Skaggs	Stump	Walsh
Skeen	Sununu	Wamp
Skelton	Talent	Waters
Slaughter	Tanner	Watkins
Smith (MI)	Tauscher	Watt (NC)
Smith (NJ)	Tauzin	Watts (OK)
Smith (OR)	Taylor (MS)	Waxman
Smith (TX)	Taylor (NC)	Weldon (FL)
Smith, Adam	Thomas	Weldon (PA)
Smith, Linda	Thompson	Weller
Snowbarger	Thornberry	Wexler
Snyder	Thune	Weygand
Solomon	Thurman	White
Souder	Tiahrt	Whitfield
Spence	Tierney	Wicker
Spratt	Torres	Wise
Stabenow	Towns	Wolf
Stark	Traficant	Woolsey
Stearns	Upton	Wynn
Stenholm	Velazquez	Yates
Stokes	Vento	Young (AK)
Strickland	Visclosky	Young (FL)

NAYS—1

Paul

ANSWERED ''PRESENT''—1

Barr

NOT VOTING—23

Bilbray	Gonzalez	McDade
Crane	Graham	Parker
Davis (IL)	Gutierrez	Poshard
Dickey	Hefner	Scarborough
Doolittle	Hobson	Schiff
Fawell	Inglis	Stupak
Gekas	Lipinski	Turner
Gephardt	Martinez	

□ 1149

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. SCARBOROUGH. Mr. Speaker, on roll call no. 57, I was inadvertently detained and missed the vote. Had I been present, I would have voted ''Yes''.

DIRECTING THE PRESIDENT TO REMOVE U.S. ARMED FORCES FROM BOSNIA-HERZEGOVINA

Mr. GILMAN. Mr. Speaker, pursuant to the order of the House of Thursday, March 12, 1998, I call up the concurrent resolution (H.Con.Res. 227) directing the President pursuant to section 5(c) of the War Powers Resolution to remove United States Armed Forces from the Republic of Bosnia and Herzegovina, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore (Mr. MCINNIS). The concurrent resolution is considered read for amendment.

The text of House Concurrent Resolution 227 is as follows:

H. CON. RES. 227

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. REMOVAL OF UNITED STATES ARMED FORCES FROM THE REPUBLIC OF BOSNIA AND HERZEGOVINA.

(a) FINDINGS.—The Congress finds the following:

(1) The Congress has the sole power to declare war under article I, section 8, of the Constitution.

(2) A state of war has not been declared to exist with respect to the situation in the Republic of Bosnia and Herzegovina.

(3) A specific authorization for the use of United States Armed Forces with respect to the situation in the Republic of Bosnia and Herzegovina has not been enacted.

(4) The situation in the Republic of Bosnia and Herzegovina constitutes, within the meaning of section 4(a)(1) of the War Powers Resolution (50 U.S.C. 1543(a)(1)), either hostilities or a situation where imminent involvement in hostilities is clearly indicated by the circumstances into which United States Armed Forces have been introduced.

(b) REMOVAL OF ARMED FORCES.—Pursuant to section 5(c) of the War Powers Resolution (50 U.S.C. 1544(c)), the Congress hereby directs the President to remove United States Armed Forces from the Republic of Bosnia and Herzegovina by June 30, 1998 (unless the President requests and the Congress authorizes a later date), except for a limited number of members of the Armed Forces sufficient only to protect United States diplomatic facilities and citizens, and noncombatant personnel to advise the North Atlantic Treaty Organization (NATO) Commander in the Republic of Bosnia and Herzegovina, and unless and until a declaration of war or specific authorization for such use of United States Armed Forces has been enacted.

(c) DECLARATION OF POLICY.—The requirement to remove United States Armed Forces from the Republic of Bosnia and Herzegovina under subsection (b) does not necessarily reflect any disagreement with the purposes or accomplishments of such Armed Forces, nor does it constitute any judgment of how the Congress would vote, if given the opportunity to do so, on either a declaration of war or a specific authorization for the use of such Armed Forces.

The SPEAKER pro tempore. Pursuant to the order of the House of Thursday, March 12, 1998, amendment No. 1 printed in the CONGRESSIONAL RECORD of that day is adopted.

The text of House Concurrent Resolution 227, as modified, is as follows:

H. CON. RES. 227

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. REMOVAL OF UNITED STATES ARMED FORCES FROM THE REPUBLIC OF BOSNIA AND HERZEGOVINA.

(a) FINDINGS.—The Congress finds the following:

(1) The Congress has the sole power to declare war under article I, section 8, of the Constitution.

(2) A state of war has not been declared to exist with respect to the situation in the Republic of Bosnia and Herzegovina.

(3) A specific authorization for the use of United States Armed Forces with respect to the situation in the Republic of Bosnia and Herzegovina has not been enacted.

(4) The situation in the Republic of Bosnia and Herzegovina constitutes, within the meaning of section 4(a)(1) of the War Powers Resolution (50 U.S.C. 1543(a)(1)), either hostilities or a situation where imminent involvement in hostilities is clearly indicated by the circumstances into which United States Armed Forces have been introduced.

(b) REMOVAL OF ARMED FORCES.—

(1) IN GENERAL.—Pursuant to section 5(c) of the War Powers Resolution (50 U.S.C. 1544(c)), the Congress hereby directs the President to remove United States Armed Forces from the Republic of Bosnia and Herzegovina not later than 60 days after the date on which a final judgment is entered by a court of competent jurisdiction determining the constitutional validity of this concurrent resolution, unless a declaration of war or specific authorization for such use of United States Armed Forces has been enacted.

(2) EXCEPTION.—The requirement to remove United States Armed Forces from the Republic of Bosnia and Herzegovina under paragraph (1) shall not apply with respect to—

(A) a limited number of members of the Armed Forces sufficient only to protect United States diplomatic facilities and citizens; or

(B) noncombatant personnel to advise the North Atlantic Treaty Organization (NATO) Commander in the Republic of Bosnia and Herzegovina.

(c) DECLARATION OF POLICY.—The requirement to remove United States Armed Forces from the Republic of Bosnia and Herzegovina under subsection (b) does not necessarily reflect any disagreement with the purposes or accomplishments of such Armed Forces, nor does it constitute any judgment of how the Congress would vote, if given the opportunity to do so, on either a declaration of war or a specific authorization for the use of such Armed Forces.

The SPEAKER pro tempore. The gentleman from California (Mr. CAMPBELL) will control 60 minutes and the gentleman from New York (Mr. GILMAN) and the gentleman from Indiana (Mr. HAMILTON) each will control 30 minutes.

The Chair recognizes the gentleman from New York (Mr. GILMAN).

Mr. GILMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to the resolution of the distinguished gentleman from California (Mr. CAMPBELL). Although I understand and am sympathetic to the gentleman's efforts to assert the prerogatives concerning the war-making authority vested in the Congress by the U.S. Constitution, I believe for reasons of both policy and procedure that this measure is not the manner in which we should endeavor to uphold those prerogatives. On policy grounds, this resolution would send an untimely signal that this House no longer supports the Dayton peace agreement for Bosnia, an agreement that is now just showing signs of succeeding.

In the past few months, we have seen the glimmerings of success in regenerating a stable civil society in all of Bosnia. War criminals are voluntarily turning themselves in, and there is a new, more moderate government of the Bosnian Serbs that actually wants to cooperate with implementing the peace plan. Restructuring and reforming of the police in both the Bosnian-Croat Federation and the Republic of Srpska is proceeding. Moreover we have expended in excess of $7 billion to implement our peace plan in Bosnia. Withdrawal at this stage would place that considerable investment at risk, with no guarantee that we would not be called upon in the future to once again introduce our forces if the conflict reignites.

On procedural grounds, far from restoring congressional authority to declare war, this resolution would take the authority and place it in the hands

of the court. The resolution provides no recourse for the Congress to reconsider the requirement for the withdrawal of our Armed Forces, absent adoption of an authorization. We can have no way of knowing what the situation may be on the ground in Bosnia, in this country or elsewhere in the world that could have a bearing on the withdrawal of our troops from Bosnia when and if the courts eventually rule on the constitutionality of this measure. Moreover, it provides no latitude to the Commander in Chief for an orderly and safe withdrawal that might require more time than the 60 days stipulated.

Finally, and perhaps most importantly, the neighboring region of Kosovo in southern Serbia is experiencing an upsurge of violence and new instability. Decisive action by the international community stopped any more massacres like the one that claimed the lives of hundreds in Srebrenica. Now we are told at least 80 persons, including 22 women and children, have been killed in recent days in Kosovo by Serbian police. This resolution could undercut our efforts to stop the bloodshed there by calling into question our national resolve.

I understand the gentleman is concerned about how this resolution will be perceived here in the Congress. He is also concerned how it will be seen in the Supreme Court. I am concerned how it will be seen in Sarajevo, in the Serb capital of Banja Luka or the war criminal capital of Pale. Passage of this resolution now could be interpreted as a vote of no confidence in our Bosnia policy. It could send confusing signals about our national resolve to persevere to friend and foe alike, and it would pull the rug out from under our troops and commanders who are out there in the field and who justly take pride in what they have been accomplishing in Bosnia.

I regret that we are now facing a clash between asserting congressional prerogative on the question of warmaking and sound policy. For the reasons just stated, our Committee on International Relations, Mr. Speaker, voted by a convincing margin to disapprove this resolution. Given the progress made towards peace and the position of our troops in the field, I urge our House to support good policy and to oppose H. Con. Res. 227.

Mr. Speaker, I reserve the balance of my time.

Mr. CAMPBELL. Mr. Speaker, I yield myself such time as I may consume.

(Mr. CAMPBELL asked and was given permission to revise and extend his remarks.)

Mr. CAMPBELL. Mr. Speaker, the resolution carries the following explicit language: What we do today, and I quote, ''does not necessarily reflect any disagreement with the purposes or accomplishments of such Armed Forces, nor does it constitute any judgment of how the Congress would vote, if given the opportunity to do so, on either a declaration of war or a specific authorization for the use of such Armed Forces,'' end quote.

My friend and distinguished colleague who has just spoken, therefore, presents, I believe, an inaccurate reflection of what this resolution does. It does not take a position on the advisability or not of being in Bosnia, but it does assert, and strongly so, that it is the right and it is the obligation of the Congress of the United States to say yes or no before United States troops are engaged in hostilities overseas.

□ 1200

What has happened is this: The President put troops into Bosnia in December of 1995. He did not obtain the approval of Congress in advance. He should have. And that would be true whether he was a Democrat or a Republican. It is the obligation of Congress to approve the use of United States troops overseas.

Now, of course, I recognize that, in the context of an emergency, it is the right of the President, his duty, to respond to an attack upon the United States or upon its Armed Forces. But this is not the situation in Bosnia. There has been plenty of time for the President to bring the matter to Congress and ask for our approval.

Some of my colleagues will vote yes if we have the opportunity to vote. Some will vote no. That debate is not today's debate. Today's debate is that it is our responsibility to vote. For all of us who call ourselves members of the generation touched by Vietnam, surely we will remember that the War Powers Resolution under which I bring this motion today was passed to prevent presidents from putting United States troops in hostilities overseas without the approval of the people's representatives, and the War Powers Resolution says that one may not assume that approval from any appropriation bill, and one may not assume that approval from any treaty. One must come to the Congress and obtain that explicit approval.

Some argue that, well, maybe the President should have submitted this for congressional approval at the time that he inserted troops, but now time has passed and it would send the wrong signal to require a vote in Congress right now. How can it be that the usurpation of a right as of December, 1995, suddenly becomes a grant of the right because we have not stood up and asserted our constitutional obligation? If it was incumbent upon the President to ask our permission before he put the troops in, it is still incumbent upon him to do so.

Others argue that, well, maybe I am right in this resolution, but Kosovo presents an opportunity now that is so dangerous we might be sending the wrong signal. Well, it is precisely for that reason that we should take the matter here and debate it, so that if we support using troops there, it will be clear we do.

In the Committee on International Relations last week, the ambassador of the United States to this most troubled region, Robert Gelbard, testified that the administration was not ruling out any options in Kosovo; and he answered that question specifically in the context of the use of American forces. Accordingly, we may very well find ourselves with troops in Kosovo without having had the issue debated and approved here in advance.

Why is it so important to approve in advance? Because if we do not, we are stuck with the situation of American troops already overseas. And very few Members are able to say, well, now that they are overseas, let us change our policy. That is why the Constitution requires the vote to be up front.

The War Powers Resolution gives us the opportunity to give the President 60 days, after which it must come to Congress if he has inserted troops into hostilities or into a situation where hostilities are reasonably likely to be expected.

Mr. Speaker, I pity in this debate somebody who has to maintain that there are no hostilities in Bosnia. In our deliberations in the Committee on International Relations, no member advanced that argument. I doubt that argument will be able to be sustained. Nevertheless, some have suggested that; and to them I would urge them to look at the phrase ''hostilities'' and then look at the reason for having this provision in law.

The phrase ''hostilities'' is in the War Powers Resolution explicitly to cover cases even where there have not been shots fired, and I quote from the House Committee report: '''Hostilities' also encompasses a state of confrontation in which no shots have been fired, but where there is a clear and present danger of armed conflict.''

Mr. Speaker, that clearly is the situation today. The administration, I think, ought to admit as much regarding Kosovo where they say, no option, including the use of American troops, is being ruled out.

The House Report continues: '''Imminent hostilities' denotes a situation in which there is a clear potential, either for such a state of confrontation or for actual armed conflict.''

Do we have a clear potential for a state of confrontation? Of course we do. To say otherwise is to mince words. To say otherwise is to prevaricate; to say otherwise is to strain the language to avoid the obligation that it is the Congress that must approve the use of force overseas.

Some argue, there has not been a large-scale attack on United States troops. Well, let me just remind my colleagues, Mr. Speaker, that United States troops in Bosnia have been shot at, have been wounded, have died in Bosnia. And in the report to the bill as it came out of the Committee on International Relations, there is a documented list, to which I might refer later in debate, as to all of these incidents where American troops have been

shot at, have been wounded, have died. Tell the families of those servicemen and women that there are no hostilities in Bosnia. I do not think anyone can.

The argument is next advanced that perhaps it is the situation that hostilities existed when we put troops into Bosnia but hostilities no longer exist, because we have so successfully put an end to the confrontation there. The War Powers Resolution and our constitutional obligation is nevertheless implicated.

The Under Secretary of Defense, in his letter to our committee, mentioned a likely resumption of hostilities if we did not keep our troops there. The Secretary of State's designee, the Acting Assistant Secretary of State for Legislative Affairs, in her letter to Chairman GILMAN refers once again to the possible recurrence of war, of genocide if our troops are not kept there. All these are legitimate arguments, when we have the opportunity to vote on it, but they completely undercut the argument that there are no hostilities in Bosnia or no likelihood or probability of such hostilities.

There are other indications of hostilities as well, but one additional fundamental argument. Imagine the danger of taking the interpretation that, in order to have hostilities, one must have American soldiers killed in action in higher numbers than they already have been. What a dangerous interpretation of this law. If that is what it takes, then we give an incentive to an enemy of the United States to kill more Americans so as to create the opportunity for a vote. That is why we should have had the vote in December of 1995, before American troops were put at risk.

Lastly, Mr. Speaker, in terms of proving the existence of the use of force, I note the fact that the administration, the Defense Department, pays a hostile fire premium to soldiers. We call it combat pay, but the technical term is ''hostile fire pay,'' and they have been paying that to our soldiers in Bosnia from the start. It is very hard for the administration to argue that there are no hostilities in Bosnia.

So what do we do today? Today we say, it is for Congress to assert its constitutional obligation. It is wrong to continue to let this obligation and authority atrophy.

The question arises, will we be pulling our troops out in a dangerous fashion; will we be pulling them out in the middle of a difficult time; as my colleague, the gentleman from New York (Mr. GILMAN), the Chairman of the committee intimated? No. This resolution allows the matter to go to court. People of goodwill have debated the constitutionality of the War Powers Resolution. If it is constitutional, let us prove that it is. If it is unconstitutional, let us prove that instead; and then let us reconstruct what there might be in place of this vehicle.

As it is now, we have the worst of all possible situations. The President uses force, and the Congress gives up its constitutional obligation to approve or disapprove, and that, Mr. Speaker, is the greatest tragedy of all.

