) of title 18, United States Code, is amended by—

(1) inserting ''or Deputy United States Trade Representative'' after ''is the United States Trade Representative''; and

(2) striking ''within 3 years'' and inserting ''at any time''.

(b) LIMITATION ON APPOINTMENT AS UNITED STATES TRADE REPRESENTATIVE AND DEPUTY UNITED STATES TRADE REPRESENTATIVE.—Section 141(b) of the Trade Act of 1974 (19 U.S.C. 2171(b)) is amended by adding at the end the following new paragraph:

''(3) LIMITATION ON APPOINTMENTS.—A person who has directly represented, aided, or advised a foreign entity (as defined by section 207(f)(3) of title 18, United States Code) in any trade negotiation, or trade dispute, with the United States may not be appointed as United States Trade Representative or as a Deputy United States Trade Representative.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to an individual appointed as United States Trade Representative or as a Deputy United States Trade Representative on or after the date of enactment of this Act.

SEC. 22. FINANCIAL DISCLOSURE OF INTEREST IN QUALIFIED BLIND TRUST.

(a) IN GENERAL.—Section 102(a) of the Ethics in Government Act of 1978 is amended by adding at the end thereof the following:

''(8) The category of the total cash value of any interest of the reporting individual in a qualified blind trust, unless the trust instrument was executed prior to July 24, 1995 and precludes the beneficiary from receiving information on the total cash value of any interest in the qualified blind trust.''.

(b) CONFORMING AMENDMENT.—Section 102(d)(1) of the Ethics in Government Act of 1978 is amended by striking ''and (5) and inserting ''(5), and (8)''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendment made by this section shall apply with respect to reports filed under title I of the Ethics in Government Act of 1978 for calendar year 1996 and thereafter.

SEC. 23. SENSE OF THE SENATE THAT LOBBYING EXPENSES SHOULD REMAIN NONDEDUCTIBLE.

(a) FINDINGS.—The Senate finds that ordinary Americans generally are not allowed to deduct the costs of communicating with their elected representatives.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that lobbying expenses should not be tax deductible.

SEC. 24. EFFECTIVE DATES.

(a) Except as otherwise provided in this section, this Act and the amendments made by this Act shall take effect on January 1, 1996.

(b) The repeals and amendments made under sections 13, 14, 15, and 16 shall take effect as provided under subsection (a), except that such repeals and amendments—

(1) shall not affect any proceeding or suit commenced before the effective date under subsection (a), and in all such proceedings or suits, proceedings shall be had, appeals taken, and judgments rendered in the same manner and with the same effect as if this Act had not been enacted; and

(2) shall not affect the requirements of Federal agencies to compile, publish, and retain information filed or received before the effective date of such repeals and amendments.

(At the request of Mr. DASCHLE, the following statement was ordered to be printed in the RECORD.)

ANNOUNCEMENT OF POSITION ON VOTE

● Mr. GRAHAM. Mr. President, I advise the Senate that on Tuesday, July 25, I was a delegate to the 1995 Defense Ministerial of the Americas in Williamsburg, VA. The Defense Ministerial, which brought together military personnel from throughout the Western Hemisphere, is a forum for the discussion of the role of militaries in democratic societies. Had I been present at the time of the final vote on S. 1060 on July 25, I would have voted in the affirmative.●

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate will now stand in recess until the hour of 2:15 p.m.

Thereupon, the Senate, at 12:57 p.m., recessed until 2:15 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. GRAMS).

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

THE BOSNIA AND HERZEGOVINA SELF-DEFENSE ACT

Mr. DOLE. Mr. President, pursuant to the unanimous consent agreement on July 20, I now ask the Senate resume consideration of S. 21, the Bosnia and Herzegovina Self-Defense Act.

I have asked my colleague from Connecticut, Senator LIEBERMAN, to lead the effort this afternoon. Also, will my colleague from Virginia be willing to help manage the effort this afternoon?

Mr. WARNER. Mr. President, I will be privileged to do so.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (S. 21) to terminate the United States arms embargo applicable to the Government of Bosnia and Herzegovina.

The Senate resumed consideration of the bill.

Pending:

Dole amendment No. 1801, in the nature of a substitute.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I rise to speak in favor of this proposal, which I am privileged to cosponsor with the distinguished Senate majority leader and a large number of other Senators from both sides of the aisle.

If passed, and we hope it will be passed overwhelmingly, this proposal will provide for a unilateral lifting of the arms embargo that was imposed against the former Yugoslavia in 1991 and remains in effect today, most notably victimizing the people of Bosnia.

There are times when people speak of this arms embargo as if it were Holy Writ, it were descended from the heavens, it were the Ten Commandments or the Sermon on the Mount.

The arms embargo against Bosnia is a political act, adopted by the Security Council of the United Nations in 1991, when Yugoslavia was still intact. It is, in the narrow legal sense, therefore, in my opinion, illegal as it is applied to Bosnia because Bosnia did not even exist as a separate country at that time.

But more to the point and ironically, cynically, when adopted by the United Nations Security Council in 1991, this arms embargo on the former Yugoslavia was requested by and supported by the then Government of Yugoslavia in Belgrade, which is to say the Milosevic government. And I say cynically because the pattern that was to follow was clear then, which was that the Milosevic government was going to set about systematically trying to create a greater Serbia and, therefore, knowing that Serbia itself, by accident of history, contained the warmaking capacity, the munitions, the weapons which were part of Yugoslavia, would enjoy essentially a monopoly of force as against its neighbors.

But we took that political act, supported by well-meaning governments in the West and elsewhere, as a way to stop arms from flowing into the Balkans so as to stop a war from going on, and we have made it into the Holy Writ. It is not. It is immoral. It is quite the opposite of the Holy Writ. It is immoral and it is illegal; illegal not only for the technical legal reasons I cited a moment ago but because it denies—this political resolution of the Security Council—denies Bosnia the rights it has gained as a member nation of the United Nations to defend itself.

What could be more fundamental to a nation as the guarantor of its own existence then the right to defend itself?

Yet, this resolution continues to be imposed to deny the Bosnians just that right.

The embargo is illegal and, Mr. President, let me say respectfully, it is immoral. It is immoral because it is having an impact on people who have done no wrong. This is not some expression, some sanctions resolution imposed on a people who have acted against international law or against their neighbors. It is imposed on the Bosnians, who have not been accused of wrongdoing here. And, of course, more to the point, history has shown, since the embargo was imposed in 1991, that the Bosnians have been the painful and tragic victims of Serbian aggression and, yes, genocide.

Talk about accidents of history, it is a quirk of fate that, on this day, when the Senate goes to this critical issue and debates the lifting of the arms embargo, word comes from the Hague that Bosnian leader Radovan Karadzic and his military chief of staff, Ratko Mladic, have been charged with genocide, war crimes, and crimes against humanity by the United Nations International Criminal Tribunal established in the Hague for that purpose. They are charged with genocide and crimes against humanity arising from atrocities perpetrated against the civilian population throughout Bosnia and Herzegovina.

This is an indictment. This is a legal instrument of international law. The tribunal said today that, in the summer of 1992, Bosnian Serbs held over 3,000 Moslems and Croats at the Karaterm Camp.

From the indictment, ''Detainees were killed, sexually assaulted, tortured, beaten, and otherwise subjected to cruel and inhuman treatment.'' In one incident, the indictment recalls, machineguns were fired into a room filled with 140 detainees, who all died. This is the indictment, turned out today by the International Criminal Tribunal in the Hague. Karadzic and Mladic are accused of ordering the shelling of civilian gatherings, including the May 1995—this is July 1995; the May 1995, a few months ago—attack on Tuzla, in which 195 people were killed, and the seizure earlier this summer of 284 United Nations peacekeepers in Pale and Gorazde.

Karadzic and Mladic are also charged with ''persecuting Moslem and Croatian political leaders, deporting thousands of civilians, and systematically destroying Moslem and Catholic sacred sites.''

I am not reading from any advocacy group for the Bosnians. I am reading from an instrument of international law, an indictment returned today in the Hague by an International Criminal Tribunal authorized by the United Nations, charging the leaders of the Bosnian Serb aggressors with war crimes and crimes against humanity. And as these crimes have been committed, as horrible as they are, what wells up inside me—and I know so many of my colleagues here—is that we were part of continuing to enforce this arms embargo which denied these victims of these war crimes and atrocities the weapons with which they could fight back. Just think of how we would feel ourselves if in a personal context somebody was attacking our home, our neighborhood, our community and for some reason the police were not available, and we had no capacity to defend ourselves or to fight back. That is what we have done and why it is time finally to lift this arms embargo.

Mr. President, there always seems to be another reason not to do it. First, it was that if we lifted the arms embargo the Serbs would seize U.N. personnel as hostages. They have done that already. That reason for not lifting the arms embargo is gone, tragically and sadly. Then it was said that if we lift the arms embargo the Serbs would attack the safe havens and go back to the slaughters that the world saw in 1992, 3 years ago. We did not lift the arms embargo, and the Serbs have attacked the safe havens.

Now the question is whether there is something happening coming out of London last Friday that gives us pause and should make us hesitate. Mr. President, I hate to say it, but it is hard to believe that the United Nations mission in Bosnia has not been a failure, has not collapsed. As for the London communique, I take some small heart from it because it is the first sign of a willingness by the Western allies to use air power to hold the Serb aggressors at bay, to make them pay for their aggression. Nonetheless, at this moment it is simply a threat. The London communique is a threat, not a policy calculated to end the war. And it is a limited threat, limited as it is to only one of the four safe havens that have not fallen to Serb aggression. Gorazde will be protected. But what about Bihac which is under fierce attack now? What about the great capital of Sarajevo? What about Tuzla? Why not them too?

The threat remains uncertain, although the original stories coming out of London on Friday were heartening in that it was said that this dual-key approach which has so frustrated the brave soldiers who have worn the blue helmets of the United Nations, that this dual-key approach which gives the political leadership of the United Nations the opportunity to veto the request for air cover and air support from NATO, it appeared that this dual-key approach was finally ended, and NATO would be able to protect itself without getting approval from Mr. Akashi or Secretary General Boutros-Ghali. But there seems to be a disagreement about the timing of this.

In this morning's news it is reported from New York that Mr. Fawzi, a spokesman for U.N. Secretary General Boutros-Ghali, said that the airstrikes are to defend U.N. peacekeepers, not to defend the safe area of Gorazde, and that the authority to order an attack ''remains with the Secretary General for the time being.'' So the dual-key is still an approach making even more uncertain the impact of the London communique.

When will NATO air power be employed to strike back? Will it be when troops mass around Gorazde that they attack? What are the rules of engagement? It remained uncertain in the meeting in Brussels yesterday whether the NATO countries could resolve that. But I will say to you, Mr. President, that if the threat to protect the safe area is carried out, then there is some hope because it will amount to the beginning of an implementation of the strike part of the lift-and-strike policy which Senator DOLE and I and others have advocated since 1992.

But, Mr. President, what happened in London is no excuse to vote against the lifting of the arms embargo, illegal and immoral as it is. The embargo stands separate and apart as it in itself is an unacceptable act of the international community, and we must repeal it and let these people defend themselves.

Mr. President, the other argument that is being used by some critics of lifting the arms embargo is that it will ''Americanize'' the war if we lift the arms embargo. And the implication here is that it will lead to the placement of American troops on Bosnian soil.

Let me say here that from the beginning, when Senator DOLE and I and others began to work on this proposal to lift the arms embargo, we have said we do not want American troops on Bosnian soil. We do not have enough of a national interest, and there is not enough of a strategic opportunity for those troops. And what is more, the Bosnians do not want them, and do not need them. They have said over and over and over again to us, ''We have soldiers on Bosnian soil. They are Bosnian soldiers. All we needed were the weapons, the tanks, the antitank weapons, the heavy artillery to help them fight a fair fight against the Serbs.''

So it is ironic to see at this moment the delays and the excuses for not lifting the arms embargo and, when we are finally at a point of having a strong bipartisan vote in favor of lifting the arms embargo, that the reason given by some to vote against it is that it will cause the ''Americanizing'' of the war. If it leads to the exit of the United Nations—and the United Nations, in my opinion, will exit for many more reasons than the lifting of the arms embargo—that will not be anything that we have desired, those of us who have proposed this policy for now more than 3 years. But why punish the Bosnians, the victims, for the error of our policy, for the inappropriateness of our commitments? They have been consistent all along. And I think we owe it to the victims to listen to them.

So why say now because the United Nations' forces were sent in and the President made a commitment to send

American troops to help extract the U.N. forces if that becomes necessary, that is a reason for us to sustain the illegal and immoral arms embargo and victimize further the Bosnian people?

Mr. President, this question of whether the war is ''Americanized'' is up to Americans. The President, the Congress—we will decide when and where American troops will be sent. This will not happen. Automatically lifting the arms embargo does not put us on some slippery slope where we inevitably end up with troops on the ground there. Far from it; certainly not in combat positions.

The other argument made is that lifting of the arms embargo will ''Americanize'' the war because we will have to send Americans there to bring the weapons and train the Bosnians. I have two responses to that. One is that if it becomes necessary to send Americans to train the Bosnians in the use of our weapons, we can do it in Croatia without sending them into Bosnia. But I will tell you, Mr. President, many of my colleagues here have had the same conversations about this with the Bosnians themselves. They say to us, if the arms embargo was lifted today, they really do not prefer American weapons. They do not prefer our American trainers. They prefer weapons from the former Warsaw Pact countries from when Yugoslavia was alive, and on which most of the fighters, the soldiers in the Bosnian Army, have been trained. They prefer them because they do not need a long period of training. They can get the weapons, and in a short time put them onto the battlefield.

I think what they most hope for is that as soon as this embargo is lifted the United States and other countries of the world hopefully—particularly Moslem countries who are infuriated by the one-sidedness of the battle and the way in which the international community has sustained that one-sidedness—will contribute funds for the Bosnians to use to equip them so as to make this fair play.

Mr. President, it is true that over the weekend or late last week in Geneva, there was a meeting of the Council of the Organization of the Islamic Conference, and the foreign ministers of the so-called OIC Contact Group on Bosnia and Herzegovina voted that the member states of the Organization of the Islamic Conference do not consider themselves legally bound to abide by the unlawful and unjust arms embargo imposed on Bosnia and Herzegovina which is a United Nations member. The ministers said that the burden of justifying the legality of maintaining the embargo imposed on Bosnia herself rested on the shoulders of the United Nations Security Council. So help may well be coming in implementing a lifting of the embargo.

Mr. President, we have, as we have had all along I am afraid, a choice here between the policy that we are advocating of lift and strike and a policy of wait and see. And we have waited for 3 years, and we have seen aggression continue. We have seen more than 200,000 people killed. We have seen more than 2 million refugees created. It is time to stop waiting and stop seeing, and it is time for us to lift the arms embargo and strike from the air in the hope that will finally put some pressure on the Serbs that they have not felt up until this time, so that they will come to the peace table with the prospect of negotiating fairly and accepting a peace agreement for Bosnia that the Bosnians themselves, who have accepted every previous peace treaty offer, can accept to bring an end to this tragic war. That is a policy that I think more than any other which has been tried to date and those that have been tried have failed offers even at this late and difficult hour in Bosnia some prospect not only for peace, but for the resurrection of some credibility, some legitimacy in the institutions upon which Europe and the rest of the world must depend in the years ahead for security and order; that is to say, NATO, the United Nations, and most of all, the strength and leadership of the United States of America.

Mr. President, I note the presence on the floor of my distinguished colleague and friend from Virginia, Senator WARNER. And I yield to him at this time.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, there are no easy solutions to the tragic conflict in Bosnia. Throughout Europe and here in the United States persons with the most noble intentions have struggled with this program to no avail. The Senate has conscientiously searched for solutions. The debate knows no party lines, as is appropriate. The various policy options facing our Nation change weekly; giving the Senate an excuse to sit and wait. I join the majority leader and Senator LIEBERMAN in saying: ''No longer, the Senate must act.''

The course charted by the majority leader offers the best hope for the long-suffering people of Bosnia. While I have opposed, over 2 years, Senator DOLE's earlier approaches, he has now amended his approach to where I can now join as a cosponsor of the Dole-Lieberman resolution. The thrust of this resolution is to lift the arms embargo against the Government of Bosnia, but with conditions precedent. The current resolution incorporates these conditions which I have, all along, regarded as essential to a lifting of the embargo.

I commend the majority leader and the Senator from Connecticut for modifying their original resolution by making a withdrawal of UNPROFOR personnel the trigger for a U.S. lifting of the arms embargo. This modification addressed my main concern with previous legislative attempts, namely, of an immediate, unilateral lift of the arms embargo. My earlier concern was for the UNPROFOR troops being in place simultaneously with a lifting of the embargo. Such a move by the United States would endanger these troops who have been admirably, courageously, trying to perform peacekeeping, humanitarian missions in Bosnia under most difficult circumstances. I credit this effort with saving many lives which otherwise would have been lost to malnutrition and illness. Having gone to Sarajevo twice, I saw firsthand the efforts of UNPROFOR and UNHCR personnel.

The Dole-Lieberman resolution sets a responsible course toward achieving a goal of recognizing the sovereign right of a nation and its people to self-defense. The U.N. Charter so provides. Common law, common sense so provides.

Mr. President, until recently I had held out hope that a settlement could be successfully negotiated by the international community to end the conflict in Bosnia. It is now obvious that the numerous attempts by the United Nations, the European union, and the contact group, with U.S. participation, to resolve the differences over Bosnia have been thwarted. Despite the best efforts and sacrifices of the U.N. peacekeepers, it is clear that UNPROFOR is no longer capable of fulfilling its mandate, there simply is no peace to keep. What further evidence do we need, given the attacks on the undefended ''safe havens.''

Mr. President, administration officials have just completed their second weekend of discussions with our allies and Russia over the situation in Bosnia. And what are the results of those discussions? More warnings of military action by the international community. This form of deterrence has repeatedly failed. Consequently, the Bosnian Serbs have intensified their attacks against Sarajevo and the other safe havens. Each day, more death and destruction occurs in Bosnia. The Senate must act.

The most recent tragic aggressions by the Bosnian Serbs against the so-called safe havens close the door on the valiant efforts of the U.N. peacekeeping mission. There remains, in most regions of Bosnia, no peace to keep. The Bosnian Serb attacks on Srebrenica, Zepa, Bihac, and Sarajevo are a clear illustration of the futility of continuing on the present course. It is now time for the international community to make the decision to withdraw the UNPROFOR troops, and to proceed with that withdrawal in an orderly manner. To continue with the status quo—or even worse, to reinforce that status quo, as is being contemplated by the administration—would bring additional humiliation to the international community, and no hope for an end to the suffering of the Bosnian people.

While I continue to have concerns about the possible adverse effects of lifting the arms embargo, I believe that this is the best of the remaining available options. For a variety of reasons, the international community has

not been able or willing to take the actions necessary to bring an end to the conflict in Bosnia. We should at least be willing to allow the Bosnians to acquire the weapons they need to defend themselves, in accordance with international law. This is what the Bosnian Government has been asking for. The United Nations should not continue to stand in their way.

Let us examine some of the main arguments that the administration has been making against the Dole-Lieberman resolution. First, we have heard repeatedly from administration officials that this resolution will force a withdrawal of UNPROFOR. To the contrary, no action will be taken under the authority of this resolution until all UNPROFOR personnel have been withdrawn from Bosnia. We are not asking UNPROFOR to leave. We are certainly not requiring UNPROFOR to leave. We are simply saying that when UNPROFOR does depart, the Bosnian Government should be allowed to acquire the weapons it needs to defend its people and territory.

Second, the claim is made that this resolution will Americanize the war. I disagree. A U.S. move to lift the arms embargo will not Americanize the war unless we allow that to happen with subsequent action—that is, if we subsequently commit ourselves to equip and train the Bosnian army, and provide them with air support. The resolution before us specifically states that,

> Nothing in this section shall be interpreted as authorization for deployment of United States forces in the territory of Bosnia and Herzegovina for any purpose, including training, support, or delivery of military equipment.

In my view, we are in far greater danger of seeing this war become Americanized if we carry through with proposals—as reported in weekend press reports—to conduct aggressive airstrikes against Bosnian Serb positions as part of the defense of Gorazde. This policy is very ill-advised. Americans will become directly involved in combat at that point—we will be combatants. We are taking sides in this conflict. American lives will be at risk—and for what purpose? To shore up a U.N. peacekeeping mission which has reached its end.

Mr. President, history has shown that the use of air power alone is not enough to win a war—it is not decisive without a proportional ground effort. It sounds appealing—it sounds like a cleaner, less risky military operation than ground combat. But it simply will not turn the tide of a battle. What clearer precedent do we need than the gulf war. For weeks prior to ground operations, air was used, used to lessen—not eliminate—the task of ground operations that followed.

During the gulf war, we spent weeks of massive, unrelenting air strikes against Iraqi targets in both Kuwait and Iraq. But that was not enough to force an Iraqi withdrawal from Kuwait. It took a large-scale ground operation to secure final victory in that conflict. Further, this air operation was carried out under terrain and weather conditions far, far superior to those in Bosnia.

And in Bosnia we have additional complicating factors which were not present in the gulf war. First, there are over 28,000 U.N. troops and uncalculated numbers of U.N. civilians scattered throughout Bosnia. Once we start offensive air operations, and become combatants, we are subjecting those U.N. troops and civilians to retaliatory action by the Serbs. How will we react when the Bosnian Serbs, once again, take hostages?

Past tactics of the Bosnian Serb forces was to colocate heavy weapons with the civilian population in Bosnia—next to schools, hospitals, and other population centers. Any NATO air strikes would run a very high risk of causing collateral damage. How will we react when we see pictures on CNN of Bosnian children who have been killed or wounded by NATO air strikes?

And finally, there is the problem the command and control arrangements which have reigned in Bosnia—the so-called dual-key arrangement. This dual-key usage by United Nations officials in Bosnia has resulted in less effective military action in response to Serb aggression. This is of greatest concern to all those worried about the safety of United States airmen flying missions over Bosnia—this dual-key arrangement has prevented preemptive air strikes to take out the Bosnian Serb air defense system. Scott O'Grady can tell you about the consequences of that failure. Will the dual key still be the order of the day if we proceed with the air operations agreed to over the weekend? Early reports seem to indicate that that indeed will be the case. Will the Bosnian Serb air defense network be eliminated before United States pilots again take to the skies over Bosnia?

We should not fool ourselves into believing that an air campaign to save Gorazde—this late in the game—will turn the tide in Bosnia. What about the remaining safe havens, other than Gorazde? We should not allow ourselves to become directly involved in the fighting, particularly when there is no clear unanimity among our allies about a course of action.

Mr. President, since the beginning of this conflict, I have consistently opposed the use of United States military force as a possible solution to the war in Bosnia. Events of recent weeks have reinforced this view. I do not want to see American lives expended in trying to resolve a conflict that is based on centuries-old religious and ethnic hatreds which none of us can understand or in any way can justify.

At this point, we should recognize that the United Nations mission has failed, and allow the Bosnians to do what they have been asking for—to acquire the weapons they need to defend themselves against Serb aggression.

Mr. President, I ask unanimous consent that two letters from the Bosnian Prime Minister, and a letter from President Clinton be printed in the RECORD.

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

THE REPUBLIC OF BOSNIA AND HERZEGOVINA,
July 11, 1995.

Hon. ROBERT DOLE,
Majority Leader, U.S. Senate,
Washington, DC.

DEAR SENATOR DOLE: Today, the United Nations allowed the Serb terrorists to overrun the demilitarized ''safe area'' of Srebrenica. Helpless civilians in this area are exposed to massacre and genocide. Once and for all, these events demonstrate conclusively that the United Nations and the international community are participating in genocide against the people of Bosnia and Herzegovina.

The strongest argument of the opponents of the lifting of the arms embargo toppled today in Srebrenica. They claimed that the lifting the arms embargo would endanger the safety of the safe areas. The people in Srebrenica are exposed to massacre precisely because they did not have weapons to defend themselves, and because the United Nations did not want to protect them. Attacks are also under way against the other safe areas in Bosnia and Herzegovina.

That is why we think it is extremely important that the American Senate votes to lift the arms embargo on the legitimate Government of Bosnia and Herzegovina.

If the Government of the United States of America claims that it has no vital interests in Bosnia, why then does it support the arms embargo and risk being associated with genocide in Bosnia and Herzegovina?

It is essential that the elected representatives of the American people immediately pass the bill to lift the arms embargo. This will provide a clear message that the American people do not want to deprive the people of Bosnia and Herzegovina of the right to defend themselves against aggression and genocide.

Sincerely,

Dr. HARIS SILAJDZIC,
Prime Minister.

REPUBLIC OF BOSNIA AND HERZEGOVINA, OFFICE OF THE PRIME MINISTER,
July 25, 1995.

Hon. ROBERT DOLE,
Hon. JOSEPH LIEBERMAN,
U.S. Senate,
Washington, DC.

DEAR SENATORS DOLE AND LIEBERMAN: I write you today to once again appeal to the American people and Government to lift the illegal and immoral arms embargo on our people.

Today's vote is a vote for human life. It is a vote for right against wrong. It is not about politics, it is about doing the right thing.

In just the past two days in Sarajevo, 20 people have been killed while more than 100 have been wounded.

Brutal, unceasing attacks against the so-called UN safe areas of Zepa and Bihac are taking their toll on the lives of our civilians. The defenders of Zepa have heroically defied the aggressors and fight on and are ready to accept a collective suicide rather than submit to the atrocities we witnessed in the former UN safe area of Srebrenica—from where 10,000 people are still unaccounted for.

Yesterday, the Bangladeshi UNPROFOR battalion in Bihac requested air-strikes to

deter and to stop the Serb attacks on Bihac. The Serb forces are attacking from Serb-occupied Croatia, Serb-occupied Bosnia-Herzegovina with the full participation and backing of the so-called Yugoslav Army of Serbia-Montenegro. The Bangladeshi request was ignored—I ask myself if this same request would be ignored if it were requested by a British battalion.

This fact, and the silence about the continuing slaughter in Zepa, Sarajevo and Gorazde only further shows the impotence of the UN and international community which continues to hide behind the fig-leaf of consensus and consultations. News agencies have even reported that members of the French government want to change the map of the Contact Group's peace plan. The reports of these concessions air the same day that those to whom the concessions are to be given, Karadzic and Mladic, are indicted for war crimes by the War Crimes Tribunal in the Hague.

I wonder how many more Bosnian children must be killed, how many more Bosnian women must be raped, how many more Bosnian men and boys must be executed, how many more Bosnian families must be destroyed, how many more Bosnians must die while waiting in line for water before something is done? The current policies have failed. They died with Srebrenica. There is no line that the Serbs will not cross. It is clear that they will not stop until there are no more Bosnian people in Bosnia-Herzegovina.

Today, the people of Bosnia-Herzegovina received humanitarian aid from a joint Jordanian-Israeli delegation. This act between former enemies shows that Bosnia is not a question of politics and real politik but of humanity. The carnage we have endured thus far is inhumane.

I must reiterate that the arms embargo is an issue of human life and that it is time to do the right thing. It is not an issue of politics nor of excuses such as training or containment or ''Americanization'' or linkage to other international regimes and decisions. The arms embargo is illegal, it is a failed policy, it is immoral, it is in the interest of only the Serbian war machine, and it is a tool for genocide. The arms embargo is a matter of right and wrong and it must end.

Our people ask that we be allowed only our right to defend ourselves. It is on their behalf that I appeal to the American people and government to untie our hands so that we may protect ourselves. The slaughter has gone far enough. My people insist that they would rather die while standing and fighting than on their knees. In God's name we ask that you lift the arms embargo.

Sincerely,

HARIS SILAJDZIC.

THE WHITE HOUSE,
Washington, July 25, 1995.

Hon. ROBERT DOLE,
Majority Leader, U.S. Senate,
Washington, DC.

DEAR MR. LEADER: I am writing to express my strong opposition to S. 21, the ''Bosnia and Herzegovina Self-Defense Act of 1995.'' While I fully understand the frustration that the bill's supporters feel, I nonetheless am firmly convinced that in passing this legislation Congress would undermine efforts to achieve a negotiated settlement in Bosnia and could lead to an escalation of the conflict there, including the possible Americanization of the conflict.

There are no simple or risk-free answers in Bosnia. Unilaterally lifting the arms embargo has serious consequences. Our allies in UNPROFOR have made it clear that a unilateral U.S. action to lift the arms embargo, which would place their troops in greater danger, will result in their early withdrawal from UNPROFOR, leading to its collapse. I believe the United States, as the leader of NATO, would have an obligation under these circumstances to assist in that withdrawal, involving thousands of U.S. troops in a difficult mission. Consequently, at the least, unilateral lift by the U.S. drives our European allies out of Bosnia and pulls the U.S. in, even if for a temporary and defined mission.

I agree that UNPROFOR, in its current mission, has reached a crossroads. As you know, we are working intensively with our allies on concrete measures to strengthen UNPROFOR and enable it to continue to make a significant difference in Bosnia, as it has—for all its deficiencies—over the past three years. Let us not forgot that UNPROFOR has been critical to an unprecedented humanitarian operation that feeds and helps keep alive over two million people in Bosnia; until recently, the number of civilian casualties has been a fraction of what they were before UNPROFOR arrived; much of central Bosnia is at peace; and the Bosnian-Croat Federation is holding. UNPROFOR has contributed to each of these significant results.

Nonetheless, the Serb assaults in recent days made clear that UNPROFOR must be strengthened if it is to continue to contribute to peace. I am determined to make every effort to provide, with our allies, for more robust and meaningful UNPROFOR action. We are now working to implement the agreement reached last Friday in London to threaten substantial and decisive use of NATO air power if the Bosnian Serbs attack Gorazde and to strengthen protection of Sarajevo using the Rapid Reaction Force. These actions lay the foundation for stronger measures to protect the other safe areas. Congressional passage of unilateral lift at this delicate moment will undermine those efforts. It will provide our allies a rationale for doing less, not more. It will provide the pretext for absolving themselves of responsibility in Bosnia, rather than assuming a stronger role at this critical moment.

It is important to face squarely the consequences of a U.S. action that forces UNPROFOR departure. First, as I have noted, we immediately would be part of a costly NATO operation to withdraw UNPROFOR. Second, after that operation is complete, there will be an intensification of the fighting in Bosnia. It is unlikely the Bosnian Serbs would stand by waiting until the Bosnian government is armed by others. Under assault, the Bosnian government will look to the U.S. to provide arms, air support and if that fails, more active military support. At that stage, the U.S. will have broken with our NATO allies as a result of unilateral lift. The U.S. will be asked to fill the void—in military support, humanitarian aid and in response to refugee crises. Third, intensified fighting will risk a wider conflict in the Balkans with far-reaching implications for regional peace. Finally, UNPROFOR's withdrawal will set back prospects for a peaceful, negotiated solution for the foreseeable future.

In short, unilateral lift means unilateral responsibility. We are in this with our allies now. We would be in it by ourselves if we unilaterally lifted the embargo. The NATO Alliance has stood strong for almost five decades. We should not damage it in a futile effort to find an easy fix to the Balkan conflict.

I am prepared to veto any resolution or bill that may require the United States to lift unilaterally the arms embargo. It will make a bad situation worse. I ask that you not support the pending legislation, S. 21.

Sincerely,

BILL CLINTON.

Mr. WARNER. Mr. President, I am happy at long last to join my distinguished colleague from Connecticut on this issue. For roughly 2½ years I have been in strong opposition to the efforts by the distinguished majority leader, Senator DOLE, and his coauthor of this measure, the distinguished Senator from Connecticut, recalling that during the gulf war operation when I was the principal sponsor of the resolution adopted by the Senate, my distinguished colleague from Connecticut was my principal cosponsor on that. So once again we have joined.

I wish to make very clear, Mr. President, I join for the very clear reason that the majority leader and the Senator from Connecticut changed in a very material way the approach they had initiated some 2½ years ago.

I think it is well worth the time of the Senate to focus on exactly what those changes were that led this Senator—and I now believe a majority of the Senate—to join in this. As a matter of fact, I am hopeful that close to 70 Senators will eventually join on this. I know my colleague from Connecticut and I and many others have talked among ourselves. These are the conditions that have materially changed this approach, in such a manner that it now gains the support of the majority of the Senate and indeed many of us. These are the conditions under which the United States will terminate the embargo. I read from the measure which is at the desk:

> Termination. Section 4. The President shall terminate the United States embargo of the Government of Bosnia and Herzegovina as provided in subsection (b) following:
>
> 1. Receipt by the U.S. Government of a request from the Government of Bosnia and Herzegovina for termination of the United States arms embargo and submission by the Government of Bosnia and Herzegovina, in exercise of its sovereign rights as a nation, of a request to the United Nations Security Council for the departure of UNPROFOR from Bosnia and Herzegovina.

That is a very dramatic change. The initiative is on the Government, the recognized Government of Bosnia and Herzegovina, to first petition the United States and/or to petition the United Nations for the departure of UNPROFOR.

The second condition under which our President is authorized to act:

> A decision by the United Nations Security Council or decisions by countries contributing forces to UNPROFOR to withdraw UNPROFOR from Bosnia and Herzegovina.

That is very clear. It is an exercise of sovereign rights.

Now, the Senate received today a letter from the President of the United States addressed to the leadership. I have now had an opportunity to review that letter, and I regret to say that it is written as though the author had not read what is before the Senate today.

This letter now appears in the RECORD in its entirety, and I say to those who wish to take the time to examine it—and I hope all Senators will—it is a communication from the President of the United States to the leadership of the Senate in which he acknowledged that there are no simple or risk-free answers in Bosnia. But he goes on to recite a procedure that has been abandoned by the proponents of this measure before the Senate and, it seems to me, does not recognize in sufficient clarity exactly what has been put forth to the Senate.

So I will address that in greater detail later, but I should now like to pose a question or so to my distinguished colleague.

The criticism leveled at the initiative proposed by the majority leader and the Senator from Connecticut centers around the term ''Americanization'' and that if the Senate were to adopt this it would constitute an invitation, an invitation to the Government of Bosnia to take the initiative. My recollection is, having met with a series of Government officials, including the Prime Minister of Bosnia, they have come and specifically asked, asked of individual Members of the Senate that this be done in the exact fashion as is laid out in the measure before the Senate today. Am I not correct in this?

Mr. LIEBERMAN. Mr. President, the Senator from Virginia is absolutely correct, in many ways. First, that the Bosnians have consistently asked that the arms embargo be lifted. Second, they have been confronted with this question: If you have to choose between lifting the embargo and the U.N. forces remaining in Bosnia, which will you choose? And they have said clearly lifting the embargo.

The language of this proposal before the Senate today is intended to give some ear finally to the victims and give them the opportunity to request, and in that sense to formally require that they request, the United Nations leave if that is their judgment as a precondition for the lifting of the embargo. And there are those who have said, well, they want the United Nations to leave, but they really do not.

This says that the condition on which the embargo will be lifted is if the Government of Bosnia says officially, formally that they request the United Nations to leave. Then the embargo will be lifted.

Mr. WARNER. Mr. President, that is a substantial change from the original proposition advanced by the majority leader and the Senator some years ago?

Mr. LIEBERMAN. The Senator from Virginia is absolutely correct. If the Senator will allow me, I just want to amplify on my answer to that question. It is a substantial change, and it is a change that has been inserted out of sensitivity both to our allies in Europe and other nations that have troops on the ground wearing the blue helmets of the United Nations. It is also an act of sensitivity and respect and deference to colleagues within this Chamber and, in fact, to the administration, which has expressed concern repeatedly on earlier occasions when the embargo lifting has been raised about the impact it would have on our allies.

So we are saying here we owe it to our allies, who have had soldiers serving bravely in the most difficult of circumstances, essentially unarmed in a hostile situation, to give them the opportunity to get out of there before we lift the arms embargo.

I must say to my friend from Virginia that I am particularly perplexed, angered by some who now say that the trouble with this proposal, S. 21, as substituted before the Senate now, is that it will require the U.N. troops to leave as a precondition for lifting the embargo.

Well, we have put it in there, Senator DOLE and I and others, to respond to the concerns that these same critics offered, issued a year ago or so, that just lifting the embargo was not respectful or fair to our allies and their brave soldiers on the ground. So the Senator is absolutely correct; it is a substantial change from the earlier version of this proposal.

Mr. WARNER. Mr. President, a second question. I have had the opportunity to travel to this region four times with various Members of the Senate. I was one of the very first to go into Sarajevo, and then I accompanied the distinguished majority leader to Sarajevo on a second visit. At that time we met with President Izetbegovic, and then, of course, the Prime Minister personally has been here in the United States I think on two occasions in the last 6 or 8 weeks. I do not recall in the discussions—I repeat, I do not recall—that they laid down any conditions whatsoever that would place an obligation upon the United States of America in the event this arms embargo is to be lifted.

