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Senate

The Senate met at 9 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Knowledge we ask not
Knowledge Thou hast lent
But Lord, the will
There lies our bitter need
Give us to build above the deep intent
The deed; the deed!—Drinkwater.

Dear God, help us to put into action what we believe. You have made faith and works inseparable. Application of our convictions is our challenge. Help us to apply the absolutes of our faith. We believe in You as Sovereign of this Nation; strengthen our wills to seek and do Your will. Out motto is ''In God we trust''; help us really to trust You in the specific decisions we must make today. Particularly, we ask for Your guidance in our decision about the extent of our involvement in Bosnia. We believe You have called us here to serve; help us to be servant-leaders distinguished for diligence. We affirm Your presence, we accept Your love, we rejoice in Your goodness, we receive Your guidance, and we praise Your holy name. Amen.

RESERVATION OF LEADERSHIP TIME

The PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

EXPRESSING OPPOSITION OF CONGRESS TO PRESIDENT CLINTON'S PLANNED DEPLOYMENT OF GROUND FORCES TO BOSNIA

The PRESIDENT pro tempore. Under the previous order, H.R. 2606 will now be laid aside and the Senator from Texas [Mrs. HUTCHISON] will be recognized to submit a Senate concurrent resolution. The able Senator from Texas.

Mrs. HUTCHISON. Thank you, Mr. President. I send a resolution to the desk and ask for its immediate consideration.

The PRESIDENT pro tempore. The clerk will report.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 35) expressing the opposition of the Congress to President Clinton's planned deployment of United States ground forces to Bosnia.

The Senate proceeded to consider the concurrent resolution.

Mrs. HUTCHISON addressed the Chair.

The PRESIDING OFFICER (Mr. INHOFE). The Senator from Texas.

Mrs. HUTCHISON. Mr. President, this is a very simple resolution. It is the Hutchison-Inhofe resolution that says, very simply, we oppose President Clinton's decision to deploy American troops into Bosnia.

The second part is also very simple. It says we support the troops of our country 100 percent.

Congress must exercise its responsibility under the Constitution. We must say ''no'' when there is a bad decision that will cost American lives. Congress has not been consulted. Congress has not authorized this deployment. It is not an emergency.

The President is talking about a year. Congress should not authorize any deployment of troops that will put them in harm's way for a 1-year period.

This is not within the parameters of the NATO agreement. I have a copy of the NATO agreement here with me. If any Member of the U.S. Senate can show me the provision in this agreement that somehow makes it our responsibility to send troops into a civil war in a country that is not a NATO country, I invite them to come to the floor and do that.

Mr. President, it is not there. The NATO treaty is a mutual defense pact among nations that were trying to make sure that we would have the ability to repel a large and onerous foreign invader. There is no such potential foreign invader for our NATO countries and, therefore, rather than run around the world and react to crisis upon crisis where there is not a U.S. security threat, it is time for us to look at NATO and our agreement and make it strong by planning ahead, by having a strategic vision about what is needed now to make Europe stable.

America wants to be part of making Europe stable, but, Mr. President, going into a civil war in Bosnia is not the way to make Europe stable. The way to make Europe stable is to help the people of Bosnia by making sure there is parity, by making sure that the people are able to defend themselves, but not to put United States troops on the ground.

I am just going to end this morning by quoting from a letter that I got from one of my constituents, and I think it really sums it up:

I remain to be convinced that we have a greater moral obligation to the Bosnians than we do to our own soldiers and their families.

Mr. President, this is a bad decision, and it is the responsibility of Congress to fulfill our constitutional duty to say, ''No, Mr. President. Come to us. Let's discuss it before you deploy American troops. Sending them to Haiti without our authorization, expanding the mission in Somalia without our authorization has not worked, and sending our troops to Bosnia without our authorization will not work.''

Thank you, Mr. President. I yield the floor.

Mr. THURMOND addressed the Chair.

The PRESIDING OFFICER. The Senator from South Carolina.

● This ''bullet'' symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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Mr. THURMOND. Mr. President, I rise in support of the concurrent resolution offered by the distinguished Senator from Texas, Senator HUTCHISON, myself, and others.

For the past couple of months, I have made statements on the floor and in hearings conducted by the Senate Armed Services Committee expressing my grave concerns over the commitment that President Clinton made to the Presidents of Bosnia, Serbia, and Croatia to deploy United States military ground forces to implement and enforce a peace agreement to end the fighting in Bosnia.

I continue to have those concerns. To date, the Senate Armed Services Committee has conducted eight hearings on the situation in Bosnia and the use of United States military forces to enforce the Bosnia peace agreement. In testimony before the committee, administration witnesses and experts in the area of national security, foreign policy, and intelligence have stated that it is in the vital national interests of the United States to deploy ground forces in Bosnia to avert a wide-scale war in Europe to save NATO and maintain United States leadership in NATO and to preserve the good word of the United States.

Mr. President, as I have stated before, as a superpower, I believe it is important for the United States to show leadership in matters of national security and foreign policy. I also support NATO and do not want to endanger NATO as a security organization which was largely successful in bringing the cold war to an end.

I also believe that it is important to follow through with commitments. However, I will not rubberstamp a decision by the President, just because he has the constitutional authority to deploy military forces. The administration has testified that the President would proceed with the deployment of United States forces to Bosnia, regardless of the concerns expressed by Congress.

Despite this testimony, I believe Congress has a constitutional responsibility to review decisions of this magnitude. In the conduct of that review, I have yet to be convinced by the President, the Secretary of Defense and the Secretary of State, that there are vital national security interests that warrant the deployment of United States military forces to Bosnia; or that our national security is threatened.

I am not convinced that the mission is clear, that the objectives of the mission are achievable, or that there is a clear exit strategy.

I have great confidence in NATO's ability, under the operational and tactical control of the U.S. military, to manage the operation—more confidence than I ever had in the United Nations. However, there will be a number of non-NATO nations participating in the implementation force, a great number of them deployed in the United States sector. While they will be under the operational control of the United States military commanders, I have concerns about their perception or interpretation of actions by the people for whom they are supposed to be securing peace, and the paramilitary forces in the area who may not support the peace effort.

This operation is supposed to be a peacekeeping action, and at the same time, a peace enforcement action, as necessary. I am concerned that there is great potential for disaster, despite robust rules of engagement, if there is not a clear understanding among all the parties in the sector, as to interpretation of military action, and what constitutes the use of force.

Further, I am not convinced that United States military forces participating in the Bosnia peace implementation force will not get bogged down with nonmilitary activities such as providing assistance to international organizations. From reading the I-For mission statement, it is quite clear to me that the mission statement is ambiguous and unclear. Specifically, it states that I-For will not conduct election security, provide humanitarian assistance or conduct mine or obstacle clearing activities. At the same time, though, it says that members of I-For will assist international organizations in these activities, if requested.

Mr. President, I supported lifting the arms embargo so that the Bosnian Moslems could protect themselves, and so the United States could avoid sending U.S. troops to Bosnia. The President and the international community repeatedly rejected the bipartisan effort to lift the embargo.

I still support the idea that a stable military balance is necessary to enable Bosnia to defend itself. However, now that United States troops will be deployed in Bosnia, I have concerns for their safety, if the United States becomes directly involved in providing equipment, arms, training, and the logistics to the Bosnian Moslems.

Mr. President, regardless of the outcome of this debate, I want to strongly emphasize my support for the U.S. military forces who have already been deployed to Bosnia and Croatia, and who may shortly be deployed to Bosnia to participate in the implementation force. I will be monitoring very closely the situation in Bosnia, so that we can ensure that our military forces can return to their families as soon as possible.

Mr. President, I urge my colleagues to support the concurrent resolution offered by Senator HUTCHISON, myself, and others.

Mr. PELL addressed the Chair.

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

Mr. PELL. Mr. President, after a great deal of reflection, and with some reservations, I have decided to support the President's decision to send United States troops to Bosnia to help enforce a peace settlement. When the peace agreement was initialed in Dayton 3 weeks ago, I wholeheartedly welcomed the peace, congratulated the peacemakers, but expressed my skepticism about the need for U.S. ground troops to enforce that peace.

When President Clinton first suggested almost 2 years ago that United States troops might become involved in Bosnia, I outlined my strong concerns about such a course of action in a letter to the President. I noted two minimum conditions that I thought should be met before we even considered committing troops to Bosnia. I said that the mission should be a multinational one, conducted either under U.N. or NATO auspices, and that the United States should provide less than a majority of troops to that effort. Both of those conditions have, of course, been met, but for me, that is only a starting point.

My qualms about sending United States troops to Bosnia stem from my fear that we will become stuck in a Balkans quagmire. To my mind, throughout history, the Balkans have been a place of war and strife, and I worry about involving United States troops in conflicts that are centuries old.

But I also have said that it was up to the President to make the case for sending troops, and that I would listen with an open mind. During the past 3 weeks, the President and other members of the administration have put forth their case to me in private and in public, and I have been listening. I found President Clinton's address to the Nation to be particularly compelling. I believe the President did an excellent job of laying out exactly what is at stake in Bosnia. I agree that the Dayton Agreement, which was brokered by very talented U.S. diplomats, offers us the chance, as the President said ''to build a peace and stop the suffering'' in the heart of Europe, which is of course very important to U.S. national security interests.

In that speech and in subsequent presentations, the President and other members of the administration have defined the limited peacekeeping role our troops will be asked to play. They have been appropriately reassuring to the families of the young men and women who will be sent to Bosnia. Our troops know already that they are the world's best equipped and trained fighting force. The President, in a clear statement to any would-be troublemakers, has stated flatly that our troops will be well trained, heavily armed, and ready to retaliate against any threat to their own safety.

While our troops will have broad discretion to respond to any challenges or threats, there also will be limits on their role and mission in Bosnia. In a hearing before the Senate Foreign Relations Committee on December 1, Secretary Christopher, Secretary Perry, and General Shalikashvili testified that there are limits to what our troops will be asked to do. The fact that there will be limits has gone a

long way in convincing me to support our President's decision. Our troops are not going to fight a war, but rather to help implement a peace to which the parties themselves have agreed. Their objective is to achieve a concrete set of military goals outlined in the Military Annex to the Dayton agreement. They are not, I have been reassured, going to get dragged into the conflict itself. I have also been assured that our military will not be engaged in rebuilding Bosnia. That is a responsibility of the parties themselves, with such civilian assistance from the international community as the Dayton Agreement provides.

Mr. President, I do continue to have some questions about the implementation of the peace plan. While these concerns will not cause me to withdraw my support of the President's decision, they are serious.

First, I would like to see a more precise rendering of the circumstances under which the implementation force will carry out or provide direct support for such civilian tasks as creating secure conditions for elections, assisting humanitarian missions, preventing interference with the movement of civilians, and mine clearing. General Shalikashvili and Secretary Christopher told the Foreign Relations Committee that the implementation force—or I-For—has the authority to engage in such activities but that this authority would be used rarely and at the discretion of local I-For commanders. I would hope that before the main body of troops are sent to Bosnia, we will have a better sense of the specific guidelines being given to local commanders about involving I-For in these activities. Otherwise, I fear that there may be an uneven enforcement of the peace plan, and more importantly, that we may see mission creep develop.

Related to this issue is my concern that there be a strong and effective civilian program that will ensure that free and fair elections are held, refugees are resettled, and that reconstruction begins. Moreover, I hope that there will be tight coordination between the civilian and military aspects of the implementation program. Although I do not want to see I-For involved in the civilian aspects of the peace implementation, I do, after all, want to ensure that we achieve the maximum progress possible on the civilian side. Without such progress, the exit strategy for our troops becomes much more murky and problematic. If sufficient progress is not made on elections, refugees, reconstruction, and related matters by the time I-For does withdraw in a year's time, I fear that there will be backsliding on the military side and that United States troops will have done nothing more than preside over a year long cease fire.

Finally, I hope that the administration will define more clearly how it hopes to achieve a military balance in Bosnia once I-For leaves. I do not think anyone would quibble with the goal of achieving a balance, but we need more details about how that is to come about, consistent with the Dayton Accords and U.N. Security Council Resolutions.

To me, it is unfathomable that we would want to see more arms in that part of the world. Moreover, I am uneasy about any U.S. plans to arm and train one side—the Federation—while participating in an Implementation force which is supposed to be even-handed. One need only remember the ill-fated U.S. military involvement in Lebanon to be reminded of the danger of taking sides in such a situation. While it might ultimately make sense for the United States to coordinate such an effort, for U.S. citizens—be they military personnel or private contractors—to actually engage in arming and training may make our troops particular targets. To this end, I welcome President Clinton's assurance that providing arms and training to Federation forces will not be done by either I-For or U.S. military forces. Before our troops are sent to Bosnia, we should know definitively how we plan to proceed on this issue.

Mr. President, Balkan history has been a source of my skepticism about sending troops to Bosnia. I have spent long years of service in Europe: first as a Coast Guard lieutenant based in Sicily during World War II, then as a Foreign Service officer in Prague, Bratislava, and Genoa as the Iron Curtain was drawn between East and West, and as an official with the International Rescue Committee working in Vienna with refugees fleeing Hungary's Communist regime. Because of my experience, I am deeply and personally conscious of how important Europe's freedom and stability is to the United States. I am also acutely aware of how fragile the current peace engulfing most of Europe is. If left unchecked, the Bosnian war could threaten the peace on the rest of the continent.

The people of Bosnia have suffered untold misery and horrors. To them, the Dayton Agreement is long-awaited and good news. For us, the agreement offers an historic opportunity to end Europe's worst conflict since World War Two. We all hope it presages a lasting peace.

That is why I believe we must support the President's call to participate, with our NATO allies, in an effort to stem the tide of war in Bosnia.

Mr. GRAMS. Mr. President, I want to rise today as a cosponsor and strong supporter of the Hutchison resolution. I want to commend Senator HUTCHISON, Senator INHOFE, and other Senators whose outspoken and persuasive leadership has given us this opportunity to send a clear message to the President on the Bosnia issue.

Like my 28 colleagues who have cosponsored this resolution, I believe the Senate must express its opposition to President Clinton's planned deployment of United States ground forces to Bosnia.

I encourage all of my colleagues who have strong reservations about the President's actions to vote for the Hutchison resolution.

As a member of the Foreign Relations Committee, I am convinced that this resolution is the only way to send a clear, unambiguous message to the President without hurting American troops who are already on the ground or who will be arriving imminently in Bosnia.

The President has failed to convince the American public of his basic premise—that such vital national security interests are at stake in Bosnia that we should risk the lives of United States soldiers to enforce a fragile peace there. Letters and calls from my home State of Minnesota continue to oppose sending troops 3 to 1.

Unfortunately, I hold out little hope that the Hutchison resolution, even if it passes, will prevent United States troops from being deployed to Bosnia.

If the President is willing to begin the Bosnia operation despite strong and sustained public opposition, it is difficult to imagine that one more vote in Congress will change his mind.

We all understand the President has the constitutional power to commit troops without congressional approval, but a far more worrisome question is whether he should sustain this dubious military operation without a solid base of public support.

In 1993, during the height of the civil war in Bosnia, President Clinton made a regrettable mistake: He pledged to commit 25,000 United States ground troops to enforce any future peace agreement between the warring parties in the Balkans.

The President made this promise without knowing the exact terms of the peace agreement that would emerge, without conducting a thorough review of the operation's dangers and without consulting Congress.

Now, he has essentially dared Congress to break his ill-considered commitment of U.S. forces and thereby, he says, risk undermining the peace agreement, our international credibility and our relations with NATO allies.

In doing so, the President has effectively painted the American soldier and Congress into an uncomfortable corner. As a result, United States troops are already on the ground in the Balkans as part of NATO's advance force, and thousands more American soldiers will find themselves in Bosnia for Christmas.

Moreover, the President has repeatedly blocked efforts by Congress to end the unjust arms embargo on the Bosnians. This embargo has prevented the Bosnians from defending themselves and has encouraged continued Serbian aggression against their outnumbered foes.

Even the Clinton administration is admitting that a military balance between warring factions is the key to stability in Bosnia and the eventual withdrawal of United States troops.