I recur to the Members of this body who have been touched by the Vietnam experience, and that, I think, includes all of us. Did we not promise that this shall never happen again? Did we not say that next time we will get the approval of the people's representatives before we put United States troops into hostilities overseas? We have let that obligation drop from our fingers for too long. Today is our chance to restore that duty and our honor.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore (Mr. MCINNIS). The gentleman from New York (Mr. GILMAN) has 25½ minutes remaining; the gentleman from Indiana (Mr. HAMILTON) has 30 minutes remaining; and the gentleman from California (Mr. CAMPBELL) has 15 minutes remaining.

Mr. HAMILTON. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman for yielding me this time.

I do not doubt the sincerity of my colleague from California (Mr. CAMPBELL), but I ask him the question of do we need any more Kosovos? This is a question of protecting lives.

I have been to Bosnia, and I understand the pain of the people who are trying to survive. The War Powers Act has never been utilized; and frankly, I think the irony of this vote may send it to the courts and the courts rule it unconstitutional. But the real question is whether or not we want the courts to run our foreign policy, or do we want the right kinds of decisions to be made on behalf of the people in the Balkans who need the peacekeeping troops who have been there to provide peace. This legislation, frankly, makes no sense; and it adds to the disruptiveness of the process of a foreign policy of which our allies can count on.

Let us not show ourselves as wimps. Let us show ourselves as friends. Let us understand that we are keeping peace, that our military personnel are in peace, that the dangers of loss of life has been diminished and that the people in the Balkans need us. Do we need say anymore?

I hope my colleagues will defeat this resolution.

Mr. Speaker, I rise today in strong opposition to this resolution. Everyone on the floor of the House knows that we have American troops defending the peace in Bosnia.

Why would we want to put those troops in harms way by passing a resolution that would send a clear message that we do not support their presence there?

Why would we want to send a message that we no longer support the Dayton Peace Accords?

Now is not the time to test the War Powers Act with the lives of our troops. The enemies of peace are watching us today and there is no reason to give them any other signal than our continued support and commitment to maintaining the peace in Bosnia.

The recent venture by the brutal Serbian police action should be enough of a warning signal. These forces are just waiting for us to show any sign of weakness so they can take advantage of the situation in Bosnia.

As a member of the House Judiciary Committee, this resolution makes no sense at all. The separation of powers never gives the right of our courts to decide matters of foreign policy. Courts have declined to do anything like this over and over again.

So, for reasons of both policy and procedure, I am strongly opposed to this resolution.

Mr. HAMILTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Maryland (Mr. HOYER).

(Mr. HOYER asked and was given permission to revise and extend his remarks.)

Mr. HOYER. Mr. Speaker, I rise in strong opposition to this resolution. I believe that it is legally incorrect. I believe it is strategically a mistake, and I believe morally it ought to be rejected.

I, of course, was one of those who believed strongly that the United States and its allies ought to act decisively in the Balkans, particularly in Bosnia. I urged, as my colleagues will recall, the unilateral lifting of the arms embargo so that peoples under siege could defend themselves. I believe that was the morally correct and legally correct position.

This resolution I believe is legally wrong because, contrary to the arguments of my friend from California (Mr. CAMPBELL), who maintains that we are in the midst of hostilities, I would suggest that any person deployed anyplace in the world is subject to hostilities. We have tragically lost men and women in uniform as the result of terrorist acts or some other act in places of the world that clearly hostilities did not exist, Japan being an example, West Germany being another.

I believe that, strategically, the adoption of this resolution would be a significant and unfortunate mistake. The deployment of U.S. troops and allied troops in Bosnia was pursuant to an agreement, the Dayton Accords, in which all parties to the conflict agreed to accept United States and allied troops for the purposes of peacekeeping, not for the purposes of projecting themselves into hostilities. So that even if one adopts the argument that 5(c) of the War Powers Act is sustainable, one should reject the presumption that it applies in this instance.

I urge my colleagues to reject this unfortunate resolution.

Mr. CAMPBELL. Mr. Speaker, I yield 5½ minutes to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Speaker, I am going to vote in favor of this resolution. Let me say, first, that I think the predictions of chaos and

gloom are mistaken. If we were to vote this resolution and begin an orderly process of involving the courts and requiring this Congress to face up to its responsibilities, nothing would happen precipitously. We would have plenty of time to deal with it.

□ 1215

I am voting for the resolution for a couple of reasons. First of all, I have consistently, since being here, taken the position that the President of the United States should not commit significant troop levels for prolonged periods of time without congressional approval. That is whether I agree with the specific commitment or not.

A lot changed for me in 1992. 1992 was a good year electorally, but it did not change my constitutional view that the President ought not to be making these commitments. To respond to emergencies is one thing, but a long-term commitment is another. It does seem to me that we ought to have congressional approval. I believe that with regard to Iraq, I would support military action against Iraq if they violate the agreement they made recently, but I do think it ought to come here first.

I have a particular reason for supporting this. It is really made clear in the letter from my leaders and colleagues on the Democratic side. It said, ''Third,'' the third reason for voting no, ''If U.S. troops leave Bosnia, our allies will leave. There will be no NATO force in Bosnia without us.'' That is intolerable.

That is what I find most attractive about this. We have got to put an end to the greatest welfare program in the history of the world. That is the welfare program whereby the wealthy nations of Western Europe, prosperous, strong, and facing no enemy, continue to be heavily subsidized by the taxpayers of the United States.

If you lose your job in Germany or France or Italy tomorrow, you do not lose your health care. People in our districts who lose their jobs will lose their health care, in many cases. We just saw a reference to a bill, we tried our best to change it, that is not working, because people are priced out of the market.

How come those countries can afford to provide health care to people who lose their jobs and we cannot? Because we do them the enormous favor of paying their military budgets. It made sense for the United States in the late forties to go to the aid of a weak and poor Europe facing a Communist threat. Today Europe is strong, the Communist threat has disappeared, and the only constant is that we continue to spend tens of billions of dollars on their defense.

I accept our responsibility in South Korea, I accept our responsibility in Iraq, but why, what is written that says if we leave, they have to leave? Can Europe do nothing by itself? Are Germany and England and France and Spain and Norway and Belgium and Denmark, with a little help from Luxembourg, are they not all capable of keeping some troops in Bosnia, Bosnia, which is so close to them?

We are going to be asked very shortly, in a supplemental appropriation, to cut funds for important American domestic programs to pay for those troops in Bosnia. They will not be making those cuts in Germany and England. By the way, when it comes to people in need, I am for it. I am going to vote for the IMF, if we can work out the right conditions. I want American money to go to help alleviate distress overseas. But I am not prepared to have the United States taxpayer continue to subsidize the nations of Western Europe, and encouraging in them the greatest sense of welfare dependency we have.

We cut funds to American welfare recipients because they should be out on their own. So should Western Europe. I simply want to repudiate this notion, if U.S. troops leave Bosnia our allies will leave. Why? What is this, follow the leader? Simon says? Yes, it is true, probably in the short term, because we are the great enablers of European dependency. We are the ones who in fact allow the wealthy and powerful collection of nations that consist of Western Europe to act as if they were incapable of doing anything on their own. If we do not in fact take a lead, that is what will continue to happen.

I am in favor of a continued presence in Bosnia, but it ought to be European. We will be in South Korea without the Europeans. We will do Iraq mostly alone. But the Europeans ought to do Europe.

The fact is that what this resolution aims at is an intolerable status quo, a status quo in which the American people, taxpayers, are being asked to pay an undue burden. By the way, I am not suggesting that the answer is that Europe has to greatly increase its military.

My conservative friends have made a very good important point: When a good is free, people will take more of it than they need. As long as the American taxpayer will extend for free to the Europeans the services of the American defense establishment, the Europeans will claim more of it than they need. They are threatened by no one. They have a responsibility. We will meet our worldwide responsibilities.

I hope we will vote for this resolution, in fact to repudiate the third point in what my leaders have said. There is no reason at all why the United States should have to spend billions of dollars which we will soon be taking from our own domestic needs to subsidize Western Europe.

Mr. HAMILTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Missouri (Mr. SKELTON).

Mr. GILMAN. Mr. Speaker, I yield 3 minutes to gentleman from Missouri.

The SPEAKER pro tempore. The gentleman from Missouri (Mr. SKELTON) is recognized for 5 minutes.

Mr. SKELTON. Mr. Speaker, I rise in opposition to this House concurrent resolution. I guess it is the small town country lawyer coming out in me, but to begin with, this is legally wrong.

Under the original War Powers Act a concurrent resolution was required. Subsequent to that there was a Chadha decision in 1983 that says you cannot do it without a joint resolution, that gives a President the opportunity to agree or disagree. Subsequent to the Chadha decision there was a statute that was all-encompassing, including this statute, the War Powers Act that requires a joint resolution. Consequently, this being an attempt to pass a concurrent resolution at best is moot.

That in and of itself is enough reason to oppose it. But it should be opposed for other reasons, for policy reasons, for practical reasons as well. The policy implications of adoption of this resolution are clear. Adoption of this resolution by this House would send the wrong message, a very wrong message, to our troops in Bosnia, of whom I am so very proud, to our allies and friends helping us in Bosnia, and third, to friends and foes alike around the world.

First, our troops would view the adoption of this resolution as telling them that despite their efforts, which have been successful in bringing peace to Bosnia, we made a mistake. My views on our efforts in Bosnia have evolved over the last 3 years to reluctant support, and I do support it.

Mr. Speaker, our troops are doing a magnificent job. I have had the opportunity to visit with them just a few weeks ago in Bosnia, and I tell you that they know what they are doing, they know that it is a success, and they are proud of the fact that they are there bringing peace to that troubled corner of the world. I thank them for what they are doing.

Second, our allies and friends in Bosnia would wonder why this Congress is taking this action when now we made not only substantial progress in this effort, but we are near real success. Since we have become directly involved in Bosnia through our diplomatic efforts 3 years ago, the war in Bosnia has stopped.

We are in Bosnia there with allies and friends. Thirty-eight other countries are involved with us. Those combined forces make a substantial contribution to this joint effort. The other nations are contributing about 75 percent of the military forces, and the current stabilization force is a successful effort. About 85 percent of the funds for economic reconstruction are being supplied by our European and other allies. I say this to remind my friend, the gentleman from Massachusetts (Mr. FRANK), who was talking about them not paying their fair share. Mr. Speaker, they are.

Mr. Speaker, we will be sending the wrong message to friends and foes alike. They would view the adoption of this resolution as a sign that the

United States is rethinking its role as leader in the world. Mr. Speaker, we are the leader of this free world. We have stepped up to the plate. We are there batting a thousand. We must continue that in Bosnia.

The role as leader on the world stage is so very important. It has been said, and they will say so, our allies from Europe will say so, that they could not do it by themselves. Remember, they were there with UNPROFOR and that did not work, and it took American leadership to go in with the IFOR and now the SFOR.

Were this to be adopted, the credibility of this country, the credibility of our leadership would be undermined drastically. Europe continues to be of vital interest to the United States. On two occasions earlier in this century our country fought wars to keep the Old World from falling under the domination of hostile powers. From 1945 until 1989 we found ourselves involved in another struggle, the Cold War, which compelled us to keep some 300,000 troops in Europe until that conflict ended in 1989.

Now for the third time in this century we are trying to secure an enduring peace, because if we are able to do this, the rest of Europe will follow and there will be a peaceful Europe, under the leadership and because of the leadership of the United States of America.

Mr. CAMPBELL. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. BONILLA).

(Mr. BONILLA asked and was given permission to revise and extend his remarks.)

Mr. BONILLA. Mr. Speaker, I thank the gentleman for yielding me the time. I rise in strong support of the resolution he is presenting today.

Mr. Speaker, this is not about some of the issues that have been discussed earlier today and it is not about the merits of the War Powers Act. That will be decided ultimately by the courts. What I mean by that is the constitutionality. This is not about preventing the President, if he would choose to do so, to withdraw our forces from the Balkans and from Bosnia in a smooth fashion, and transfer those responsibilities to Europeans.

We are certainly not voting today on the performance of our troops. They are doing an outstanding job, as they are assigned, in Bosnia. In fact, I have just returned from Bosnia and can report that our forces have achieved their military goals.

But political success is another story. Political success is many years away. This is not a secret. I think everyone knows that the President's promises of quick success were not grounded in reality. The question before us today is does America, does America have a national interest in Bosnia that justifies a long-term, expensive military commitment.

The costs of this commitment are real and extend far beyond the billions of dollars that we have to appropriate in the upcoming supplemental bill. They include the young soldier that I met from east Texas on the trip to Bosnia who told me that his wife is about to leave him because he has been overdeployed too many months, too many times overseas during the last 2½ years. His family is falling apart. It was a gut-wrenching moment when he had to confess that before several other troops during a lunch we had with the troops at Camp McGovern.

Others told me about the necessities they have for pay raises and health care needs. When I go back home I talk to veterans of World War II, Korea, and Vietnam who say that they cannot even get to see a doctor anymore, because there is not enough money in the budget back home to pay for their medical needs.

So what we are making is a choice here between spending money and endangering our troops' lives overseas on questionable social engineering projects, or choosing to spend that money on keeping our military strong.

A lot of people out there do not realize that our military is not even what it was during the Gulf War. We cannot sustain another effort like that because of our overdeployment. We are spread too thin. Our troops' morale in some cases is already in question. We do not have a national interest in Bosnia that justifies this cost in other areas of our military operations, or in perhaps some other areas that we may have to cut back on in social spending that my colleague, the gentleman from Massachusetts, alluded to earlier on.

□ 1230

He was very eloquent in his remarks about the commitment of Europe in this project. Why can we not, after leading the peacekeeping mission in the first place, now be able to turn over this project to our European friends? Why has not the administration worked the phones and tried to get the leaders of countries in Europe to say, when we have done so much, we have got things established here, why can we not turn it over to you now? After all, it is in your own backyard.

The bottom line is we are having to make tough choices today, and let us not think that because of the wonderful things we have accomplished so far in Bosnia that we are somehow doing more than propping up a house of cards that could fall apart once we leave. We cannot make everyone in Bosnia love each other. We cannot solve problems that have existed for generations there. I urge my colleagues to vote for this resolution to end this deployment. It would be criminal to do otherwise.

Mr. HAMILTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Tennessee (Mr. CLEMENT).

Mr. CLEMENT. Mr. Speaker, I thank the gentleman very much for yielding me the time. As a member of the Committee on International Relations, we had the opportunity to vote on the Campbell resolution just this past week. I was real pleased that the chairman of the Committee on International Relations, the gentleman from New York (Mr. GILMAN), as well as the gentleman from Indiana (Mr. HAMILTON), as well as Members we have heard from, the gentleman from Missouri (Mr. SKELTON), ranking Democrat on the Committee on National Security, all are in total agreement and opposed to the Campbell resolution.

I had the opportunity to travel with the Committee on National Security, the gentleman from Missouri (Mr. SKELTON), to Bosnia. I will tell my colleagues, it was enlightening to me. I had so many of the people that live in that troubled area come up to me and thank America for being a part, for bringing peace in the area. If it was not for the United States, we would not have peace in the Bosnian area now. Remember those terrible pictures, remember the television scenes of the rape and pillage and destruction in that area and how quickly we forget. It was the United States of America, the Dayton Accord, that showed the leadership and the vision to bring about peace.

I asked the rank and file members, our soldiers, not the colonels and the generals, but the soldiers, I said, do you think we should stay there after June 30 of this year? Without exception they replied, Congressman, I am homesick, I miss my family, I miss my friends, but we ought to stay in Bosnia after June 30, or everything we have done will be unraveled. We do not need to do that.

That is where World War I started, and how quickly we forget that, too. I am proud of the United States. I am proud of our leadership. I am proud of our soldiers. I am proud that they are making a difference. I think this particular resolution on legal grounds as well as on policy grounds is not in our best interest.

Vote against the Campbell resolution.

Mr. GILMAN. Mr. Speaker, I yield 7 minutes to the gentleman from Indiana (Mr. BUYER).