Quite specifically, in my discussions regarding this matter with both the Bosnian President and Foreign Minister, they refuted that there was any obligation on the part of the United States. However, the President of the United States in his letter implies that if such action were taken as envisioned by the measure now before the Senate, there would be, impliedly, so to speak, an obligation on the part of the United States to provide arms, provide training and otherwise Americanize—that is this trick phrase that has been utilized—this situation.

I ask my distinguished colleague, in the Senator's discussions with the leadership of Bosnia, have they laid down to him any conditions whatsoever that would either imply or infer or indeed directly involve the United States in a period subsequent to the lifting of the embargo?

Mr. LIEBERMAN. Mr. President, in responding to my colleague from Virginia, in all of the conversations I have had with the various representatives and leaders of the Government of Bosnia and Herzegovina there has never once been a condition set for the lifting of the arms embargo—never once a condition set. And that is again why I think some of those who argue against lifting now are using very stretched, tortured, circuitous logic. It is not the Bosnians who have requested the United States to come in to help the United Nations out. It was obviously not the Bosnians who have made the commitment, a commitment which I think is appropriate, but that is for another day, to have American troops go in and help the United Nations out.

The Bosnians have said consistently, ''We have the soldiers. Please give us the weapons.''

Now, I will say, to give a complete answer to my friend, in recent conversations there have been occasions when the Bosnian leadership has requested, but certainly not said it was an obligation, that the full lift-and-strike policy be implemented, which is to say that not only should the arms embargo be lifted, but that they would be assisted in a transitional period while they are receiving arms if NATO could use airpower to keep the Serb aggressors at bay. No obligation ever. In fact, I have said to them, because others have said it to me, I said, ''You understand that people are saying to us, if you lift the arms embargo, there will be a bloodbath. You will demand that American troops come in.'' They have said, ''No, Senator. Not only do we have enough troops on the ground, but how could there be a bloodbath any worse than we have already had? So we are ready to take the consequences.'' No obligation.

Mr. WARNER. Mr. President, let me refer to the letter dated July 25 from the President of the United States to the leadership. On page 2:

> It is important to face squarely the consequences of a U.S. action that forces UNPROFOR departure.

I will return to that allegation that this is forcing the departure.

> First, as I have noted, we immediately would be part of a costly NATO operation to withdraw from UNPROFOR.

And that is a matter that the President has addressed previously. And it is my understanding that the distinguished majority leader, the Senator from Connecticut, the Senator from Virginia, and others have indicated that once the framework of such participation by the United States in assisting a withdrawal by UNPROFOR is brought to the Senate, it is likely that we will support it. Most likely. Certainly speaking for myself.

But I proceed to the second point:

> Second, after that operation is complete, there will be an intensification of the fighting in Bosnia. It is unlikely the Bosnian Serbs would stand by waiting until the Bosnian government is armed by others. Under assault, the Bosnian government will look to the U.S. to provide arms, air support, and if that fails, more active military support.

My question to my colleague: Do you know of any documentation to support that assertion by the President of the United States? I do not.

Mr. LIEBERMAN. Mr. President, respectfully, I do not. Clearly they are hoping for arms in Bosnia. That is what they most desperately want and need. As I indicated earlier, their first choice is to receive them from former Warsaw Pact countries, not from us. Second, yes, they would like air support in the transitional period. That is up to NATO. But they have never asked for more active military support. In fact, Senator DOLE and I, on every occasion we met with them, have said, ''Please do not expect that American troops will end up on the ground fighting for you in Bosnia.'' And they have said over and over again, ''Not only do we understand that, we do not want that.''

Mr. WARNER. Mr. President, I thank my distinguished colleague. I frankly call on the administration to provide the Senate with documentation to back that up because I find it contradictory to what the President of Bosnia and the Prime Minister of Bosnia have represented to individual Senators in our private meetings. There may be. There may be such documentation. But I think given that assertion in this letter to the leadership of this Senate, that that documentation should be brought to the attention of those of us who are actively supporting the measure.

Mr. President, I have a great deal to say, as I am sure others do, on this subject. I see the distinguished Senator from California present in the Chamber. I know that we spoke earlier when I was consulting with her in the hopes that she would support the measure on the floor. Mr. President, I yield the floor at this time.

Mrs. FEINSTEIN addressed the Chair.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Thank you, Mr. President. I thank the distinguished Senator from Virginia.

Mr. President, I rise today to indicate my intention to vote for the Dole-Lieberman resolution. I want to state what my intent is, and what it is solely. My intent is solely to allow an afflicted people to defend themselves.

Last week I stated that I had hoped that a specific course of action would result from last weekend's meetings in London. The actions taken, unfortunately, are limited to one enclave, Gorazde. They are not well defined, and as we have seen, the shelling of Gorazde has been ongoing since last weekend.

Also, last week I spoke about the devastating photograph of a young Bosnian woman who decided she could not go on and hung herself from a tree. This anonymous image spoke eloquently to me of the desperation facing the Bosnian people as they endure rape, torture, summary execution, and a litany of war crimes. However, no one knew who this woman was, and to this day we still do not. But now at least we have an idea of what might have driven her to take her own life.

According to one witness, a young mother tried in vain to trade her life for her 12-year-old twin boys who were taken from her and had their throats slit by the invading Serbs at Srebrenica. Later the mother tied a scarf to a tree limb and hung herself. Was this young mother the woman in the photograph? We may never know. But this story tells us all we need to know about what drives a person to such an extreme.

As the stories of the Srebrenica survivors have emerged, the picture of the suffering endured by the refugees and the atrocities committed by the attackers has become increasingly clear. I want to lay some of these out because in recent days news reports and other sources have revealed the true extent of the horror. Here are just a few examples.

On July 17, the New York Times reported several accounts of atrocities related by refugees. Two women, Hava Muratovic and Hanifa Masanovic, told nearly identical stories of Serb soldiers, dressed in uniforms of U.N. soldiers, breaking into a factory where some refugees were staying and hauling away a group of teenage boys.

According to Mrs. Muratovic: ''The next morning I saw a pile of bodies next to the water fountain. There were about ten of them, all with their throats cut. There was a tree next to the fountain, and two other bodies were hanging from the branches.''

Another woman, Sveda Porobic, told of three apparent rapes. In another factory where refugees were gathered, Bosnian Serb soldiers, dressed as U.N. peacekeepers, no less, came through the factory and dragged away two girls, ages 12 and 14, and a 23-year-old woman. After several hours, the three returned. They were crying, naked and bleeding, covered with scratches and bruises. One said, very simply, ''We are not girls anymore.''

On July 16 the Washington Post reported that a teenage girl found a stack of bodies of young men behind a factory. They had been shot with their hands tied behind their backs. Near the same factory, two other teenagers witnessed 20 men gunned down by a Serb firing squad.

Three days later, on July 19, just last week, USA Today quoted a Bosnian refugee, Zarfa Turkovic, who said she witnessed a brutal gang rape at the U.N. camp in Potocari, where refugees had gathered. She said that four Serb soldiers grabbed a young woman from among the sleeping refugees. ''Two took her legs and raised them up in the air,'' Turkovic said, ''while the third began raping her. People were silent. No one moved. She was screaming and yelling, begging them to stop.'' The rapists stuffed a rag in her mouth and continued raping her.

Since the day that Srebrenica fell, the U.N. High Commission for Refugees has been caring for Bosnian refugees fleeing the Serb armies. In Tuzla, UNHCR has been responsible for providing food and shelter to thousands of refugees in the last week and a half.

On July 18, the U.N. High Commission for Refugees released a report describing the experiences of a number of refugees, based on interviews with those who arrived in Tuzla. I would like to relate a few of the most disturbing examples.

A 60-year-old man and his wife described how the bus that was carrying them to Tuzla was stopped by Serb soldiers. The soldiers took four young women off the bus and into the woods. An hour later, three of the women emerged from the woods. The fourth woman appeared later in the town of Kladanj, naked, with only a blanket wrapped around her.

Buses were stopped by Serb soldiers a number of times along the road to Kladanj. Men and boys over age 12 were taken away, along with many young women. Most have not been seen since.

Most alarmingly, a group of refugees fleeing Srebrenica on foot through the woods encountered a group of Serb soldiers wearing the uniforms and blue helmets of UNPROFOR troops and using U.N. vehicles. One Serb soldier called out on a megaphone for the Bosnians to come out of the woods. Between 20 and 30 Bosnians, mostly women and children, emerged from hiding. The Serb soldiers lined them up on the road, and opened fire with machine guns, killing them all.

None of these reports has been independently confirmed, but based on the facts available, these stories are compelling, believable, and consistent with documented Serb behavior. There have also been many instances of refugees telling identical stories independently.

Mr. President, I ask unanimous consent that the entire text of the UNHCR report be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mrs. FEINSTEIN. In recent days, we have seen more substantiated reports of atrocities. Dutch peacekeepers present in Srebrenica have reported witnessing summary executions of Bosnian soldiers. The U.N. human rights envoy told reporters that ''what happened (in Srebrenica) cannot be described as moderate violations of human rights, but as extremely serious violations on an enormous scale.''

Yesterday, the Bosnian Foreign Minister called me from Zagreb. He told me that as many as 10,000 people are still missing from Srebrenica, and that of the 6,000 Bosnian men and boys held hostage in a stadium in Bratunac, north of Srebrenica, as many as 1,600 have been executed.

Most startlingly, he indicated that last Monday, the Bosnian President offered to peacefully evacuate Zepa. This

offer was turned down by General Mladic. I believe we know the reason.

If the evacuation had taken place peacefully and under U.N. supervision, it would have deprived the Serbs of the opportunity to detain and kill all the men of fighting age, and the opportunity to rape, torture, and humiliate defenseless refugees.

To me, it is unfathomable that crimes like these can be perpetrated in 1995, 50 years after the liberation of Auschwitz. The names Karadzic and Mladic will go down in history with the greatest villains of our time. They have led a regime that sanctions, promotes, and encourages its soldiers to murder, torture, rape, and humiliate innocent Bosnian civilians. They are evil.

Today, the International Criminal Tribunal for the former Yugoslavia announced indictments of both Dr. Karadzic and General Mladic for war crimes. It is my hope that both these men, and numerous other war criminals, will be successfully prosecuted.

I know that every Member of the Senate is outraged by the barbaric behavior that has taken place. But for the Bosnian victims of these crimes, our outrage is worth little, unless it leads to action. In the face of these atrocities, we must make an important decision.

Our choices are clear: we must either dramatically change the U.N. operation on the ground in such a way that it will be able to protect Bosnian citizens from Bosnian Serb murderers and rapists; or, we must lift the arms embargo against the Bosnian Government, unilaterally if necessary, in order to allow the Bosnians to defend themselves.

But there is one thing we cannot do, and that is nothing.

Last week, Secretary of Defense Perry, Secretary of State Christopher, and General Shalikashvili met in London with our NATO allies. They were attempting to devise a response to the collapse of Srebrenica and Zepa that will prevent and punish further Bosnian Serb attacks on safe areas and defend the civilians in those areas.

Before these meetings began, I felt that in order to be successful, they would have to succeed in radically changing the mission and mandate of the allied troops on the ground in Bosnia, giving them the wherewithal and command structure to fight effectively that they have lacked thus far.

Unfortunately, I do not feel that the agreements reached in London meet that test. I have spoken with the Secretary of State. I have spoken with our Ambassadors in London and Paris. And I have spoken at length with the Foreign Minister of Bosnia. All of these conversations have solidified my view that there has not been a sufficient change in the situation on the ground.

The London meetings only addressed the enclave of Gorazde. It is true that a fairly resolute statement was issued regarding a Serb offensive on Gorazde. Substantial allied airstrikes will be ordered in response to any attack on Gorazde.

What constitutes a Serb assault on Gorazde? Is this present shelling that has been going on since the London Conference enough to provoke action? Does a siege that cuts off the flow of humanitarian aid warrant airstrikes? Gorazde has in fact been shelled continuously since the London conference. Why have the airstrikes not begun?

Unfortunately, the promised defense of Gorazde only means that the Serbs will continue their attacks at Zepa, which I understand has finally fallen, Bihac, then Sarajevo, and Tuzla, and then what? In fact, the fate of Bosnia is sealed if the enclaves fall—for only 30 percent of Bosnia remains in government hands today.

As we debate this resolution, Bihac is surrounded and under attack. In this offensive, the Bosnian Serbs are receiving assistance from their Croatian Serb brethren—25,000 Croatian Serbs are coming over the border to augment the attacking forces. Bihac has received no food convoys for two months, and relief flights have been suspended because of the shelling. There is virtually no food left in Bihac, and residents are able to eat only what they can grow.

As for Sarajevo, it is perhaps the most important of all the enclaves. Its fall would mean the end of Bosnia. Yet, Sarajevo was hardly mentioned in London. It is true that since the conference, British and French troops from the Rapid Reaction Force have deployed around Sarajevo to respond to Serb shelling. But their mission, it seems, is primarily to protect U.N. forces. Earlier, in our caucus, the Secretary of State indicated that these troops would respond to Serb attacks on the civilian population. I certainly hope so.

As the Bosnian Foreign Minister told me, drawing a line in the sand around Gorazde alone is like drawing a line in the sand around one solitary sunbather on a beach. It may protect that one sunbather, but it ignores everything else on the beach.

Third, it is not at all clear that the United States and our allies have the same understanding about the agreements reached in London. While British Foreign Secretary Rifkind, promised a ''substantial and decisive'' response to any Serb attack on Gorazde, only U.S. officials mentioned the certainty of airstrikes.

Furthermore, it is entirely clear that Russia does not support a policy based on the use of airstrikes to contain the Bosnian Serbs. Foreign Minister Kozyrev went out of his way to say that ''no consensus'' had been reached in London. How Russia would respond to a policy that it does not support is uncertain. This uncertainty may well prove dangerous.

I had hoped that the London meetings would have initiated a genuine change to the situation on the ground in Bosnia. I wanted to be convinced. But with the weight of all the evidence, I am afraid the London conference appears inconclusive, and that the status quo will continue.

The London meetings do not produce a new course of action, and did not commit the allies to protect the Bosnians. I am convinced that we have no choice but to lift the arms embargo against the Bosnians. I prefer that it be a multilateral lifting. It has become painfully clear now that no one will defend the Bosnians except the Bosnians themselves. If no one will defend them, we can no longer deny them the right to defend themselves. And so, I intend to support the Dole-Lieberman resolution.

Last year, I opposed a similar resolution, in large part because it contained a policy of ''lift and leave''. It would have forced the President to lift the arms embargo unilaterally before any effort had been taken to extract UNPROFOR from Bosnia. I felt that was unfair to our allies, who have troops on the ground there.

The resolution before us has gone a long way toward addressing those concerns. It now contains a ''leave and lift'' sequence, which is very important. The President would not be required to lift the arms embargo until 12 weeks after UNPROFOR began its withdrawal, and that period could be extended in 30 day increments if the withdrawal took longer than expected. I believe that this change alters the effect of the resolution considerably.

This is a time for the entire world to feel outraged at the atrocities now being carried out with merciless abandon. And where is the conscience of the world? In fact, much of the world genuinely wants to help. Today, for example, a joint delegation from Israel and Jordan are meeting in Bosnia to see what they can do to help.

Let there be no mistake—we are watching the development of a ''Fourth Reich'' dedicated to the genocide of a people simply because they are different. To me, after the events of the past 3 years, there is little difference—except in size—between the drive for a pure Aryan nation 50 years ago, and that for an ethnically cleansed Greater Serbia of today.

The Bosnian Foreign Minister put it to me so eloquently yesterday when he said:

> No one has taken on the job of defending the Bosnian people. UNPROFOR is not a substitute for our defense, and the Rapid Reaction Force is committed only to defend UNPROFOR. We must know that somebody is going to defend us—and that somebody is only us.

An afflicted people must have the right to defend themselves. This resolution signals no more and no less.

EXHIBIT 1

UNITED NATIONS HIGH COMMISSION FOR REFUGEES (UNHCR) PRELIMINARY PROTECTION REPORT NO. 1 JULY 18, 1995

The following is a report based on initial interviews conducted with displaced people who fled Srabrenica after it was overrun by Serb forces.

I. CHRONOLOGY OF EVENTS

11 July—Serb forces overran Srabrenica after days of intense artillery and mortar shelling. Residents and displaced people flee burning houses and head for the Dutch UNPROFOR Battalion in Potocari, about 10 km north of Srabrenica. Others escape toward Sagna Finger on foot heading for Tuzia. Serb forces enter Potocari in the afternoon and disarm Dutch troops.

12 July—Serb forces began moving by bus people who had escaped to Potocari to Klandanj, about 70 km away. From there, the displaced were forced to move across 6 km of no man's land. They were met across the other side by Bosnian trucks and transported to the Tuzla Air Base. As the number of people swells, UNPROFOR opens a camp settlement inside the base.

13 July—Thursday Bosnian government agrees to move displaced people massed outside the air base to collective centers.

14 July—Government says the first elements of a column of 15,000 Bosnian soldiers, some of them accompanied by their families arrive in the village of Medjedja after walking across the forested Sapna finger. Four days later, the number of people had reached 8,000. The arrivals were wearing rags and mostly barefooted after their shoes were torn apart during the march. The government says it expects more soldiers and civilians to arrive in Madjedja and requested UNHCR for food and non-food items.

18 July—ICRC evacuates to Tuzla 87 wounded from a hospital in Bratunac and the Dutch medical facility at Potocari.

II. SUMMARY OF NARRATIVES

2.1 Random interviews were conducted among arrivals at the tent camp at the Tuzlaa airbase. At the outset, it must be explained that none of the accounts could be independently confirmed. The accounts include incidents of rape, robbery and execution stories were told of families being separated of men and women being taken away by Serb soldiers. Soldiers who escaped across the Sapna finger say the encountered heavy shelling, mine fields, ambushes and massacres along the way to Sapna in which hundreds were either killed or captured.

III. INTERVIEWS

1. From Potocari to Kladanj.

1.1 As civilians, mostly women and children, were fleeing advancing Serb forces, shells fell everywhere along the road to Potocari. One woman claims she saw scores of people killed and wounded in the mortar and artillery barrages. Upon reaching Potocari, the civilians gathered in and around the Dutch battalion camp and in the surrounding abandoned factories. Serb soldiers walked inside the camp and started separating families. Men of fighting age and young women were taken away, according to uniform accounts of the people interviewed.

1.2 One woman says her husband was stabbed dead before her eyes. She was dragged away to a bus but she managed to go back to look for her husband. Later, she found his body at the garage of a factory. Seven other bodies were lying there. Other women say that as they were waiting to be boarded in buses to Kladanj their husbands were taken away and that they did not know what happened to them.

1.3 Two women interviewed say men were separated from women as people were being loaded in the buses. They claim that Serb soldiers demanded money from them, but gave nothing since they didn't have any. One woman was separated together with the men because she is a relative of a senior Bosnian army officer.

1.4 The buses were stopped a number of times along the road to Klandanj. Men who were allowed to leave after the first screening were picked out of the buses and taken away. They include boys aged 12 years and upward and young women.

1.5 A 60-year-old man and his wife say that in their bus, four young women were taken out into the woods. An hour later, only three of the women returned to the bus. The fourth woman showed up in Kladanj naked with only a blanket wrapped around her.

1.6 Not only were incidents of robbery narrated before the people were put on the buses, but also as the convoys moved toward Klandanj. Along the route, Serb soldiers would demand the meager belongings and money from the passengers. One Serb soldier slashed the upper lip of a woman who could not produce money. Robbery also was allegedly committed as the people were offloaded at Kladanj.

1.7 One man says he counted 11 bodies as he walked toward Bosnian-controlled area along a six-kilometer stretch of no man's land. He says they apparently were victims of robbery attempts by Serb forces operating across the no-man's land.

1.8 Dead Bosnian men in civilian and military clothes were seen scattered along the route to Kladanj. Groups of hundreds of captured Bosnian soldiers, their hands behind the back of their head were all along the route.

2. Escape to Sapna Finger.

2.1 Four soldiers interviewed say they were among a column of 15,000 people, including 6,000 women and children, who broke across Serb-controlled areas after Srebrenica fell. They walked through 70 km of forests and faced heavy shelling, land mines and ambushes. Hundreds were reportedly killed and hundreds more were captured.

2.2 One soldier said the first ambush took place in Jaglici, the day the column left Srebrenica. He says more than 60 people were killed. At Konjevic Polja, the column encountered Serb soldiers in UNPROFOR uniform and using UN vehicles. One Serb soldier with a loudhailer called on the Bosnians to come out. Between 20 to 30 Bosnians, mostly children and women, who emerged out of hiding were lined up on the road. Then the Serbs opened fire with machine guns, killing all of them. The same soldier says he saw about 50 Bosnian bodies beside a road toward Cereka. And in another place later on, soldiers stepped on mine fields and that 150 were reportedly killed there. At Udrio, 300 to 400 were allegedly killed in an ambush. Another 300 to 600 were reportedly captured. Three other soldiers gave similar stories.

3. MEDEVAC.

3.1 Interviews were conducted with four male and five female civilians who were evacuated by car from Srebrenica—the Dutch facility at Potacari and the hospital in Bratunac—by ICRC. They were among 87 brought to Tuzla at the Norwegian medical center. The males were mostly soldiers who were wounded during the fighting before the fall of Srebrenica and were confined at the hospital there. After the Serbs took control of the town, the patients said they were mistreated. Serb soldiers and civilians entered their rooms a number of times and kicked and beat them up. One 60-year-old man says he was hit by a rifle butt in the chest.

ALVIN GONZAGA,
Protection Officer.

The PRESIDING OFFICER (Mr. KEMPTHORNE). The Senator from Virginia is recognized.

Mr. WARNER. Mr. President, we wish to thank our distinguished colleague from California for the very strong contribution to this debate. I just want to draw on one point, to make sure I understood her correctly, because it coincides with my understanding, and that is that the Secretary of Defense, when asked by the Senator, made it very clear that these rapid reaction forces, primarily from France and Great Britain, which are coming there now, and pictures of which we saw moving up into Sarajevo today, are there not to protect the civilians but simply to facilitate a protective cover to the UNPROFOR forces as they continue to struggle to perform their mission; is that correct?

Mrs. FEINSTEIN. Mr. President, if I might comment through the Chair, what I learned from our caucus is that what my colleague has just stated is true in general, but there is some higher commitment in the Sarajevo area. I am not certain of this, but I believe I understood the Secretary to say that they would defend against the shelling of Sarajevo. I am sure someone will straighten this out for certain later in the debate, but that is what I understood today.

Mr. WARNER. Mr. President, that is another example of the difficulty many of us are having in getting an accurate understanding of precisely what is the intended use of these forces. We have had hearings in the Armed Services Committee and repeatedly we have pressed for these answers, and as yet we have not received them.

Mr. LIEBERMAN. Mr. President, if I may respond very briefly to the question of the Senator from Virginia, I was in the same meeting and I thought the answer was unclear. I thought the Secretary of State said that the rapid reaction forces in the vicinity of Sarajevo were capable of responding to attacks against the population there as well as against U.N. forces. But it was not clearly their authority to do so at this point. And the news wires carry stories today of the British troops that are there as part of the rapid reaction forces on the hills around Sarajevo saying that their understanding of their mission is to respond only to attacks by the Serbs against them, against the U.N. forces, and not against the civilian population.

Mr. President, I want to thank our friend and colleague from California for a very powerful statement. It is not just that I am honored she will support this legislation before us, but it is the strength of the high road that she took in her statement, and I am very grateful for it, and it encourages me as we begin this debate.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. GRAMM. Mr. President, let me join our colleague from Connecticut in commending our colleague from California. Her speech was a very moving speech. I think anybody who is not affected by her definition of the problem, and the concerns she raised, clearly is not in touch with the reality of this situation.

Mr. President, I rise today in support of the resolution lifting the arms embargo. I would like to explain why I believe that the arms embargo should be lifted, why I believe the United Nations forces should be withdrawn, why I believe that the United States should not send ground troops into Bosnia, and why I am convinced that the only solution is to allow the Bosnians to have access to the arms that will allow them to defend themselves.

Let me start at the beginning. Like many Members of the Senate, I have been to the Bosnian region. I have talked to the leaders of the various factions. I have talked to the American military leadership. And, like every Member of the Senate, I have sat in on endless briefings about our situation in Bosnia and the options we have. I think basically it all boils down to this: To be decisive in stopping the killing in Bosnia would require at a minimum, according to our military leadership, 85,000 combat troops. If the United States of America sent 85,000 combat troops into Bosnia, there is no doubt about the fact that in that environment, we would take casualties. And if the conflict rose in intensity, we could take a substantial number of casualties.

I do not think there is any doubt that if we chose to, we would have the military power to intervene. In the process, for the period when our intervention was active and where we had troops on the ground, there is no doubt that we could temporarily change things in Bosnia. But I think one thing that everyone who has looked at this conflict agrees on is that the day that America pulled out or the day that a larger involvement by the United Nations was withdrawn, nothing fundamentally would have changed. And on that day, the conflict would reignite.

I think we all understand that if the United States intervened, or if we participated in the intervention with our allies, then ultimately the day would have to come when we would have to withdraw. I do not believe that the American people are convinced, given that we cannot permanently change a conflict that is 500 years old, that we can justify the loss of American life in Bosnia.

I do not believe that the American people support a massive ground intervention in Bosnia. I am opposed to it. I think it would be a mistake to send ground forces into Bosnia. I believe that the American people oppose it with enough intensity that if we did intervene, as soon as we started to lose American lives, then the pressure would mount for us to withdraw.

So where are we? I think we have a conflict that America cannot be decisive in changing through our intervention for any more than a very short period of time. It is not going to make me feel any better and I do not think it will make the American people feel any better to add American names to the casualty list in Bosnia.

I think the U.N. mission has failed. The safe havens are not safe. There is no peace for the peacekeepers to keep. I believe the U.N. forces should be withdrawn.

I think to engage in intensified airstrikes would simply put us into a position where, if they did not succeed, we would be drawn deeper and deeper into this conflict. And everything we know about the region and the effectiveness of airstrikes in a geographic area like Bosnia tells us that airstrikes are not likely to be decisive.

So what do I think the solution is? I do not think it is a very happy solution. I think, first of all, we have to recognize that there are limits of power and that, even though we are the most powerful country in the history of the world, even though we have greater military capacity than any nation in the history of the world has ever had, we do not have the ability to fix everything that is broken. We do not have the ability to right every wrong, and we do not have the capacity, given the unwillingness of Americans to sacrifice American lives, to be decisive in Bosnia.

Therefore, I think we should call on the United Nations to withdraw. I think we ought to lift the arms embargo. We ought to allow the Bosnians to arm themselves and defend themselves. We have to realize that foreign policy involving American military power is not like social work. It is not a situation in which we see something wrong in the world and we decide to fix it.

It seems to me we have to ask two questions to guide us in our policy with regard to Bosnia.

First of all, do we have a vital national interest in Bosnia? It is difficult to listen to the distinguished Senator from California and answer that question no. I think we do have an interest in what is happening there. I think the whole world has an interest in it.

But the second test is, can we be decisive, through our intervention, in solving the problem? I think the answer to that question is, regrettably, no. I think our intervention in the short run on a massive scale could have a short-term impact. But the day we withdraw, the problem is going to recur. I do not believe that the American people support the use of ground troops, and I do not support it.

We must recognize that while we have a national interest, and I think civilization has an interest, I do not think we have the capacity to be decisive in this conflict.

Finally, never, ever, under any circumstance, could I support sending U.S. troops into combat under U.N. command. It is an absolutely unworkable structure. The United Nations was never organized to conduct military operations, and I, for one, am determined to see that under the current structure of the United Nations or anything remotely similar to it, we do not put Americans into combat under U.N. command.

Let me, before I end, respond to a couple of points the administration has made. The administration has argued that lifting the embargo Americanizes the war. I strongly disagree with that argument. I think continuing to threaten to do things we are not going to do Americanizes the war.

I think the Serbs understand that we are not going to send ground troops into Bosnia. I think the Serbs understand that, at least to this point, we have been unwilling to use massive air power because it would not have been decisive and because a massive bombardment using American air power would have caused collateral damage, including killing innocent civilians, that would clearly have been very large. Even as sophisticated as our weapons are, that is likely to happen.

Instead, we have continued to threaten things that do not menace the Serbians. What we have to do is level with our allies and level with ourselves in saying some very simple things.

No. one, we are not going to send American ground troops into Bosnia. No. two, the U.N. mission is a failure, and nothing that we are going to do is going to change that. The obvious thing to do, the humanitarian thing to do, and in the long run the thing that is in the interest of the people of Bosnia is to lift the arms embargo and give the Bosnians the opportunity to defend themselves.

That is something that we are not going to do for them. The United Nations has been unwilling and unable to do it for them. They desperately want to do it for themselves. I cannot in good conscience deny them the ability to do that.

I yield the floor.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

BOSNIA DECISIONS

Mr. BYRD. Mr. President, we are considering legislation that would unilaterally lift the arms embargo against Bosnia on a date certain that is established by actions outside the control of the United States. A demand by the Bosnian Government for the United Nations Protection Force (UNPROFOR) withdrawal from Bosnia would cause the lifting of the United States embargo against the Bosnian Government. The sponsor of this legislation, Senator DOLE, and cosponsors and others have argued that UNPROFOR is not effectively protecting the U.N.-declared safe areas—and I agree with that—and that it should be withdrawn, allowing the Bosnian Government to defend itself and its people.

But, Mr. President, this scenario does not fully reflect ongoing developments. There is another option to what is clearly a failed U.N. mission, failed because no peacekeeping operation can succeed when there is no peace to keep. Last Friday, representatives of the 16 nations comprising the North Atlantic Treaty Organization [NATO] met in London to hammer out a coordinated

NATO response to the recent Serb aggression. That meeting has resulted in a new policy, the details of which are being finalized today. The most important element of the policy is that our NATO allies are remaining in Bosnia. They have not seized upon excuses to quit the morass that is Bosnia. Our European allies recognize that aggression in Europe feeds upon itself and must be met. They recognize that the spread of this cancer will eventually threaten the stability of NATO nations, through huge refugee flows, black market arms trading, and economic instability. They are not leaving the refugees in the safe areas with no hope that the West cares about their fate. NATO is prepared to take action if Gorazde is attacked. As the discussion proceeds in NATO councils, we should soon know if the ''dual key'' approach to approving airstrikes will remain in its now modified form, or if—as I hope—the retaliatory strikes are to be fully in NATO's control. My opinion is that now is the time for the U.N. bureaucracy to completely step aside.

This is a big change for U.N. and NATO policy in Bosnia, and one that is not recognized in the legislation we are debating. The U.N. operation in Bosnia has been castigated for not truly protecting the Bosnian Moslem refugees in Srebrenica, Zepa, and other safe areas. It is certainly true that the United Nations was unable to keep those towns from being overrun; just as it is true that Bosnian Government forces also failed to keep the towns from being overrun. Perhaps that is cause for some to call for the United Nations' withdrawal from Bosnia. I am opposed to unilateral action by the United States. I suggest that it is time to let NATO take over from the United Nations in Bosnia. That is the path that is being taken in the recent NATO decisions.

NATO is a fighting force, while the United Nations is not. For the four and a half decades since its inception in 1949, NATO has thrived as one of history's most successful alliances, serving as a defensive shield protecting its 16 members from a massive assault by Warsaw Pact armies. The fact that it has never had to fight the Warsaw Pact is perhaps proof of its effectiveness. In times of rivalry on trade and diplomatic fronts, NATO has been a stabilizing factor in U.S.-European relations, a forum where Western countries can air and coordinate important global policies of concern such as arms control, proliferation of weapons of mass destruction, and instability in the region. Now, it is proving to be a forum where, perhaps, a workable plan for the tragic situation in Bosnia can be hammered out and implemented.

NATO troops are seasoned and practiced in joint operations. They have the equipment, training, and rules of engagement to make them an effective enforcer of the decisions announced this weekend. The NATO military command is establishing the command and control links and decisionmaking rules to guide NATO operations in Bosnia in fulfillment of the decisions so recently made.

But NATO needs time, it needs the opportunity, to prove that it can be more effective in Bosnia than the U.N. peacekeepers have been. I know that proponents of this legislation will say that airstrikes have been tried before, and they have not worked. I do not deny that. But previous retaliatory airstrike operations have been bound with so many restrictions and such cumbersome lines of control as to be useless. Previous airstrikes have required advance notice to the targets that were to be hit. They have required a time-consuming and cumbersome decision-making process that rendered the strikes toothless and not timely. They have been conducted by flights of aircraft not necessarily suited to the task at hand. And, they have been deterred by the presence of hostages at the sites to be bombed.

These restrictions do not appear to be the case in the retaliation that has been outlined for NATO and by NATO. NATO retaliation will be swift, it will be at a time and place of NATO's choosing, it will not be announced, and it may encompass any Serb military target, including command and control centers and headquarters. Our NATO allies with forces on the ground have even accepted the possibility that hostages may be taken, and have pledged to continue on even in these difficult conditions. This is a far cry from the previous ineffective U.N.-controlled airstrikes.

Will this be easy? No, I do not think so. Is it important to support NATO in this effort? Yes. I think it is very important. Our NATO allies have made two points clear: First, they are committed to taking action in Bosnia, and remaining engaged there. Second, they have made it clear that United States actions to unilaterally lift the arms embargo would seriously damage the allied coalition on Bosnia. The United States has urged NATO to take on this larger role, and to become more active in deterring aggression in Bosnia. They are doing it.

Mr. President, this legislation does not address the key issue, which is the role of NATO in keeping the peace on the European continent. It pretends to lift an embargo that the United States has not enforced for months, due to compromise language worked out in last year's defense authorization bill. Arms and funds to buy arms are making their way to the Bosnian Government from sympathetic governments, just as arms are making their way to the Bosnian Serbs. A lifting of the United States embargo could very well be a prelude to greater American involvement in this conflict. Following a formal lifting of the United States embargo, shall we expect to see legislation introduced to use U.S. taxpayer's funds to supply arms to the Bosnian Government? Such legislation has been included in bills in the past, up to $200 million. Some $50 million in defense articles and services from the Department of Defense was authorized to be provided to the Government of Bosnia in the Fiscal Year 1995 Foreign Operations Appropriations bill (Public Law 103–306), subject to Presidential certification. This assistance even may prove necessary, if action to lift the embargo weakens NATO's resolve and ability to act in Bosnia. After all, why should our allies, who have so much more at stake in Bosnia, undertake such risks, when on the heels of their consensus, the United States adds a new unilateral element?

All of us sympathize with the suffering in Bosnia. Nobody sympathizes with the suffering any more than I do. I am not blind to it. I hope that the new NATO policy will be successful, and will finally let the Bosnian Serbs know that they cannot defy the world, take more territory, and displace residents in order to create an intolerant society. I simply cannot see how this legislation before us today improves the situation for the Bosnian Government, or for the Bosnian people, or for the hope that the United States and its allies can retain a united security policy.

It is this unilateral action that threatens to ''Americanize'' the conflict in Bosnia. If our actions here today on this measure jeopardize the new NATO policy in Bosnia before that policy is implemented and tested, we may have assumed some responsibility for the further deterioration of conditions in Bosnia. If our actions on this measure lead to our European allies quitting the field in Bosnia, then we may feel more responsible for the fate of Bosnia. If we then begin to supply arms, and the Bosnian Government still fails to deter Serb advances, and we are urged to supply training, and then intelligence, and then advisers, and then more powerful weapons, we will have chosen a well traveled path—a path that in our own past has led to places like Vietnam and Nicaragua. This is classic incrementalism. It is a poor substitute for decisive NATO action.

Active, decisive NATO operations to deter or retaliate against Serb aggression will do more to support the Bosnian victims of aggression than will an UNPROFOR withdrawal and a lonely battle fought only by the Bosnian Government forces. With our European allies, the United States has been involved from the beginning. It is better for Bosnia, and better for the United States, for the United States to act in concert with our allies, rather than to act alone.

Mr. President, let us vote to give NATO a chance in a very complex and difficult situation. Let us not make that situation more complex and difficult. I intend to vote against this bill.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Will the distinguished Senator from West Virginia yield for a question?

Mr. BYRD. I yield.

Mr. WARNER. I thank the distinguished Senator.

The premise, as I listened very carefully to the Senator's very eloquent remarks, was that NATO be given the responsibility, given the responsibility—and I copied it down correctly—to deter quite this situation which would, first, be clearly taking sides.

The United States is an integral part of NATO, and that leads me to the question, if NATO were to be given this authority, in my judgment, that would immediately lead to the assumption that U.S. ground troops as an integral part of NATO forces called into the battle would then be sent into that conflict.

Mr. BYRD. Mr. President, I do not agree with the Senator. He has a right to his opinion. He is a very able and long-time Member of the Armed Services Committee. I respect his viewpoint.

I am simply saying that the allies have determined on a course of action. I am saying that for us to adopt the measure that is before the Senate to unilaterally lift the embargo would be, in a way, jerking the rug out from under the allies. I am saying, let the allies take the course of action that they have taken, they have decided upon—we do not have to pass this resolution today or tomorrow—but let us not take action here which may in the final analysis result in exactly what the distinguished Senator has expressed concern against, and that is the use of American fighting personnel in Bosnia.

