Bosnians, and they do not have the capacity to defend themselves because of the arms embargo on the former Yugoslavia.

In the past, I have opposed resolutions calling for the unilateral lifting of the arms embargo. I have long believed the United States should not get involved on the ground in Bosnia, and that it will be much easier to get into Bosnia that it will be to pull American forces out later. I have been very concerned that unilateral actions could lead to greater American responsibility for that outcome and greater U.S. involvement.

But the amended resolution we will vote on today is different. Taken together, the Nunn and Cohen amendments require the United States before unilaterally lifting the embargo, to force a U.N. Security Council and, if necessary, U.N. General Assembly vote on lifting the embargo multilaterally. Only if both these avenues have been exhausted would the United States, as a last resort, act unilaterally.

The events of the past few weeks have made it clear that we cannot wait indefinitely for multilateral agreement to lift the arms embargo. The current approach in Bosnia is not working. Under these circumstances, we must force the United Nations to re-evaluate the arms embargo. It is my strong hope that the United Nations will decide to lift the arms embargo multilaterally. It is immoral to continue to block the Bosnians from obtaining the arms they need to defend themselves against Serbian aggression when it is abundantly clear that only the Bosnians are willing to defend Bosnia against Serbian aggression, ethnic cleansing, and other atrocities. The events of the past few weeks demonstrate that no one else—not the United Nations, not the United States, and not the Europeans—will adequately defend the Bosnians.

This was not an easy decision, Mr. President. There are no cheap or easy answers in Bosnia, and this approach involves some risks. But it is time to take the least risky approach: to lift the arms embargo—multilaterally if possible, but unilaterally if necessary—so the Bosnians can defend themselves.

Mr. NUNN addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

AMENDMENT NO. 1848 TO AMENDMENT NO. 1801

Mr. NUNN. Mr. President, my amendment is at the desk, and I call that amendment up.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Georgia [Mr. NUNN], for himself, Mr. GRAHAM, and Mr. ROBB, proposes an amendment numbered 1848 to amendment No. 1801.

On page 2, after line 18, insert the following:

''(4) The Contact Group, composed of representatives of the United States, Russia, France, Great Britain, and Germany, has since July 1994 maintained that in the event of continuing rejection by the Bosnian Serbs of the Contact Group's proposal for Bosnia And Herzegovina, a decision in the United Nations Security Council to lift the Bosnian arms embargo as a last report would be unavoidable.''

On page 5, after line 12, insert the following and reletter subsections (e) and (f) as subsections (f) and (g) respectively:

''(e) INTERNATIONAL POLICY.—If the Government of Bosnia and Herzegovina submits a requests to the United Nations Security Council for the departure of UNPROFOR from Bosnia and Herzegovina or if the United Nations Security Council or the countries contributing forces to UNPROFOR decide to withdraw from Bosnia and Herzegovina, as provided in subsection (a), the President (or his representative) shall immediately introduce and support in the United Nations Security Council a resolution to terminate the application of United Nations Security Council resolution 713 to the Government of Bosnia and Herzegovina. The United States shall insist on a vote on the resolution by Security Council. The resolution shall, at a minimum, provide for the termination of the applicability of United Nations Security Council resolution 713 to the Government of Bosnia and Herzegovina no later than the completion of the withdrawal of UNPROFOR personnel from Bosnia and Herzegovina.

Mr. NUNN. Mr. President, I will speak more to this resolution in my overall thoughts on the subject of the Dole-Lieberman amendment later this morning or shortly after noon after we meet with the President of South Korea.

But this amendment, as indicated by the reading of the clerk, basically does two things. This amendment says, which is a fact, that the contact group composed of Britain, France, Germany, the United States, and Russia in 1994 made a statement that if the Bosnian Serbs did not agree to the contact group proposal, that the last resort would be the unavoidable lifting of the arms embargo in the U.N. Security Council.

The second part of this amendment makes it clear that, without interfering with the Dole-Lieberman amendment's timetable, which does not require the lifting of the embargo until after the U.N. forces are removed from Bosnia, without altering that timetable on what would be the unilateral lift, this amendment sets up another effort. It sets up one final effort by the United States, having the President of the United States go to the Security Council and asking the Security Council to multilaterally, in accordance with the United Nations' and the Security Council's previous resolution, lift the embargo.

I think this amendment is important. All of us know that the Security Council may not do that but in a month or two the situation may change. Some minds may change. And I would remind those countries, Britain, France, Germany, Russia, as well as the United States, that as part of the contact group, and those that are also on the Security Council, including Britain, France, and Russia, that this action, this multilateral lift that we will be seeking, if the U.N. forces withdraw, is in complete accord and consistent with statements that they signed on to as a part of the contact group in 1994. So it would be my hope that there would be some minds changed if the U.N. forces withdraw.

Mr. President, I will make further remarks about both this amendment and my overall view of the Dole-Lieberman proposal before us and the administration policy sometime later in this debate.

I would say, though, that I concur in what I heard my friend from Virginia and my friend from Connecticut just state about the reports in the paper this morning which indicate that there remains a dual key, that the United Nations is maintaining jurisdiction and that our allies in Great Britain and France, according to the New York Times report, notwithstanding the London meeting, have been proponents of retaining that dual key.

That is contrary to what this Senator understood in reports from our administration's representatives when they returned from London. It is contrary to the initial reports that came out of NATO from London. And it points to the continuing inability of NATO to get its act together and of the United Nations to be able to delegate authority for military action, and the United Nations by all accounts is incapable of making those decisions.

It also calls into question the crucial point about whether a bombing campaign envisions the possibility of hostage taking and whether the participants in the bombing campaign in response to an attack on Gorazde are willing to continue the required military action even if hostages are taken.

Mr. President, it is absolutely essential that the NATO alliance not begin a strike campaign unless they are willing to hit meaningful targets and unless they are willing to continue that in the face of almost certain adversity, that is, hostage taking and perhaps even the killing of United Nations personnel.

Mr. President, these remarks I will continue at a later point, but I did want to go on record that the Senator from Virginia and the Senator from Connecticut are correct, in my view, that this report this morning I think greatly undercuts the position we hoped had come out of the London conference, which was to abolish the dual key at least as far as Gorazde is concerned.

I yield the floor.

## JOINT MEETING OF THE TWO HOUSES—ADDRESS BY HIS EXCELLENCY KIM YONG-SAM, PRESIDENT OF THE REPUBLIC OF KOREA

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate will now stand in recess until the hour of 12 noon and proceed to the Hall of the House of Representatives for the joint meeting.

Thereupon, the Senate, at 10:44 a.m., recessed and, preceded by its Secretary, Kelly D. Johnston, and its Sergeant at Arms, Howard O. Greene, Jr., proceeded to the Hall of the House of Representatives to hear an address delivered by His Excellency, Kim Yongsam, President of the Republic of Korea.

(For the address delivered by the President of the Republic of Korea, see today's proceedings in the House of Representatives.)

AFTER RECESS

Whereupon, at 12 noon, the Senate, having returned to its Chamber, reassembled and was called to order by the Presiding Officer (Mr. ASHCROFT).

The PRESIDING OFFICER. The Senate will come to order.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Parliamentary inquiry.

I think it would be helpful if the Chair would cite the order of the time of the votes and the pending matter.

The PRESIDING OFFICER. The pending matter is S. 21, the Bosnia matter. There are 45 minutes to each side under control in debate, and circumstances with leaders on each side controlling debate. At 1:30——

Mr. WARNER. I think it is 1:45, Mr. President.

Will the Chair clarify the time?

The PRESIDING OFFICER. There is controlled time until 1:30, followed by the two leaders who have an opportunity to speak to the issue and use their leader time. The amendment by the Senator from Georgia. [Mr. NUNN] is pending to the substitute of the majority leader.

Mr. WARNER. Thank you. Mr. President, then, for planning purposes, Senators could anticipate a vote between 1:45 and 2.

Would that be correct?

The PRESIDING OFFICER. That, I believe, is the general time of which the next recorded vote should occur.

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

Mr. CRAIG addressed the Chair.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. CRAIG. Mr. President, I ask unanimous consent to proceed as in morning business for no more than 10 minutes.

Mrs. MURRAY addressed the Chair.

The PRESIDING OFFICER. Who yields time for that purpose?

Mr. CRAIG. And that the time not be used by either side.

The PRESIDING OFFICER. Is there objection?

Mrs. MURRAY. Mr. President, reserving the right to object, would that time then be divided for both sides fully?

Mr. CRAIG. I would choose it not be divided from either side.

The PRESIDING OFFICER. Is there objection to the Senator's request?

Mr. CRAIG. If there is no objection, it could be divided equally.

Mr. WARNER. Mr. President, reserving the right to object, I have to consult with the distinguished majority leader. I note the presence on the floor of a number of Senators who wish to address the pending resolution.

Might we inquire of the Senator from Idaho the time?

Mr. CRAIG. It does not deal with this issue.

Mr. WARNER. I realize that. The time that the Senator would want?

Mr. CRAIG. No more than 10 minutes.

Mr. COATS. Mr. President, may I inquire of the manager of the bill—I am sorry. I just walked onto the floor and did not understand what the allocation of time was. I know we are moving toward a vote at 1:45, approximately. The time is reserved for leaders. I would like to get some assurance that I will be able to speak on the pending question for up to 10 minutes or so. I do not know how that works in terms of other time that might be allocated. I just offer that so that the leader has some opportunity to make a judgment on this.

Mr. WARNER. For the information of the Senators present, there is now an hour and a half of time equally divided between the majority leader and the Senator from Connecticut and those who wish to speak in opposition. I see the presence of two or three Senators I happen to understand will be speaking in favor, on behalf of the majority leader's amendment. I am perfectly willing to allocate such time within that 45 minutes as they desire.

Could the Senator from Indiana indicate how much time he would like to have?

Mr. COATS. I prefer more, but I will accept 10 minutes or so.

Mr. KYL. Mr. President, if I may indicate to the Senator from Virginia, I would be happy to have 5 minutes reserved for my comments.

Mr. WARNER. Mr. President, I have just been advised by the majority leader's staff that the majority leader is overcommitted at this time with respect to the time period of 45 minutes under his control. Therefore, I regret that I would have to interpose an objection to——

Mr. CRAIG. Mr. President, I will yield the floor then if time has been allocated for this purpose.

Mr. WARNER. Mr. President, this is the first I knew about this allocation of time.

The PRESIDING OFFICER. Who yields time?

Mr. WARNER. Mr. President, I yield 10 minutes to the Senator from Indiana.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. WARNER. Might I ask the Senator from Indiana if he could lessen that time if at all possible because we are overrequested.

Mr. COATS. I will do my best.

Mr. President, I thank the Senator from Virginia for his courtesy. I did speak on this issue a few days ago, and I will attempt to summarize the statement that I have here in the interest of preserving some time for other Members.

I tried to make two points. First, that it is regrettable that we are here not debating what the policy should be relative to Bosnia, fulfilling our constitutional role of advise and consent to the President of the United States, who is Commander in Chief and who is delegated and given the responsibility and authority to conduct the United States foreign policy, but regrettably we are here formulating that policy in the absence of leadership provided by the President and the administration in fulfilling their duties. That has been a continuing sad story that has permeated this entire Bosnia debate over the last 2½ to 3 years.

Filling this vacuum of leadership is not something that this Senator relishes or even feels fully qualified to perform. Nevertheless, it seems that it is left to us to try to identify and define some policy relative to the United States involvement or lack of involvement in this conflict in Bosnia.

It is true that the choices that face us as a nation in terms of dealing with this conflict are not easy choices. Former Secretary of Defense Les Aspin said all choices in Bosnia are bad; some are worse. It is clear that we are dealing with perhaps what might be defined as the best of the worst in terms of choices. But a couple of facts confront us very, very directly today in this conflict.

Fact No. 1 is that the current attempts at negotiating a settlement to the conflict in Bosnia have failed. And they have failed for a period now of 2½ to 3 years. There have been numerous attempts. There have been numerous so-called peace agreements, new peace plans. I met with the Bosnian Foreign Minister just a few days ago. He said, ''We have signed 17 pieces of paper agreeing to cease-fires and agreeing to peace plans.'' He said that, ''We have one party in this conflict that holds a piece of paper and no weapon, and another party who holds a weapon and no piece of paper.'' He said to guess which one is going to prevail.

He said, ''We will not be able to sit down at the table and begin to negotiate an agreement which both sides can agree to and adhere to until there is an equalization of the confrontation that exists between the two.'' Either both hold a piece of paper or both hold a piece of paper and a weapon, and some sort of rough stalemate exists that will cause both parties to have an incentive to come to the peace table. As the situation now exists, no peace can be achieved if one party has no reason to achieve a peace, no basis to achieve a peace. There is no reason they need to achieve a peace if they can achieve their gains through force.

The second truth we face is that UNPROFOR's—the so-called protective force's—policy of protecting Bosnians

in safe havens has failed. We daily read of the latest disaster in this regard.

It is clear that UNPROFOR, for whatever reason, does not have the capacity, the will, or whatever, to achieve a successful implementation of the protection policy.

The third basic fact, and we might as well say it and be up front about it, the United States is not going to intervene militarily to solve this and resolve this conflict. The American people do not support it, the Congress does not support it, the President has not articulated why we should do this, how it is in our vital strategic or national interest, how we could achieve this militarily, how long we would be there, what our exit strategy would be.

None of the defined criteria that are used to justify American intervention have been either defined or articulated to either us or the American people, and it is clear that we will not commit troops to this conflict.

Anyone who has studied the history of conflict in this region, anyone who understands to the most elementary level the nature of the environment in which we will be placing our troops, anyone who understands the complexity of this particular conflict, has to come to the conclusion that it would be a disaster, a mistake, to involve the U.S. militarily in this conflict.

Therefore, we are left with what I believe is probably the best-worst option, something that I have been reluctant to endorse, but something I do now endorse, and that is a lifting of the embargo. I agree with the proposal that withdraws the U.N. protective forces first before we lift. I think that is important. I agree with the policy that says the United States should not commit to a NATO strategy that is destined to be a failed policy.

But after UNPROFOR has left, and hopefully we will not need to fulfill the President's already-stated commitment and promise to our NATO allies to utilize U.S. forces to withdraw those forces, hopefully that will not be necessary. I will reluctantly support that, in an emergency situation, if there is no other way, as a commitment to NATO that I believe has been made and we need now to keep. Hopefully, we then can lift the arms embargo.

I think we need to understand what this means. I asked the foreign minister, what does this mean lifting the arms embargo? What kind of arms do you seek? He said, ''You don't understand. We don't need American advisers on the ground; we don't need massive training off site, we are very skilled in the rudimentaries of conflict.''

