Mr. COVERDELL. Mr. President, I thank my colleague from Delaware for his interest in this legislation and the fairness with which he has approached it. I appreciate very much his decision to vote for the legislation.

In closing, I thank the majority leader for his tenacity, all my cosponsors who worked so long and hard, nearly 2 years, and the conference committee for the extended work to reach out in a bipartisan effort.

At this time, I yield whatever remaining time there is.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. All time has expired or has been yielded back.

The question now occurs on adoption of the conference report to accompany H.R. 2646, the Educational Savings and School Excellence Act of 1998.

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from New Mexico (Mr. DOMENICI) is necessarily absent.

I also announce that the Senator from Pennsylvania (Mr. SPECTER) is absent because of illness.

Mr. FORD. I announce that the Senator from Hawaii (Mr. AKAKA), the Senator from Montana (Mr. BAUCUS), and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

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

The result was announced—yeas 59, nays 36, as follows:

[Rollcall Vote No. 169 Leg.]

YEAS—59

Abraham	Faircloth	Mack
Allard	Feinstein	McCain
Ashcroft	Frist	McConnell
Bennett	Gorton	Murkowski
Biden	Gramm	Nickles
Bond	Grams	Roberts
Breaux	Grassley	Roth
Brownback	Gregg	Santorum
Burns	Hagel	Sessions
Byrd	Hatch	Shelby
Campbell	Helms	Smith (NH)
Cleland	Hutchinson	Smith (OR)
Coats	Hutchison	Snowe
Cochran	Inhofe	Stevens
Collins	Kempthorne	Thomas
Coverdell	Kohl	Thompson
Craig	Kyl	Thurmond
D'Amato	Lieberman	Torricelli
DeWine	Lott	Warner
Enzi	Lugar	

NAYS—36

Bingaman	Glenn	Leahy
Boxer	Graham	Levin
Bryan	Harkin	Mikulski
Bumpers	Hollings	Moseley-Braun
Chafee	Inouye	Moynihan
Conrad	Jeffords	Murray
Daschle	Johnson	Reed
Dodd	Kennedy	Reid
Dorgan	Kerrey	Robb
Durbin	Kerry	Sarbanes
Feingold	Landrieu	Wellstone
Ford	Lautenberg	Wyden

NOT VOTING—5

Akaka	Domenici	Specter
Baucus	Rockefeller	

The conference report was agreed to.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1999

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 2057, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 2057) to authorize appropriations for the fiscal year 1999 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

The Senate resumed consideration of the bill.

AMENDMENT NO. 2975

(Purpose: To express the sense of Congress regarding continued participation of United States forces in operations in Bosnia and Herzegovina)

Mr. THURMOND. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from South Carolina [Mr. THURMOND], for himself, Mr. LEVIN and Mr. COATS, proposes an amendment numbered 2975.

Mr. THURMOND. Mr. President, the committee has worked very hard to achieve consensus on an amendment——

Mr. BYRD. Mr. President, will the distinguished Senator yield just briefly?

Mr. THURMOND. Yes.

Mr. BYRD. Mr. President, the clerk has not finished the reading of the amendment and there has been no unanimous consent request to ask that the reading of the amendment be waived.

The PRESIDING OFFICER. The clerk will report.

Mr. THURMOND. Mr. President, I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

At the end of subtitle D of title X, add the following:

SEC. 1064. SENSE OF CONGRESS REGARDING CONTINUED PARTICIPATION OF UNITED STATES FORCES IN OPERATIONS IN BOSNIA AND HERZEGOVINA.

(a) FINDINGS.—Congress makes the following findings:

(1) The contributions of the people of the United States and other nations have, in large measure, resulted in the suspension of fighting and alleviated the suffering of the people of Bosnia and Herzegovina since December 1995.

(2) the people of the United States have expended approximately $9,500,000,000 in tax dollars between 1992 and mid-1998 just in support of the United States military operations in Bosnia to achieve those results.

(3) Efforts to restore the economy and political structure in Bosnia and Herzegovina have achieved some success in accordance with the Dayton Agreement.