How tragically ironic it is that the necessary outcome of NATO's operation in Bosnia could have been achieved without shedding American blood if the President had only allowed the Bosnians to arm themselves.

Congress should not rubber-stamp the President's premature decision. We must not compound this Presidential blunder by abdicating our congressional responsibility.

First, Congress should continue to express specific concerns about the scope of the NATO mission in Bosnia. While administration officials have made claims to the contrary, most Americans realize there is real potential for this operation to become increasingly open-ended and dangerous.

During hearings before the Foreign Relations Committee, Secretary of State Christopher said that the NATO implementation force's only obligation was to carry out military objectives—namely, the separation of Bosnia's warring parties.

But he also said that the peace agreement ''authorizes'' NATO forces ''to take additional [civilian] actions if the local commander desires to do so.''

Well, undoubtedly, giving NATO forces this discretionary power to support nation-building activities will put our troops at greater risk. So far, there have been many reports about the lack of coordination among international organizations charged with achieving civilian provisions in the peace agreement. If progress is not made on these civilian missions, the temptation for NATO forces to advance civilian goals—such as refugee resettlement—will only increase.

In addition, without an effective exit strategy, the Bosnia operation's supposed 1-year time limit could evaporate. As I mentioned earlier, the key to an exit strategy for United States troops is the establishment of a military equilibrium among the warring parties.

If the United States does not take a leading role in the arming and training of the Bosnians, it is very doubtful that it will be done to our satisfaction.

Opponents who claim that a strong American role in arming the Bosnians will jeopardize the neutrality of United States troops are simply deluding themselves. The Serbs never have and never will consider the United States a neutral power in this arrangement. Have we forgotten that only months ago United States planes were bombing Serb positions? For the Serbs, an indirect American role in arming the Bosnians will hardly be more reassuring than a direct one.

Indeed, one of my strongest concerns about the United States role in this operation is that we are mistakenly assuming we will be perceived as neutral by all parties in Bosnia. In 1983, a similar tragic miscalculation failed to prevent the deaths of 241 United States marines in Lebanon.

Without question, the scope of the Bosnia mission must be narrowed and an effective exit strategy developed. For this reason, I appreciate what the majority leader and Senator MCCAIN are trying to accomplish in their resolution and I know they are acting solely with the safety and well-being of our troops in mind.

However, I cannot vote for the Dole resolution, which authorizes the President's deployment of United States troops to Bosnia. Given the manner in which the President has chosen to pledge our soldiers' lives for this peace agreement, I cannot vote to give him Congress' seal of approval. The President's strategy simply does not deserve it.

Yet, while I am not willing to acquiesce to the President's plan, I also will not support cutting off funding for our troops while they are already on the ground. Although this action is within the constitutional powers of Congress, it would potentially endanger the men and women in our Armed Forces even further.

We must learn from our past mistakes. We should not repeat the 1993 debacle in Somalia where United States troops were actually denied the equipment and weapons their commanders had requested. Soon afterwards, 18 American soldiers were killed when they were trapped during a tragic firefight.

Therefore, the Senate's vote today on the President's plan to deploy troops in Bosnia is only the beginning of Congress' obligation to our men and women who serve and defend this Nation. We will closely monitor the Bosnia operation to ensure that it is fully funded, that our troops are adequately supplied and that the mission remains strictly focused.

Mr. President, we owe our soldiers, their friends and family, and the American people nothing less.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, first, I want to commend my colleague, Senator HUTCHISON, from Texas, for the initiative she has taken, addressing what I think is one of the most critical and important issues the Senate will face in a long, long time. It is appropriate we give proper deliberation to this issue. There really is no more serious, wrenching decision than one similar to what we face today, because it not only has consequences for America's role in the world, but consequences for the lives of young men and women, poised at this very moment for deployment in Bosnia.

We have two burdens in this debate. One is to exercise American leadership and the second is to justify American sacrifice.

Let me state at the beginning, I firmly believe in American leadership. Our active engagement in the world is an expression of our interest and our values. But in exercising this leadership, I think it is important that we understand that justifying American sacrifice is the higher and the harder and the heavier responsibility that we face because it demands not just plausible goals, but compelling reasons.

It is not enough to say that a questionable promise has been made, or that an alliance needs to be politically repaired, or that we feel guilty or somehow compromised and helpless. These are factors that may contribute to a case for intervention, but I do not believe they are determinative factors in terms of deciding whether or not we intervene. Because, in the end, I think we have to be able to say certain things with confidence, that there is no other, more viable option consistent with our interests and that there is no honorable alternative to the risk of American lives. This is a decision that has to be made deliberately, not by default.

Like many of my colleagues here, I faced these questions before. I voted to send United States marines to Lebanon to be a presence in a land that was factionalized and fractionalized like Bosnia, and I will always regret that decision and that vote which resulted in the deaths of 241 marines who saluted smartly when ordered to what clearly, in retrospect, was an ill-defined mission.

I also voted to send American troops to the gulf to fight aggression. When America's interests are clear, as I believe they were in the gulf, even great sacrifice can be justified, but when America's interests and goals are vague and murky and unobtainable, the loss of one life is too much.

In the administration's proposed police action in the Balkans, there are a number of operational questions, some of which I will briefly raise, but I want to begin by stepping back and asking some fundamental questions of philosophy and strategy.

Why Bosnia? Why this region? Why this moment? It is said we have a moral responsibility to end the bloodshed. But I think that goal is too broad to be useful. Bosnia, unfortunately, is not unique when it comes to undeserved suffering. Bloody civil wars rage today in Rwanda, Sudan, Liberia, and other places of the world. There were far more civilians killed in a year in Kabul than there were in Sarajevo.

So, how do we choose where American troops are used to end the world's civil wars? Is that a decision made by TV news, determining which country has the most telegenic suffering? Clearly, this alone cannot be a sufficient basis for intervention.

It is said the Bosnia conflict is a direct threat to the security of Europe, an area where American interests are implicated. It has been repeatedly stated by the administration that intervention is necessary to prevent the spread of the Bosnia conflict to other nations, including Hungary, Albania, even Greece, and that failure to intervene now will inevitably lead to a broader conflict and a greater involvement at greater sacrifice of American troops.

But I believe this to be a serious exaggeration.

Europe today is not the Europe of 1914, deeply factionalized and arming for a broader war. In fact, the Balkan war has not been expanding, but contracted. It is a serious crisis, but it is not an expanding crisis. No European leaders are seriously convinced that the dominoes of France, Germany, Italy, Greece, and the rest are about to fall, pushed by Balkan violence.

It is said that our vital national interests are challenged by a Balkan civil war, but this is simply not credible. What resources are threatened? What trade route is interrupted? What strategic military threat to the United States has developed? What American citizens are being placed in danger? The term ''national interests'' cannot be stretched indefinitely. It must mean something or it means nothing.

So, it seems that we are left with one reason, one explanation why 20,000 American troops are headed for the Balkan winter: Because the President gave his word, and we cannot go back on it. Is this what the administration means by credibility? National interest is not found in the Balkans themselves but found in closing a credibility gap that the administration itself has opened.

Henry Kissinger summarizes this point as follows: ''The paradox of the decision before Congress is that while we have no inherent national interest to justify the sending of troops, a vital national interest has been created by the administration's policies: If other nations,'' Kissinger says, ''cease to believe our assurances, our capacity to shape events to protect American security and values will be jeopardized.''

I do not want to minimize this concern. Many scholars and experts that I deeply respect believe that this reason alone is sufficient to justify American intervention. But, if that is the case, I have two questions that have yet to be answered in this regard.

First, how do we come to this place? Why should the world's only superpower, fresh off the success of Desert Storm, need to prove its credibility in a Balkan civil war? Have we so squandered American leadership and credibility that now it needs to be bought back with the presence of American troops and the risk of American blood?

This brings me to my second question: Will this intervention actually rebuild American credibility?

It is possible, but only under one circumstance: The mission must be an obvious success. Credibility is not determined by the promises we keep but by the outcome we achieve. An outcome similar to Somalia or Lebanon would be difficult to calculate. the important questions are: Is this Bosnian mission likely to add to American credibility? And what is the prospect of success?

These are questions I asked in the hearing process. In several key areas, and I have yet to find adequate answers.

How can the United States remain neutral and build up the Bosnian Army? Is not this logically contradictory, and inherently dangerous?

Though it is not entirely clear what form these arms and training will take, does anyone believe that the Serbs will stand by while their military advantage is reduced as the Bosnians arm and train with the best quality arms to the best extent possible? The Dole resolution portion of that—and I commend Senator DOLE, Senator MCCAIN, Senator LIEBERMAN, and others for a well-intentioned and serious effort at outlining the conditions of American involvement—and much of this resolution contains language I can enthusiastically support, but a portion of it is deeply disturbing to me, particularly section (2)(b)3 which says the United States will ''lead an immediate international effort to provide equipment, arms, training and related logistics assistance of the highest possible quality to ensure that the federation of Bosnia-Herzegovina provide for its own defense, including, as necessary, existing military drawdown authority.'' And on it goes.

America, in effect, will be acting as a shield while one faction in a civil war aggressively arms. Taking sides in previous peacekeeping efforts have brought tragedy—not success. Clearly, the implementation agreement to an implementation of this section (2)(b)3 of the Dole-McCain resolution could lead to both a mission impossible to achieve and potentially disastrous consequences.

A second question is, How certain are we that a Bosnian Moslem-Croat federation is politically sustainable?

The Dayton agreement presupposes the survival of this fragile alliance—an alliance that is not even 2 years old. It was not even in existence when the Bosnian conflict began. It was the Bosnian Moslems and the Croats that were the warring factions—the Croats on the same side as the Serbs, each trying to carve up Bosnia for its own benefit.

What we have today is a marriage of convenience between some very reluctant partners. Are we going to stake American credibility on the assumption that eventually these uncomfortable allies will continue to enjoy each other's company? Henry Kissinger has cautioned that, ''It is naive to expect the Croat-Moslem marriage of convenience to last indefinitely.'' He argues that the relationship is more of a time bomb than a permanent political identity.

A third question: What exactly is our mission, and how will we define success?

The President believes our mission is to supervise the separation of the forces and to give the parties confidence that each side will live up to their agreements. He wants the U.S. military to serve in this capacity for 1 year in order to ''break the cycle of violence.''

The most clear portion of the proposed mission is keeping the warring factions separated. That will not be easy. But at least its effectiveness can be measured, and I think it can be accomplished. I argue, however, that it is a mission that should not be necessary if, in fact, there is a real peace agreement reached.

But the second component of the President's mission statement, that of ''giving the parties the confidence that each side will live up to their agreements,'' is dangerously unclear. These confidence-building measures include establishing the foundation for economic, social, and political reconstruction in the region. But, as I just previously stated, it is the explicitly stated but not agreed to by the parties to this agreement, it is that explicitly stated mission of arming and training one side in what I believe to be a civil war that is most disturbing to me.

I have struggled to understand this. I have struggled to find answers to these questions. I have struggled to find agreement with this so that I could support the Dole-McCain resolution. But I cannot resolve in my mind what I believe to be an inherent contradiction between a stated, written, agreed-to-by-all-parties portion of this Dayton peace agreement that calls for disarming of the parties, an achievement of a military balance, and the contradictory goal of immediately leading an effort to ensure arms and training to one faction of the three warring parties.

This militarization—not demilitarization—inevitably will lead to an arms race and, I believe, will inevitably lead to a failure of mission. And that failure of mission then squanders the last opportunity to establish or regain American credibility.

I ask the question I asked before. Have we since the gulf war so squandered American leadership and credibility that now we must regain it by engaging in a civil war in the Balkans at great risk of loss of American lives and at great risk of squandering future American credibility?

All these problems conspire to create a very difficult situation. We have staked our credibility on one outcome in the Balkans—peace. But that is the outcome that is the least likely of the many possibilities. On the one side, we have the evidence of 600 years of bitter conflict and, more recently, 34 broken cease-fires. On the other, we have the desperate hope that all the participants will show good will and good sense. I trust and pray that they will. That would be contradictory to 600 years of history.

The problem here is simple. Our credibility is at sake, but we do not control the outcome. Our success or failure will be determined by the parties and factions that have demonstrated that they cannot control themselves.

If, at the end of 12 months, there is chaos in the Balkans, the pressure on American credibility will be even

greater than it is today. We will have invested American lives, American resources, and American leadership. So then how can we walk away at that moment with our leadership enhanced? Will there not be inevitable pressure to expand our efforts, to extend them?

Jeanne Kirkpatrick has commented that ''failure to provide ground troops might do superficial damage to America's credibility, but committing troops and failing to achieve our goal would do major damage to America's credibility—really major damage. It is not possible to contemplate the damage to America's credibility that would result,'' she said.

Mr. President, I am convinced that this Bosnian crisis is a symptom of a deeper foreign policy crisis, the evidence of a basic misunderstanding of what it means to be a superpower. The will to intervene, to spend lives and money, is a limited resource of any nation. It must be carefully preserved for essential missions that concern our vital interests and maintains stability in the world.

Endless and pointless interventions squander that limited resource of national will. It is precisely because we cannot be isolationists that we must be deliberate and realistic in our actions. It is because intervention must remain an option of American policy that our interventions must be wise. In Bosnia, discretion is wisdom.

This does not mean America should be and can be indifferent about situations like the Balkans, but it does mean we should consider other options—alternatives to ground forces—in conflicts where our interests are not directly engaged. One of those options available to a superpower is to lead our allies instead of following them. Unfortunately, that course has not been taken.

Gen. John Shalikashvili has conceded that ''from a purely military standpoint'' the West Europeans could undertake the Bosnian mission on their own. They have chosen not to do so. Rather, they have insisted that America make a symbolic commitment—not so symbolic when you consider it is 20,000 troops—to the extension of an unwise NATO policy of peace enforcement among ancient enemies. It is not the kind of mission for which American troops are trained or suited. It is a mission much closer to the British in Belfast than the Americans in the gulf war, and it is clearly not a mission to be achieved in 12 months. I am deeply troubled that American lives should be sacrificed to prove loyalty to an organization—NATO—that America should be leading, not following it into mistakes that can be reliably predicted by our experience in Lebanon and Somalia.

Once these troops are placed in the field—and they are being placed now—I will do everything in my power to assure that they succeed. But I cannot accept the responsibility of voting to place them there in the first place simply for the purpose of preserving U.S. credibility. It will do nothing in the long run for American credibility to follow our allies into this misguided deployment.

I will reluctantly be opposing the Dole resolution for reasons that I have stated and supporting the Hutchison–Inhofe resolution that we will be voting on shortly today.

Again, I thank Senator HUTCHISON, Senator INHOFE, and others for their efforts in attempting to address what I think is an extraordinarily difficult situation.

Mr. President, I yield the floor.

Mr. HEFLIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. HEFLIN. Mr. President, throughout the Bosnian conflict, I have had grave reservations about the involvement of American ground troops in that troubled region. After the President made his speech on November 27, 1995, I continued to have serious concerns, because I felt that U.S. ground troops should not be involved in such a violent area that should be, primarily, a European responsibility.

Following his speech, I expressed these concerns in view of the fragility of the tentative Dayton peace agreement and the prospects for similarities to our peacekeeping efforts in Lebanon. I recalled the changes of attitude on the part of Congress and the public when the disastrous consequences in Beirut and Somalia unfolded on the nightly news.

Over the last several days, I have immersed myself in a study and evaluation of our present posture regarding the situation in Bosnia. I have listened and talked to military, political and foreign policy leaders, Members of Congress, and individuals in other related fields as well.

First, let me say that I hope during this debate over our role in Bosnia, we will rethink America's role as the sole remaining superpower and its participation in foreign disputes. We must recognize that other countries will want to use our military and financial resources to solve problems that basically they should remedy themselves. In my opinion, there should be less military involvement by the United States, as well as reduced foreign financial assistance, unless there is a vital U.S. interest involved. Furthermore, this need for rethinking is augmented by the movement to achieve a balanced budget.

Having said that, I want to share some of the thoughts that have entered my mind after reflection and discussions.