What we are dealing with here is not a Desert Storm sophisticated arms conflict, but something more akin to pre-World War II. He said, ''The first thing we need are helmets.'' He said, ''Most of our deaths are caused by shrapnel injuries to the head because we are not allowed to have helmets under the arms embargo.'' It is an absurd restriction.

Second, he said, ''We need some ammunition, small arms ammunition. We don't need people to show us how to use that. We have been an arms manufacturer in the past.''

Third, he said, ''We need some antitank weapons so that we can deter the heavy tank forces that may be arrayed against us.'' He said, ''These don't need to be sophisticated either; shoulder-held, shoulder-fired antitank weapons would be sufficient.''

And fourth, ''We need artillery to counter the artillery that is utilized by the Serbs so that we can achieve some kind of balance of forces.''

So lifting the arms embargo does not mean necessarily greater U.S. involvement, it does not mean we need to supply the arms. These arms are available on the world market. It simply means we give the Bosnians the right to do what they had asked us to do, and that is to defend their own borders.

Finally, I think we need to examine a strategy of containment that is in our vital national interest, not to have this spread into the areas of Macedonia and Kosovo. We do need to draw the line, NATO does need to be involved in this, but it requires U.S. leadership to accomplish it. U.S. leadership has been the glue that formulated NATO, it has been the glue that has held it together, and it is going to be the leadership necessary to maintain NATO as a sustainable, viable defense entity. So we need that leadership, and we should consult with our NATO allies about a containment strategy that keeps this conflict contained within its current area.

So, Mr. President, that is a very abbreviated explanation of why I support the Dole-Lieberman effort here. I do so reluctantly. I believe we have no other choice.

I thank the Senator from Virginia for the time that he has allotted to me.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I yield myself such time that I might require.

I think it would be in order if we sort of recognized, went back and forth from those in support and those in opposition. The Senator from Washington came very promptly. So I suggest by way of unanimous consent that the Senator from Washington proceed, to be followed by Senator KYL and Senator DEWINE, Senator THURMOND. Of course, we can interrupt that order, if necessary, if others in opposition wish to speak.

And then I also announce that we have reason to believe that Senator COHEN may be desirous of submitting an amendment. I hope he will advise the managers as to his time requirements as early as possible. I yield the floor.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered. The Senator from Washington.

Mrs. MURRAY. Mr. President, I yield myself 5 minutes in opposition.

I do rise today in opposition to S. 21, which directs the President of the United States to unilaterally lift the arms embargo on Bosnia and Herzegovina. Like many of my colleagues, I, too, want to do something, anything, to stop further atrocities from occurring in Bosnia. The situation grows more horrid everyday. We have all said it in a hundred different ways: There are no good options to choose from when trying to determine how best to respond to the tragedies in Bosnia and Herzegovina.

Compelling, sound, and thoughtful arguments have been made on both sides of this debate. In the words of one young Dutch peacekeeper just freed from Srebrenica: ''You wish the war would stop, but it's only a wish. It will be a miracle if this war ever stops.''

He had come to that conclusion after witnessing first hand the hatred that has fueled this conflict for generations, a hatred so deep as to seem endless, passed on for centuries from parent to child.

At home, most Americans wonder aloud why the nations of Europe have not been able to come together around this crisis. Knowing how pressing the needs are in our own country, many Americans voice frustration at the unending calls for one form or another of United States involvement in Bosnia. Many resent the United States. in the role of global policeman again, and still many others are horrified by the pictures they see of refugees, of Bosnia's senseless dead, of ethnic cleansing and genocide, of a young woman hanging from a tree in desperate pursuit of escape.

It is this profound sense of frustration that brings us to this debate today. Proponents of S. 21 argue that this approach gives us the best of both worlds—allowing the United States to do something to resolve the conflict while doing nothing to further our own national involvement. But I believe, Mr. President, that the promises of this approach may well prove to be false and that the consequences of Senator DOLE's bill are not well understood.

It is those consequences that concern me the most. It is those questions that have not been answered as we go through this debate.

Despite those who have dismissed his comments during the course of this debate, I agree with Secretary of Defense William Perry when he says that unilaterally lifting the embargo greatly risks Americanizing the war in the Balkans.

Let me make it clear that I agree with those who argue that the arms embargo should be lifted, because it is the Bosnians' right as an independent nation to defend themselves. U.N. Resolution 713, agreed to in 1991 and imposing an arms embargo on all states formed from former Yugoslavia, has frozen a military imbalance in place, because Bosnian Serbs inherited most of the arms and troop strength from Tito's Yugoslavia.

But I continue to have very strong concerns about the United States going

it alone and lifting the arms embargo against Bosnia unilaterally—against the better judgment of our European allies who have troops on the ground, and who have far more at stake than we do at this point.

We have spent little time during this debate discussing the actual details of the plan before us. But it is those details that will determine the success or failure of this approach.

For example, if the goal of lifting this embargo is to get arms to the Bosnians, how exactly will that be accomplished? Who will be supplying the arms? The language of the bill suggests that we can somehow preclude U.S. participation, but I am unclear as to how that can be achieved. If we act unilaterally, we may then be in a position of supplying not just arms, but also trainers and other U.S. military support personnel. Or, if we simply provide funds for the Bosnians to purchase arms, will we be supportive if they use United States funds to purchase arms from Russia—or Iran?

How do we keep United States supplied arms from falling into the wrong hands? This may be a particularly difficult problem if Russian arms are purchased—given that Russia has remained very close to the Serbs during this conflict.

More broadly, if we view the Bosnian crisis as a potential threat to European stability, then I believe we must approach the problem in concert with our European allies, despite how difficult this has been. They are strongly opposed to lifting the embargo, and have made it clear that if the United States lifts the Bosnian embargo, they will remove their peacekeepers. That will no doubt lead to a new wave of refugees in Europe. It is the Europeans who will have to deal with the immediate effects of any U.S. action. It will be their soldiers who are on the ground in Bosnia, and whose lives will be on the line.

Other questions remain.

Currently, the United States works with our allies to enforce the embargo. If we break it unilaterally, will our allies continue to try and enforce it, and if so, how will we deal with such conflicts?

The Croatians, too, have lost territory to the Serbs and would like to reclaim it. If we lift the embargo against Bosnia, why will we not be asked to do the same for Croatia?

And, if the United States acts unilaterally, this could lead some nations to question their commitment to other embargoes, such as the economic boycott of Iraq currently in place.

Mr. President, I am not prepared today to bury the multilateralism we have worked so hard to develop over the last 50 years with our allies.

And finally, if the U.N. peacekeepers are removed, the United States may find itself in a position of having to deploy our own troops to help in that evacuation. Have the American people been adequately prepared for the loss of life that may occur under those circumstances? On that question, Mr. President, I strongly believe we should take the matter to a vote of the House and Senate if a wider role for U.S. troops is requested, so that the American people are involved.

Let me make it clear that although I do not support the resolution before us today, I agree that the status quo is totally unacceptable. The handwringing of the West has been endless. Our actions have been irresolute and irresponsible.

It has been a mistake from the beginning to deploy U.N. peacekeepers in a situation where no peace exists. It is not the mission of U.N. peacekeepers to make peace. Their role is to try to keep the peace once a settlement to the conflict has been agreed upon. That is not the situation in the former Yugoslavia. In the words of the Secretary General, the West has delivered to the United Nations a ''mission impossible.''

Scores of peacekeepers have been killed—and countless wounded. They have been deployed as soldiers into a war zone, but without the arms and means to protect even themselves.

The peacekeepers have done their best under these horrid circumstances. They have saved countless thousands of lives. They have delivered vital humanitarian relief supplies. But they cannot be expected to resolve this war.

As I said in the beginning of my statement, we have come to this debate out of a deep sense of frustration.

This past weekend's ministerial level meetings in Europe produced a refinement of current allied strategy, but the current allied position remains tenuous and untested. We know that NATO's pinprick airstrikes are to be replaced by a NATO air campaign. We have been promised significant improvements in the duel-key command and control system, but confusion on this critical issue remains.

Overall, the agreement between the United States and our allies is extremely fragile, with important questions remaining about its implementation. Will, for example, the plan to protect Goradze become a policy and extend to other U.N. safehavens if they come under attack?

Fundamentally, is there a policy of resoluteness behind this site specific plan? If so, I have yet to hear it. And will the military officers on the ground finally be in control of military decisions, as opposed to the current situation where civilian U.N. officials can veto a military recommendation to initiate airstrikes. It is that situation which has led the Serbs to conclude that the West is nothing more than a paper tiger.

Rightfully frustrated by what appears to be yet more allied indecisivness, Senators voting today in support of the unilateral lifting of the embargo believe their action will contribute to a solution in Bosnia. For the sake of the Bosnians, and for the sake of the entire civilian population throughout the former Yugoslavia, I hope that they are right, and that this action brings the conflicting parties closer to the peace table.

But we have no way of knowing that will be the case.

Let me state clearly that I oppose unilaterally lifting the embargo for two basic reasons: At the core, this is a European issue. Our European allies are on the frontline, and they do not want us to act unilaterally. We have 50 years of solid NATO relations at stake, and I have strong concerns about the United States going it alone against our European allies who have troops on the ground and who have more at stake than we do as we go into this debate.

Second, and more important, if we do this, we have to be prepared to accept the consequences—we, the Senators of the U.S. Senate. The moment we lift the embargo, there is a strong chance the allies will leave and an all-out war will follow. If that is our choice, we will have to live with the resulting carnage. It is for those two reasons that I oppose this proposition before the Senate.

Mr. President, this is a debate with endless questions and few answers, but in my view history will far better be served if the United States continues to try to forge a consensus approach to this tragic situation, rather than adopt a go-it-alone strategy that may well have the unforeseen consequence of widening the war and escalating our own national involvement.

It is with a great deal of reluctance and sadness that I vote today in opposition to the amendment before the Senate.

Mr. WARNER. I yield myself such time as I may require. I am informed at the present time there will be an objection to any request to extend the amount of time now elapsing between 12:20 and 1:30, at which time the leaders have their time reserved.

Therefore, I ask the Senator from Arizona how much time is required?

Mr. KYL. Mr. President, 5 minutes.

Mr. WARNER. Could the Senator reduce it to 3?

Mr. KYL. I will do my best.

Mr. WARNER. I ask the Senator from Ohio [Mr. DEWINE], to reduce his time to 3 minutes.

The distinguished Senator from South Carolina, could we inquire as to the amount of time that the Senator desires?

Mr. THURMOND. Mr. President, 7 or 8 minutes.

Mr. WARNER. Could I ask the Senator to reduce that amount of time? We are rapidly running out of time.

Hopefully we can accommodate the Senator from Maine.

Mr. THURMOND. Can the Senator extend it to give me 7 minutes?

Mr. WARNER. I am told there will be an objection. Could we hopefully do 5 minutes?

Mr. THURMOND. I will try.

Mr. WARNER. I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, I want to strongly support the Dole-Lieberman resolution. It is frustrating for all because the moral imperatives here demand action, yet as has been noted by all of the other speakers, all actions are fraught with problems.

We all agree there are no good options. We all agree that lifting the arms embargo is not a panacea, but it will enable the Bosnian Moslems to defend themselves, which is their right under article 51 of the United Nations charter. It may hasten the day when the Serbs cease their aggression.

Ever since the United Nations extended diplomatic recognition to Bosnia and Herzegovina in 1992, I have believed that the United Nations should either act to get the United Nations to lift the 1991 embargo, or unilaterally lift that embargo to make it easier for the Moslem communities to defend themselves.

We all know that the Bosnian Serbs have an arsenal of weapons which they obtained largely from the Yugoslavian Army, also from Romania, the Soviet Union and other sources.

In Afghanistan, Cambodia, Nicaragua, and with the Kurds in Iraq, the United States helped those defending their families and territory to acquire the weapons to defend themselves. This situation is no different, Mr. President. That is why I support lifting the arms embargo.

While some negative consequences could result from lifting the arms embargo, it cannot be worse for the Bosnian Moslems than the death of 200,000 civilians, perhaps thousands of women raped, 2 million people left homeless, and the loss of 70 percent of their territory.

Albert Wohlsetter pointed out in an editorial entitled ''Genocide by Embargo,'' ''adherence to Security Council Resolution 727, even after the United Nations, European Community and the United States has recognized the independent status of the states of the former Yugoslavia, is a violation of article 51 of the U.N. Charter which acknowledges the right of self-defense.'' He says ''The United States should now simply declare that there is no valid embargo on the sovereign nations who are the victims of continuing Serbian genocide.''

Mr. President, shortly we will be voting on two amendments which seek to involve the United Nations. Of course, if the United Nations could quickly lift the arms embargo, that would be the best result. These amendments should not interpose between U.S. action immediately and lifting of the arms embargo by the rest of the world communities any requirements that would delay U.S. action.

That is why I believe we should first pass the Dole-Lieberman resolution which commits the United States to action, not dependent on what anyone else does. As former British Prime Minister Margaret Thatcher wrote in her recent letter to Senator DOLE, ''American leadership is vital to bring order out of the present chaos. No country must be allowed to veto the action required to end the present catastrophe.''

Mr. WARNER. Mr. President, I ask unanimous consent I may proceed for not to exceed 2 minutes on my time.

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

Mr. WARNER. Mr. President, it is important that the Senator from Maine be given an opportunity to propose an amendment which is in the nature of a second-degree amendment. I yield to him 2 minutes.

AMENDMENT NO. 1851 TO AMENDMENT NO. 1848

Mr. COHEN. Mr. President, last evening I took the floor to indicate that my expectation was that Senator NUNN would be offering an amendment that essentially would require President Clinton to go to the United Nations. A year ago in August, Senator NUNN and then Senator Mitchell also sponsored legislation requiring the President to go to the United Nations. The President did, but he did not seek a vote.

Under the Nunn amendment, as I understand it, he would require the President to seek a vote to lift the embargo on a multilateral basis. It is my expectation that if the President were required to do so, nonetheless we could anticipate that one of the members of the Security Council—be it Russia, be it France, be it any other member—would impose a veto or seek to prevent it from coming to a vote.

My amendment to the Nunn amendment would require that in the case that a vote is prevented or in case a veto is lodged, that the President would then go to the General Assembly of the United Nations which has voted—the membership of that has voted on two prior occasions overwhelmingly—to lift the embargo.

This would, in my judgment, meet the objections of our colleagues who are concerned about undermining our relationship and the United Nations or with NATO. This would give an opportunity for a multilateral lifting of the embargo and would preserve the integrity of the institution itself.

I believe it would resolve the problems that many of my colleagues feel now, acting unilaterally. This is an opportunity for the countries who have voiced their support for the lifting of that embargo on a multilateral basis to cast their vote. I believe we would accomplish our objectives. I intend to support the Dole resolution. I intend to support the Nunn amendment, and hopefully my colleagues will also support it.