(4) In February 1998, the President certified to Congress that the continued presence of United States forces in Bosnia and Herzegovina after June 30, 1998, was necessary in order to meet national security interests of the United States.

(5) There is, however, no accurate estimate of the time needed to accomplish the civilian implementation tasks outlined in the Dayton Agreement.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) United States ground combat forces should not remain in Bosnia and Herzegovina indefinitely in view of the world-wide commitments of the Armed Forces of the United States;

(2) the President should work with NATO allies and the other nations whose military forces are participating in the NATO-led Stabilization Force to withdraw United States ground combat forces from Bosnia and Herzegovina within a reasonable period of time, consistent with the safety of those forces and the accomplishment of the Stabilization Force's military tasks;

(3) a NATO-led force without the participation of United States ground combat forces in Bosnia and Herzegovina might be suitable for a follow-on force for Bosnia and Herzegovina if the European Security and Defense Identity is not sufficiently developed or is otherwise considered inappropriate for such a mission;

(4) the United States may decide to provide appropriate support to a Western European Union-led or NATO-led follow-on force for Bosnia and Herzegovina, including command and control, intelligence, logistics, and, if necessary, a ready reserve force in the region;

(5) the President should inform the European NATO allies of this expression of the sense of Congress and should strongly urge them to undertake preparations for establishing a Western European Union-led or a NATO-led force as a follow-on force to the NATO-led Stabilization Force if needed to maintain peace and stability in Bosnia and Herzegovina; and

(6) the President should consult closely with the congressional leadership and the congressional defense committees with respect to the progress being made toward achieving a sustainable peace in Bosnia and Herzegovina and the progress being made toward a reduction and ultimate withdrawal of United States ground combat forces from Bosnia and Herzegovina.

(c) DAYTON AGREEMENT DEFINED.—In this section, the term ''Dayton Agreement'' means the General Framework Agreement for Peace in Bosnia and Herzegovina, together with annexes relating thereto, done at Dayton, November 10 through 16, 1995.

Mr. THURMOND. Mr. President, the committee has worked very hard to achieve consensus on an amendment that would represent the majority views of the committee. Since May 13, at the request of several Members, the committee has met at least five times to discuss possible amendments on Bosnia that would be offered to the defense bill. The committee also conducted a hearing with Ambassador Robert Gelbard and General Wesley Clark to discuss the status of progress in implementing the Dayton Agreement.

Despite all meetings and discussions, the committee was not able to reach

consensus on an amendment on Bosnia. However, following the committee's meeting on June 19, Senator COATS and Senator LEVIN, met, and, using a compromise amendment that I had proposed as a starting point, continued the effort to craft an amendment, which I support and which I believe the Senate can support.

While I am aware that there are Senators who would prefer to do more, I believe that this amendment represents the view of most Senators.

I am pleased to join Senators COATS and LEVIN, and I urge the Senate to adopt it. Let me emphasize, this amendment does not represent a committee amendment, it merely represents the tireless efforts of several Members.

This amendment would express the concerns of the Congress that U.S. ground combat forces should not be deployed indefinitely in Bosnia, and that efforts should be taken by the President to work with our Allies in Europe so that U.S. ground combat forces could withdraw in a safe and orderly fashion from Bosnia within a reasonable period of time. Additionally, the amendment would express our views that the European allies should take appropriate steps to develop forces to take on the responsibilities of the Stabilization Force in Bosnia, if necessary, to continue to implement the Dayton Agreement.

Mr. President, by December 1998, U.S. ground forces will have been deployed in Bosnia for three years, and the United States will have spent almost $9 billion dollars for its share of the operations. That is two years more than the President, Secretary Perry, Secretary Christopher and General Shalikashvili told us in 1995 that our forces would be in Bosnia, and $8.0 billion more than their original cost estimate.

I believe it is imperative that the United States make strong efforts to work with our NATO and European allies to provide a situation where U.S. ground combat forces can leave Bosnia. The United States has world-wide commitments, and the continued deployment of U.S. forces in Bosnia is starting to take a toll on the readiness of our military forces. The deployment in Bosnia along with our other commitments produces an operational tempo which impacts heavily on the morale of our forces and our ability to retain personnel.