Mr. BUYER. Mr. Speaker, this is not easy for me. This is not easy for me because I have covered the waterfront like the gentleman from Missouri (Mr. SKELTON) on this issue. We had a good discussion at a hearing this morning with the Secretary of State and the Secretary of Defense and the Chairman of the Joint Chiefs of Staff and General Wes Clark. I thought it was a very productive hearing the gentleman from Missouri (Mr. SKELTON) held with the gentleman from South Carolina (Mr. SPENCE) of the Committee on National Security.

It was some time ago the gentleman from Missouri (Mr. SKELTON) and I and the gentleman from Pennsylvania (Mr. MCHALE), we brought some resolutions to the floor, three of them. As a matter of fact, the first one that we brought with regard to Bosnia was we do not like where the Dayton Accord is going.

We heard a lot of the discussions coming out of Dayton, and what was happening was that the President got the parties to the table, and there was some sort of anxiety to get something on the paper and to use U.S. ground forces to separate the warring factions. So they were anxious to do that. But the House stepped forward with a vote of 315 Members that said, wait a minute, do not use U.S. ground forces to separate the parties. Focus, force the parties to focus on the real reasons they are killing each other. That is how we will move to cure. That is what was the vote of this House.

But there really was not the close coordination and cooperation between the House and the administration because they went and did as they pleased. And they used U.S. ground troops to separate the warring factions. When you do that without permitting the parties to focus on why they are killing each other, it will require generations to cure. And there is where we have ourselves today.

The military, I have heard the speakers, they are right, the troops are wonderful. The morale is high. They meet their deadlines. They are doing real missions, and they are proud of their efforts. We should be proud of them. But the civil implementation of Dayton lagged very far behind. The special Ambassador that we have today in that position over the last 9 months has made leaps and bounds in progress. He needs our support.

Now, it is awkward for me to be standing here saying this, but when you go to Bosnia and you see this effort, all of us must endorse an enduring peace in Bosnia. The ultimate question is by whom? I believe the United States as a sole remaining superpower has a responsibility to quiet and ensure regional stability. But when you have then civil wars within a region that pose no threat to destabilize a region, then we need to rely upon our regional allies. Aha, there is the debate.

I do not believe, as the last Speaker or the Vice President or the President says, we had to be in Bosnia because Bosnia had the potential of destabilizing Europe. That is false. We do not have the same dynamic of the Hungarian Empire. The emotion of saying, well, that is where two wars started does not move me. I think it is important for us to place great stressors on our European allies to play a greater role, but where we are today is when the President has stepped forward and he has said that with regard to the civil implementation process in Bosnia, we will set real benchmarks for success, I will share with the House that I am working with the gentleman from Nebraska (Mr. BEREUTER) and we will bring a resolution to the floor that these will be benchmarks with specificity. They will neither be vague nor ambiguous. And we will also give some dates certain to move that process along, because we do not want to be in Bosnia for the next 15 to 20 years. I think that is the intent of the gentleman from California (Mr. CAMPBELL). I agree with him.

I also voted with the gentleman from Illinois (Mr. HYDE) a few years back to repeal the War Powers Act. You say, well, how can you then vote against the gentleman from California (Mr. CAMPBELL) today? Well, because I do not like using the backdrop for what he has done here. I do not like the backdrop on Bosnia.

I gave the commitment to the President that, yes, I am your critic, but I am your constructive critic. I want to help you get out of the box from which we are presently in. You see because when I was in Bosnia, I did not see evidence of where a true self-sustaining peace was at hand. That is hard for me to say. The United States is presently caught. We are in a box. If the United States, if we leave, the parties will likely, with likely probability, return to bloodshed. Therefore, the U.S. forces remaining, we provide the reassurance to the people, and at the same time we provide cover to the elected leaders who move slowly and call for patience.

Changing the dynamic in Bosnia is extraordinarily important because the leaders in Bosnia of the Croats, the Muslims and the Serbs were also the present war leaders. These individuals focus on their differences, what separates them, rather than that which could bring them together in commonality.

The elections this fall will be very important. So what we hope to do not only is in changing this dynamic, but when we set these, when we set real benchmarks to measure success, it is also matched with troop reductions that we then move to an over-the-horizon position. That is where we want to take this.

So, reluctantly, I have to come to the floor and oppose the gentleman from California's measure. It is not easy for me to do that, given how I feel on the War Powers Act, and I wanted to share that with you.

Mr. SKELTON. Mr. Speaker, will the gentleman yield?

Mr. BUYER. I yield to the gentleman from Missouri.

Mr. SKELTON. Mr. Speaker, first let me thank the gentleman from Indiana for his statement, for his sound reasoning, and for his courage in his comments today. The troops have no better friend than the gentleman from Indiana. I know, not just those in Bosnia, but those across the world appreciate his efforts on their behalf.

What the gentleman from Indiana says is so true about American leadership and necessity for us being there. As he pointed out, I have rethought my position. I agree with him. I think he is right. I think we should continue on.

Mr. BUYER. Mr. Speaker, I thank the gentleman from Missouri.

Mr. CAMPBELL. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, the debate is not over whether American troops should be in Bosnia or not, the debate is on a resolution which says Congress should decide whether they should be there or not. Otherwise we are a debating society. That is all we are.

The President does what he wants. We can talk about it, but we have no power. That is wrong. It is constitutionally wrong. It is wrong for the respect we owe our troops in Bosnia.

The American Legion supports this resolution, Mr. Speaker. They do because they believe, and I quote, that ''the administration must now decide on the extent of the future mission in Bosnia and explain to the American people and Congress how many forces will be needed, what their security missions will be, and for how long will they be deployed,'' end quote.

Our debate will at some point, God willing, be on whether we should be in Bosnia or not. All we debate today is whether it is the duty of the Congress to give that approval in advance, and whether the President, not having obtained that approval in advance, must now seek that. It is patriotic, and it is responsible to the soldiers under fire in hostilities that we do so.

Mr. Speaker, I yield 4 minutes to the gentleman from Florida (Mr. SCARBOROUGH).

Mr. SCARBOROUGH. Mr. Speaker, I thank the gentleman from California for yielding me this time. I certainly respect people on both sides of this argument, certainly the ranking member of the Committee on National Security and the gentleman from Indiana, the chairman of the Subcommittee on Military Personnel, that just spoke.

I am a member of the Committee on National Security myself. I hear all these arguments, but they are arguments on policy, they are not arguments on Constitution; they are not arguments on law, they are not arguments on the procedure that James Madison and our Founding Fathers gave to us over 220 years ago on how we were going to run a war, how we were going to send troops across the world.

James Madison wrote in the early 18th century that the Founders intentionally vested the instruments of warmaking capability in the hands of the legislative branch because they knew, the Founders recognized, that the executive branch would be the most prone to war and be the most prone to sending troops across the world.

Look what has happened now. We have more troops in more places across the world than at any time in the history of this Republic. We are giving them less to work with. They have been well-founded.

Somebody said this was about us being wimps or about protecting lives or waving the flag or supporting the troops. Those arguments are all red herrings. The fact is that indefinite mission creep, the type we have seen over the past few years, without congressional consent will do violence to the Constitution and do violence to the ideals of Madison and of Jefferson and of our other founders.

Back in 1995, the President promised 1 year, and then we were promised another. Now it is indefinite. For those people that do want to argue policy and say, well, gee, we need to let this go on without congressional consent, I am reminded of testimony by a U.N. General to the Committee on National Security from Canada back in 1995 before we went in there. He said, you Americans think you are going to tidy this up in a year or two with one or two divisions. He said, you have no idea what you are doing.

The fact is, he explained about how he was responsible for seeing what war crimes had been committed. He said one morning he went and he saw where Muslims, women and children, had been slaughtered and thrown off the roadside. A Serb came up to him, and he said, ''it serves them right.'' The U.N. General said, ''it serves them right?'' For what? For what?

□ 1245

And the Serb responded, ''Because of what they did to us in the 17th century.'' This U.N. general looked at us, laughed, and he said, ''And you silly Americans think that you are going to get this resolved in a year or two.'' We are not.

And it is not about whether I believe we should be in Bosnia or not, it is about whether we in this Congress are going to face up to the constitutional obligations that James Madison and our Founding Fathers gave to us over 220 years ago. And if we are not willing to do that, then we are going to find ourselves here next year and the next year and the next year; and I think that is unfortunate.

Mr. HAMILTON. Mr. Speaker, I yield 2½ minutes to the distinguished gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Speaker, I, too, have had the chance to go to Bosnia; and I can say that there is a myth that exists that says that people just cannot get along with each; they just hate each other and are going to kill each other. That is not true.

There is leadership in that area which drilled hostilities and which made it possible for conditions of war to erupt. It is not that there is something in the hearts of those people that they cannot get along. Those people are us. We are those people.

I met with widows in Srebrenica, whose husbands were thrown into a ditch after they were shot, who are still asking the question about why; and who still hold out a hand of friendship and brotherhood with people who they have been told are enemies.

We have to realize there is no imperative here for war. There is an imperative for peace as long as the United States is involved with the 34 other nations which exist to help keep peace.

Now we have heard from sources here today. Let me quote a few sources.

General Wesley Clark, Supreme Allied Commander of Europe. He says, if this resolution passes, it will say to our troops and to everyone else that being there was a mistake; we did not really mean it when we sent our troops to Bosnia. He says, it would undercut all our efforts in Bosnia if this resolution passes.

General Shelton, Chairman of the Joint Chiefs of Staff, has said, pulling U.S. forces out of Bosnia would cripple the mission at a critical time when we are achieving success in that troubled country.

I met with the widows. I saw places destroyed as a result of this war. But I also saw a people who are struggling to rebuild. I saw a nation which has hope because the United States of America has stood by its commitment for freedom and justice, because the United States of America, a leader of 34 nations, has said that we are not going to let genocide exist anywhere in the world.

We know that over 50 years ago there was genocide. We know that it occurred in Europe as a result of nationalism, religious and racial hatred. We know that there was an attempt to make an area ethnically pure.

We also know the international community a few years ago stood by silently as more than two million people were displaced. The international community stood by silently when there was two million people displaced and 200,000 human beings killed.

Now we are in a role of leadership. Now we are in a role where our troops are doing a job. We are in a role where we are a leader among nations, and we are keepers of the peace. That is our mission, and that is our role. Let us keep the peace. Let us reject this resolution.

Mr. CAMPBELL. Mr. Speaker, I yield 4 minutes to the gentleman from Washington (Mr. METCALF).

(Mr. METCALF asked and was given permission to revise and extend his remarks.)

Mr. METCALF. Mr. Speaker, I wish to thank the gentleman for yielding me this time and for bringing this legislation before us today.

Mr. Speaker, we are here today debating this issue nearly 1½ years after the promised withdrawal date of December, 1996. That withdrawal date was then extended to June of 1997. Later, the withdrawal date was extended to June of 1998. Recently, the withdrawal deadline was completely eliminated; and U.S. troops are now apparently permanently stationed in Bosnia.

I want to make it clear at the outset that I will do everything necessary to support our troops, and I commend them for their actions in Bosnia. However, I believe the best way to support our troops is to bring them home.

During the initial debate surrounding the deployment of troops to Bosnia, this Congress went on record in opposition to the deployment, stopping just short of complete denial of funds. Regrettably, the President committed troops anyway; and our concerns have been realized.

In December of 1997, I came to this floor to oppose the deployment of troops in Bosnia. I opposed it because the President had failed completely to specify the mission of our deployment and what vital United States' interests were threatened. I felt the mission had little chance, given the lack of clearly stated or understood objectives.

In my speech, I stated that we have learned through sad experience that it is easy to rush troops into an area of contention, but it is extremely difficult to solve the problems once we get there and even more difficult to get out in a timely and honorable way. Mr. Speaker, that has indeed become the reality in Bosnia.

The President failed completely to outline the goals that our military had to achieve before they could safely leave. A well-defined exit strategy, based on achievement of a set of tactical goals, has been lacking from the start. Now the President, after repeatedly breaking his promises regarding the withdrawal, has extended the deployment permanently.

Mr. Speaker, the resolution today is a simple one. It states that the President must receive an authorization from Congress or must withdraw the troops from Bosnia. Furthermore, under the War Powers Act, the Congress must authorize any extended deployment when troops are subject to hostilities.

I know that no one is going to argue that American troops are not facing hostilities in that region. Coalition soldiers have been killed, and American troops are properly receiving combat pay because of the deployment. Combat pay is deserved because of the hostilities that exist, but that pay determines that the War Powers Resolution must apply and that continued deployment is dependent upon a specific authorization from Congress.

In closing, I want to again commend the gentleman from California (Mr. CAMPBELL) for the legislation and urge a ''yes'' vote on this legislation.

Mr. HAMILTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Wisconsin (Mr. KIND).

Mr. KIND. Mr. Speaker, I thank the gentleman for yielding me this time; and I rise in opposition to this resolution, which I feel sends the wrong signal about our mission in Bosnia today. It sends the wrong signal to the hardliners in that country, the wrong signals to the people in Bosnia, who are facing crucial national elections this September.

A few weeks ago I, along with the gentleman from Ohio (Mr. KUCINICH) and four of my colleagues, had a chance to go over and visit Bosnia on a fact-finding mission. What I saw there, the mission being pursued and the men and women in American uniform performing that mission, made me proud. Except for the day when my younger brother returned home from the Gulf War, I have never felt more proud to be an American.

By all accounts, this peacekeeping policy in Bosnia has been an unqualified success. The Dayton Peace Accord is working; NATO is working; the killing has stopped; the genocide, stopped; ethnic cleansing and rapes, stopped; economic development is taking root; democratic institutions are being created; and the children of Bosnia are laughing and playing outside again, all because of our involvement. This, in essence, is the best of America.

Our bipartisan delegation drafted a statement of our findings which I would like to insert into the RECORD at the appropriate time.

Now is not the time to turn Bosnia over to the hard-liners again; and I, for one, do not intend to surrender the children on the streets of Sarajevo to the snipers again. I urge my colleagues to support the mission and the people of Bosnia. Support our troops in Bosnia. Oppose this resolution.

Mr. Speaker, the document referred to earlier is submitted, as follows:

OBSERVATIONS AND CONCLUSIONS

(By Representative Roger Wicker, Representative Saxby Chambliss, Lindsey Graham, Representative Gil Gutknecht, Representative Ron Kind, Representative Dennis Kucinich)

1. The delegation wishes to acknowledge the impressive professionalism and dedication of U.S. service personnel serving on the ground in Bosnia and supporting Operation Joint Guard from deployment sites in Hungary and Italy. It was clear that U.S. military forces are performing their mission in an exemplary fashion. They are being asked to do more with less and are responding admirably. The American people can be proud of the way their armed forces—active duty, reserve, and national guard components—have risen to the challenge of ensuring a peaceful, secure, and stable environment in Bosnia. All Americans owe these soldiers, sailors, airmen, and marines a debt of gratitude.

2. We have been informed that U.S. force levels in Bosnia are likely to be reduced from the current 8,500 to 6,900. We are concerned that a lower troop level may lead to increased risk, given the potential for violence directed against or involving U.S. troops as they execute their missions. We believe that an appropriate level of forces in Bosnia must be based on a sound military assessment of the risks and not on any political considerations. Force protection must be a top priority. Increasing the risk to U.S. forces is not an acceptable policy option. At a minimum, we recommend that U.S. force levels not be reduced until after the September 1998 elections are held and a review of the security situation is conducted. We feel that progress in Bosnia should be judged by the achievement of specific milestones and that any troop reduction should be tied to the achievement of these milestones.

3. Prior to the elections in December 1997, which brought to power more moderate leadership within the Republika Srpska, hardline Bosnian Serbs in power demonstrated an unwillingness to comply with the terms of the Dayton Agreement. As a result, the overwhelming bulk of Western economic aid has flowed to the Muslim-Croat dominated Federation of Bosnia and Herzegovina. The recently elected moderate government within the Republika Srpska lacks the financial resources to function effectively, raising concerns about the government's political viability. We were advised by our military and diplomatic leadership that $5 million in U.S. assistance to the new Republika Srpska government is essential, as part of a $20 to 30 million dollar international assistance package, to demonstrate our commitment to the long-term viability of the new government until it begins generating sufficient revenues on its own. We strongly support appropriation of this $5 million in assistance. Compared to the $2 to 3 billion dollars invested annually in support of the military operation, $5 million is a relatively small price to pay to ensure the stability of the new, reform-minded Republika Srpska government. However, we also believe that any U.S. assistance of this nature should not be funded from Department of Defense accounts.