Mr. WARNER. Mr. President, if I may ask a second question, if the responsibility is turned over to NATO, what would be the likely reaction of Russia? Russia has a historical connection with Serbia and the cultures associated with Serbia, and speaking for myself, I would want to know exactly what their reaction would be before I say, ''NATO, you take over this fight.''

Mr. BYRD. I do not suppose they will like it, but what will be the Russian reaction if we lift the embargo unilaterally? What will be their reaction to that?

Mr. WARNER. Mr. President, I think that has already been stated by Russia. They will revert to their historical ties to Serbia and in all probability aid Serbia. But to give this situation over to NATO and let them take such action, as I took notes here, I as yet have not seen any decisive action. This is the whole problem—no decisive action thus far by NATO most likely as a consequence of the U.N. dual-key handle on the situation.

Mr. BYRD. Which I am against.

Mr. WARNER. I understand, Mr. President, very clearly that the Senator has made that point. But I do not see the circumstances under which—no matter how intriguing our distinguished colleague's suggestion might be, I do not see the circumstances where this would be turned over to NATO. And if it were, then, in my opinion, we would have to participate as an integral partner in NATO both in the ground and in the air and on the sea. That is my concern.

Mr. BYRD. Mr. President, I ask unanimous consent that even though I hold the floor, I may be permitted to ask a question of the Senator.

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

Mr. BYRD. Mr. President, is the Senator discouraged by the action that will be taken by the NATO allies, the decision that was made by the NATO allies on last Saturday and the follow-through which they are making today?

Mr. WARNER. Mr. President, my answer to that——

Mr. BYRD. Is he not in concert with the decision that was made by the allies?

Mr. WARNER. Mr. President, most respectfully, I am not. I think that to begin a very serious air-bombing campaign of portions of Bosnia and Herzegovina and possibly extending it on into areas bordering on if not Serbia—and that has been mentioned—is a very dangerous mission. What is to happen if hostages are taken during the course of this bombardment, not only hostages of the UNPROFOR but the U.N. forces there associated with the food disposal and disbursements, and civilians?

There has been a long history by the Bosnian Serbs, Mr. President, of collocating with targets of opportunity, collocating innocent civilians, of chaining hostages, of chaining hostages, Mr. President, to the likely targets. And I cannot see the United States being told or exercising leadership, bomb and bomb and bomb, while hostages are being chained and innocent civilians dragged into the collocation of those targets.

Suppose you were a young American aviator and you were directed to bomb a target when you knew full well of the innocent people in the vicinity. Mr. President, that policy disturbs me greatly.

I thank my good friend and colleague. We have served here these many, many years together, and on this we have a difference of view.

Mr. BYRD. We do have. Mr. President, I am sorry that the distinguished Senator deplores the fact that the NATO allies have not taken any action, and yet he also deplores the decision by the NATO allies on last Friday to take action. He says, why have they not taken any action? They have not had time to follow through on the decision.

Mr. WARNER. Mr. President, they have indicated a willingness to put the rapid reaction force into positions where those forces can better protect UNPROFOR, not stop in any way the killing, the raping of many, many innocent civilians.

Mr. BYRD. Mr. President, the Senator has taken on more than a man-sized job now when he talks about stopping the raping and killing of the innocents. That goes on here in the District of Columbia and everywhere else. And that has been going on in the area that we are talking about for over 2,000 years. It was from that area that the Roman legions were able to get their best soldiers, in Pannonia and Dalmatia, Illyria—the area more recently referred to as Yugoslavia—where, in A.D. 6, some 200,000 Dalmatians and Pannonians revolted and massacred thousands of Roman citizens and Roman soldiers.

We are dealing with an extremely difficult problem here. It is not going to be dealt with overnight. And I am afraid—I simply say it is my opinion. I may be wrong; I have been found wrong upon several occasions in my 77 years. I may be wrong this time. It is my opinion that this is the wrong thing to do, to lift this embargo unilaterally.

Mr. WARNER. Mr. President, I thank my distinguished colleague for the opportunity to have a colloquy together.

Mr. BYRD. I thank my friend.

Mr. LEAHY addressed the Chair.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. LEAHY. Mr. President, I think the colloquy between the distinguished senior Senator from West Virginia and the distinguished senior Senator from Virginia is probably as illustrative of the debate we have here as anything. Without meaning to embarrass either of the distinguished Senators, one from West Virginia and one from Virginia, they are two of the most knowledgeable Members of this Senate, they are two people probably who have observed history, the use of force, the trends in history and trends in the use of force as much as anyone, certainly longer than the senior Senator from Vermont. It is indicative of the agonizing choice here that they are in disagreement on this. They are two Senators respected by their colleagues on both sides of the aisle and respected by each other and yet they differ on this. That is a measure of the strong feelings we all feel about this desperate situation.

It is indicative of the larger issues that underlie this debate. I worry, for example, about what will remain of NATO when this is over? This is an issue that many of us feel, as does the Senator from Vermont, should have been handled by NATO in the first instance, starting several years ago. And NATO—which has been supported by the United States, maintained by the United States, in many ways led by the United States ever since the beginning of the cold war—NATO, when faced with its first real challenge, a challenge to show leadership, a challenge to deal forcefully with a conflict taking place right on their borders, they failed and failed miserably. And it is almost as though the meetings in Brussels and the dinners in the chandeliered dining rooms and the discussions of

those driven around in limousines and saluted were more important than the policy. And I worry that part of the damage of this whole sorry episode in the former Yugoslavia, part of the damage may be a wounding of NATO itself. I am very concerned that NATO may not be as relevant as we go into the next century, just 4½ years away.

I say this because I am one who does not assume that NATO is no longer needed today, that the Soviet Union has completely disappeared. I am not ready to accept that. I certainly accept there have been magnificent and significant changes in the former Soviet Union. But those things that we feared about the Soviet Union, I would say to my friend from Virginia and others, those things we feared I am not sure they cannot reappear.

I applaud the things that have happened in Russia, for example, the opening of a far freer press. I certainly applaud the privatization that is going on, the efforts toward openness and democracy. I certainly hope these changes are permanent, and I have strongly supported aid to the former Soviet Union to help them succeed in this difficult transition. But I am not ready to accept that Russia is like our European allies who we have grown accustomed to throughout our lifetime. It is still a country with thousands and thousands of nuclear warheads, a country still having difficulty deciding what kind of a government it is going to have, and a country with many in positions of power who long for the good old days of Soviet privilege and power.

I do not say that to be overly pessimistic. But I am saying that if the Western World is going to stand up for democracy, human rights, and the civilian control of military power, then NATO is the place to show it. I worry much that NATO may have been so badly damaged by this debacle that it will never recover its footing. I hope it does.

Throughout this debate on the Dole-Lieberman amendment to unilaterally lift the arms embargo against Bosnia, there have been eloquent and persuasive arguments on both sides. I find myself torn. In fact, when similar resolutions as this came up in the past I found myself actually supporting the other side at one point, something I rarely have done in 21 years. I can think of few issues in my 21 years about which I have felt so conflicted.

I do think there are things we all agree on. The arms embargo which was imposed by the United Nations Security Council with strong U.S. support was well-intentioned but, I believe, a tragic mistake. It was agreed to even before Bosnia declared its independence, at a time when very few anticipated the disaster that has since befallen the former Yugoslavia. While the embargo has not prevented Bosnian Moslems from obtaining arms on the black market, it has provided a military advantage to the Serbs by denying the Bosnians access to tanks and heavy artillery.

We also agree that while both sides are guilty of atrocities against civilians and prisoners of war, the Serbs have been responsible for the overwhelming majority of the atrocities, especially in their hideous campaign of ethnic cleansing. We have heard of thousands of women and girls raped, thousands of prisoners mutilated and summarily executed, civilian targets shelled, even the wounded in hospitals taken out and shot.

If there is anything that would fit a definition of war crimes, it has been these atrocities. We have watched as the Bosnian Serbs have overrun 70 percent of the territory previously occupied by Bosnian Moslems. Even today, Sarajevo and Bihac are under attack. That is beyond dispute.

We also know that an American F–16 was shot down by a Serb missile. There was absolutely no evidence that the NATO aircraft, which was enforcing the no-fly zone, posed any threats to the Serbs. But yet they shot it down.

I think we all agree that the status quo is completely unacceptable. UNPROFOR went to Bosnia to protect civilians, but they were never given the mandate, the equipment, or the rules of engagement to do the job, a job they were asked to carry out under agreements worked out with parties that continuously lied and broke their word.

It was unconscionable to inject U.N. peacekeepers into a war where there is no peace to keep and without adequate means to defend themselves. We have watched as the United Nations and NATO have been humiliated and weakened as Serb violations of U.N. resolutions were met with silence. We have been disgusted as NATO, the most powerful military alliance in recorded history, seemed impotent to respond aggressively to these outrages.

We have watched helplessly as U.N. troops were taken hostage, abused, and even killed. Bosnians civilians accompanied by U.N. soldiers have been seized by Serb soldiers, been taken away and shot. The U.N. soldiers have had to stand by and watch this, helpless to stop it. U.N. weapons and equipment have been flagrantly stolen.

The U.N. mission was to protect civilians. While UNPROFOR has saved lives, it has fallen far short of accomplishing its full mission. U.N. safe areas have proven to be anything but safe. The U.N. dual-key approach turned out to be a terrible mistake.

Finally, I think there is widespread agreement that the response of the West, including the United States, to the genocide in Bosnia has been a catastrophic failure. We even refused to call it genocide when what we watch on television was clearly genocide. The policy of our European allies and two consecutive American administrations have been timid, equivocal, and ineffective.

Mr. President, I wish there had never been an arms embargo. But with one in place, we now have a real problem of whether to break with our NATO allies. Many feel that would be a very serious mistake.

The Bosnian Government wants the arms embargo lifted. But does it want the United Nations to leave? The Bosnian Government has never asked the United Nations to leave. That is because they know that, even as flawed as this has been, the United Nations is saving lives and is getting food and medicine to over 2 million stranded, defenseless people. If the United Nations leaves, they know the war will escalate and more people will die. Bosnia's Prime Minister wants the United States to enter the war, and that is why he supports this amendment.

I have also listened to those who believe that even large U.S. airstrikes aimed at strengthening the U.N. operation would not defeat the Serbs. They argue the only way to defeat the Serbs is with massive numbers of NATO ground troops, including thousands of Americans, to seize territory and defend it. Since the Serbs know that the United States is not prepared to undertake such a hazardous, costly military operation of indefinite duration in a country where no U.S. security interests are at stake, there is a possibility the Serbs will resist our air attacks and fight on.

They may be right. But our Pentagon commanders believe that punishing air attacks could swing the balance in this war. And maybe they are right.

And so, Mr. President, it is because there is no easy solution to the conflict in Bosnia that we face this agonizing choice. Everything in my heart and emotion makes me want to vote to lift this embargo. As I talked with the Bosnians themselves, and I hear them say, ''Let us fight like human beings and not die like animals,'' I want to lift the embargo.

And if I thought that unilaterally lifting the arms embargo would stop the bloodshed there, I would vote for it without hesitation, despite, I might say, the unfortunate and even the dangerous precedent it would set in rejecting a Security Council resolution that we here in the United States voted for and supported. I would do so because I believe so strongly that the genocide in Bosnia must be stopped.

Mr. President, I am one who has said for a long, long time, even when our own Government would not say so, that this is genocide. But I find that it may well be impossible for me to vote for this amendment because our military leaders predict that the bloodshed would quickly escalate and that, as UNPROFOR leaves, U.N. troops would be drawn into a protracted ground war in Bosnia. That may be inevitable. It may be inevitable. But there is still a chance that NATO can prevent such a debacle.

I cannot support the withdrawal of the United Nations when there is still a chance that NATO would display the

kind of unity and power that it should have displayed from the very beginning of this conflict. I cannot turn my back when NATO may be able to redeem itself and be a viable force for bringing about an end to this cruel war.

I believe our first responsibility is to NATO. I say that as one who has supported NATO throughout my adult life, as one who believes that the West needs a strong leader.

NATO is our first responsibility, and today the administration and our NATO allies are feverishly working to develop a strategy to deter further Serb advances on the Bosnian Moslem enclaves.

I would like to see some time at least elapse following the meetings in London this past weekend, while the meetings are continuing today, before we vote on the question of lifting the arms embargo.

I am afraid if we pass this amendment today, we are inviting NATO to walk away from Bosnia, and we are saying we do not support a forceful NATO response, that we are prepared to see an appalling situation become even worse. I think that would be a mistake. I think we should give the process underway in London time to unfold.

Frankly, I was disappointed, as I know many Senators were, that last Friday in London, the NATO Ministers only threatened to use substantial and decisive force if the Serbs attack Gorazde. Why should that threat not apply equally to Serb attacks against the other remaining safe havens? They are under Serb assault right now.

Innocent people have been dying for months. Secretary of State Christopher and Secretary of Defense Perry have both suggested the enclaves would be covered by the NATO threat, but it is unclear whether NATO feels that way. I believe this is absolutely crucial. I have discussed this with the Secretary of State.

I am confident that the administration will continue to push for the broadest and strongest rules of engagement for NATO, and that the disastrous dual-key policy will end. Frankly, Mr. President, I hope our country will never be party to something like this again.

Any decision to use force will be made by NATO commanders, not U.N. bureaucrats, and U.S. ground troops will not be involved except, of course, I might say, as we the President has already said, to ensure the safe withdrawal of U.N. troops.

Mr. President, the easy vote for me on this amendment would be to vote ''aye.'' That is an easy, visible way for me to cast my lot with those suffering in Bosnia, suffering that should never have happened if there had not been mistakes made by the West for at least 5 years now.

I feel for those desperate people as passionately as anyone in this Chamber. How could any human being not? But I find it virtually impossible to support an amendment which I believe would lead to wider war, greater suffering, that would endanger the lives of the troops of our NATO allies who are on the ground, and possibly endanger thousands of Americans at this moment when NATO is substantially revising its policy in Bosnia.

As I have said, I have been torn by this more than any issue here. If the new policy does not work, perhaps I will feel differently, perhaps I would vote differently.

If the decision is made to withdraw UNPROFOR, which is what this amendment does, then tens of thousands of U.S. troops will be sent to assist their retreat, If that occurs, Americans and U.N. peacekeepers will be killed and possibly taken hostage.

As the leader of NATO we have that responsibility. If we are asked by UNPROFOR to help them withdraw, we will have to say yes. I am one Senator who would vote to support that, even though it means we will put American troops in harm's way. But I cannot support an amendment which does not spell out all these risks for the American people. This amendment says nothing about the fact that American ground troops would likely end up in Bosnia. Perhaps we should vote on that.

Mr. President, while I have been deeply disappointed by the failure of the Western countries to act more forcefully to stop the genocide in Bosnia, I have hope that that is changing. I think we and our allies have failed badly. The past 3 years will be remembered for horrifying brutality met by timidity and meaningless threats.

Today, NATO has a last chance to redeem itself. President Clinton has gone to great lengths in recent days to persuade our national allies to act forcefully. There has been significant progress toward a unified position. He has urged us to give NATO a chance to prove itself—not the U.N. but NATO. I believe we have a responsibility as the leader of NATO to stand up for that alliance today.

For that reason, and primarily for that reason, I will vote no. If NATO does not stand up, if the situation does not change, if after the conclusion of the discussions in London further Serb atrocities are still met with inaction, then frankly, Mr. President, I do not see how I could continue to vote no.

I want to say, again, Mr. President, before I yield the floor, I see my friend from Virginia, and I have so much respect both for him and for the distinguished senior Senator from West Virginia. Hearing that colloquy, I could not help but think that they spoke to the things that have been going back and forth in my mind.

I walked the fields of my farm in Vermont, and I have gone back and forth and been awake in the middle of the night. I find myself one moment saying yes, and the next moment, no. I have gone back and forth. This has, frankly, Mr. President, been one of the most difficult votes I have cast, even though there is no question in my mind that the resolution of the distinguished majority leader and the distinguished Senator from Connecticut will pass this body, I suspect, by a fairly large margin.

I yield the floor.

The PRESIDING OFFICER (Mr. THOMPSON). The Senator from Virginia.

Mr. WARNER. Mr. President, a question to my distinguished colleague.

The American taxpayer has been paying this bill, now, in 1993, $138 million; 1994, $292 million; 1995, $315 million; now at even a higher rate, for their participation in the air and in the naval embargo.

I think it is time that the U.S. Senate stood up for something. Does the Senator from Vermont—and I listened very carefully—does the Senator advocate a larger role for NATO then, Mr. President? I think you are obligated to tell what you want NATO to do. We now have dispatches today that Boutros-Ghali, the head of the United Nations, is not about to turn this thing over to NATO.

Let Members not hold out there is a solution by NATO.

Mr. LEAHY. Mr. President, the Senator, of course, is entitled to his own analysis of what I said, which of course is not what I said. I have spoken on this floor many times and elsewhere for several years, both in the past administration and in this administration, saying there has been opportunity after opportunity lost by NATO in the past.

This is not something calling for NATO to act today. It is something I have been saying for years, something I have said both to the current President and his predecessor. This is not something I am saying up here and raising this point. It is a situation where I wish I had been wrong in calling for stronger action in the past. It may have had a lot more effect. But I see now, as I look back, I was right and the decisions made by two administrations were wrong.

Mr. WARNER. Mr. President, I simply conclude by saying that if someone has a plan that NATO should carry out, perhaps they ought to bring it out here and discuss it. If we have NATO with greater involvement, I cannot see how our President can say NATO will continue in the air, but no way will we go in on the ground.

If you bring NATO in and give it full responsibility, then we are in this combat on the ground very decisively, in my judgment.

Mr. EXON. Mr. President, I thank the Chair. I note the presence on the floor of the majority leader, the principal sponsor of the amendment. I have been waiting for some time, but if the Senator from Kansas, the majority leader, wishes to make a statement, I am happy to yield.

Mr. DOLE. I came to listen to the Senator from Nebraska.

Mr. EXON. I hope I will not disappoint the Senator from Kansas with my remarks.

Mr. President, the vote that I will cast on the Dole-Lieberman measure on the critical, complicated, and extremely dangerous situation in Bosnia is one of the most important, if not the most important vote, that I have ever cast in the Senate.

I will vote no, Mr. President, because I am convinced that this ill-advised Americanization of the war will gut our relationships with our traditional allies, sow the seed for the end of NATO, and make the United Nations substantially less of an instrument for the settling of disputes.

To my colleagues, I say vote no. This is not the correct course of action. Vote no, I plead—I plead, since I am convinced that this ill-advised action could turn out to be disastrous for the world and for the United States of America.

Mr. President, last Wednesday I addressed the Senate on the reasons why I oppose S. 21, the Dole-Lieberman bill to unilaterally lift the arms embargo against Bosnia. Since that time, the United States has met with our European allies to assess our collective policy in response to Serbian attacks on two Bosnian safe havens. I am convinced now even more than last week that passage of S. 21 in its present form would only worsen the situation in Bosnia.

With the deployment of the French and British Rapid Reaction Force and the recommitment of the alliance, including the United States, to the use of air strikes to blunt Serbian attacks on safe havens, the crisis in Bosnia has entered an important new phase that I think we should recognize. The alliance is now committed to meet Serb aggression against civilian populations with force unencumbered by a restrictive dual-key arrangement for authorizing airstrikes. As Secretary Christopher said in his July 21 press briefing, the city of Gorazde, our most immediate concern, will be defended.

Unilateral lifting of the embargo prematurely starts a series of events in motion that will directly undercut the agreement reached by the alliance over the weekend. Lifting the embargo will result in an infusion of arms on all sides of the conflict—not simply the Bosnian Government, but to all sides—that will only sustain the ability to wage war, inflict casualities, and terrorize the civilian populations. Removal of the peacekeepers would be inevitable and the dogs of war will be unleashed, newly strengthened, to carry on the fight until one dog remains or there is nothing left alive to fight over.

As I said during my statement last week on S. 21, I am not a supporter of an embargo that hinders the Bosnian Forces in there ability to defend themselves. I also question the effectiveness of the peacekeepers to fulfill their mission when a peace agreement is not in place. We have turned over responsibility of protecting civilians on the ground and seeing that convoys of food and medicine get through to our allies. We have asked that the French, the British, the Dutch, and many other countries shoulder the costly burden of putting their soldiers at risk on the ground, while we lament their inability to stop the bloodshed and demand that something be done, we suggest by Dole-Lieberman that we ''courageously'' unilaterally lift the embargo.

It is disingenuous for the U.S. Senate to be calling for a unilateral lifting of the embargo and undercutting our allies when their soldiers are the ones dying in an attempt to protect innocent men, women, and children. The United States lost 43 men in Somalia in an operation to save hundreds of thousands of lives imperiled by starvation. The French have now lost 42 men in Bosnia since arriving in June 1992. I could only imagine the howls emanating from this Chamber had a nation not involved on the ground in Somalia decided, contrary to international agreement, to supply arms into Somalia that in turn further endangered Americans there. Our foreign policy is not made in a vacuum and we must be aware of the standards we ask other nations to adhere to when we contemplate a course of action that places us at odds with our allies.

Sure, proponents will say that the situations are not the same and that S. 21 provides for a lifting of the embargo after the peacekeepers are withdrawn. But the point is that this bill is the impetus for the Bosnian Government to demand that the peacekeepers leave. S. 21's enticement to remove the shield, now reinforced by this weekend's decision, is the promise of arms, a promise, by the way, that S. 21 neither fulfills nor addresses. Similarly, the bill before us refuses to take into account the need to authorize United States forces to assist in the withdrawal of United Nations forces from Bosnia. S. 21 is only half of the story. The other half of the story no one wants to be bothered with is a lot more messy: thousands of United States ground troops in Bosnia extracting our allies; increased fighting among combatants as the arms pour in to Bosnia and its cities become the battlelines; more brutality; more death; and ever-deepening scar of human suffering.

There are no easy courses of action with respect to our policy in Bosnia. No alternative is guaranteed to reach a peaceful and equitable settlement. President Clinton has joined our allies in strengthening the prospect of bringing the Serb Forces attacking civilian safe havens to heel. I have heard none of the proponents of S. 21 suggest that lifting the arms embargo and removing the U.N. peacekeepers will reduce the fighting. Likewise, the proponents of S. 21 will not tell you that by pulling out the peacekeepers protecting the safe havens Serbian forces will cease their attacks on civilian populations. That is so because we know such a conclusion is faulty, as the events of the past have clearly shown. Every one knows the opposite is true. Lift the embargo, pull out the peacekeepers, flood the region with more arms, and watch the bloodshed rage. S. 21 will prolong the war, not end it. S. 21 will lead to more casualties, not less.

The West's dedication to use air strikes to keep the Serbians at bay improves the prospect that the military balance will shift to the point that the Serbs cannot exploit their advantage in the Eastern Bosnian enclaves, thus hopefully—I say hopefully because nothing is assured—leading to a realization that this war cannot be won on the field of battle. After all, Bosnian Government Forces are numerically superior to the Serb Forces and have been retaking land from the Serbs in some of the western areas. Perhaps the status quo is the lesser of two evils. But there are no simple solutions. We must work with the hand that we are dealt. I believe the President's policy and that of the NATO alliance is measured and appropriate under the circumstances. It has been totally agreed to by our military leaders. This is not Kansas. We can not click our heels three times and expect the problem to go away. Our allies are doing their best in a very difficult situation. Let us not undercut them. Let us not undercut our President as he carries out his constitutional authorities as Commander in Chief.

S. 21 has the allure of cotton candy. But as we know, the sweet taste soon disappears and leaves only the threat of tooth decay. Cotton candy is not good for you and S. 21 is not good for the cause of peace in Bosnia. I urge the Senate to not endorse a course of action that resigns us to a cynical view that endorses the rearming of the region in a misguided hope that more arms, more fighting, more American involvement will further the prospect of peace.

When tens of thousands of women and children were being brutally hacked to death by machetes in Rwanda, I do not recall anyone in the Senate taking the floor calling for the need to send arms to the persecuted minority in Rwanda to defend themselves. I mention this because the Senate has a way of being selective in its indignation over foreign policy matters. The Congress has an unfortunate tendency to be inconsistent in how we involve ourselves in foreign affairs. So let it not be a surprise, if S. 21 becomes law, when at some point in the future an ally of ours decides to break out of the Iraqi, Libyan or Serbian international embargo and points to our vote today as justification for the action.

The fact is that the present policy has the best shot, although I agree it is a long one, of realizing a peaceful settlement to the fighting in Bosnia. We hope and we pray that that will happen.

Until we as a Nation have forces involved in there are more than we have

now, our indignation over the recent policy decisions in the Balkans rings, in the view of this Senator, as somewhat hollow.

Mr. President, I yield the floor.

Mr. WARNER. Mr. President, may I ask my colleague, has he had the opportunity to read the letter from the Prime Minister of Bosnia requesting that this specific action before the Senate today be taken?

Mr. EXON. No. I have not read that letter. I do not believe, in answer to my friend from Virginia, that we should necessarily be swayed by such a letter. If the Bosnian Government would make the official request to remove the peacekeepers at the proper agency, which I suggest is the United Nations, then I think it would be more meaningful. Will the Senator from Virginia agree?

Mr. WARNER. Mr. President, I agree. That is precisely what this measure before the Senate at this time provides. If I could draw the Senator's attention—I am sure he has read it—the distinguished majority leader and the Senator from Connecticut revised earlier provisions to say expressly that should be done; namely, that the Bosnian Government make a formal appeal. This does not constitute a formal appeal. But time after time Senators have come up and said the Dole-Lieberman measure gives an inducement for them to take certain action. They have already made the decision. Here are two letters, one July 11 and one dated today from the Prime Minister corroborating statements that he made to many of us here in terms of his desire.

So I say to the Senator, this is not an inducement. This government does desire the action recited in the present measure.

Mr. EXON. May I ask the Senator from Virginia, has the Government of Bosnia made a formal request to the United Nations for such action?

Mr. WARNER. Mr. President, it has not as yet.

Mr. EXON. As I said in my speech last week, I remind my friend from Virginia that, if that would happen, that would be the proper means of doing it. I do not believe that it necessarily follows that, since the Senate had received a letter from the President of Bosnia indicating what his intentions are, that necessarily in and of itself justifies our taking the action that S. 21 provides.

Mr. WARNER. Mr. President, I will simply say I call your attention to the measure pending before the Senate in which it says clearly the President of the United States shall terminate the arms embargo to the Government of Bosnia as provided following receipt by the United States Government of a request from the Government of Bosnia and Herzegovina for termination of the arms embargo in exercise of its sovereign rights. Then it goes on to say decision by the U.N. Security Council or decision by countries contributing. So there it is right in this resolution.

Mr. EXON. Will the Senator from Virginia tell me about how our allies, who presently have combat troops on the ground at risk and being killed, what is their attitude toward the letter that the Senator from Virginia is using to justify S. 21? Does he think we should take into consideration the commitment of the United Nations, the commitment of our allies, the commitment of NATO? Does that have anything to do with the situation?

Mr. WARNER. Mr. President, it certainly does. It has a great deal to do with it. But at this point in time our President, together with our allies, is putting forth a plan which, in the judgment of many, will not work to resolve this situation; that is, increased bombing in the face of increased hostage taking.

I call the Senator's attention also to articles in today's press which still recite the utter confusion as to whether or not the dual-key policy has been revised. So it is more and more of the same, while the American taxpayer is shelling out more and more dollars.

But the most significant thing is we are standing by while more and more innocent people are being denied the right to defend themselves. How many more pictures do we need of this endless stream of refugees, of these stories of human atrocities which it is inconceivable to think in this century could take place? How much longer must we stand by?

I yield the floor.

Mr. EXON. I ask my friend from Virginia if he recognizes and realizes, or might even concede that, if S. 21 passes, or if it does not, if the Bosnian Government would make its formal request to the United Nations that the U.N. peacekeepers be withdrawn, under that kind of a scenario, will the Senator from Virginia support the sending of 25,000 American troops into Bosnia to help extricate the U.N. forces there on the ground at this time in great peril?

Mr. WARNER. Mr. President, the President of the United States indicated that he will recommend, indeed take action as the Commander in Chief to provide, whatever amount is required of our forces to help the orderly withdrawal of the UNPROFOR forces. And I would support the President.

Mr. EXON. I thank my friend for that forthright statement. I suspected that would be his answer. Will the Senator from Virginia tell me if such an authority is granted in S. 21 as presently before the Senate?

Mr. WARNER. Mr. President, it is not addressed in this because the President of the United States has not come up with any specifics. We would be simply trying to deal with an unknown situation. We do not know what is to take place. I do not think at this point in time the Senate should be addressing a ''what if'' type question. We are speaking out in this resolution very decisively as to what should be done given the facts as of this moment.

At a later point in time, I will join others in this body in supporting the President in such legislative action as might be required.

Mr. EXON. But not as a part of S. 21?

Mr. WARNER. Mr. President, I do not intend to support it as a part of this because it is not timely. We do not know the number of troops. We do not know the situation. We have to make, I think, a very careful assessment of all factors. Again, this Senator obligates himself to support our President.

Mr. EXON. I would simply point out that I thought it was rather interesting that my colleague from Virginia indicates that the President of the United States has not suggested that. I would simply point out that I think the Senator from Virginia would clearly say that the driving forces behind S. 21 are taking little, if any, heed from the recommendations of the President of the United States on the matter of S. 21. But the Senator from Virginia is insisting that they might take heed of a request from the President to authorize a sending of troops into Bosnia to extricate U.N. personnel. Is that correct?

Mr. WARNER. Mr. President, they are entirely separable situations. My distinguished colleague and I serve together on the Armed Services Committee. We have sat there several times and heard about the plans concerning the withdrawal. But they are only conjecture. They are only plans. We do not know specifically the circumstances under which such a withdrawal would take place. But I again say that I would support the Commander in Chief at such time as he comes before the Congress to seek whatever authority he feels he needs in addition to that which he presently has under the Constitution.

Mr. EXON. But the Senator from Virginia clearly does not support the Commander in Chief in his present efforts, nor does he support our allies in NATO and in the United Nations and our traditional allies. He does not accept their recommendations with regard to not unilaterally lifting the embargo. But I take him at his word in the future.

Let me say, Mr. President, that one of the most troubling matters on S. 21 for this Senator is that I find that many of my closest friends and colleagues, including my distinguished friend from Virginia, with whom I have had the pleasure to serve for 17 years now on the Armed Services Committee, are on the opposite side of this Senator on this particular issue. We have a different view in looking at it. I think the Senator from Virginia and others that are supporting S. 21 are taking an unwise course of action. But I do not for a moment feel that they are doing it for other than what they think is best. I just do not agree with their judgment on this issue.

Mr. WARNER. Mr. President, I share that. We do have an honest disagreement. I see other Senators anxiously awaiting to participate in this debate.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. MOYNIHAN. Thank you, Mr. President.

Mr. President, I rise in support of the measure, of which I am a cosponsor, for the purpose, within the limit of my ability, of clarifying some of the issues that have been raised in this debate. Specific consideration must be given to the role of the United Nations, as against that of NATO, and with regard to the right of individual and collective self defense. These are three cascades, you might say, of rank from the collective to the regional to the individual state.

I am very conscious that I am standing on the Senate floor in the presence of our revered former chairman of the Committee on Foreign Relations, who was at the U.N. conference in San Francisco where the Charter was drafted, the anniversary of which was observed just 1 month ago. He knows this subject as few persons living ever can do. I would plead the lesser but not perhaps the irrelevant credentials of having been the permanent Representative of the United States to the United Nations and of having served in one period as President of the Security Council.

I would first of all go to the subject of whether this action would Americanize the war.

Anyone who was in San Francisco last month, certainly much less 50 years ago, would know that the U.N. Charter had as its fundamental purpose a system of collective security in which the United States and the other permanent members of the Security Council would automatically be involved in any international conflict anywhere in the world as would the United Nations itself.

Article 24 of the Charter states:

> In order to ensure prompt and effective action by the United Nations, its members confer on the Security Council primary responsibility for the maintenance of international peace and security, and agree that in carrying out its duties under this responsibility, the Security Council acts on their behalf.

Now, the point I would wish to make here is that what we are seeing in Bosnia and Herzegovina and in the whole Balkan region right now is not an action by the Security Council under article 24 concerning the taking of prompt and effective action ''for the maintenance of international peace and security.''

It is another thing altogether. It is an invention, an important one, that came in the course of the 1948 Middle East conflict in which U.N. volunteers acted as peacekeepers in a situation where there was peace. There is not peace in Bosnia and Herzegovina. And it was, as all agree now, an incomparable blunder to have sent peacekeepers into the middle of a war.

The Charter provides for warmaking capacity in the United Nations. We tend to forget it. Article 45 says:

> In order to enable the United Nations to take urgent military measures, Members shall hold immediately available national air-force contingents for combined international enforcement action.

It goes on to provide, under article 46, for military planning by the Security Council to be conducted with the assistance of the Military Staff Committee. It goes on in article 47 to describe the functions of the Military Staff Committee with respect to the forces made available to it.

This Congress, the Senate, in 1945, passed legislation stating that the President was authorized to make available forces to the United Nations under article 45. He was to propose which forces might be made available. The Congress was to agree to the particulars—for instance, the 10th Mountain, the First Marine Division, the Sixth Fleet might be authorized to participate. And Congress having agreed, the President was thereafter free to deploy those forces under U.N. direction at his own behest without further reference to the Congress. That was the depth of our conviction and commitment to assist in collective security.

We do know that the whole arrangement vanished in the cold war. When I was at the United Nations amidst the cold war our representative on the Military Staff Committee was a colonel. They originally had been admirals. After it became clear that the Soviets were not going to cooperate—they did not—little by little this idea faded. But now the cold war is over, and the first test is before us. And if we meet it, fine. If we do not, we shall find ourselves asking what did we go through the last three-quarters of a century for? What has been accomplished since the time Woodrow Wilson brought the League of Nations Covenant back to this body?

Mr. President, at the San Francisco Conference, there was a specific and revealing difficulty. Members of the U.S. delegation were opposed to including language on the right of self-defense in the charter for fear that such a provision might be used to limit the right of self-defense. Somewhat the same issue arose with respect to the American Constitution and the adoption of the Bill of Rights. There were those who argued that if you ever list any specific number of rights about which Congress may make no law, if you leave one out, you may indicate that possibly you could make a law with respect to that right. Wiser counsel prevailed, and we have the Bill of Rights, and wiser counsel prevailed in San Francisco.

On May 15, 1945, James Reston described the breakthrough. He said:

> San Francisco, May 15.—President Truman broke the deadlock today between the Big Five and the Latin American nations over the relations between the American and the world security systems.
>
> After over a week of negotiating, during which American foreign policy was being made and remade by a bi-partisan conference delegation, the President gave to the Latin American nations the reassurance which they wanted before accepting supremacy of the World Security Council—World Security Council it then was—in dealing with disputes in the Western Hemisphere.
>
> This assurance was announced late tonight by Secretary Stettinius, who said that an amendment to the Dumbarton Oaks proposal would be proposed reading substantially as follows:

Mr. Reston was not only a great journalist. He had a great friend on the Chinese delegation, that we now know, and he quotes:

> Nothing in this charter impairs the inherent right of self-defense, either individual, or collective, in the event that the Security Council does not maintain international peace and security and an armed attack against a member State occurs.

That with very slight changes became article 51 of the charter. And that, sir, is exactly the situation which we confront today. The Security Council has not carried out its responsibility to maintain international peace and security under article 24. An ambiguous and in the end unavailing deployment of NATO and other forces as peacekeepers where there is no peace has clearly broken down.

A year ago, I was speaking on this subject on this floor, and I said what the UNPROFOR had become at that time. I said:

> But if we are to refrain from helping the Bosnians out of concern for their welfare, let us be candid and call the members of UNPROFOR what they have become: hostages.

I have visited some of the UNPROFOR forces and found them to be courageous to a fault, incredibly self-sacrificing, honorable, everything you would want in military men: but hostages even so.

Now, the question is what if we move to lift this arms embargo which I regard as an illegal sanction. It was never directly imposed on Bosnia and Herzegovina. How could it be? They have committed no act of aggression. They have violated no international law. People say, ''Well, what about Iran? What about Iraq? What about Libya?''

The answer, Mr. President, is very simple. In each case, those sanctions apply to a country which is in violation of international law—invaded a neighboring country, committed international acts of terrorism.

In no sense is there a comparable situation. To make such an argument is to equate the victim with the victimizer in this situation. The U.N. forces are not capable of carrying out the assignment given them, nor are the forces from other countries involved.

I was in Sarajevo in Thanksgiving of 1992. I made my way into the capital through a hail of small arms fire and heavy machine gun fire in a Ukrainian armored personnel carrier, was then transferred to an Egyptian armored personnel carrier to meet with President Izetbegovic and dined at the ceremonial mess with a British officer formerly with the Gurkha Regiment.

That is the international setting in Bosnia, the urge to collective security,

but they cannot defend themselves. They cannot make peace. And they are sent as peacekeepers where there is no peace.