I believe this amendment sends the message that we have been in Bosnia too long, and that we should begin working our way out. I also believe the amendment sends a message that our European allies should assume a more equitable leadership role on their borders, while at the same time ensuring some continued level of continued U.S. support.

I believe this is a good amendment, and urge its adoption.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, Senator LEVIN and I, along with the chairman and others, have worked long and hard attempting to fashion a way in which this Congress could express its dissatisfaction with the prospect of an indefinite troop commitment in Bosnia.

We now are going on the third year of that commitment at a cost that continues to escalate. I believe it is approaching, if it hasn't exceeded, $9 billion—this is despite the assurances of the administration that the troops would only be necessary to accomplish the military portion of the Dayton accords for 1 year.

The then-Chairman of the Joint Chiefs of Staff, General Shalikashvili, in testimony before our committee on October 18, 1995, said:

> NATO's plan will call for the implementation force to complete its mission in twelve months and to withdraw.

Secretary of State Warren Christopher, in testimony before the House National Security Committee on October 18, 1995, said:

> NATO's plan will call for the implementation force to complete its mission in twelve months and to withdraw.

Strobe Talbott, Deputy Secretary of State, said in a speech to the National Press Club on November 9, 1995:

> We believe that twelve months is a reasonable period of time for the implementation force to have accomplished its mission.

The President of the United States, President Clinton, in a letter to Speaker GINGRICH dated December 13, 1995, said:

> NATO and U.S. military commanders believe and I expect that the military mission can be accomplished in about a year. Twelve months will allow IFOR time to complete the military task assigned in the Dayton agreement and to establish a secure environment. Within 1 year we expect that the military provisions of the Dayton agreement will have been carried out, implementation of the civil aspects and economic reconstruction will have been firmly launched, free elections will have been held under international supervision, and a stable military balance will have been established.

Those words from the President of the United States. He was supported by Richard Holbrooke, former Assistant Secretary of State, who negotiated the Dayton agreement. Mr. Holbrooke said:

> The President has given a very clear commitment on the twelve months. That is our policy. It will remain our policy.

General Shalikashvili once again said, in an article, in an interview with the Washington Post of April 3, 1996:

> I'm absolutely convinced that America will not participate with military forces in Bosnia after the conclusion of this year.

On and on it goes. Yet it is now 1998. There is no indication of when our military forces will be removed from Bosnia. Their continued presence has come at considerable cost to the taxpayer—as I said, $9 billion-plus and counting—and no indications by the administration that forces will be withdrawn at any time soon.

There is little disagreement on this floor about the concern over the escalating costs and the indefinite commitment. The real question before the Senate is how we accomplish the goal of withdrawing those troops. It is clear that what was promised by the administration as a consequence of the Dayton accords has not been accomplished on the civil implementation.

Our armed forces have done a marvelous job in meeting the military obligations. In fact, the military tasks were essentially accomplished in that first year. A poitical decision was made, however, that forces needed to remain in Bosnia to provide a secure environment so that the civilian portion of Dayton could be accomplished.

I was one who voted against the use of our troops to enforce the Dayton accord. I did not provide that support. Senator LEVIN I believe, did provide that support. Yet today we are joining in attempting to send a message from the Congress to the President and to our allies that we do not want an indefinite commitment, that we believe the military mission has been successfully achieved—that it is time to begin the process of bringing our troops home. While there has been some progress in civil implementation, when I traveled last December with the President to Bosnia, I saw little evidence of successful civilian implementation.

It has taken 2 years and an extraordinary amount of outside pressure to get the three nations involved to agree on a common license plate and a common foreign currency—what is seemingly the most easily defined civilian implementation aspects of that accord. Yet, the parties, over a 2-year period of time, could not even agree on what the license plate would look like that each of them would put on their vehicles, or what the currency would look like, in order to establish a common currency for that one country.