Like most Americans, I am thankful that a cease-fire and hopefully an effective Bosnia peace agreement has been reached between all of the warring factions in this long-standing conflict. I pray that the cease-fire holds, that the agreement succeeds, and that the Bosnians can live in peace. We have watched for nearly 5 years as these neighbors have cruelly and methodically torn each other apart.

On the surface at least, the Dayton agreement does hold promise for peace. It allows the thousands of refugees, theoretically at least, to return to their homes; it removes the foreign ''holy warriors'' from Bosnia; it withdraws heavy weapons; it preserves the October 5 cease-fire; and hopefully, it will stop the genocide and other atrocities that have plagued that part of Europe for far too long.

My primary concern with the agreement and the NATO mission it calls for is the requirement of having to send American ground forces to implement its provisions. This should be, essentially, a European mission. The use of air power on the part of the United States was very effective. That was, I believe, the extent to which most Americans expected U.S. forces to be involved. Perhaps this was then and is now the appropriate extent of our involvement.

NATO is probably the only military force that can be counted upon to do the job of peace implementation in Bosnia. The NATO air strikes, which were largely responsible for forcing the warring parties to the negotiating table in Dayton, were proof positive of their effectiveness. The strikes also proved that the Serbs do respond to the power of military might. Still, the mission in Bosnia seems to go beyond the defensive purpose for which the alliance was established nearly 50 years ago, and might set a dangerous precedent for NATO. If NATO's role is to be different from its treaty responsibilities, it should be tailored on an ad hoc basis to limit U.S. participation in what are primarily European internal problems.

Throughout this debate the question arises, ''Is it in the vital national interest of the United States to become involved in Bosnia?'' The term ''vital national interest,'' however, seems to mean different things to different people. I would therefore like to take a moment to reflect on my idea of a vital national interest and how it differs from other interests our Nation may have.

A vital national interest is one that a country considers to be crucial to its national security. These are issues that are so important they are not open to compromise or negotiation. A country has no choice but to risk war to protect a vital national interest. With a major interest, on the other hand, the country is not at immediate risk. Instead, a decision must be made as to whether the use of force is justified. The use of the military is a question of risks, benefits, capabilities, and, in this case in particular, conscience.

Applying these definitions, it is questionable whether participation in Bosnia is a vital national interest of the United States. Some have stated their belief that the Bosnian conflict could spill across national boundaries and engulf Europe in bloodshed. They

use our vital national interest of a stable Europe to justify action in Bosnia. We have, however, effectively managed to prevent the spread of this conflict for nearly 5 years without committing ground troops to the region.

We must also remember the peace keeping mission in Beirut, Lebanon. Many argued back in 1983 that if we did not end the fighting in Lebanon, it would soon spill across the borders and the entire Middle East would be at war. However, our national interest was in a stable Middle East, not necessarily a stable Lebanon. After we pulled out our marines, we rightly redoubled our efforts on preventing the war from spreading across the borders to Israel and Syria.

Another problem we faced in Lebanon and may face in Bosnia is our apparent lack of neutrality. It is essential that peacekeepers enforcing an agreement or cease-fire not take sides. Yet in Beirut, we bombed and shelled the Syrian-backed forces in support of the Lebanese Army and Christian militia. This lack of neutrality made our men targets and led to the fatal bombing of the Marine compound.

In the present situation, United States planes have bombed numerous targets in Bosnia and killed hundreds of Serbs. Do we believe the friends, comrades, and commanders of these dead men view the Americans as neutral? And if we begin to arm the Moslems to achieve military balance among the three parties, will any Serbs view us as neutral? If any of the warring parties become convinced that the Americans are their enemy, it could mean real trouble, not the least of which could come in the form of terrorist attacks similar to Beirut in 1983.

There are other problems to consider as well, such as the divided feelings among the Serbs themselves about the Dayton agreement; divisions among the Croats and Moslems; the remaining residuals of the presence of foreign ''holy warriors''; the millions of land mines; probably unfriendly or hostile police forces; and the lifting of the arms embargo after 6 months.

Having outlined some of my reservations about this operation, we have to be realistic. Some of our troops are already in Bosnia. The remainder of the 20,000 have been committed and will soon be there. Furthermore, the constitutionally-suspect War Powers Act allows the President to deploy troops for 60 days without congressional approval. It is also highly unlikely that Congress will vote to cut off funding at any time during the mission.

There is no Member of this body who does not support our troops when they are put in harm's way. While we might disagree over strategy or whether or not to support the peace plan itself, on the matter of supporting our troops, we do not differ. Since their deployment to Bosnia is a matter-of-fact, our task as Members of Congress, then, is to see that they have every possible means to succeed from weaponry to intelligence.

Another point to be raised is whether a failure to support the mission at this point will in some ways undermine the forces sent to Bosnia. This is a real possibility, since those rogue elements who may not believe that we are united on this issue, or that we are looking for an excuse to withdraw, could cause much greater danger to our troops.

While the impact of our vote on our troops is of paramount importance, there are a number of other issues that we must take into account as well. For instance, we must consider the constitutional role of the Commander in Chief and the War Powers Act; the respect we have for the military professionals; the constitutional roles of both Congress and the Executive; and the credibility of the United States.

Our decision must take into account the constitutional role of the Commander in Chief. Even strong opponents of the mission concede that the President has the power to deploy troops with or without the consent of Congress. The War Powers Act allows him to deploy troops for 60 days without congressional authorization. No President, however, has ever acknowledged the constitutionality of the War Powers Act, and it has never been invoked by Congress. Since it is constitutionally suspect, in all reality, the only way for Congress to stop the deployment is to stop funding. Otherwise, a constitutional crisis could be precipitated, with Congress invoking the act and the two branches ending up in court while troops are in the field.

Our decision should also take into account the great professionalism of the military. In my discussions with military leaders, I have been reassured of the fact that we do have the most highly skilled, educated, and trained military in our history. I am confident that if we give them every means necessary to succeed, they will succeed. While mistakes and unforeseen circumstances may arise, there is no reason to doubt their bravery, dedication, or professionalism in carrying out their task.

The respective constitutional roles of both the Congress and the executive branch should also influence our thinking here. The President is the Commander in Chief and head of state. The Congress has the power of the purse, the power to declare war, and the role of approving treaties and ambassadors. But we must be realistic. The President is supported by the Joint Chiefs of Staff, the Pentagon, the CIA and other related security agencies, and the State Department. He therefore has, at least in terms of numbers and experience, superior resources than the Congress in deciding the feasibility of committing military forces. This reality must be taken into account. However, this is not to say that Congress does not have independent, knowledgeable resources and a role to play in such a decision.

I also believe that the credibility of the United States is on the line in this situation, and we should carefully consider what would happen if we do not live up to the commitments made by the head of state, even if we disagree with those commitments. We only have one President, who is also the head of state, and he speaks for the country on matters of foreign policy. I fear that our credibility will be seriously damaged if we fail to support the mission. Such a vote will not prevent a deployment, but it will, however, send a message to the factions in Bosnia and to our allies and enemies as well. Without abdicating the role of the Congress, it is crucial that we give the President some degree of flexibility in conducting foreign affairs.

Finally, there is certainly a moral dimension to this issue. During our history, whether we were facing fascism or communism, we fought knowing our cause was just and that America was in the right. Our conviction that we were right was strong because we were certain that fascism and communism were wrong.

Mr. President, we all know that ethnic cleansing is wrong. We all know rape is wrong. We all know that murder is wrong. And without a doubt we all know that genocide is wrong and a great evil. It is a wrong so great that it shocks our humanity and lets our conscience know that it is right to take action.

The intense debate and congressional action regarding the Persian Gulf War was proof that even a deeply divided Nation and Senate will rally around a cause once a decision has been made. The vote to authorize the use of military force was 52 in favor and 47 against.

Yet, 5 days later, on January 17, 1991, the Senate voted 98 to 0 in favor of a resolution which commended and supported the efforts and leadership of the President as Commander in Chief in the Persian Gulf hostilities and expressed unequivocal support of the men and women of the United States Armed Forces. I remember many Senators who had voted against the authorization of force saying before that vote in which we supported our Commander in Chief, that no one should doubt that the Senate and the Nation would be united once the authorization had been approved. I hope the same will be true once the votes have been cast with regard to the Bosnian troop deployment.

For the reasons I have stated and to demonstrate United States resolve and, most importantly, to give our American troops every means of success, I will support the deployment of America's military might to Bosnia.

Mr. President, I yield the floor.

Mr. GRAMM addressed the Chair.

The PRESIDING OFFICER (Mr. FRIST). The Senator from Texas.

Mr. GRAMM. Mr. President, I rise to oppose sending American troops to Bosnia. The Dole resolution asks us to agree to, support, and expand the mission that the President has subscribed to in Bosnia. I intend to oppose that

resolution because I think that the President's mission is deeply flawed. I think we are making a mistake, and I intend to make it very clear that I oppose the policy we have undertaken with respect to Bosnia.

What we are being asked to support is the sending of American troops into the line of fire as a buffer force between two warring factions which have broken every cease-fire and violated every treaty over the past 500 years.

Historically, in our country, we have set high standards for sending Americans into harm's way. Each of us has set standards a little differently, but in general, we have all tried to ask ourselves, ''Do we have a vital national security interest?''

Our President has, for 3 years, tried to make the case that we have a vital national security interest in Bosnia. I submit that the President has failed, not because he is not a great salesman, but because he has no product to sell.

What is happening in Bosnia is terrible. Many Members of the Senate have been to the Bosnian region. Every American has seen on television what is happening there and we are all outraged about it. But when you get down to the bottom line, whether we have a vital national security interest in Bosnia, the answer is clearly no.

It seems to me the second question we have to ask ourselves is, ''Will our intervention be decisive in promoting the objectives we seek?''

It is one thing to have good intentions and pure motives, but it is another thing to have a plan that would allow you to put those good intentions and pure motives into force.

I see no evidence, whatsoever, to substantiate the claim that our intervention, as a buffer force between warring factions in Bosnia, is going to be decisive in promoting the objective we seek. I have always tried to apply a third test in committing Americans to combat and harm's way, a test which has come about in my own mind because I represent a large State of over 18 million people. Texas has a lot of people in uniform; many people born in other parts of the country have been stationed in Texas at one time or another, and, for myriad reasons, have become citizens of my State.

So when Americans died in the Persian Gulf and when Americans died in Somalia, Texans died. I was called upon to console the parents and spouses of Texans who had made the supreme sacrifice for our country. As a result of this experience, I have concluded that there is one additional question that I need to ask myself before committing Americans to combat and before putting Americans in harm's way. This test goes beyond whether or not we have a vital national interest and it goes beyond the question ''Will our intervention be decisive in promoting our interest?'' This test concerns my two college-aged sons and it asks ''Am I so convinced that we have a vital national security interest in Bosnia, and do I have strong enough belief that our intervention will be decisive in promoting those interests that I would be willing to send one of my own sons?''

Until I can answer that question with a very decisive yes, I cannot feel comfortable in sending someone else's son and someone else's daughter.

We are told by the President that if we do not send troops to Bosnia, that we are going to undermine NATO. I submit, Mr. President, that this is an absurd notion. NATO is a defensive alliance. NATO was established in Western Europe to keep Ivan back from the gate, to keep the Soviet empire out of Western Europe. NATO has been one of the most successful alliances in history, but never, ever—not when NATO was established, and not to this point in its functioning—have we viewed NATO as an alliance which should intervene in civil wars. I submit that this is a change in the mission of NATO. To claim that a defensive security alliance will be undercut if the United States of America does not intervene in a civil war, simply has no merit and no justification. I am also very concerned about the Dole resolution. I am concerned about the fact that in the initial presentation, the President argued that we would be part of a NATO force that, on a neutral basis, would be a buffer between warring factions. My concern, under these initial circumstances, was that the cease-fire would not hold—every other cease-fire in recent history has not held—or that the peace agreement would be broken, something which has happened consistently for over 500 years.

The Dole resolution only increases my concerns by injecting a new element into the mix. Since the President has no exit strategy, and since the President's plan is very specific as to how we get into Bosnia but not very specific as to how we get out, the Dole resolution imposes an exit strategy by having the United States of America take sides in this conflict, by having us arm and train one of the warring factions. I submit, Mr. President, that if we take sides in this conflict, any protection in neutrality that our troops might have had will be lost. If there were to be any security in neutrality for our troops, then agreeing to take sides in the conflict, by arming and training one side, can only serve to further endanger American lives.

Paradoxically, if we were debating not to intervene in Bosnia in a peacekeeping role, but rather to be part of an effort to try to bring a balance in military power by lifting the arms embargo, by bringing the leadership of the Bosnian army to Germany to be trained by Americans, and to have an international effort to supply arms, in all probability I would be supportive of that proposal. But when we take on the role of a neutral peacekeeper, by the very nature of that role, we eliminate our capacity to take sides in the conflict, to be a source of weapons, or to be a source of training. I understand the desire to find an exit strategy, but, quite frankly, I believe the Dole resolution takes a flawed policy and goes one step further by making it more flawed. I intend to vote against the Dole resolution.

Let me raise a concern that I have thought about now since Somalia, and I raise it because, by going back to Somalia, I can divorce this issue from partisanship since it was President Bush who sent troops to Somalia. We could get into an argument about how he sent them there in one role and President Clinton used them in another role, but that is a subtle argument that I am not interested in.

I am very concerned about the fact that we are setting American foreign policy by channel surfing. I am very concerned about the fact that we went to Somalia for one, and only one, reason, and that was because the suffering and misery in Somalia was on television. Similar pictures could have been shown from a dozen other spots on the planet, but when one network decided to highlight Somalia, and when the public saw these pictures politicians in Washington responded by establishing a policy to intervene.

I submit that you cannot, and should not, run our Nation's foreign policy as if it were social work. You cannot always be looking for some good to do around the world. We, even as powerful as we are, and even as the greatest and most powerful nation in the history of the world, cannot fix everything that is broken. We cannot right every wrong. We cannot take unto ourselves the mission of seeking out all human suffering or all injustice on the planet, with the goal that we, through our power, should solve these problems. Quite frankly, we have a lot of problems of our own; we have a lot of human suffering in our own country. But I believe that we made a mistake in Somalia, and I believe that we are making a mistake in Bosnia.

I think in conducting foreign policy, you have to define your vital national security interests first. Then when something in the world threatens those predefined national security interests, you can determine whether or not, given your abilities, you can be decisive in protecting these interests. I think in the Persian Gulf the answer was, yes; our vital national interests were threatened. We had a military dictator who was developing, as we now know and have convincing evidence of, both chemical and nuclear weapons. His invasion of a neighboring country threatened the whole Middle East, it threatened Saudi Arabia, and threatened our ally, Israel. We had a vital national security interest in the Persian Gulf, and we had the capacity, through our intervention, to be decisive in promoting that interest. This, however, is not the case in Bosnia.

I am very alarmed about this new approach—which is the foundation of foreign policy in the Clinton administration—of viewing foreign policy as simply an extension of social work.

One final point on this subject. The cold war is over. We are debating the powers of the President to use American military power around the world. Virtually everyone in this body has served in the Congress during a period where we were in a life or death struggle. Some of our Members served, not here, but in the service of the country, when that enemy was fascism. Every Member, except the newest Members here, has served in the Congress when we were in a life-and-death twilight struggle with world communism. While that struggle was underway, either against fascism or communism, American intervention around the world as a way of promoting our national interests was the most successful policy of this century—it won the cold war. Under those circumstances, when Ivan was literally at the gate, it made sense to give the President the benefit of the doubt. As a result, we have all conditioned our foreign policy thinking in terms like ''partisanship ends at the water's edge.''

I submit that this conditioning of our thoughts comes from an era that no longer exists. It was from an era when there was a worldwide struggle for survival underway. I submit that this sort of logic does not apply in this case. Why should the President have more benefit of the doubt while engaging in police activity in Bosnia than he has while engaging in police activity in Cleveland, OH?

I submit that there is no reason to give the President this additional benefit of the doubt. But even if one did, there is no evidence to substantiate the belief that we have a vital national interest at stake nor that our intervention can be decisive in promoting this interest. I am very concerned that, unless we are very lucky, the outcome of this intervention might simply be to add American names to a casualty list, but not to end the tragedy that we all want to see ended.