Mr. President, I send to the desk my amendment in the second degree.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Maine [Mr. COHEN] proposes an amendment numbered 1851 to amendment No. 1848.

The amendment is as follows:

Strike the period at the end and insert in lieu thereof the following: ''In the event the United Nations Security Council fails to adopt the resolution to terminate the application of United Nations Security Council resolution 713 to the Government of Bosnia and Herzegovina because of a lack of unanimity of the permanent members, thereby failing to exercise its primary responsibility for the maintenance of international peace and security, the United States shall promptly endeavor to bring the issue before the General Assembly for decision as provided for in the Assembly's Uniting for Peace Resolution of 1950.''

Mr. THURMOND. Mr. President, I believe the Nunn amendment is sufficient to allow consideration of a multilateral lift of the arms embargo by our allies. The Nunn amendment provides the United States ample opportunity to consult to the greatest reasonable extent with our allies. As I said in my statement earlier, the time to act is now—not later. However, so that it can never be said that the United States did not allow every opportunity for the international community to support a multilateral lift of the arms embargo, I will support the Cohen second-degree amendment.

The PRESIDING OFFICER. The Senator from Ohio.

AMENDMENT NO. 1801

Mr. DEWINE. Mr. President, I rise today in support of the Dole-Lieberman bill.

Let me make very clear, however, at the outset, that I believe that this is a terrible way to have to make foreign policy.

The facts are that no congressional action can substitute for Presidential leadership. No congressional action can substitute for Presidential vision. There is no substitute for a clear and coherent U.S. foreign policy defined, articulated, and pursued by the President.

Congress cannot negotiate with our allies. Congress cannot open up a back channel. Congress cannot order airstrikes.

Therefore, this is a resolution that I am not particularly happy to have to endorse. I am sure that many of my colleagues share my intense dislike for congressional micromanagement of foreign affairs and foreign policy. I do not think, Mr. President, we should make a practice of acting as pseudo-Secretaries of State.

In fact, last week when the President called the majority leader and asked him to delay action on this resolution, I had hoped then that the President was going to lead. The events of last weekend and the last few days, as articulated by my colleague from Connecticut and my colleague from Virginia several hours ago, clearly shows this is not going to happen.

Mr. President, Congress cannot force the President to lead, but maybe Congress can push him towards leading. Indeed, we must do this. The stakes in Bosnia are great. This conflict is more than just a civil war. It involves more

than just the tragedies we see on TV, however horrible they are. It also involves the question of the future of NATO and ultimately the stability of Europe.

We have to reassert U.S. leadership of NATO. We have to maintain NATO as a viable force. We have to prevent the spread of this conflict.

The administration simply does not have a coherent policy to achieve these ends. Crossing your fingers is not a policy.

To achieve these ends, you have to start changing the conditions on the ground. The bill before us outlines one way in which we could begin to do this.

Clearly, though, lifting the arms embargo is a moral imperative. It is the right thing to do. The administration may not have a foreign policy yet, but until they do we should at least give the Bosnians a chance to defend themselves.

The arms embargo is an unwise, outdated policy, enacted against a country that no longer exists. I am, however, troubled by the idea of a unilateral U.S. withdrawal from a collective engagement. That is why I intend to support the amendments of Senators COHEN and NUNN. We should go to the U.N. Security Council—and, if we fail there, the General Assembly—to make this an allied and not a purely American policy.

Mr. President, the handwriting is on the wall for the U.N. policy in Bosnia. The UNPROFOR troops are coming out—they are probably coming out whether we pass this resolution or not.

They are coming out for good reason. They simply have no constructive role to play under the rules of engagement.

Are the UNPROFOR troops supposed to stay in Bosnia just to die? Are they supposed to stay there just to be captured—just to serve as a shield for the aggressors? No. The writing is on the wall, and they are coming out.

We need the President to lead.

The President needs to explain to the American people what America's goals are in Bosnia—how, specifically, he intends to achieve them—what sacrifices the American people might have to make—and why.

We cannot do that here on the Senate floor, but somebody has to. And that somebody is the President of the United States.

On this issue, the administration is adrift. It is my hope that by passing this resolution, the Senate is recalling the President to his most important responsibility—to serve as Commander in Chief.

Mr. President, this problem will not just disappear. The only hope for a more positive resolution of this tragedy will come with Presidential leadership.

Mr. WARNER. Now, Mr. President, the distinguished senior Senator from South Carolina is about to address the Senate. I would like to make a further request for unanimous consent that the Senator from Minnesota [Mr. WELLSTONE] be granted 3 minutes following that.

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

Mr. THURMOND. Mr. President, last week I spoke on the floor about the situation in Bosnia—about the U.N. safe havens being overrun by the Bosnian Serbs and U.N. peacekeepers being taken hostage.

Since my statement on the floor, the United States and its allies, primarily Britain and France, met to discuss options. The result of those meetings was a stern warning that aggressive airstrikes would be used against the Bosnian Serbs if they try to overrun anymore U.N. safe havens, like Gorazde. The Bosnian Serbs reaction to that ''stern warning'' was to fire a barrage of shells into Sarajevo killing and wounding civilians. Members opposing S. 21 are asking that time be allowed for the new directive to use aggressive airstrikes against the Bosnian Serbs to work. In the meantime, the U.N. General Secretary is sitting in New York determining exactly what the use of aggressive airstrikes will include. And according to the news accounts today, he will retain the authority to veto any NATO recommendation to use aggressive airstrikes. Meanwhile, Zepa fell yesterday to the Bosnian Serbs, and Sarajevo continues to be shelled.

It is clear to me that the majority of Members in this body agree that the U.N. mission has failed—it is time for the U.N. protection forces to withdraw. Despite continued stern warnings and threats by the United Nations and NATO to use aggressive airstrikes, the Bosnian Serbs continue to defy the United Nations and NATO and continue to pose a danger to the civilians in the U.N. safe havens and the U.N. peacekeepers there to protect them. The time has come for the administration and our allies to quit wringing their hands about what to do in Bosnia and quit looking to the United Nations to make decisions on whether to use aggressive airstrikes to enforce peace in a country where there is no peace.

Mr. President, as I stated last week, the United States has no national security interests in Bosnia. The only interests the United States has with regard to the situation in Bosnia is to provide leadership and act responsibly as a member of the United Nations Security Council and as a member of NATO. It is time for the United Nations to withdraw its forces from Bosnia and to seek agreement to lift the arms embargo against Bosnia. Failing an agreement by the U.N. Security Council to lift the embargo, the United States should unilaterally lift the arms embargo so that the Bosnians can defend themselves. It is time for the Congress to show its leadership to ensure that U.S. credibility as a treaty partner and NATO ally. We must assist, if requested, in a NATO withdrawal of the U.N. protection forces from Bosnia.

I remain concerned that Members of this body did not actively engage in a discussion of U.S. support in a NATO withdrawal of UNPROFOR. The U.S. cannot stand by while our allies are in mortal danger during a withdrawal of UNPROFOR. As I stated last week, the damage to U.S. leadership, honor, prestige and credibility would be beyond calculation, if we do not send a clear signal now that the Congress will support the participation of U.S. troops in a withdrawal operation. It should be understood, however, that any U.S. participation in a U.N. withdrawal must be totally under NATO command and that there can be no dual key arrangement between the United Nations and NATO and there must be robust rules of engagement.

The situation facing this body is not complicated, but the demand for us to take decisive action is clear and urgent. The Dole-Lieberman substitute to S. 21 allows us to take action which is well defined and in the best interest of our Nation. The Dole-Lieberman substitute also serves the best interests of our Allies, to whom we have pledged our support in leaving what has become an impossible mission. I urge the Senate to support the Dole-Lieberman substitute to S. 21 and hope that our Allies join in this positive course of action.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I would like to pose a further unanimous-consent request, that from the time under the control of the distinguished majority leader, 4 minutes be granted to the Senator from Minnesota, now waiting to speak; that 3 minutes be granted to the Senator from Iowa; that 3 minutes be granted to the Senator from New Jersey [Mr. LAUTENBERG] who has been here; and my understanding is the Senator from New York [Mr. MOYNIHAN] is going to speak against the amendment, consequently he would take 5 minutes from the time under the control of the other side.

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

The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, we have witnessed, over the last few months, especially the last 2 weeks, a sickening spectacle in Bosnia. Women raped for alleged sins committed by their ancestors centuries ago, torture, and the brutal cold-blooded murder of young Moslem men. Where are the Serbs taking these men, 12 years of age and older—if you want to call a 12-year-old a man? I have felt from the beginning we should be flying over, taking notes of the license plates, and making clear to the Serbs they will be held accountable for war crimes.

Mr. President, this is the never again—again. These are Nazi-like tactics, Nazi-like actions. That is what we are witnessing.

During the last 3 years, I have voted at various times both on the arms embargo and to find other ways that allies could respond to this aggression by the Serbs. And it does seem to me that the arms embargo must be lifted.

But if we are going to be intellectually honest, we need to think through all of the policy implications that accompany this momentous decision. If the UNPROFOR forces are going to be leaving, they have to have safe exit, and the international community, with the United States included, I believe, has to make a commitment.

What about the refugees themselves? I traveled to the former Yugoslavia, and I met with refugees. And I saw enough pain to last a lifetime. God forbid what is going to happen to them in the interim if U.N. forces withdraw and the Serbs just go on forward and we have more slaughter on top of slaughter. What is going to be our response and the response of the international community?

I say to my colleagues, I think this is a moral imperative, and we should end this. I hope it is multinational. But we should end this arms embargo.

But, please, Democrats and Republicans alike, do not think that now, all of a sudden, it is a level playing field. Do not make this a technical fix. Do not turn your gaze away from what is happening because we have other obligations that we must live up to. The people of Bosnia need our help. They deserve the right to defend themselves against brutal Serb aggression.

We should vote today to send a strong signal to the administration and to our allies that we must move forward forcefully on Bosnia before the entire U.N. operation collapses and the people of Bosnia are overrun altogether by the Serbs.

Mr. President, my colleagues, Senator LIEBERMAN, ''never again'' should mean ''never again.'' Let us vote to send a strong signal to the rest of the world that we still believe in that proposition.

Mr. GRASSLEY addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, regardless of which side you may be on in this debate, I think we can all agree on one thing. And that one thing we can all agree on is the lack of leadership this administration has displayed in this crisis. This administration under President Clinton has zigged and zagged and flipped and flopped more than a lost rabbit in an Iowa corn field.

This administration has huffed and puffed and bluffed it's way through this crisis for over 2 years now. I would agree that the prior Bush administration also made mistakes. But, those mistakes have been increased and expanded under a Clinton foreign policy that no one understands or respects. And, that includes our allies.

The only entity that has less respect is probably the United Nations. And who do we turn the responsibility over to? Of course, the Clinton administration has allowed the United Nations to define and control our policy.

Just a few examples of the multilateral ineptitude that's taken place including the following:

In November 1993, a Sarajevo schoolyard was shelled, killing 4 children and wounding 40. The Clinton administration responded by saying ''We're not going to allow that city to be strangled, to be cut off, to be relentlessly attacked.'' What action was taken? None.

In May 1995, 200 U.N. peacekeepers were taken hostage and used as human shields against air strikes. We heard all kinds of protests and threats from the Clinton administration to the NATO Secretary General. What action was taken? None.

One of our planes was shot down recently thanks to the fact that the administration had neglected to provide missile jamming devices to our planes. And the pilot was hunted like an animal. Thankfully, the pilot was rescued. What action did we take against the aggressors? None.

Mr. President, in stark contrast, we see the leadership of Majority Leader DOLE. Senate DOLE has consistently moved forward with efforts to allow the Bosnian Government to exercise its inherent right to defend itself. Against many odds last year, including a hostile Clinton administration, and an uncooperative Congress, Senator DOLE forged ahead and made his case. Today, his case, which is the case for justice to the Bosnian Government, will finally win the day.

Of course, it may only be for a day or so, since the Clinton administration is adamant about continuing its incompetent course of disaster, by threatening to veto a unilateral lifting of the embargo. This of course, is another sad commentary on the administration's failed policy.

Mr. President, it is way beyond the time to finally act. And veto threats, notwithstanding, I urge my colleagues to do the right thing and support the Dole substitute amendment.

Mr. MOYNIHAN addressed the Chair.

The PRESIDING OFFICER. The Senator from New York.

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

I rise for the simple purpose of clarifying, to the degree that I am able, a point of law, a point of international practice, an American principle which is at issue in the first two amendments that we are going to consider. And I thank my friends from Virginia and Connecticut for allowing me this time.

A very brief proposition, sir, but a long history behind it: Article 24 of the charter, drafted in a time of great expectations for post-world war that did not come to pass, states that,

> 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 act on their behalf.

Sir, this was at a time when we anticipated that the Security Council would have available to it armed forces from various member countries.

The Senate provided that the President could make available specific military units—the 6th Fleet, the 1st Marine Division. If once we had agreed in the Senate and in the Congress to do this, he could thereafter deploy them at will.

However, it was stated, and it was a matter of great concern in our delegation in San Francisco—Senator Vandenberg was most particularly concerned—that the powers of the Security Council would not interfere with the inherent right of individual or collective self-defense, which was the basic law of nations. Senator Vandenberg said that, if this was not provided in the charter explicitly, a reservation would be offered on this floor, and he would support it, and, in the end, it was agreed to. Then Republican adviser John Foster Dulles, was not that enthusiastic, but after much debate by the delegation it became the position of the United States that it had to be included in the charter.

Now, sir, here is the simple point, and I hope I can be heard on this. I speak as someone who was Permanent Representative to the United Nations under President Ford. I speak as someone who once served as the President of the Security Council.

If we adopt the two amendments before us, we concede that in the one instance, the Security Council, in the other, the General Assembly, has the right to deny the inherent right of individual or collective self-defense. If they have to vote to agree to the exercise of that right, then it is not a right itself; it is simply an authority that can be conferred by a higher body; to wit, the Security Council or the General Assembly.

I say once again, sir, this is an article of great concern to us. The Treaty of Chapultepec, the Western Hemisphere defense system, the Monroe Doctrine—all of those things were agreements which we were concerned might be limited by the charter, putting into question the inherent right of individual or collective self-defense.

If we ever concede, for whatever transient purposes of this moment, that the Security Council has the right to confer what becomes simply a privilege, not a right, or the General Assembly has the right to confer what becomes now a privilege, not a right, then we are in grossest ignorance and avoidance of the history of the charter and the text of the charter.

Mr. President, I hope we do not make this mistake. It would be something that 50 years ago on this floor would have been clearly understood. And we have not dealt with these issues much in the last half century. We may have become forgetful, although the revered former chairman of the Committee on Foreign Relations would remember. He was there.