4. Among the more pressing needs within Bosnia is the establishment of an economic infrastructure that will give the Bosnian people sense of hope and the prospect of a brighter economic future. Without a productive economy, we believe there is little chance for a lasting peace.

5. The need for a continued American troop presence on the ground in Bosnia was stressed by U.S. military commanders, political officials, diplomats, and the Bosnian people with whom we met. There is a widespread conviction that U.S. troops are essential to preventing a resumption of war. Having seen the situation in Bosnia first hand, it is clear to us that the presence of American forces is necessary.

6. The September 1998 Bosnian elections will be a watershed in determining whether Bosnia moves forward or backward. Until then, we believe that the United States should actively continue to support the process of Dayton implementation. Given the effort already expended, it would be foolish to change our political, diplomatic, or military policy in Bosnia before the September elections have taken place. However, we do not believe that the U.S. commitment can be open-ended. SFOR will provide important support to the Office of the High Representative in its efforts to create the climate for a fair election. Notwithstanding our observations of the role in peace being played by U.S. troops, we are concerned about the annual exercise of funding our peacekeeping operations in Bosnia by means of supplemental appropriations. We encourage the Administration to pursue means by which such contingencies can, at least to some degree, be funded other than at the cost of other important national priorities.

7. We are convinced the United States has a vital interest in the stability of Central Europe. The United States is the undisputed leader of the Free World. This role carries with it responsibilities, and among these is participating in efforts to ensure Europe's stability. However, it is our desire that the future of Bosnia ultimately be determined by the Bosnian people themselves.

Mr. CAMPBELL. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. PAUL).

Mr. PAUL. Mr. Speaker, I thank the gentleman for yielding me this time.

I rise in strong support of this resolution, and I compliment the gentleman from California for bringing it to this floor.

This is an immensely important constitutional issue and one that we should pay close attention to and obviously support. I would like this same principle, of course, to apply across the board, especially when it comes to bombing foreign countries, like Iraq, because we should not be involved in war efforts without the consent of the Congress.

The Constitution is very, very clear on this. Unfortunately, policy has drifted away from a noninterventionist constitutional approach. Just in the last 2 days we had five resolutions implying that we have the economic strength, we have the military power and the wisdom to tell other people what to do.

Usually it starts just with a little bit of advice that leads next to then sending troops in to follow up with the advice that we are giving. So I think this is very, very important, to get this out on the table, debate this, and for Congress to reassume the responsibility that they have given to an imperial presidency.

Prior to World War II there were always debates in the House of Representatives any time we wanted to use military force. Whether it was 150 years ago, when we decided to spread our borders southward towards Mexico, or whether 100 years ago when we decided to do something in Cuba, it came here. They had the debates, they had the arguments, but they came to the floor and debated this.

Today, ever since World War II, we have reneged on that responsibility. We have turned it over to the President and allowed him to be involved. We have given him words of encouragement that implies that we support his position. We do so often and, as far as I am concerned, too carelessly. But when we do this, the President then assumes this responsibility; and, unfortunately, since World War II, it has not even been for national security reasons.

The Persian Gulf War was fought with the assumption that the administration got the authority from the United Nations. If we are to express ourselves and to defend our national sovereignty, we should have the Congress vote positive on this resolution because it is so critical.

Today, we have been overextended. Our military is not as strong as some people believe. Our economy is probably not nearly as strong as some believe. We have troops that could be attacked in Korea. We have the potentiality of bombing Baghdad at the same time we have troops in harm's way in Bosnia. So we have spread ourselves too thinly, and we are vulnerable.

We have a responsibility here. The Congress has a responsibility to the American people. We are here to defend the national sovereignty and the protection of the United States. Troops in Bosnia threatens our national security and threatens the lives of the American citizen who is protecting or fighting in this region. So it is up to us to assume this responsibility.

Mr. GILMAN. Mr. Speaker, I yield 2 minutes to the gentleman from Mississippi (Mr. TAYLOR).

Mr. TAYLOR of Mississippi. Mr. Speaker, I wish to tell my friend from California (Mr. CAMPBELL) that, had this vote been taken 1 year ago today, I would have voted with him.

In October, I went to Bosnia, after doing everything I could to keep our troops from going there both under a Republican and a Democratic President. I went to Bosnia with a bad attitude and a notebook looking for kids to tell me that we should not be there, and I spoke with hundreds of them. Not one said we should not be there.

See, we are asked to put our political lives on the line. Those kids are putting their lives on the line. They think they should be there.

Should Congress vote every time troops are deployed? Absolutely. But that is not what this resolution is about. This resolution is pulling the plug on the most successful American military venture in the history of our country.

Are we somehow disappointed that there was not a body count; that there were not thousands of Xs killed; that our smart bombs did not blow up bridges? I can assure my colleagues that I, as a congressman, am not in the least bit disappointed that I did not have to write letters of condolences to the moms and the dads and the spouses and the kids because we did not lose anybody.

This is one of the greatest victories in American military history, and we won it almost without firing a shot. Every one of the established goals they have accomplished. Not because of me, but because of guys like Walter Yates, Master Sergeant Taylor, PFC Rhodes from Ocean Springs, Mississippi. They did their job, and we ought to be proud of them.

□ 1300

I am not going to pull the plug and see to it that those things that they have accomplished are for naught. Some people come to this floor and say, well, we are building four-bedroom, three-bath houses with swimming pools for these people. Go to Brcko. Do you know what their idea of peace is? Peace is being able to walk into the front yard to a circle of bricks 6 feet deep that they throw a bucket down and get their water; and every night they get on their knees and pray to their god in gratitude that that night they will not be raped, they will not be tortured, their husband will not be drug off, and just maybe their kids who had to flee four or five years ago can come home.

Our troops have done a magnificent job. We should support them. We should defeat this resolution.

Mr. CAMPBELL. Mr. Speaker, I yield myself 30 seconds. If the gentleman from Mississippi (Mr. TAYLOR) would stay on the floor just for a moment. I am pleased that he would have voted in favor of my resolution one year ago.

What has happened to the Constitution of the United States during the last year, Mr. Speaker? If it was our obligation one year ago to say yea or nay, it remains our obligation to say yea or nay. On the policy itself, if it is a good one, we should vote yea at this time.

Mr. TAYLOR of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. CAMPBELL. I yield to the gentleman from Mississippi.

Mr. TAYLOR of Mississippi. Mr. Speaker, correct me, but my colleague's resolution says that they should withdraw within 60 days. It is not a question whether or not they should be there. He is mandating that they would withdraw. I am not going to do that. I am not going to pull the plug on those kids.

Mr. CAMPBELL. Mr. Speaker, I yield myself an additional 30 seconds.

I am so pleased that my friend from Mississippi has raised this at this point. The wording of the resolution is critically different from what he just told this body, in good faith, I am sure. My resolution says that the troops must come home unless the President obtains the approval of the House of Representatives and the Senate of the United States, unless he obtains that approval; and they are not to come home until 60 days after a court of competent jurisdiction has issued a final judgment that we are proceeding in a constitutional manner.

So it is not correct that we are pulling the plug. We are pulling the plug only if the President does not ask us for permission.

Mr. Speaker, I yield 4 minutes to the gentleman from South Carolina (Mr. SANFORD).

Mr. SANFORD. Mr. Speaker, I rise in support of this amendment for a couple of different reasons, but the first reason I rise in support is this simple document called the Constitution.

What is interesting about this document, I am not a lawyer, I am not a legal expert, but what is interesting about the Constitution is it was written in layman's terms. And when I look here in section 8 and I read that it is the Congress that shall have the power to declare war, to raise and support armies, to provide and maintain the Navy, et cetera, it seems to me crystal clear that the Founding Fathers, for some odd reason, wanted the Congress to be involved in the event of war.

Now why is that? War is a very messy thing. We have 435 folks over here, we have 100 folks over on the Senate side; it is hard to get agreement on anything. Why would they want us to be involved in that messy process? And I think the reason, quite simply, is the reason of accountability.

How many of my colleagues have seen the President of the United States in the local grocery store shopping for a gallon of milk? I mean, maybe if it is some weird press opportunity he is there, but it is not a normal occurrence. And yet, 435 folks clear outside of here every weekend and go back to their Congressional districts. And in fact it was just last Friday that I, along with my five-year-old boy Marshall, went to the Harris Teeter on East Bay Street in Charleston, South Carolina, to get a gallon of milk; and it was there that three folks came up to me and said, you know, MARK, this bothers me about x, y, and z, three different issues that were of concern to folks at home.

What the Founding Fathers wanted, the reason they had it here, was they wanted accountability. When body bags come back from a war, they do not come to Washington, D.C. They go to Tulsa, Oklahoma. They go to Topeka, Kansas. They go to Savannah, Georgia. They go to a lot of different places that are represented by the 435 districts in this body.

So what I would ask as we contemplate this resolution is that we think about not only the accountability that the Founding Fathers intended but also on how this has been a reasonable and tested idea.

The War Powers Act came out of a democratically controlled Congress; and what it said was that through this learning experience called the Vietnam War, at the end of 60 days, or possibly 90 days with an override, but 60 days it is this body that ought to decide on things like war.

Without further ado, I rise in support of this amendment. Again, we have had a lot of discussion on Bosnia and on leadership. This would do nothing to Bosnia. It would do nothing to our status as a world leader. But what it would do is preserve this thing called the Constitution and making sure that the President comes here to check out things like war.

Mr. CAMPBELL. Mr. Speaker, I reserve the balance of my time.

Mr. HAMILTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California (Mr. BERMAN).

Mr. BERMAN. Mr. Speaker, I would like to speak to the comments of the gentleman from South Carolina and earlier the gentleman from Florida, who talked about our constitutional obligation. Because I think when we examine this closely, and I say this with tremendous respect for both the sincerity and the principle, not to mention the legal acumen of the sponsor of this resolution, but this is a laughable way to claim we are fulfilling our constitutional obligations, really laughable.

This resolution is pursuant to section 5(c) of the War Powers Resolution, as I understand it. 5(c) says, ''notwithstanding subsection (b),'' which is the report triggering action language, ''at any time that the United States armed forces are engaged in hostilities . . . without a declaration of war,'' there is not one here, and I will concede generally and I will concede for this purpose that we are in hostilities in Bosnia, ''without a declaration of war, without specific statutory authorization,'' and we have no specific statutory authorization, I do not consider an appropriation to be a substitute for that, ''such forces shall be removed by the President if the Congress so directs by concurrent resolution.''

If the gentleman from California (Mr. CAMPBELL) had offered a resolution

under expedited procedures to test the meaning of the War Powers Act and whether or not a court would uphold it in the best possible circumstances, which is what he claims he is trying to do, he would have offered a resolution to pull the forces out now. He shirked from that, even though that is his true feeling, he acknowledged such in the Committee on International Relations, and instead has put forth this fancy-dancy thing that responds to the gentleman from Mississippi (Mr. TAYLOR) by saying, I am not asking for them to come out; I am simply asking for a resolution that says that after we test this resolution, if we do not let them stay in, they will then come out.

There should be a resolution right in front of us now testing our constitutional obligations, what our view is on this issue, are we for or against this particular intervention and it should be done. They have the expedited procedures we have which they say they are asking for. This resolution does not do it. I urge a no vote.

Mr. CAMPBELL. Mr. Speaker, I yield 4 minutes to the gentleman from Illinois (Mr. HYDE), the distinguished chairman of the Committee on the Judiciary.

Mr. HYDE. Mr. Speaker, I thank the gentleman for yielding me the 4 minutes.

I find myself in an awkward situation here. I think the War Powers Act is unconstitutional. I think it is a bad law. I thought so when Ronald Reagan was President, not so my friends over there. They thought it was a great idea. When George Bush was President, I still thought it was not a great idea. But so many Members over there, at least some of the more mature, the ones with graying hair, thought it was a great idea. But today they do not think it is such a great idea.

Now Congress would like to finesse this whole question of troops in Bosnia. If something goes wrong, nobody asked us. So the troops are there. They probably should be there. For how long, I am not sure. But we have this War Powers Act, which, in my judgment, is an invasion of the constitutional power of the Commander in Chief.

But, on the other hand, it is a way to get Congress to face up to its responsibility as to whether or not we should put our troops in harm's way. So in a way, inartfully however it is drafted, it does strike a chord in favor of the involvement of Congress in the decision, the very dangerous decision, of committing troops.

So, as far as I am concerned, there has been a double standard on this issue, just as there is on the independent counsel laws. So many people loved the law when the Republicans were in the White House and now they find it fraught with flaws. So we have the War Powers Act, which was a wonderful thing as long as it put restraints on Ronald Reagan and George Bush. But now that we have another occupant of the White House, why, it is shot through with flaws and it is unwise.

So look, it is the law. We have sworn to uphold the law. We have taken an oath to uphold the Constitution. And so, as long as it is the law, the other principle at play here is we should enforce it, we should obey it. As long as we ignore it, we are weakening the very fabric of our laws. And so much as I do not like the law, it is the law.

And since we have not repealed it, and June 7, 1995, I lost here on the floor 201 to 217 ''no'' to repeal the act, and some of my friends over there who are defending it today voted against me and gave me no help in repealing what I think is a bad law. So we have the law. And today I intend to uphold the law because it is on the books and it is one way to involve Congress in this very important decision.

So I thank and I salute the gentleman from California (Mr. CAMPBELL) for bringing this forward. Otherwise, this very important and controversial law would just be ignored, and I think that is not exactly adhering to our sworn duties.

So my colleagues are making us face up to a tough question. It is on the books it is the law. As much as I do not like the law and as much as I would like it repealed, it is not repealed. They will not let it be repealed. So let us enforce the law and hope for the best.

Mr. CAMPBELL. Mr. Speaker, I reserve the balance of my time.

Mr. GILMAN. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. COX), the chairman of our policy committee.

Mr. COX of California. Mr. Speaker, I thank the chairman for yielding me the time.

I rise in opposition to the resolution offered by my good friend and colleague the gentleman from California (Mr. CAMPBELL), but not because I lack any respect for his legal acumen for the policies, which are very serious, that he raises or for his punctilious avoidance of the question of President Clinton's Bosnia policy. The resolution itself makes it very clear that is not what this is about.

Section 1(c) says, ''The requirement to remove United States armed forces from the Republic of Bosnia and Herzegovina does not necessarily reflect any disagreement with the purposes or accomplishments of such armed forces.'' What is under discussion here is not whether troops should be in Bosnia, according to the resolution itself, but rather the War Powers Resolution.

I agree wholeheartedly with the words spoken by the gentleman from Illinois (Mr. HYDE), chairman of the Committee on the Judiciary, just a moment ago that the War Powers Resolution is unconstitutional. I too have been on the floor trying to repeal it for some years. I too have opposed it through the tenure of both Democratic and Republican Presidents. And of course, as we all know, the War Powers Resolution has been every day since it was first passed declared unconstitutional by Presidents Clinton, Bush, Reagan, Carter, Ford, and Nixon.

The War Powers Resolution, paradoxically, weakens both the Congress and the executive branch. Here is how it weakens Congress. Under article I, section 8, clauses 1, 11, and 14, Congress has the power ''to provide for the common defense, to declare war,'' and to ''make rules for the Government and Regulation of the land and naval forces.''

The appropriations clause, article I, section 9, clause 7, grants the Congress the power of the purse, which we could use here very effectively if we wish to oppose the President's Bosnia policy. That power obviously extends to the fields of foreign affairs and defense. So too does Article I, section 8, clause 12, which explicitly empowers Congress ''to raise and support armies.''

As Justice Jackson stated in the Steel Seizure case, ''The President has no monopoly of 'war powers,' whatever they are.'' But the War Powers Resolution, with its 60-day grace period, purports to give the President carte blanche to make war for a full 2 months without congressional authorization. That subverts the Constitution.

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Here is how the War Powers Resolution weakens the President: The vesting clause, Article II, section 1 of the Constitution, unambiguously grants the President the totality of, quote, the executive power. Section 2 provides that, quote, the President shall be Commander in Chief of the Army and Navy. For centuries, American Presidents have relied on these grants of authority to use our Armed Forces in a host of contexts without prior congressional action, such as responding to attacks on or threats to American forces, citizens or property; or when secrecy or surprise are essential; or when the urgency and immediacy of a military response leaves no opportunity for congressional action.