I am going to vote against the Dole resolution. I am going to vote for the Hutchison resolution, and I am going to vote for the resolution denying funds for the deployment of troops to Bosnia. I believe that we must take the strongest stand possible. I believe that the current plan is a mistake and that it is not a logical way to promote American interests. I do not want to send troops to Bosnia. I know they are going and I understand that the votes are here to assure that the President is going to not only be able to send troops to Bosnia, but also is going to be able to cloak himself in congressional support.

But I want to make it very clear. I do not support this policy. Since stopping funding is the only way to prevent the troops from being sent, I will vote to stop funding. There are those who will say, ''Well, then, are you not supporting the troops?'' The answer to this is that I am not concerned about the troops doing their job—I know they can and will do what they are ordered to do. I am concerned about the U.S. Congress doing its job. I know that our warriors will do their duty and I know they will serve proudly. I know that if this mission can be made to work then they will make it work. I know that every Member of the Senate and every Member of the House will be supportive of our troops, and I know we will give them the supplies, the weapons, and the support they need. But knowing all of this does not mean that this is not a bad decision which should not be undertaken. I oppose the deployment, and I intend to vote against it.

I yield the floor.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, the legislation before us concerns one of the most important issues the Senate ever considers—whether to send American servicemen and women into danger. The decision to send American troops on this military peace operation is a huge responsibility, and we must weigh it with the greatest care and caution.

President Clinton has demonstrated impressive leadership in achieving the Bosnian peace agreement, to be signed tomorrow in Paris. The United States troops being sent to Bosnia are going there to help implement that peace plan. Because of U.S. leadership so far, they are not going there to fight a war—there is no longer a war to fight. And with U.S. leadership in the year ahead, there is a good chance the war will never resume.

Everything depends on the parties' own commitment to peace. We have given that question very careful consideration in our Armed Services Committee hearings in recent weeks, as well as in consultations with Secretary of Defense Perry, the Chairman of the Joint Chiefs of Staff, General Shalikashvili, and Assistant Secretary of State Holbrooke.

Secretary Perry and Ambassador Holbrooke made very clear that the parties initialed the Dayton peace agreement and will sign the Paris peace agreement because they are tired of war, not because the United States or anyone else imposed it upon them. The parties met painstakingly for 21 days and nights in Dayton and reached a landmark accord to end the 4-year-long war that has plagued all of Bosnia and destroyed much of that country.

President Clinton is now sending United States troops to Bosnia to help all sides implement the peace agreement. Without American leadership, there would have been no agreement, and without American troops to implement the agreement, there will be no peace.

The role of United States forces in Bosnia serves American interests in several ways. Most important, this mission is the only real chance to achieve peace in Bosnia. That peace is essential to prevent a wider war in Europe; a wider war would inevitably involve the United States and with vastly greater risk of casualties. Twice in this century, tens of thousands of Americans have lost their lives in world wars that destroyed much of Europe. Containing such wars before they spiral out of control will save future American lives.

Sending United States troops to Bosnia will also serve the American goal of ending the massacres, ending the ethnic cleansing, and ending all the other atrocities that have claimed a quarter million lives in this war and driven 2 million more people from their homes.

The United States cannot be the world's policeman, and this deployment does not make us one. But our country was founded on respect for human rights, and on a responsibility to help those in need where we can. In this case, we can stand up for those principles by ending a war and helping a war-ravaged nation heal itself.

It is also in the U.S. national interest for NATO to succeed in this mission. This is a clear test-case for NATO. This alliance, created during the cold war to meet cold war threats, faces the massive challenge of reshaping itself to deal with security threats in the post-cold-war era. Meeting the challenge of Bosnia, using military forces to enforce a peace in a local conflict that threatens to escalate into a wider war, is the type of threat that NATO must be able to meet. If the alliance fails the test, it may well not survive. Surely, no one can deny that the vitality of NATO is in America's national interest.

Many of us had hoped that the U.N. peacekeeping force could have dealt with this conflict and produced a lasting peace, but that was not possible. Cease-fires came and went—the only certainty was that the war always resumed.

Now, the United States and NATO face this challenge. NATO air strikes, led by the United States, were the key factor in producing the most recent cease-fire, and NATO forces, led by the United States, will be the key factor in keeping that peace and giving it the chance it needs to take root in the hard, bitter, blood-stained fields of Bosnia.

This is no Gulf of Tonkin resolution blank-check commitment. The military mission is limited and achievable. The United States and NATO are not assuming open-ended responsibility for peace in Bosnia. That is very important. The mission of the U.S. and NATO forces is to give the people of that divided nation new breathing room, not more breathing room to implement a specific peace plan. There is no commitment by the United States or NATO to nation building or to provide a long-run guarantee of peace. President Clinton has made clear that

if the war resumes, he will withdraw our forces. He has also placed an approximate 12-month deadline on our troops' stay in Bosnia.

The war in Bosnia went on too long. The United Nations, the United States and our allies in Europe made many mistakes along the way. The war claimed too many lives, and it often threatened to spread to other nations. But now that all sides in Bosnia have chosen peace themselves, the United States is in a position to lead NATO and over 25 nations from around the globe, including Russia, in an unprecedented effort that is also a limited but clearly needed effort to continue the peace and give it time to stick.

We all recognize that the mission may fail to achieve a lasting peace. But the real failure would be not to try.

I commend President Clinton for his leadership. I commend our brave men and women going to Bosnia to serve American interests and American ideals. We stand behind them, and we wish them a safe and successful mission.

Mr. FEINGOLD. Thank you, Mr. President.

I begin by thanking Senator HUTCHISON and others who are leading the effort on the amendment regarding the disapproval of the deployment of United States ground troops to the Republic of Bosnia and Herzegovina.

Mr. President, on today's local NBC–TV news, it was just simply stated that there would be Senate debate today on Bosnia and that there would be a vote. But then the newscaster said, ''But the President does not need congressional approval. The troops are already committed.'' This statement was made as if it is a simple matter of fact. More accurately stated, as if it is an undisputed point of law rather than the subject of what I believe to be one of the oldest and most important debates in our country's history: The question of whether the President can deploy troops without congressional approval.

I, and several other Members of the body, have said that we do not agree with this notion and that Congress must—must—approve such deployment, whether it be under article I of the Constitution's war-making powers or under the War Powers Resolution or under a more general notion of the checks and balances between the Congress and Executive.

In any event, Mr. President, it is obvious that this institution, this Senate, does not have the will to challenge decades of executive aggrandizement of congressional war powers. This is only the last and most recent chapter of that syndrome. It is certainly not only the act of President Clinton. It has been the act of Presidents of both parties ever since World War II.

So it is with disappointment in, what I consider to be, the falseness of this process that I rise to support the only amendment that allows some semblance of what I believe to be Congress' role in this process, and that is to approve or disapprove the sending of tens of thousands of troops into what is indisputably harm's way.

This notion that Congress has to approve a deployment is not something in my imagination or just a relic of America's past. It is one of the most important opinions that has been expressed throughout American history. I first ran into it as a high school student, when we were involved—in fact, trapped—in the Vietnam war. During my undergraduate years, I followed the debate and passage of the War Powers Act which was designed because of that crisis. I remember well, when I was a little younger, hearing about the very few Senators—a precious few Senators—who stood up and questioned the Gulf of Tonkin resolution. Of course, it was that resolution which let us slip into the quagmire that became known as Vietnam.

But my views on this are not just a throwback to Vietnam or the Gulf of Tonkin resolution, although I think appropriate parallels can be made between how we got into Vietnam and what is happening here with regard to Bosnia. There are several recent serious efforts to look at the role of Congress vis-a-vis the Executive in deploying troops. I am specifically thinking of two which were published this year. In his 1995 book ''Presidential Power,'' Louis Fisher carefully documents the constitutional role of Congress. Mr. Fisher dedicates the book to the republican principle that warmaking is reserved for the legislature, and says ''this definition of Executive power''—meaning the prevailing view that seems to dominate our proceedings now—''this definition of Executive power, to send troops anywhere in the world whenever the President likes, would have astonished the framers of the Constitution.''

''It would have astonished the framers of the Constitution.'' Mr. President, it astonishes me today. I fear it is completely out of sync with our national interests, our international interests, and our capacity to make decisions as a nation in this post-cold-war world.

In another book published just this year entitled ''A Culture of Difference; Congress' Failure of Leadership in Foreign Policy'' by Stephen Weissman, it says: ''It is not too much to say that Congress has substantially ceded its fundamental constitutional role in foreign policy.''

As a Senator and as a member of the Senate Foreign Relations Committee and as a believer in Congress' role in the constitutional system, it is painful to hear that kind of assessment in 1995. But even more painful is to see this acquiescence and timidity played out in the context of Bosnia.

Late yesterday afternoon, the debate on various resolutions of support for and opposition to the deployment in Bosnia really began. Unfortunately, the resolution of authorization I would have hoped to have voted on will not be presented. In any case, the debate began yesterday afternoon and will conclude later today, with three votes, leaving essentially just 1 day of debate on a subject involving the sending of upward of 20,000 U.S. troops, or perhaps more, into harm's way.

Earlier this year, we spent a month out here on the balanced budget amendment, and I think it was well worth the effort. But just 1 day or 1½ day on the commitment of U.S. ground troops seems to me to be insufficient.

I have listened to just about all of the statements that several Senators have made since last night, either here or on the television. When I was listening, I heard mostly Republican Senators speaking in opposition to the deployment. And, although I do not agree with the conclusions, I was especially interested and impressed with the remarks of the Senator from Maine, Senator COHEN. I appreciated several things he said.

The first point he made is that President Clinton is not doing this for political reasons; that President Clinton is sincere in his motives. I believe that, too. I believe he is doing this, not to get votes, but because he believes it is the right thing to do. It is essential that we say that because there are those—including people who agree with me on this issue—who have suggested otherwise. I strongly believe the President, in his heart, believes this is the right thing to do, and that's why he's doing it.

I also appreciate what the Senator from Maine said, in candor, about the importance of the debate about constitutional power. He said it is important to resolve the issue of what is the role of Congress and what is the role of the Executive in deploying troops overseas. But then he quickly conceded that it is not going to be resolved on this one.

Do you know what, Mr. President? I have been here 3 years and we have already struggled with troop deployments in Somalia, Haiti, Rwanda, and Bosnia. That is an awful lot of intervention in just a few years when we do not even have an enemy like the Soviet Union threatening us. Yet on each occasion I have heard Senators say, ''We have to do something about this, but it is not going to be resolved on this one.''

To refer to Senator COHEN's statements again, I want to echo his observation that what is at stake here is not really just that the President has tried to assert warmaking powers. The fact is, Congress has not done its job of using our power either as an institution, as the U.S. Congress, to exert our war powers. In fact, Senator COHEN used the phrase from the law, ''possession is 90 percent of ownership,'' which, in effect, means you have to use the power or it goes away.

I remember a scene from the television show ''Dallas,'' years ago, portraying a much more mundane expression of this same concept. It was the episode where the senior Ewing, Jock,

was confronting his son, Bobby, who was complaining about his brother J.R. Ewing taking control of the oil company. Bobby said, ''Daddy, you gave me the oil company.'' But Jock said, ''Son, nobody can give you real power. You have to take it.''

That is what Congress must do with regard to the war power: it must take the powers that the framers intended for it and use them. Here we have allowed the President of the United States to commit 20,000 or 25,000 troops without even having a binding vote on it.

What do the Members of the Senate who support the deployment say? They say, ''The President should not have done it, but it is too late. He is the President. War Powers Act does not work.'' Even more puzzling, I've heard, ''We have to get this thing done today because the peace treaty will be signed tomorrow.'' These are the excuses that are being used for not exercising our constitutional role of approving or disapproving this action.

We have been presented a fait accompli, a done deal. As was said by several Republican members at the Senate Foreign Relations Committee hearing last week, this is really a situation where we are being asked to participate in what is a pseudo-decision-making process, where the decision was already made a long time ago in the back rooms of the White House and within NATO, and maybe even in some of the back rooms of this building. That does not take away from the sincerity of the people who came to such understandings, but it does represent an affront to Congress. In effect, the Senate, in its constitutional role, is being co-opted here. The fix has been in for a long time.

Again, it is not really just the President's fault. It is Congress' failure to challenge and insist on a procedure whereby there is a true, organized debate, involving public participation, and culminating in a vote that the public will understand to mean that if we say it is a good thing to do, it will happen, and if we say it is not a good thing to do, at least there will be a serious consideration on the part of the Executive that it should not go forward.

But that is not what we have here. Senator COHEN pointed out, the Executive should seek a real vote on this mission, if for no other reason than the President and all of us may need—down the road as this operation goes forward and the going gets tough—we may need that understanding and public support which cannot be generated in this context.

That is why I introduced, on October 20, Senate Resolution 187. It simply says, ''It is the sense of the Senate that Congress should vote on a measure regarding deployment of U.S. Armed Forces in the Republic of Bosnia and Herzegovina as a part of the implementation force as part of the North Atlantic Treaty Organization prior to the United States entering into a commitment to carry out such deployment.'' That is the sort of resolution that I would have hoped would have gone through this body before the treaty was signed.

Another step we should have taken was to lift the UN arms embargo against the Republic of Bosnia and Herzegovina. I was the first Member of the 103d Congress, as a new freshman Senator, to introduce a resolution calling for lifting the arms embargo. I am certainly not the only one who has advocated that, but I was involved early on, and was pleased to work with Senator DOLE who played a great leadership role later on.

But I must say, for the leader of this body to suggest that the President failed to lift the arms embargo and that Congress did everything it could do is false. We voted to lift the arms embargo, on S. 21, on July 26, by a vote of 69 to 29; theoretically veto proof. I know the President might have called a few of us and tried to get his numbers up, but where was the attempt to override this veto on the floor of the Senate?

Where was Congress in saying we will exert our role and—although we must defer to the President on foreign policy, in many cases—where were we to say that this one was different? Instead, I feel some of the leadership is trying to have it both ways, saying we do not want to confront the President, and that we support him; saying we support the troops, but we did not support the deployment. This is a masterful way to try to have it all ways. I think Senator BROWN had it right last night. The more truthful characterization of what is going on here is we are ducking our responsibility. I am very concerned about the process. Mr. President, assuming the vote today really was going to decide whether these troops are going to go or not, I'd like to address the merits, briefly, because I know many other Senators wish to speak. I believe that the United States has a very important interest in Europe—very important. But I am not convinced that we need United States ground troops in Bosnia to protect those interests for us or for Europe. I think the European countries certainly could provide all the ground troops in this case.

The list of issues and concerns about this operation are a mile long, whether it be the commitment of troops for just 1 year, or the challenges of the terrain, or to tie in the rationality of this approach with the discrepancy between the arms of the different sides. They are all important issues that have been raised. But, to me, to just come on the floor of the Senate and hear people say it is all about U.S. leadership or European stability, really does not tell me anything. I am not sure what those terms mean in the post-cold-war era. Why cannot the U.S. leadership in this context be defined as air power, naval power, intelligence, resources? Why does the definition inherently have to include the deployment of ground troops? I do not think ground force is inherent in the term ''leadership,'' especially for a country that has shown such leadership already and will continue to show leadership throughout the world.

In my mind, ground troops indicate an ultimate physical threat to the United States. What is the ultimate physical threat to the United States that requires the sacrifice of American lives in this case? Is it a threat to Europe? Is it refugees on our doorstep? Is it just the pictures on CNN? I will show you pictures from Liberia, Angola, and East Timor and they are the same or worse. There is a very strong justification to stop the horror in those places as well with American troops.

When we look to our European allies in this case, I am not sure whether this is a question of whether we are leading. I am not so sure we are not just being led when it comes to being forced to put our ground troops in to the tune of a third of the I-FoR forces. As far as I understand, the possibility of not committing U.S. troops was not even seriously discussed during the negotiations in Dayton.