I point out, sir, that the right of individual or collective self-defense is inherent. That is the language of the

charter. The charter is simply a codification of rights. The right to self-defense being an inherent right, we cannot ever concede to the Security Council or to the General Assembly some authority to confer—let the right become operational, or however you like to say it—that right. It ceases at that point to be a right. It becomes a privilege to be conferred or denied.

I thank the Chair most specifically for his kindness and attention.

Mr. President, I ask unanimous consent that a memorandum of law be printed in the RECORD.

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

MEMORANDUM OF LAW

SUMMARY

The history of Article 51 demonstrates that any member state's obligation to defer to the Security Council in refraining from engaging in individual or collective self-defense is conditioned on the Security Council taking effective measures to restore peace and prevent aggression. The record further shows that unless this point was made clear in the Charter, the Senate probably would have taken a reservation on this point in giving its consent to ratification.

DISCUSSION

According to Ruth Russell's indispensable ''A History of the United Nations Charter,'' the principle of the right of self defense was so unanimously agreed upon that initially there was no proposal to include in the Charter an express provision on this point. The bulk of the debate over the issue revolved around the desire of the U.S. delegation to confirm that the Security Council could not interfere with the ''collective'' right of self defense within the Americas under the Treaty of Chapultepec.

The American delegation initially considered opposing any express reservation on the grounds that it could only be used to restrict what was ''inherent'':

''When the [American] delegation made its paragraph-by-paragraph study of the Dumbarton Oaks Proposals, its most serious difficulties arose with . . . maintenance of peace and security. The enforcement aspects of the chapter were accepted without debate. The only point left unsettled was whether a specific reservation of the right of self-defense should be included. As this was agreed to be an inherent right of sovereignty, not deniable by the projected Charter, there was no controversy on the principle. The question, as it had earlier confronted American officials, was whether attempted definition would not defeat the very end desired by making possible a restrictive interpretation of the principle. The issue was left open. . . .''

Later the U.S. delegation had ''acrimonious'' debates about how to protect the right of the U.S. to engage in collective self-defense in the Western Hemisphere in the face of a ''Great Power'' veto. This passage is from Senator Vandenberg's diary:

''[John Foster] Dulles argued that there is nothing in Dumbarton Oaks which prohibits 'self-defense' and that under the Chapultepec agreement 'self-defense' in the Western Hemisphere is a partnership affair and that the Monroe Doctrine is still part of it. I served notice on the Delegation, as a matter of good faith, that if this question is not specifically cleared up on the Charter, I shall expect to see a Reservation on the subject in the Senate and that I shall support it.''

A subsequent U.S. delegation statement of the U.S. position made it clear that states must be free to take action if the Security Council is frustrated by the use of the veto: ''if any one of the Great Powers with a veto in the Security Council abuses its power . . . the Organization will have broken down and all states would then be free to take protective action.''

When the U.S. finally proposed that there should be a formal recognition of the 'inherent'' right of self-defense in order to protect its rights in the Western Hemisphere, the official U.S. position—endorsed by President Roosevelt—was explained as follows:

''Should the Security Council not succeed in preventing aggression, and should aggression occur by any state against any member state, such member state possesses the inherent right to take necessary measures for self-defense.''

Ruth Russell explains that an express reservation on this point was in part necessitated because the delegation ''faced a very practical problem in getting the treaty through the Senate.''

The British proposal on Article 51—which is very close to the final version—makes even more clear than the final text that the Security Council must act and act effectively if other states are to be expected to defer to it:

''Nothing in this Charter should invalidate the right of self-defense against armed attack, either individual or collective, in the event of the Security Council failing to take the necessary steps to maintain or restore international peace and security.''

Interestingly, two of the last three paragraphs in Russell's 965-page history of the Charter concern the inherent right of self-defense. She was writing in 1958 and the ''Great Power'' veto had, of course, become very much a problem:

''Responsible American officials assumed, it can be said with more accuracy, that if the desired cooperation did not materialize, a serious great-power split would probably lead to another world war, with or without the United Nations. Even if the Council could not guarantee the peace, they also pointed out, it could make clear the record. And as the Charter in no way abrogated the right of self-defense, which no nation was prepared to relinquish, action against aggression could still be taken outside the Organization. This was always an implicit assumption of American officials, although it was not made explicit until the San Francisco Conference.

''There the right was recognized in Article 51, in both national and collective terms. If, therefore, the United Nations machinery for any reason could not function to maintain international peace and security, national power could be mobilized by the states on a regional or some other joint basis. The decisive factor, in that case, would be the willingness of other states to act against the recalcitrant state even at the cost of war. What experience has shown is that the desire to support such drastic action against disliked policies and countries is never as widespread as the willingness to condemn them. This was as true in the autumn of 1945 as it has been under the United Nations.''

The PRESIDING OFFICER. Who yields time?

Mr. WARNER. Mr. President, does the Senator from New York require more time?

Mr. MOYNIHAN. I would only say the same thing over and over again. The right of self-defense—individual, collective—is inherent and in no way depends on the approval of the Security Council or the General Assembly or any other international body.

Mr. WARNER. Mr. President, I think he has very clearly stated his message.

Under the current unanimous-consent request, there are 3 minutes for the Senator from New Jersey.

Mr. President, I yield such time as to make that 5 minutes, 2 minutes additional.

To inform other Senators, that results in the expiration of the time under the control of the majority leader.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. I thank the Chair. I thank our colleague from Virginia for his graciousness in permitting me these 5 minutes. I know everybody is pulling at him, and I do not want to use any more time except to thank him for that.

Mr. President, if any of us were fence sitting or had doubts about what it was that we were witnessing, I think each day that has gone by in recent weeks has further confirmed that we no longer can stand idly by, that we must take action as befits our status as an international leader in terms of morality and humanity, a country that supports human rights almost above all else. Our very Constitution is based on law. And when we stand by idly, which we are being forced to do by the cowardice of our allies, then I think we become coconspirators, whether we like it or not.

Mr. President, as recently as this morning, we saw something that kind of confirms what the distinguished Senator from New York just said.

In a report from Brussels, the New York Times writes that:

> The allies agreed to make what one NATO official called a ''strong recommendation'' to Mr. Boutros-Ghali to leave it to his military field commanders on the ground in Gorazde and elsewhere to decide when the time has come to start bombing the Serbs if they attack. But since Mr. Boutros-Ghali has been extremely cautious about approval of airstrikes in the past, what was meant to sound like a roar in London 4 days ago appeared to have been throttled down to something more like a growl by the NATO Ambassadors.

That is the situation. But the killing does not stop. The attacks do not stop. The barbarism does not stop. And if one had at all any sense of rights, when you read the stories about what happened in Zepa and what happened before that in Srebrenica, where a woman was forced to drink the blood of her 16-year-old son after his throat was cut, barbarism of the most primitive and cruel fashion, we cannot stand by and permit that to happen.

Mr. President, last year, we gave a deadline of November 15 for our allies to get themselves together so that we could move multilaterally. What happened? Since then hundreds, thousands more have been killed, thousands abused, and more territory taken by the rogue government of the Bosnian Serbs—total disdain for world organization, for rules, for humanitarian conduct among people. It is shocking to see, and we ought not to permit it to go on any longer.

Now, I know, Mr. President, that we are embarking on a shaky course, but

not to do anything is a far shakier course. And certainly coconspiring with the Bosnian Serbs to say that we will talk ourselves into the ground while you kill the Bosnian people, separating men from women, families, brothers from sisters, is terrible. It is terrible. And there is not a person here who could witness a crime like that taking place and not intervene at one's own peril—no one. No decent human being could walk by and permit that to happen.

Mr. President, yesterday I had a conversation with the Prime Minister of Bosnia, and I asked him the perennial question that seems to exist now, and that is: Are you not afraid that larger forces will come in and bring even more devastation? And he said, ''Ask the 5,000 missing in Srebrenica whether or not they were afraid of more power coming against them.''

Mr. President, he is not asking for much. He is asking for us to give them a chance to fight back, to untie the hands from behind their backs and give them the weapons necessary to defend themselves, as the Senator from New York so articulately stated just a couple of minutes ago.

It pains me to make this kind of a decision because we are going down a path we are not sure about. There is one thing I am sure about. I for one cannot permit the killing to take place, the barbarism to continue, without speaking out against it in a way that has significance.

I yield the floor.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I wish to say to my distinguished colleague from New Jersey that was a very powerful statement, and I hope it can be clearly understood and accepted by all. I certainly join him in his observation and very much respect his support of this important measure now before the Senate.

Mr. President, it is my understanding that would consume all the time under the control of the majority leader.

The PRESIDING OFFICER. The time under the control of the majority leader has been consumed.

Mr. WARNER. I yield the floor.

Mr. LIEBERMAN addressed the Chair.

The PRESIDING OFFICER (Mr. SHELBY). The Senator from Connecticut.

Mr. LIEBERMAN. Noting the absence in the Chamber of any colleagues wishing to speak on the other side, I rise to say a few words with the understanding that as soon as or even before I see someone else who wishes to speak, I will yield the floor.

Mr. President, this has been, since we began it yesterday afternoon at 2:15 p.m., a very important, very serious, very heartfelt debate, and I thank my colleagues for, no matter which side they are on, appreciating the seriousness of what we are doing here and for reflecting that seriousness in their remarks.

I just want to say a few words in closing. Of course, Senator DOLE will speak in leader's time a little bit later.

No matter what any of those in opposition to the proposal that Senator DOLE and I and others of both parties have made, no matter what arguments have been made—that it would cause bloodshed, it would Americanize the war, it would do offense to our allies, all of which arguments I feel we have rebutted—one thing stands out. No one has come to the floor of this Senate to say that the arms embargo is justified or should stay in place. No one has supported the arms embargo. Everyone who has said they will be voting against our measure to lift the arms embargo will do so because of their fear of what might happen—the war might be widened; it does not give a proper opportunity for the London communique, as flawed as Senator WARNER and I indicated we believed it was earlier in the morning, or did not give time for the London communique to go into effect. But I have not heard anyone come here and justify the arms embargo, because it is unjustifiable.

As Senator MOYNIHAN said, in what might be called an articulation of a natural rights theory of international law, quite valid, to suggest that this is a right of self-defense that must be granted or can be taken away by an international body is wrong. It is conveyed as a right under the charter of the United Nations. I would say under any theory of natural rights that people have individually or acting collectively. Again, remember that it was imposed in 1991 on Yugoslavia, which no longer exists, on the premise that it might help stop a war from breaking out because it would keep weapons from pouring into that area, encouraged—in fact, requested by Milosevic in Belgrade. Why? Because he knew he had a monopoly of the weapons and munitions, supported by a well-meaning world. But what was its justification to support it after war broke out, and after the Serbs invaded Slovenia, Croatia, Bosnia and began to kill and remove from their homes hundreds of thousands of people, millions of refugees? This is an illegal act. It is an immoral act, and has consequences on the victims. And it is invalid.

Some have said if we lift this arms embargo, what about the other international policies of sanctions against Iran and Iraq and Libya? Is any Member of the Chamber prepared to compare the behavior of Iran to that of the Bosnian people or Libya to Bosnia or Iraq to Bosnia? And in every other one of those cases, those nations violated international law, international norms. The Bosnians have done no such thing. And they have been the victims of this embargo. Just think if anyone stood up today, the embargo had not been in effect since 1991, and proposed an arms embargo on the nations in the former Yugoslavia, no one would support it. It is so self-evidently unfair, and unfortunately in its consequences brutally deadly.

So, I take some heart from the fact that the opposition to the proposal that we have made to lift the arms embargo has not featured anyone saying that the embargo was or is justified in their feature arguments of what might happen if the embargo was lifted.

Does the Senator from North Dakota wish to speak?

Mr. DORGAN. Let me, Mr. President, if I might. I would like the ask the Senator from Connecticut to yield for a question.

Mr. LIEBERMAN. I would be glad to.

Mr. DORGAN. I have been enormously torn by this issue. Much of what the Senator from Connecticut and the Senator from Kansas and others have expressed on the floor is real anguish. There is real anguish about, I think, a moral problem confronting the world with respect to what is happening in the Balkans. I know there has been a lot of criticism on the floor that the current policy does not work, the President does not have a policy, and so on.

Frankly, I have not heard anyone else on the floor express what policy they would work in the Balkans. This resolution, as I understand it, is a policy that simply says lift the arms embargo. That is not, of course, a policy to end the war. It is a policy, as the Senator from Connecticut describes, to try to even the odds. But to those who say there is no policy, I would say that I am very anxious to hear, what do they think will solve this problem in the Balkans?

What is happening there is grotesque. Unspeakable horrors are being visited upon innocent civilians. I read yesterday of Dutch observers, Dutch soldiers coming back who describe what is happening. And there are other reports from reputable sources. What is being visited upon the Bosnian Moslems can only be described as a horror. And we must care about that and deal with it and respond to it.

Yet I would ask the Senator this question. Here is what troubles me. We have not—the United States—put U.S. troops on the ground in the Balkans. I do not think we should. And I would not support us doing so. But other countries have. The British have. The French have. The Ukrainians have. The Dutch have. Other countries have put their troops on the ground in harm's way in that region.

It troubles me at this point for us, who have not put troops on the ground, and I do not think we should, to say to those countries who have, that we do not care what you think about the proper policy in Bosnia. This bill tells our allies that we do not care that you believe the arms embargo ought to continue. We will decide unilaterally that the arms embargo should not continue. That is what I am torn by. That is what I am troubled by.

Other countries have made a troop commitment on the ground. And they

still say they believe that we ought to act together on lifting the embargo. And they are not yet willing, as I understand it, to decide that the arms embargo ought to be lifted.

I wonder if the Senator could respond to this general question. How does one look at what our allies have done, that we have not done, and then respond that we can unilaterally decide on an arms embargo without caring what their position is?

Mr. LIEBERMAN. Mr. President, I thank my friend and colleague from North Dakota. Actually, I have watched him as he has been listening to this debate. I have seen, because I know him, his own struggling and anguish about this. And I respect the seriousness with which he has gone out, and the sincerity and the relevance of the questions that he asks now.

Let me answer the two questions. In the first place, what is the policy? Who can offer a policy that will do any better than what is happened now? I will say to my friend, the policy that the Western World and the world has followed up until now, which is to send the United Nations into what I consider to be a mission impossible, to keep the peace where there was only war has not worked.

The London communique raised some hope that it might begin to work if the allies can get together and use their air power to give some meaning to the word ''safe'' as applied to safe areas. Right now they are the furthest things from safe. Combined with that the very weak and confused U.N. presence, the continued arms embargo, that has been the policy up until now.

I judge that to be a failure. It has not stopped Serbian aggression and not stopped the suffering of the Bosnian people and it has done terrible damage to the credibility of the United Nations, NATO, and unfortunately the United States.