So I stand here as one with grave concerns and deeply held doubts about whether or not we are ever going to accomplish what Dayton attempted and promised, and that is reunification of a country that appears to not want to reunify. Key issues such as resettlement of refugees; establishment of a civilian police force that, to date, has not been deemed effective in providing any kind of stability; establishment of judicial reforms that would provide a basis for enforcement of the law on an equal and fair basis. Resolution of many of these issues appear far down the road—if they are even achievable.

I come back to the central question, which is, now that our troops are there, who makes the determination and what is our obligation as Members of Congress relative to establishing the continued presence, limiting that presence, or requiring that withdrawal? I happen to believe strongly that our responsibility, as defined by the Constitution, is to determine the funding, whether or not we will financially support the commitment that has been made by our Commander in Chief.

Now, Senator LEVIN and I have wrestled with this question in terms of how we can best express a message to the President of the United States that we do not support an indefinite commitment, that we do believe that a transition should take place from an American presence to European support for whatever military forces are necessary to provide continued stability. But we do not believe that we are in a position; nor do we have the right to define a timetable or a troop level. We believe that is a decision that ought to be left to the military, ought to be left to the Commander in Chief, and that is where the responsibility lies. We do so because we don't believe we have the expertise to define what that troop level should be.

When the discussion was undertaken relative to our placing troops in Bosnia, virtually every individual who represented the military, from the Chairman of the Joint Chiefs, to the Secretary of Defense, to the commanders who were called forward to testify, said we need the flexibility to determine what is necessary to accomplish our message and to provide for the security for the forces that are deployed in Bosnia. We need to make that decision based on our military expertise and based on what we see as the threat and what is necessary to provide for the security of those forces.

This is not a decision that ought to be made by Congress, regardless of our own expertise or what expertise we think we might have, having served on the Armed Services Committee or learned through our association with the Department of Defense. We are not in a position to define that troop level number. This decision has to be left to the military commanders.

We learned, by tragic experience, how political intervention and policy can sacrifice lives and place our troops in jeopardy. All of us have freshly imprinted on our minds the tragedy in Somalia, as a request by the commander of our forces in Mogadishu for armored forces to provide the force protection was denied primarily for political reasons, because they wanted to avoid the perception that the U.S. was enlarging our presence in Somalia, but that we were drawing down. We drew down too far and we lost some great Americans because we were not able to provide them with sufficient protection. It is not our decision as to what that level of protection should be.

Secondly, Senator LEVIN and I—and he will speak for himself—believe that it is important that we not set an arbitrary timetable for accomplishment of the mission or for withdrawal of troops. That simply sends a signal to extremist forces and others who are intent on destabilizing the situation. All they have to do is wait until a certain date, pull back and give the appearance of stability, give the appearance of cooperation, knowing that when a certain date is reached, our troops will be withdrawn.

We want to keep that indefinite. It doesn't mean the decision can't be made to remove the troops tomorrow, or the President can't sit down with our allies and discuss what the future force should be. I believe an amendment will be offered—if not to this bill, to the defense appropriations bill—by the Senator from West Virginia and the Senator from Texas to establish a certain level and a certain timetable. It may be that that is what our military commanders decide is in the best interests of accomplishing our military mission and protecting our forces. But that ought to be their decision, not ours.

So those are the primary reasons—the protection of our forces, for a limited success, in stabilizing the war and to protect against the potential of extremist groups taking advantage of the knowledge they have of our force size and to protect against the concept that if we define a specific date through a statutory definition, that any hopes of accomplishing a mission that has been agreed to—as I said not by this Senator, but by the President and supported by a majority—can be realized.

To conclude, our amendment essentially expresses the sense of Congress that the U.S. ground combat forces should not remain in Bosnia indefinitely, in view of the worldwide commitments that we have, the impact on our forces, on our readiness, on our deployment, and on our ability to address other needs; that the President should work with our NATO allies, and other nations who have military forces participating in the stabilization force, to withdraw ground combat forces from Bosnia within a reasonable period of time. The difference here is reasonable. We allow a reasonable period of time, leaving it again to the discretion of our military, rather than the fixed time. Consistent with the safety of those forces and the accomplishment of the stabilization force's military task.