In this situation, sir, could I suggest that one of our problems as a nation is that we have never fully understood the role of ethnicity, of religion, of nationalism in this second half of the 20th century where it seemed that the great issue was the impending Armageddon of an encounter between the Soviet Union and its Marxist-Leninist creed and the western, liberal, Democratic, free enterprise world. Yes, there was that. Heaven knows, there was that. It ended up with the Soviet Regime collapsing under ethnic pressures—not that we ever foresaw it but it could have been foreseen. Some of us who have worked in this field predicted it, wrote about it, but were not heard. Now because the Soviet Union is over, there is the impression such tension is over. To the contrary. To the contrary, we invite, by the actions we now take, a conviction in the Islamic world that we will not defend Muslims horribly violated by Christian forces from a neighboring country and living also within their own country. Even as this London conference was meeting this weekend, Islamic nations met to ask what were they to understand the world was saying about an Islamic State, the victim of aggression. Were they saying it would not be defended and it would not be given the inherent right of self-defense? Turkey, a NATO member was at that conference.

The possibility of these events leading to a general encounter between Islamic forces in Europe and in the region just beyond in Asia Minor is not to be discounted, sir. The possibility of it spreading across the vast Islamic areas of the former Soviet Union is not to be discounted. Those who discount it could well ask, how did we get into this situation we are now in? It has been made clear this is a situation that this present administration inherited from its predecessor. But in both cases, they have acted in the same way, declining to seek an elemental legal principle and, if you wish, a moral imperative as well. It seems to me that we should recognize the standards we brought to the world.

That conference took place in San Francisco. The announcement of the agreement that produced what would become article 51, was made by the American Secretary of State, Mr. Stettinius. These are our standards. If we will not uphold them, we will have hugely diminished our position in the world, and the world will become a vastly more dangerous place.

I simply would like to express my appreciation to the Republican leader for having seen this from the beginning. I thank him particularly for showing me a letter sent just this day to him and to his distinguished cosponsor, the Honorable JOSEPH LIEBERMAN, from the Prime Minister of Bosnia and Herzegovina. I will read a few sentences, Mr. President, if we cannot hear these things, we are not equipped for this time. The Prime Minister notes that:

> Yesterday, a Bangladeshi UNPROFOR battalion in Bihac requested airstrikes to deter and stop the Serb attacks on Bihac. The Bangladeshi request was ignored. I asked myself if this same request would be ignored if it were requested by a British battalion.

''I asked myself if this request would be ignored if it were requested by a British battalion.''

Mr. President, it is all there to see. People who cannot see that ought to stay away from this work. We have heard not very helpful comments from the Secretary General about such matters. But this ethnic dimension is not local; it is not Balkan; it is worldwide. And if we cannot act in response to its potential for worldwide crisis, we shall one day wonder how could we have been so blind.

Mr. LIEBERMAN. Will the Senator yield?

Mr. MOYNIHAN. I will be happy to.

Mr. LIEBERMAN. I thank the Senator. May I first thank him for his extraordinary statement, if I may say, extraordinary for most of the rest of us, but not for himself. Because I have come to appreciate the range that he has shown, again, the Senator from New York, in his ability to look beyond the events of the day, both backward and forward, and to help us understand the significance today of both of those points of view.

I want first to thank him overall for the force of his statement and for reminding us of what the history of the United Nations is and what has brought us to this day. And of the impact on the United Nations of what has happened in Bosnia, second, which was the misuse of the U.N. troops to go in where there was war and not peace, in sending them in as noncombatants though they were seen as combatants by particularly the Serbs. Also, I want to thank him for pointing out what is too often missed here as we localize this conflict, but it does go to the heart of the genocidal aspects of it, which is that a people are being singled out because of their religion, in this case, Moslems. And the consequences are broad throughout the world, throughout the Islamic world and throughout the world. They have an effect on our relations with that great and rising force of Islam in the world.

I note for the Senator from New York that last week on Thursday, July 20, the Gulf Cooperation Council called for a lifting of the arms embargo against the Bosnians and told the European leaders that it wanted to help stop what it called the great tragedy of the 20th century. This was followed over the weekend by the meeting that the Senator from New York has referred to in Geneva of the Organization of the Islamic Conference, which announced it was considering the arms embargo to be invalid and was prepared to assist.

I would like to ask this question of the Senator. Would he care to comment for a moment on the impact of this sad story in Bosnia on NATO, on what NATO's position has been, and what it suggests to us about what will become of NATO in the post-cold-war world?

Mr. MOYNIHAN. NATO will have been engaged in its first military action in almost 50 years and it will have been defeated. Just at that moment when it seemed to have triumphed by virtue of its capacity and presence in the face of the Soviet Union, it will have in fact gone to war and will have been defeated. And we will have put it in that situation. The aftermath will be demoralization, domestic protest, a sense of ''what are we doing?'' And curiously, at just the moment you see some sense of the complex issues involved. I note that the situation is at such a critical level in Bosnia that the Jewish community in Germany asked that German forces be committed to this issue. It is genocide.

And you put not just at risk the whole situation in the Islamic world. It is an idea that I do not want to insist too much on, but not everyone would know, I suppose, that until recently the third largest nuclear power in the world was Kazakhstan. We put that at risk. In Turkey, the civil government of Istanbul and of the other major cities, including the capital, is an Islamic fundamentalist party, known as the Welfare Party, that being a translation into English as such.

Turkey joined with nations with which it normally has no relationship at that meeting which you related. We could see NATO come apart along ethnic religious lines. We could see its moral collapse and its domestic support disappear because we will have allowed it to be defeated by deploying forces never envisioned by the U.N. Charter. The U.N. Charter specifically calls for military forces to be made available to the United Nations through the military staff committee. Statutes enacted on this floor provide that the President of the United States can reach an agreement to provide soldiers to the U.N. Security Council. And the Congress having approved of this, the President may deploy them thereafter without further reference to Congress.

That was a system of collective security envisioned by the charter. At no time were peacekeeping forces envisioned. Deploying peacekeeping troops was well intentioned, but a good invention in a situation where there was peace, not in the present situation.

Mr. WARNER. Mr. President, if I may say one thing in the way of a question to my colleague. You would not want to, I think, end up with saying defeat for NATO given that there are so many Americans, as we speak, flying, at sea, and otherwise trying to carry out the missions assigned them as part of the NATO forces. NATO has been handcuffed, virtually handcuffed, by virtue of the United Nations dual-key policy.

Mr. MOYNIHAN. I absolutely agree.

Mr. WARNER. To say this would go down as a defeat for NATO I am sure was not the intention of my distinguished colleague from New York.

Mr. MOYNIHAN. I will put it this way: It would not be the intention of anybody involved. But the perception might be very different, sir. We put NATO in jeopardy by letting it assist in a mission at which it cannot succeed.

Mr. WARNER. Mr. President, I thank the Chair.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER (Mr. ABRAHAM). The majority leader.

Mr. DOLE. Mr. President, I thank the distinguished Senator from New York for his outstanding statement. I say to my colleagues, I hope that we can reach some agreement so we can have a rather early disposition of this matter. I think some feel strongly on each side of the issue, but the issue has been debated.

As we speak, I understand there is an all-out attack on Bihac. All out. I do not know where NATO is. I do not know where the protection is. It seems to me that what may have been a meeting in London to work out some plan apparently did not succeed.

This is an issue that many Members have been speaking on before. It was back in the Bush administration, I guess, when I first raised questions about what was happening in Yugoslavia. I did not agree with my President, President Bush. I said so. Many others said so at the time.

That was 1992. Here we are, halfway into 1995, and I have been working with many in this body, primarily the Senator from Connecticut [Mr. LIEBERMAN], in a bipartisan, nonpartisan way to bring this issue before the Senate, but more importantly, before the American people.

I do not imagine the average American has really spent a great deal of time focusing on what is happening in Bosnia. It is on the evening news. It is in the newspaper. It is on the radio. It is tragedy. It is suffering. It is rape. It is murder. It is slaughter. We are sensitive to that, but it is not close. It does not threaten America. There are no American troops involved, except those in NATO.

It seems to me that we have an historic opportunity—not as Republicans, not as Democrats—but as a Senate. I have said for some time, we are the one best hope the Bosnians have—right here in the U.S. Senate. And then, hopefully in the House.

In fact, we met this morning with the Speaker in a joint leadership meeting and suggested if we could pass this resolution, that maybe the House could take it up at a very early date and send it to the President.

I have a different view than President Clinton. My view is if we pass this resolution, it will strengthen his hand in developing and shaping and directing policy, not weaken his hand, not Americanize what is happening in Bosnia.

It seems to me that we have all known for some time that what is happening there is immoral. It is unjust. No doubt about it, it is easy to single out the aggressors.

Today, the International War Crimes Tribunal indicted Bosnian Serb leaders Karadzic and Milosevic for war crimes. Maybe that does not mean anything. It means somebody else in the world recognizes what is happening. This is an independent body.

Meanwhile, hardly deterred by this indictment, Milosevic is supervising attacks on Bihac and Sarajevo. In today's Washington Post, a senior State Department official is quoted as saying, ''The arms embargo is morally wrong.'' This is a State Department official. This same official was quoted last week as saying, ''The dual-key commands arrangement between NATO and the United Nations is insane.'' It is not a partisan statement. This debate has never been partisan in the sense that it was Republican versus Democrats, or the Senate versus the President or the administration.

This is only one individual. Maybe this individual is wrong.

What does this say about America? Are we willing to go along with immoral or insane policies because the rest of the international community is doing so? What does it say about us? What does it say about American leadership, including the Congress? Are we willing to go along with ludicrous commands arrangements that threaten U.S. air crews and are seriously damaging the credibility of NATO, that we are unwilling to use the influence, power, and prestige of the United States to lead the way and to do what is right in an effective way?

I learned something today from the Senator from New York that I did not know about article 51, that we had made the motion or made the change or set the policy. It is fairly difficult to tell people there is not some inherent right of self-defense as an individual, as a nation. That is what this debate is all about. It is not about sending Americans anywhere.

Again, referring to the letter that has been referred to that has been received by my colleague and myself from the Prime Minister of Bosnia and Herzegovina, he said: ''Today's vote is a vote for human life. It is a vote for right against wrong. It is not about politics. It is about doing the right thing,'' which should be easy for America to do the right thing. ''In just the past two days in Sarajevo, 20 people have been killed, while more than 100 have been wounded.'' After a while maybe people become immune, whether it is 10, 20, 50, or 100.

I hear the voices raised about the U.N. protection forces, that if they are withdrawn, there could be American casualties, because I think most would support the effort the President has committed himself to, to help them withdraw.

How long will they stay there? This is not an occupation force. Four years? Five years? Ten years? How long will the U.N. protection forces stay there, and how long will we continue to pay a large portion of that, 31 percent, as I recall, as the Senator from Virginia pointed out earlier.

The President asked the Senate last week to postpone the vote. We did that, as we should have. The President made the request, and we honored that request. The President even suggested maybe the two of us could sit down and talk about policy. I am not certain I could talk about policy, not having the information, but I am certain that we ought to look at the facts.

I want to say that the President sent a letter today, and he said:

> The passage would undermine efforts to achieve a negotiated settlement in Bosnia and could lead to an escalation of the conflict there, including the possible Americanization of the conflict.

Now, I have heard that dozens of times in the past 2 weeks. It is not that I want to criticize the President. It is not an accurate statement. That is not what we are about. That is not what we are about. I just want to set out the facts very quickly.

With respect to negotiations, the 1-year anniversary of the Bosnian Government signing a contact group plan has come and gone. Bosnia signed it; the Serbs never have. Never have, and probably never will, as long as the only repercussions are the huffing and puffing of Western leaders and the buzzing of NATO planes overhead.

As for talks in Belgrade, Milosevic is driving a hard bargain. He wants the sanctions lifted but is busy supplying the Bosnian Serbs with weapons, as exposed recently by the New York Times, I think, two or three Sundays ago. They are getting weapons and troops and other support.

The bottom line is that no negotiation process is in place, and I do not think there will be one until the Serbs pay some price for their aggression.

As for escalation of the conflict, the conflict has escalated. More United Nations troops are being deployed, and as United States and European leaders issue more empty threats, the reality is the indecisiveness and ineffectiveness of the West invited the Serbs to move rapidly on all the so-called safe havens.

The London ultimatum on Gorazde has neither stopped assaults in Gorazde or curbed the attack in Bihac. I indicated we just had a call from the foreign minister, saying it is underway, full force right now, and Sarajevo, also. And, as pointed out by the Senator from New York and others, there is still bickering over the dual-key approach. Is it in? Is it out? Will it work? Will it not work? So we have Boutros Boutros-Ghali back doing what he does best, blocking any action against the Serbs that might remind the world that they are the aggressors.

But the point I really want to focus on is this Americanization, because that frightens the American people. Somebody asked me a question at a town meeting this weekend, ''Why should we Americanize the war by lifting the embargo?

I said, ''We are not.''

But that is the word, that is the official word from some. There is no doubt now that our fingerprints are all over this conflict. We would not like to think so. I would call it ''this disaster.'' It is disaster, it is failed. It is a failed policy. Our fingerprints are on Srebrenica, on Zepa. We have not only tolerated, but participated in a failed and morally flawed approach. And I do not believe, as the leader of the free world, that we can escape responsibility. We are not the other countries. We are America. We are the United States. We are the leader of the free world—supposedly to provide moral, spiritual, economic and, where necessary, military leadership.

Last fall the Congress passed the Nunn-Mitchell position as part of the fiscal year 1995 defense authorization bill. We passed so much I am not certain anybody has really gone back and taken a look at that. My staff did, went back and showed it to me, reminded me what we said then. It has been almost a year now.

In the sense of the Congress, the section stated: ''The acceptance of the contact group proposal by the Government of Bosnia should lead to the lifting of the arms embargo.'' The Bosnians accepted the contact group. The Serbs never have. The embargo is still in place.

In the section entitled ''Interim Policy'' it states—this is the same thing we passed:

> If the Bosnian Serb faction attacks any area within those areas that have been designated by the United Nations as ''safe areas,'' the President or his Representative should promptly, formally introduce and support in the United Nations Security Council a resolution that authorizes the selective lifting of the Bosnia arms embargo, authorized to allow the provision of defense weapons such as antitank weapons, counter battery radars and mortars to enable the forces of the Government of Bosnia and Herzegovina to defend the safe areas.

That was a year ago, and the safe areas as we speak are being overrun. Maybe Tuzla will be left. Maybe Sarajevo. Maybe Gorazde. Two have already fallen. One is under attack. There is no attempt to lift the arms embargo.

This is what we passed. The Senate passed this. The President accepted it. We have not had any selective lifting of the arms embargo. There has been no effort to prevent the safe havens from falling. We asked the Bosnians to ''turn in your heavy weapons and you will be safe. We will protect you.''

Once they have done that, they have nothing to fight with. They have no artillery pieces. They have no heavy weapons. They have rifles against tanks—not a fair fight.

So when do we start? When does NATO strike? When does Boutros Boutros-Ghali turn in his key so somebody can make a decision. When we have three safe havens left? Or two safe havens left? Or one safe haven left? Or no safe havens left?

This was a policy developed by the British and the French and we signed on. We were asked to wait, be patient. I know it does not seem like it has been very long since we voted here in the Senate. But let us just assume we were in Bosnia all this time. Every day, every day, every day the shells were coming in. They were hauling off our children. They were murdering our wives. They were raping our sisters. Every day, every day, every day we were adding to the death toll of innocent people who only wanted a chance to defend themselves.

It is pretty safe here in the Senate Chamber. And I know we cannot have policy made by what we see, images we see on television or in the newspapers or reports from commentators who are on the scene. And maybe the Bosnian people understand that, well it has been a year, it has been 2 years, it has been 3 years—maybe someone will help us help ourselves. And while the Bosnian people may understand the international community's unwillingness to protect them, they cannot understand the unwillingness to allow them to protect themselves. There is no way they can understand that.

If we are attacked in our homes, if we are attacked in our Nation, we have a right of self-defense. And, as the Senator from New York so eloquently pointed out, that is article 51, now, of the United Nations Charter.

So we have had all the excuses. We have heard them over and over again. We heard them in the last administration. I do not know, I have listened to the Senator from Virginia ask the rhetorical question about NATO. I am not certain what happens to NATO, what the future of NATO is. I know they are in a box. But their credibility is on the line, too. It has been weakened. There is no question about it. In the eyes of the international community, the people—notwithstanding our commitment to NATO and the importance to NATO—NATO has been weakened because of its subordination to the United Nations.

So the NATO alliance, I think, is in some jeopardy. The Serbs will attack. This is what Secretary Christopher said earlier today, if the Dole-Lieberman legislation is passed, ''the Serbs will attack.'' I thought the Serbs have been attacking every day. They are attacking right now as we debate the resolution—not because we are debating the resolution—they have been doing it for a week or 10 days in Bihac.

They were given a green light in the Bush administration. The Bush administration talked about a united Yugoslavia, even after they had elections in Croatia and Slovenia. There was no more Yugoslavia.

So, it seems to me the London conference certainly was not a red light for anybody to stop. The green light is still on. The Serbs understand the green light is still on, and they are making all the headway they can.

We are also told that if this passes and becomes law, it is going to end humanitarian assistance. I think we have heard the Prime Minister, Mr. Silajdzic, say from time to time: When you talk about food or talk about death, it is difficult. They are living a subsistence existence. But the bigger picture is they have no protection. What good is food against snipers and heavy shells and death? They have no future. They are at the mercy of Western leaders who think they know best. I can understand the British. It would be embarrassing if they withdrew. I can understand President Chirac. He is new. He wants action; something to happen. And they have just lost two more French soldiers.

I have the highest regard for the members of the United Nations protection forces, whether they are from Bangladesh or Great Britain or France or Pakistan or wherever.

So I would just conclude by saying many of us believe that the arms embargo is illegal.

Mr. MOYNIHAN. It is.

Mr. DOLE. Indeed, an arms embargo was never imposed on the independent, sovereign state of Bosnia. An arms embargo was imposed on Yugoslavia, which no longer exists, at the request of Belgrade, at the suggestion of Britain. And, as has been said here by everybody, Bosnia is a member of the United Nations. They are an independent nation. They have a right to self-defense.

But this is not just a vote about Bosnia. It is a vote about America. It is a vote about what we stand for, about our humanity, and our principles. And I know, probably relentless pressure is coming from the British and the French and others of our allies, traditional allies, just to stick a little while longer—1 more week, 1 more month. In about 2 more months we will be into winter again—2½ more months. And that is when the suffering really begins, when it really begins.

I know there will be a little hiatus here if the U.N. protection force is withdrawn and we lifted the arms embargo. It will be a very difficult time for the Bosnians. But it is a very difficult time for them now. We have the rapid reaction forces now in place in some areas. But let us face it. It has been a fact for weeks and weeks the United Nations protection forces could not even protect themselves, let alone protect the safe areas or anyone else.

So it would seem to me this is not a vote about Republicans or Democrats or philosophy. It is a vote about what is right.

Again, as stated by the Prime Minister as he closes his letter, he said:

> Our people ask that we be allowed only our right to defend ourselves. It is on their behalf that I appeal to the American people and Government to untie our hands so that

we may protect ourselves. The slaughter has gone far enough. My people insist that they would rather die while standing and fighting than on their knees. In God's name we ask that you lift the arms embargo.

Several Senators addressed the Chair.

Mr. KERRY. Mr. President, I ask the Senator, the majority leader, if he will engage, perhaps, in a brief colloquy? I would like to take the opportunity to ask a few questions, if possible.

I would like to ask the majority leader—first of all I would like to say I think every U.S. Senator shares the anguish and frustration expressed by the Senator and by others on the floor.

The question here is what is the consequence of one step or another?

I would like to ask the Senator if we could perhaps have a little dialog. I think it would be helpful to elucidate this a bit. I would ask the Senator if this is the Senator's preferred policy. I heard the majority leader talk about American leadership and inaction, and being hamstrung by the U.N. I presume there is a policy that is growing out of frustration. I would ask him if this is his preferred policy, and if it is not, whether or not the Senator would articulate what he would prefer to see us doing now that would make a difference.

Mr. DOLE. Obviously, in my view—and I think the view of everyone—the preferred policy would have been some negotiated settlement months ago, a week ago, or a year ago. But that has not happened. As I said, the Bosnians signed on the dotted line with the contact group recommendations. The Serbs never have.

So how long do we wait? There is no negotiating process in place now. Preferred options? We have listened to everybody except the people in Bosnia. Do they not have any rights? Can they not say, ''U.N. protection forces get out. Lift the arms embargo. Let us die for our country''? That may not be the best option. People are going to be injured. People are going to be killed. They are being injured and killed as we speak. There is not any good option.

Mr. KERRY. If I could say to the Senator, the Senator talked about forcefulness and the need to stand up and be a leader. My question is this: Is the only leadership that we are offering a leadership that effectively says not only will we not give you weapons, not only will we not strike, but we will simply lift an arms embargo and you fight it out?

Mr. DOLE. Oh, no. I would go beyond that. I would provide weapons, although I understand the Bosnians are much better equipped to handle Russian weapons, and will not need as much training. I would train the Bosnians. That is not ''Americanizing.'' It would be training in a safe place, just as we helped train the Afghans in that adventure in El Salvador. So I would go as far as to provide air cover in this little hiatus, as I mentioned earlier on.

But I think the problem was in June of 1993, when President Clinton said, ''Let me tell you something about Bosnia. On Bosnia, I made a decision. The United Nations controls what happens in Bosnia.''

That is not an American policy. That is United Nations policy. That is not American leadership. I do not know. I see all the people who come to our offices. They are just asking for a right to defend themselves. That may not be the best policy. But it is a policy the Bosnians themselves are asking us to try. It seems to me they are doing all the dying. There is not any dying here. Their voice should be heard.

Mr. KERRY. I accept that. I understand that.

But my next question would then be if the Senate went the full measure and Congress passed this, at that point in time does the Senator accept the French and British pronouncements that they will withdraw completely?

Mr. DOLE. I am not certain how to accept their pronouncements. If we passed this legislation, which I assume the President will veto, we would have to override his veto.

Mr. KERRY. Assuming we would override it and it became the law of the land, apparently this British Prime Minister, as recently as yesterday, said to the President if this passes the Senate, they will begin the process of withdrawal.

Mr. DOLE. My own view is I think the British Prime Minister may be looking for some excuse to withdraw, and it would be nice if he could lay it on the United States because we have no forces on the ground. But we are, of course, engaged in NATO forces. We have people at risk, as we learned a few weeks ago with the young pilot. But I do not know whether they would withdraw or not. There is lot of rhetoric out there.

We have had rhetoric for 3 years, and no results. We can ask these endless questions forever, and go on and ask this question. We have been asked these questions forever. It seems to me that it is time to vote. It is time to send a message. If we lose, we lose. If we win, we win. And then it goes through all the other processes. The President can decide what to do. But I do not believe that just passing this in the Senate is going to cause the British and French to say, ''Oh, that powerful U.S. Senate has spoken. We had better get out of here.'' I do not believe that will happen.

Mr. KERRY. I appreciate the Senator taking the time. I would like to ask again a couple more questions, if I may.

Mr. President, I ask the majority leader, would the majority leader prefer a policy that went further than what was achieved in London, where each of the safe areas was in fact given a guarantee of being safe? Would NATO be capable of enforcing that with American air support reinforcing French and British troops on the ground and with sufficient troops to make real the notion that the international community will make a difference? Would the Senator prefer that policy?

Mr. DOLE. I would prefer that policy. But it is probably not a solution. I do not know if it is a policy. I do not think we have a policy.

Mr. KERRY. Would that not be a policy that might not in fact leverage the negotiated settlement that would be everybody's desire?

Mr. DOLE. But that is not what happened in London. We do not even know if they have not abandoned the dual-key approach. They have not decided what did happen. Bihac is under siege right now by Krajina Serbs and Bosnian Serbs, and nothing has happened. NATO is doing nothing. The United Nations is doing nothing. Another 15,000 people are at risk, and they say, ''Well, that is all; 15,000, take that off; take off the other two safe havens that have fallen, Srebrenica and Zepa. That leaves three. We will protect whatever is left.''

By the time they get around to it, there may not be any left. It may be a better policy if NATO did not have to be supported. The U.N. in my view would be a much better way to do it, as the Senator I think would like to do it.

Mr. KERRY. Mr. President, the final question that comes out of that is since Bihac is already under attack and Gorazde is already under attack, if we were to put into law the notion that all we are going to do is lift the embargo, why would the Serbs then not accelerate the pace of the attack in order to guarantee that during the interim, before heavy weapons can get there, they would finish the job?

Mr. DOLE. I assume there would be an acceleration. Nobody is under the illusion they are going to say, ''Well, let us see. Let us take a time out while the Bosnians get ready. Let us have 30 to 60 days while people bring in arms and heavy weapons.''

But the Bosnians are people who understand and comprehend. They understand what they are up against. But in understanding what they are up against now, take a look at the casualties. Who has been doing the dying? It has been the Bosnians—women, children. There has been a lot of talk on this floor about the children, that we ought to do more for children.

We are not engaged. We are not asking to send ground forces. I would support air cover even during this hiatus, as I think the Senator from Massachusetts maybe might, if I understand the question correctly.

But all I am suggesting is—and I hope the Senator from Massachusetts will join us because he has the experience. He is a member of the committee. He understands what this is all about. This is about the U.S. Senate. It is not about Republican BOB DOLE or Democratic Senator JOE LIEBERMAN. This is about the Senate and whether or not we have a voice and whether or not we

have a role, or whether we care about what happens in the world. We believe it is a failed policy, as I did back in the administration of the Republican President.

So I am not here standing and jumping up, saying we had a Democrat President and I am a Republican, so I should find some way to find fault with this policy.

I hope that we will have a strong vote. I think it would send a message of hope to the Bosnians.

Mr. KERRY. Mr. President, I thank the distinguished majority leader for taking the time.

I would like to respond a little bit to some of the answers and some of the notions, if I may, because I accept what the Senator has said. This is not due to him. He has consistently been critical of the lack of adequate response, and he has been for a stronger response. I think what is really noteworthy is that in his answers, he acknowledged that his preference would be to have a stronger allied response, a stronger response without dual key, a stronger response with a NATO that is capable of immediately impacting events, and a stronger capacity on the ground.

What we have watched is a steady process where the Bosnian Muslims have systematically and methodically had the entire fabric of their community and life stripped away. But what we are doing is debating a resolution that will effectively ratify our own hesitation, our own confusion, our own weakness, and even the cowardice of the Western world. And what will happen with this resolution is that because it effectively says here is what we will do when we can do nothing else—that is what this amendment says: Here is what we will do because in our ineptness, in our frustration, we cannot find another policy. So we are basically saying, ''We are going to feel good about your dying.''

It is interesting that the President of Bosnia keeps saying, ''Give us the weapons.'' But he does not say, ''UNPROFOR, get out of here.'' He wants the best of both worlds. And there is a reason for that obviously, which is precisely why the British and the French have been reluctant to go along with lifting the embargo, because they understand how they could get trapped in a worse war if the weapons are coming in on both sides and they are there supposedly trying to keep peace.

Now, the Senator is absolutely correct. The reason this equation has been so crazy on balance is that there has been a gutless process wherein the civilian leadership of the U.N. itself has been unwilling to guarantee what it originally gave as a guarantee. So we disarmed people. We gave them the notion of an enclave that was safe. We promised humanitarian assistance. And we pretended that their presence would act as the leverage to try to get a peace agreement when in fact we, never being willing to respond, annihilated our own leverage and, in fact, invited more and more aggression by the Serbs.

So we have a lot of blame to make here. But the question we ought to be asking ourselves today is are we going to come here now and codify that blame, codify our own guilt into a policy that effectively says we are prepared to wash our hands of this?

In effect, this amendment will stand for all of history to say that not only were we so craven as to not find a policy but we were ready to codify our own helplessness. The majority leader has acknowledged it. He said his preferred policy is to be tough. His preferred policy is to guarantee that we can make them pay the price of violating the safe zones, of shooting against innocent civilians who go out to get water at a fountain or cross a street. Are we so helpless in the front of that that all we can do is turn around and say, ''We are going to give people the capacity,'' not even the weapons, not even the training? That is not in here. There is no strike in here. There is no long-term aid program like Afghanistan in here. This is the abandonment amendment. But it is cleverly written. It is cleverly written to only take place if the President of Bosnia goes to the United Nations and says, ''Leave, UNPROFOR.'' Or if UNPROFOR is out after a period of time. So in effect the proponents can stand there and say to everybody, well, we are really not doing anything except if the President wants us to or if UNPROFOR has already left, and then what are we doing?

Is this really our response to what is happening in Bosnia, to come up with an amendment that has two condition precedents, two triggers, both of which effectively wind up saying a message, neither of which does a darned thing to change the situation and meet the needs of people today? But we are going to pretend that this somehow meets needs.

Those who favor this approach somehow suggest that someone—we do not even say who—just putting arms into the Bosnian Moslem hands is going to affirmatively change the equation on the ground, and it is going to make us feel better simultaneously. The truth is that it promises to do neither.

Let us be very clear, Mr. President. Lifting the embargo, as the Senator from Kansas said, will not stop the killing. It will probably increase the killing. And it is everybody's guess as to how much and how fast.

I wonder what America is going to do if this becomes law. And we ought to act responsibly on what we pass around here with a notion that it might be law and not just pass it on for others to deal with by veto so a minority can kill it and people can walk around and feel good. Because if this does become law, we will have unilaterally breached an international agreement.

I am not suggesting we should keep the embargo, incidentally. I voted to lift it last year for the simple reason that I thought it might change the equation at that time and we were sending a message. It did not and we have not. But now we are talking real. Now we are talking a very different situation.

It is clear that just lifting it at some point in time in the future is not going to meet the needs of now. It does nothing to provide for the immediate needs of any of those enclaves that the Senator listed as being under siege or being next to be under siege. But it will result to an absolute certainty, if it becomes law, in the withdrawal of humanitarian assistance, the withdrawal of the U.N. effort, and the shifting to the United States for having made this choice a future responsibility for whatever it is that flows.

Now, I cannot predict what it is that will flow, but I think most people here have a pretty good sense that there is going to be a lot more killing. If the people think that the CNN images of refugees were bad in the last few weeks, wait until all of the U.N. effort is out and the population is left to the whim and will and fancy of people running around with guns desperate, all of them, to stay alive.

Then what will the U.S. response be? Will the Senator come back to the floor and say, ''Well, at least they are dying with a gun in their hands?'' Will the Western world response be, ''Well, this is OK because they are able to make a choice?''

I do not think so. I think, on the contrary, the probability is that Moslem countries will not tolerate what might be going on and maybe they will become more deeply involved. And perhaps it will then spread across another border. Perhaps all the unthinkable things that we never stopped to think about before World War I and World War II take place. Who knows? Will it spread to Macedonia? I do not know. I do not have the answers to that. But I know wise people exercising good judgment with respect to foreign policy should not just take a step and throw their hands up in the air and say we should not try to think those things out and measure what the consequences are.

It is hard for me to believe that a Senate that is so filled with people who want to be tough about what is happening with respect to Serb behavior and who understand that we should be responding more forcefully would come to the floor with anything but a resolution seeking that kind of a response. This is not a policy for the now. This is a policy that is an epitaph for Bosnia, and it basically says, ''We ignored you for a few years. Then we lifted the embargo after we did you damage. And we wished you good luck. Have a nice war.''

That is the impact of this. At the very moment that our allies that we have spent, what, 45, 50 years building an alliance with to make a NATO work

are saying ''do not do this,'' we are prepared to unilaterally pull the rug out from under them.

It does not make sense. We are prepared to deal a major blow to a NATO that has already dealt itself a blow, obviously. But Tuzla still stands. Gorazde still stands. Sarajevo still stands. And all of those people in those cities are safer today for that fact and for the presence of the United Nations than they would be without it.

Who will come to the floor in a few months and explain away those people who are lost when we claim responsibility that the world will quickly give us for having pulled the rug out from under this international effort? And what happens when one of our allies comes to us and says, ''Hey, you know, we don't really like that embargo on Iran. We are tired of the embargo on Iraq. We really don't agree with you on what we are doing to Qadhafi, and, by the way, North Korea is your problem; you people figure out what to do with the nuclear weapons.'' All of those things can flow as a consequence of the unilateralness of what we are doing. I would love to see the embargo lifted.

Mr. LIEBERMAN. Will the Senator yield for a question?

Mr. KERRY. I will be delighted to yield for a question.

Mr. LIEBERMAN. Does the Senator agree that there is a difference between the embargoes or sanctions applied to Iran and Iraq, which are lawbreaking countries, as opposed to an embargo placed on a country, Yugoslavia, which does not exist, now enforced against Bosnia, a section of that former country, independent, a member of the United Nations, having committed no violation of international law or U.N. resolutions?

Does the Senator not agree that there is a difference there?

Mr. KERRY. Absolutely. There is a profound difference. And I agree completely with the Senator. As I was just starting out in the last sentence when I broke to answer the question of the Senator, I was saying we should lift the embargo. It makes sense in terms of article 51, in terms of the law, in terms of the equities. But we should not do it unilaterally.

Now, that is where we get caught in the Catch-22 that has confounded everybody for the past months because every time we turn around and go to the French and the British and say we want to do this, we are told, ''No, if you do that, we are going to leave.'' And so we do not do it, and we pull back, and we go around in this circle.

I think that what has changed in the last week or two is the recognition, hopefully, that the situation is, indeed, untenable and that we cannot continue in the form in which we are. And the President has made that about as clear as a President of the United States can make it. The President has been forthright in saying this policy is not working. He has been forthright in acknowledging that the dual key is a terrible mistake and we must never do that again. He has been forthright in acknowledging that we have not adequately been able to respond because we have had a proportionate response rather than a disproportionate response.

So I think the President has pretty much laid the policy of the past months on the table and said it is changing.

Now, I listened to the Secretary of State today say to us point blank, there is no more dual key. The NATO commander on the ground has the ability to make the decision, if he observes an attack, to call in a strike.

In addition to that, the French and the British have put howitzers up on Mount Igman. They have put additional troops, Legionnaires up in the hills around Sarajevo. They have strengthened their own capacity. And so suddenly, in the face of their willingness to do all of this, we are going to turn around and say, ''Sorry, folks; the United States of America says time to cut.''

Mr. LIEBERMAN. Will the Senator yield?

Mr. KERRY. I will be happy to yield for another question.

Mr. LIEBERMAN. I read to the Senator from an Associated Press article written today, dateline Washington, Barry Schweid, diplomatic writer, quoting Ahmed Fawzi, a spokesman for U.N. Secretary General Boutros-Ghali, saying that ''authority to order an attack'' in Bosnia ''remains with the Secretary General for the time being,'' and that there was general agreement at the allies' high-level meeting in London that ''the dual key arrangement remains in place.''

Mr. KERRY. Let me just say, if the Senator wants to suggest to me that the Secretary of State lied to the Democratic caucus today, then do that.

Mr. LIEBERMAN. Obviously, I would not say that.

Mr. KERRY. I will not accept whatever Mr. Boutros-Ghali is putting out to the press.

Mr. LIEBERMAN. I have an extraordinary respect for Mr. Christopher.

Mr. KERRY. Mr. Boutros-Ghali does not have the ability to stop the NATO commander from doing a strike if the NATO commander—the NATO commander does not report to him, the last time I understood it. If it is our understanding that the NATO commander has the capacity to do the strike, I am confident when he radios Washington with the appropriate messages, he is going to strike notwithstanding whatever Mr. Boutros-Ghali said for the purposes of international U.N. political consumption.

Now, I agree with the Senator that is part of the problem here. It always has been. And when we were at the meeting at the White House the other day, a number of us suggested to the President that it is imperative to be out from under any control factor in the clearest terms. If we cannot do that, then I would agree with the Senator we have to find an alternative solution.

But I would still respectfully say to the Senator, the alternative solution is then, hopefully, not to throw up one's hands and say we cannot do anything. I think then the appropriate solution is to say NATO and willing nations must assume what the United Nations is either unwilling or incapable of doing. Now, that is my preference before we come to the floor of the U.S. Senate and ratify an abandonment.

Mr. LIEBERMAN. Will the Senator not agree this is not the first time we have come to the floor? This is not an issue of first impression. We have been coming to the floor for 3½ years once war broke out in the former Yugoslavia saying, how can we justify not allowing one side, the Bosnians, who wish to defend themselves, to have the weapons? Would the Senator not agree that the United Nations and NATO have had all sorts of time to prove that they can be effective? And in all that time, the Bosnians have been ultimately defenseless and have been slaughtered?

Mr. KERRY. Let me say to my friend from Connecticut, whose concern for this is as passionate as anyone's in the Senate, that he is absolutely correct. We have been here, done that, seen that, said that. And that is part of what is feeding the frustration that every Member feels today. But as far as I know, that is not a predicate for suggesting that we should personally step in, step in in a way that now unravels whatever potential is left of minimizing the loss of life.