Again, we have to be cautious about analogies. People ask me if this is like the Persian Gulf or Vietnam. I want to be careful, but I guess I would have to say it is a lot more like Vietnam than the Persian Gulf.

Senator SMITH spoke last night, as a Vietnam veteran, about the justification for the process of the Vietnamization in Vietnam, and made the parallel that much of the language and things being discussed for the Bosnia mission are not unlike the extremely unsuccessful effort with the Vietnamization of South Vietnam during the Vietnam war. We must learn the lessons of history. I think there are very serious lessons from that quagmire.

Also, how does this effort fit in with our main goal of this Congress to balance the budget? We are having a terrible time trying to prevent severe damage to our important domestic programs and to balance the budget. Yet we have already had a $7 billion expense on the Bosnia deal—$7 billion, I say, because the President was determined to veto the defense appropriations increase of $7 billion until this proposal came down the road. I call that $7 billion the opening ante in Bosnia. I think it is going to cost a lot more.

Mr. President, I also worry about whether or not this intervention would have so much support if we still had the draft. I have always believed that it was good to have a volunteer Army, but I remember the Vietnam era, and I remember the people from all classes of society and all backgrounds who started to question the war because everybody's kid could possibly go to Vietnam. That is not what is going on here.

Have we thought about the economic status, the racial status, the ethnic

status of the people who are more likely than others to die in Bosnia? It worries me. It worries me that we are not learning these lessons of history from that period either.

Finally, Mr. President, I think we have to ask the question in the post-cold-war era: What are the limits of American power? We are the most powerful country in the world, and we certainly want to stay there. But there are limits.

I remember the discussion years ago of the danger that we may try to create or enforce a Pax Americana, as Rome tried to do with a Pax Romana. Rome became overextended and ultimately could not withstand the strain on their own internal well-being.

I think this action—which, to me, is the first step toward our attempting to police the world—threatens our own national security. We need a new foreign policy that reflects post-cold-war realities, including our vital interests and our domestic needs.

Mr. President, I finish by simply saying that in addition to the fact that we are not following a constitutional procedure which could strengthen us in this kind of commitment, by not avoiding the deployment of ground troops we also run the risk of sapping America's strength from within.

So, regretfully, I have to oppose the President on this, which means I will support the Hutchison amendment, and oppose the Dole resolution in support of the deployment.

I thank the Chair. I yield the floor.

Ms. MIKULSKI addressed the Chair.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, earlier this week we had a debate on what it means to support the flag. Now we are voting to stand behind that flag—and that means voting to support our troops.

No American ever wants to send our troops into harms way. Certainly no one wants to do this days before Christmas.

All over this country, and as our troops are doing abroad, families are planning for the happiest time of the year. They are visiting family, trimming trees, and singing Christmas carols.

But instead, as for our troops in Germany, they are planning to spend a year away from loved ones. And they are preparing for the risks that are part of any military mission.

After consultation with the President, the Vice President, the Vice President, the Chairman of the Joint Chiefs of Staff, and our ambassador to the United Nations. And after prayerful reflection—I am voting to do just that.

Why? Because after 4 bloody years, the people of Bosnia have decided to give peace a chance. Only NATO can enforce this peace. But without the United States, NATO cannot and will not enforce the peace.

The fighting will continue. The savagery could continue. Mass murders and rapes could continue, and ethnic cleansing will continue unless NATO and the United States involvement takes place. Older people and children will continue to be pushed from their homes, but lights will go out once again in Sarajevo, and the lights will go out for any peace, or any possibility of peace.

But even as I say this, I want to speak directly, if I can, to the troops and to their families. I want them to know that I would not support this vote unless there was a specific, focused, and limited mission. Over and over again at every meeting I have spoken out for the fact that there must be clear criteria for going in and clear criteria for getting out.

Those are the questions that I asked the President and the Vice President—not what will send our troops there, but what will bring them back home. They gave me these following answers, and I shared this with the military, with our troops, and I share this with the families all over the United States of America who are watching what I think is a debate of great stability.

What we have been told—and I believe—is that the U.S. military, first of all, will only go if all sides agree to abide by the peace agreement. No peace agreement, no troops. No peace agreement, no troops. When our troops go, it is to create the climate for the Bosnians, all parties in Bosnia will take hold and make peace among themselves. We are to create the framework and the climate. If that dissolves, we are going to pull out.

Our troops will have these criteria for leaving as soon as the following things are accomplished: The cessation of hostilities; creation of a zone of separation; and the return by the Bosnians of the Serbian-Croatian troops and weapons to their home bases.

You, our men and women of the military, will be there to enforce the peace, not to rebuild Bosnia. But while you are enforcing the peace, the international community will provide humanitarian aid, resettle refugees, oversee elections, and also that there needs to be a military balance created between the Bosnians and the Serbs.

I would not vote to send those troops unless I was assured that they had received excellent training, the best equipment in the world, the best technology to find landmines and the right to use every means possible to defend themselves, and also that they would serve under an American commander.

To our troops, I want to say, you will not be alone. Over 25 nations will participate. They will be sharing the burden also of the risk as well as the financial one. Our oldest NATO allies, England and France, as well as new democracies like Poland, will be there—the countries that you helped liberate by winning the cold war. The Congress must back you. I believe that Congress will back you. And I know as always the American people will support you.

I would not vote to send you if your mission was not essential and honorable. Your mission is essential because without you, there will not be peace or stability in Europe. Without you, NATO, the world's strongest military alliance, would be destroyed. Without you, I am concerned the war in Europe might spread to Macedonia and Albania. It could bring Greece and Turkey into this situation.

Your mission is honorable because you are crucial to stopping the bloodshed in Bosnia. The people of Bosnia have endured misery, suffering, and brutality; 250,000 people died in this war. Families and communities, cities have been ravaged. Children were killed as they played. Old people were killed as they shopped for food. Hospitals were attacked as they tried to care for the wounded. War crimes that remind us of the Second World War were committed. We are asking you not to do this for some abstraction like NATO or Bosnia. Actually, we are asking you to do this for the people of Bosnia, for families that are just like yours, for children just like yours, for a child that I met named Zlata, a 9-year-old girl who keeps a diary and speaks to the world. They call her the Anne Frank of Sarajevo. Because of you, she will have a far better fate than Anne Frank endured. She is a child who tried to tell the world the suffering the war has caused and a child we hope we keep in our mind as we go forth in this mission.

So to you, the American troops, while you train for war, you will be there to enforce the peace. The American people greatly appreciate you and are grateful for your heroic sacrifice. We thank you for taking the risk so that others could have the opportunity to give peace a chance. We thank you for being there when you are needed. I say to you as we vote on this, may the grace of God be with you and protect you as you go forward to protect us.

Mr. President, I yield the floor.

Mr. CRAIG addressed the Chair.

The PRESIDING OFFICER (Mr. DEWINE). The Senator from Idaho.

Mr. CRAIG. Mr. President, Congress will respond today to President Clinton's decision to deploy United States troops in the former Yugoslavia as part of the Bosnia peace accord that was negotiated and initialed in Dayton, OH, and which will soon be signed in Paris.

President Clinton has articulated his policy to all of us, to the citizens of this country, and has now requested congressional support. Yet even as our troops are headed to Bosnia, the President has, in my opinion, failed to supply a defined goal or mission, strategy for achieving the goal, an exit strategy and/or the national and security interests of our country.

The President has raised three concerns to justify U.S. participation in implementing the peace accord: The potential spread of conflict throughout Europe, our leadership in NATO and international communities, and the need to end the carnage in the Balkans.

I do not question the concerns raised by our Commander in Chief. All of

them have some degree of legitimacy. Mr. President, we would all like to respond to what we will refer to as the moral imperative President Clinton and others continue to emphasize as it relates to the devastation and the human suffering that has gone on in the Balkans and has left us all a tremendous feeling of frustration to which many Senators, including myself, have come to the floor of this Senate over the last 3 years to speak.

These feelings are not new. Four years ago, I was contacted by a Croatian-American constituent of mine when the conflict first raged between the Serbs and Croatians. This gentleman is a friend who was concerned, maintaining contact with my office, and his fears and frustrations were all very real to me, as all of us have experienced that with some of our constituents.

The moral imperative existed then. However, then, like now, our options for involvement, in my opinion, were very limited, and we still face the fundamental difficulty of trying to make the peace a greater victory than winning the war. While we all understand and agree with the moral imperative, we have yet to hear why this action would serve our national interests and our security needs.

I have listened to the President's proposal as presented by his representatives, and I have listened to my fellow Idahoans. I have read and I have reviewed the agreement and the proposed deployment. My conclusion is this: the answers I have been seeking such as defined goal, exit strategy, national security interests, have not been satisfied—not just to this Senator but to the American people.

Therefore, I am pleased to join my colleagues, Senator HUTCHISON, Senator INHOFE, and others, in offering an amendment to oppose this President's actions. Let me be clear, Mr. President, so that there is no effort to cloud what is being debated here. I oppose the President's decision to deploy our troops. I will, however, as I always have, support our troops if they are ordered by our Commander in Chief to implement a Bosnian peace agreement. I will not allow our brave men and women to become pawns in what I believe is rapidly becoming a high-stakes political game.

I find it ironic that as the Senate prepares to vote on United States ground forces in Bosnia, the Serbians there will be exercising their own voice as they have been in an unofficial referendum to vote on the peace agreement. I also find it ironic that we in the Senate conclude a historic vote on protecting the honor and the sanctity of our national symbol, the United States flag, while it is being trampled, torn and burned in the streets where our soldiers will be sent to make the peace. I think this Senate and this Congress has to explain to the American people why they cannot express a clear and strong opposition to our President.

The debate on the President's plan to deploy U.S. troops as peacekeepers to Bosnia is not a new debate but the continuation of a long and ongoing one over the President's desire to deploy ground forces in the Balkans. The Congress has spoken in opposition to this idea in the past, and I hope we will speak clearly on this issue again today. That argument is one that must be clarified for the American people.

I know of no other time when my constituents in Idaho have spoken more clearly to me.

Last weekend as I walked across the Boise airport, a crowd gathered around me as one man reached out and grabbed hold of my arm and said, ''Senator, I have to talk to you for a moment. You,'' he said, meaning me, ''cannot allow this President to put our young men and women at risk when there is no defined need to lose human life. We are not at risk nor is our security.''

While this man and others in that crowd were clearly concerned about the loss of human life in the former Yugoslavia, they could not justify the spilling of American blood to stabilize that situation when this Congress stood on an arms embargo and tried to express our will, and this President refused; and we refused as a nation then to allow that kind of equity to exist.

The more I review the information on the agreement in the proposed peace mission, the stronger my concerns have become. As part of this agreement, our President, our Commander in Chief, will be deploying U.S. troops into extremely rugged terrain during the middle of what appears to be a very severe winter. In addition to poor conditions and freezing temperatures, there is the problem of about 3 million land mines that exist within the sector assigned to the American forces.

Mr. President, as my fellow Idahoans and I know, winter in the mountains can be demanding at best. The area where our troops will be is like an area in Idaho that we call Stanley. And I will tell you that in Stanley, ID, in December and January, if you are living in a tent, you are challenged as would be the most extremely capable survivalist. And that does not include the snipers, the civil disorder, or the land mines. I suggest that we are sending our troops into a most difficult situation.

During the December 1 hearings before the Senate Foreign Relations Committee, even the Secretary of Defense, William Perry, underlined the difficulties facing our troops. In addition to the snipers and the civil disorder, they include extreme elements of undisciplined militia and the hostiles that are there.

The dissatisfaction of some Serbian factions should not be taken lightly. There is a strong likelihood that our troops will be challenged, even attacked, in carrying out their mission of peace. How in that effort can it be called peace other than engaging us in an ongoing war? Yet we are continually told that our men and women are not going to fight a war, they are simply going to keep a peace.

In these conditions, Mr. President, the lines are so gray that they are no longer discernible. I believe this President cannot clarify them, nor can he define them. I have opposed the use of ground forces in Bosnia in the past. And I will continue to oppose that policy today.

It is most frustrating that the use of American ground troops is not the only option at hand. I am frustrated that the President has refused to lift what I viewed was an illegal arms embargo on Bosnia and Herzegovina. I have strongly supported the efforts of the majority leader and others in a very strong bipartisan voice on this floor to pursue the best policy options in a difficult situation. And one of the best policy options was to lift the illegal arms embargo on Bosnia and Herzegovina. It would not have caused us to take sides. It would have simply allowed fair play and the right of self-defense in those circumstances.

The last vote on this issue occurred as recently as July of this year. At that time, Mr. President, I asked how many bills will be passed, how many U.N. resolutions presented, how many cease-fire agreements will be broken before the people of Bosnia and Herzegovina will be allowed to stand against their aggressors and defend themselves?

Mr. President, there is ample reason to question the enforcement of the 1991 embargo against Bosnia in the first place. The embargo was not imposed on Bosnia, because Bosnia did not exist in 1991. Rather, it was imposed on Yugoslavia. In addition, enforcement of this embargo could arguably violate Bosnia's right to self-defense under article 51 of the U.N. Charter.

Many Americans hoped that the passage of S. 21 would end the arms embargo and finally allow the Bosnian Moslems the right of self-defense. With rough parity in this conflict that might have happened, a lasting peace agreement would be far more likely than the kind that we are stumbling into. Instead, we have a very unequal situation going into the implementation phase of a peace agreement that at best could erupt into major fighting with our forces being squarely in the middle of it all.

Mr. President, I will just add, the United States did not need to do anything. Well, I think that is not true. We have done a great deal in the past 3 years. We have provided the support, the air cover, the naval logistics, all that we needed to do as a participating member of NATO.

It is now time for us to define much more clearly our role in foreign policy around the world. I would suggest to this President that every time we are called upon or led into a skirmish, deployment of our ground troops are not necessarily a demonstration of leadership. To lead means to try to solve it

by alternative means. In this instance, I think the President has failed, and in failing, he risks now the loss of American life in a very tragic situation.

So I hope that we could support a strong voice today. I think the American people expect us to lead on these issues. I think they expect us to speak out as strongly as we can. And I hope that we can oppose today, with our vote, the President's deployment of United States ground forces in the former Yugoslavia.

Mr. LIEBERMAN addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. I thank the Chair.

Mr. President, later today the President of the United States will leave for Paris to participate in a historic event, the signing of an agreement which will open the door to peace in the Balkans. Think about it, Mr. President.

The year 1995. Think about the conflict in the Balkans that marked the beginning of this century and how it was left to run wild, leading to World War I and in some ways leading to the imbalance and incompletion of that war that ultimately led to World War II.

The year 1995. Conflict breaks out in the Balkans, and today the President of the United States is leaving for Paris to participate in the signing of an agreement which opens the door to peace in the Balkans, which implements, as my friend and colleague from New York, Senator MOYNIHAN, has said and hopefully will say again, some basic tenets of international law.

Mr. President, much has been said in the last month about the role the United States played, first, in bringing the parties to the negotiating table, and second, in hammering out a complicated agreement which all the warring parties would be willing to sign and, most importantly, would be willing to live with. Much has also been said about the role the United States must continue to play if this agreement is going to have a chance of bringing the benefits of peace to the people of Bosnia, stability to Europe, and increased security to the world.

So, Mr. President, I would say that this is another one of those historic days in the life of the U.S. Senate. It is one of those defining moments in our history. Most of us in the Senate today faced a similar situation on January 12, 1991, when we stood to vote for or against authorizing President Bush to use American military forces in a war in the Persian Gulf. That situation in fact was very different from the situation we face today.

There, on January 12, 1991, the President had already committed a half million American military personnel to the gulf region, within range of Iraqi Scuds. There the war the President was about to engage in would find American forces facing a dug-in, fortified Iraqi force, fighting a war. And casualty estimates stated on this floor and elsewhere went as high as the thousands.

Here we are being asked to support, not a war, not to send our troops into war, but to send them on a mission of peace, to implement and monitor the peace that the parties to the war want as opposed to fighting as we did in the gulf war an untractable, unyielding enemy.

And remember, though the forces that fought in Desert Storm were international, they were primarily American. Here, on this peacekeeping mission, two-thirds of the implementation force will be non-American; one-third will be American.