We think it is appropriate to define a way in which we can continue, when we withdraw ground combat forces, to continue to provide support for a follow-on European force, and to have a ready reaction or Ready Reserve force in the region—not in Bosnia, but in the region, available to help if necessary; that the President should inform our European allies of the will of the Congress, should this amendment be accepted; and that the President should consult very closely with congressional leadership with respect to the progress he is making in terms of achieving the goals of the Dayton accord.

That is the essence of our amendment. As Senator THURMOND said, this is not a committee amendment that was voted out of committee, though it is supported by a number of members on our committee. We think it is an important amendment to lay down. We think this debate is important. Following this, there is much about what is going to be said by those who may not support this and who want something different than what I am going to agree with.

Much of what they have put in their proposed amendment, which apparently will not be offered to this amendment and to this bill but at a later time, I am going to agree with.

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

Mr. COATS. I would be happy to yield to the Senator.

Mr. BYRD. Mr. President, I have tried to carefully listen to the Senator's remarks, and I think I have heard the implication that Congress was somehow at fault in Somalia for the lack of supplying of heavy equipment.

Mr. COATS. I don't believe that is what I said.

Mr. BYRD. I didn't say you said that. I thought that it was implied.

Mr. COATS. I can assure the Senator from West Virginia that was not implied.

Mr. BYRD. It was not Congress' fault?

Mr. COATS. No; it was not. Congress had no role in that whatsoever. This Senator believes there is subsequent evidence in the reports that followed up on that tragedy which indicate that political decisions were made by people within the administration relative to the perception American people might have regarding our presence and involvement in Somalia, and the decision that was then made, either through the administration or at the Department of Defense, and to deny the request for additional force support.

Mr. BYRD. I thank the distinguished Senator. I incorrectly drew the wrong inference from what the Senator said.

Mr. COATS. I thank the Senator. I apologize if I left that inference. If I had, I am glad the Senator clarified that, because I didn't want to leave that impression.

Mr. BYRD. I thank the Senator.

Mr. COATS. Mr. President, I will conclude, so that my colleague, Senator LEVIN, may proceed, simply by saying that we asked for the Department of Defense response to this amendment. They reported back. The Department of Defense says:

> The Department has no objection to the proposed amendment in general.
>
> The Department is concerned that paragraph (2) under Sense of Congress could be misinterpreted as a weakening of US resolve and commitment to the process initiated under the Dayton Agreement. While the Department agrees that there should not be a permanent US presence in Bosnia, the timing and nature of discussions on withdrawal of the international coalition should be driven by our continued progress on the ground and not by artificial deadlines.

And The New York Times reported the following on June 13, 1996:

> There has been no change in the President's view of the current IFOR mission. It will last about a year.—*Michael McCurry, White House spokesman, New York Times, 6/13/96.*

The Washington Post reported on July 25, 1996 the following:

There is no successor mission. . . . We're not anticipating any such thing.—*Vice President Albert Gore, Washington Post, 7/25/96.*

I agree in terms of their discussion about ''artificial deadlines.'' But I want to point out that the Dayton agreement clearly stated that the presence of the military was necessary to accomplish the military task. And I believe that military task has been accomplished.

I think the debate on this floor, if there is to be a debate about our troop presence, should not be defining what the size of that presence should be and the timing of that presence. I think it should be on whether or not there ought to be a presence.

There is going to be a legitimate debate, I believe, as to whether or not we want to stay involved in Bosnia. And the will of the Congress ought to be expressed on that, or the appropriations ought to be defined in a way to support whatever is necessary, if we are going to be there, determined by the military, or zero if we determine they shouldn't be there.

That ought to be the debate, rather than defining what the mission should be, what the size of the force should be, and putting deadlines in terms of achieving those goals.

With that, I yield the floor.

Mr. WARNER. Mr. President, will the Senator take a question? Momentarily, I will follow the distinguished ranking member.

Mr. COATS. I will be glad to take a question from the Senator.

Mr. WARNER. I want to make sure.