But the War Powers Resolution purports to shrink these historic, inherent Presidential powers to just one circumstance, a direct attack on the United States, or our forces. This is a distortion of our Constitution. It ignores the entire course of our constitutional history. If it were correct, then Presidents Adams, Jefferson, Lincoln, Grant, Wilson, FDR, Truman and Eisenhower are all law-breakers.

No American President of either party, including President Clinton, has ever recognized this perversion of our constitutional order. None has even pretended to follow its terms.

The resolution offered today offends the Constitution not merely in the ways I have just outlined, but in an entirely novel manner, by linking the forced withdrawal of U.S. forces to a decision on its own constitutionality by a Federal court. Federal judges and Federal courts ought not to be in charge of troop deployment decisions.

In addition to violating Article I governing Congress and Article II governing the President, this resolution violates Article III governing the judiciary as well, because as the Supreme Court established over two centuries ago in Hayburn's Case, under our Constitution Congress may not impose on a Federal court duties that are repugnant to the judicial function.

For these reasons, while I wish to compliment the gentleman from California, I urge a vote against this resolution.

Mr. Speaker, I rise in opposition to Mr. CAMPBELL's resolution on Bosnia, which comes to the Floor pursuant to the War Powers Resolution.

Many of us have long been troubled by the substance of the President's unfocused, hand-to-mouth policy in Bosnia. The deployment occurred in the absence of a national consensus or even a broad national debate, because of an abject failure of presidential leadership. President Clinton failed to consult Congress or the American people prior to ordering the deployment, and thereby failed to build the requisite public support before sending 20,000 American soldiers in harm's way. That is why in October 1995 strongly supported H. Res. 247, which called on the President to obtain congressional authorization before deploying U.S. troops to Bosnia—a process that would necessarily have resulted in the sort of broad national discussion that should precede such operations. Such a debate would also have required the President to articulate the mission he was ordering our troops to undertake—something he has yet to do. And it might well have avoided the ignominious process whereby the President twice broke commitments to the American people concerning the length of the deployment. As it is, the President's open-ended commitment of forces in Bosnia is undermining U.S. military readiness around the world in the present, and diverting resources needed to protect U.S. security in the future. In my view, the President's Bosnia policy is an abject failure, and the way in which he arrived at it is a case study in how not to conduct foreign affairs.

But the merits of the President's Bosnia policy is not the subject of this Resolution, as the Resolution itself makes clear. Section 1(c) states categorically that ''[t]he requirement to remove United States Armed Forces from the Republic of Bosnia and Herzegovina * * * does not necessarily reflect any disagreement with the purposes or accomplishments of such Armed Forces; nor does it constitute any judgment of how the Congress would vote, if given the opportunity to do so, on either a declaration of war or a specific authorization for the use of such Armed Forces.'' And the dissenting views added by the Resolution's sponsor to the International Relations Committee's unfavorable report explain that ''[t]he style of section 5(c) [the part of the War Powers Resolution pursuant to which this Resolution is offered] requires that the concurrent resolution call for the removal of troops. If it did not do that, it couldn't be called a 5(c) concurrent resolution. However, [the Resolution] is otherwise entirely neutral on whether the policy of the United States should be to have armed forces in Bosnia under the present circumstances or not.'' Whatever else the vote is today, it is not a vote on the President's Bosnia's policy.

In addition to my concerns about the substance of the President's policy, I share the concerns felt by many of my colleagues about the constitutional implications of the President's repeated decisions to commit U.S. forces to areas of conflict without the assent of Congress—not just in Bosnia, but in Iraq, Haiti, and Somalia. I believe that this constitutional concern is at the core of my colleague's Resolution, and I should add that I greatly respect his legal acumen.

But the War Powers Resolution, under which this Resolution is offered, is not the way to address any of these policy and constitutional issues. It is itself a symptom of the current confusion over the constitutional roles of the President and Congress in the field of foreign affairs. And it is worse than useless as a tool for addressing either flawed policy or usurpation of constitutional responsibility.

The War Powers Resolution is now, and has been every day since the moment it passed, unconstitutional. Presidents Clinton, Bush, Reagan, Carter, Ford, and Nixon have all opposed the Resolution. It paradoxically weakens both the President and the Congress. In time of crisis it increases the risk of war. And it offends two centuries of constitutional history.

Here is how it weakens the Congress: Article I, section 8, clauses 1, 11, and 14 of the Constitution give to Congress the power to ''provide for the common defense,'' to ''declare war,'' and to ''make Rules for the Government and Regulation of the land and naval forces.'' And the Appropriations Clause, Article I, Section 9, Clause 7, grants Congress the power of the purse—a power that extends to the fields of foreign affairs and defense. So too does Article I, Section 8, Clause 12, which explicitly empowers Congress to ''raise and support Armies.'' As Justice Jackson stated in the *Steel Seizure Case,* ''[The President] has no monopoly of 'war powers,' whatever they are. While Congress cannot deprive the President of the command of the army and navy, only Congress can provide him an army and navy to command.''

But the War Powers Resolution, with its 60-day grace period, purports to give the President ''carte blanche'' to make war for a full two months without congressional authorization—a statutory easement across the Constitution.

Here is how it weakens the President: the Vesting Clause—Article II, section 1 of the Constitution—unambiguously grants the President the totality of ''the executive power.'' Section 2 provides that ''The President shall be Commander in Chief of the Army and Navy. * * *'' For centuries, American Presidents have relied on these grants of authority to use our armed forces in a host of contexts, without prior congressional action: such as responding to attacks on, or threats to, American forces, citizens, or property; or when secrecy or surprise are essential; or where the necessity for immediate military response left no opportunity for congressional action. But the War Powers Resolution purports to shrink these historic, inherent presidential powers to just one circumstance—a direct attack on the United States, or our forces.

This is a distortion of our Constitution. It ignores the entire course of our constitutional history. If it were correct, then Presidents Adams, Jefferson, Lincoln, Grant, Wilson, FDR, Truman, and Eisenhower were all lawbreakers. No American President of either party, including President Clinton, has ever recognized this perversion of our constitutional order; none has even pretended to follow its terms.

The War Powers Resolution claims to force an end to hostilities in 60 days, unless Congress has affirmatively acted. This unwise and inflexible rule has emboldened our enemies abroad to doubt our resolve. It has tempted them to think that America's staying power in any conflict was limited to 60 days. It is ironic that a measure, designed to minimize the use of force, vastly magnified the risks of war.

And the War Powers Resolution illegitimately pretends to allow Congress by simple concurrent resolution to compel the President to break off military action. That is a flatly unconstitutional legislative veto, as the Supreme Court made clear a decade and a half ago in *Chadha v. INS.*

This resolution offered by Mr. Campbell is just such a concurrent resolution pursuant to the War Powers Resolution. Whatever one might think of the continued deployment of American troops in Bosnia, Mr. Campbell's concurrent resolution represents just such an unconstitutional legislative veto. Indeed, it offends the Constitution not merely in the ways I have described above, but in an entirely novel manner—by linking the forced withdrawal of U.S. forces to a decision on its own constitutionality by a federal court. Thus, in addition to violating Article I, governing Congress, and Article II, governing the President, this Resolution violates Article III, governing the judiciary, as well. As the Supreme Court established over two centuries ago in *Hayburn's Case,* under our Constitution Congress may not impose on a federal court duties that are repugnant to the judicial function. I believe it would be difficult to imagine a duty more repugnant to the judicial function than the exercise of Congress' war powers and the President's authority as Commander-in-Chief to determine when and if American troops are withdrawn from what the proponents of this Resolution insist is a theatre of war.

Mr. Speaker, I understand that some Members may be tempted to support Mr. Campbell's Resolution today precisely because they agree with me that both the War Powers Resolution and this Resolution are unconstitutional, in the hope that we can use this legislation to gain a definitive judicial decision that the War Powers Resolution is unconstitutional. That hope is unavailing.

No federal court either would or should entertain such a lawsuit. Judge Bork and Justice Scalia have long maintained that Members of Congress have no independent standing in court to challenge enfringements of our prerogatives. And just last year the Supreme Court agreed with them when it refused to hear a congressional challenge to the line-item-veto statute. Moreover, a dispute between the political branches over war and foreign affairs powers is the quintessence of a non-justiciable political question. The War Powers Resolution already distorts the constitutional authority of both Congress and the President. I would be sorry to see it become the vehicle for the judiciary, as well, to usurp non-judicial functions.

Mr. Speaker, in closing I wish to reiterate my respect for the great legal ability of my distinguished colleague from California, and for the extraordinarily serious legal and policy concerns that animate his Resolution. Since I

share his concerns, I wish I could support his Resolution. But the Framers of the Constitution ordained a very different process when Congress seeks to correct errors of policy and vindicate its constitutional prerogatives.

Mr. HAMILTON. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Colorado (Mr. SKAGGS).

Mr. SKAGGS. Mr. Speaker, I want to express my deep respect to the gentleman from California for bringing this before the House.

I agree with him that we ought to face up to our constitutional responsibilities, and that would incline me to support him. I agree with him that we need to challenge the constitutionality one way or another of the War Powers Resolution. That would incline me to support him.

However, believing that the War Powers Resolution is a constitutional abomination, I hate to invoke it in order to challenge it, and that leads me to oppose him.

If it were valid, I believe that his resolution is misplaced in relying on section (4)(a)(1); that the facts that we have before us are much more a (4)(a)(2) set of facts, that is, deployment with combat equipment, and that does not permit his resolution under 5(c), and that leads me to oppose him.

Finally, I believe the administration's policy is a good policy with worthy purposes that is making a positive difference, and that also leads me to oppose him.

Mr. CAMPBELL. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri (Mr. BLUNT).

Mr. BLUNT. Mr. Speaker, I want to say that I appreciate the debate here today. The debate has been on constitutional principles. It has been enlightening for me as a freshman Member. But I rise in support of this resolution. I rise in support of this resolution because I am persuaded by the argument that we should remove this law from the books if we are not going to enforce it. I also believe that if we remove this law from the books, we need to find other ways to assert the responsibility of the Congress in making these decisions.

The decisions like the decision we are talking about today is, of course, I believe, a decision not about policy, but a decision about principle and a decision about the congressional involvement in that principle. Beyond that, even the facts of this case do not relate to imminent threat to Americans, to immediate decisions that have to be made by the President. The Cold War is over. The allocation of responsibility, the abdication of responsibility to the President that may have been well understood during the 50 years of the Cold War no longer serve that purpose. This is clearly not a decision created by approaching the nuclear precipice. This is not a decision that one person has to make in the middle of the night. This is not a decision that needs to be made without the Congress taking part of the responsibility.

We probably should give some credit to the President for being willing to shoulder the entire responsibility if we abdicate our responsibility, but we should stand up for the responsibility that we have been sworn to uphold, the responsibility to be involved in a decision to commit American troops in harm's way.

I urge that we vote for this resolution. The debate on the policy clearly comes later. We can argue many things about that policy. Very few Members of this Congress want to withdraw funding from American troops. We have to deal with the policy, not with the appropriation. I urge support of this resolution.

Mr. HAMILTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Maryland (Mr. CARDIN).

Mr. CARDIN. I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in opposition to this resolution. This is not a true vote on the merits of the War Powers Act, nor is it a product of thoughtful and open debate about U.S. policy in Bosnia. It gambles with the effectiveness of the NATO mission and with the safety of our troops under the guise of testing the constitutionality of the War Powers Act.

If passed, this bill would signal a weakened congressional resolve to support U.S. forces as they work to maintain the fragile Bosnian peace. We all know this is a sensitive time in the Balkans, and we know that SFOR is a linchpin of stability in a region where ethnic tensions are running high. Families torn apart by the Bosnian war are just beginning the delicate task of resuming their lives and attempting to return to their old homes. Meanwhile, tensions continue to mount between the Serbian Government and ethnic Albanians in nearby Kosovo. Now more than ever the United States must signal its strong partnership in NATO's existing presence in the Balkans.

This bill would undermine SFOR's stabilizing effect on the Balkan region with a message that Congress does not support this mission despite SFOR's very real peaceful impact. At this extremely tenuous time, the bill would turn foreign policy over to the courts, which would be charged with determining the constitutionality of the resolution. In the interim, the future of Bosnia and of our forces in SFOR would hang in the balance. This is not the way to debate the War Powers Act.

The committee with jurisdiction over this issue and the expertise to assess its impact has recommended that this resolution not pass. Let us act responsibly for our brave men and women in Bosnia. Let us complete our mission. Let us defeat this resolution.

Mr. CAMPBELL. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Mr. Speaker, it all comes down to this. Those people who are supporting the resolution of the gentleman from California (Mr. CAMPBELL) believe that the President of the United States should not be able to send our troops all over the world in open-ended commitments unless Congress has some vote on it. The people who are opposing the Campbell amendment have the opposite opinion.

Let us note that this conflict that we are talking about today was a long time in coming. For years, many of us in this body shouted to the heavens to try to end what was an immoral arms embargo which prevented the victims of aggression in the Balkans from defending themselves. Those people who maintained this embargo which left the aggressors with all the weapons, those are the same people who now say and told us and came to us, ''We have to send U.S. troops.''

They got what they wanted. What they wanted was not victims being able to defend themselves, helped by the United States to defend themselves, but instead American troops committed on the ground in what is an endless commitment and an endless drain on our resources.

American troops, committed to the Balkans, sets a precedent. That means they can be sent everywhere in order to solve all the problems in all the trouble spots, that our troops are now subservient to international interests rather than to national interests. That is what we are seeing, an evolution in the policy.

I think that policy is wrong. The United States of America, and we as Americans, should be proud to stand up for what is in our interest, and we will lead the world to a better way by supporting those people in the Balkans and elsewhere to enable them to defend themselves, not to send our troops over to be cannon fodder, not to substitute American lives for the lives of local people, local victims who are opposing aggression. Yes, we oppose that aggression, but that does not mean we have to send our boys all over the world to give their lives or to put their lives on the line.

Our country faces a future where our troops may well be deployed, because the Cold War is over now, all over the world. The Campbell resolution says, let us take another look at that. If a President is going to do that, he has to come to Congress. There has to be a check in the system. That should be, and that is a logical check.

Yes, the War Powers Act requires us to do something within 60 days or bring the troops out. That makes sense to me. I am not opposed to the War Powers Act. During the Cold War, there was some question about it, but even then, 60 days, we have already had our troops in Bosnia for going on 2½ years. We were told that they were going to be out of there in 1 year. It has been going on 2½ years. We have spent $8 billion. Where is that money coming from? It is coming out of the readiness of our troops, it is coming out of our ability to defend ourselves, out of our ability to function throughout the rest

of the world, putting our troops in danger at the same time, and for what?

I sit on the Committee on International Relations. We asked the leaders, the people who are overseeing this operation, ''When can we pull our troops out?'' What was the answer? The gentleman from New York (Mr. GILMAN) heard it as well as I did. ''We don't know when we're going to be able to pull these troops out. We don't know.'' It could go on for 5 years. It could go on for 10 years. We could hear these same arguments 10 years from now after spending $20 billion or $30 billion. This is not in the interest of the people of the United States of America.

Yes, it is in our interest to support those who are struggling for peace and freedom and liberty in other parts of the world, but we do so by enabling them, empowering them to do it for themselves, not to send our troops everywhere in the world. There are other trouble spots. We have heard today, our troops have done a magnificent job in stopping the rape, the murder, the mayhem. That is happening all over Africa, in vast stretches of Asia. Does everywhere when these atrocities are being committed mean American troops must go there? Absolutely not. When we do, we send a message to the people of the world: ''Count on Uncle Sammy. Count on the United States. Don't do it yourself.'' To Europe: ''Don't spend your own money. The Americans are going to be willing to do it.'' I say we stand up for our national interests and not expend our Treasury. Vote for the Campbell resolution.

Mr. HAMILTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. Mr. Speaker, I rise today to speak in opposition to this resolution.

I had an opportunity back on December 21 to visit Bosnia with the President. I, like the gentleman from Mississippi (Mr. TAYLOR), was very skeptical when I went. But after being there for a very short period of time and after we landed, to see thousands and thousands of Bosnians standing up with signs, having stood up all night in the cold, saying, thank you for giving us our lives for Christmas, thank you for saving our lives, thank you for giving us an opportunity to live, it made me look at this from a whole different perspective.