Many of my colleagues believed that the best course of action in the early days of 1991 was to allow economic sanctions to continue to bite at Saddam and so did not vote for the authorizing resolution which Senator WARNER and I offered.

I understand the sincerity of that position. But the Senate did support President Bush on January 12 and voted 52 to 47 for Senate Joint Resolution 2 which stated, and I quote:

> The President is authorized . . . to use United States Armed Forces. . . .

While 47 Members of this body did not vote for that resolution, let us not forget that when the President exercised this authority and ordered Desert Storm to begin, every Senator, and I daresay every American, supported our troops and the President of the United States. And I hope and sincerely believe this will be the conclusion of our discussions and deliberations and votes this week with regard to the mission our troops are going to carry out in Bosnia.

Mr. President, the debate we have heard over the past days and weeks has been a good one, a thorough one, a sincere one. We have had numerous opportunities, as Members of the Senate, to hear directly from the President of the United States, the Secretary of Defense, the Secretary of State, the Chairman of the Joint Chiefs of Staff, the President's National Security Adviser, Ambassador Holbrooke who negotiated the agreement, and a variety of former Government officials, academics, and thinkers.

The administration has, in my view, gone to extraordinary lengths throughout the negotiations and afterward to consult with Congress and to provide us ample opportunity to ask questions and to express our views. And so we find ourselves now, in the week when the Dayton agreement is to be signed by the warring parties. In the days following the signing, U.S. forces and those of our allies in NATO and 16 other non-NATO countries will move into the region to implement the peace which has been agreed to.

These forces go not to impose a peace on unwilling participants, they go because the parties to the conflict asked them to go. They go because the world community, acting as a result of American leadership and through the mighty force of NATO, finally struck from the air to bring some pain to the aggressors, aided by an increasingly strong ground force of the federation of Bosnians and Croatians.

Our troops will go because the parties to the conflict are fed up with the killing and slaughter, the deprivation and denial of their right to live in peace and civility, and they have asked us to come in and give them a chance to make this peace work.

They have asked us to come in, in the case of the Serbs, because of the effectiveness of the economic sanctions the world community imposed on the government in Belgrade and on the former Yugoslavia, on Serbia and Montenegro. That is a point worth noting. People criticize economic sanctions and say they are irrelevant, they are useless, they are wrong. They worked here. That, as much as the failure, the increasing opposition that Serbian forces were facing in Bosnia certainly brought Mr. Milosevic to the peace table.

Mr. President, we have been briefed on the missions which our military forces will perform. We have reviewed the rules of engagement which will be followed by our forces. We have seen the nature of the force which we will be sending to the region. And we can conclude with some confidence from all of this that the highly trained, heavily armed professional force of volunteer soldiers, sailors, marines, and airmen we are sending will be able to do their assigned military missions within a reasonable time, and they will carry out this operation successfully.

The operation is not without risk. No one in the administration has said otherwise. None of us who support the deployment of American troops to Bosnia to implement this peace has said otherwise. No one in this administration or this Congress is eager to send our forces to a place where some of these brave young men and women might be injured or, God forbid, killed. But I believe that with their training, the best in the world, their professionalism, the finest in the world, their sense of service and duty which impelled them to volunteer, their numbers and composition, the limited scope of their mission, the flexibility and robustness of their rules of engagement—which basically means that if these troops are threatened in any way, they will respond with overwhelming force.

Remember what happened in Haiti when American troops there were challenged at that police station. They responded with overwhelming force and were essentially never challenged again in Haiti. All of this provides as much safety as one can hope for when a military force is deployed to what was, until recently, a combat zone.

Of course, all Americans will be praying for the safety of our forces in the days and months ahead. All of us will understand and empathize with them and their families as they see Christmas, Hanukkah, and New Year's come

and go separated from their loved ones and their friends. But these concerns, as real and deep as they are, are not sufficient reason to decide not to send our military to perform this important mission: To bring peace to Bosnia, to bring a greater level of assurance that there will be stability in Europe and in the former Soviet Union, to revive NATO, to reestablish at an ever higher level the strength and leadership of the United States of America.

For the first time in nearly 4 years, the people of Bosnia—who have engaged the minds and hearts of every one of us in this Chamber as we watched their suffering, as we watched them be the victims of aggression and genocide—for the first time in nearly 4 years, these people in Bosnia can see a ray of hope for their future, they can picture a day without running from snipers or praying that mortar rounds do not land in the marketplace while they are shopping with their children, or land on the snowy hills where their children go to sled and to act like children rather than targets for the irresponsible cowards who have fired on them now for 3 or 4 years.

Mr. President, we do not have the luxury of turning back the clock to a time when we might have done something other than sending our troops to serve on the ground as peacekeepers in Bosnia. As you know, in the past 4 years, I have spoken on the floor numerous times, joining with colleagues of both parties, in calling for a lifting of the arms embargo which was immoral, as the Senator from Idaho said before me. It was immoral, it was illegal, it was outrageous to deny a people the right they are given under the U.N. Charter, let alone and what might be referred to as natural law, to defend themselves and their families and their country.

So I, and others here, finally a strong bipartisan majority, called for a lifting of the arms embargo against the Government of Bosnia and Herzegovina and the conduct of airstrikes by NATO forces, to try to create some balance of force on the ground, to try to deter the aggressors, those who were committing genocide.

Finally, this summer, thanks in large measure to American leadership after the fall of Srebrenica which led to a slaughter of thousands of men and boys buried in mass graves, finally NATO struck at the Bosnian Serb aggressors from the air.

I will not go into all the what ifs which fill the minds of many of us.

I wish we had followed a strategy of lift and strike long ago. Had we done so, there might well have been an end to the killing before now. But let me say, Mr. President, in supporting the lift and strike strategy, I never thought it was a substitute for an ultimate peacekeeping force. At its best, I believed that the lift and strike strategy would create that balance of force on the ground that would bring the parties to the peace table—exactly what has happened now. I believe if we had implemented that policy earlier, we would have brought them to the peace table earlier because we would have removed from the aggressors, particularly, the motivation to continue to fight. But I have always felt that when they got to the peace table, if they could agree on the peace, there would be a need for an international peacekeeping force. That is where we are now.

Mr. President, it was important to many of us that on the day after the Dayton agreement was signed, the United Nations acted with the force of international law to lift the arms embargo—the goal so many of us in this Chamber had for so many years. In some ways, I regret that in the excitement over the Dayton agreement, and the questions raised about it, that extraordinary act did not receive sufficient attention and appreciation. The fact is that we have acted now. Thanks to American leadership, the parties came to the negotiating table and agreed to an extensive peace treaty; and tomorrow they will sign that treaty in Paris.

We have brought the parties this far. It is American leadership, joined with our allies in NATO and Europe, and impelled by the will of the combatants in the field themselves that have brought us this far. We cannot abandon these people or the cause of peace now. Nor can we abandon our allies in NATO who are sending their forces in to implement this agreement.

The President made it clear that he is prepared to send our forces, with or without the support of Congress, just as President Bush correctly made clear in 1990 and 1991 that he would send the United States' forces to the gulf war, even if Congress did not support his efforts. You come to a point where decisions and judgments of this kind cannot be made by 535 Members of Congress. That is what we elect Presidents for. In this case, I think President Clinton has demonstrated the leadership and courage we expect of our Presidents, just as President Bush before him did in the gulf war.

When we speak of defining moments in history, post-cold war, this decision will stand alongside the decision in the gulf war, as a marker as to where we would go and the extent to which the forces of Western civilization—particularly regarding Europe—were joined together to stop conflict and deter war.

Now it is this Senate's turn to demonstrate courage and leadership. Now it is this Senate's turn to support, in very clear terms, both the American troops, who will be on the ground, and the policy which has, at last, brought us to the point where the Bosnian Prime Minister Haris Silajdzic, could tell me last week when he was in Washington, ''We are an inch from peace. Do not abandon us now when we are this close.''

So, Mr. President, we have three choices before us. First is the resolution that comes from the House, which would effectively cut off funding for any peacekeeping operation by American forces in Bosnia.

Second, we have the amendment cosponsored by the Senator from Texas and the Senator from Oklahoma, which supports the troops but opposes the mission.

Third, we have what is now described as the Dole-McCain resolution, offered by the distinguished majority leader and the Senator from Arizona—but I am sure it will be a bipartisan resolution when it comes to a vote—which offers support for the mission and the troops, the support contingent on terms that are stated in the resolution that the President has agreed to.

Mr. President, I want to speak for a moment about the language of the resolution offered by Senator HUTCHISON and Senator INHOFE, which ''opposes President Clinton's decision to deploy United States military ground forces.'' Yet, it says that ''the Congress strongly supports the United States military personnel who may be ordered by the President to implement the General Framework Agreement.''

Mr. President, it is my sincere belief—and I say this with the greatest regard for my colleagues who are sponsoring this resolution—that we cannot support the troops and oppose their mission. I remember the words from the Bible, ''For if the sound of the trumpet be uncertain, who will follow into battle?''

Mr. President, the Hutchison–Inhofe resolution, with all respect, sounds a very weak and uncertain trumpet. Of course, we support our troops. No one ever doubted that. But how can we claim to both support the troops and oppose the mission? How would we feel if we were in uniform, heading to Bosnia, and the Congress of the United States says, ''Well, we are behind you, folks, but we do not support your mission''? I would not feel secure. I would not feel I had the support that I would want to have for my country going into a peacekeeping mission in a potentially dangerous zone, which the Commander in Chief has decided to send me into. I would want to see a closing of ranks in the same way that occurred at the time of the gulf war, to receive strong support, the kind of support that is involved and stated in the Dole-McCain resolution.

The Hutchison–Inhofe resolution, in my opinion, sends a muddled message to every one of our troops, to their loved ones back home and, most worrisome, to those in Bosnia who would like to see this framework wrecked by keeping the United States and NATO forces out of Bosnia.

To say that this Congress opposes the decision, the mission to deploy our forces, tells the war criminals in Pale and the rogues and terrorists in Bosnia who do not want peace and want the United States and the international implementation force out of Bosnia, that they can work their mischief

against American forces, and because this Congress does not support the mission, this Congress may well pull the rug out from under the President and the troops and try to force him to withdraw those forces if damage is done to the troops by these rogue elements in Bosnia.

I am very concerned about this possibility. I know it is not the intention of the sponsors of the resolution. But, frankly, I do not see how we can have it both ways. I do not see how we can support the troops and say we are supporting them if we so clearly oppose their mission.

The Dole-McCain resolution offers a very thoughtful and credible alternative. It is not, to put it succinctly, a statement of unconditional support for the decision the President has made, but it is support for the mission. As one of the witnesses before our Senate Armed Services Committee said last week, the question now is not whether the commitment to send American forces to be part of this international implementation force should have been made—that is history and is done—the question now is whether we will honor that commitment, and that is what the Dole-McCain resolution offers us the opportunity to do. Many of my colleagues have come to the floor in recent weeks and spoken of their concerns about the danger associated with the terrorist, rogue, unreconciled Bosnian Serb groups and what harm they may do to our forces. But why, then, would we want to do anything which will give them hope that they can sabotage this peace effort of which American forces are so critical a part? This is a time to close ranks. This is a time to go back to the great moments in our history—obviously through the world wars, but then afterward as well.

We associate the ultimate in this with the Truman-Vandenberg relationship, but it has happened throughout the cold war and continued through Operation Desert Storm. To close ranks, to honor the commitment that is made, understanding, as the Dole-McCain resolution says clearly, that it is in the interests of the United States to preserve American credibility, that it is, in the words of this resolution, a strategic interest.

In that regard, I was very honored to receive yesterday a letter, which I suspect many of my other colleagues received, from retired Gen. Andrew Goodpaster, a former Supreme Allied Commander in Europe, respected soldier, statesman, and patriot. General Goodpaster signed the letter on behalf of five other retired general flag officers: Gen. Michael Davison, Gen. Walter Kerwin, Gen. William SMITH, Adm. Harry Train, and Lt. General William McCaffrey.

Here is a sentence from that letter from General Goodpaster and the others:

> As you consider our country's involvement in Bosnia, we encourage you to send a message to our Soldiers, Sailors, Airmen and Marines wherever they may be . . . [and to all others as well] that our country is giving them its full backing . . .

But listen to the final words of this sentence. Not just full backing—

> . . . its full backing in the accomplishment of their assigned mission. We believe it is time to close ranks, support our troops in the field, and concentrate on helping them do their job in the best possible way.

Mr. President, I ask unanimous consent a copy of this letter be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. LIEBERMAN. Mr. President, for all these reasons I will vote against the Hutchison-Inhofe resolution, and I urge my colleagues to do so as well. Frankly, if people oppose this mission I think the choice is really to step up to the plate and vote for the first resolution from the House to cut off funding. But to oppose the mission and support the troops I respectfully do not think works. I do not think it goes together.

Again, the Dole resolution speaks in thoughtful and supportive terms. The Congress, it says, ''unequivocally supports the men and women of our Armed Forces who are carrying out their missions in support of peace in Bosnia and Herzegovina.'' I am quoting from the latest draft of that Dole-McCain resolution. And I continue:

> . . . and [the Congress] believes they [the troops] must be given all necessary resources and support to carry out their mission and ensure their security.

It goes further, as I suggested earlier, to offer support for the President's commitment, to offer support for the mission based on the fulfillment of certain conditions in carrying out that mission. Again I say, the President has accepted those conditions. The resolution particularly includes language which expresses the high priority that so many us in this Chamber, led by the distinguished majority leader, have given to the issue of equipping and training the forces of the Bosnian Federation.

I am pleased the President has now sent the majority a letter on this subject, dated December 10, in which he said:

> We believe establishing a stable military balance within Bosnia by the time the implementation force leaves is important to preventing the war from resuming and to facilitate IFOR's departure. We have made a commitment to the Bosnian Federation that we will coordinate an international effort to ensure that the Federation receives the assistance necessary to achieve an adequate military balance when IFOR leaves.

Mr. President, I have raised this question of equipping and training the Bosnian Government with the President personally and with members of the administration on a number of occasions, as have other Members of the Senate and members of the Senate Armed Services Committee particularly, and the assurances we have received are strong and clear and unequivocal. This administration, in supporting the Dayton peace treaty which finally led to the lifting of the immoral, illegal arms embargo, is going one step further. This administration is committed to leading the coordination of the international effort to arm, equip and train the Bosnian forces so that they will be able to protect their families, their cities, and their nation, and deter aggression by a stronger neighbor, which, as Secretary Perry said in marvelous words, was ''a causative factor'' of the war in Bosnia. The imbalance of forces was ''a causative factor,'' Secretary Perry's words, in the outbreak of war in Bosnia. We want to eliminate that causative factor.

So, between the assurances we have received from the administration orally and in writing, including the letter the President has sent us and the requirement stated in the Dole-McCain resolution, I am confident that the Bosnian forces will be equipped and trained to their satisfaction.

In fact, when Prime Minister Silajdzic visited the Capitol a week ago, I asked him specifically if he was satisfied with the commitment that was made to him and the other leaders of Bosnia at Dayton before they signed the peace treaty, and he said yes. In fact, he made it very clear that he, frankly, did not care whether it was United States forces who did the equipping and training or it was third parties, so long as his people were provided the means to defend themselves if the need should arise after the implementation force leaves Bosnia. And he said, deeply, he was confident that that would be the case thanks to American leadership and support.

So we come to the time of voting today. We, in the Senate, have an opportunity with our vote on these three pending resolutions to tell our men and women in uniform, to tell the governments which have signed the Dayton accords and all that might want to do harm to our forces once they arrive in Bosnia, that we will stand behind our military and behind our President as he executes his foreign policy responsibilities in Bosnia, whether or not we think the original commitment was wise.

We have the opportunity to avoid instability in Europe which twice in this century has drawn us into dreadful wars. We have the opportunity to send a message loud and clear to all the other ethnic groups in the former Soviet Union and elsewhere who have begun or are prepared to seek advantage over one another by force of arms, and, yes, by genocide. We have the opportunity here to take this NATO alliance and make it so strong that it protects the security of the world and relieves us, the United States, of our solitary burden for maintaining the peace of the world.