The alternative policy, the preferable policy, which is in part implemented by the proposal that we will vote on in awhile, is the so-called lift-and-strike policy that in fact President Clinton adopted in the 1992 campaign and carried with him into 1993 and to the Presidency. He was frustrated in his desire to implement that lift-and-strike policy in the spring of 1993 when our allies in Europe refused to go along.

So what we are asking in putting this proposal here is to begin to finally, though the hour is late and ever more difficult in Bosnia, to implement the lift-and-strike policy. Lifting through this action and striking hopefully through the broadening of the measures agreed to and the toughening of the measures agreed to in the London communique.

Mr. DORGAN. If I might ask a question about that point. That suggests somehow that the strategy of dealing with the conflict in Bosnia is to rely on air power. And I tell you, I have been in meetings where Colin Powell, when he was Chairman of the Joint Chiefs of Staff, and others described for us how air power might be used in the Balkans. It is a much different circumstance than using air power in the desert, where folks would run their tanks out into the middle of the open desert and we would send airplanes over to bomb the tanks. I wonder whether the Senator believes that air power eventually is what is going to resolve the conflict in the Balkans?

Mr. LIEBERMAN. No. I agree with Senators and others who have spoken that air power can help but never decide the conflict. But when combined with the considerable Bosnian military force on the ground, finally fully armed, I think it is a winning combination.

I say to my friend I note the presence on the floor of the Senator from Georgia. I do not want to impinge on his time. I would simply answer the second question raised about the troops on the ground and the allied nations that I hope that the U.N. mission can be fortified as a result of the London communique. I am doubtful based on the conflicting messages that have come out of late, but it does seem to me the lifting of the embargo does stand separately because it is an illegal and invalid act and it can stand alongside the continued presence of the U.N. troops.

However, responding to concerns expressed, I think appropriately, by the Senator from Georgia and others, Senator DOLE and I made a substantial change in the proposal to lift the arms embargo from the measure we introduced last year to say the embargo would not be lifted until the allies on the ground had the chance to exit if, in fact, they chose to exit.

I will say finally, as the Senator from North Dakota considers how to vote, it seems to me—and I must say of all the reasons given for voting against our proposal, the one that has most profoundly troubled me is the suggestion that it would cause more bloodshed. Here I think we owe it to the victims, those who have shed their blood, to listen to them and not to make a paternalistic judgment for them about what may be better for them. They are the ones who have suffered.

I close, finally, with words from a letter of Prime Minister Silajdzic of Bosnia, who 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.

I thank the Chair and yield the floor.

Mr. NUNN. Mr. President, I do not want to interrupt my friend from Connecticut. I do want to get started on my remarks. I understand I have 20 minutes.

The PRESIDING OFFICER. A little under 20 minutes.

AMENDMENT NO. 1848

Mr. NUNN. Mr. President, I would like to begin my remarks by briefly reviewing the history of the Bosnian debate that has taken place in the Senate not over the last 3 or 4 years, but over the last 12 months.

As most Senators will recall, last July during the consideration of Department of Defense Authorization Act for fiscal year 1995, the Senate debated two competing amendments. One, sponsored by Senators DOLE and LIEBERMAN, would have unilaterally lifted the arms embargo upon the request of the Bosnian Government. The other, sponsored by Senator Mitchell and me, expressed the sense of Congress that there should be a multilateral lift of the arms embargo.

I know it has been pointed out, but the Dole-Lieberman amendment we now have before us is not a lift-first-then-leave policy; it is a leave-first-and-then-lift policy, and that point needs to be emphasized. This is not the same Dole-Lieberman amendment we had last year.

The Dole-Lieberman amendment last year failed on a 50 to 50 vote, and the Mitchell-Nunn amendment was adopted on a vote of 52–48. Later, on the Department of Defense appropriations bill, another vote was taken, and the Dole amendment was adopted and the Mitchell-Nunn amendment was adopted again.

During the House-Senate conference on the authorization bill, with both of these amendments on the authorization bill, the House bill had a unilateral lift provision that passed by a significant margin in the House. The Senate bill had the Mitchell-Nunn provision I already described. The compromise provision, worked out during conference, stated as general United States policy that the United States should exercise leadership within the international community to cause the Bosnian Serbs to accept the contact group proposal. It also called for such leadership to be taken on three separate, but complementary tracks, as follows, and these are important as background for this vote today:

First, there was an international track policy that if the Bosnian Serbs did not accept the contact group's peace proposal by October 15, 1994, the President should formally introduce and support a resolution within the U.N. Security Council to lift the Bosnian arms embargo multilaterally. The provision was not mandatory because the President wrote to the conferees committing his administration to introduce and support such a resolution in the Security Council. The administration did as they committed they would do to the conferees, but they did not press the resolution to a vote because they determined that it would not pass.

The second part of the provision in that authorization bill, a compromise between the House and Senate, was a

unilateral U.S. policy track. It provided that if the U.N. Security Council did not lift the Bosnian arms embargo, then, first, no funds could be used to enforce the arms embargo on the Bosnian Government other than as required of all U.N. member states, and that has been the law since last year. We have not been enforcing the embargo according to the law. We have been respecting it, not enforcing it, with our money and with our forces.

Second, the President shall submit a plan to and consult with the Congress on the manner in which U.S. Armed Forces and the forces of friendly states would provide training to the Bosnian army outside Bosnia.

And, third, the President should submit a plan to consult with the Congress regarding the unilateral termination of the Bosnian arms embargo and the implications thereof.

The third and final part of last year's authorization bill, which I think perhaps was its most relevant part to where we are now, was an interim policy track. It provided that if the Bosnian Serbs attacked any safe areas, the President should promptly, formally introduce and support in the U.N. Security Council a resolution that selectively lifts the Bosnian arms embargo in order to allow the provision of defensive weapons, such as antitank weapons, counter-battery radars and mortars, to enable the Bosnian Government to defend the safe areas.

Mr. President, to my knowledge, the Clinton administration did not introduce a resolution in the U.N. Security Council to selectively lift the Bosnian arms embargo when the Bosnian Serbs attacked and overran the safe areas just recently. I consider it unconscionable for the United Nations protected safe areas to be overrun, with the Bosnian defenders being unable to defend because they are denied defensive weapons, and the United Nations is unwilling or unable to defend these safe areas. We declared that policy last year in the authorization bill. We gave the President congressional instructions, short of a mandate, but instructions as to what should be done. It has not been done.

The United States, our allies, and the United Nations have reached the point in Bosnia of making a fundamental change in policy or beginning to withdraw. A continuation of the present policy is a prescription for continued tragedy on the ground in Bosnia and continued erosion of U.N., NATO, and United States credibility in Europe and throughout the world.

The Clinton administration favors the continued presence of the U.N. forces in Bosnia, as well as a vigorous use of NATO air power to save the remaining safe areas. But a number of fundamental questions about this strategy remain unanswered.

First, have our NATO allies truly signed on to a substantial and decisive use of air power, hitting lucrative targets, if Gorazde is attacked?

Second, is NATO willing to continue its air attacks as required, even if hostages are taken or the Serbs begin killing substantial numbers of U.N. personnel?

Third, are we protecting only Gorazde or are other safe areas included? If not, what does the term ''U.N. safe area'' mean at this point in time when two have fallen and only one is clearly designated as being protected? Will the United Nations divide safe areas into three classes—fallen safe areas, about-to-fall safe areas and safe-safe areas? It appears that is taking place.

Fourth, does the so-called dual-key arrangement remain in effect? This morning's New York Times reports from Brussels that British and French officials in NATO really do not want the United Nations to give up its dual key. If accurate, this would directly contradict the administration's understanding and explanation of the London conference.

Fifth, if NATO and the United Nations really intend vigorous airstrikes, why are U.N. personnel not being moved out of harm's way, both as a protective measure and as an indication of the dead seriousness of NATO's new resolve?

Sixth, if there is an allied diplomatic strategy to go along with its London policy, what is it? I have not seen it.

Will the United States continue to insist on a just settlement—I put those words in quotes because they have been used so many times in both editorials and in debate—insist on a just settlement to the conflict, but also remain unwilling to commit American resources for a just settlement and remain unwilling to admit that there will never be a just settlement unless the United Nations and NATO are willing to impose it by force?

That question is not simply for the administration, but for many in Congress, for many in the news media that keep talking about a just settlement but never, ever, complete the logic that it requires the use of force to impose it. Otherwise, it is not going to happen. And the use of force is most likely going to have to be outside force, including U.S. force.

Mr. President, these open questions make it clear to me that the United Nations, the NATO policy, and the U.S. Government altogether have no coherent strategy regarding Bosnia.

To many Members of Congress, the Dole-Lieberman proposal is more attractive than the current policy, primarily because it has not yet been tried and tested. This proposal also is far from complete or coherent. It has taken on a very large and, I believe, exaggerated significance, both by its supporters and by its critics, and many of its critics continue to describe it as it was last year without acknowledging it has changed.

A number of key questions are not answered or even acknowledged by the Dole-Lieberman proposal that we will vote on this afternoon. I will add quickly, that both Senators DOLE and LIEBERMAN have addressed some of these policies in their oral statements.

Most of these are not in any way part of this deliberation, because they are not going to be voted on. It is not in the proposal.

First, there is a large question that must be answered by the supporters of the Dole-Lieberman proposal, which encourages U.N. withdrawal—and when we vote on it today, that is what we will be doing. We will not mandate. We will be encouraging it. We will be giving an incentive.

Are the supporters prepared to back President Clinton's public commitment and private commitment to assist in the U.N. withdrawal with U.S. ground forces, if required? We are calling for the withdrawal. The President has said we will help the withdrawal, if it takes place, with ground forces, if necessary.

But we ignore that question. We act like it does not exist. We act like that is not even part of the equation, if we can simply vote on the part we like here—lifting—but not face the implications of the part we do not like; that is, U.S. ground forces committed. The Dole-Lieberman proposal's silence on this point, I am afraid, speaks loudly to the world.

Second, will the United States furnish equipment like artillery, tanks, and antitank weapons when the embargo is lifted? If we will not do it directly, will we help facilitate that delivery? Will the allies also lift the embargo? If they continue the embargo, will we forcibly break the embargo by delivering equipment? Will Russia unilaterally lift its embargo on Serbia, as it has said it will do over and over again? If that is the case, will there be a net gain for the Bosnian Government?

Third, and perhaps more importantly, will the United States help train the Bosnian forces, or at least help facilitate the training? Training is needed more than equipment. Equipment is part of the equation, and an important part, but training is sadly lacking. It has to take place. Someone has to do it. When will it take place? Where will it take place? Who will do it? Will the United States help?

Silence on this key set of questions is what we have, and what we will be voting on. Silence.

Fourth, do the authors of the Dole-Lieberman amendment envision defensive or offensive equipment flowing to Bosnia, or both? Understandably but unfortunately, in order to secure votes for passage of the Dole-Lieberman amendment, it addresses these key questions—training, supplies, equipment—it addresses these key questions only by silence, plus one paragraph. That is a negative paragraph on page 5, section 4(e) which states as follows:

> 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 what this says. We are not going to help them with training. We are not going to help them with equipment. We have no authorization. We will not let any American forces on the ground. All of this somehow wondrously is supposed to take place.

Fifth, considering the implication of this paragraph, who will provide close air support to protect the few remaining safe areas when the U.N. forces begin pulling out, as envisioned by the Dole-Lieberman bill? Who will have the forward air observers on the ground to designate targets for our aircraft if the United States conducts airstrikes to protect against Bosnian Serb offensives? And as the United Nations starts pulling out—and it will take anywhere from 7 weeks to 22 weeks—and the Bosnian Serbs go on the offensive, and there are no close air observers there plugged in, with training, with NATO equipment, how are we going to have airstrikes that go after targets unless they are fixed targets? We can go after fixed targets, but what about the moving targets? Believe me, those on the attack will be moving. Will we ask for British and French to provide the protection while the United Nations is pulling out prior to the lifting of the embargo and the necessary weeks of training of the Bosnian forces?

Again, these are unanswered questions.

Mr. President, I feel the Senate is faced with a choice between two incoherent policies. In these circumstances, our Nation would be better off if we made impassioned speeches and avoided passing a law.

The Dole-Lieberman amendment does not face up to the reality of the situation on the ground where the Bosnian Serbs occupy between 70 and 80 percent of the territory in Bosnia and have a decided advantage in heavy weapons.

Mr. President, I pointed out many flaws with the current policy and with the Dole-Lieberman proposal. Even with these flaws, however, in the legislative proposal, the Dole-Lieberman bill is much improved over the earlier provisions.

It has been mischaracterized by the administration, our allies, and the U.S. press. Yes, it requires a unilateral lifting of the Bosnian arms embargo, but it does so only after the U.N. forces are withdrawn from Bosnia. It does not mandate that UNPROFOR withdraw from Bosnia. It places a responsibility upon the Government of Bosnia to make the difficult choice of requesting that the United Nations withdraw its forces, with all the attendant consequences, including the loss of humanitarian relief supplies, of such a withdrawal.

This is not going to be an easy decision for the Bosnian Government.

The Rapid Reaction Force, consisting of our French, British, and Dutch allies, has deployed to the Sarajevo area with the intention of countering Bosnian Serb attacks on U.N. forces there, including those U.N. forces who are escorting humanitarian relief convoys.

NATO is apparently determined to conduct robust air action to counter the Bosnian Serbs' attack on Gorazde, a determination that will hopefully be extended to other safe areas, Bihac and others, if necessary.

If these actions are carried out successfully, and if this bill is ultimately enacted into law, the Bosnian Government will be faced with a very difficult decision, a difficult decision that I do not believe we can predict with certainty.

One choice they will have is to keep the United Nations in Bosnia, which means a continuation of the effort to protect the flow of humanitarian relief supplies to the Bosnian people and some degree of protection for at least the safe area of Gorazde and perhaps Sarajevo.

The other choice the Bosnian Government will face is to have the U.N. forces withdrawn and have the arms embargo lifted by the United States after the U.N. forces are out of Bosnia, which may —I say may—result in their acquiring more heavy arms and equipment and may result in a continuation of air defense and airstrikes by the United States or some other nation.

Mr. President, there have been assertions over the last week or so that various actions will Americanize the conflict in Bosnia. I think those who say that about either the current policy or the Dole-Lieberman amendment are accurate. In my view, with either policy choice we are given today, there is a danger that the conflict will increasingly be Americanized.

Mr. President, neither the current policy of the United Nations and NATO, nor the Dole-Lieberman approach, in my view, are coherent policies.

The administration has worked diligently in the last few days to bring about change in the current policy in Bosnia. It has fallen short of the mark.