I believe the Senator will also acknowledge that every step of the way, when we were serious about a strike, we made a difference. That is how we secured the safe zones in the first place, if everybody goes back to think about it. It was the fact of airstrikes that gained us this notion of safe zones. And each time we stepped up to bat, the Serbs have stepped away from the plate or off the field.

Mr. LIEBERMAN. Would the Senator not agree that——

Mr. KERRY. I just want to say to my friend, why should we ignore that history? This is not a big place. Four million people, 600,000 on this side, 2 million on one side. What are we talking about here? This is not Russia. This is not Vietnam where there were 77 million people. This is not the same kind of struggle. We are not talking about becoming involved in the civil struggle. We are talking about delivering humanitarian assistance. We are talking about guaranteeing a safe zone. Those are the two most minimalist things that you can conceivably ask for under the laws of warfare. Is the Western World incapable of living up to the most minimalist standard of protection under the laws of warfare? Are we incapable of taking this incredible, mighty war machine and putting it to use to guarantee that trucks can go down a road, that we can keep people from a certain perimeter from picking

off an old woman who goes to a drinking fountain? I do not believe we are that incapable. I am not going to come to the Senate floor and ratify an effort that literally puts into law that lack of capacity and will. I think it is wrong.

Mr. LIEBERMAN. The answer is that—

Mr. WARNER. Will the Senator yield?

Mr. LIEBERMAN. We are clearly that capable, but we have been unwilling.

Mr. KERRY. Why not be willing today?

Mr. LIEBERMAN. How can we continue to justify delay, while those older women going to the drinking fountain are getting hit by Serbian shells? We will not—the Bosnians themselves have the ability to defend themselves. We are not intruding ourselves in. We are finally getting ourselves out.

Mr. KERRY. Let me ask the Senator, are there any weapons provided for in this resolution? Yes or no.

Mr. LIEBERMAN. No.

Mr. KERRY. Is there any strike provided for in this resolution?

Mr. LIEBERMAN. We leave that to the President and our allies.

Mr. KERRY. The Senate is going to be big and brave and take this big step that does not provide a weapon.

Mr. LIEBERMAN. I say to the Senator from Massachusetts, I will be glad to join with him, as soon as this measure passes, in introducing a package authorizing aid to allow the Bosnians to buy weapons that they need. There is an outstanding resolution——

Mr. KERRY. I say to my friend, in the U.S. Senate that is the kind of thing that could take 6 months, a year to pass maybe. What would happen in the meantime? Here is this great effort that says we are going to guarantee them weapons. Who is going to provide the heavy weapons and artillery and the antitank weapons? Who is going to provide the tanks themselves if they need them? Where are they coming from?

Mr. WARNER. Will the Senator yield for a question?

Mr. KERRY. Besides, let me ask this. How are they going to get in? Because I am told they can only arrive by ship. If they arrive by ship, they must cross Croatia, and there is no guarantee that the Croatians are going to permit that. So where are we?

Mr. WARNER. Will the Senator yield?

Mr. KERRY. For a question.

Mr. WARNER. Addressing the Senate, the Senator said if you pull back the UNPROFOR, then all war breaks out. That infers that UNPROFOR is there to protect the civilians. And I strongly take disagreement with my colleague and good friend. UNPROFOR is there for the reason only to deliver food and medicine. They did not go equipped with the armaments to defend either themselves or the other people.

Mr. KERRY. Let me say——

Mr. WARNER. We made a terrible mistake, Mr. President, in calling them ''safe areas'' when we did not put in place such military equipment as to make them safe should they be attacked. And if UNPROFOR is there solely to protect themselves and to carry out their limited mission—limited mission—of delivering food and medicine, the Senator is wrong in saying, if you pull them out, all war breaks loose.

Mr. KERRY. Let me say to my friend from Virginia, that is not in keeping with what safe havens were. We did guarantee safe havens.

Mr. WARNER. Mr. President, did we put in the weapons to carry out that guarantee?

Mr. KERRY. No.

Mr. WARNER. The answer is ''no.''

Mr. KERRY. No. Because not one U.S. Senator, myself included, I think, will put American troops on the ground. And the British and the French were not prepared to put additional troops in at the time. Now I think that equation has changed.

But the truth is, and the Senator from Virginia knows this well, the safe zones were designed to protect civilians. That was the concept. In fact, we said to people, give us your weapons. We disarmed them in order to protect them, and then never followed through with sufficient capacity to do that. But the concept was that they would be safe in a safe zone.

Mr. WARNER. But——

Mr. KERRY. I will say to my friend, I do not think it is the responsibility of an American to be on the ground in Bosnia without a peace agreement. I accept the notion we should be part of legitimate peacekeeping if there is an agreement. But this is, after all, not World War I or II. And it is Europe's backyard. And I have no guilt nor shame, no restraint whatsoever in suggesting that the majority of the responsibility on the ground belongs with Europeans. And if they are willing to carry that, I am willing to support the notion that a young American should go in harm's way in air support and logistical support. And I think that is the appropriate balance.

Now, absent a British or French willingness to do that, then maybe we are left with nothing more but to do this epitaph resolution. I do not believe we have exercised that full measure of diplomacy yet. I do not think we have come to that point yet. And if we have, it is a sorry state of affairs. As Pope John Paul said, this represents a defeat for civilization. But it has not happened yet, notwithstanding the horror, notwithstanding all that has gone on.

Now, I am not suggesting that we can make peace. I am suggesting we can guarantee the most minimalist notion that we have carved out, which is the delivery of humanitarian assistance and the protection of a few safe havens.

Mr. WARNER addressed the Chair.

Mr. KERRY. I yield for a question.

Mr. WARNER. Mr. President, may I remind my colleague that his emphasis is on air power to protect the safe havens. The last time, Mr. President, we used that air power to any degree, hostages were immediately taken. People were strapped to the targets and the air power dissolved.

Mr. KERRY. Mr. President, let me say to my friend, that is because we have basically been searching for 3 years or more for a no-risk policy. And every balancing act that we have made in each equation that we have come up with has been sort of the minimalist, the minimalist of what we can achieve on the ground without upsetting Yeltsin, the minimalist of what we do without getting Croatia at a point where they move too much, the minimalist of what we do with respect to Milosevic in Serbia, the minimalist of what we can get out of the French, and the minimalist of what we give ourselves. That is the history, all of which from our point of view has been geared essentially to be no risk.

Now, I do not think there is such a thing. And I do not think the Senator from Virginia believes there is either. Nobody knows it better than he as a former Secretary of the Navy and as a former marine. There is a reason young Americans put on the uniform. There is a reason we have a standing military. And we make judgments, or we are supposed to, about the different tiers of interest that we have as a nation. Sometimes that interest rises to vital national security, a challenge to our way of life, and we go all out.

Sometimes it arises just to ease security interests. Sometimes it is only a national interest. Sometimes it is only an interest.

I respectfully suggest that with each of those different tiers, you may or may not be willing to risk a patrol plane, you may be willing to put a bomber wing on the line, you may put a squadron, company, or division. You make those decisions. We have essentially tried to avoid all of those.

I do not think you can resolve this problem in any way that is satisfactory to the NATO commitment, to the civilized notion of who we are as a country and where we should be going, and certainly, to the history of Europe, without assuming some risk.

Mr. WARNER. Mr. President, I conclude—and I see other Senators very anxious to speak—by saying that if it would be minimalist after minimalist throughout this time, this diplomacy, this inaction has denied the people of Bosnia the most fundamental thing, the right to defend themselves. This is a right which is founded in the common law which has been honored by mankind since the earliest hours and which was enshrined as article 51 in the U.N. Charter. That is what this measure does.

Mr. KERRY. I say to my friend, in a sense it does that. In an emotional kind of litmus test, a written sense, it does that.

The reality is that it does a lot more than that. It does a lot more than that. It is not just us making this decision.

For better or worse, we engaged with the United Nations; for better or worse, NATO involved itself with the United Nations; for better or worse, our allies are involved; and mostly for the better, it is they that are on the ground, not we.

They are saying this is not the preferred way to go. It is a Frenchman who was buried yesterday. Mr. President, 42 or so Frenchmen have died.

Now, I suggest that we cannot just come here in a vacuum and be insensitive to the implications that are far more complicated than this resolution permits for. What bothers me so much about this resolution is it is so attractive on its face. It is so easy. We basically say it will not happen unless the President of Bosnia asks it to happen, and it will not happen unless the troops are coming out.

Everyone understands there is a different message in it, really. We should not be debating on the floor how we withdraw. We should be debating on the floor how we summon the will and the capacity to put together a structure that can win for the Western world the capacity to leverage a settlement.

Now, that may be long in the doing. One of our greatest problems is that for 20 years nobody believes any longer in our staying power. Most countries have come to believe through Somalia, through all of our debate, that all they have to do is put us to the test. I rather suspect that is one of the reasons why Saddam Hussein went the distance that he did. It seems to me that at some point, if we are going to put an end to that legacy, we will have to be prepared to assume or define, at least, a certain amount of risk.

I am willing to understand that this is fraught with pitfalls. There is no guarantee that we may set a certain limit of the risk we are willing to assume and may not be able to get beyond that. Boy, I would rather do that, Mr. President, than turn around and ratify our helplessness, which is effectively what we are doing today.

I say, there is no certainty at all that weapons will get through Croatia. None whatever. There is a certainty to the fact that 25,000 American troops are going to go in to get everybody out. That, there is a certainty of.

So when people say this is not a way to Americanize the war, let me say, if you are the British and you are already apprehensive about this policy, or you are the French and you think you have been abandoned by an ally who wants to unilaterally do something, there is no finer excuse than to be able to turn around and say, ''OK, you guys have your own program; you go in and help us get out, and it is your ball game.''

Then what happens if, while we are getting out, a lot of helpless women and children come running up to Americans because there are people killing them and chasing them in the background; are we going to stand and watch as we get out? What are the rules of engagement going to be for the young soldiers? What will happen if someone wants to lure them into some kind of a fire fight? And then when we lose people, we feel we have to retaliate against one side or the other?

I think it is a hell of a lot better, I say respectfully, to be there with the defined purpose of delivering humanitarian assistance and helping to protect a safe haven than worrying about how we are getting 25,000 of our troops back out. I think for history's sake, we would be better off taking that position than the road we are about to go down.

I am in favor of trying to lift the embargo on a multilateral basis. I wish we were changing this in a way that set up a structure for a multilateral process and for some diplomatic leverage with an attempt at a cease-fire and an ability to enforce and reinforce this kind of effort.

My belief is that the administration understands the difference in this equation today. My belief is that we must put this London meeting to the test. For the U.S. Senate to not even have the patience to allow the next few days to play out before we step in with an arrogant club is to somehow ignore both our relationships as well as common sense.

Other colleagues are on the floor. They want to speak, Mr. President. I have other comments, but I did not expect to go on at this point in time.

Mr. PELL. Mr. President, I share the deep frustration many of my colleagues have expressed during the course of the Senate's debate on the Dole-Lieberman bill. Whatever the outcome of the vote on this bill, all of us agree that the behavior of the Bosnian Serb leadership is dreadful. The International War Crimes Tribunal at the Hague has also acknowledged this. It has, in fact, just issued indictments against Bosnian Serb leader Radovan Karadzic and Bosnian Serb military commander Ratko Mladic for crimes and abuses committed earlier in the Bosnian war. The Serbs' most recent offenses—their utter disregard for the U.N. protected-safe havens—outrages us, and make us want to do something in response. Where proponents and opponents of the Dole-Lieberman legislation disagree, however, is what that something should be.

At the urging of the United States, the contact group countries have agreed to do something in response to the atrocious Serb behavior. Details still need to be worked out, but this much is clear: earlier this week, the allies delivered an ultimatum to the Bosnian Serb commander that any threat against Gorazde will be met with disproportionate air strikes. Secretary Perry has made clear that the policy adopted for Gorazde could quickly be adopted to other areas should they come under attack. At the same time, British and French troops—part of the rapid reaction force—are working to open a key humanitarian supply route into Sarajevo.

These new efforts have just begun, yet by passing this bill today, the Senate is saying that we are not willing to give them a chance. As President Clinton said in a letter today to the distinguished minority leader opposing this bill, ''Congressional passage of unilateral lift at this delicate moment will provide our allies a rationale for doing less, not more. It will provide the pretext for absolving themselves of responsibility in Bosnia, rather than assuming a stronger role at this critical moment.'' I would add that in passing this bill, we not only undercut the policy, but in so doing, we put at risk the brave U.N. personnel on the ground.

The troop contributing countries, the U.N. Security Council, indeed the Bosnian Government have all made the judgment call that the United Nations should remain and redouble its efforts in Bosnia. None of those parties is asking for a U.N. withdrawal at this time. They know that if the United Nations were to pull out altogether, any areas of Bosnia which are now stable and well supplied due to the U.N. presence would likely face a humanitarian disaster. This is particularly true in central Bosnia. In his letter to Senator DASCHLE, President Clinton points out that ''for all its deficiencies UNPROFOR has been critical to an unprecedented humanitarian operation that feeds and helps keep alive over two million people in Bosnia.'' The President, our NATO and U.N. allies, and indeed the Bosnian Government have balanced the potential catastrophe of a U.N. withdrawal against the current tragedy, which has led many to call for a complete U.N. pullout. They have decided not to advocate a U.N. withdrawal at this time. Yet by passing this bill, the Senate is unilaterally calling for the United Nations to leave. That does not come without cost.

I would remind my colleagues that the United States has committed to helping our allies withdraw from Bosnia as part of a NATO effort. So, in essence, by passing this bill, we are triggering the commitment of up to 25,000 United States troops to Bosnia to help with that withdrawal. We need to be clear about what we're voting for.

This bill advocates, indeed would precipitate, a U.N. withdrawal from Bosnia followed by a unilateral lifting of the arms embargo. I do believe that if and when a decision is made to withdraw UNPROFOR, the arms embargo will de facto, be lifted with the support of our allies. That is as it should be. We are just not at that point yet.

As I argued last week, if we pass this bill, it will inevitably be perceived as the beginning of a United States decision to go it alone in Bosnia. It is naive to think we can unilaterally lift the arms embargo, and then walk away.

Another serious concern I have about this legislation is that it says that the lifting of the embargo shall occur after

UNPROFOR personnel have withdrawn or 12 weeks after the Bosnian Government asks U.N. troops to leave, whichever comes first. Basically, this legislation gives the Bosnian Government—the power to end United States participation in a U.N. imposed embargo. While the Bosnian Government does indeed have the right to ask UNPROFOR to leave, we should not abdicate to the Bosnian Government the power to trigger a unilateral lifting of the embargo.

I have been somewhat torn about how to vote on this matter, and have not made my decision lightly. Like my colleagues who support this bill, I want to do something to alleviate the suffering of Bosnian civilians; to make the Serbs pay for their brutality; to tell them that aggression will not be rewarded. I am not convinced, however, that we will achieve those goals by passing this legislation. Indeed, we could make things worse, at great risk not only to the besieged Bosnians, but to the United States and our European allies. I reached this decision too, out of respect for our President's request that we not move ahead with this legislation. I will therefore, with some reluctance, vote against the Dole-Lieberman bill. I ask unanimous consent that the full text of the President's letter on Bosnia be printed in the RECORD at this point.

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

THE WHITE HOUSE,
Washington, July 25, 1995.

Hon. THOMAS A. DASCHLE,
Democratic Leader,
U.S. Senate, Washington, DC.

DEAR MR. LEADER: I am writing to express my strong opposition to S. 21, the ''Bosnia and Herzegovina Self-Defense Act of 1995''. While I fully understand the frustration that the bill's supporters feel, I nonetheless am firmly convinced that in passing this legislation Congress would undermine efforts to achieve a negotiated settlement in Bosnia and could lead to an escalation of the conflict there, including the possible Americanization of the conflict.

There are no simple or risk-free answers in Bosnia. Unilaterally lifting the arms embargo has serious consequences. Our allies in UNPROFOR have made it clear that a unilateral U.S. action to lift the arms embargo, which would place their troops in greater danger, will result in their early withdrawal from UNPROFOR, leading to its collapse. I believe the United States, as the leader of NATO, would have an obligation under these circumstances to assist in that withdrawal, involving thousands of U.S. troops in a difficult mission. Consequently, at the least, unilateral lift by the U.S. drives our European allies out of Bosnia and pulls the U.S. in, even if for a temporary and defined mission.

I agree that UNPROFOR, in its current mission, has reached a crossroads. As you know, we are working intensively with our allies on concrete measures to strengthen UNPROFOR and enable it to continue to make a significant difference in Bosnia, as it has—for all its deficiencies—over the past three years. Let us not forget that UNPROFOR has been critical to an unprecedented humanitarian operation that feeds and helps keep alive over two million people in Bosnia; until recently, the number of civilian casualties has been a fraction of what they were before UNPROFOR arrived; much of central Bosnia is at peace; and the Bosnia-Croat Federation is holding. UNPROFOR has contributed to each of these significant results.

Nonetheless, the Serb assaults in recent days make clear that UNPROFOR must be strengthened if it is to continue to contribute to peace. I am determined to make every effort to provide, with our allies, for more robust and meaningful UNPROFOR action. We are now working to implement the agreement reached last Friday in London to threaten substantial and decisive use of NATO air power if the Bosnian Serbs attack Gorazde and to strengthen protection of Sarajevo using the Rapid Reaction Force. These actions lay the foundation for stronger measures to protect the other safe areas. Congressional passage of unilateral lift at this delicate moment will undermine those efforts. It will provide our allies a rationale for doing less, not more. It will provide the pretext for absolving themselves of responsibility in Bosnia, rather than assuming a stronger role at this critical moment.

It is important to face squarely the consequences of a U.S. action that forces UNPROFOR departure. First, as I have noted, we immediately would be part of a costly NATO operation to withdraw UNPROFOR. Second, after that operation is complete, there will be an intensification of the fighting in Bosnia. It is unlikely the Bosnian Serbs would stand by waiting until the Bosnian government is armed by others. Under assault, the Bosnian government will look to the U.S. to provide arms, air support and if that fails, more active military support. At that stage, the U.S. will have broken with our NATO allies as a result of unilateral lift. The U.S. will be asked to fill the void—in military support, humanitarian aid and in response to refugee crises. Third, intensified fighting will risk a wider conflict in the Balkans with far-reaching implications for regional peace. Finally, UNPROFOR's withdrawal will set back prospects for a peaceful, negotiated solution for the foreseeable future.

In short, unilateral lift means unilateral responsibility. We are in this with our allies now. We would be in it by ourselves if we unilaterally lifted the embargo. The NATO Alliance has stood strong for almost five decades. We should not damage it in a futile effort to find an easy fix to the Balkan conflict.

I am prepared to veto any resolution or bill that may require the United States to lift unilaterally the arms embargo. It will make a bad situation worse. I ask that you not support the pending legislation, S. 21.

Sincerely,

BILL CLINTON.

Several Senators addressed the Chair.

The PRESIDING OFFICER (Mr. DEWINE). Does the Senator yield the floor?

Mr. PELL. I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. GRAHAM. Mr. President, I have been listening to this debate for the last 2 hours and I find the debate to be somewhat disassociated from the resolution we are being called upon to adopt. We have had it said that we are talking about American leadership. We are talking about American prestige. We are talking about America's willingness to assume its proper role in the world.

Yet, when I look at the actual language of the resolution, particularly on page 5 where it states, ''Nothing in this section shall be interpreted as authorization for deployment of United States forces in the territory of Bosnia and Herzegovina for any purpose, including training, support or delivery of military equipment,'' that is not a heroic call to action. That is not a statement that stirs men's blood with a commitment to the protection of the innocent.

I believe that what we have before us is a resolution which essentially is an abdication of some of the most basic national interests of the United States of America. What are those interests that will be affected by the proposal of the United States to unilaterally lift, and therefore abrogate, the resolution of the United Nations which had prohibited the international community from supplying additional arms to the former Yugoslavia?

I suggest that we have at least five national interests at stake in this debate tonight. One of those is the national interest in terms of the protection of our fighting men and women. Do we wish to place U.S. military personnel, especially ground troops, at risk?

Interest No. 2 is to contain the conflict and not allow it to become the catalyst of an even larger war in the Balkans and in southern Europe.

Interest No. 3: We have an interest in preserving the integrity and capacity of the North Atlantic Treaty Organization.

Interest No. 4: We have an interest in the international community respecting international agreements.

Finally, we have an interest in the capacity of the United States, given the reality that we are a government of divided responsibility, and therefore the necessity of the executive and the legislative to work with some degree of harmony and mutual respect in order for the United States to be an effective force in the world community.

I believe all five of those important goals are placed at risk through the adoption of this resolution.

What I think is interesting about those goals is, if you think of them as concentric circles, only the first two of those relate directly to circumstances affecting Bosnia. The other three are more generic interests of the United States. And it is somewhat gratuitous that the circumstances in Bosnia are the basis of those interests being placed at risk.

Let me just comment briefly as to why I believe each of those five interests are jeopardized by the adoption of this resolution. Our first interest is to avoid the unnecessary placing of U.S. military personnel at risk. There are a series of comments that have been made. Our closest allies in NATO, who do have military personnel on the ground in Bosnia, have stated repeatedly—and, I think, unequivocally—that it is their intention to withdraw from

Bosnia if the United States unilaterally lifts the arms embargo. I believe they are sincere in that statement.

The United States has made a commitment that if they do withdraw, we will provide up to 25,000 troops, to provide them cover while they are withdrawing. So the effect of adopting this resolution to unilaterally lift is that our allies will withdraw and that we will facilitate that withdrawal with up to 25,000 U.S. ground troops. So we have directly countered one of our interests, which is to avoid placing U.S. troops at risk on the ground.

Second, containing the war. In my judgment, which is not particularly meaningful—but in the judgment of virtually every serious student of this issue, from the leadership of the United States military to our diplomatic leadership—they have all stated that if the arms embargo is lifted, it will precipitate an urgent move by the Bosnian Serbs to take advantage of the military circumstances as they now exist before those advantages are compromised by armaments reaching the Bosnian Moslems. So there will be an escalation of the conflict.

There will be additional weapons introduced into the region and they will not all be the weapons that the United States might be prepared to introduce. Although this resolution explicitly indicates that we are not committing ourselves to provide any additional training, support or delivery of military equipment to the Bosnian Moslems, the Russians are not so circumspect. A news item from Tass, the Russian news bureau, dated July 12, states that the Russian Duma, the Russian Parliament, has condemned the new NATO bombing raids on the positions of the Bosnian Serbs near Srebrenica.

Since this time, that former safe haven has fallen.

According to the statement of the Duma, these bombardments have created a situation where armed provocations by the so-called Moslem Croatian Federation, unrestrained by the West and NATO, cause response from the Serbs which is always followed by a unilateral use of power by NATO.

The Duma resolution goes on to call for the Russian participation in the lifting of the arms embargo for purposes of providing arms to the Bosnian Serbs.

So we are going to have the Russians providing military equipment to the Serbs, the United States assumedly providing military equipment to the Moslems—a major escalation of the conflict within Bosnia, creating the potential of a serious overflow of this conflict into an already tinderbox adjacent area.

This has the potential of a major conflagration throughout the Balkans and southern Europe, even the potential of drawing into that conflict Greece and Turkey, two of our NATO allies. So if one of our objectives is to try to contain the war, if that is why we have 400 United States military troops in Macedonia, the adoption of this resolution and all of the things that are likely to flow from it will have exactly the opposite effect.

Third, it is in our interest to preserve the integrity of the North Atlantic Treaty Organization. That is an organization which is already under serious pressure as a result of events in Bosnia. This would raise that pressure. We have been besieged by our French and British allies not to unilaterally lift the embargo because of the greater danger that it will pose for its troops that are on the ground. We are going to be called upon, if this resolution is adopted, to protect our NATO allies by assisting them in withdrawal. I fear one of two things: I fear that we either will—or I fear that we will not—vote on an amendment to this resolution which will specifically authorize the United States to place some 25,000 troops in Bosnia in order to assist our NATO allies in their withdrawal.

I fear that we would debate that because I fear that it will fail. In fact, I have a reason to believe that gives me confidence that the amendment would fail. Therefore, the Senate would be sending a statement to our NATO allies that we are not going to honor our commitment to protect them. I am distressed that we would not debate that amendment because it indicates I think the fundamental level of timidity which is part of this resolution that we are calling for actions that have very high probable consequences and yet are not willing to accept affirmatively the implications of those responsibilities. So in so doing we place our NATO alliance at risk.

Fourth, is the respect for international agreements. This is not the only international agreement in which the United States has joined with the rest of the international community in adopting.

Let me just refer to one of those other agreements; that is, the agreement that the United States led the Security Council in adopting on August 6, 1990, imposing on Iraq a sweeping set of sanctions. What are those sanctions? A ban on the import of any product originating in Iraq. This primarily relates to oil which is 90 percent of Iraq's exports. A worldwide freeze on Iraq's financial assets; a ban on all weapon sales to Iraq; a ban on any exports to Iraq with the exceptions of food and medical supplies.

On September 25, 1990, to those set of sanctions was added an additional prohibition on civil air activity. That is an international agreement of which we are a party. There have been tremendous pressures on that Iraq embargo. Iraq has offered to Russia, France, Germany, and other countries huge quantities of oil at discounts, lucrative contracts for oil exploration and industrial redevelopment. Thus far our allies have resisted those entreaties. They have resisted them because Iraq has not lived up to its obligations, including its obligation to allow full surveillance of its capacity to produce weapons of mass destruction, weapons which already have destabilized the Middle East, and have the potential to do so again.

It is very much in our interest that this embargo against Iraq be honored by all of the world's countries. Yet, what moral ground do we have to continue to urge that they be honored if we have just unilaterally breach the United Nations' embargo which was arrived at with equal solemnity relative to the provision of armaments in the former Yugoslavia?

Mr. President, I think we are about to shred our moral capacity to lead the world and to ask the world to follow the rule of law and international obligations. And there is no country which will pay a dearer price for that than will the United States of America.

Fifth, and finally, Mr. President, I believe we have a great stake in the capacity of this Government of the United States of America to be able to function in international affairs.

When I was a boy growing up in a home, the father of which had been born in Croswell, MI, our political hero was Senator Arthur Vandenberg of Michigan. Senator Vandenberg accomplished much in his life and in his public career. But the thing for which he is best known is his cooperation with President Truman in the critical years after World War II in fashioning a bipartisan foreign policy for the United States which did in fact allow us to lead, to lead in a very difficult period of 45 years until finally the Soviet Union crumbled.

That standard of cooperation is, I fear, one of the real potential casualties in the adoption of this resolution. If I can use as the example that commitment that the United States made to our allies to provide up to 25,000 troops to help extricate them from Bosnia should that be called upon, I imagine what happened was that a representative of this Government, possibly at the highest level, the President himself, possibly at the level of the Secretary of Defense or the Secretary of State, in a meeting with our allies reviewed a series of contingencies. We were trying to encourage our allies to put troops into Bosnia as peacekeepers in hopes that they would play a positive role both in the humanitarian relief of the besieged people of Bosnia but also in the containment of the level of violence that had been occurring. One of those concerns of our allies before they would make that commitment is what would you do in the event that we have to remove our troops and our troops are under military siege? And we committed that as part of their obligation to go in, that we would assume the obligation to help them get out. That was a commitment that was made in the name of the United States of America through our Commander in Chief and President.

If we are unwilling to now honor that commitment, as I fear the implications of this resolution is that we are so unwilling, I believe we strike a fundamental and maybe lethal blow to not only our world leadership but also our capacity to function as a Nation attempting to establish a singular credible policy position in the world.

So, Mr. President, I fear that we have much at risk here to the United States' national interest. And as a U.S. Senator and as a U.S. Senate, I think that is where our principal focus should be. What is in our national interest? It is not in our national interest to adopt a resolution that would cause us to abrogate a solemn international agreement which had the result of placing the United States troops at risk, has the potential of causing this serious conflict in Bosnia to become an even greater fire throughout southern Europe. It is not in our interest to see the integrity of NATO put at risk. It is not in our interest to see a diminution of respect for international agreements, and it is not in our interest to see the necessity of bipartisanship in foreign policy development and implementation rendered by this action.

So, Mr. President, I think this is a serious moment for the Nation and for this Senate. I would strongly urge that this resolution be substantially modified, and failing such modification be defeated.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, we have in a rather informal way managed this afternoon's very important debate on this issue. I know speaking with the majority leader, and the distinguished Senator from Connecticut, myself and others, we will urge the Senate to vote tonight.

So I would hope that Senators who are desiring to address this important matter would find the opportunity, if they so desire, to come to the floor as soon as possible.

I see the Senator from Texas. I yield the floor.

Mrs. HUTCHISON addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I have listened to the debate on the floor tonight. It seems to me that we are all looking at the same fact situation. But we are coming at it from a very different vantage point, and with the same facts we are coming to very different conclusions.

One side says this is a failed U.N. peacekeeping mission, and that we should shore up the United Nations and escalate the effort that the United Nations is making. The other side says this is a failed U.N. mission, and within the constraints of our commitment it is time for us to withdraw.

Mr. President, I am in the second category. The time has come for us to get the United Nations out and let the Bosnian Moslems have a fair fight. We have stood by and watched while the well-armed Serbian forces have waged war against the Bosnian people that has made us cry at night watching what has happened.

The fall of Srebrenica, and the ethnic cleansing which followed, provides convincing evidence of the failure of this current policy. The Serbs are not going to negotiate. They have demonstrated that they believe they have more to gain by fighting than negotiating. Absent a military threat, the aggressor Serbs have no reason to negotiate in good faith.

We have debated this issue for over a year now, and we have watched the situation in Bosnia continue to deteriorate.

History will not judge us kindly if we continue to withhold from the Bosnians the means to fight for their own freedom. Our action has not been one of neutrality because the effect has been to keep the Bosnian army from defending themselves with the same kinds of arms that the Serb aggressors have had. The time has come for us to end this debate, withdraw the U.N. forces, and lift the arms embargo once and for all.

The old adage said, ''It is preferable to die fighting on your feet than to live begging on your knees.'' It is clear the Bosnians have made their choice. They have been bravely fighting on their feet for months, but they have been severely limited in arms. The Bosnians are not asking us to arm them. They are not asking for American troops to defend them. They are simply asking to be allowed to fight their own fight. It is unconscionable for us to continue to deny them that basic right to fight for their survival.

What we have is a bloodstained policy which denies them the means of defending themselves, and it is one which we can no longer countenance.

Two months ago, I stood on the border of Macedonia and Serbia. I was standing side by side with our Americans with U.N. blue caps. They were at an outpost watching the border to make sure that this fight did not spread. I returned to the United States to find that our administration was considering requests from our allies which will only draw the United States deeper and deeper into an implacable situation. We are being asked to help increase and reinforce the U.N. mission in Bosnia, more airstrikes, and a larger U.N. ground force. For us to participate in such a plan would be a grave mistake.

We are considering increasing the U.N. involvement when the message could not be more clear. What we are doing is not working. The last thing we should do is increase that commitment.

I have been opposed to sending ground troops into Bosnia, and in light of recent developments, my resolve is even stronger. Any decision to involve United States forces in additional air support roles would take us two steps closer to a United States ground presence in Bosnia.

I heard the Senator from Massachusetts earlier today saying maybe it would be a balance, that we would provide air cover and airstrikes for our allies who would be on the ground.

I do not think that would be a fair balance, Mr. President. The shootdown of Capt. Scott O'Grady served to remind us that providing air support is not without cost. It has the potential of getting us more deeply involved in this conflict.

We are now drawing up operational plans for airstrikes should the Serbs move on Gorazde. We are on the brink. The U.N. is conducting a peacekeeping mission in a region where there is no peace. The U.N. is paralyzed, unable to respond and unwilling to retreat.

Two weeks ago, the Bosnian Serbs attacked the U.N.-designated safe area of Srebrenica. They rounded up the men for ''questioning.'' They threw women and children out of their homes and onto the roads—no food, no water. The tales of the acts of barbarism committed by the Bosnian Serb forces are now being reported by the United Nations. One U.N. official said the Serb actions constituted very serious violations of human rights on an enormous scale that can only be described as barbarous.

Using artillery and armored vehicles, the well-armed Serbs quickly overran Zepa and now they have turned their sights on Bihac, Gorazde, and Sarajevo.

For some time, this administration has argued that their reluctance to lift the arms embargo stems from a fear that if the arms embargo should be lifted, the Bosnian Serbs would only be encouraged to go on the offensive and press their attack on the Moslems.

This line of reasoning, Mr. President, is frustrating and beneath the standards of our great Nation. The Bosnian Serbs are on the attack. That should be obvious to any casual observer. The Serbs are oblivious to what the U.N. is doing because they have seen only empty threats and rhetoric. The refugees fleeing Srebrenica and Zepa provide ample evidence of the failure of this embargo where only one side of the conflict is armed.

I remember my meeting with the Prime Minister of Bosnia when he was here just a few weeks ago. He was bemused. He said, ''I keep hearing the United Nations say there are two sides to this war.'' He said, ''There are two sides all right. One side is shooting and the other side is dying.''

That is two sides, but it is not a fair fight, and we must do everything in our power to let them have a fair fight without U.S. presence in that fight.

The bill we are debating acknowledges what we all know, that the United Nations can no longer function in Bosnia in anything but a limited humanitarian role. Since this bill links termination of the embargo to United

Nations withdrawal, the Bosnians and those participating in the United Nations will make ultimate decisions as to when and under what conditions the United Nations would withdraw and the embargo would be lifted.

By linking United Nations withdrawal to the lifting of the arms embargo, the Serbs will be on notice that should the U.N. leave, they will get the fight they have been seeking, but it will not be with unarmed women and children, unarmed men. It will be a fair fight with armed Moslem soldiers.

The United Nations is an effective peacekeeper when two sides to a crisis want peace. That is not the situation in Bosnia today. As the frustrated Bosnian Foreign Minister said so eloquently following the fall of Srebrenica, ''The U.N. troops have become a hindrance, a clumsy reminder of the U.N.'s failure.''

It is time for the U.N. to abandon this failed mission, not because they did not try but because the tide was not right. I urge the President to turn away from this recent shift in American policy and instead of encouraging the United Nations to increase its activities, we should lift the arms embargo so the Bosnian Moslems can defend themselves and allow our allies to decide if they want to leave.

One Bosnian official said last week, ''We have never seen the United Nations do much more than talk. We have given up on anyone from the outside coming to our rescue.''

Mr. President, we can no longer leave the Bosnians defenseless. It is time to recognize the failure of our current policy and to do what it takes to provide the Bosnian Government the right to defend its own people from aggression. The United States has acted unilaterally before, and we will again. We must lift the arms embargo. Vice President Ganic said, ''We are dying anyway. Let us die fighting, fighting for our country.''

I think the time has come for this Senate to remember our own heritage. Over 200 years ago, we fought for our freedom. ''Give me liberty or give me death'' was the rallying cry of our soldiers. We should remember the sacrifices that our forefathers willingly made because they cared so much for freedom. And we should heed the pleas that come from a country far across the ocean, a country that wishes to fight for their freedom, their liberty, their families, and their future generations.

Mr. President, we must step out of the way and let them have a fair fight. I hope my colleagues will give overwhelming, bipartisan support to finally taking the stand that we have talked about and debated and danced around for months on end while other people have paid the ultimate price of enduring rape and ravage and murder, and let us let them have the ability to take what is left of their country and defend it with the honor they are seeking.

I thank the Chair.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I wish to say that I listened very carefully to the remarks of the distinguished Senator from Texas, and I think it brings another very important perspective to this debate. I wish to express my congratulations.

I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. ROBB addressed the Chair.

Mr. NUNN. I wonder if the Senator from Virginia would let me give a 5- or 6-minute explanation of the amendment. I want to get the amendment on the floor.

Mr. ROBB. Mr. President, I would be pleased to yield to the Senator from Georgia. I would like to have the opportunity to seek recognition at the conclusion of his remarks.

Mr. BIDEN. Parliamentary inquiry, Mr. President.

Mr. President, is the Chair in the position, since so many people are wishing to speak, to, in a sense, unofficially acknowledge the order in which we are standing on the floor? I think it might make things appropriate. I know the Senator from Michigan was here before the Senator from Delaware. The Senator from Delaware was here before other people.

My inquiry is, is there an attempt on the part of the Chair to recognize people in the order in which they are sitting on the floor waiting to be recognized?

The PRESIDING OFFICER. That is beyond the power of the Chair.

Mr. WARNER. There has been an informal arrangement purely based on comity among Senators, since this matter was introduced at about 2:15, to follow much what the Senator from Delaware has suggested. I just think if we recognize among ourselves, without any request for action from the Chair, that the Senator from Virginia has been waiting, he recognizes that the Senator from Georgia desires to lay down an amendment and speak for a few minutes, the Senator from Michigan, and then the Senator from Delaware, that seems to me——

Mr. BIDEN. Mr. President, the Senator from Virginia has just made a statement I could not propound in the form of a question. I thank him.

Mr. WARNER. We thank the Chair.