Some have said that NATO, by its charter, is a defensive institution meant to defend against Soviet invasion of Western Europe. It was, and it did that task magnificently.

We are at a different point in history now. For all of us who said on this floor that the United States cannot be the policeman of the world, NATO is the way for us to make sure that the United States is not the policeman of the world. Just as we turned to our allies in Europe to help us in Operation Desert Storm, and they responded by joining us heroically, today they turn to us to ask us to help them implement this peace in Bosnia. If we say no, what will they say to us the next time we turn to them and ask for help? But if we say yes, as we have, we will see NATO loom large in Europe and beyond as a force for stability and peace. It has already begun. For the first time in three decades the French are sitting in the same room at the same table, planning and implementing a NATO military operation.

So, let us not let this opportunity slip from our fingers. Let us take the long view. Let us understand that sometimes we are called upon to make a decision that is not popular with our friends and neighbors at home. Let us understand that foreign policy cannot and should not be made on the basis of public opinion polls, but must be made on the basis of each of our sincere calculations of America's national interests and national security needs.

Let us stand together to open ''the door of future to the Bosnian children'' as Zlata Filipovic, the young Bosnian girl whose diary of life in Sarajevo so moved the world. As Bette Bao Lord, chair of Freedom House has said in an open letter: ''As our youth and our compatriots embark on this mission of peace, let them hear but one voice—that of America, a country of conscience and constancy, a country whose most enduring export is hope.''

I say to my colleagues, let us stand together and approve the Dole-McCain resolution.

EXHIBIT 1

WASHINGTON, DC,
December 12, 1995.

Hon. JOSEPH I. LIEBERMAN,
U.S. Senate,
Washington, DC.

DEAR SENATOR LIEBERMAN: As American military forces are being prepared for commitment in Bosnia, we believe it is essential that they go with a clear understanding that they are supported by their country—that is, by the whole American people—in their difficult and dangerous assignment.

Our military forces serving in Bosnia will be under American command, acting in concert with military forces from NATO and other nations that participate in the military implementation of the Dayton peace agreement. The mission statement and the NATO chain of command make it clear that the military forces are not to be drawn into mission-creep nation-building but are to be used for tasks military in nature, and will not be subjected to attempts at micro-management from afar, or to ''dual-key'' aberrations.

As you consider our country's involvement in Bosnia, we encourage you to send a message to our Soldiers, Sailors, Airmen and Marines wherever they may be (and to all others as well) that our country is giving them its full backing in the accomplishment of their assigned mission. We believe it is time to close ranks, support our troops in the field, and concentrate on helping them do their job in the best possible way.

On behalf of the retired general and flag officers listed below,

Sincerely,

MICHAEL S. DAVISON,
General, U.S. Army (Ret.).
ANDREW J. GOODPASTER,
General, U.S. Army (Ret.).
WALTER T. KERWIN,
General, U.S. Army (Ret.).
WILLIAM J. MCCAFFREY,
Lt. Gen., U.S. Army (Ret.).
WILLIAM Y. SMITH,
General, U.S. Air Force (Ret.).
HARRY D. TRAIN,
Admiral, U.S. Navy (Ret.).

I thank the Chair. I yield the floor.

Mr. ROTH addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware.

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

Mr. ROTH. Yes. I am happy to yield.

Mr. INHOFE. Mr. President, for a point of clarification, the Senator from Connecticut was accurate when he talked about the three resolutions, or votes that we will be having today. But he did not mention the order that they will be in. At 12:30 today we will be voting on H.R. 2606, which is the Hefley bill that was passed in the House of Representatives.

I want to suggest that I have quite a lengthy statement that I wanted to make. But I will withhold that statement, and only make a comment on 2606 which will be coming up in 40 minutes from now.

I will read this very briefly. It merely says ''prohibits the use of Department of Defense funds for deployment on the grounds of United States Armed Forces in the Republic of Bosnia and Herzegovina as a part of the peacekeeping operation.''

So that is clearly what the Constitution gave the power to Congress to do.

When the Senator from Connecticut characterized the resolution, I think it must be a little inaccurate to say how enthusiastic they are. I, finally, 2 minutes ago, received a copy of this. I did not have it before. It states ''notwithstanding reservations expressed about President Clinton's decision to deploy United States Armed Forces to Bosnia and Herzegovina.''

That is kind of the preamble. So it is does not sound like to me what I would interpret as enthusiastic.

Last, Senator FEINGOLD so accurately described what our constitutional rights were in this body, and what the President's were. He quoted Louis Fisher, who I think we all consider to be a foremost authority on the Constitution, wherein he said:

The framers knew that the British King could use military force against other countries without legislative involvement. They gave to Congress the responsibility for deciding matters of war and peace. The President, as Commander in Chief, was left with the power to ''repeal sudden attack.''

In fact, Mr. President, I ask unanimous consent that this be printed in the RECORD, this article by Louis Fisher.

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

[From the New York Times, Dec. 2, 1995]

WHAT POWER TO SEND TROOPS?

(By Louis Fisher)

WASHINGTON.—There seems to be an impression that President Clinton has constitutional authority to send troops to the Balkans without first obtaining approval or authority from Congress. But the case for Presidential power is not so open and shut.

The Framers knew that the British king could use military force against other countries without legislative involvement. They gave to Congress the responsibility for deciding matters of war and peace. The President, as Commander in Chief, was left with the power to ''repel sudden attacks.'' He has no general power to initiate military action. This principle was an axiom of republican government.

In 1787, James Wilson said the checks-and-balances system ''will not hurry us into war'' and that ''it is calculated to guard against it.'' He said: ''It will not be in the power of a single man, or a single body of men, to involve us in such distress.''

The Framers deliberately separated the powers of the purse and sword. To Madison, in 1793, those who were to ''conduct a war'' could not be safe judges on whether to start one.

NATO does not authorize offensive actions or general peacekeeping activities. The North Atlantic Treaty of 1949 was a defensive pact, intended to contain the Soviet Union. The treaty's parties were ''resolved to unite their efforts for collective defense'' and ''resist armed attack.'' None of these conditions exists in Bosnia.

To argue that NATO authorizes Mr. Clinton to act as he likes is to argue that the President and the Senate, through the treaty process, can eliminate the House's war power. Treaties do not amend the Constitution. One argument is that Mr. Clinton sponsored the talks, put our prestige at risk and thereby committed us to using force. Are constitutional and legislative processes skirted so easily?

In 1969, after the Vietnam buildup, the Senate passed a resolution challenging the President's right to commit the nation without first obtaining Congressional approval. Passed with strong bipartisan backing, it states that whenever our forces are used on foreign territory, or there is a promise to assist a country by using our military, such commitments result ''only from affirmative action taken by the executive and legislative branches.'' This resolution has no legal effect, but it articulates a constitutional principle violated by President Lyndon B. Johnson and now threatened by President Clinton.

It might be argued that the ''war power'' is not involved because Mr. Clinton will use American forces for peace, not war. ''America's role will not be about fighting a war,'' he said. He said he refused ''to send American troops to fight a war in Bosnia,'' and ''I believe we must help to secure the Bosnian peace.''

Mr. Clinton has already authorized air strikes against the Serbs. He now intends to send ground troops. By making an ''overwhelming show of force,'' he says, ''American troops will lessen the need to use

force.'' Note the word ''lessen.'' Anyone who takes on our troops, he said, ''will suffer the consequences.''

Whenever the President acts unilaterally in using military force against another nation, the constitutional rights of Congress and the people are undermined.

Mr. INHOFE. Mr. President, I agree with the Senator from Connecticut that, if you really do in your heart oppose the deployment of troops over there in that hostile area, this is the strongest message that we can send; that is, voting in favor of H.R. 2606 at 12:30 today.

I yield the floor.

Mr. ROTH addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware.

PRIVILEGE OF THE FLOOR

Mr. ROTH. Mr. President, I ask unanimous consent that Frederic S. Baron, a Pearson Fellow, and Maureen Fino, an Industry Fellow, be permitted floor privileges for the duration of the debate on the resolution on Bosnia.

I do that on behalf of my distinguished colleague from Connecticut.

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

Mr. ROTH. Mr. President, life can only be understood backward; but it must be lived forward. As such, we often find ourselves forced to respond to the consequences of decisions and even indecisions that were and were not made at the most appropriate moment in time.

As a Nation, we have no oracle—only history—and the wisdom of God has given us to govern our affairs and to support our democratic ideal among sovereigns and allies.

Often we overlook the majesty of our role—our responsibility—that is, until a man of Shimon Peres' standing reminds us that our Nation is ''a commitment to values before an expression of might * * *'' That our strength has saved the world from ''Nazi tyranny, Japanese militarism, and the Communist challenge.'' That we have ''enabled many nations to save their democracies even as [we] strive now to assist many nations to free themselves from their nondemocratic past.''

This, Mr. President, is our legacy. And I am grateful to Prime Minister Peres for reminding us of who we are and what—since our divinely-appointed founding—has been our mission: freedom for us and self-determination for our fellow man.

Certainly, there are many ways to pursue this mission. We cannot be the world's policeman; nor should we. We must cherish the strength of America, and that means using it wisely, sparingly—certainly with some sacrifice—but never with imprudence, undue risk, and wanton disregard for our best interests.

The territorial aggression and horrific atrocities in the Balkans bring us to the floor today. The death and crimes committed in the former Yugoslavia have bruised our collective spirit, especially as the international community has been unable to resolve the conflict and establish reconciliation and lasting peace.

There was a time when, perhaps, America's resolved leadership could have minimized and even resolved the crisis by lifting the arms embargo against the Bosnians—by allowing them to defend themselves against the well-armed Serb aggressors.

At the same time we could have provided tactical and strategic air support to the Bosnian forces.

But President Clinton chose another road, one that brings us to the floor today. Life can only be understood backward; but it must be lived forward. Today we are forced to respond to the consequences of the President's decisions and indecisions, and history must be our guide.

The outcome here will not only have an influence on the security and lives of thousands of young American men and women, but it will affect us as a society, our leadership among allies, and the future of Europe—particularly the war-torn region known as the Balkans.

It is a difficult debate, one that must be entered thoughtfully, solemnly, and with the object of finding solutions rather than playing politics. It would be tempting to fill the air with ''what ifs'' and ''if onlys,'' but we are beyond that point.

President Clinton has committed U.S. ground forces. He has done this as part of a peace process whose success will largely depend upon how we, the Congress, react—upon our determination and demonstration of support for the young American men and women who are even now moving into that region.

If we appear divided, we risk sending a message to those who would thwart the peace process that if they only hold out long enough support for our troops will weaken. This is not a risk that I am willing to take.

Much of the support leaving our shores is leaving from Dover Air Force Base. I have met with many of these young men and women; I know their concerns; I know their courage. And I know that every individual being sent into the Balkans is just like them. And I will not trifle with their security, with their future, and with the future of their families, their children.

When they wear our uniform in Bosnia I want them to know that they have my unqualified support.

I want them to know that they are there for a reason, they are on a mission—a mission with a purpose that was outlined so eloquently by Prime Minister Peres, to help this war-torn land free itself from its undemocratic past.

We cannot avoid our leadership, nor can we dismiss our legacy. Certainly, President Clinton could have embraced our earlier proposal and taken America down another road; but he did not. And the fact is, we do have an interest in seeing that peace is maintained in this region.

To date, more than a quarter million men, women, and children have been killed—many in the most horrible and atrocious manner. Over 2 million have been displaced and forced to flee. We have proof of mass executions, rapes, and other unspeakable crimes. Our legacy of support for human rights abhors these conditions.

America has gone to Europe to advance our ideals in two world wars. We have spent untold resources and dedicated countless lives to winning the cold war for the same reason—to advance the principles of freedom, democracy and self-determination. Perhaps the time has come to finish the task, to take a step toward bolting down our successes and see that the foundation for a peaceful European future is strong and sure.

This is not inconsistent with our responsibilities as a member of the North Atlantic Treaty Organization.

In fact, this peace-keeping mission will be the largest NATO mission in its history and the first since the end of the cold war. An unwillingness on the part of America at this point could do irreparable damage to the Transatlantic Partnership and its central institution, the North Atlantic Alliance.

Failure to follow-through on the commitment President Clinton has made would also undermine our position as a world leader. Our allies must know that they can depend on us.

This is critically important, because if we fail to keep the peace in the Balkans it is possible that the conflict may well spill beyond the borders and into NATO territory. Under those circumstances we would not be sending our young men and women to strengthen the peace, but to prosecute a war. I would rather have them there to strengthen the peace.

Mr. President, life can only be understood backward; but it must be lived forward. Perhaps President Clinton should have heeded our earlier counsel.

I would rather see peace in the Balkans and negotiations based on parity of strength, rather than on the presence of our ground troops.

I would rather see our involvement limited to strategic and tactical air and sea support. But those are not options, not anymore. When President Clinton picked up one end of the stick, he picked up the other. Now we must give the troops he has committed to the Balkans our full support.

An absolute requirement for success is to have Congress and the Nation united over the mission now under way. We must have bipartisan support.

This is why I have been so impressed by Senator DOLE's and Senator MCCAIN's role in the negotiations between Congress and the executive branch.

Through their statesmanship, they have offered an approach that captures our commitment to protect and support American troops deployed to the Balkan and that defines the core requisites to the success of the peace process.

Supporting the Dole-McCain endeavor is the appropriate response to our responsibilities as a world leader and as member of NATO. The most useful contribution this body can make to the peace process is to help ensure that America's role in the peace process will be guided by clearly defined objectives and strategies. In doing so, we would be living up to our responsibilities to support the American men and women assigned to this mission of peace and to the interests of America in post-cold-war Europe.

Mr. President, I yield back the floor.

Mr. MOYNIHAN addressed the Chair.

The PRESIDING OFFICER (Mr. ASHCROFT). The Senator from New York.

Mr. MOYNIHAN. Mr. President, first may I congratulate the Senator from Delaware on a wonderfully cogent and compelling statement, with that marvelous phrase of Kierkegaard's that ''life can only be understood backwards; but it must be lived forwards.'' I would like to use that as the theme for my remarks. We are responding today to what we have learned from the past. What we have learned about the importance of law and of collective security.

It is for that reason, Mr. President, that I rise in support of the resolution developed by the majority leader, Senator BOB DOLE, and Senator MCCAIN. At the appropriate time I would ask, as I am sure many others will, to be a cosponsor.

This morning's debate has been, as the Senator from Connecticut suggested, a defining day in the history of the Senate. I think not least because of the quality of remarks not just of the Senator from Delaware, but the Senator from Idaho, although he is, perhaps, on the opposite side of the issue. He spoke of the arms embargo imposed on Bosnia and Herzegovina as being illegal, and indeed it was illegal, and it is illegal under article 51 of the U.N. Charter, which provides for the inherent right of collective and individual self-defense. This is a provision Senator Vandenberg, at the San Francisco conference, insisted be in the U.N. Charter, so that there would not be a conflict with the Rio Treaty for the defense of the Western Hemisphere. But that is singularly an American provision.

Then the Senator from Connecticut spoke of the way sanctions bit in Serbia. This has been the first ever successful use of sanctions in the course of enforcing international law after a century of advocacy of such measures by groups looking to a world of law, a world of international law, and consequently of a measure of order.

The failure of sanctions after the Italian invasion of Abyssinia, now Ethiopia, discredited the idea so severely it has rarely been attempted. It has worked somewhat in Iraq, let us grant, but it has not brought a regime to the peace table. Sanctions bit in Yugoslavia.

We have before us a resolution which begins:

Whereas beginning on February 24, 1993, President Clinton committed the United States to participate in implementing a peace agreement in Bosnia and Herzegovina without prior consultation with Congress;

Whereas the Republic of Bosnia and Herzegovina has been unjustly denied the means to defend itself through the imposition of a United Nations arms embargo;

And now the third clause. I do not know that there has been such a statement on this floor in half a century. Since, that is, 1945, when the U.N. Charter came to the Senate under bipartisan sponsorship. The clause reads:

Whereas the United Nations Charter restates ''the inherent right of individual and collective self-defense,'' a right denied the Republic of Bosnia and Herzegovina whose population has further suffered egregious violations of the international law of war including ethnic cleansing by Serbian aggressors, and the Convention on Prevention and Punishment of the Crime of Genocide, to which the United States Senate gave its advice and consent in 1986.