I do not question the intentions of the gentleman from California (Mr. CAMPBELL). I have a tremendous amount of respect for him. But I question whether the timing of the resolution, if this is the right timing. When I talked to those young people just as the gentleman from Mississippi (Mr. TAYLOR) did, over and over again I heard them say that we are so proud that we are here and we are doing something to make a difference. Eight thousand people, saving a country from a holocaust, and that was very, very significant to me. When we met with the various leaders of Bosnia, they, too, expressed the same appreciation.

My question merely goes to the whole timing of this. I do not want to say to those young people at this point, send any kind of signal that we are not 100 percent behind them. But the thing that touched me probably more than anything else was when I asked a young man from Alabama, a young soldier, ''Why is it so important that you are here?''

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He pulled out a little piece of paper, and he scribbled Reverend Martin Niemollar's words, and it said, ''When Hitler attacked the Jews, I was not a Jew; therefore, I was not concerned. And when Hitler attacked the Catholics, I was not a Catholic; and, therefore, I was not concerned. And when Hitler attacked the unions and industrialists, I was not a member of the unions; and I was not concerned. Then, Hitler attacked me and the Protestant Church; and there was nobody left to be concerned.''

I urge all Members of the House to vote against this resolution.

Mr. CAMPBELL. Mr. Speaker, I yield 4 minutes to the gentleman from Florida (Mr. STEARNS).

Mr. STEARNS. Mr. Speaker, I thank my colleague for yielding me this time.

Mr. Speaker, we have come to a crossroads in American history. We have reached a point in our history where we have an opportunity this afternoon to carefully clarify the constitutional powers and the separate roles of the executive branch and the legislative branch as it regards the formation of our Nation's foreign policy, especially as it concerns the deployment of the United States military internationally.

I commend the efforts of my colleague from California (Mr. CAMPBELL) for bringing this resolution forward to begin the debate on the proper use of military force by the President of this Nation.

Like others in this body, I have grown steadily uncomfortable with the blatant disregard the executive branch has displayed for the Congress in creating foreign policy in general and with the use of military force specifically.

The case of the U.S. deployment of forces in Bosnia perfectly illustrates the disregard the administration has shown for Congress.

The powers of Congress were eroded by the executive branch with a decade-long struggle against the evils of communism. I also agree that, to achieve victory in the Cold War, it was necessary for these Presidents to have a more commanding role in foreign affairs.

However, Mr. Speaker, with the collapse of the Soviet Union and the collapse of the Eastern Bloc, we have the ability to redefine what the framers of our Constitution truly had in mind regarding the powers of Congress. The Founders believed that it was a proper role of Congress to prevent the President from entangling our Nation endlessly in foreign situations. The Founders gave us that ability by giving Congress the power to declare war. The role of Congress regarding troop deployment was further enhanced by the adoption of the War Powers Act.

The power of Congress has been harmed by this administration's current policy regarding the U.S. deployment in Bosnia. The President committed U.S. troops to Bosnia in December of 1995 as part of the NATO peacekeeping force to enforce the Dayton Peace Accord. At that moment, the President stated, ''The mission will be precisely defined with clear, realistic goals that can be achieved in a definite period of time. This mission should take about 1 year.''

Well, even before a year had expired, the President announced that he would be extending the U.S. commitment for another 18 months, again without the authorization or approval by Congress. The President conveniently notified the American public of this after the Presidential election in 1996.

Congress created last year a deadline of June 30, 1998, to end our deployment in Bosnia unless U.S. presence in the region was in our national security interests. Again, the President has extended our commitment without once again seeking congressional approval or authorization and without even defining at this point how Bosnia affects U.S. national security interests. The United States military is not the private army of the President.

Mr. Speaker, I urge my colleagues to vote in support of H. Con. Res. 227 to put congressional oversight on the use of military deployments in its proper and constitutional context.

Mr. HAMILTON. Mr. Speaker, I yield 1 minute to the distinguished gentleman from South Carolina (Mr. SPRATT).

Mr. SPRATT. Mr. Speaker, though called a resolution, this is a sign of irresolution. We have 7,000 to 8,000 troops stationed around Tuzla and Brcko. I visited them last month, and let me tell my colleagues, the work is not easy, and the living is not either. But in the best tradition of our GIs, they are doing their duty. Go there and my colleagues will see that progress has been made. It can be seen; it can be measured.

This is not the time to tell our troops that we doubt their mission, to tell our allies that we are rethinking our role, or to tell our adversaries to lay back and wait because we may be leaving sooner than they thought.

Even as the strategy for testing the constitutionality of the War Powers Resolution, this is the wrong move for us to make. If the court were to hold the War Powers Resolution unconstitutional, we would be left empty-handed, deprived of the one useful tool we have to require the President to include us when he gets ready to send our troops into a foreign zone. If we were to repeal

it or let the courts nullify it, we would have nothing to put in its place.

If my colleagues want to do something about it, if we disagree with it, come up with a better bill. Let us pass the process and take it to the President with the War Powers Resolution still in force, and those circumstances will stand a far better chance of changing the law and keeping an institutional arrangement where we have a rightful role in deciding when and whether our troops are sent into harm's way.

Mr. CAMPBELL. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota (Mr. GUTKNECHT).

Mr. GUTKNECHT. Mr. Speaker, I thank the gentleman from California (Mr. CAMPBELL) and all of the people who are debating here today. This, in my opinion, is perhaps the most important debate we have had so far this year. I want to congratulate all of the participants on both sides of this issue.

This is a tough vote. This is an important vote. It is particularly tough for me because, just a few weeks ago, I was in Bosnia; and like our colleague from Mississippi, I went there with a bad attitude. I happened to believe that the mission in Bosnia was just a big waste and that we were spending all of this money and at the end of the mission we would be no better off than we were when we started.

But I must say that my attitude was changed, and when I saw what was happening over there, when I began to learn about the situation in Bosnia, I came to the conclusion that, frankly, we need to have our troops in Bosnia, that if it were not for the Americans, the truth of the matter is things would begin to collapse. It is only the Americans that can bring order out of the chaos over there.

Frankly, we have a situation where the Germans do not trust the French; the French do not trust the English. It is almost as if Europe were some form of dysfunctional family with 16 different nations speaking 12 different languages, and the only Nation that they all trust is the United States. So it is important that the United States have a presence and provide the leadership in Bosnia.

However, that is not the debate we are having here today. The debate here today is whether or not Congress should have something to say about long-term deployments of American troops, whether it be in Bosnia or in Africa, Mogadishu, you name the place. Since we have adopted this policy of Congress sort of abdicating its constitutional responsibility, the experts tell us we have had something like 20 different deployments in just the last 6 years. I think we all know that that is wrong.

It is interesting. I find myself listening to the debates and some of the great arguments here today, but I think I agree perhaps more with the gentleman from Massachusetts (Mr. FRANK) than anybody else. If we have an up-or-down vote on whether or not we should maintain an American presence in Bosnia, I will vote for it. I now believe that it is important that we have a presence there.

These are the tectonic plates of Europe. This is where Asia, Europe and the Middle East come together; and it is where World War I began. Perhaps that is not going to happen again, but it seems to me it is worth a small investment of American resources and troops to make certain that we maintain that peace, but the Congress should have something to say about it.

So I congratulate my friend from California (Mr. CAMPBELL) for bringing this resolution forward. I am going to vote for it, even though I believe that we need to keep our troops there at least through September, and perhaps even longer.

But the President ought to have to come back to the Congress and he ought to have to go to the American people and explain why it is important that America provide that leadership in Europe and elsewhere around the world and get the approval of Congress before we make these long-term and expensive commitments.

Mr. GEJDENSON. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, we have a choice here today; and the choice is whether we are going to denigrate the Congress to a debating society to deal with some theoretical issues about the power structure between the executive and the legislative or are we going to deal with the real lives of people on the ground who have suffered, I believe, long enough.

If the Congress is serious about exercising its war powers, then it ought to move to bring the troops out of there immediately, and the 20 other countries where American troops are today preventing death and destruction, preventing the kind of carnage we saw for all too long without any worldwide action in Bosnia.

My parents are survivors of the Holocaust, and one of the things that I think troubled me more than anything else were all of the great conferences that went on debating the niceties of international diplomacy.

In a sense, if this Congress wanted to take an action against Bosnia, against our presence there that has ended the death of children and women on a daily basis, then we should have voted to pull the troops out.

In some ways, this resolution does more damage than simply getting out of there, because what happens now is, there are folks, obviously, in the former Yugoslavian Republic that do not want to see progress made. Well, this tells them, if we wait long enough, maybe we will get the Americans out. Maybe our own parliamentary niceties will prevent us from continuing to lead the world.

God, I wish that we could depend on the Europeans to do it on their own. I wish that Europe was responsible enough here in dealing with terrorism or any other major international issue. The sad fact of the matter is, if the United States does not step forward, none of those countries step forward.

As was stated several times on the floor, in this Balkan area, two world wars broke out. We would have thought that the British, the French, the English, the Germans and others would have stepped forward before the killing went wild. They did not until we acted. And if we pass this bill today, we will pay the price, and we will have the burden of the deaths to come.

Mr. CAMPBELL. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. COLLINS).

Mr. COLLINS. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, a lot has been said by several Members of trips that they have made to Bosnia. I, too, have made several trips there. In fact, I made two just this last December, two trips within 8 days.

I was totally surprised by the attitude of our soldiers upon my first arrival in Bosnia, about how positive they were about what they were doing and why they are there. I was totally set back, I was not expecting this, and I thought to myself, why do they feel this way?

I thought back to 1995 when we were in there, in December of 1995, prior to any of the soldiers being deployed, and all of this destruction that was very visible. I knew by that destruction that there had to be some terrible war that had taken place there just in recent times, just recent months. But then, when I was there in December of 1997, there were people in the streets, guns were silent. I knew peace had arrived, and it was due to the United States soldiers and the other peacekeeping forces who were there.

During lunch I asked several of the soldiers, if they had an opportunity to tell the President of the United States one thing about Bosnia, what would they say? They listed three things. They told me of three things.

First, they recommended that the President look at the deployment, the length of the deployment, the time that the soldiers are being deployed there, the frequency of deployment. Some 52 percent of active duty component soldiers in Bosnia at that time were there on their second mission, and this was just 2 years into the mission.

Then they said, define the mission, tell us what our goals are, what we are trying to accomplish. We cannot be policemen of the world forever.

Mr. Speaker, now to the resolution that is before us. I am going to vote to support this resolution, not that I would require or vote to withdraw soldiers from Bosnia. Because they themselves told me the story of why they are there and how proud they are of what they are doing. But to reinforce their requests: Define the mission.

I think it is well stated in the letter from the American Legion that this

will encourage the administration to define the mission, establish goals of this mission, establish benchmarks for this mission, what we are attempting to accomplish, what time frame we should be there to help accomplish these benchmarks, and how are we going to help the Bosnian people establish a new republic, a true democracy that includes all three branches of government: the executive, the legislative and, most of all importance, the judicial that is lacking in Bosnia and other nations that we have peacekeeping forces in.

Mr. Speaker, I rise in support of this resolution.

□ 1345

Mr. HAMILTON. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Michigan (Mr. BONIOR).

Mr. BONIOR. Mr. Speaker, 3 years ago Bosnia was torn by civil war, and we all witnessed, tragically, death, rape, hunger, fear, despair, regularly reading it in our newspapers, seeing it on television screens. These were the tragic realities of daily life before we joined our allies to stop this carnage.

Three years later the people of Bosnia are rebuilding their lives, children are going to school again, communities are beginning to heal. Tears of sadness are giving way to hope. It has been a remarkable transformation, and much of the credit is due to the peacemakers, to the people who brought peace, and to the soldiers, many of them our soldiers, who made this possible.

Their courage and their sacrifice and their commitment to peace and democracy are making a critical difference in the daily lives of millions of people, and they know it, and we know it. Most importantly, the people of Bosnia know it. But their work, Mr. Speaker, is not over. The roots of peace are just beginning to take hold. That is why I urge my colleagues to oppose the Campbell resolution to withdraw our troops from Bosnia.

At its core, this resolution is a sneak attack on a peace policy that is working, a sneak attack on a peace policy that this Congress supports. Instead of pushing for a straightforward debate about our role in Bosnia, the Campbell resolution would effectively send decisions of war and peace to the courts, where it does not belong.

This resolution also tells our troops in Bosnia that their courage and sacrifice really does not mean as much as we said it meant, and that their work has really not been as successful as we see it is. This resolution tells the rest of the world that the United States is not really committed to international leadership, even in the cause of peace. This resolution tells the warmakers who circle like hungry jackals that if they only wait a little longer, they can ravage the innocent one more time.

We see them at work in Kosovo. They have not changed. They are there. They are waiting. Now is not the time to abandon the path to peace. Now is not the time to call our troops home. I urge my colleagues to oppose this resolution.

Mr. HAMILTON. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Virginia (Mr. MORAN).

Mr. GILMAN. Mr. Speaker, I yield 1 minute to the gentleman from Virginia.

The SPEAKER pro tempore (Mr. FOLEY). The gentleman from Virginia (Mr. MORAN) is recognized for 2 minutes.

Mr. MORAN of Virginia. Mr. Speaker, I thank the gentleman from New York (Chairman GILMAN) for yielding time to me, and I thank as well the gentleman from Indiana (Mr. HAMILTON), the ranking member.

Mr. Speaker, the United States is performing a noble mission in Bosnia. We are using our military strength to build bridges for peace, for tolerance, for understanding, for respect among peoples. The Balkans has a long history of bloodshed, of ethnic division. We are changing that. We are changing the course of world history. We are doing it in a noble and heroic manner. We are giving every military personnel over there reason to be proud that they represent this country and its principles.

We do have a role there. We have a responsibility there, largely because we are looked to as not only the most powerful country economically, politically, militarily, but also the most principled country. We care about other people, about human rights. That's why the peace-loving people of the Balkans have turned to us to save them from unprincipled leaders and from what seemed to be an inevitable history of ethnic conflict. And that is why we must respond as we have.

I agree that this is a very important issue to debate. But if we were to look back on some of the arguments that have been raised, that this is not our affair, that we ought not to be involved, many of them sound eerily similar to the arguments that were raised before we got into World War II. We got in because we were bombed at Pearl Harbor. We should have gotten in earlier. We could have and should have saved millions of people from the genocide that occurred there.

Now we are not involved in a war. What we are involved in is peacekeeping, but it is preventing genocide. It is trying to unite people against fascism and destructive nationalism. It is doing the right thing. We should be proud of this, not trying to undermine the President, not trying to undermine a foreign policy that makes sense and that saves lives. The courage that we show today will make us the leaders of tomorrow. As we move into the 21st century, our guiding principles of tolerance and mutual respect among all peoples that will guide the world to a brighter century of inclusiveness, of democracy, of free enterprise of human nobility.

That is what we stand for in Bosnia. That is why we need to maintain our policy in Bosnia. That is why we must vote to defeat this resolution.

Mr. HAMILTON. Mr. Speaker, I yield myself the balance of the time remaining.

Mr. GILMAN. Mr. Speaker, I yield 1 minute to the gentleman from Indiana (Mr. HAMILTON).

The SPEAKER pro tempore. The gentleman from Indiana (Mr. HAMILTON) is recognized for 6¼ minutes.

Mr. HAMILTON. Mr. Speaker, I rise in opposition to the resolution, House Resolution 227. I do so with great respect for my friend, the gentleman from California (Mr. CAMPBELL).

He is right about a good many things here. He is certainly right when he wants the Congress to act to authorize troops. He is certainly right when he wants the Congress to play an important role whenever we put troops into dangerous places. He is certainly right when he argues that there has been, over a period of time, an erosion of congressional power ceded to the President on the very difficult warmaking issues. So it is with some reluctance that I will vote against his resolution, but I do so, really, for two reasons. One is a reason of policy, and second, a reason of process.

Mr. Speaker, the resolution of the gentleman from California (Mr. CAMPBELL) directs the President to remove troops 60 days after a final judgment by a court. Regardless of the legal arguments, and I must say, I have been impressed with the manner in which my colleagues have argued the legal arguments this afternoon. I think on both sides they have done it very, very well, indeed.