Mr. NUNN. I thank the Senator from Virginia for yielding to me on this. I would like to discuss two amendments, one very briefly and the other amendment in detail.

The first amendment that I had intended to propose to this Dole-Lieberman bill, Mr. President, would have made it very clear that the President of the United States is authorized to use United States military forces for the purpose of assisting in the withdrawal of UNPROFOR personnel from Bosnia and Herzegovina provided, No. 1, that the Secretary-General of NATO requests the participation of U.S. forces and certifies that such participation is necessary for the successful completion of the operation; No. 2, the withdrawal operation will be carried out under NATO operation control and using NATO rules of engagement; No. 3, participating NATO forces will not be unduly in danger to remove the military equipment of the UNPROFOR forces; and, No. 4, the North Atlantic Council decides to conduct the operation.

That was one of the amendments I intended to introduce. I do not intend to introduce that amendment now. I think the amendment would enjoy substantial support on the floor. There would also be opposition without any doubt. The President has not sent up a request, and without a request or at least an expression from President Clinton and his administration that they would welcome this kind of authorization, I do not think it is really appropriate to ask our colleagues to vote on that kind of authorization at this time.

I do add, though, Mr. President, that everyone should understand—and I hope the American public understands—that the amendment that we are debating, the Dole-Lieberman resolution, basically encourages the United Nations to withdraw from Bosnia. In encouraging the United Nations to withdraw from Bosnia, the enticement is very clear—the unilateral lifting of the arms embargo, as the amendment is currently drawn, if the United Nations withdraws after a request by the President of Bosnia. So that gives the President of Bosnia an incentive to make that request.

Now, I think for the Senate, we need to understand that if the U.N. forces withdraw, President Clinton has clearly said publicly—I am not sure it has been focused on all over the country—but it is clear that the President of the United States has committed to send U.S. military forces if requested by NATO to assist in the withdrawal of U.N. and NATO forces.

I happen to believe the President is correct on this. I believe that we do have an obligation if there is a withdrawal and if we are needed. If, of course, withdrawal can be accomplished in a peaceful way without U.S. forces, then that would suit all of us better. But if we are needed, we have had two Presidents, President Bush as well as President Clinton, who have encouraged our allies to go in there on the ground. The United States has not sent ground troops. But we have had President Clinton encourage, even to this day, the U.N. forces and the forces of our NATO allies to remain on the ground. And for them to get in difficulty on withdrawal and for the United States not to come to their assistance, as already expressed publicly and

privately by the President of the United States, in my view, would deal a lethal blow to the alliance we have been part of since World War II.

So I think no one should make any mistake about it here on the floor of the Senate. The Senate of the United States is going to have to face up to this question at some point if there is a withdrawal. And the Dole-Lieberman amendment anticipates, in fact encourages, withdrawal.

I had hoped we would join this issue on the floor. I know that there are a number of Senators who agree with me on both sides of the aisle. I know that the Senator from Kansas, Senator DOLE, and Senator LIEBERMAN have both indicated that they would support this general type resolution. I am not talking about this specific wording. But there are Senators who would oppose it. But at this stage, without a request by the President, or without at least an expression by the President that he would encourage this kind of proposal at this time, then, in my view, it is not appropriate to present it for a vote at this time. But it cannot be avoided. At some point we are going to have to face up to it. And I hope the Congress of the United States will understand what is at stake here. Far more than the question of Bosnia, what is at stake is U.S. leadership, United States commitment, and the North Atlantic Treaty Organization itself were we to choose not to support the President's commitment here and not to help our allies.

Mr. President, I do intend to send another amendment to the desk. We made a few changes in it. I have talked to the Senator from Virginia, Senator WARNER. I ask that Senator GRAHAM, the Senator from Florida, be added as a cosponsor of this amendment. This amendment I will describe briefly and when it is retyped with a couple of small changes, technical but important changes, then I will send it to the desk as called for in the unanimous consent order.

Mr. President, this amendment that I will send to the desk in a few minutes has two aspects. First, it adds a new finding that reiterates the position of the contact group that was first expressed in July 1994 and maintained ever since. And that is that the U.N. Security Council termination of the Bosnian arms embargo would be unavoidable as a last resort if the Bosnian Serbs continue to reject the contact group's proposal.

Mr. President, the contact group is composed of Britain, France, Germany, the United States, and Russia. This is a statement they issued in July of 1994. And I want to repeat that the contact group itself said that the termination of a Bosnian arms embargo would be unavoidable as a last resort if the Bosnian Serbs continue to reject the contact group's proposal. Of course, we all know the contact group's proposal has continued to be rejected by the Bosnian Serbs.

Second, this amendment adds a new provision that would require the President, President Clinton, to immediately introduce and to press to a vote in the U.N. Security Council a resolution offered by the United States to terminate the Bosnian arms embargo on a multilateral basis if the Bosnian Government requests the withdrawal of the U.N. forces or if the troop-contributing countries or the Security Council decides to withdraw the U.N. forces from Bosnia. The resolution would provide that the Bosnian arms embargo would be terminated no later than the completion of the withdrawal of the U.N. forces from Bosnia.

Mr. President, I believe that it is important to set up a mechanism as a part of this bill to ensure that the Clinton administration seeks to achieve a multilateral lift of the Bosnian arms embargo if the events stipulated in the Dole-Lieberman bill for triggering the embargo should occur. In other words, the Dole-Lieberman bill now visualizes a unilateral lift of the embargo if these events are triggered. What this amendment would do is insert that, before that unilateral embargo was lifted unilaterally, the President would go to the United Nations Security Council and seek a multilateral lift. I emphasize, this amendment would not delay the Dole-Lieberman unilateral lift, because that is now not going to occur until after the U.N. forces have been removed from Bosnia, pursuant to either their own decision or pursuant to a request from the President of Bosnia to the Security Council.

Mr. President, if the Dole-Lieberman amendment is enacted into law, it would result, as it now stands without this amendment, in the unilateral lifting of the Bosnian arms embargo upon the withdrawal of the UNPROFOR in Bosnia. That might happen even if my amendment were adopted. I will make that clear, also. But we would at least first seek a U.N. multilateral lift, which I think most people in this body prefer as the first choice.

This arms embargo was established with the concurring vote of the United States during the Bush administration. It has been complied with throughout by the Clinton administration. Mr. President, I think it would be an unfortunate precedent if the United States, a permanent member of the U.N. Security Council, a member who has been the strongest supporter of various arms and economic embargoes on countries such as Iraq and Libya, which continue to this day, was to lift the embargo unilaterally on Bosnia without at least first going to the Security Council and asking for a multilateral lift before we take unilateral action.

Mr. President, it seems to me that if the decision is made to withdraw the U.N. forces from Bosnia, then the Security Council should be receptive to a lifting of the Bosnian arms embargo on a multilateral basis. And I repeat, the contact group, composed of Britain and France and Germany and the United States and Russia, have issued a statement last year saying as a last resort they believe the United Nations Security Council should lift the embargo. That indicates at least implicitly some support in that group when we get down to the last resort.

Mr. President, if we are not close to the last resort in Bosnia, we are very, very close to it. I think we are close to it if we are not already there. Our allies who have troops on the ground in Bosnia and who have resisted the termination of the arms embargo because it would endanger their troops, should be willing to vote for such a resolution once their troops are out of Bosnia. If we can get a multilateral lift in the Security Council, it would be a much better, much improved situation for the United States because we would not meet ourselves coming back on such critical embargoes as Iraq where there is strong sentiment by some members of the Security Council to lift that embargo and where we resist lifting that embargo. Mr. President, I hope that we will support this amendment.

The contact group has been on record for more than a year that the arms embargo should be lifted by the Security Council if the Bosnian Serbs continue to reject the contact group's proposal. As I said, that is what they have done. Surely, the continued rejection by the Bosnian Serbs, coupled with their repeated violations of the humanitarian laws of war, merits a positive vote by all members of the contact group for such a resolution and, I also believe, for the Security Council to make this same decision.

I realize there is no assurance that such a resolution would be adopted by the U.N. Security Council. I also realize that it is possible that Russia, or one of the other permanent members, would be in a position of vetoing this resolution. But I do believe that even if it is vetoed, there is no reason we should continue to avoid a vote. We ought to at least have the Security Council vote, and we ought to make at least some effort to have a multilateral lift before we strike out on our own.

I would have preferred that the administration would have pressed for a vote on the resolution it submitted and supported last year, and that resolution was submitted by the Clinton administration pursuant to the Department of Defense Authorization Act for Fiscal Year 1995, which called for a multilateral lift of the Bosnian arms embargo.

The President committed to us in conference last year that he would introduce and support such a multilateral lift effort in the Security Council. However, the administration did not ask for a vote. They did introduce a resolution and they did support it, but they did not ask for a vote. So there still has not been a vote at our request on this key issue.

I realize that diplomats like to avoid unpleasant confrontations. I realize the United States does not like to be on

the losing side of a U.N. vote in the Security Council, but I believe in this instance, it is imperative that we press this resolution for a multilateral lift to a vote and at least find out where every member of the Security Council stands. And if a member of the contact group who is also on the Security Council objects to this resolution, if it is introduced by the Clinton administration pursuant to this amendment, if this amendment is adopted, or if the member of the Security Council who is also on the contact group vetoes the resolution, then they should answer the question, What did you mean when you agreed to the contact group statement that in the event of continued rejection by the Bosnian Serbs of the contact group's proposal for Bosnia and Herzegovina, a decision in the United States Security Council to lift the embargo as a last resort would be unavoidable?

If there is a veto, then at least we would hopefully get some explanation as to what that contact group statement meant when it was issued last year.

Finally, Mr. President, I emphasize that this amendment does not interfere in any way with the operation of the Dole-Lieberman bill. The Dole-Lieberman bill requires that the Bosnian arms embargo be terminated upon the withdrawal of the U.N. forces from Bosnia. That withdrawal will take some time.

We received various estimates from our military ranging from 7 to 22 weeks for the completion of a withdrawal operation. Best case, about 7 weeks; hopefully, worst case about 22 weeks. That leaves ample time, even under the 7-week estimate, for the Security Council to carefully consider and vote on a United States resolution to multilaterally lift the arms embargo on the Government of Bosnia and Herzegovina.

Mr. President, I certainly welcome support on this amendment. Again, I ask unanimous consent that the Senator from Florida, Senator GRAHAM, be added as a cosponsor. I hope there will be other cosponsors as the debate continues.

I yield the floor and, again, I thank my friend from Virginia.

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

Mr. ROBB addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. ROBB. At the outset, I ask unanimous consent that I be added as a cosponsor to the amendment of the Senator from Georgia.

The PRESIDING OFFICER (Ms. SNOWE). Without objection, it is so ordered.

Mr. ROBB. Madam President, as we watch the sovereignty, independence, and territorial integrity of the Republic of Bosnia and Herzegovina wither under Serbian attack, we are faced with a very difficult choice: Stay the course with the U.N. and allied forces on the ground in the hope of limiting the bloodshed and containing fighting as best we can, or breaking with the current policy and letting the Bosnian Army defend itself.

I am troubled by the fact that we treat Bosnia and Herzegovina as a barren wasteland, not as a country. We have slipped so far into a policy of sustaining and occupying U.N. force in the Balkans for the sake of rebuffing Serbian aggression that we shut aside the views and aspirations of Bosnian Government officials, Prime Minister Silajdic among them.

Madam President, Bosnia and Herzegovina is a living, breathing country, represented in Washington, at the United Nations and around the world. We should respect and listen to the views of its officials and not ignore them.

Like many of our colleagues, I met recently with the Prime Minister, and he angrily intoned that our policy of militarily straitjacketing his forces made us complicit in the Serbian slaughter of the Bosnian people.

While I took very strong issue with his point that we were serving as a partner in genocidal crime, his message was unmistakable: We and the international community are standing in the way of a free and independent country seeking to fight for its very survival on its own territory and terms.

I understand those who caution us about the consequences of letting weapons flow to the Bosnian Government forces. They argue that a lift-and-strike policy does not consider the battlefield incineration that might follow. But I believe that we should leave these decisions in the hands of Prime Minister Silajdic and other Bosnian leaders.

The Government of Bosnia and Herzegovina, like Serbia, Croatia, and any other sovereign nation, should be allowed to exercise its right of self-defense under article 51 of the U.N. Charter, and our policies should not interfere with that fundamental authority.

There are no painless options before us. Ultimately, there are substantial risks, and we have to be prepared to assume some of them. With no peace to keep in the former Yugoslavia, however, I believe a policy of simply muddling through is a prescription for failure. It extends the war indefinitely and provides no hope or answers to the Bosnian people on how the community of nations intends to help defer Serbian aggression. I advocated pushing our allies much harder earlier to change course, but they have clung to a policy of defending the status quo.

As the situation on the ground has worsened, we have failed to respond decisively in any way. Given that bleak outlook, I have consistently supported an approach in the past that allows the Bosnian Government to defend its people and territory. We have voted on seven separate occasions on the arms embargo question and, in each instance, I have supported giving the Bosnian Army the military capability to defend itself. And I will support legislation again tonight that I believe provides the only real chance for eventually establishing a permanent and lasting peace in the Balkans, and that is by lifting the arms embargo.

I should note, however, that while I share the goals of what is likely to be a majority of my colleagues regarding the lifting of the embargo, I am deeply troubled by the invasive means by which we encroach on Presidential authority.

On war and peace issues, I have long advocated placing our trust and support in the hands of our Commander in Chief.

This legislation, admittedly, challenges Presidential authority outright and sets a bad precedent for our intervention in executive branch prerogatives. But we have been urging this course of action literally for years now, and yet the genocidal slaughter continues.

Madam President, I feel Congress ought to exercise its oversight on matters of national security with great caution and be particularly sensitive to actions that might have the effect of micromanaging foreign policy or usurping the President's constitutional responsibilities.

I have tried to support Presidents of both parties on defense and foreign policy decisions, and I want to continue to do so in the future.

Serbian atrocities, beyond the pale, however, force the Senate to act today. Ethnic cleansing, gang rapes, hostage-taking of noncombatant peacekeepers, and pillaging the eastern enclaves of Bosnia, demand an unequivocal United States response. In that case, it is lifting the arms embargo.

An affirmative policy of lift and strike will clarify to Serb marauders that their military campaign is ultimately a futile one and that a negotiated settlement is the only way out.

For now, Serb gunners and soldiers have no incentive to lay down their arms. They brazenly march ahead. Srebrenica last week, and then Zepa, Bihac today, and Gorazde tomorrow, fighting a defenseless enemy.

Bosnian Government soldiers, lacking the wherewithal to fight back, retreat and scatter. UNPROFOR stands as an idle force nearby, if anything, helping Belgrade's aspiration for achieving a greater Serbia. While UNPROFOR certainly deserves credit for supporting humanitarian missions, the war-torn Balkans, separating the combatants and attempting to deter atrocities, I do not see how the international community can afford to keep peacekeepers in a region where there is no peace. The role of UNPROFOR has gone from keeping the peace to regulating the war. It is time for a change.

Secretaries Christopher and Perry, for whom I have enormous personal respect, visited us again today and said now is not the right time to unilaterally lift the embargo.

Time is running out on the Bosnia people. If not now, when? The escalation of events these last few days with Bihac under attack today, underscores 3 years of failure to achieve a peaceful settlement.

Madam President, this civil war, in my view, must ultimately be resolved by the different groups within the former Yugoslavia. We should conduct a policy that provides the greatest incentive for both sides to peacefully negotiate their differences at the bargaining table.

To wit, I believe the United States should first press our allies for the expeditious withdrawal of UNPROFOR; second, lift the arms embargo multilaterally, if possible, unilaterally, if we must; third, continue to isolate the Bosnian Serbs politically and economically; fourth, not harbor any illusions about the consequences of lifting the embargo.

We cannot duck the question of whether United States forces—up to 25,000, in some scenarios—will be required near and in Bosnia to help extract UNPROFOR.

President Clinton has pledged to support UNPROFOR's emergency extraction. In my judgment, this is the right thing to do. We ought to go on record supporting him in this regard. In that regard, I certainly support the Senator from Georgia.

With emergency extraction, however, come risks. Both the Bosnian Serbs and the Bosnian Government forces could choose to interdict the UNPROFOR withdrawal. Given the narrow and fragile transportation routes in Bosnia, either side could do much to accomplish this goal.

Closer examination suggests that neither side has a compelling incentive to prevent UNPROFOR's withdrawal by force. The Bosnian Government would be loathe to attack its potential supporters, and although the Bosnian Serbs are benefiting immensely from UNPROFOR's indecisiveness, they would have no rational reason to delay UNPROFOR's departure.

We must accept, however, that lifting the embargo will not and can not mean the end of United States involvement. The Bosnian Government will request that the U.S. provide airstrikes to stem a Bosnia Serb advance. It is reasonable to expect that the United States will need to continue the equivalent of Deny Flight to keep the skies free of Bosnian Serb air power. The United States may have to take an active role in supplying the Bosnian Government with arms and equipment, intelligence, and training, and the United States will have to supply extensive humanitarian assistance by airdrops and other means to compensate for the departure of the humanitarian assistance personnel.

The Balkans conflagration may well get worse before it gets better, implementing a lift and strike plan, but it is going to end sooner due to it, and it will save many innocent victims in the long run.

These, Madam President, are not attractive options. There are no attractive options before the Senate.

Accordingly, Madam President, I believe that the United States should lead by example and not be deterred by protestations from our allies on lifting the embargo unilaterally if they choose not to join us.

The time has come to give the Bosnian Government a fighting chance. I hope the Senate will send that message in resounding fashion. I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. WARNER. Madam President?

The PRESIDING OFFICER. The Senator from Kansas has the floor.

Mrs. KASSEBAUM. Madam President, I am happy to yield to the Senator from Virginia if he has a question.

Mr. WARNER. I simply wish to address the Chair and those present. We are following an informal order. The Senator from Michigan has waited for about an hour and a half. Somehow it has worked out for 5½ hours.

Mrs. KASSEBAUM. Madam President, I think it is good to follow an order. I know the Senator from Michigan was here before I was on the floor and I am happy to yield at this time to the Senator from Michigan.

Mr. CHAFEE. Madam President, I wonder if I could get in line.

Mr. WARNER. Madam President, what we have done before is just recognize Senators. The Senator from Maine has been here for some period off and on.

Perhaps, without seeking ratification by the Chair, just among ourselves, have a comity by which the Senator from Michigan be followed by the Senator from Kansas. The Senator from Delaware, very definitely, has been here.

Mr. COHEN. I object, because none of us will get to speak.

Mr. BIDEN. Madam President, maybe he will learn something.

Mr. WARNER. The Senator from Michigan, Delaware, Kansas, Rhode Island, and then Maine.

Mr. CHAFEE. The Senator from Maine was here before I was.

Mr. WARNER. We will reverse that. The Senator from Arizona is behind that group.

The PRESIDING OFFICER. Will the Senator restate that.

Mr. WARNER. We will first recognize the Senator from Michigan, followed by the Senator from Kansas, followed by the Senator from Delaware, followed by the Senator from Maine, followed by the Senator from Rhode Island, and then the Senator from Arizona.

Mr. CHAFEE. Madam President, did we get a firm commitment that the Senator from Delaware will be in his usual crisp style?

The PRESIDING OFFICER. The Senator from Michigan has the floor.

Mr. McCAIN. Will the Senator from Michigan yield for a unanimous-consent request?

Mr. ABRAHAM. Madam President, I yield.

Mr. McCAIN. I ask unanimous consent that the order of recognition be as described by the Senator from Virginia.

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

Mr. BIDEN. Will the Senator yield?

Mr. ABRAHAM. I yield.

Mr. BIDEN. I say to my friend from Maine and from Rhode Island, had they listened to the Senator from Delaware 2 years ago, we would not be having this debate today.

Mr. ABRAHAM. Thank you, Madam President. I also thank the Senator from Kansas for yielding. I promise for my part to be quite concise here tonight.

I rise today in support of S. 21, the Bosnia and Herzegovina Self-Defense Act of 1995. I do so because I believe it is past time for us to allow the Bosnian Government to defend itself against naked and cruel aggression. The United Nations has failed to protect this state, NATO has been prevented from effectively protecting this state, and the valiant peacekeepers on the ground have been placed in the impossible position of keeping the peace where there is no peace to keep. Under these circumstances, the United States cannot continue to abide by an embargo that punishes the very people it was meant to protect.

I did not always believe that lifting the arms embargo was necessary. Previously, I considered the introduction of yet more weapons to this war to be destabilizing and capable of pushing the conflict outside of the former Yugoslavia.

However, this is no longer the case. The arms embargo has not been observed by all sides. Because of these violations, the Bosnian Serbs possess a disproportionate number of heavy weapons and as a result possess a clear military advantage that cannot be overcome by the courage, numbers, or moral authority of the Bosnian Government; it can only be met by similar arms.

When we recently me with the Prime Minister of Bosnia, he stated ''We do not want American, French, British or any other country's boys to fight for Bosnia. Our own boys are willing to fight for our country. The problem is we do not have the means to defend ourselves.'' It is the arms embargo that is denying the Bosnians those means, and it is the arms embargo that must end.

Mr. President, I believe a full discussion of this issue must also include Croatia. The Bosnian-Croatian Federation represents one of the strongest mechanisms to bolster Bosnian sovereignty, and must not be forgotten. Strong democratic institutions are taking root in Croatia, and the Croatians in Bosnia are capable of helping secure similar liberties in Bosnia. I am concerned that lifting the embargo on Bosnia alone will kill this federation in

its infancy and with it, one of the strongest allies the Bosnians may have.

For the Croatians to feel capable of assisting in the defense of Bosnia, they must also feel capable of defending themselves. Therefore, if we are to claim the Bosnian Government is entitled to have access to the arms necessary to defend themselves, then so too are the Croatians. I commend Senators HATCH and GORTON for also raising this important consideration, and would welcome efforts to address this issue.

But the whole of the Balkans is not the issue before us today, it is Bosnia alone. With Bosnia, we must act now. To continue to sit idly while the Bosnian Moslems are systematically evicted from their homes, rounded up like cattle for forced relocation, and uniformly persecuted simply because they are Moslem is wrong. The United States has the capacity to provide the means necessary for Bosnian self-defense, but has for too long remained on the sidelines, using as an excuse one thing after another, primarily the inaction of multilateral institutions which were never designed to meet such threats, and which are not and may never be capable of doing so.

I did not come here today to say this administration is totally to blame for the tragedy in Bosnia. Mistakes were made before, and contribute to the problems we face now. However, the current administration has broadened these problems because of its failure to enunciate a clear set of national security interests in Bosnia, a set of goals to protect those interests, and a decisive plan to achieve those goals.

This is the very essence of foreign policy, and yet the Administration has been unwilling and incapable of formulating even this basic building block so vital to the protection of our national interests.

Where this has led the United States is a policy of mindless reaction. We repeatedly find ourselves responding to the latest crisis in the Balkans, wondering which course to take next instead of taking deliberate action intended to achieve a precise set of goals. So I think now is the time to develop a strategy that will give us the capacity to make wise decisions that will stand the test of time.

We must not allow such short sightedness to happen again. Some day soon, we could very well find ourselves facing an even more serious set of decisions concerning Bosnia or some other part of the world—the issue of sending American troops into harms way. Making such decisions without a strategy in place is a prescription for disaster. Hence, the value of staking out a clear path to follow.

So let today or tomorrow, whenever these votes shall come, be the watershed. Let us first decide today to restore the right of self-defense to the people of Bosnia. Hopefully this will provide that government the means necessary to bring about a just and lasting peace. But we must be prepared for the next crisis, and that requires our immediate examination of the complete issue, and our role in its resolution.

I applaud the bipartisan leadership of the majority leader and the Senator from Connecticut in addressing the problems we face today. I look forward to their continued leadership in defining our long-term interests and plans in the Balkans to avoid these crises in the future. But for today, I call on my colleagues to support this effort and bring to the Bosnian people an opportunity to fight for their country, their people, and their land.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mrs. KASSEBAUM. Madam President, the Senate has returned once again to the question of whether the United States should act unilaterally in lifting the arms embargo on Bosnia. We debated this course before and rejected it for what I believed then, and I still believe, were compelling reasons.

I listened with great interest to the amendment that was put forward by the Senator from Georgia, [Mr. NUNN], about some language that would, indeed, begin to make it a collective action on the part of the Security Council and with our allies. This approach may be something that will improve, although I hope not unduly confuse further, the language in the bill. It seems to me that does open possibilities, but I would like to explain why I still share deep concerns about unilaterally lifting the embargo.

I well understand—in fact, I share—the sense of frustration and anger that underlies this legislation. Time after time, we and our allies have failed to find a consensus for acting on the pressing and horrific situation in Bosnia. Time after time, we have been cowed and buffaloed by the Bosnian Serbs and by Serbia. We have appeared, and have been, indecisive, ineffective, and divided.

It is, therefore, no surprise that unilateral American action has great appeal to many Senators and will, I do not doubt, be approved by a large number of Members of the Senate at the end of this debate. That may make us feel better. But I am not at all sure that it means it is the right solution.

I have enormous respect for the bill's authors. The majority leader and my colleague from Kansas, [Mr. DOLE], has been a firm, consistent, and powerful advocate for clear and concerted action in Bosnia, as has his coauthor, the Senator from Connecticut, [Mr. LIEBERMAN]. This is a bipartisan effort. It is not a partisan effort.

Given the President's failure to produce a consensus with our allies for such action, it may well be that Congress must step into the breach by dictating a go-it-alone American strategy. If so, I think we should not fool ourselves about the realities that may follow.

All the old arguments against this course are still valid, I believe. In acting unilaterally, we are breaking the kind of international agreement that we have needed before and we may need again. We are creating a precedent for others to thumb their noses at the international community. In acting alone, we are directly undercutting our allies, primarily the British and the French, who have troops on the ground in Bosnia. Those troops will be the first targets of what could be a steadily escalating conflict, as the Serbs seek a decisive victory before Bosnia can obtain the heavy weapons to prolong the war. In acting alone, we may force the total abandonment of humanitarian relief. But despite the profound flaws of the current effort, and they have been significant, its elimination would create enormous hardship and disaster in the short run. Finally, in acting alone, we will give force to our failure of leadership. Madam President, this may be, in some ways, the most significant and subtle aspect of this.

Far from demonstrating America's willingness and ability to lead the west, unilateral action is the final concession that we can find no one willing to follow us. The full impact of that admission may not stop in Bosnia. It could be felt for a long time to come in NATO and other multilateral organizations that are vital to our national interests.

Against these very real dangers, supporters of this legislation raise the argument that since we, our allies and United Nations cannot defend Bosnia—which we clearly have not—then Bosnia should be allowed to defend itself by lifting the arms embargo. It is a compelling argument, made more effective each day as the allies and the U.N. forces appear more and more ineffective.

We have all felt this as we have watched food convoys be turned back because there was a Bosnian Serb tank blocking the convoy, and rather than stand up and say, ''This food delivery is going to get through,'' it turns around and retreats.

Certainly, Bosnia has the right to defend itself. What it lacks is the ability to defend itself. This legislation, by itself, cannot create that ability. That can only happen as Bosnia obtains armaments and supplies and then trains its forces in their use. That will take a great deal of effort and money—which we here may or may not be willing to provide—but most of all it will take time. and not that that is not also important. But we have to recognize that it will take time. There is going to be a certain period of time in there in which the armament—the large armament and the capability to do so—they will still be trying to put it in place. And the population that we most want to help can be at risk.

The reality is that the only time left to Bosnia may be that purchased by the international community. Clearly, the U.N. protection force [UNPROFOR]

has not and cannot serve that purpose in any effective way and its mission should be ended.

Whether the current shift of policy will produce an effective replacement for the U.N. force remains to be seen. There is considerable confusion and many conflicting signals about the role of NATO air power and the new rapid reaction force being put in place by Britain and France. It is possible that this new policy will never evolve into an effective force but I believe we must not cut off that possibility prematurely.

If in passing this legislation we undermine that international effort, we may prove that it is still possible to make the situation in Bosnia even worse.

Madam President, this legislation is well intended. The anger and dismay of its authors is well founded. It may be the right thing to do, but I do not believe so and I will oppose it as it presently is presented.

I yield the floor.

Mr. BIDEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. Madam President, I understand the unanimous consent order was that I was to be recognized next. My colleague from Maine has asked whether or not he might be able to go first. I ask unanimous consent that I be able to yield to him since he was next in line and then have my opportunity to speak when the Senator from Maine finishes.

The PRESIDING OFFICER. Hearing no objection, without objection, it is so ordered.

The Senator from Maine.

THE ''UNITING FOR PEACE'' AMENDMENT

Mr. COHEN. Madam President, let me thank my friend from Delaware, and especially in view of the fact that I expect that he will engage in a very passionate recitation which may start out to be 15 minutes but I suspect will extend long beyond that time. I say that having been the beneficiary of many of his speeches here in the Senate and in many cases having been enlightened as a result of his taking the floor.

Madam President, let me just respond to some of the comments offered by my colleague from Georgia who has not offered yet but has outlined an amendment that I believe goes a long way toward addressing the concerns of the administration and many of our colleagues in the Senate over the implications of a unilateral lifting of the arms embargo in Bosnia.

The administration has made the point, I believe, to the Democratic caucus, to the Republican conference, that if we lift the embargo unilaterally, the United States is then going to be endangering the viability and the continuing force of U.N. sanctions on Iraq and Libya. So to deal with this concern, Senator NUNN is proposing—or will propose—an amendment that directs the President to seek a vote in the U.N. Security Council on lifting the embargo as the President has said he would do and as the Senate urged him to do last August in the Nunn-Mitchell amendment.

I might point out that Senator NUNN was on the floor last year in August asking the President to go to the United Nations to seek a resolution on this. And, of course, the President went but did not seek a vote in order to lift the embargo.

Senator NUNN's amendment aims to achieve a multilateral action. The amendment does not in any way, as he said, impact upon the provisions of Dole-Lieberman. It simply strives to give the greatest possible international support of U.S. policy.

Here is my concern. If the Nunn amendment is accepted and becomes part of the bill, once UNPROFOR decides or is asked to leave, the President would then go to the United Nations and seek a multilateral lifting of the embargo. Then, obviously, that resolution could be vetoed by one of the members of the Security Council. I think it is reasonable to expect that. I think it is inevitable it would occur.

At that point, as I understand the legislation, the President would be required to automatically lift the embargo unilaterally as soon as UNPROFOR's withdrawal from Bosnia is complete. Once he has made the effort under the Nunn approach to go to the U.N., and it fails, because either they fail to take action in the U.N. Security Council or a permanent member vetoes it, then under the Dole-Lieberman bill the President will be required to lift the embargo unilaterally.

It raises an issue that we have to contend with. If the Security Council undertakes consideration of the measure and a permanent member of the Security Council vetoes it or prevents it from coming to a vote, then under terms of this legislation, automatically the President will be forced to lift the embargo. Does that not flout the U.N. Security Council? That is one way of interpreting it.

What I suggest as a possible option—and it is something that we ought to consider during the course of this evening, and if the matter carries over until tomorrow, we can consider it at that time as well—is to consider requiring under that scenario that the matter be taken directly to the General Assembly. Under existing procedures, the United Nations does have a way to bring this matter before the General Assembly.

The ''Uniting for Peace'' resolution was created at the initiative of the Truman administration during the Korean war. It has been a part of U.N. practice and procedures since 1950, and basically it works as follows. If the Security Council is unable to act on an issue affecting international peace and security because of disagreement among the permanent members of the Council, consideration of the issue can be moved to the General Assembly. This is done through a procedural resolution in the Council, which is not subject to a veto.

Secretary of State Dean Acheson, who was the father of the ''Uniting for Peace'' idea, said at the time of its adoption, ''The General Assembly can and should organize itself to discharge its responsibility promptly and decisively if the Security Council is prevented from acting.''

The 1950 resolution, itself, states that ''the failure of the Security Council to discharge its responsibilities on behalf of all the Member States—does not relieve the Member States of their obligations or the United Nations of its responsibilities under the Charter to maintain international peace and security—(S)uch failure does not deprive the General Assembly of its rights or relive it of its responsibilities under the Charter in regard to the maintenance of international peace and security—.''

In the event of a failure by the Security Council to counter a threat to international peace and security, the resolution states that ''the General Assembly shall consider the matter immediately—.'' The General Assembly's powers in such circumstances are far-reaching. The resolution for example, states that the Assembly can call on Member States to take ''collective measures including, in the case of a breach of the peace or act of aggression, the use of armed forces when necessary.''

It has been pointed out during the debate that in each of the last two years, the General Assembly has voted overwhelmingly and without dissent to lift the embargo. This has been to no avail, however, because the Security Council has primary authority on questions of international peace and security. But once the Council has failed to act because of a conflict among the permanent members and the Uniting for Peace process is invoked, authority shifts to the General Assembly to take the matter up.

I suggest that this is one option we may want to consider. I realize it may pose some difficulties for Members; namely, if we take the matter to the General Assembly and the General Assembly overwhelmingly—as it has done on two prior occasions—votes to lift the embargo, are we not setting a precedent that other efforts will be made to invoke the General Assembly's authority on measures that we might not like to see go forward? That is an issue we have to contend with.

I might point out that use of this procedure is, in fact, not unprecedented. This procedure has been used at least eight times. It was used by the United States in 1950 to respond to a Soviet veto of a resolution regarding North Korea's aggression. Subsequently, the ''United for Peace'' mechanism was invoked to support international action in the Suez crisis; also in response to the invasion of Hungary back in 1956; the Lebanon crisis of 1958;

the crisis in the Congo in 1960; and the question of Bangladesh in 1971. It was used again after the Soviet Union invaded Afghanistan. A resolution was introduced to condemn the Soviet Union for that invasion, but a veto was cast by the Soviet Union and the matter was taken to the General Assembly.

So in the event that the Nunn amendment does not include my provision or in the event that the Nunn amendment is not tabled, then it would be in order to take up the second-degree amendment that I would like to offer. s

Let me just give you a few reasons why I think we should give this second-degree amendment serious consideration. First, it would serve as a means to enable the members of the U.N. to exercise their right and obligation under the U.N. charter to maintain international peace and security even if the Security Council fails to act.

Second, it would allow the United States to act in conjunction with the more than 100 U.N. members states who have voted during the last 2 years for the General Assembly resolutions urging the lifting of the embargo.

Third, it would recognize the importance of multilateral action in this critical area. As such, I believe it meets the objections the administration and a number of our colleagues have raised during the course of this debate regarding the damage that a unilateral lifting of the embargo would cause to the credibility and integrity of the United Nations system. We would be going to the General Assembly where, with overwhelming support, lifting the arms embargo would be undertaken as a U.N. action. It would not be a unilateral lifting, as would result under the Dole-Lieberman bill, even if it is amended by Senator NUNN.

And fourth, let me suggest that it perhaps reduces the likelihood of a veto in the Security Council because all the permanent members would be on notice that the United States is going to seek to refer the matter to the General Assembly.

For each of these reasons, I would respectfully ask my colleagues to consider it this evening. I think it adds to the Nunn resolution. It does pose the issue of whether or not we want to see this procedure invoked when it may be adverse to our interests. That is something with which we have to deal. My basic question would be whether or not we want to be in a position to obtain multilateral action in lifting the embargo, when we know that one or more permanent members might veto or will exercise a veto in the Security Council. If a veto is to be exercised, then going to the Security Council is really a futile act. And second, the bill would require the President automatically to then go and unilaterally lift the embargo. With my second-degree amendment, the matter would be brought to the General Assembly to take action on a multilateral basis. I believe that would be preferable to taking unilateral action ignoring the U.N. Security Council.

So I thank my colleagues for their deference, especially the Senator from Delaware for his consideration. This is only a proposal. I would ask my colleagues to consider it during the course of the debate. I may not offer it. But I have talked to Senator NUNN about it, and we share, I think, mutual concerns about the procedure we are now invoking in going to the United Nations. But I think it is a worthwhile endeavor on our part to give it serious consideration. I now yield the floor.

Mr. BIDEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. Madam President, as the Chair observed, many of my colleagues have commented on my passion on this issue. In the last 2½ years I have probably risen in the Chamber a dozen times to speak on this issue. I know they do not mean to suggest otherwise, but I do not apologize for my passion on this issue.

In the 23 years I have been here, there is not another issue that has more upset me, angered me, frustrated me, and occasionally made me feel a sense of shame about what the West, what the democratic powers in the world, are allowing to happen.

I have on two occasions, with a year interval between, visited Bosnia, Croatia, and Serbia. This does not make me qualified for anything other than explaining the depth of my concern and anger on this issue. I have been in and out on more than one occasion in Sarajevo and Tuzla and other safe areas. I have seen, as many have on television, and I personally have interviewed in the camps, people who literally as a consequence of the cleansing left—literally, not figuratively—their elderly mother on a frozen mountaintop to die because it would have slowed up the whole family to continue with her.