This is a rousing statement of the centrality of law to the actions that the United States, the NATO alliance, and the extraordinary assembly of other countries, some 29 in all, are now undertaking.

We sometimes forget how central international law has been to our understanding of what would follow World War II. The Genocide Convention, as it is called in shorthand, and which is specifically referred to in the Dole-McCain resolution, was in effect proposed by the General Assembly of the United Nations on December 9, 1948, when it declared that ''genocide is a crime under international law.''

To make it a crime required a treaty. In time a treaty was drafted, and in time ratified by the United States. As a treaty it is the supreme law of the land. This land, Mr. President.

The resolution also refers to the ''egregious violations of the international law of war.'' By that, sir, we refer to the Geneva Conventions, which were agreed to in the city of Geneva in 1949. A little history here. The Nuremberg tribunals, and the equivalent in Asia that followed World War II, were arguably extralegal, in that individuals arguably were not subjects of international law at that time for most of the issues that were involved in those trials. To resolve any question the Allied Powers determined to remove any shadow of doubt by adopting treaties to establish that the laws of war apply to individuals.

Four treaties were drawn up concerning the treatment of particular classes of vulnerable persons during war. These nearly universally accepted treaties are known as the Geneva Conventions of 1949. The conventions make it illegal to target civilians as the objects of military operations. Each of the four conventions has a common Article 3, which states:

In the case of armed conflict, not of an international character occurring in the territory of one of the High Contracting Parties, each Party to the conflict shall be bound to apply, as a minimum, the following provisions:

(1) Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms . . . shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria.

Note ''sex,'' Mr. President.

To this end, the following acts are and shall remain prohibited at any time and any place whatsoever with respect to the above-mentioned persons:

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To this end, the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons: (a) violence to life and person, in particular merder of all kinds, mutilation, cruel treatment and torture; (b) taking of hostages; (c) outrages upon personal dignity, in particular humiliating and degrading treatment; (d) the passing of sentences and the carrying out of executions without previous judgment procounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples.

It is under that common article 3 of the Geneva Conventions that the war crimes tribunal has been convened in the Hague and indictments have been handed down. The Dole-McCain resolution specifically provides that the President will regularly report to the Congress on the progress of the tribunal.

Mr. President, the United States is in the process of assembling the most formidable and broadly-based collective effort to maintain international peace and security the world has ever known. This represents a triumph of an American position concerning the law of nations which goes back to the beginning of the Republic, a position that has defined American policy for much of this century, at least until mid-century. But which until this moment, with this resolution, a tradition that has been singularly absent from statements about the Dayton agreement by the President, the Secretary of State or the administration generally.

They have spoken about moral imperatives, which no doubt exist, but there is nothing in the Constitution that speaks of moral imperatives. The Constitution says, ''The Congress shall have Power * * * To define and punish * * * Offenses against the Law of Nations.'' It says ''Treaties * * * shall be the supreme Law of the Land. And in a lifetime of searching through article II, I have never found any real duty assigned to the President of the United

States other than that ''he shall take Care that the Laws are faithfully executed.'' We are now saying that he is doing this.

This goes back a very long way. S. 1, the first bill introduced in the first session of the first Congress of the United States in 1789, written if I may say, by Oliver Ellsworth of Connecticut, who in 1796 would be appointed Chief Justice of the United States, was titled ''An Act to establish the Judicial Courts of the United States.'' It was the 20th public law enacted. Among other things, the legislation provided that—

> . . . the district courts shall have . . . cognizance . . . of all causes where an alien sues for a tort only in violation of the law of nations or a treaty of the United States.
>
> An alien can sue in U.S. court for a tort violation of the law of nations or a treaty of the United States which occurred outside our territory.

That was 206 years ago. Eight weeks ago the U.S. Court of Appeals of the Second Circuit unanimously held that under that statute the leader of the Bosnian Serbs, Radovan Karadzic could indeed be sued in the Southern District of New York for offenses against the law of nations committed in Bosnia and Herzegovina. The suit was brought before Karadzic was indicted for war crimes by the International Criminal Tribunal for the Former Yugoslavia. It is not likely that Mr. Karadzic will appear soon in Foley Square. Yet in the unanimous ruling, the Court of Appeals for the Second Circuit, said, yes, indeed, our laws do provide for such actions.

That spirit infused our early Republic. We thought of it as the basis of our legitimacy. When Chancellor Kent published his ''Commentaries on American Law,'' lectures given at Columbia University, his first lecture in his first volume was entitled ''Of the Law of Nations.'' That tradition goes back to the Constitution itself which gives Congress the power ''To define and punish Offenses against the Law of Nations.''

At the beginning of this century, there was a strong movement, the peace movement so-called, consisting of those who hoped that law could be used as a device for preventing war altogether. George Kennan has described this as follows:

> At the outset of the present century, there emerged in the United States, England and other parts of northern Europe, a vigorous movement for the strengthening and consolidation of world peace, primarily by the development of new legal codes of international behavior.

This is from an introduction by Ambassador Kennan to a reprinted volume of a report on the Balkan wars of 1912–1913 which was sponsored by the Carnegie Endowment for International Peace. Elihu Root, then a U.S. Senator from New York, was, as I recall, chairman. I might say, when the Carnegie endowment was established in 1910, such was the degree of optimism in the world that the bequest provided the moneys be used for further objectives once ''the establishment of universal peace is attained.''

Ambassador Kennan is, as always, generous. In retrospect, the peace movement, he writes, might seem ''unrealistic, naive, and pathetic. But they were * * * profoundly prophetic and well justified in the concerns they reflected.'' You had no more to see the First World War than to realize that.

Then came Woodrow Wilson's effort to create an international organization, the League of Nations, and the failed effort on the Senate floor to enact it. A failure that was far more the President's fault than the Senate's fault. He could have had the Treaty of Versailles if he made a few concessions, which were not of any consequence. But it failed.

We withdrew from the world. The world brought us back in with the Second World War. Then the U.N. Charter was signed and then the great effort began to see that law became the arbiter of relations between States.

That was reflected not least in the Genocide Convention, and in the Geneva Conventions, reflecting such deep convictions and beliefs on our part.

But there followed a time when, among many liberals, international law began to be seen as a set of doctrines that always got you into trouble, that said you had to do this, you had to do that in distant places of which, as the phrase goes, ''we know little.''

Next, in a conservative period that followed, for quite different reasons, the same rejection of law occurred. International law in the eighties came to be seen as a system of negative restraint saying what cannot be done. So damn the treaty: Mine the harbors.

Those are inadequate understandings both of what our laws are and what our interests are. We have a profound interest in a world with a measure of order, a measure of predictability, and a capacity to enforce it in some measure at least. As do others. Twenty-nine nations are going to join us in this effort, at last count. Forty-two nations met in London to discuss reestablishment of a civil society in the region.

So, Mr. President, I know my colleague from Nebraska would like to say a word, and that a vote is scheduled at 12:30. May I simply welcome this resolution for its ringing reaffirmation of a central tradition in American statecraft, American diplomacy, American military operations: The centrality of law, the legality of what we are doing and the importance of the fact that we are doing it in a collective mode, anticipated by the U.N. Charter.

I was once our Representative to the United Nations. I once represented the United States as the President of the Security Council. I did not know I would live to see such a hopeful hour as this.

None of us knows how much resistance the implementation force will face. There will surely be losses. I made my way into Sarajevo 3 years ago this Thanksgiving and I saw the dangers the French, Egyptian, and Ukrainian forces faced, along with the air crews of a dozen nations. And that, in theory, was a peace-keeping exercise. This is much more. We have settled for the partition of Bosnia and Herzegovina, however little we may like the term. With half the population of that state either dead or displaced in 4 years of war imposed on it from the outside, this is surely something.

Peace may come, in the sense of the absence of war. But stability is surely a long way off. Even so we have at length recognized the necessity to address the legal obligations of the parties involved, which include all members of the United Nations by treaty definition. We will do what can be done, and do it according to law. That has the potential for rescuing us from the shame of having done so little until now.

I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I know the Senator from Nebraska has been waiting, and I am not going to take long because I want him to have his chance. But I do want to take this time to respond to the Senator from Connecticut who said he did not understand how someone can say they support the troops but do not support the mission. I just want to say, I think it is very easy to say you do support the troops but you do not support the mission. I think we have sent troops into harm's way in this country when we should not have done it.

No one would ever not support the people who are giving their lives, putting their lives on the line to protect our freedom.

Mr. REID. Will the Senator from Texas yield? The two leaders are on the floor. I would like to, while they are here, find out, since Senator EXON and I have been waiting most of the morning, if the time can be extended to speak for a few minutes.

Mrs. BOXER. If the Senator can add the Senator from California.

The PRESIDING OFFICER. Does the Senator from Texas yield?

Mrs. HUTCHISON. I would like to finish my statement, unless the majority leader is seeking recognition.

Mr. REID. I just ask, if the Senator will withhold for a second.

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

Mr. REID. Can I direct a question to the majority leader?

Mrs. HUTCHISON. Certainly.

Mr. REID. The majority leader and minority leader are now on the floor. I know they have been to the service for Reverend Halverson. But we have been on the floor most of the morning, all four of us, waiting to speak, and I wonder if there is a way for a limited period of time. I only need a few minutes. Senator EXON said he needed a short

time. I do not know how much time the Senator from California needs.

Mrs. BOXER. Fifteen minutes.

Mr. DOLE. I do not have a problem with that, unless somebody has already made plans on voting at 12:30 and then doing something else off the Hill on either side.

Mr. DASCHLE. If the majority leader will yield, does this pertain to the pending amendment, or is it to the larger issue of Bosnia?

Mr. REID. I think, to be candid with the two leaders, I can speak later. It is inconvenient, but it is on the issue and I could speak later.

Mr. DASCHLE. This may not work——

Mr. DOLE. The vote is for 20 minutes.

Mr. DASCHLE. We can get unanimous consent that those Senators who are here be recognized immediately following the vote, if that will accommodate our Senators. I think it would be better to try to keep the schedule, if we can.

Mrs. HUTCHISON. Reserving the right to object, let me just say that Senator FRIST also should be put in that group, and I will not object. He has been here all morning. He finally left. I told him that I would protect his rights. I have no objection to the people who have been waiting, but I think we should add Senator FRIST and Senator SPECTER, who is also on his way in, for 15 minutes.

Mr. DOLE. I do not know which order over here, but whatever the order——

Mr. DASCHLE. Senator EXON, Senator REID, Senator BOXER and then Senator Bob KERREY I am told on our side were here. Senator MOYNIHAN spoke.

Mr. DOLE. And then Senator SPECTER.

Mrs. HUTCHISON. For 15 minutes and Senator FRIST and Senator DOMENICI.

Mr. DOLE. Senators SPECTER, FRIST, AND DOMENICI.

Mr. EXON. If the majority leader will yield for a question to try and straighten this matter out. The vote is scheduled at 12:30. Is there a time scheduled for the second vote?

Mr. DOLE. Not yet.

Mr. EXON. Several of us have been waiting a long, long time. Maybe we can get some agreement so I can keep my schedule. Nobody can keep schedules these days because of what is going on. If I could be recognized following the vote for 12 minutes, I would be glad to cooperate.

UNANIMOUS-CONSENT AGREEMENT

Mr. REID. Mr. President, I ask unanimous consent that following the next vote the Senator from Nebraska be recognized first, the Senator from Tennessee next, the Senator from Nevada next, the Senator from Pennsylvania, and the Senator from California be recognized.

Mr. DASCHLE. And we have two additional Senators. I would hope that we can alternate back and forth if we have additional Republicans. But our order would be as Senator REID has suggested.

Mr. REID. The Senator from Nebraska needs 15 minutes. I need 12 minutes. Two Senators that are Republicans need 15 minutes each.

Mr. DOLE. There are no time limits. We will just get a sequence. The only time limit is that the President would like to have us complete action on these by 6 or 7 o'clock so they can go to the House and they can be addressed there, if not tonight, tomorrow, shortly after they sign the peace treaty in Paris. So we are trying to accommodate the administration here.

Mr. REID. I ask, Mr. President, that the unanimous-consent request be granted.

Mrs. HUTCHISON. Reserving the right to object, I want to make sure it goes back and forth, a Republican and a Democrat.

Mr. DOLE. Yes, it will.

The PRESIDING OFFICER. The Chair believes the following unanimous-consent request has been made: After the vote, to recognize first, Senator EXON, the Senator from Nebraska; second, Senator FRIST, the Senator from Tennessee; third, Senator REID, the Senator from Nevada; fourth, Senator SPECTER, the Senator from Pennsylvania; fifth, Senator BOXER, the Senator from California; sixth, Senator DOMENICI, the Senator from New Mexico; seventh, Senator KERREY, the Senator from Nebraska.

Are there any additions?

Mr. DASCHLE. Mr. President, I suggest another Republican Senator and then Senator ROBB on our side. So we would hold open the slot for a Republican Senator, to be announced at a later time.

The PRESIDING OFFICER. Is there objection to the request?

Without objection, it is so ordered.

PROHIBITION OF FUNDS FOR BOSNIA DEPLOYMENT

The Senate resumed consideration of the bill.

Mr. DOLE. Mr. President, I ask for the yeas and nays on H.R. 2606.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The bill is before the Senate and open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill (H.R. 2606) was ordered to a third reading, was read the third time.

Mr. DOLE. Mr. President, I ask unanimous consent that Senator WARNER be inserted into the Republican spot there, following the Senator from Nebraska, Senator KERREY.

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

Mr. MOYNIHAN. Mr. President, does the majority leader accept cosponsors at this point of the Dole-McCain amendment?

Mr. DOLE. Absolutely.

Mr. MOYNIHAN. I would like to be added.

Mr. EXON. Put me on.

Mr. DOLE. So we have the Senator from Connecticut, the Senator from Nebraska, the Senator from South Dakota, we will be accepting cosponsors throughout the day.

I will proceed for 2 or 3 minutes before the vote on this bill. I will speak later on the Hutchison amendment and on my own amendment.

Let me speak to the Hefley resolution because I think it is important. Just for the RECORD, I went back and had the Congressional Research Service check my votes and the debates I was participating in between 1969 and 1973 when it came to cutting off funds in Vietnam. We had one debate that lasted 7 weeks, and I was the leader of the effort not to cut off funds because we had people like John McCain who were in prison, and we had other young men and women who were on the ground in Vietnam. I thought it would have been a tragedy. We had long, rancorous, heated debates, on the so-called Cooper-Church amendments—Senator COOPER from Kentucky and Senator CHURCH from Idaho.

So let me say on the so-called resolution before us now, and having a lot of experience in efforts to try to avoid cutting off funds once we have our young men and women committed somewhere around the world, we have a couple of choices. We can cut off funds for this operation and our forces who are already underway; second, we can loudly protest the President's decision and express our opposition; third, we can require the President to take measures that will enhance the safety of our troops and ensure that they will return quickly—without their withdrawal leading to resumption of hostilities.

I have given this matter a lot of thought, and I have been engaged in a lot of these debates on the Senate floor. I have thought about my own personal experience during World War II and deliberations I have had since that time. I have thought about the American troops spending a Christmas overseas in the mountains of Europe. I have also thought about the experience of our brave war heroes like Senator JOHN MCCAIN and BOB KERREY. JOHN MCCAIN was in a Vietnamese prison while tens of thousands of Americans were marching to protest the war, and Congress regularly debated cutting off funds for United States military operations in Southeast Asia. As some may remember, the Congress spent weeks—even months—on debating Cooper-Church, McGovern-Hatfield, and other measures to cut funding for the war in Vietnam, Laos, and Cambodia.

I recall that in the spring of 1970, I led a filibuster against the Cooper-Church amendment cutting off funds for military operations in Cambodia and Laos. In that debate, I offered an amendment that would have allowed