But regardless of the legal consequences, this resolution, as a practical matter, is going to be seen as a vote with respect to policy, whether or not the troops should come home. Now I know that the gentleman from California (Mr. CAMPBELL) objects to that, and he cites that ''unless'' clause in his resolution, but I really do not think that it is correct to think that the Congress will at one moment direct the removal of troops and then turn right around and authorize those troops.

I think this resolution directs the President of the United States to remove U.S. forces from Bosnia. I think that would be a huge mistake. But more important than what I think about it, I think it is worthwhile to hear the words of our military commanders.

General Wesley Clark, of course, is the NATO commander. He was asked on Capitol Hill, I think today, what happens if the Campbell resolution passes? Let me quote from him directly: ''If we were to come out of the Bosnia mission now, for whatever reason, it would lead to a disastrous loss of U.S. influence and credibility across the board.''

Let me quote him again: ''We would undercut all our efforts in Bosnia.'' He is not arguing a legal point here, he is simply saying if the resolution passes.

Then he says this: ''Right now our troop morale in Bosnia is high. The troops would be devastated by such a vote.''

Now, we can talk all we want in this Chamber about supporting the troops, and I know those remarks are all very well-intentioned. But let us pay some attention to our top commander in the field. The impact of an aye vote for the Campbell resolution, according to the commander of our troops, is that it would devastate the troops. I do not think any Member wants to do that.

Likewise, General Shelton, Chairman of the Joint Chiefs, I quote him: ''Pulling U.S. forces out of Bosnia would cripple the mission at a critical time when we are achieving success in that troubled country. A U.S. withdrawal would send the wrong signals to our NATO allies, and the wrong signals to those who wish our efforts ill. Beyond that, U.S. leadership within the alliance with suffer a severe blow.''

So there is not any doubt, I think, from the top commanders how they feel about this resolution. That feeling is shared by the Secretary of State and the Secretary of Defense, who have written to us on behalf of the administration strongly opposing this resolution.

This resolution, as others have argued, would hurt the peace process. It risks the resumption of war. It sends exactly the wrong signal at exactly the wrong time, both to our allies and to the parties opposed to peace in Bosnia. It risks the impressive accomplishments which have been cited here: An end to the fighting, the demobilization of all sides, the elections that have occurred, the restructuring and retraining of police, and the progress in arresting war criminals. We have had a lot of progress as a policy matter in Bosnia. To pull the troops out or to signal that the troops would be coming out at this time is exactly the wrong thing, I think, to do.

The second argument that I would make is a process argument. This resolution hands over United States foreign policy to the courts. This resolution gives a Federal judge the power to decide whether to withdraw U.S. troops in Bosnia.

Mr. Speaker, without any consultation with the Commander in Chief, without any consultation to the Congress, a Federal judge could simply order the removal of these troops. It creates tremendous uncertainty. It is impossible to know when a troop withdrawal would be required, because we do not know if, we do not know when, we do not know how the courts would rule on the resolution. A judgment could come in a matter of days, weeks, or it could be stretched out over a period of months or even years because of the appeal process, and all of the time a sword of Damocles would hang over the U.S. troop presence in Bosnia. That is not the way a great power conducts its foreign policy.

The Campbell resolution invites the court to make the great decisions on American foreign policy. It is not the way to conduct American foreign policy, and there is an alternative way of doing it, which my colleagues have described, through authorizations, through limitations on funding, through a direct attack on the War Powers Resolution.

Mr. Speaker, I urge a no vote on the resolution.

Mr. CAMPBELL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, how sad it is that we have let the power that the Framers of the Constitution gave to us slip through our hands. How sad it is that ever since the Second World War the Congress has allowed Presidents to go to war and just follow. This way we have political freedom to criticize if the war goes poorly, and take credit if the war goes well, but we have not fulfilled our constitutional obligation. How sad it is that today on the floor I have heard colleagues suggest that we should continue in that regrettable disregard of our constitutional obligation.

It is no surprise to me, Mr. Speaker, that the President and those who report to him do not like this resolution. With all due respect for my good friend and colleague, the gentleman from Indiana (Mr. HAMILTON), for whom I have the highest respect, it is those whom he was quoting.

How about those who have served, who now comprise the American Legion, who have served overseas, who have fought under this flag, who today ask us to support this resolution. And why? Because they believe it is the constitutional right of every soldier, airman, airwoman, marine and sailor, to have the approval of Congress before their lives are put into jeopardy.

The American Legion says they believe the administration must now decide on the extent of the future mission in Bosnia-Herzegovina, and explain to the American people and Congress how many forces will be needed and what their security missions will be, and for how long they will be deployed.

What does the resolution say? The resolution says that the President has to give this issue to Congress. If the Congress approves, then our troops continue with no change at all. Of all the arguments made on the floor today, Mr. Speaker, the most specious is that this resolution suddenly pulls the plug on our troops. It does not.

□ 1400

If the President is capable of convincing 50 percent of the House and 50 percent of the Senate, we should stay in Bosnia. And if he cannot, then he should not be able to send troops overseas—because it is our responsibility to give him that authority.

What about this argument that we are putting the matter in the hands of the court? This is also a specious argument. What the resolution does is require the President to withdraw troops unless he has obtained the approval of the Congress. If he does, then those troops stay. Rather than put in a specific date, (because I was advised by Members of the leadership on both sides of the aisle that a date was something with which there would be difficulty), I said, look, this will be litigated anyway, so the date should be set 60 days after a court has finally ruled on the constitutionality of what we do here.

This is not giving the policy judgment to the courts. No court will decide whether we should be in Bosnia or not. We decide whether we should put troops in force overseas. By the grace of God and by the words of our Constitution, we decide. It is not given to the courts. If this is an unconstitutional resolution, then I withdraw, of course. And because of that, this resolution will have no effect until a court has ruled that what we do today is constitutional. No court will rule whether it is advisable. That is an empty argument and a wrong argument.

Many have argued, today that this is a good policy that we are following. It may well be. But I refer them to the profound truth that it is a policy that we should decide before we put troops in, and that that has not changed by the President having ignored that obligation for better than 2 years.

Professor John Hart Ely is an expert in this field. He has written extensively. I quote from his book, War and Responsibility, the Lessons and Aftermath of Vietnam, where he teaches, ''The power to declare war was constitutionally vested in Congress. The debates and early practice established that this meant that all wars, big or small, declared in so many words or not, (most were not, even then), had to be legislatively authorized.''

Here is the timing of this resolution. After this resolution is upheld as a constitutional matter, the President has the chance to bring this matter to Congress. If we approve, the troops stay. But if we do not approve, they should never have been there.

Mr. Speaker, I am really proud of the colleagues who have participated in this debate today. With only one exception, no one tried to defend the indefensible proposition that there are no hostilities in Bosnia. I am proud of my colleagues for not attempting to hang their opposition to this resolution on that sophistry. There are hostilities in Bosnia. Our troops are at risk.

I am also proud of those who support our policy in Bosnia and also support this resolution. I particularly make reference to our good friend and colleague, the gentleman from Georgia (Mr. COLLINS) and the gentleman from Minnesota (Mr. GUTKNECHT).

Mr. Speaker, I am proud as well of those who still serve in this Congress and who in 1990 brought a lawsuit in order to assert the constitutional obligation at issue today. When President Bush was building up troops in the Persian Gulf, these Members of Congress had the courage to go to court and say, not without our prior approval. I cite

them with honor: the gentleman from Ohio (Mr. TRAFICANT), the gentleman from New York (Mr. TOWNS), the gentleman from Ohio (Mr. STOKES), the gentleman from California (Mr. STARK), the gentlemen from New York (Mr. SERRANO) and (Mr. RANGEL), the gentlewoman from California (Ms. PELOSI), the gentleman from New Jersey (Mr. PAYNE), the gentleman from New York (Mr. OWENS), the gentleman from Minnesota (Mr. OBERSTAR), the gentleman from California (Mr. MILLER), the gentleman from Washington (Mr. MCDERMOTT), the gentleman from Massachusetts (Mr. MARKEY), the gentlewoman from Ohio (Ms. KAPTUR), the gentleman from Massachusetts (Mr. FRANK), the gentleman from Illinois (Mr. EVANS), the gentleman from Missouri (Mr. CLAY) and the gentleman from Michigan (Mr. BONIOR).

There are those who say they hate to invoke the War Powers Resolution as a means of testing it. How else can I test it? There are those who say they hate to raise this issue at this time. When is there a better time? When is there a better time than when American troops are at risk?

I have done all I can, Mr. Speaker. I cannot let this power slip through our hands. To me this is the most sacred duty I have undertaken when I swore to uphold and defend the Constitution of the United States on this floor when I became a Member of Congress in 1989 and when I again took that oath last year. I take the action I do today on behalf of Lieutenant Shawn Watts, the first American to be wounded in Bosnia I take this action today on behalf of Private First Class Floyd Bright, the first American soldier to be killed in Bosnia. I take this action on behalf of my classmates who died in Vietnam, and on behalf of all of them and all of us who said we shall never allow this again, I ask for an aye vote.

Mr. GILMAN. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. REYES).

Mr. REYES. Mr. Speaker, I thank the gentleman for yielding me the time.

I come this afternoon before this House as a voice of experience and as a voice of experience on two fronts: First, as a former veteran that served in Vietnam, and to tell my colleagues that the resolution that we are considering this afternoon can have devastating impact on our troops. There was nothing that was more devastating to our morale in Vietnam than to have the kind of turmoil and the kinds of arguments during that unfortunate era for our country than to engage in the kinds of dialogue unfortunately that we are engaged in this afternoon all over again.

The other point of experience that I raise this afternoon for my colleagues is one of the experience of having been in Bosnia in January and seeing the results of the presence of American troops having a very positive impact on the ability of that region to celebrate peace. I urge my colleagues to vote against resolution 227.

Mr. GILMAN. Mr. Speaker, I yield myself such time as I may consume.

I have a high regard and respect for what the gentleman from California (Mr. CAMPBELL) is trying to accomplish with regard to his resolution. I do agree with him that our forces should not be sent into any country like Bosnia without the approval of Congress. This extensive debate has been, I think, invaluable as we consider the merits of the congressional war powers issue.

But the reality we face today is that our forces have been in Bosnia for now 2½ years. Our Nation has invested $7 billion to try to bring peace to that nation, and the situation there is looking much better right now than it has many years. If we in the Congress were to force the President to withdraw forces from Bosnia in the near future, the likelihood is that the Civil War there would resume, and our $7 billion investment would be squandered, and as a political matter the Congress would be blamed.

The resolution the gentleman from California (Mr. CAMPBELL) initially introduced and which we considered in our Committee on International Relations was very simple. It ordered the President to withdraw forces from Bosnia by June 30, 1998, unless Congress authorized a later date. But the resolution that we are about to vote on has been modified to provide a different trigger for withdrawing our forces, I quote, ''Sixty days after the date on which a final judgment is entered by a court of competent jurisdiction determining the constitutional validity of this concurrent resolution.''

I do not fault the gentleman from California (Mr. CAMPBELL) for trying to pick up support for his resolution by shifting responsibility for pulling the trigger from the Congress to the courts, but I would be shocked if the courts would have the courage to set a firm withdrawal date when the Congress has been demonstrating its own reluctance to do so.

We need to ask ourselves what happens if the courts fail to act. What happens if the CAMPBELL resolution is thrown out of court for lack of standing, or if 3 years from now the Supreme Court rules that the gentleman from California (Mr. CAMPBELL)'s case is a nonjusticiable political question? And what happens if the trigger of the revised resolution offered by the gentleman from California (Mr. CAMPBELL) is never pulled by the courts? I think that what would happen in that case is that we will have essentially authorized a permanent U.S. military presence in Bosnia.

Let me restate my argument to those Members who may be tempted to vote for the CAMPBELL resolution because they want to get our forces out of Bosnia. Please do not vote for a resolution containing a trigger that is unlikely ever to be pulled. If the Congress asserts itself with regard to Bosnia by demanding that the President withdraw forces 60 days after an event that will probably never happen, we are essentially telling the President he can stay there indefinitely. I think it is far better to remain silent than to try to set a withdrawal date that may not arrive for many years, and that may never arrive at all.

Mr. Speaker, we are about to conclude a thorough and I believe constructive debate on the resolution of the gentleman from California that will allow the courts to determine whether our troops should remain in Bosnia. Although the gentleman from California (Mr. CAMPBELL) has insisted that this is a matter that concerns the legalities and constitutionality of the War Powers Resolution, I respectfully disagree with my colleague.

Perhaps in law school classrooms that argument might have some merit, but in the real world, the vote we are about to exercise concerns our Nation's policy in Bosnia.

I urge my colleagues, let us not deceive ourselves about the consequences with our allies in Europe, with our foes, and especially among our troops who have done and continue to do an outstanding job in Bosnia, that the adoption of this resolution will have.

As my colleague, the gentleman from Indiana (Mr. HAMILTON) pointed out, General Wesley Clark, our Supreme Allied Commander, has said this resolution would only confuse our troops by saying, after 2 years, we are now changing our minds.

We are at a critical juncture in deciding what role our Nation will play in global affairs. The Senate at present is debating whether new members from the former Warsaw Pact should be admitted into the North Atlantic Alliance.

The countries of Europe, particularly those of Central and Eastern Europe, look to our Nation for leadership. Forces that oppose that leadership are now watching closely for signs of weakness and any wavering on our part. Our Secretaries of Defense and State have informed the Speaker of their strong opposition to this measure.

Accordingly, Mr. Speaker, I urge the House to defeat this measure. Let us not undermine our Nation's credibility. Do not call into question the steadfastness of our purpose. I urge my colleagues not to undermine the morale of our young men and women who have served and who now serve in Bosnia. Let us not cede our authority on deployment of U.S. Armed Forces to the United States courts.

Senator Bob Dole said it best when he said, it is the fourth quarter, and we are ahead by two touchdowns. Let us not pull our team off the field.

Please vote no on H. Con. Res. 227.

Ms. HOOLEY of Oregon. Mr. Speaker, while I rise today in opposition to this resolution, I want to clearly state my desire to bring our soldiers home from the former Yugoslavia.

I am deeply concerned whenever our troops are sent into harms way, especially when the mission takes them to foreign shores. We

must offer the highest respect for the sacrifices that those soldiers, our sons and daughters, are willing to make to protect our nation and maintain our role as the leader of the free world. Furthermore, we should commend them for the remarkable achievements that they have made in the former Yugoslavia.

This resolution, unfortunately, does just the opposite. By pulling our troops out of Bosnia, just as the Dayton Accords and the peacekeeping mission is beginning to take effect, would send a message that we do not think that our troops are playing a critical role in keeping the peace in that region. It would also indicate to nations across the globe that the United States is unwilling to help implement the foreign policy agreements that it is involved in crafting.

If the United States withdraws its troops, our allies are certain to follow. And without a strong international presence in the region, hostilities in Bosnia will inevitably resume. How can we stand by and watch this tenuous peace deteriorate, nullifying the extensive efforts of our soldiers and the diplomatic achievements of the past several years? The fact of the matter is that the President has a plan to reduce the number of troops in Bosnia and, as much as I want to bring the remainder home immediately, I truly believe that this would be irresponsible.

Additionally, this resolution would relegate vital foreign policy decisions to the courts. While some Constitutional questions regarding the War Powers Act remain unclear in the view of many of my colleagues, Congress must not delegate its responsibility to decide on whether or not to continue a particular peacekeeping mission. This resolution shirks our duties as elected representatives.

I cannot support a resolution that is both irresponsible, weak on U.S. foreign policy, and inhumane to the people of Bosnia. Thus, I urge my colleagues to join me in voting against this resolution.

Mr. DAVIS of Florida. Mr. Speaker, I rise in opposition to House Concurrent Resolution 227. While I commend my colleague from California for his commitment to this issue, I believe that this resolution has highly negative consequences for U.S. policy in Bosnia and does not provide the legal clarity on the constitutionality of the War Powers Act that the sponsor seeks.