I, quite frankly, never thought that—as a young Senator arriving here when I was 30 years old with a traditional education both in undergraduate and graduate school with a focus on history—I would ever stand in the Chamber of the Senate and hear people refer to the policy of ethnic cleansing in anything other than a historical context. I never thought I would stand in this Chamber and read accounts and hear—not from Senators but in the general discussions—about how the Bosnian Government and the Bosnian people are trying to sucker us to get involved.

I remember reading about people saying that the Jews in the Warsaw ghetto were trying to sucker us into a war against Germany. We have a way in this modern day to make the victim the aggressor. We make loose use of terms about this being a civil war.

The fact is that Bosnia is an independently recognized country—recognized by the United Nations and this country—that is being aggressively moved upon by the neighboring country of Serbia.

I hear people say in the media, in the councils of Europe, and even to some extent on the floor of the Senate that the Bosnian Government and the Bosnian military are Moslem.

When I first raised this issue for my colleagues—and I say not with a sense of pride but with a sense of futility, that I believe I was the first to raise this issue with my colleagues several years ago—it was not a Moslem government. It was a multiethnic government.

In Sarajevo I met with the government that at the time was made up of over a third Bosnian Serb, about 20 percent Croat, and the rest Moslem. All these people are Slavs. They are Croatian Slavs. They are Moslem Slavs. They are Serbian Slavs. It is not as if you read the press here and speak to Western leaders and it sounds as though we are talking about the Government of Iran in Bosnia—or Moslem fundamentalism. All you have to do is walk through the markets and the cafes. On one occasion when I was there, the bombing had ceased and the people were out. You saw Moslem men drinking liquor, and Moslem women, none of them wearing veils. It is not a fundamentalist Moslem society. These are people for whom, when the Ottoman Empire defeated them two different times, including the Hapsburg Empire, the deal was made. If you want to own property in what is now Bosnia, if you want to do business, you must be a Moslem. So people converted. This is not some occupying nation. This is not a leftover from the Ottoman empire. These are Slavs, all Slavic people. And here I am on the floor of the U.S. Senate defending and arguing for a resolution that was the same resolution that we passed in the last months of the Bush administration. We passed overwhelmingly a law urging the President to push to lift the arms embargo, and authorizing President Bush to be able to directly send $50 million worth of American military equipment to the Bosnian Government. We passed that. That is the law today, the law. The President needs no authority to send weapons. We passed it.

I stand on the floor and listen to my colleagues talk about the fall of the safe areas. Do you know how those safe areas became safe areas? The contact group got together and said, ''I will tell you what, we will make a deal with you Bosnians defending yourself in Srebrenica and Zepa'' The two that I mentioned already have fallen. ''Here is the deal. You give us the weaponry you have, and we will tell the Serbs you are no longer a danger. And we will protect you. We will disarm you. We are not only going to stop arms from coming in to you, but we are going to disarm you.''

And the Bosnian Government said OK, if that is what protects those folks. And then the United Nations understandably—and I will not take the time to explain why I think it is understandable—stood there and watched

the Serbs come in and overrun the safe areas.

How many years on this floor have we heard, ''If you lift the arms embargo, we are going to lose the safe areas''? You saw what the Senator from Arizona spoke to on the floor last week. He held up a picture, I think from the New York Times, showing U.N. military blue-helmeted personnel sitting on their weaponry watching the Serbs in Srebrenica divide the women from the men, to send the women to rape camps, and take the able-bodied young men and send them off in another direction to prison camps, and then load everybody else up on a truck who was old and infirm and not suitable for rape or work and banish them to a third ''safe area.''

Then I hear today from the administration and others on this floor that what Senator DOLE is proposing is not a policy. Let us review what the policy of the contact group, of which we are a part, has been. And I challenge anyone at all within hearing distance of this discussion to correct me if I am wrong or they think I am wrong. What is the policy of the contact group? One, negotiate a settlement. Two, in the meantime, guarantee the safe areas. That is the policy, beginning, middle, and end.

Now, let us examine it. When we joined the contact group—and we had not been a member of the contact group—we said we are joining because we had a commitment, made public, from the contact group members that, if in fact the contact group arrived at what they believed to be an equitable settlement, that they would present that settlement, which is essentially a division of Bosnia, to both the Bosnian Government and the Serbs in Pale, and whoever rejected the contact group settlement would ''suffer the repercussions.''

So guess what? We signed on. We came up with a proposal. I argued against it because it called for the partitioning of Bosnia, in effect, essentially 51–49. Presented to the Bosnian Government, they accepted it. Let me remind all my friends, they accepted it. And the Serbs, meeting in Pale, their self-appointed ''parliament'' rejected it.

And what did we do? We suggested maybe we have to ease the arms embargo—ease the economic embargo on Belgrade to get Milosevic to put more pressure on Karadzic to accept. And then we said we are going to use airstrikes. Remember? That is what we said.

Well, obviously, the policy of a negotiated settlement is not on the Serb agenda. That is not part of what they are contemplating. And obviously we, the West and the contact group, did not fulfill our commitment. We reneged. And as they say in court, ''Check the record.'' We reneged. Nothing bad happened, directly or indirectly, to the Serbs.

Then we are told—and I hear it time and again—''You know, we cannot lift this embargo. Even if the Bosnian Government had weapons, they would not know how to use them.'' Ladies and gentlemen of the Senate, the same Bosnian young men were in the same army as the Serb young men. There was universal conscription until the breakup of Yugoslavia. They are fully as capable. They need no help. They can do it themselves. They are not a bunch of folks who are not ready to fight. I heard someone say today—and because I am not sure whether it was intended to stay in the room or not, I will not mention the name —that he recently made a commencement speech at a major university, and his predecessors had made similar speeches at that university 20 years earlier and were greeted with signs saying ''get out of Vietnam,'' and this particular person said, ''The irony was I was greeted with signs saying 'get into Bosnia.' How ironic. Cannot we learn our lesson?''

The lesson is very different. Vietnamization was never a possibility because the Vietnamese people did not support it. Yet, unlike Vietnam, the Bosnian Government said only one thing, ''Do not send us your men. Do not come and fight for us. Let us fight for ourselves.'' All those of you who think you are Balkan scholars, read the literature. I heard 2 years ago on this floor, ''We cannot do anything in Bosnia. They are the same forces, the Yugoslav forces that held off the Germans.'' I might remind you most of that holding off was done by Bosnians in Bosnia. They were Yugoslavs, but it was in Bosnia. These tough fighters do not all live on the other side of the Drina River. The point is that these folks are fully capable, have a long history of both a will and a capability of defending themselves.

But what have we done in the name of peace? We have said, ''If you defend yourselves, you will widen the war.'' Translated —we would rather 300,000 of your people get slaughtered in genocide than have the rest of us run the risk of a widening.

The second part of the policy—protect the safe areas. Well, does that need to be spoken to? There will be no safe area, Madam President, within 6 months. That is the plan. That is how the West is going to save its conscience, because if we dally around enough, do not let them fight for themselves, at the end of the day there will be nothing to protect. We will say, ''Oh, my God, my God, what an awful thing has happened.'' The Secretary of State said today, ''Many mistakes have been made. We would not do what we did again,'' in terms of policy.

Well, we are doing what we did again and again and again and again and again.

Madam President, I was told 2 years ago on this floor that airstrikes do not work; it does not make any sense. Yet, we are told today that the reason why we do not need this bill, I say to my friend from Connecticut, is that in London they set down the law—bang. The contact group said, ''If you, the Serbs, go at Gorazde, we will massively retaliate with airstrikes. It's going to work now.'' Do you not find that amazing? When asked, by the way, ''Why Gorazde, why not Tuzla, too? Why not Bihac? Why not Sarajevo?'' ''Well, we intend that is probably going to be covered,'' I think was the response.

Even a kid like me from Delaware can figure this one out. How did all of a sudden the threat of massive airstrikes take on a utility and capability it did not possess for the last 2½ years? What has happened? Was there a revelation? Did the Lord come down and say, ''Mend your ways. You can do it if you have the will''? Is that what happened? And if it did happen, Madam President, I respectfully ask the opponents of this amendment, why only Gorazde? Why there? Why nowhere else?

Madam President, this is not a policy. As I have said on this floor before with regard to arms control, we, the U.S. Congress, are not in a position, nor were we institutionally designed to formulate foreign policy. But, Madam President, we know enough to know when one stinks. We know enough to know when one is recognized as a failure. We are institutionally constructed to be able to acknowledge that.

Madam President, the Secretary of Defense said to us today, ''if you lift the arms embargo, three things will certainly happen.'' I wrote them down because I found them so fascinating.

First, the loss of the enclaves will occur. I assume that means if we do not lift the arms embargo, then there is at least a chance the enclaves will not be lost. Two are gone out of five now. What will keep the others from going?

Everybody understands the way this works, right? It goes like this. Since we did not sign onto the policy in the first place of putting the U.N. forces in there, and they went ahead and did that, then we, the United States, are now obliged to be there if the U.N. concludes that they should no longer be there.

Let us go through this again. The U.N. was placed in there when Western nations concluded that is what they should do. We said, ''OK, if that is what you want to do, but we don't think that is going to work.'' Then, from the time I first introduced the lifting of the embargo 2½ years ago, I was told, ''No, if you lift the embargo, the U.N. forces will leave and everybody will be slaughtered.''

Then that took on a new twist in its maturation. Now it goes like this: ''U.N. forces are sent in, we lift the embargo, U.N. forces go out, we then must go in because we have committed to take the U.N. forces out.'' Therefore—talk about the tautology—if you vote to lift the arms embargo, you are committing ground troops to fight in Bosnia. We are being ''suckered in''

was the phrase used today. Is that not amazing? How did we get there?

Had we listened and the arms embargo lifted, you would probably have a stalemate on the ground by now, and probably have a settlement. Obviously I cannot guarantee that, and we could have a wider Balkan war as well. Only history would be able to tell that had we acted. But now, Joe LIEBERMAN, Joe BIDEN, and Bob DOLE—who are arguing against putting any American forces on the ground—are told that if we prevail, we are the reason America has to take over the war in Bosnia.

Madam President, the second thing the Secretary said today was that if we lift the embargo, we will damage the alliance. Tell me how you save this alliance? Tell me why, I say to any of the people up here, they should continue to spend $100 billion a year for NATO when there is no Soviet Union and they cannot even stop ethnic cleansing in their own back yard?

Third, I am told, they will send ground forces into Bosnia if we lift the embargo.

Madam President, I am tired of all of this, and I am sure you are tired of hearing me over the last couple of years repeat these arguments. But ask yourself the following question: If air power and the threat of it will work to save Gorazde, why only Gorazde?

Another argument is that the Bosnian Army cannot fight, it would have to be trained and equipped. For example, the Secretary of Defense said today, if we lift the arms embargo, we will be in the position of going to war with our allies because we will be attempting to break the embargo through French lines to get in American tanks.

Whoa,—this is ridiculous. Madam President, the same people who say these folks cannot fight are the same people who worry—on this floor and in the press 2 months ago—that the Bosnian Government is at fault because of the gains they made in Bihac. Remember? They were becoming too powerful. They beat the Serbs initially. All of a sudden the issue was that they are too powerful. This is going to make Milosevic mad. Milosevic is now going to cross the Drina River. But now we are told, if you lift the arms embargo, they cannot use the weapons anyway. Well, let us see, let us see.

I do not want American ground forces in Bosnia. I respectfully argue we would not even be talking about the possibility had we not signed on to a failed policy of putting UNPROFOR in there in the first place.

And, Madam President, lastly—my friend from Rhode Island is waiting to speak and I will yield with this comment—we are told now that if we lift the arms embargo, all these terrible things are going to happen.

I ask my colleagues to ask themselves, if we do not lift the arms embargo, is anyone going to protect the safety areas? If we do not lift the arms embargo, is anyone going to protect the part of Bosnia that is not already occupied by the Serbs? If we do not lift the arms embargo, is the alliance going to be fixed up, right quick? If we do not lift the arms embargo, is the United Nations going to become a credible institution again in terms of peacekeeping?

If Members can answer yes to three of those four, do not lift the arms embargo. But if Members cannot answer yes to three of those four—and I think you cannot answer yes to any of them—then I respectfully suggest that the Senate majority leader and the Senator from Connecticut are correct.

We tried this how many times, I say rhetorically, to my friend from Kansas, over the last 1½ years? There is no more time, Madam President. Time does not work for these people. Time is not on their side. They will all be dead by the time the West decides to do anything at all about this problem.

I do not apologize for the passion. I do not even apologize for the time, but I do apologize to the people of Bosnia. I do apologize to the women in those rape camps. I do apologize to those men in concentration camps. I do apologize. For we are not to blame. But we have stood by—we, the world—and watched in the twilight moments of the 20th century, something that no one thought would ever or could ever happen again in Europe. It is happening now.

If we do not do anything now to help them fight for themselves, I ask, when are we going to do anything? I ask the rhetorical question, do you think we—we, being the West—would be doing this, do you think we would be as indecisive, do you think we would be as timid, do you think we would be putting a rapid deployment force in who has an express purpose to defend only the peacekeepers there, not the civilian population, do you think we would be doing that, if, in fact, these were not Muslims? Do you think we would be doing that if this was a Christian population? Maybe we would, Madam President, but I have a feeling the reason why the world has not responded in Europe is because they are Muslims—the same reason we did not respond in Europe—because they were Jews.

The PRESIDING OFFICER (Mr. BURNS). The Senator from Rhode Island.

Mr. LIEBERMAN. Will the Senator from Rhode Island yield for a moment very briefly?

Mr. CHAFEE. I yield.

Mr. LIEBERMAN. I simply want to thank the Senator from Delaware for his remarks. He was teased a bit about how long he was going to speak. As far as I am concerned, he can keep on speaking. He saw the situation, as he has many others, very clearly from the beginning.

On several occasions before, as he has tonight, he has spoken with great eloquence and power. His voice pierces the stillness of this Chamber with the power of truth. I just want to say how grateful I am for his support of this measure and how proud I am to serve with him and to call him a friend. I thank the Senator from Rhode Island.

Mr. CHAFEE. Mr. President, in previous debates over major foreign policy matters, I have been reluctant to challenge the President through the legislative process, whether the President was a Republican or a Democrat. It is that there is always danger in the Congress, the Senate in particular, or either branch, actually, in legislating foreign policy, especially the details of foreign policy.

I came to this debate with a great deal of skepticism about the Dole-Lieberman proposal, to lift unilaterally the arms embargo in Bosnia. My voting record in the past on this issue reflects the skepticism that I have. Like all Americans who have witnessed the events in Bosnia in the past weeks, I am outraged by the continued brutal campaign carried out by the Bosnian Serbs against the people of Bosnia. What has taken place—there have been scores of atrocities, execution, ethnic cleansing, and the kidnapping of soldier-age men on trumped-up charges—these are all undisputed facts that have been brought home by very courageous journalists in the Balkans.

Through all of this, the Serbs have scorned the views of the United Nations and have shelled safe area after safe area. The question the Senate faces today and tomorrow is, How does the United States respond to these horrors? What can we and our allies do to end the war and the suffering, and to restore legitimate authority to the sovereign Government of Bosnia and secure a lasting peace in the Balkans? Needless to say, these goals have been elusive since the war began 3 years ago.

Previously, I have been supportive of the U.N. policy, which has been endorsed by the Clinton and the Bush administrations and our allies. The policy is to try to protect Bosnian Moslems from Serb aggression through the establishment of six ''safe havens'' in Bosnia, which are towns and cities in which the civilian population and humanitarian aid deliveries would be defended by the U.N. protection force, UNPROFOR. With the United Nations maintaining at least a modicum of stability in Bosnia, negotiations could take place in search of a lasting political settlement to some very serious and longstanding disagreements.

I have been opposed to U.S. unilateral lifting of the arms embargo in the former Yugoslavia, a move that would undoubtedly and understandably result in a serious rift with our allies by endangering the lives of their participating troops in UNPROFOR.

I have come to the regretful conclusion that the U.N. mission in Bosnia has failed. I do not think we ought to pin much hope on it for the future. After 3 years of very-well-intentioned and courageous attempts to halt the bloodshed in the former Yugoslavia, we cannot ignore the facts. First, the six

U.N. safe areas are anything but safe. Srebrenica has already fallen to Serb forces. Zepa is on the verge of falling. The other four, especially the northwest enclave of Bihac, are subject to heavy shelling from the Serbs.

The United Nations mission of protecting the Bosnians is further discredited by additional atrocities such as ethnic cleansing on the part of the Serbs.

UNPROFOR is having a hard enough time protecting itself, never mind the long-suffering Bosnians. Finally, the U.N.'s failure is illustrated by the chronic Serb attacks on humanitarian aid deliveries since the inception of the U.N. mission.

While I am encouraged by the allied declaration recently in London last week to reinforce the U.N. contingent in Bosnia, I have great doubts this will prove to be a successful, long-term solution. Indeed, it appears unclear whether any safe area other than Gorazde will be defended. We have heard a number of different accounts as to whether NATO forces must still obtain U.N. permission before retaliating in response to continued Serb attacks.

It has also become clear that earnest, well-intentioned diplomatic efforts have failed in the Balkans. These efforts, largely through the contact group—what is the contact group? The contact group is composed of the United States, Britain, France, Germany, and Russia—these efforts have simply not produced an agreement all sides could accept. The most recent contact group peace proposal in which the Serbs would be given 49 percent of Bosnian territory was accepted by the Bosnia Government but rejected by the Bosnian Serbs.

Given their overwhelming military advantage, the Serbs have shown little willingness to agree to any diplomatic solution that falls short of their goal of creating a greater Serbia out of the internationally recognized sovereign nation of Bosnia.

So strong is the evidence pointing to the failure of the U.N. mission and diplomatic efforts in Bosnia, that despite my stated inclination not to legislate foreign policy, I believe that Congress ought to step in and require the Clinton administration to move in a different direction. After much reflection, I am convinced that the only logical choice we have in Bosnia is to give the Bonsians what they currently lack and what they desperately seek: the ability to defend themselves through lifting the U.N. arms embargo. There is no doubt that this embargo, imposed in 1991, even before the establishment of the nation of Bosnia, has overwhelmingly worked to the benefits of the Bosnian Serbs, who inherited massive amounts of arms and equipment from the former Yugoslav army. In fact, the Bosnian government army is more than double the size of the Serb army, but has fared poorly in trying to defend its nation, largely due to the embargo-caused lack of equipment.

I have serious concerns that the infusion of heavy military equipment into Bosnia could cause the war in the Balkans to spread. That is a possibility. But I am at the same time convinced that an equitably equipped Bosnian military would halt the Serb advances and eventually force the Bosnian Serbs to the negotiating table. It is, after all, the goal of the world community to see a settlement to the Balkan War agreed to at the negotiating table. Whether a Bosnian military success will take 1 week or 1 year, no one can say for sure. We certainly cannot take such a military escalation lightly. But, in the end, I have concluded that unless we are willing to settle for continued frustration over failed U.N. peacekeeping and diplomatic efforts in Bosnia, we simply must give the Bosnians the opportunity to defend themselves against unending Serb aggression.

My support for lifting the arms embargo only comes with the very significant modification made to the Dole-Lieberman bill. The proposal now only provides for lifting the embargo after the U.N. has left, or 12 weeks after a Bosnian request that they leave. This change should mollify those of us who were concerned that last year's proposal was understandably opposed by our allies, whose troops constitute the bulk of the U.N. Protection Force,

Mr. President, I do not take this vote lightly, not do I believe that a military solution has to be the best course of action for Bosnia. However, 3 years have passed since the U.N. arms embargo was imposed on the former Yugoslavia, and the situation there is as bad as it ever has been. The unending bloodshed, suffering and horrors inflicted on the Bosnian people call out for a change in course. I believe it is time for the United States to lift the arms embargo.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I know that Senator DOLE did not plan debate on the resolution that is being presented to us to take place today for any particular reason. I think it is of more than passing interest, however, to note that two things happened today which lend urgency and cogency to the passage of this resolution.

The first thing that happened today was that General Mladic, the chief of the Bosnian Serb armed forces, and President Karadzic, the President of the so-called Bosnian Serb Republic, were indicted today by a war crimes tribunal for crimes against humanity, two of the few times, to my knowledge, that individuals have been indicted for war crimes since the end of World War II. The reason why this is particularly compelling is that still the administration policy is one of avowed neutrality and a refusal to take sides in what we all know has been a terribly uneven conflict.

There is no doubt in my mind that General Mladic and President Karadzic are guilty of war crimes of the most unspeakable kind. It, again, makes clear that we cannot remain neutral in a war in which one side is exterminating the other and is helped dramatically in doing so by the continued enforcement of an arms embargo that ensures an unequal situation on the battlefield.

The other thing that happened today is that another so-called safe area, Zepa, fell to the Bosnian Serbs. We will see, probably, on television tomorrow and in the newspapers, the same thing we saw a week or so ago when Srebrenica fell to the Bosnian Serbs. First comes the separation of men between ages 16 and 65, where they are taken to be ''screened'' for war crimes. Following that, young women are removed for the obvious purposes. And, following that, of course, those who are left are herded out of town in the most unspeakable and brutal fashion.

The thing that makes this tragedy different—in fact, totally different—is that standing by, observing these unspeakable atrocities being perpetrated, will be the very troops that were sent there to protect them, the very United Nations Protection Forces, which is their name, wearing blue helmets, who promised them that if they went to the safe area and if the Bosnian military removed themselves and their equipment, that they would be protected by the United Nations Protection Forces.

The moral there is that there really are worse things than dying. There really is something worse than military defeat, and that is the degradation and humiliation and dishonor in the most Orwellian and bizarre scenario of the very protectors standing by and watching those who were to be protected being subjected to unspeakable horrors.

Both of those events today, the indictment for war crimes of the Bosnian Serb leadership and the fall of Zepa, are compelling, yet certainly not the only reasons why the Dole-Lieberman resolution should be agreed to and with an overwhelming majority. The question is no longer whether the resolution will be agreed to. The question is whether it will acquire 67 votes or not, which, as we all know, is sufficient to override a veto.

What is wrong with the policy in Bosnia? We all know that it is an attempt to pursue a policy which is fatally flawed. Simply put, as has been said on this floor by many on many occasions, it is an attempt to keep peace where there is no peace, ignoring the lessons of Beirut, ignoring the lessons of Somalia, where we went in with the best of intentions but were unable to keep a peace where no peace existed.

I have to, in all candor, describe that one of the reasons why the American people are so badly confused about this issue—yet are so deeply moved—is because of the lack of leadership from the President of the United States. I believe the President of the United States, in almost every instance, should be the steward of our foreign policy and our national security policy.

But when there is a lack of coherent leadership from the executive branch, sooner or later the legislative branch will step into that breach, and that time has come.

The American people do not know what our policy in Bosnia is. Let me tell you why.

On August 5, 1992, the President of the United States said:

If the horrors of the Holocaust taught us anything, it is the high cost of remaining silent and paralyzed in the face of genocide. We must discover who is responsible for these actions and take steps to bring them to justice for these crimes against humanity.

That was August 5, 1992.

On August 6, 1992, the President said:

We cannot afford to ignore what appears to be a deliberate and systematic extermination of human beings based on their ethnic origin. I would begin with air power against the Serbs to try to restore the basic conditions of humanity.

On October 1, 1992, the President said:

While Mr. Bush's administration goes back and forth, more lives are being lost and the situation grows more desperate by the day.

On February 10, 1993, the President of the United States said:

You know about it. The rapes of the women. Murders of the children. All these things you have read about. We have got to try to contain it. I can tell you folks we are not going to make peace over there in a way that is fair to the minorities that are being abused unless we get involved. If the United States now takes a leadership role, there is a real chance we can stop some of the killing, some of the ethnic cleansing.

That was on February 10, 1993.

On March 26, 1993, the President said:

We are going to do everything we can to put out a full court press to secure agreement of the Serbs. I think we have a chance to get a good-faith signing. We have to give that a few days before we up the ante again.

On April 25, 1993, the President of the United States said:

Remember in the second war, Hitler sent tens of thousands of soldiers to that area and never was successful in subduing it, and they had people on the ground.

On May 7, 1993, the President of the United States said:

I think we have to take stronger steps. I would think these fights between the Serbs and the Bosnian Muslims and the Croats, they go back so many centuries, they have such powerful roots that it may be that it is more difficult for the people on the ground to make a change in their policy than for their leaders.

On May 14, 1993, the President of the United States said:

Our interest is in seeing, in my view at least, that the United Nations does not foreordain the outcome of a civil war.

On May 21, 1993, the President of the United States said:

There may be some potential down the road for something to be done in connection with a peacekeeping operation. But I think it is something we have to be very skeptical about. We do not want our people in there basically in a shooting gallery.

On June 15, 1993, the President of the United States said:

Let me tell you something about Bosnia. On Bosnia, I made a decision the United Nations controls what happens in Bosnia.

On October 20, 1993, the President of the United States said:

The conflict in Bosnia is ultimately a matter for the parties to resolve.

On February 10, 1994, the President of the United States said:

Until these folks get tired of killing each other, bad things will continue to happen.

On May 3, 1994, the President of the United States said:

We should never forget that there are tonight people in Sarajevo and Tuzla who are alive because of the actions taken by NATO working with the United Nations. I did the best I could. I moved as quickly as I could. I think we have shown a good deal of resolve.

On August 11, 1994, the President of the United States said:

It has been my long held view that the arms embargo has unfairly and unintentionally penalized the victims in this conflict and that the security council should act to remedy their injustice. At the same time I believe lifting the embargo unilaterally would have serious implications going well beyond the conflict in Bosnia itself.

On June 5, 1995, the President of the United States said:

It's tragic. It's terrible. But their enmities go back 500 years. Do we have the capacity to impose a settlement on people who want to continue fighting? We cannot do that there. So I believe we are doing the right thing.

Last week, Mr. President, on the occasion of the fall of Srebrenica, the President of the United States said:

I think we ought to go right back in there and retake Srebrenica.

Mr. President, that is why the American people are confused. We do not have a consistent or coherent policy as regards the tragedy in Bosnia, and that is why this resolution, this binding resolution, is going to receive overwhelming support from both sides of the aisle.

Mr. President, today my friend, Senator JOHN KERRY, called this resolution ''the abandonment amendment.''

There is but one honest response to the Senator, and that is the following: we have no need to authorize the formal abandonment of the Bosnians; we abandoned them long ago.

Let no one tell the Senate that the ''London Communique'' represents some hope that the West will spare the Bosnians from further Serb conquest. All that communique represents is the further abdication of U.S. leadership in the Atlantic Alliance. The parties to that communique cannot even agree that the utterly failed ''dual key'' command structure has come to a long overdue end.

All that was confirmed in London is that the United Nations and NATO will preside for a little while longer over the ruthless extermination of the legitimate government of Bosnia.

We have promised an aggressive defense of Gorazde from the air. Zepa fell today, and the U.N. only seeks to negotiate the evacuation of the city. When Bihac falls, we will be reminded that NATO only promised to defend Gorazde. When Gorazde is again besieged, air strikes will be called in and their magnitude will fall somewhere in a range between utterly useless and inadequate. Gorazde will fall and the United States Government will blame it on the UN or Great Britain or France. But the fault will lie as much with us as it does with Boutras Galhi or John Major or Jacques Chirac.

The plain truth, Mr. President, is that no Western government has any intention of fighting for Bosnian sovereignty. Our interests are not so severely threatened by the war in Bosnia that we would make such a bloody sacrifice for that cause.

UNPROFOR will hold on for a little longer until the Bosnian tragedy plays out a bit further. Then the United States Armed Forces will evacuate them. That is an absolute certainty. No one should dissemble any longer about the viability of UNPROFOR. It is over, and only a fool cannot see that.

Mr. President, yesterday Assistant Secretary of State Richard Holbrooke offered perhaps the most mystifying defense to date of the administration's opposition to lifting the Bosnian arms embargo. From Secretary Holbrooke we learn that the administration agrees that ''the arms embargo is morally wrong,'' but they don't think that United States refusal to participate any longer in that embargo is ''the right solution.''

Mr. President, when has doing the morally wrong thing become the right solution. The United States has always tried to temper the dictates of Realpolitik with a little human compassion, a little regard for the Rights of Man. Have we now reached a point where the United States of America, the greatest nation on earth, the greatest force for good in human history, Lincoln's ''beacon light of liberty'' can only respond to another nation's claim of its right to defend itself with the complaint that we are trapped by diplomatic circumstances—in an Alliance whose strength is directly commensurate to the strength of our leadership in it—we are trapped by diplomatic circumstances into doing the ''morally wrong'' thing? By God, I hope not. I hope not.

As I said in an earlier statement, I don't know if the Bosnians can prevail in this conflict if we withdraw UNPROFOR and lift—at this late date—the unjust, illegal, and ill conceived arms embargo. I cannot predict that the Bosnians will recover enough territory to make an eventual settlement of that conflict more equitable. I cannot predict that the Bosnians will mount anything more than a brief impediment to the Serbian conquest of all of Bosnia. But they have the right to try! They have the right to try. And we are obliged by all the principles of justice and liberty which we hold so dear to get out of their way.

Mr. President, I yield the floor.

Mr. SMITH. Mr. President, this debate is one of the most emotional debates I think that I have had the opportunity to witness and in any way be involved. I think it is one of the major foreign policy issues of our time and probably the last major foreign policy problem that the world will face in this century.

I must say, as I listened to the debate, in particular the remarks made by the Senator from Delaware, Mr. BIDEN, the emotion that he put into those remarks and the strong personal feelings he expressed, I think summed it up about as well as anyone could. I think it summed up the frustration, it summed up the morality issue, the political issue, and made us all reflect on what a terrible crisis this is.

I have some concern standing here and speaking, because if words in this Chamber could solve the world's problems, I guess they would have been solved many times over.

So I have some trepidation in trying to add. As Lincoln said at Gettysburg, there is little to add or detract, to pay due respect for what they did, referring to those who died at Gettysburg.

In other words, words cannot express what is happening in Bosnia. There is no way you can capture that in debate in this Chamber.

I wish to compliment Senator LIEBERMAN because he has been steadfast on this issue for many months, as has Senator DOLE, the majority leader. The two of them have been very outspoken in particular, and others have as well, on the arms embargo issue, even early on before this has reached this crisis proportion.

I can remember both of these Senators being very outspoken and eloquent on the issue of the arms embargo and the right of self-determination for the Bosnian Muslims. So I wish to publicly thank Senator LIEBERMAN and Senator DOLE for their leadership.

I should like to add a few remarks to express my feeling as well, knowing full well, considering the eloquence of many of the people who have preceded me here to speak today, and probably will speak later, there is not much one can add other than to express his or her own personal outrage and disgust, contempt, frustration, whatever the words might be, to describe it.

I would start by saying I think the word dilemma is probably appropriate in the sense that this is a world dilemma; it is a U.S. dilemma; it is a U.S. foreign policy dilemma; it is a dilemma certainly for the participants in that war; it is a moral dilemma; it is an ethical dilemma; and certainly it is a political dilemma for whomever happens to be in the White House or in the Congress, in Government at the time.

I rise in very strong support of this bill introduced by Senators DOLE and LIEBERMAN to lift the arms embargo against the Bosnian Moslems. It is the right thing to do. It has been too long in coming, but it is the right thing to do.

Bringing this matter before the Senate is long overdue. Perhaps, had we had this debate in this kind of public policy forum, we may have brought it to a head a lot sooner. Perhaps if the Senator from Connecticut and the majority leader, the Senator from Kansas, had had their way, we might have saved some lives, had this embargo been lifted back in the days early on when the Senators were talking about that.

The illegal and immoral policy of denying people the capability to defend themselves must stop. It must stop. If we are not going to intervene, which we have made the decision not to do, in terms of ground forces, then we ought to lift the embargo and allow people the right to self-defense.

How can anyone, seeing what is happening now in Bosnia, dispute that? It is time to lift the arms embargo against the Government of Bosnia. The United Nations policy toward Bosnia—there is no other way to say it—is an unmitigated disaster—all well intended, the greatest motives in the world, no question about it. I admire the soldiers who went there and the countries that sent them there. But they were not given the tools to do the job. They did not go in as a fighting force, and they did not go in as a protecting force, Mr. President. They are not fighting, and they are not protecting either. They need to get out, and they need to get out right away.

Our acquiescence of this policy, indeed, our active enforcement of it, is not only wrong, it is absolutely unconscionable, unconscionable that we would tolerate the sending of a force under the auspices of protection, not engage, not stop the atrocities but simply stand by and allow them to happen.

Every day, every minute, as we speak on the floor, the situation gets worse. As I sat watching the Senator from Delaware, listening to his very eloquent remarks, I wondered how many people died in Bosnia while he spoke. I wonder how many people will die in Bosnia before we complete this debate, not because the United States of America or the allies did not go in and intercede and fight the war for them, not because of that, but because they were not armed, because they did not have the opportunity to protect themselves or defend themselves, to defend their women, to defend their children, to defend the very men who have been hauled away and imprisoned and executed.

Every day, every single day that we participate in this embargo, this whole action becomes more reprehensible, more unconscionable, more unethical, more immoral—every single day, every single minute that we continue this policy.

As I reflect upon this, I say to myself, it is easy to criticize, but there are many times when we make policy mistakes. I am sure many of us have made mistakes here with our votes on policy matters. Many Presidents, past and present and future, have made and will make mistakes in the future. But this one, this one is costing lives every day. Every single day lives are lost because of this policy.

Article 51 of the United Nations Charter affirms Bosnia's inherent right of self-defense as a sovereign nation. That is very clear. Sovereign right, in article 51, of self-defense—self-defense. It does not say in there that we have to defend them or anyone else has to go defend them. It says to defend themselves. It says self-defense. Yet, the arms embargo prevents them from exercising this very basic right. So it is not just a matter of not intervening to help someone. It is a matter of preventing them from helping themselves.

That is why it is immoral, and that is why it is unconscionable. No matter how strongly you feel about this, how can anyone condone such a policy which denies the Bosnians the capability for basic self-defense? How can we participate in a policy that leaves them utterly vulnerable to territorial conquest and ethnic cleansing?

I hate that phrase, ''ethnic cleansing'' because the word ''cleanse'' has a pure meaning to it, something good. It is not ethnic cleansing; it is murder. Let us call it what it is. Let us take the term out of the vocabulary, the vernacular. It is murder, it is rape, it is extermination. That is what it is. It is brutality. Ugly words, ugly, dirty words. Not good, clean words.

Mr. President, the United States has no business, in my opinion, making matters worse by intervening in this conflict. At least that has been the policy decision that has been made. It is the overwhelming feeling of the majority of the American people that we do not have military interests and we do not have economic interests and we do not have an alliance and relationship to enforce, and it is not our battle to fight. You have heard all the arguments. It is not our place to deny innocent Bosnian victims the ability to defend themselves either.

If I were to give a comparison, Mr. President, I would say this would be the equivalent of you seeing a terrible crime being committed, say a murder, several murders. You call the police, and the police come. And the victims who are being preyed upon by this murderer or murderers try to come to the police for aid, and the police simply stand by and watch it all happen.

That is what is happening. It is the exact same analogy there. There is nothing different about it. So, blue uniforms of the policemen; blue hats of the United Nations. They cannot do anything about it. They are not doing anything about it. Therefore, why create the impression that somehow they are going to help and be able to help these people?

It is not the United Nations' battle either although the so-called U.N. protection forces are currently deployed in several so-called safe havens. I think the term ''protection forces'' is another

misnomer, misnamed. They are not protecting anybody. So why call them protection forces? Again, it is the vocabulary, the vernacular, the semantics, to help mislead the world that somehow these people are protecting the Moslems.

And safe havens. Think of that word as we talk about vocabulary. Safe havens. People are being butchered, raped, dragged out of their homes in safe havens. And that is what we continue to call them. That is the term that is still being used. Gorazde, Zepa, safe havens, even though in many cases the safe havens have been overrun. It is completely misleading to even use such terms. U.N. forces are not equipped to protect the designated areas. And these areas are certainly not safe.

The truth is, the truth is—and this is harsh—but U.N. forces are nothing more, Mr. President, than a speed bump for the Serbian forces who are overrunning these positions at will. That is all it is, a speed bump. Bloop. Out of the way. Seizing hostages wherever, whenever, it suits their needs and using those hostages by placing them next to military targets, in a sense saying, go ahead, bomb us. It is a disgrace and embarrassment to the world and to our country.

No one likes to stand here and say that. We witnessed it once in our history in Vietnam and now we are seeing it again. And if we get into this country, it will be Vietnam 10 times worse.

And perhaps the most telling example of just how preposterous this whole situation is, Mr. President—this has really got to me emotionally—is recently U.N. troops, UNPROFOR troops, came under attack, not by the Serbs, but by the Moslems. Why were they attacked? They were attacked because the Moslems wanted their weapons to protect themselves. They wanted to take the weapons from their protectors, so that they may be able to confront the Serbs. If that did not convince you to support Senator DOLE and Senator LIEBERMAN and their endeavor, I do not know what else could possibly convince you to do it. When the U.N. force is incapable of defending the victims of Serbian aggression and even preventing them from defending themselves, it is clear that this policy is a failure.