Mr. President, the United States, our allies, and the United Nations have reached a critical juncture in Bosnia. I believe that the actions of UNPROFOR, particularly the actions of the Rapid Reaction Force to ensure the delivery of humanitarian relief supplies to the people of Sarajevo, and the actions of NATO to deter or, if necessary, repel attacks on Gorazde, and hopefully the other remaining safe areas, will in the final analysis, determine the outcome of the Dole-Lieberman amendment. Not only the outcome as to whether it becomes law, but what happens if it does become law, and what the Bosnian Government does when the ball is in its court.

When this bill passes, it will probably be accepted by the House of Representatives and sent to the President in the next few days. The President will undoubtedly, as he said, veto the Dole-Lieberman bill, and Congress will vote whether to override the President's veto.

Mr. President, in spite of its flaws, I will vote for the Dole-Lieberman bill today even with all of its defects, as a way of expressing my strong feeling on two key points: First, the current U.N.–NATO policy in Bosnia is a failure and, without dramatic change, will continue to erode the credibility of the NATO alliance and the United States worldwide; second, the ability of the Bosnian Serbs to overrun the so-called safe areas without the United Nations taking decisive steps to prevent that, and the commission of unlawful acts in capturing the safe areas and in mistreating innocent civilians by the thousands clearly demonstrate that the continuation of the arms embargo is both untenable, immoral and unjustified.

Mr. President, this embargo should be lifted the way it was imposed—multilaterally, and, in the final analysis, unilaterally, if absolutely necessary. It is my hope that the Nunn amendment, which will express that order of priorities, will pass when it is voted on in a few minutes, because it makes it clear that even though the odds are against the Security Council lifting the embargo multilaterally, we ought to at least try to get it lifted multilaterally before we do so unilaterally. Otherwise, we will truly meet ourselves coming back, in terms of our embargo on Iraq, Libya, and perhaps other places in the world as events unfold.

Mr. President, I believe that, even after this bill passes and after it goes to the President and after it is vetoed, if it is, I believe that all of us—whichever side of this argument we are on or where we have been—need to carefully review the developments on the ground in Bosnia, and particularly the performance of the United Nations and NATO in the coming days.

I will decide and I will cast my vote on the inevitable question of overriding the President's veto, based upon these events that will unfold.

Mr. President, I yield back any remaining time.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I certainly wish to express to my good friend and colleague of these many years my own appreciation for his supporting the underlying measure by the distinguished majority leader and the Senator from Connecticut. The Senator from Georgia and I have worked in this arena for many, many years together. I have always had a profound respect for his ability to get right to the heart of an issue and to express, irrespective of politics or partisan issues, what he thinks is in the best interests of the country. Again, I appreciate his joining here today.

I would like to see if I could clarify one part of my colleague's remarks. He addressed the rapid reaction force,

which today is reported to be taking positions in the Sarajevo area. If I understood the Senator, he felt how they carried out that mission might well have a very strong bearing on the future of this legislation.

Mr. NUNN. That mission, as well as protecting the other safe areas as designated, as well as enforcing the other mandates that have thus far been rather ineffectively enforced; not solely that issue but including that issue.

Mr. WARNER. But as I look through the press reports and other information that is available to the Senate, it is not clear to me the extent to which those rapid reaction forces augmenting the UNPROFOR forces in Sarajevo will be used for any mission other than protecting the UNPROFOR forces in the carrying out of the mission, namely of delivering food, medicine, and the like to that area.

Is it the Senator's understanding that they would participate in the protection of the civilians if it is unrelated to the mission of UNPROFOR?

Mr. NUNN. I say to my friend from Virginia, I am not clear on that point. I do not know that there is a clear policy.

Obviously, if you keep the road open, as those forces are pledged to do, that helps the humanitarian mission of getting the supplies through. Whether they would respond to artillery shelling of the city if it does not hit U.N. personnel, I do not have an answer to that. It seems to me, when you have a safe haven and that safe haven is being grossly violated, if it means anything at all it ought to be enforced. But I do not have the knowledge to speak to what their intention is at this point in time.

Obviously, the United States does not have forces there and this would be a decision made by the United Nations and by our allies who have forces on the ground.

Mr. WARNER. Mr. President, that is my understanding, that it is certainly unclear at this point in time the extent to which they would engage in retaliating or defending or whatever word you wish to use, against these prolonged, continuous attacks on the Bosnian Serbs. I just hope the Senate, indeed others following this debate worldwide, do not attach too much significance to the presence of those rapid reaction forces until such time as we have a much clearer idea as to their mission and their capabilities of carrying out that mission.

This is a relatively small number of combat arms that are being placed in that area by the rapid reaction forces; in comparison to the order of battle, after the Bosnian Serbs.

Mr. NUNN. I say to my friend from Virginia, he may be right on that. I think we will have to wait and see how the events unfold.

Mr. THURMOND. Mr. President, I rise in support of the Nunn amendment to the Dole-Lieberman substitute to S. 21. The Nunn amendment recognizes that it is the Bosnian Serbs who have rejected the agreement reached by the contact group. The amendment also places the responsibility of seeking a multilateral lift of the arms embargo on the administration. Failing an agreement of the U.N. Security Council to multilaterally lift the arms embargo, the United States has no alternative but to unilaterally lift the arms embargo, pending a withdrawal of UNPROFOR.

The PRESIDING OFFICER. The Democratic leader is recognized for 10 minutes.

Mr. DASCHLE. Mr. President, we are about to vote, and I would like, simply, to summarize, as best I can, the situation as many of us understand it to be this afternoon.

As we begin, I think there is much about which there is complete agreement. We all agree that the current situation is horrifying—the ethnic cleansing, the violence, the violation of human rights, pictures on television, all of which we believe we simply should not tolerate. We all agree that the status quo is untenable. Zepa fell yesterday, and there continues to be Serbian aggression in areas throughout Bosnia that we are simply unwilling to accept. We all agree that lifting the embargo is desirable. And we agree that the Bosnians ought to be able to defend themselves. We agree on all of those points. I do not think there is a Senator in the Chamber who would disagree on any of that.

The issue before us is not a question of if we lift the embargo, but how. How do we lift it so we can enable the Bosnians to fight for themselves but protect our other vital United States interests as well? That is the issue.

We have a number of specific questions relating to this embargo that go beyond enabling the Bosnians to help themselves, and on that issue, the question of how we keep in balance, in proper perspective, all of these various aspects of the decision. I am afraid our decisions are being driven as much by emotions as they are by the facts, as they are by the cool consideration of the consequences of lifting the embargo unilaterally this afternoon.

That is understandable. We see the Serbian atrocities and we want to respond. We see a one-sided war spreading day by day, and by all that is right we want to scream, ''Enough. Enough.'' We want to be able to help in some way, because all too often countries have stood by while atrocities of this kind have been perpetrated. And we want no part of that.

We are united by that outrage, by that contempt. We are united by the resolve to do something more. And I understand that, as does every Senator in the Chamber this afternoon.

What divides us, what really divides us, is how best to transform resolve into action. Really, the question is, as we try to come to some agreement as to what our action ought to be—the question is, do we give NATO and the United Nations one more chance to succeed? Do we give them one more chance to act to stop Serb aggression before we lift the embargo? Or must we lift it right now, unilaterally?

The President has made himself very clear. The President has urged us to give our united efforts that chance. The President has urged us to recognize the purpose of our alliances, to demonstrate our commitment to multilateral efforts. How many times have we said to the United Nations and to other members of the world community: We need your help. We need your cooperation. We need your participation?

How many times did we send people to Britain and to France and to countries all over the world during the Persian Gulf war saying, ''Help us, this is a united effort''? How many times did we go to other countries and say, ''We have to put some constraints on Libya, or on Cuba''? And will we, at some point in the future, go to our allies and say, ''We need your help with North Korea, with China''?

That is what the President is asking us to bear in mind as we make the decision we must this afternoon. The choice is clear. Recognizing our desire to lift the embargo, do we give this effort another chance, recognizing that progress has been made in the last few days? Recognizing that, at some point, time does run out, do we allow them the opportunity to demonstrate, with whatever resolve we can muster, that in the remaining weeks before winter sets in that we use all of the muscle, all of the force, all of the resolve that we in a united way can muster, or face the consequences of unilateral action which could lead this country to great peril and, frankly, to very disturbing precedents?

A unilateral lift means in large measure unilateral responsibility. A unilateral lift means accelerated deployment of U.S. forces, and on that there can be no question. If we lift, they leave. If we lift, we help them leave. If we lift, we are there, and the action spreads. And then what? A unilateral lift means the possibility of the disintegration of NATO.

What do we tell our NATO allies, that this organization, which has stood now for 50 years—ironically we celebrated that anniversary this year—what do we tell them the next time they come to us or we go to them? ''Well, as long as everything is going OK, as long as it is comfortable for us, we will join you. But, you know, if things get rough, if we disagree with you, we have the right to say NATO does not matter anymore. NATO is not going to be an alliance. We are going to pick and choose for ourselves whether or not and when we want to be involved in NATO.''

Do we really want to send that message to our NATO allies? Do we really want to say NATO does not count? Do we really want to suffer the consequences of a disintegrated NATO

with all that is going on in Europe today?

A unilateral lift means the demise of other multilateral embargoes. Let there be no mistake about that either. I do not know how we tell our allies we still need them in the Persian Gulf, we still need them in Libya, and, by the way, we do not want you to send anything to Cuba. How do we say that with a straight face, Mr. President?

A unilateral lift could dramatically undermine our President and this country's credibility. If we roll over the President this afternoon, then what? ''Go out there, Mr. President. We are united, Democrats and Republicans. We want you, as the Commander in Chief and as the articulator of foreign policy, to go do your thing. We are just going to roll over you when we decide we do not like what you are doing.''

What kind of standing is this country going to have with all of the world? We have one President at a time. We have one Commander in Chief at a time. We have a State Department that we delegate responsibility to, to create foreign policy.

A unilateral lift, Mr. President, unfortunately may not even work; arms may not even get through. We are talking here about 3 months before anything actually reaches Bosnia. That assumes that we can get through Croatia, that the Croatian ports will be open, that the lines will be available to us. It means that somehow we have all that worked out but our allies, after we have ignored their pleas, are going to agree to end the embargo and allow our supplies to get through into Bosnia.

Then, what if arms are not enough? What if our allies have gone? What happens then, Mr. President? What happens when we find out 6, 8 months from now that this did not work, and our allies are gone and the horrific acts that we see on television right now are continuing? What happens then when the Bosnians come to us and say, ''We need your help; you have seen what we have seen on television, and we cannot tolerate this.''?

Will we send troops to stop the spread of the war to Macedonia or Kosovo, or, God forbid, Turkey or Greece? What then? Are we still going to make these courageous speeches about how horrifying and difficult it is for the Bosnians? Will we be willing then to rush to their support?

Mr. President, this is not a time to divorce ourselves from a united effort. Let us make a decision based upon what comes not only from our hearts but from our efforts as well. Let us vote ''no'' on this resolution.

I yield the floor.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. DOLE. How much time remains?

The PRESIDING OFFICER. Ten minutes.

Mr. DOLE. Mr. President, as I understood last night we had about 15 minutes. I would be happy to yield 5 minutes to the Senator from Connecticut, Senator LIEBERMAN.

Mr. President, I have listened with great care to the distinguished Democratic leader, and I have a lot of respect for him. But I do not think the world is going to collapse if we do the right thing. That is what it is all about. NATO is going to collapse? Our allies are going to leave us? They are not going to leave us. We are the leader of the free world. But we have not acted like it in this instance. But we are. We did not act like it in the last administration—but we are—when it came to Bosnia.

So I am not as troubled about the world coming apart here, now, if the Senate does what it should have done months and months ago, and maybe a couple of years ago. This is not about rolling over the President. This is about the Senate of the United States. It is about Republicans and Democrats with a shared common view—and some on each side, I might add.

I believe we do not have many opportunities like this to sort of turn away from the historic failure and chart a new path for America. It does not have to do with the U.S. Senate. And I know it is a difficult vote for my colleagues on the other side with a President of their party. And I commend those who have stood up and said, ''We are going to do the right thing.''

This is not politics. This is not about President Clinton or President Bush or anybody in the Senate. It is not the Dole amendment or the Lieberman amendment. This is a message from the U.S. Senate, supported, I might say, by dozens and dozens of groups all across America. And without reading all the groups, the Action Council for Peace in the Balkans, Americans for Saving Bosnia, America Council for Public Affairs, American Jewish Conference, American Muslim Council, American Task Force on Bosnia, and on and on it goes.

Then the Action Council for Peace in the Balkans, represented by outstanding Americans, Democrats and Republicans, Morris Abrams, Frank Carlucci, Hodding Carter, Max Kampelman, Frank Fahrenkoph, Richard Burt, Zbigniew Brzezinski, Jeane Kirkpatrick, and that list goes on and on. Albert Wohlstetter, Paul Wolfowitz, John Silber, Albert Shanker—Democrats and Republicans, conservatives and liberals, who I guess believe the people have a right to defend themselves, even if they are a little, tiny country with no lobbyist running around the Congress. They will not be affected by what we did yesterday on lobbying reform. They do not have any.

We get long-distance calls, overseas calls, from the prime minister and the foreign minister, and they called yesterday. And as they were calling, they were telling us that Zepa was about to fall, and it did.

So it seems to me that what we ought to be doing here is the very responsible, right thing—a nonpartisan, nonpolitical, bipartisan message to the world, not just to Bosnia—that if you are an independent nation, if you are a member of the United Nations, as the Senator from New York so eloquently stated yesterday, you have a right to self-defense. You do not have a right to American troops. You do not have a right to American air power. You do not have a right to American anything. But you have a right to self-defense. And that is what this debate is all about.

We are a big country. They are a small country. And I guess it would be good if Bosnia would just go away. If they would just surrender, our problems would end for a while until somebody starts writing the history of this era.

It would be a stain on the West, almost. Well, maybe not almost. It would recall previous stains on the West when we stood by and watched the genocide in World War II.

Call it ethnic cleansing, call it anything you want. The Senator from Massachusetts, Senator KERRY, said we are going to abandon Bosnia. We are not going to abandon Bosnia. We are going to do what we have been told by their elected officials they want us to do, lift the arms embargo.

And again, I know that things do change. But I remember in 1992, candidate Clinton said lift the arms embargo and have air strikes; let us provide some leadership, he was saying to President Bush, who was fairly quiet on this issue himself. Lift the arms embargo. And I remember going to meetings at the White House in, I think, April and May of 1993. It was all for that purpose. The President was for it. The Vice President was for it. This Senator was for it. But I must say, there was a mixed group there, as we do have from time to time. We get mixed advice. The President got mixed advice that said: Do not do it; do not get involved.