This resolution harms U.S. policy in several ways. It directs the President to withdraw U.S. forces from Bosnia. By doing so, we would be sending a strong political message to countries throughout the world and would undermine the President's ability to keep U.S. troops in Bosnia. In addition, this resolution hurts the peace process in Bosnia and risks the resumption of war by sending the wrong signal at the wrong time both to our allies and the parties in Bosnia opposed to peace, who are only waiting for us to leave.

Withdrawal of U.S. troops would put at risk the impressive accomplishments in Bosnia, including the end to the fighting, demobilization of armies on all sides, the election of local governments and the formation of multi-ethnic governments, among others.

By passing the resolution, Congress will send the confusing and unfortunate message that the United States does not have the resolve to stick by the peace process in Bosnia. Furthermore, passage of this resolution, just as we are beginning to see progress in Bosnia, would have a devastating impact and would risk the possibility of the resumption of war.

The War Powers Resolution, in my opinion, is designed for Congress to address this issue when we are in the early stages of engaging our troops in hostilities. I do not believe that this applies to Bosnia for two reasons. First, we are in the middle of a mission in Bosnia which has long been planned, designed and implemented, and secondly, this is a peacekeeping mission. This is not the time to address the constitutionality of the War Powers Resolution. We should do that at a time when the President is considering engaging our armed forces in a hostile situation.

We will have the opportunity in the near future to take a stand on our troops in Bosnia through consideration of a Supplemental Appropriations Bill. Now is not the appropriate time to take this policy stand.

I urge my colleagues to join me in voting against House Concurrent Resolution 227.

Mr. NETHERCUTT. Mr. Speaker, I support H. Con. Res. 227 even as I acknowledge the good work our soldiers have accomplished in Bosnia. I spent several days in that war-torn region a week ago meeting with the various parties and visiting with our troops. And while the morale of our soldiers remains high, I don't think it is fair to them or to the American people to extend our mission in Bosnia indefinitely without Congressional approval.

In December 1995, the President told Congress that the mission in Bosnia would last ''about one year.'' By November 1996, he had decided that the mission would be extended until June 1998. And now, somewhat disingenuously, the President has told us in the supplemental request that while ''I do not propose a fixed end-date for this presence, it is by no means open-ended.'' What does this statement mean?

To me, it means that Congress will be expected to continue appropriating billions of dollars for a deployment that we have never authorized. The arguments raised in opposition to this resolution today have focused on the negative strategic implications that passage of this resolution would entail. But our first obligation in this body must be to uphold our Constitutional responsibilities, and it is imperative that we play the foreign policy role clarified by the War Powers Resolution. Congress must have a voice in this seemingly endless deployment.

I look back to the warning that Secretary Perry offered in testimony in November 1995. He said then that: ''we must not be drawn into a posture of indefinite garrison.'' I fear that we are approaching a position of indefinite garrison, without Congress ever authorizing this deployment.

I urge my colleagues to support this resolution—to support this resolution is not to condemn the mission in Bosnia, it is simply to reassert our Constitutional duty.

Mr. SMITH of New Jersey. Mr. Speaker, I rise in opposition to House Concurrent Resolution 227, directing the President to remove US Armed Forces from the Republic of Bosnia and Herzegovina within 60 days unless Congress enacts a declaration of war of specifically authorizes the use of Armed Forces in Bosnia. At the outset, let me state that I agree fully that Congress should play a role in critical foreign policy decision-making, especially when the utilization of our Armed Forces is under consideration. As a matter of record, let me clearly note that I also had serious questions regarding those U.S. policies toward Bosnia-Herzegovina which led to the Dayton Agreement and the subsequent deployment of U.S. troops there. This was an issue I followed closely from my position as the Chairman of the Commission on Security and Cooperation in Europe, and as Chairman of the International Relations Subcommittee on International Operations and Human Rights.

Though skeptical of the original context and mandate of the post Dayton deployment, Mr. Speaker, the United States has committed to help secure and ensure an environment for the effective implementation of the Dayton Agreement. As a matter of policy, I believe the continued presence of the troops remains a prerequisite for that objective, and now is not the time to raise any doubt about the United States' support for the mission. With respect to the well-intentioned resolution before the House today—introduced and defended by my good friends Congressman CAMPBELL and Congressman HYDE—I must oppose the measure for the following reasons:

1. Whether we like it or not, Mr. Speaker, the troops are there. The possibility of their withdrawal by June of this year has hung like a think fog over Bosnia-Herzegovina, compounding the international community's tenuous resolve and halting progress as a result. The question of a post-SFOR renewal of fighting and even a division of Bosnia-Herzegovina has loomed large. The President's March 3rd notification of the U.S. intention to stay—this time without setting a date certain for their withdrawal—has made a stable peace much more likely. U.S. policy has become much more assertive, as the creation of a more stable and lasting peace is a prerequisite for departure of the forces. Persons indicted for war crimes are being captured and are even surrendering themselves. More displaced men, women and families have sought to return to their original homes. The Bosnian Serbs are beginning to envision a brighter future with political moderates instead of nationalists. Unfortunately, the pace of progress remains slow—too slow—but if the troops were withdrawn during this critical period or if doubt of our commitment to the Mission were interjected, I am convinced progress would cease.

2. Mr. Speaker, I am convinced that passage of this resolution at this time would, without a doubt, send the wrong signal. Despite the other objectives of the proponents of the measure, threatening withdrawal before the situation is stable would be seen by those on the ground as a sign of weakness. As made clear in the Helsinki Commission's hearing on the repression and violence in Kosovo conducted earlier today, the deadly assaults in Kosovo in recent weeks are a stark reminder of Slobodan Milosevic's inclination to violence and the volatility of the region.

3. Ultimately, Mr. Speaker, the resolution under consideration this afternoon is more than a statement on the need for congressional authorization for troop deployments abroad. I believe that is why the International Relations Committee last week ordered the resolution reported unfavorably. Advocates of the measure have indicated that they are really seeking to withdraw the troops from Bosnia. Mr. Speaker, if so, we need to seriously consider the consequences of a premature withdrawal. Regardless of the extent to which we

had reservations about Dayton or even opposed the Administration's decision to deploy in the first place, the reality is that the Congress would—as it should— hold responsibility for the consequences of a premature withdrawal.

The United States, in my view, has a national interest at stake in Bosnia's future and the success of the Dayton Agreement. In Bosnia, a few political leaders who desire more political power seek to convince the world that division of the country is inevitable. If we let them succeed, there will be consequences in the region and there will be a definite impact on the viability of a NATO which is now successfully reshaping itself for the post-Cold War era. Finally, premature withdrawal of the forces in Bosnia whittles away even further the moral content of our foreign policy—the promotion of human rights and representative government.

In conclusion, the Clinton Administration—and the Bush Administration before—has made major blunders in responding to the aggression and genocide in Bosnia-Herzegovina. Unfortunately, I feel the passage of this resolution would only make the situation worse at a time when the possibility of a success is finally on the horizon.

Mr. THORNBERRY. Mr. Speaker, I believe that U.S. troops should come home from Bosnia as soon as possible, but I must vote against this resolution.

I have been a skeptic about our role in Bosnia from the beginning. Like many of my colleagues, I have been to Bosnia and witnessed firsthand the remarkable job which our troops are doing there. We should all be very proud of their success and of their morale and of their desire to leave Bosnia better equipped to work out their differences in a peaceful manner. The performance and attitude of our young men and women in a difficult situation should remind us all how fortunate this nation has been and is to have such people willing to fight and die for our country.

Yet, I do not believe that vital U.S. national interests are at stake in Bosnia. I believe this deployment has lasted too long, straining the ability of our short-changed military to cover other essential bases. Last year, I cosponsored H.R. 1172, preventing the use of funds to keep troops in Bosnia after a date certain. Furthermore, I voted for amendments that would have cut off funding on December 31, 1997, and June 30, 1998. I believe we should end our deployment in Bosnia and turn it over to those who do have a vital stake in the outcome, the Europeans.

But, despite my strong desire to end our deployment in Bosnia, I cannot vote for this resolution. I have long believed that the War Powers Act is unconstitutional, and I cannot invoke an unconstitutional act, even to accomplish a goal I support.

The history of the War Powers Act is well-known. Passed over a weakened President Nixon's veto in 1973, its supporters hoped to procedurally avoid another Vietnam.

Section 5(c) of the War Powers Act says Congress can force the President to remove U.S. forces by passing a concurrent resolution requiring their removal. The Supreme Court's 1983 *Chadha* decision struck down a legislative provision of another law which did not require the signature of the President. Most scholars and observers believe that section 5(c) is also unconstitutional because it would require the President to remove troops by a concurrent resolution, which does not have to be signed by the President.

I believe that the War Powers Act is unconstitutional on broader grounds as well. The Constitution gives the President the power of Commander-in-Chief of the armed forces, and Federalist Paper No. 23 makes it clear that "authorities essential to the care of the common defense . . . ought to exist without limitation: Because it is impossible to foresee or define the extent and variety of national exigencies, or the corresponding extent and variety of the means which may be necessary to satisfy them." Federalist No. 74 says, "Of all the cares or concerns of government the direction of war most peculiarly demands those qualities which distinguish the exercise of power by a single hand."

That is not to say Congress is helpless. It can stop funding, which it should do in this case.

While it is tempting to correct a mistake by the President using the War Powers Act, we should not indulge that temptation when it disrupts the balance of powers essential to our Constitution.

Mr. GILMAN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. All time has expired.

Pursuant to the order of the House of Thursday, March 12, 1998, the previous question is ordered on the concurrent resolution, as modified.

The question is on the concurrent resolution, as modified.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. CAMPBELL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 193, nays 225, not voting 13, as follows:

[Roll No. 58]

YEAS—193

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bereuter
Bilbray
Bilirakis
Blunt
Bonilla
Brady
Bryant
Bunning
Burr
Burton
Calvert
Camp
Campbell
Canady
Cannon
Chabot
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Crane
Crapo
Cubin
Cunningham
Danner
Deal
DeFazio
DeLay
Dickey
Dixon
Doggett
Doolittle
Dreier
Duncan
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Filner
Foley
Forbes
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Goode
Goodlatte
Goodling
Graham
Granger
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Horn
Hulshof
Hutchinson
Hyde
Inglis
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
Kingston
Klug
LaHood
Latham
Lewis (KY)
Linder
Livingston
LoBiondo
Lucas
Maloney (CT)
Manzullo
Markey
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Moran (KS)
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Packard
Pappas
Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Pryce (OH)
Radanovich
Ramstad
Redmond
Regula
Riggs
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Skeen
Smith (MI)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Souder
Spence
Stearns
Stump
Sununu
Talent
Tauzin
Taylor (NC)
Thomas
Thune
Traficant
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield

NAYS—225

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Bateman
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Bliley
Blumenauer
Boehlert
Boehner
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Buyer
Callahan
Capps
Cardin
Carson
Castle
Chambliss
Clay
Clayton
Clement
Clyburn
Conyers
Costello
Cox
Coyne
Cramer
Cummings
Davis (FL)
Davis (VA)
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Dooley
Doyle
Dunn
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Fawell
Fazio
Ford
Fox
Frost
Furse
Gejdenson
Gilchrest
Gillmor
Gilman
Gordon
Goss
Green
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hastings (WA)
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Hostettler
Houghton
Hoyer
Hunter
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Knollenberg
Kolbe
Kucinich
LaFalce
Lampson
Lantos
Largent
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (NY)
Manton
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Neal
Northup
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pickett
Pomeroy
Portman
Price (NC)
Quinn
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer

Schumer	Stenholm	Visclosky
Scott	Stokes	Waters
Serrano	Strickland	Watt (NC)
Sherman	Tanner	Waxman
Sisisky	Tauscher	Wexler
Skaggs	Taylor (MS)	Weygand
Skelton	Thompson	Wicker
Slaughter	Thornberry	Wise
Smith (NJ)	Thurman	Wolf
Smith, Adam	Tiahrt	Woolsey
Snyder	Torres	Wynn
Solomon	Towns	Yates
Spratt	Turner	Young (AK)
Stabenow	Velazquez	Young (FL)
Stark	Vento	

NOT VOTING—13

Davis (IL)	Lipinski	Schiff
Gephardt	Martinez	Stupak
Gonzalez	McDade	Tierney
Gutierrez	Parker	
Hefner	Poshard	

□ 1431

Mr. ORTIZ and Ms. SLAUGHTER changed their vote from ''yea'' to ''nay.''

Mrs. ROUKEMA changed her vote from ''nay'' to ''yea.''

So the resolution was not agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. KINGSTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Con. Res. 227.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

COPYRIGHT TERM EXTENSION ACT

(Mr. SOLOMON asked and was given permission to address the House for 1 minute.)

Mr. SOLOMON. Mr. Speaker, I rise to inform the House of the Committee on Rules' plans in regard to H.R. 2589, the Copyright Term Extension Act. The bill was ordered reported by the Committee on the Judiciary on March 4, and the report was filed in the House today.

The Committee on Rules will meet next week to grant a rule which may require that amendments to H.R. 2589 be preprinted in the CONGRESSIONAL RECORD. In this case, amendments to be reprinted would need to be signed by the Member and submitted at the Speaker's table, not to the Committee on Rules, at the Speaker's table. Members should use the advice of Legislative Counsel to ensure that their amendments are properly addressed.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. FOLEY). Under the Speaker's announced policy of January 7, 1997, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. RIGGS) is recognized for 5 minutes.

(Mr. RIGGS addressed the House. His remarks will appear hereafter in the Extension of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. FILNER) is recognized for 5 minutes.

(Mr. FILNER addressed the House. His remarks will appear hereafter in the Extension of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Maryland (Mrs. MORELLA) is recognized for 5 minutes.

(Mrs. MORELLA addressed the House. Her remarks will appear hereafter in the Extension of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extension of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Connecticut (Mrs. JOHNSON) is recognized for 5 minutes.

(Mrs. JOHNSON of Connecticut addressed the House. Her remarks will appear hereafter in the Extension of Remarks.)

CHILD CARE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Mrs. TAUSCHER) is recognized for 5 minutes.

Mrs. TAUSCHER. Mr. Speaker, in honor of Women's History Month, I would like to take a moment to draw our attention to the issue of child care. There is general agreement in America that two of our most precious values are family and work.

During the course of the last century, we have seen many changes in the way that we work and raise our families. One hundred years ago the vast majority of Americans were doing some kind of home-based work, such as working on a family farm. In those earlier years, extended family members could be counted on to help parents provide care for their children. But as we have become an increasingly mobile and quickly growing society, many of those traditional methods of child care are no longer an option.

While most people would agree that it is preferable for a parent to stay home with his or her child, we all have to realize that most families simply do not have that option any longer. Today in America working families face a constant challenge of how to balance family and work. There is no one-size-fits-all solution to child care. But there are things as a Nation we can do at a Federal, state, and a community level to improve and enhance the quality of the care our children receive. We must empower parents with a variety of options, opportunities, and information and allow them to make their choices about which solution best suits their own family's needs.

In the parts of Alameda and Contra Costa Counties in California that I represent, roughly 60 percent of the women work outside of home, which requires most parents to search for quality child care. Nationwide only 7 percent of American families fit the old traditional model of a working dad and a stay-at-home mom, and 62 percent of the women in the entire American work force are working mothers.

Finding the right information about child care can be difficult for many of these working families. In my district, we have wonderful groups, such as the Contra Costa Child Care Council, which helps parents find quality child care that is right for them. But, in general, getting information about the differences between nannies, au pairs, in-house care, day-care centers, work site centers, and babysitters can be daunting, if not impossible, and it is a task that overburdens many parents.

There are a number of legislative options being offered to help families who have difficulty in finding and affording good child care. What we must remember is that no one single approach is better than another. Our goal must be to help parents find and afford the type of care that best suits their lifestyle and needs. For example, one family may benefit from a tax credit, while another family may want to use after-school care. We must work together to offer multiple solutions so that parents can choose for themselves.

I strongly believe that the final child care package must be one that empowers parents and encourages public-private partnerships without creating another large bureaucracy. While we draw attention to child care during Women's History Month, we must also realize that child care is not just a women's issue; it is a family issue and in a sense a community issue.

Children are our most precious asset; and from the very beginning, we must take the right steps to ensure that they are properly nurtured and cared for during the times we are with them and during the times we are unable to be with them. Our job now is to develop a child-care initiative that provides working families with the tools necessary to ensure quality and affordable care for every child in America that needs it.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.