First, I think the thrust of the amendment is one with which I agree. I was part of the deliberations over a period of time. I certainly want to acknowledge the participation by the distinguished senior Senator from West Virginia, and the Senator from Texas, and the work they have done.

But I want to make certain—I have read through this carefully a number of times—there is nothing in it that could be misinterpreted at this particularly sensitive point in time in the Kosovo negotiations with Ambassador Holbrooke—who is, I think, perhaps at this very moment trying to work with Milosevic—that nothing in this amendment indicates a lessened support of the United States, together with our principal allies, to try our very best to preclude a repetition in Kosovo of the tragedies that unfolded over the past years in Bosnia. It is my understanding that nothing in this amendment should be interpreted by Milosevic or anyone else that this is less than full support of the effort on behalf of the President and his designated Secretary of State and Ambassador to work on that problem.

Mr. COATS. The Senator, I believe, is correct. There is nothing in this amendment that I believe could be interpreted contrary to what the Senator has just stated.

Mr. WARNER. I thank the Senator.

Mr. COATS. I yield the floor.

Mr. THURMOND addressed the Chair.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. THURMOND. Mr. President, I wish to commend the able Senator from Indiana on his excellent remarks on this subject.

I now yield to the able ranking member of this committee, Senator LEVIN.

Mr. LEVIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, first, let me thank the chairman, Senator COATS, and others who have worked on this amendment. It is a sense-of-the-Congress amendment regarding the continuation of United States forces and operations in Bosnia. We worked very hard on this amendment. The committee did not reach a consensus or, indeed, ever take a final vote on the various alternatives which were offered to us. I don't think anything should be said which would suggest that this is a committee amendment. Indeed, I believe that the chairman and Senator COATS made it clear that it was not. But it is an amendment which has a significant amount of bipartisan support. We offer it to the Senate on that basis.

I am wondering if at this point, Mr. President, I could ask for the yeas and nays on this amendment, so people know there will be a vote forthcoming.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. LEVIN. Mr. President, this amendment expresses the sense of the Congress on a number of aspects of our presence in Bosnia.

First, it says that our forces should not remain in Bosnia indefinitely. We do not simply want to authorize a significant amount of funds without any statement as to the length of time that our forces should remain in Bosnia.

As the Senator from Indiana very ably put it, we don't want to set a deadline. We don't want to mandate a certain force structure as of a certain time. We think that would diminish the safety of our forces. We think that would pull the rug out from under our forces.

On the other hand, we don't want to write a blank check. We don't want to simply say, here are billions of dollars for our presence in Bosnia, and not continue to make a statement about the necessity within a reasonable period of time to remove our combat forces from Bosnia. So this sense-of-the-Congress amendment is an effort to avoid both the blank check downside but also to avoid setting a mandated date for the removal of those forces.

First, I would note, Mr. President, for our colleagues, that the Secretary of Defense, Bill Cohen, and the Chairman of the Joint Chiefs of Staff, General Shelton, in their letter of May 21 wrote to Senator THURMOND and to me to express their concerns about some of the proposals that were being offered relating to Bosnia.

In that letter, they said the following:

We write to express our concerns with any amendment that would legislate a date or schedule for withdrawal or reduction of U.S. forces from the NATO-led mission in Bosnia. Such amendments would make it more difficult to accomplish the mission, which has been remarkably successful to date.

Later on in that letter, Secretary Cohen and General Shelton said the following:

We will conduct regular reviews of our force posture and progress towards the benchmarks we have established, and we expect further reductions will be possible, but that determination is best based on the actual situation on the ground, the military advice of our commanders in the field, and the approval of the NATO military and political authorities, not an arbitrary withdrawal or reduction date determined long in advance.

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

Mr. LEVIN. I would be happy to yield.

Mr. BYRD. The first reference to the Secretary's letter, would he read that again? He quoted the Secretary's letter.

Mr. LEVIN. Yes.

We will conduct regular reviews of our force posture and progress towards the benchmarks we have established, and we expect further reductions will be possible but——

Mr. BYRD. The first. I believe something came before that.