This is an immoral and unjust policy that we have in effect now. They ought to take away the key from Boutros Boutros-Ghali, lock the door and throw away the key as far as he is concerned. They are not even certain yet; they are still debating whether or not we have the dual-key approach, whether anything can ever be done by NATO without U.N. approval. I think NATO is in difficulty because nobody can find a mission. Without a mission, why are they there? And they are troubled by this. I have been there. I have talked to them. And I have heard them all tell us the same thing: Do not lift the arms embargo. The U.N. protection forces are doing the best they can.

And they are, and they should be commended. Some have lost their lives. They are our friends and they are our allies. But we are the leader of the free world. We cannot abdicate that responsibility. We cannot abdicate that leadership and say, well, not this time; we want to pass on Bosnia. This is a

European problem. So we go along with the Europeans until it fails.

They tell all the Bosnians we are going to have these six nice safe havens for you. You give up your heavy equipment. You are not going to need it. This is safe.

So they give up their heavy equipment. Now they have rifles to fire against tanks and artillery weapons. And how many safe havens is it going to take to get anybody's attention? How many are going to fall? Two already, two more in danger, Sarajevo and Bihac. How many more—all? Four? Five? Six? And then suddenly we recognize that this must be a failed policy?

We have had a lot of activity in London and Brussels. We have had a lot of pounding the table and demanding the Serbs do this and do that, and they did it. They just took another safe haven. They are scared to death.

I was asked on a program last evening, and I do not mean it to sound like this, but I think the person asked the question, well, they are not killing as many people now so there must be something good coming out of it. And maybe the killing has been reduced as far as numbers. There were only 630 casualties in July, 130 killed. An average of 4 or 5 are killed daily, 12 and 15 are wounded, and last weekend 7 children were killed.

Now, does that mean we have to rush in and help everyone because we are the world's policeman? Absolutely not. But it seems to me—and I am not an expert in foreign policy—that this country ought to have a right through its elected leaders to say to us: It is time to go, U.N. protection forces. When they leave, lift the arms embargo and let us defend ourselves.

It always seemed to me that was sort of a basic right, an inherent right that all Americans enjoyed, and all Americans would defend somebody else's right to defend themselves or some nation's right to defend itself. And suddenly it is all mixed up.

The House, by a vote of 3 to 1, has sent the world a message. I know it is tough for the British, and it is tough for the French. I have talked to the Prime Minister, and I have talked to the President of France. They are our allies, and they are our friends. We have been their friends in tough, tough times, and we have provided the manpower and the money and the weapons.

Now, there have been a lot of efforts to muddy the waters and say, boy, if you do this, you are going to Americanize the war.

That is one I cannot fathom. I have talked to Senator MCCAIN about it. I do not know how you Americanize the war. If you withdraw the protection forces and lift the arms embargo, the Democratic leader said as sure as that happens, there are going to be American troops there.

Who said so? I assume the President would come to Congress. They are not asking us to die for Bosnia. They are asking us to give them a chance to defend themselves and they will do the dying for their country. They are not asking for American ground troops. Oh, they would like some air cover, but they are not even asking for that.

The amendment before us is very important. This amendment does not prohibit United States assistance to Bosnia, military or financial. I would say, since Soviet-style weaponry is the preponderance of what the Bosnians use, certainly we would not be providing the bulk of the arms. I think we can find some consensus if we pass this resolution and if a veto is overridden.

This amendment also does not prevent the United States from seeking a multilateral lifting of the arms embargo in the U.N. Security Council. I do not happen to believe that the amendment by the Senator from Georgia is necessary. I know he has offered it in good faith, just as he did offer an amendment last August in good faith, but I do not believe it is necessary. I do not think it detracts much from the resolution. It does not add much to the resolution.

On August 10, 1994, President Clinton sent a letter to the distinguished Senator from Georgia which stated:

> I am writing to reaffirm my administration's support for lifting the international arms embargo on Bosnia and Herzegovina . . . It has been my long-held view that the arms embargo has unfairly and unintentionally penalized the victim in this conflict, and the Security Council should act to remedy this injustice.

That was President Clinton's statement a year ago about lifting the arms embargo. The letter goes on to state:

> In this regard, if by October 15—

This was last year—

> the Bosnian Serbs have not accepted the contact group's proposal of July 6, 1994—

Which, I might add, the Bosnians did accept—

> it would be my intention within 2 weeks to introduce formally and support a resolution at the United Nations Security Council to terminate the arms embargo on Bosnia and Herzegovina.
>
> Further, as my administration has indicated previously, if the Security Council for some reason fails to pass such a resolution within a reasonable time, it would be my intention to consult with the Congress thereafter regarding unilateral termination of the arms embargo.

Those are all President Clinton's words.

I believe that 9 months is more than a reasonable time, with all the atrocities, all the things we have witnessed, as the Democratic leader said. I listened to the Democratic leader last night on C-SPAN, and I have listened to others. I listened to the remarkable statement made by the Senator from Delaware last evening, Mr. BIDEN, and many, many others on both sides of the aisle. I have listened to Senator WARNER from Virginia, who has had a different view of this issue up until now, and he has told us in very vivid terms why he now holds the view that a great majority do.

So I just ask the question, Is the leadership to say, ''Well, we've got a failed policy but we have to stick to it and we should not persuade our allies it is a failed policy''? It might be embarrassing for the British to have to leave, or it might be embarrassing for the French to have to leave. And America is going to be blamed if they leave. We are being blamed right now. We are being blamed right now, but, as I said, we may be blamed more in the history books for what did not happen.

The opposition is also saying, the Dole-Lieberman bill will Americanize the war—America will be alone in providing assistance to the Bosnians.

Mr. President, that is simply not the case. We know that most of the members of the United Nations support lifting the arms embargo on Bosnia. Going first does not mean going it alone.

Mr. President, finally, the opposition to Dole-Lieberman is saying that this bill abandons Bosnia. In my view, this is truly twisted logic. I believe that at this very moment the Bosnians feel abandoned. The issue is not how many troops are on the ground or how many planes are in the air, but what these troops and planes are doing. It seems to me that if they are doing nothing, the Bosnians feel abandoned. Let us face it, these forces are essentially bystanders as events in Srebrenica painfully demonstrated.

If we are worried about abandoning the Bosnians, let us listen to the Bosnians. Ask the Bosnians if they feel abandoned by this legislation. The truth is, the Bosnian Government strongly supports this legislation. They know the price they are paying. They know the price they are willing to pay.

In conclusion, I would urge my fellow colleagues to support this legislation. I would urge them to search their consciences. The U.S. Senate has the historic opportunity to make a difference. To do what is right. To let the Bosnians live defending themselves, rather than die defenseless.

Mr. President, I ask unanimous consent that a letter from over 40 organizations in support of this bill, along with a letter of strong support from Lady Margaret Thatcher be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

JULY 25, 1995.

DEAR SENATOR: We are writing to urge you to vote YES on the Dole-Lieberman bill (S.21) to end the U.S. arms embargo against the Government of the Republic of Bosnia and Herzegovina. We also urge you to sign on as a co-sponsor of the bill and to recruit your colleagues as co-sponsors.

The war in Bosnia is now well into its fourth year. Over 200,000 civilians have been brutally murdered by Serbian forces, tens of thousands of women raped, and almost three million people have been forced to flee their homes and villages. Serbian forces have been able to carry out their genocidal assault on Bosnia with virtual impunity because of an immoral arms embargo that denies the legitimate government of Bosnia the means to exercise its inherent right to self defense.

The response of the United Nations to the aggression has been to send poorly armed

peacekeepers, even though there is no peace to keep. In recent weeks, Serbian forces have been allowed to overrun two of the six UN-declared ''safe areas,'' and the UN mission has approached total collapse. The lesson we must learn is that only the Bosnian Army has the will and the manpower to defend the fledgling multi-ethnic democracy and its citizens against further attacks.

It is also clear that ultra-nationalist Serbian leaders have no interest in negotiating while they can accomplish their military and political objectives by attacking Bosnia's remaining civilian population. Until the Bosnian Army can mount a credible defense on the ground, this cowardly war of aggression will continue. And we must live in the knowledge that, at least in part, we are responsible for tying the hands of the victims.

The organizations listed below represent a wide range of religious, humanitarian, student, and citizen advocacy groups. Some of the names will be familiar to you; others have been formed in recent months by voters outraged by the genocide and our feeble and immoral response to it. We have joined together today to ask for your support for the Dole-Lieberman bill. The U.S. and its allies, NATO, and the UN have failed to stop the aggression. Unless Congress acts—and acts NOW—thousands, perhaps tens of thousands, more innocent people will die and the price of eventually confronting this aggression will continue to rise.

By voting for Dole-Lieberman, you will be taking a clear stand against genocide, against aggression, against appeasement, and for an honorable and sustainable peace in Bosnia. You will be rejecting the failed policies of European countries that have facilitated more than three years of genocide. You will be voting for the one policy that makes moral, political, and military sense.

Vote Yes on the Dole-Lieberman bill.

Sincerely,

NATIONAL ORGANIZATIONS

Action Council for Peace in the Balkans.
American Committee to Save Bosnia.
American Council for Public Affairs.
American Jewish Congress.
American Muslin Council.
American Task Force for Bosnia.
B'nai B'rith.
Federation of Reconstructionist Congregations and Havurot.
Islamic Network.
Muslim Public Affairs Council.
National Association of Arab Americans.
National Federation of Croatian Americans.
National Jewish Community Relations Advisory Council.
Reconstructionist Rabbinical Association.
Union of American Hebrew Congregations.

GRASSROOTS ORGANIZATIONS

American Bosnian & Hercegovinian Association.
Americans for Bosnian Orphans.
Ann Arbor Committee for Bosnia.
Bosnia Advocates of Metrowest.
Bosnia Briefings.
Bosnia Support Committee of D.C.
Bosnia Task Force, San Diego.
Bosnia-Hezegovinian Help Organization.
California Coalition Against Ethnic Cleansing.
Coalition Against Genocide.
Coalition for Intervention Against Genocide.
Connecticut Citizens Against Genocide.
Free Bosnia Action Group.
Friends of Bosnia (W. Mass).
Friends of Bosnia, Philadelphia.
Greenwich Coalition for Peace in Bosnia.
Human Rights Council, USA.
JACOB at B'Nai Jeshurun.
Jews Against Genocide/NY Committee to Save Bosnia.
Jews Against Genocide in Bosnia.
New England Bosnian Relief Committee.
New Hampshire Committee for Peace in Bosnia-Herzegovina.
New York-Sarajevo Exchange.
Students Against Genocide (SAGE).
Social Action Committee/Congregation Beth El.
Stop Ethnic Cleansing.
U.S. Bosnia Relief.
Women in Islam.

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MARGARET, THE LADY THATCHER,
O.M., P.C., F.R.S., HOUSE OF
LORDS, LONDON SW1A OPW,

*July 18, 1995.*

DEAR SENATOR DOLE: I am writing to express my very strong support for your attempt to have the arms embargo against Bosnia lifted.

I know that you and all members of the United States Senate share my horror at the crimes against humanity now being perpetrated by the Serbs in Bosnia. The UN and NATO have failed to enforce the Security Council Resolutions which authorized the use of force to defend the safe havens and to get humanitarian assistance through. The safe havens were never safe; now they are falling to Serb assault. Murder, ethnic cleansing, mass rape and torture are the legacy of the policy of the last three years to the people of Bosnia. It has failed utterly. We owe it to the victims at last and at least to have the weapons to defend themselves—since we ourselves are not willing to defend them.

The arms embargo was always morally wrong. Significantly, it was imposed on the (then formally intact but fragmenting) former Yugoslavia at that regime's own behest. It was then, quite unjustly and possibly illegally, applied to the successor states. Its effect—and, as regards the Serbs, its intention—was to ensure that the proponents of a Greater Serbia, who inherited the great bulk of the Yugoslav army's equipment, enjoyed overwhelming military superiority in their aggression. It is worth recalling that the democratically elected, multi-faith and multi-ethnic Bosnian Government never asked for a single UN soldier to be sent. It did ask for the arms required to defend its own people against a ruthless aggressor. That request was repeatedly denied, in spite of the wishes of the US administration and of most leading American politicians.

There is no point now in listing the failures of military policy which subsequently occurred. Suffice it to say that, instead of succeeding in enforcing the mandates the UN Security Council gave them, UNPROFOR became potential and then actual hostages. Airpower was never seriously employed either. The oft repeated arguments against lifting the arms embargo—that if it occurred UN troops would be at risk, that the enclaves like Srebrenica would fall, that the Serbs would abandon all restraint—have all now been proved worthless. For all these things have happened *and* the arms embargo still applies.

Two arguments are, however, still advanced by those who wish to keep the arms embargo in place. Each is demonstrably false.

First, it is said that lifting the arms embargo would prolong the war in Bosnia. This is, of course, a morally repulsive argument; for it implies that all we should care about is a quick end to the conflict without regard to the justice or otherwise of its outcome. But in any case it is based on the false assumption that the Serbs are bound to win. Over the last year in Bosnian army has grown much stronger and the Bosnian Serbs weaker. The Bosnian army has, with its Croat allies, been winning back crucial territory, while desertion and poor morale are badly affecting the over-extended Serb forces. What the Bosnian government lacks however are the tanks and artillery needed to hold the territory won and force the Serbs to negotiate. This lack of equipment is directly the result of the arms embargo. Because of it the war is being prolonged and the casualties are higher. Lifting the arms embargo would thus shorten not lengthen the war.

Second, it is said that lifting the arms embargo would lead to rifts within the UN Security Council and NATO. But are there not rifts already? And are these themselves not the result of pursuing a failed policy involving large risks to outside countries' ground troops, rather than arming and training the victims to repel the aggressor? American leadership is vital to bring order out of the present chaos. No country must be allowed to veto the action required to end the present catastrophe. And if American leadership is truly evident along the lines of the policy which you and your colleagues are advancing I do not believe that any country will actually try to obstruct it.

The West has already waited too long. Time is now terribly short. All those who care about peace and justice for the tragic victims of aggression in the former Yugoslavia now have their eyes fixed on the actions of the US Senate. I hope, trust and pray that your initiative to have the arms embargo against Bosnia lifted succeeds. It will bring new hope to those who are suffering so much.

With warm regards.

Yours sincerely,

MARGARET THATCHER.

Mr. DOLE. I will just conclude by saying this is not a partisan discussion. It is not a partisan debate. It is not about Democrats and Republicans, not about philosophy. It is not about politics. It is about whether some small country that has been ravaged on all sides, pillaged, women raped, children killed, do they have any rights in this world? Do they have a right to say to these big countries like France and Great Britain and America that it is time to go, ''Let us fight and die for ourselves.'' That is what this is all about. They have said our amendment is simple. It is simple. That is what it does.