The report on this was very brief, did not give a lot of detail. But you cannot help but wonder just what happened in that little exchange when the Moslems confronted the U.N. forces to take their weapons. Did they fight the Moslems? Did they voluntarily lay them down and give them up? I did not see a lot of detail on that. It would be interesting to know just how that little exchange took place.

Mr. President, the only reasonable strategy—the only reasonable strategy—is to terminate further escalation of military involvement, terminate it, move out the U.N. forces, lift the arms embargo against the Bosnian Moslems, and we ought to establish a timetable to fully withdraw the U.N. forces within the next 3 to 4 months, followed by an immediate lifting of the embargo.

I want to be very clear on my position that I oppose the introduction of American ground forces for this conflict for the same reasons so eloquently stated by Senator MCCAIN a few moments ago. There is no mission. And without that mission being very specific, you are not going to get the job done. And when you go in, what is your mission? Kill all the Serbs? Then what? Partition the country? Line up along the borders, not allow anybody in or out? For how many years? For 100 years? For 1,000 years? Two days? They have been fighting for centuries there. It is ethnic fighting. How do we police it? Do we plan to stay there forever?

I have no objection to the use of American communications equipment, command and control assets, to support a withdrawal of U.N. forces. Maybe that will be necessary. I personally believe that the Serbs would welcome withdrawal of the U.N. forces. I do not think they want them there. I think they would welcome it, and I think resistance may be overstated in terms of how much resistance they would give if we announce tomorrow that the U.N. forces were leaving.

The U.N. forces should be immediately withdrawn, followed by the lifting of the embargo. Let those who are being heinously persecuted, let them meet destiny on their own terms, not on somebody else's terms, Mr. President. Let them meet their own destiny on their own terms. And let them meet that destiny from behind their own weapons, not cowering behind the ruins of some unsafe haven, waiting, hoping, praying that somebody in a blue helmet is going to come in and provide them protection. Let them meet destiny on their own terms with their own weapons. We do not have the legal or moral authority to play policeman in this centuries-old conflict. Least of all do we have the moral authority to do it when we go in there under the auspices of a protection force and then do not protect anybody. That makes it worse. That compounds it. Let us step back, allow the Moslems the dignity and the capability to defend themselves.

It would be nice to read about a few successes with the Moslems as they do have the opportunity to meet at least with some weaponry to allow them to meet this enemy on some reasonably equal terms on the battlefield. It would be nice to witness that and read about that and see that take place. And it can take place if we would stop this insane policy. And it is insane.

This is exactly what this legislation does. At present the military equation is completely one-sided, totally one-sided. The Dole-Lieberman bill will enable the Moslem forces to better defend themselves and even the playing field until a mutually acceptable peace settlement can be reached.

Mr. President, that is the least we can do. That is the least we can do. No one, least of all this U.S. Senator, likes to stand up on the floor of the Senate and admit that a foreign policy, no matter what President it is, or how many Presidents developed it, is a failure.

This is not, particularly, a direct hit on this President. This is a foreign policy failure. It perhaps goes back before the beginning of his administration. There is enough blame to go around. This is not a blame game. This is much bigger than that. This is a moral issue of the highest magnitude, and I think that when historians look back on the close of this century, this will be one of the big moral issues, international moral issues that this country has faced. It is not too late to have history judge us in a positive way, but it is getting there. It is getting there, Mr. President. And we have to lift the embargo. The U.N. forces out, lift the embargo and we can at least make an attempt to correct a terrible injustice.

Mr. President, I yield the floor.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The distinguished majority leader.

Mr. DOLE. Mr. President, I know there are a number of speakers who still want to speak this evening. We are also trying to reach an agreement, which I think we can request momentarily. Maybe not. It will be in just a few moments. So if I can just interrupt the Senator from Idaho later on.

Mr. KEMPTHORNE addressed the Chair.

The PRESIDING OFFICER (Mr. FRIST). The Senator from Idaho [Mr. KEMPTHORNE].

Mr. KEMPTHORNE. Mr. President, just a few miles from where we stand is a brand new museum, a museum that opened just in the last couple of years. And yet while it is a new museum, it has become one of the most well-attended museums and locations anywhere in the Nation's Capital.

When citizens go to this museum, immediately you sense the hushed tones by which they experience what is inside this museum. You realize that they are experiencing shock and revulsion. They cannot believe what they are seeing, because this museum is the museum of the Holocaust, and it gives evidence of the atrocities that took place some 50 years ago. People go to see this, but they cannot believe what took place. It is against our moral fiber to even think that humans could do this to other humans.

This was done because of ethnic cleansing. These atrocities were genocide. It was an attempt to wipe out an entire race of people.

At the conclusion of walking through this museum, you have the opportunity, if you wish, to buy books or mementos about what you had just experienced and seen. One of the little items that you can buy is this button, this button which is a pledge, a pledge of mankind once they had realized what had taken place 50 years ago. The button says ''Never Again.'' ''Never again.''

I do not know how many times I have gone to gatherings, large gatherings here in the Nation's Capital, where we discuss what took place 50 years ago. I have listened as speakers, with great emotion, invoked that pledge ''Never Again; Never Again.'' and the audience, in great emotion, erupts because that bond of the pledge has been reaffirmed.

I say this, Mr. President, because it is happening again. It is happening in a place called Bosnia. Ethnic cleansing and genocide is again running rampant as they try to exterminate a race of people.

We say, ''Never Again.'' We pledge that. But do we mean never again or do we mean never again except; never again maybe; never again. It is easier to say, I say to my friends, never again when you put it in the context that you are referencing something that happened 50 years ago, and so you are safe because you have that many years separating you from what was happening versus what action is called for now.

But we need to make that same pledge right now and say ''Never Again Now.''

Recently, Senator DOLE hosted a meeting where a number of Senators gathered, and we met with the Prime Minister of Bosnia. One of the things that the prime minister stated was, ''We can understand neutrality. We can respect if the United States of America says this is not our war and, therefore, we will remain neutral. But,'' he said, ''what we cannot understand is that you deny us the opportunity to have the weapons so we can defend ourselves.''

He said, ''That is not neutrality. We do not want your boys to fight our battle on our land. We have boys. We have young men. We have men who will fight the battle on our soil. But, please, allow us so that we can arm the men and the women of our country so that we can defend ourselves.''

This idea when we see that they capture the safe havens and then say, ''Women and children this way, load them up, we are going to transfer you, and then we want to take the men and the young men and the boys and you go this way, and we're going to take you to a stadium and we're going to hold you there.''

Then, as we all know, they are executing them in the name of what? Ethnic cleansing? We said, ''Never Again.'' Are we simply historians or do we mean it?

We have been told, ''Don't lift the embargo. Don't lift the embargo because the forecast of the scenario that it would bring about would be dire consequences for the future of the Bosnians.'' They do not have a future. While we talk about this, while we think about this, they are dying; they are dying.

We have a moral obligation to allow the Bosnians to defend themselves. You would not deny it to anyone. I personally, Mr. President, do not feel that I could ever again in the future attend any gathering and invoke that pledge, ''Never Again,'' to the response of an audience if today I turned my back on lifting the arms embargo on the Bosnians. That would be morally wrong, and I would be a hypocrite.

Therefore, I support the DOLE-LIEBERMAN amendment or measure that will lift this arms embargo, and I commend Senator DOLE and Senator LIEBERMAN for the action that they have generated to bring us to this point where we stand on the eve of finally doing what is right.

It does not mean they will stop dying, but it means they can at least defend their parents, their wives, their children. I also want to commend Senator FEINGOLD who early on, when he arrived as a freshman Senator, also was at the forefront of this issue, and I was proud to join him at that point.

Mr. President, this must not go on.

Mankind has established a pledge: Never again. I uphold that pledge. I yield the floor.

Mr. ROTH. Mr. President, I rise for a second time in support of the Dole proposal.

Current policy in Bosnia is a failure. Bosnian Moslems continue to be driven from their homes under a horrific policy of ethnic cleansing. Atrocities are escalating. U.N. peacekeepers, while well-intended, have been unable to stop it and have themselves, tragically, ended up as tools for Serb aggression. Our allies are paralyzed and the unrest threatens to destabilize the entire region.

It is time for the West to extricate itself from this failed policy and undertake a different course of action. S. 21 offers a sound and just mechanism to do so. Under this legislation, the arms embargo against Bosnia would be lifted only after one of two conditions have been met: a request by the government of Sarajevo for the withdrawal of the U.N. peacekeeping forces in Bosnia, or a decision by the U.N. Security Council to withdraw the UNPROFOR.

However, President Clinton has threatened to veto this legislation. He seems to fear that a change in course would leave America responsible for dealing with this conflict. This does not need to happen.

The Bosnian Government is not asking America to send its ground troops to fight against the Serbs. The Bosnians only want access to weapons and supplies that will enable them to more effectively counter what everyone I know recognizes as aggression.

The best approach now is to shift away from a policy that has only painfully and dangerously protracted the war, to a strategy structured around two clear objectives. The first is containment; that is, restricting the spread of the fighting. The second objective is the establishment of the balance of power necessary to stop Serb aggression. Toward these ends, America and its allies must work closely for the nations surrounding the conflict. The West must withdraw its peacekeepers, and we must allow the Bosnians to arm and defend themselves.

The passage of the Dole proposal—I do hope that it will pass—is the first step in implementing such a strategy. It warrants our support.

I hope the President will reconsider his opposition. It is not a carte blanche to the President. He must live up to its responsibilities as our Commander in Chief. The President must present the American people a coherent strategy toward ending this conflict.

Mr. President, let me add that I support the amendment to be submitted by the Senator from Georgia. That amendment would require the President to request the U.N. Security Council to lift the arms embargo against Bosnia before the U.N. unilaterally lifts that embargo.

I believe this amendment is consistent with the motivations behind S. 21 and would reinforce our interests within the United Nations and among our allies.

Mr. President, the vision among our allies has led to paralysis and appeasement in Bosnia. Consequently, it is even more urgent that we are not divided at home.

As I stated last week, strong congressional support behind S. 21 is absolutely essential. Combined with the President's support and leadership, S. 21 will be a first step toward a more effective strategy to end the aggression of atrocities now unleashed in Bosnia.

I yield the floor.

Mr. KERREY. Mr. President, I rise this evening to speak in opposition to the Dole-Lieberman legislation.

Mr. President, its intent, to change the direction of the United States policy in Bosnia, is good. For me, the language of this legislation is too ambiguous. To make a case it is ambiguous, Mr. President, I need only summarize the arguments of four Senators, myself included, two of them in favor of the bill and two of them against.

Senator MOYNIHAN argued in favor. He wants the U.S. to stay involved because he believes it is in our interests to do so. Senator MCCAIN argued, as well, in favor. He wants the U.S. to become less involved because he believes that Americans do not see our interests sufficiently engaged to commit ground forces. Senator EXON, on the other hand, argues against. He is against it because he wants the United States to stay more involved, and he believes it is in our interest to do so.

I am here this evening arguing against, for the same reason cited by Senator MCCAIN when he declared his support, which is that I am one of those who do not want the United States to take the military lead, because I do not believe it is in our interest to do so.

Mr. President, this has become one of those great polarized debates where if you declare you are opposed to this legislation, people immediately say, well,

you are for doing nothing. I received calls into my office today from people who were saying, if you are not for Dole-Lieberman, you are for genocide. That is how this argument is being framed here in America, unfortunately, at this moment.

I do not argue that we should become uninvolved. The United States cannot afford to turn its back on the events in the Balkans. Americans are appalled by what we see there, and thank God we are. Ethnic cleansing, intentional killings and terrorizing of innocents, and arrogant disregard for international law, all of these have provoked us to the point that some of our citizens believe it is time for America to choose sides and enter this war on behalf of the Moslem minority.

Unfortunately, too many commentators and observers who want to pursue a unilateral course of action try to leave the impression that those who prefer an alternative would like the United States to do nothing. The United States must lead, Mr. President, in a clear, defined, and in this case, limited way.

For the past 4 years, beginning with the careless diplomatic recognition in 1992 of Croatia and Bosnia that led to a grisly and hate-filled war with Serbia, we have been trying to exercise leadership. After ignoring or not hearing the warning signals coming as early as 1988 from knowledgeable sources that ethnic hatred would erupt after the Communist grip was loosened, our first action, one of diplomacy, probably made matters worse.

Still, we did not walk away from our responsibilities. We helped negotiate an end to the fighting between Croatia and Serbia. After the people of Bosnia and Herzegovina voted for independence, Bosnian Serbs formed an insurgent government. Thus began a bloodthirsty move to control territory by means of a cruel device known as ethnic cleansing.

While we recognized the deep and longstanding hatreds, we could not stand aside, Mr. President, and have not stood aside for the last 4 years. Our response has been in part humanitarian, with relief flights, medical care, and international efforts to break the siege on the city of Sarajevo. Our response has also been diplomatic, with round after round of discussions, the most notable of which were led by former Secretary of State Cyrus Vance.

Our response, Mr. President, to be clear, has also been military. Americans, though we have withheld support for Americans going in on the ground, peacekeeping forces, our sailors are in the Adriatic, our airmen in Avellino, Italy, and our soldiers in Macedonia have been regularly and daily risking their lives.

Those who say that the United States has made no military commitment have to devalue the lives of those who, in fact, are regularly out there on behalf of the United States of America and on behalf of those who are being terrorized in Bosnia, risking their lives.

If we measure success as an end to the violence and killing, there is no question, Mr. President, that we have failed. If success is measured as a reduction in both, we have not failed.

That we have not turned our backs should likewise be apparent. This is not Nazi Germany where we ignored the overwhelming evidence that something terrible was going on. We have ignored nothing; its just that nothing we have been willing to try has stopped the killing.

We are frustrated by apparent impotence. We want success like we had in the Gulf War or Haiti or even for a while Somalia. We want this thing to be over. We want to be free of the images like the 20-year-old woman who hanged herself after being driven from what we called a safe haven in Srebrenica. We want to be free of what seems to be a policy that stumbles blindly down one diplomatic path after another tripping wires that explode into more and more killing.

The Dole-Lieberman legislation is a response to that frustration. The goal of this proposed law is to change the course of our currently policy something I wholeheartedly agree needs to happen. Specifically, the law proposes that we do two things: direct the President to lift the current arms embargo which has had the unintended consequence of making it more difficult for one side—the Bosnian Government—to fight for their country, and bring about the withdrawal of the United Nations peacekeepers.

If this resolution encouraged the multilateral lifting of the arms embargo, and if it authorized the President to deploy U.S. forces to lead an orderly and honorable withdrawal of the United Nations, I would support it. But according to the news of the past week, British and French forces in Bosnia are more aggressive than ever before. The British have inserted two batteries of artillery into the Sarajevo area. The French conducted a massive mortar attack over the weekend. According to news reports, the French responded to the death of two of their soldiers by using a one-bomb airstrike Sunday against the house of a Bosnian Serb leader in Pale. Now that our allies are committed and actively engaged, it is not the time for us to pull the plug on them. They should get to vote on withdrawal. If they choose it, we should lead it.

Let me explain why I cannot vote for this legislation in its current form. First, it suffers from the same defect as the administration's: It is ambiguous about purpose and objectives which, of course, encourages Senators to vote ''aye'' and explain their vote anyway they choose. Second, it may prohibit the United States from honoring its commitment to provide ground support for the evacuation of United Nations peacekeepers. Such a prohibition may broaden the appeal in the Senate; it does not broaden our appeal in the world.

Defining an objective in the former Yugoslavia is neither morally easy nor objectively precise. Defining an objective forces us to decide if we are going to establish a principle which allows us to lead but does not require us to take the lead with our Army, Navy, Air Force, and Marine Corps in every world dispute, violent outburst, or tragedy involving human rights abuses. I believe we must establish such a principle. As difficult as it may be to weep for rather than fight in every battle, to do otherwise would be a mistake.

The principle should be: only if the interests of the United States are at stake should we take the lead with our military forces. What we are witnessing in Bosnia is a civil war with the potential of spreading to other Balkan countries. The combatants, and especially the Serbs, are guilty of gross violations of human rights and the laws of war. The Intelligence Committee, in fact, intends to hold open hearings on this very subject. But we are not witnessing the Holocaust or the rise of the Fourth Reich. Such references exaggerate and do not help us decide what we must do.

Our interests in Bosnia include the following:

First, prevent the conflict from spreading to other areas.

Second, preserve the territorial integrity of a nation recognized by the United Nations.

Third, prevent ethnic cleansing and human rights abuses.

Of these three, only the first qualifies as a vital interest. If either Greece, Turkey, or Russia became directly involved, we would be at war. The second and third are more limited, and for obvious reasons more difficult to limit. Indeed, some would risk a larger war in order to satisfy their desire to do something—almost anything—about them. I believe we should limit this risk.

Again, saying we are not going to take sides in a war to preserve Bosnia's territorial integrity or to prevent ethnic cleansing and human rights abuses does not mean we should stand aside and do nothing.

Before we rush to judge the United Nations peacekeepers harshly we should remember and pay tribute to their bravery. It is not their fault that diplomats and political leaders have issued hollow threats or passed toothless resolutions. It is not their fault that a so-called dual key mechanism that was devised as a safety check has provided more safety to the Bosnia Serbs by denying much needed and oft-requested NATO airplanes to United Nations forces so they could carry out their mission.

The broad consensus required to keep the United Nations together works fine if there is a peace to maintain. If peace breaks down and force is needed, this broad consensus is no match or substitute for individual courage and a military code of honor. Both of these

are what is needed to end the violence in Bosnia. And, it will take courage on the ground to seize and hold territory; bravery from the air can only support, not secure the victory.

Two examples of courage were reported by New York Times writer Mr. Roger Cohen on July 16, 1995. Mr. Cohen's story reveals two important truths. Our United Nations peacekeepers have been very brave and we will need such bravery on the ground if we are to persuade the Bosnian Serbs and the Bosnian Government to negotiate an end to their fighting.

In March, 1993, Lieutenant General Phillipe Morillon, who was the commander of United Nations forces in Bosnia, went to Srebrenica when it was under attack by Bosnian Serbs. He declared he would not move until the survival of its people was assured. In Mr. Cohen's words: ''It was an irrational act. Confronted by this stubborn general, the Bosnia Serbs desisted from their onslaught and Srebrenica survived for another 28 months.'' When it fell 10 days ago, almost no stubbornness was revealed to the Bosnian Serbs by the Bosnian Government troops who were armed and outnumbered their attackers. They did not fire a shot.

On May 27, 1995, the day after NATO air strikes near Pale, the Bosnian Serbs began taking hostages and using them as human shields. Faced with the prospect of killing United Nations peacekeepers the U.N. high command decided not to order further air strikes.

Lieutenant Gilles Jarron, a member of the French Foreign Legion and a U.N. officer in Sarajevo, show no such reluctance. Along with 11 other Legionnaires he defended a U.N. weapons collection site in a Serb-held suburb. Eighty Serbs armed with rocket-propelled grenades and a T–55 tank gave the peacekeepers 5 minutes to give up.

But, according to Mr. Cohen:

> Lieutenant Jarron called his commanding officer. There was little question the legionnaires would all be killed in any battle. The last order he received from Colonel Jean-Louis Francheschini was, ''From this moment on, make sure that every French life is paid for dearly by the Serbs.
>
> Every evening, as the stand-off wore on and the Serbs failed to carry out their threats, the soldiers read each other the code of the Legionnaire: The mission is sacred. You execute it to the end, at any price. In combat you act without passion or hatred. You respect your defeated enemy. Never do you abandon your dead, your injured or your arms.

This is the behavior that wins wars. That seizes ground and holds it. Air strikes alone will not work. President Clinton's air strategy will likely fail. According to the President:

> The only thing that has worked has been when they thought we would use disproportionate air power. This allowed us to move their heavy weapons into pools. If we adhere to this tougher policy, we can be successful at negotiating.

In an account of the battle that occurred on Mount Igman over the weekend, again after the French had taken two casualties, the French launched an attack and included the use of 122 millimeter mortars, 84 rounds launched into Serbian positions. And those who observed it said that ground attack was more impressive and did more damage and did more good for our cause than all the airstrikes together thus far in this war.

I fear that a tougher air policy, in the absence of a tougher ground policy, will make matters worse once again. At this stage we are inching close to a declaration of war against Serbia, an action we must not allow to happen unless and until we intend it.

When we threatened air strikes on February 9, 1994, which did lead to the withdrawal and turning over to the United Nations of mortars, artillery pieces and other heavy weapons within a 12.4 mile range of the center of Sarajevo, the Bosnian Serbs were wary of testing NATO's mettle. Our warnings of air strikes were repeatedly vetoed by Mr. Boutros-Ghali, the U.N. Secretary General, who is ultimately in command of the more than 20,000 European and other peacekeeping troops in Bosnia. Seeing that NATO's mettle was soft, the Bosnian Serbs and the Bosnian Government have both retaken their weapons and have resumed heavy shelling of Sarajevo, Gorazde, Bihac, Zepa, and Srebrenica.

This time we are told things will be different. There is good reason to believe they will be different. First, the Rapid Reaction Force—formed in response to the taking of hostages in May—has begun to demonstrate a resolve the Bosnian Serbs have not seen from U.N. forces. Importantly and correctly the French and the British are taking the lead in this effort. The French have lost 44 soldiers in Bosnia. They do not want to withdraw. We have lost none, and we do. The moment when the U.N. is moving stronger forces into the heart of the conflict is precisely the wrong moment to pass a law which would compel U.N. withdrawal.

Second, the President has pressed for different operating procedures when carrying out NATO air attacks. NATO is asking that U.N. ground commander in Bosnia, General Rupert Smith, alone be given the authority to request these attacks from Admiral Leighton Smith, the NATO commander for this area. This would mean that neither General Janvier, the U.N. Commander for all forces in Bosnia and Croatia, nor Secretary General Boutros-Ghali would have the power to veto this request. Of course, airstrikes should not occur at danger-close distances to U.N. peacekeepers, and it should be easy to transmit this information to strike pilots. But the dual key will hopefully be laid to rest.

As we debate this resolution tonight, and as the intensified fighting around Bihac makes more likely a renewal of open warfare between Croatia and Serbia, I am hard pressed to consider a better course of action than continuation of an even stronger U.N. presence. It is apparent that none of the parties is yet ready to negotiate seriously: all of them believe they can achieve their aims on the battlefield. Outside support is already getting through to the combatants, even to the Moslems. The flow of weapons will grow to a flood when the embargo is lifted, and all the parties will be much better armed. The departure of the U.N. will mean no international effort to get food to besieged areas and no international witnesses to war crimes. Most importantly, it will mean no international effort to halt or contain the fighting and America's principal interest here is to contain the war.

A weak, passive United Nations—and I refer to its political leaders—has done a mediocre job in accomplishing these tasks, not just in Bosnia but throughout Yugoslavia. You can be sure in the absence of the U.N., these tasks would not get done at all. It is too easy for us to vote out of frustration and send the message, get the United Nations out of Bosnia and let them all fight it out. But think what the situation of civilians would be in a no-holds-barred war involving Serbia and Croatia as well as Bosnia.

No option is ideal. There may come a time in fact when the Dole-Lieberman legislation is precisely what this country ought to be doing.

There is pain and risk involved in all of the options.

But in looking at those options, a larger, better armed, more aggressive UN force, backed by NATO airpower not subject to a dual key, is the best course of action. Now the United Nation's spine is being stiffened by the increased commitment of two of our oldest allies, who have already made significant sacrifices but are willing to do more. Now is not the time for unilateral United States action that would force them out and leave the Bosnians, and many others in the former Yugoslavia, without aid or witnesses, defenseless in a brutal ethnic civil war. I will vote against the legislation.

I yield the floor.

Mr. ROTH. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. FEINGOLD. Mr. President, I am a strong supporter of the Dole-Lieberman legislation, and have spoken on a number of occasions about the moral and strategic imperative to lift unilaterally the arms embargo on Bosnia-Herzegovina. I am confident that the legislation will pass, and am pleased that the 104th Senate will finally go on record to do the right thing in this intractable situation. My only regret is that the Dole-Lieberman legislation does not include a mandate to

lift the embargo on the Republic of Croatia as well.

Today we are all focused on the unspeakable horrors perpetrated by Bosnian Serb rebels against the Bosnians. But the same patron, President Milosevic of Serbia, is complicitly supporting the Croatian Serbs' campaign of terror against Croatia as well. Though we expect to aid the Bosnians with our legislation today, we can only effectively address the entire Bosnian crisis if we seek a regional solution. That means including Croatia in the equation, and in this case, it means lifting the embargo against Croatia as well.

One of the successes the Clinton administration has had in this conflict has been the March 1994 Washington Accords which secured American support for the Moslem-Croat Federation and the Bosnia-Croat confederacies. The Federation recognizes the need for a regional solution, an alliance where Serb forces are confronted by the united forces of the Bosnian and Croatian militaries. It also acknowledges that both states would be more viable if they can be united. Indeed, in order to receive the arms we are supporting tonight, they will have to be shipped through Croatia. Why would we want to pit these countries against each other when together they have a better chance of defeating the Serb aggressors?

I am a proponent of lifting the embargo, Mr. President, because I believe that it is the only way to enable the Bosnians to effect the balance of power on the ground against the Serb aggressors, and thus negotiate in seriousness. Lifting the embargo on Croatia would help achieve the same goal by strengthening the credibility of the military threat against the Serbs, and expedite the transport of weaponry to Bosnia.

Since we will not be voting on the embargo against Croatia tonight, I hope that as the Administration begins to think about implementing our legislation, it will take the practical path and lift the embargo against Croatia as well.

Ms. MOSELEY-BRAUN. Mr. President, the issue before the Senate is whether to lift the arms embargo on Bosnia and Herzegovina. This is one of the most important debates on the floor of the Senate this year. This vote has the potential to dramatically change the course of the war in Bosnia.

The international community has made a good-faith attempt to make the current policy in Bosnia work. The United Nations, through the United Nations Protection Forces, known as UNPROFOR, has tried to minimize the loss of life in Bosnia, to provide humanitarian assistance, to protect Moslem refugees in U.N.-dedicated safe areas, to contain the fighting, and to prevent this conflict from spreading into a wider regional war.

Between 1992 and the last few weeks, the United Nations was able to contain the violence and the casualties. UNPROFOR has enforced a no-fly zone over Bosnia. The United Nations has enforced zones around urban areas where heavy weapons were excluded. The United Nations airlifted food and medical supplies to civilian population, conducting the largest airlift of humanitarian supplies since the Berlin airlift. And while there have been despicable attacks against civilians since UNPROFOR has been in Bosnia, these policies have dramatically reduced the loss of life. In 1992, 130,000 people perished in the war in Bosnia. In 1994, 3,000 people died.

But the fragile stability that UNPROFOR provided over the last 3 years has been shattered. The policy is not working. The so-called safe areas of Srebrenica and Zepa have already been overrun. UNPROFOR cannot protect the civilian populations in the safe areas or anywhere else it is deployed in Bosnia because it is not equipped as a fighting force. UNPROFOR's mission is to provide humanitarian assistance. It does not have a mandate to confront or push back Serb forces. It does not have the manpower or the armaments to protect civilians in a war zone. Even the new Rapid Reaction Force, which is moving into positions on Mount Igman above Sarajevo, is charged with opening and securing routes into Sarajevo for the delivery of humanitarian aid, and stopping Serb attacks against U.N. personnel and U.N. assistance convoys. The Rapid Reaction Force is not mandated to stop Serb assaults against civilians. UNPROFOR cannot stop Serb aggression. It has not been able to halt ethnic cleansing—the massive movement of refugees—the rapes of women, and the rounding up and disappearance of military-age men.

Mr. President, the terrible pictures of Moslem refugees we see in the newspaper of Bosnia are not new. The other day, there was a photo on the front page of the Washington Post of two middle-aged women walking out of Srebrenica into Moslem territory. They were each pushing a wheelbarrow. In one wheelbarrow was an old man; in the other was an old woman. Better than any words, this photo crystalized the ethnic cleansing the Serbs have forced on the Moslems. It is the women, the children, and the elderly, who continue to suffer the most. But, Mr. President, we saw the same pictures 3 years ago. Today, the pictures are of refugees from Srebrenica. Earlier, the refugees were from Banja Luka, and other towns now under the control of the Bosnian Serb Army.

Today, we are again hearing reports of women disappearing. Serb soldiers are approaching groups of refugees, and pulling young women away from their families. The Serbs are using rape to terrorize. They are also using rape as a tool of genocide—to impede the birth of the next generation of Moslem children. The violence against women in this war is horrific, and cannot go unpunished. But as I stand here on the floor, I recognize that we have heard these reports before. Mr. President, in March 1993, 2 months after I arrived in the U.S. Senate, I signed a letter to Secretary Christopher with 30 of my colleagues requesting information on the State Department's plans to fund medical and psychological assistance to the women of Bosnia who had been victims of rape and forced pregnancy. March 1993, Mr. President. And in July 1995, we are hearing the same cries for help.

Not only has the United Nations been unable to protect civilians, it has also been unable to put an end to this conflict. In March 1993, the Vance-Owen plan was negotiated and presented to both parties. The Moslems signed the plan; the Serbs rejected it. The Contact Group of nations—the United States, Britain, France, Germany, and Russia—presented the peace plan of July 1994. Again, the Moslems accepted it; it was rebuffed by the Serbs. These plans extracted major concessions from the Moslem side. They were proposals that rewarded aggression. But in the interest of their people, the Bosnian Government felt compelled to accept them. The Bosnian Serbs, however, have been unwilling to agree to an internationally mediated plan to divide up the territory.

This situation has muddled along, because there is no consensus on an alternative course. The continuing Serb attacks on the U.N.-safe areas, however, make it impossible to continue trying to muddle through. Moreover, I am convinced that the strategy developed in London this weekend will not be sufficient to bring both parties to the negotiating table. Both human rights considerations and our own national interest require us to change our policy in Bosnia.

Mr. President, the United States cannot allow the systematic abuse of human rights to continue unchecked. The American people will not accept it. I have received dozens of phone calls from people in Illinois over the last few days expressing their outrage over the human rights abuses in Srebrenica. One gentlemen who called me is a physician. He spent 16 months in eight concentration camps in Bosnia. Now he is trying to put his life back together in Chicago. He is a lucky one, Mr. President, because he is out of the horror.

But it is not only compassion that requires us to change our policy toward Bosnia. Our national interests demand it. Because of the arms embargo, one side is able to dictate the pace and outcome of this war. The United States cannot allow such naked aggression to continue. The Serb success in using military force to gain territory and forcibly move ethnic populations sends a signal to other would-be dictators that military force is a better option than political negotiations. This is the wrong signal.

The war in Bosnia is causing profound tension in the NATO alliance.

Our NATO allies, especially Britain and France, have substantial ground troops in Bosnia. The opposition of these governments to lifting the arms embargo reflect their justifiable concern toward the safety and well-being of their soldiers. I am very concerned, however, that continuing the status quo will only increase the tensions between the United States and our European allies.

This war is also causing tensions between members in the eastern part of NATO. While the historical resentments between Greece and Turkey are an ongoing issue within NATO, the Balkan war is exacerbating these tensions. Greece has traditionally had a strong relationship with Serbia. Turkey, a secular Moslem country which has tried to condemn the Bosnian conflict without making mention of religion, is finding it harder to keep silent on the religious aspect of this war. The implication is that if the Bosnians were Christian, the West would be doing more to protect them.

This religious argument is a very important component of how the Bosnian conflict is viewed in many circles in the Moslem world. A front page article in yesterday's Washington Post reports that moderate Moslem governments that are allies of the United States, including Turkey, Egypt, and Jordan, are under pressure from their citizens to come to the aid of the Bosnian government not because a fellow member of the United Nations is in need, but because the principal victims in this war are Moslem. Fundamentalist circles in these countries who argue in support of the Bosnian Moslems are gaining the moral high ground. The Bosnian conflict is increasingly being viewed in religious terms. It is in the national interest of the United States to minimize the perception that the West is forsaking the Bosnians because of their religion.

These tensions, coupled with UNPROFOR's failure to curb Serb aggression, or prevent ethnic cleansing and human rights atrocities, lead me to conclude that the status quo cannot be sustained.

In my view, either the international community must defend Bosnia, or we must make it possible for the Bosnians to defend themselves. And since the first option is not politically viable, the only choice left is to withdraw UNPROFOR and lift the arms embargo. In a speech this past April in Chicago, the Bosnian Ambassador to the United States, His Excellency Sven Alkalaj, was very clear: ''If we must choose between UNPROFOR and arms, we can only choose arms.'' The Bosnians are not asking the United States or any other country to defend them. They simply ask for the right to defend themselves.

There will only be an end to this conflict if aggression is met head on. As long as one side is free to wage war without meeting any counter force, the aggression will continue. UNPROFOR has no mandate to counter the attacks against civilians. Worse, the presence of UNPROFOR provides a shield against NATO air strikes. UNPROFOR's presence on the ground prevents the one thing that could make the fighting come to an end, and bring both sides to the negotiating table—the balance of power.

Only if there is a balance of power can there be a political solution in Bosnia. This cannot be provided by the United Nations, or the countries of the West. Only the Bosnians themselves, properly armed, can provide a balance of power.

The Bosnian Serbs will not negotiate as long as they think they are winning on the battlefield. As long as UNPROFOR remains in Bosnia, one side is in a position to use aggression without consequence.

Mr. President, we need to change that equation. The Serbs must learn that they cannot wage war on noncombatants in markets and bread lines with impunity. They need to know that they are not going to be protected from the horrendous human rights violations they are committing.

Mr. President, pulling out UNPROFOR and lifting the arms embargo is not without significant risk. These consequences have already been outlined on the floor. The President has committed up to 25,000 U.S. troops to help extricate UNPROFOR. Our troops would go into Bosnia for a short, well-defined mission, under NATO command. The possibility of casualties, however, cannot be underestimated. Removing UNPROFOR will leave Moslem refugees at immediate risk. Under this scenario, the humanitarian situation will certainly get worse before it gets better. And, finally, the increased intensity of the fighting between Serbs and Moslems escalates the possibility of a wider regional war.

I believe that these serious consequences must be weighed against allowing the present situation to continue. The current Serb policy of taking UNPROFOR soldiers hostage, and overrunning safe areas cannot be allowed to continue. Two years ago, these actions, in total defiance of the United Nations, might have meant a considerable escalation that the international community would have wanted to avoid. But today, these acts have not only occurred, they have not met any counter force.

Mr. President, the UNPROFOR mission is untenable. It does not have the resources or the armaments to enforce peace. It does not have the will to enforce peace. The mission, as it has been mandated, can only function if all sides are willing to stop fighting. UNPROFOR cannot keep the peace when one side wants war. UNPROFOR cannot protect the enclaves from serious assault. UNPROFOR cannot protect women from rape or men from disappearing. There is no consensus to turn UNPROFOR into a military unit capable of defending the enclaves or the innocents. The only conclusion is to lift the arms embargo.

Mr. HATFIELD. Mr. President, in considering the legislation pending before the Senate today which requires the President to unilaterally lift the arms embargo against Bosnia and Herzegovina, I am struck by the following question: What is our goal?

My colleagues have stated that we can no longer stand by and watch the Bosnians continue to be slaughtered by the Serbian army. By lifting the embargo, we are giving the Bosnians the means to stand up and fight the Serbs on an even footing. In their minds, we are helping to prevent further killing of Bosnians. But are we really doing that or are we contributing to more bloodshed, more killing, and more ethnic cleansing?

As I have said several times in the past when the Senate has been faced with this issue, lifting the arms embargo will not guarantee peace. It will only widen the war and guarantee more deaths on both sides. Lifting the arms embargo contingent on the removal of United Nations Protective Forces does not take into consideration humanitarian concerns. It will not lead to greater protection of civilians and refugees in the safe areas. Rather it will lead to further violence against them.

While I agree that the international efforts of the United Nations have faltered in recent months, I do not believe that lifting the arms embargo is the appropriate response. To be honest, short of full scale military intervention, no one in the international community has a comprehensive solution to ending the conflict in Bosnia. Although some may see lifting the arms embargo as the only solution right now, it does not get us any closer to finding a comprehensive solution or to bringing the war to a close.

It is still my opinion that the only way to end the war in Bosnia is to bring economic and diplomatic pressure to bear against the Serbs and their allies. We must begin by making a greater effort to cut off Serbian access to arms. Only by choking off their ability to conduct the war in Bosnia will we be able to bring them to the negotiating table.

Again, I return to my original question: What is our goal in lifting the arms embargo? What are we trying to achieve? I do not believe anyone in this body truly believes that any kind of humanitarian or peace-bringing goal is accomplished by this ill-fated action. For that reason, I will once again oppose this legislation.

UNANIMOUS-CONSENT AGREEMENT

Mr. ROTH. Mr. President, I ask unanimous consent that, notwithstanding the consent agreement of July 20, 1995, the following amendment be the only first degree amendment in order to the Dole substitute to S. 21, and subject to a second degree to be offered by Senator COHEN, with all time for debate to