Maybe I missed something in my lifetime, but I have never missed the point that people have a right to defend themselves. And if we stand in their way, and if more are killed and more are raped and more little boys 12 years old are taken off to camps and more are hung on trees and more throats are cut because we imposed our will on this little country—''You cannot do this because we do not want you to do this.'' It is their country. It is their lives, their blood.

I think it is time for a change in policy. And I hope we will have a resounding vote in favor of the Dole-Lieberman resolution.

I want to congratulate and commend my friend from Connecticut for his tireless efforts, nonpartisan, going back—I think we worked together 1½ years on this issue, without any disagreement, never talking about the political advantage. This is not about

politics; it is about life or death for a little country.

The PRESIDING OFFICER (Mr. COVERDELL). The question is on agreeing to the second-degree amendment by the Senator from Maine.

Mr. WARNER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Utah [Mr. BENNETT] is necessarily absent.

Mr. FORD. I announce that the Senator from South Carolina [Mr. HOLLINGS] is absent because of attending a funeral.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 57, nays 41, as follows:

[Rollcall Vote No. 329 Leg.]

YEAS—57

| | | |
|---|---|---|
| Abraham | Feingold | Moseley-Braun |
| Akaka | Feinstein | Murkowski |
| Baucus | Frist | Nickles |
| Bond | Gorton | Nunn |
| Boxer | Grassley | Packwood |
| Brown | Hatch | Pressler |
| Campbell | Inhofe | Robb |
| Chafee | Inouye | Roth |
| Coats | Jeffords | Santorum |
| Cochran | Kassebaum | Shelby |
| Cohen | Kempthorne | Simon |
| Conrad | Kerrey | Simpson |
| Coverdell | Kohl | Snowe |
| Craig | Lautenberg | Specter |
| D'Amato | Levin | Stevens |
| DeWine | Lieberman | Thompson |
| Dole | Lott | Thurmond |
| Domenici | McCain | Warner |
| Faircloth | McConnell | Wellstone |

NAYS—41

| | | |
|---|---|---|
| Ashcroft | Glenn | Leahy |
| Biden | Graham | Lugar |
| Bingaman | Gramm | Mack |
| Bradley | Grams | Mikulski |
| Breaux | Gregg | Moynihan |
| Bryan | Harkin | Murray |
| Bumpers | Hatfield | Pell |
| Burns | Heflin | Pryor |
| Byrd | Helms | Reid |
| Daschle | Hutchison | Rockefeller |
| Dodd | Johnston | Sarbanes |
| Dorgan | Kennedy | Smith |
| Exon | Kerry | Thomas |
| Ford | Kyl | |

NOT VOTING—2

Bennett Hollings

So the amendment (No. 1851) was agreed to.

Mr. DOLE. Mr. President, I move to reconsider the vote.

Mr. DASCHLE. Mr. President, I move to table the motion.

The motion to lay on the table was agreed to.

Mr. DOLE. Mr. President, I ask for the yeas and nays on the Nunn amendment, and the yeas and nays on final passage; and if we could have 10-minute votes on each of those.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. DOLE. Mr. President, I ask unanimous consent for 10-minute votes.

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

VOTE ON AMENDMENT NO. 1848, AS AMENDED

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. NUNN].

The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Utah [Mr. BENNETT] is necessarily absent.

Mr. FORD. I announce that the Senator from South Carolina [Mr. HOLLINGS] is absent because of attending a funeral.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 75, nays 23, as follows:

[Rollcall Vote No. 330 Leg.]

YEAS—75

| | | |
|---|---|---|
| Abraham | Ford | Lugar |
| Akaka | Frist | McCain |
| Ashcroft | Glenn | Mikulski |
| Baucus | Gorton | Moseley-Braun |
| Bingaman | Graham | Murkowski |
| Bond | Gramm | Murray |
| Boxer | Grassley | Nickles |
| Bradley | Harkin | Nunn |
| Breaux | Hatch | Packwood |
| Bumpers | Hutchison | Pell |
| Campbell | Inouye | Pressler |
| Chafee | Jeffords | Pryor |
| Coats | Johnston | Robb |
| Cochran | Kassebaum | Roth |
| Cohen | Kempthorne | Santorum |
| Conrad | Kennedy | Sarbanes |
| Coverdell | Kerrey | Simon |
| Craig | Kerry | Simpson |
| Daschle | Kohl | Snowe |
| DeWine | Kyl | Specter |
| Dodd | Lautenberg | Stevens |
| Dole | Leahy | Thompson |
| Domenici | Levin | Thurmond |
| Dorgan | Lieberman | Warner |
| Exon | Lott | Wellstone |

NAYS—23

| | | |
|---|---|---|
| Biden | Feinstein | McConnell |
| Brown | Grams | Moynihan |
| Bryan | Gregg | Reid |
| Burns | Hatfield | Rockefeller |
| Byrd | Heflin | Shelby |
| D'Amato | Helms | Smith |
| Faircloth | Inhofe | Thomas |
| Feingold | Mack | |

NOT VOTING—2

Bennett Hollings

So the amendment (No. 1848) was agreed to.

VOTE ON AMENDMENT NO. 1801

The PRESIDING OFFICER. The question now occurs on Dole amendment number 1801, as amended.

The question is on agreeing to the amendment.

The amendment (No. 1801), as amended, was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read for the third time.

The PRESIDING OFFICER. The question now occurs on passage of the bill, as amended. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Utah [Mr. BENNETT] is necessarily absent.

Mr. FORD. I announce that the Senator from South Carolina [Mr. HOLLINGS] is absent because of attending a funeral.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 69, nays 29, as follows:

[Rollcall Vote No. 331 Leg.]

YEAS—69

| | | |
|---|---|---|
| Abraham | Feingold | McConnell |
| Ashcroft | Feinstein | Moseley-Braun |
| Baucus | Frist | Moynihan |
| Biden | Gorton | Murkowski |
| Bond | Gramm | Nickles |
| Boxer | Grams | Nunn |
| Bradley | Grassley | Packwood |
| Brown | Harkin | Pressler |
| Bryan | Hatch | Reid |
| Campbell | Helms | Robb |
| Chafee | Hutchison | Roth |
| Coats | Inhofe | Santorum |
| Cochran | Jeffords | Shelby |
| Cohen | Kempthorne | Simon |
| Conrad | Kohl | Smith |
| Coverdell | Kyl | Snowe |
| Craig | Lautenberg | Specter |
| D'Amato | Levin | Stevens |
| DeWine | Lieberman | Thomas |
| Dole | Lott | Thompson |
| Domenici | Lugar | Thurmond |
| Dorgan | Mack | Warner |
| Faircloth | McCain | Wellstone |

NAYS—29

| | | |
|---|---|---|
| Akaka | Glenn | Kerry |
| Bingaman | Graham | Leahy |
| Breaux | Gregg | Mikulski |
| Bumpers | Hatfield | Murray |
| Burns | Heflin | Pell |
| Byrd | Inouye | Pryor |
| Daschle | Johnston | Rockefeller |
| Dodd | Kassebaum | Sarbanes |
| Exon | Kennedy | Simpson |
| Ford | Kerrey | |

NOT VOTING—2

Bennett Hollings

So the bill (S. 21), as amended, was passed, as follows:

S. 21

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''Bosnia and Herzegovina Self-Defense Act of 1995''.

**SEC. 2. FINDINGS.**

The Congress makes the following findings:

(1) For the reasons stated in section 520 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236), the Congress has found that continued application of an international arms embargo to the Government of Bosnia and Herzegovina contravenes that Government's inherent right of individual or collective self-defense under Article 51 of the United National Charter and therefore is inconsistent with international law.

(2) The United States has not formally sought multilateral support for terminating the arms embargo against Bosnia and Herzegovina through a vote on a United Nations Security Council resolution since the enactment of section 1404 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337).

(3) The United Nations Security Council has not taken measures necessary to maintain international peace and security in Bosnia and Herzegovina since the aggression against that country began in April 1992.

(4) The Contact Group, composed of representatives of the United States, Russia, France, Great Britain, and Germany, has since July 1994 maintained that in the event of continuing rejection by the Bosnian Serbs of the Contact Group's proposal for Bosnia and Herzegovina, a decision in the United Nations Security Council to lift the Bosnian arms embargo as a last resort would be unavoidable.

**SEC. 3. STATEMENT OF SUPPORT.**

The Congress supports the efforts of the Government of the Republic of Bosnia and Herzegovina—

(1) to defend its people and the territory of the Republic;

(2) to preserve the sovereignty, independence, and territorial integrity of the Republic; and

(3) to bring about a peaceful, just, fair, viable, and sustainable settlement of the conflict in Bosnia and Herzegovina.

**SEC. 4. TERMINATION OF ARMS EMBARGO.**

(a) TERMINATION.—The President shall terminate the United States arms embargo of the Government of Bosnia and Herzegovina, as provided in subsection (b), following—

(1) receipt by the United States 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; or

(2) a decision by the United Nations Security Council, or decisions by countries contributing forces to UNPROFOR, to withdraw UNPROFOR from Bosnia and Herzegovina.

(b) IMPLEMENTATION OF TERMINATION.—The President may implement termination of the United States arms embargo of the Government of Bosnia and Herzegovina pursuant to subsection (a) prior to the date of completion of the withdrawal of UNPROFOR personnel from Bosnia and Herzegovina, but shall, subject to subsection (c), implement termination of the embargo pursuant to that subsection no later than the earlier of—

(1) the date of completion of the withdrawal of UNPROFOR personnel from Bosnia and Herzegovina; or

(2) the date which is 12 weeks after the date of submission by the Government of Bosnia and Herzegovina of a request to the United Nations Security Council for the departure of UNPROFOR from Bosnia and Herzegovina.

(c) PRESIDENTIAL WAIVER AUTHORITY.—If the President determines and reports in advance to Congress that the safety, security, and successful completion of the withdrawal of UNPROFOR personnel from Bosnia and Herzegovina in accordance with subsection (b)(2) requires more time than the period provided for in that subsection, the President may extend the time period available under subsection (b)(2) for implementing termination of the United States arms embargo of the Government of Bosnia and Herzegovina for a period of up to 30 days. The authority in this subsection may be exercised to extend the time period available under subsection (b)(2) for more than one 30-day period.

(d) PRESIDENTIAL REPORTS.—Within 7 days of the commencement of the withdrawal of UNPROFOR from Bosnia and Herzegovina, and every 14 days thereafter, the President shall report in writing to the President pro tempore of the Senate and the Speaker of the House of Representatives on the status and estimated date of completion of the withdrawal operation. If any such report includes an estimated date of completion of the withdrawal which is later than 12 weeks after commencement of the withdrawal operation, the report shall include the operational reasons which prevent the completion of the withdrawal within 12 weeks of commencement.

(e) INTERNATIONAL POLICY.—If the Government of Bosnia and Herzegovina submits a request to the United Nations Security Council for the departure of UNPROFOR from Bosnia and Herzegovina or if the United Nations Security Council or the countries contributing forces to UNPROFOR decide to withdraw from Bosnia and Herzegovina, as provided in subsection (a), the President (or his representative) shall immediately introduce and support in the United Nations Security Council a resolution to terminate the application of United Nations Security Council resolution 713 to the Government of Bosnia and Herzegovina. The United States shall insist on a vote on the resolution by the Security Council. The resolution shall, at a minimum, provide for the termination of the applicability of United Nations Security Council resolution 713 to the government of Bosnia and Herzegovina no later than the completion of the withdrawal of UNPROFOR personnel from Bosnia and Herzegovina. In the event the United Nations Security Council fails to adopt the resolution to terminate the application of United Nations Security Council resolution 713 to the Government of Bosnia and Herzegovina because of a lack of unanimity of the permanent members, thereby failing to exercise its primary responsibility for the maintenance of international peace and security, the United States shall promptly endeavor to bring the issue before the General Assembly for decision as provided for in the Assembly's Uniting for Peace Resolution of 1950.

(f) RULE OF CONSTRUCTION.—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.

(g) DEFINITIONS.—As used in this section—

(1) the term ''United States arms embargo of the Government of Bosnia and Herzegovina'' means the application to the Government of Bosnia and Herzegovina of—

(A) the policy adopted July 10, 1991, and published in the Federal Register of July 19, 1991 (58 FR 33322) under the heading ''Suspension of Munitions Export Licenses to Yugoslavia''; and

(B) any similar policy being applied by the United States Government as of the date of completion of withdrawal of UNPROFOR personnel from Bosnia and Herzegovina, pursuant to which approval is denied for transfers of defense articles and defense services to the former Yugoslavia; and

(2) the term ''completion of the withdrawal of UNPROFOR personnel from Bosnia and Herzegovina'' means the departure from the territory of Bosnia and Herzegovina of substantially all personnel participating in UNPROFOR and substantially all other personnel assisting in their withdrawal, within a reasonable period of time, without regard to whether the withdrawal was initiated pursuant to a request by the Government of Bosnia and Herzegovina, a decision by the United Nations Security Council, or decisions by countries contributing forces to UNPROFOR, but the term does not include such personnel as may remain in Bosnia and Herzegovina pursuant to an agreement between the Government of Bosnia and Herzegovina and the government of any country providing such personnel.

Mr. WARNER. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Virginia.

Mr. WARNER. Mr. President, I just wish to echo the many accolades I have heard paid to the distinguished majority leader for his leadership on this issue over a period of years. He has been unwavering in his determination, together with our distinguished colleague, the junior Senator from Connecticut, Mr. LIEBERMAN, with strong staff support provided by Mira Baratta, who has worked on this tirelessly now for years, Randy Scheunemann, Ron Marks, John Lilley, of the staff of Senator LIEBERMAN, and Mrs. Ansley on my staff. Together, we have been able to present this in a very fair and objective and nonpartisan way.

I wish to extend my appreciation to those staff members and the distinguished majority leader and the Senator from Connecticut.

## RYAN WHITE CARE REAUTHORIZATION ACT

The PRESIDING OFFICER. The Chair recognizes the majority leader.

Mr. DOLE. Mr. President, I call for the regular order with respect to S. 641.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

A bill (S. 641) to reauthorize the Ryan White CARE Act of 1990, and for other purposes.

The Senate resumed consideration of the bill.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER (Mr. GRAMS). The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, as I understand from the leader and from the clerk, we are now on the reauthorization of the Ryan White bill; am I correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. KENNEDY. Mr. President, I see the chairman of the Labor and Human Resources Committee here. We are prepared to move along in terms of the amendments.

We had opening statements and discussion on last Friday.

I see my friend and colleague from California, who wishes to address the Senate on this issue. But I would like to indicate at least to our side that we are prepared to consider amendments. This measure has been on the calendar for some period of time. We have some 63 cosponsors.

We are, as we have said, prepared to deal with various amendments, and we hope we will have some brief comments in terms of whatever people's views are about the legislation and then we can get down to dealing with the amendments.

So I would yield the floor at this time.