Mr. LEVIN. I apologize. I started too late in the quote, and I will go back. The letter starts off with the quote that I gave before.

We write to express our concerns with any amendment that would legislate a date or schedule for withdrawal or reduction of U.S. forces from the NATO-led mission in Bosnia. Such amendments would make it more difficult to accomplish the mission which has been remarkably successful to date.

Mr. BYRD. At that point does the Secretary state what ''the mission'' is?

Mr. LEVIN. There is nothing stated beyond that relative to the mission in this letter. Of course, we have other statements from them as to what their mission is, but this letter does not restate what their mission is.

Mr. BYRD. May I further interrupt the Senator? Mr. President, will the Senator yield further?

Mr. LEVIN. I will be happy to yield.

Mr. BYRD. That is one of the problems we have had with the administration. They have a changing mission. At the beginning, the mission was one thing. Then it changed. Then it changed, and it continues to change. Now, the Secretary, in his letter, according to the quotation by Senator LEVIN, references ''the mission.'' Well, it is a moving target, that mission. That is one of the problems I have with this whole situation.

I just wanted to make that point. I thank the Senator.

Mr. LEVIN. I thank our good friend from West Virginia.

General Clark appeared on June 4th before the Armed Services Committee,

and, of course, General Clark commands our U.S. and NATO forces in Europe, including Bosnia, and we asked him what effect the adoption of a legislatively mandated reduction of U.S. forces in Bosnia would have. And this was part of his response:

I would not favor as a military professional a mandated limit because it would, I think, hinder our accomplishment of the mission on the ground.

Then he went on:

In so doing, I think it could jeopardize force protection. I mean, one of the things that has kept our troops safe, and all of our NATO troops, it has been made very clear to those who might seek to do us harm that it will not be tolerated, that we will take action. We made that very clear personally and in many different statements. So if such a commitment were to be taken by those over there that this was some change in policy, that we were somehow less committed, that it somehow meant that we were not as firm in our resolve, then I would say that could pose a force protection threat.

And he went on a little later in his testimony as follows:

I hope that we could move through and live with the benchmark approach that we were urged to adopt. We have some pretty specific benchmarks. We will take a look at how long it might take to achieve these. We will try to do all that we can to encourage those who are responsible for them other than SFOR to move as rapidly as possible on this. But they are not, there cannot be deadlines. There are too many intervening factors, and it will just have to be recognized as such.

Now, these are the benchmarks that were referred to by General Clark. This perhaps addresses the issue of our good friend from West Virginia.

The goal of the military presence—

And now I am quoting from these benchmarks—

is to establish the conditions under which the Dayton implementation can continue without the support of a major NATO-led military force.

And at this point the 10 specific benchmarks are set forth. And after those benchmarks are set forth the following statement is made:

These benchmarks are concrete and achievable, and their achievement will enable the international community to rely largely on traditional diplomacy, international civil personnel, economic incentives and disincentives, confidence-building measures and negotiation to continue implementing the Dayton Accords over the longer term.

Mr. President, I ask unanimous consent that the entire document be printed in the RECORD.

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

1. The Dayton cease-fire remains in place, supported by mechanisms for military-to-military transparency and cooperation.
2. Police in both entities are restructured, re-integrated, re-trained and equipped in accordance with democratic standards.
3. An effective judicial reform program is in place.
4. Illegal pre-Dayton institutions (e.g. Herceg Bosnia, Strategic Reserve Office, Centreks and Selek Impeks) are dissolved and revenue and disbursement mechanisms under control of legitimately elected officials.
5. Media are regulated in accordance with democratic standards; independent/alternative media are available throughout B–H.
6. Elections are conducted in accordance with democratic standards, and results are implemented.
7. Free-market reforms (e.g. functioning privatization and banking laws) and an IMF program are in place, with formal barriers to inter-entity commerce eliminated.
8. A phased and orderly minority return process is functioning, with Sarajevo, Mostar, and Banja Luka having accepted significant returns.
9. In Brcko, the multi-ethnic administration functioning and a secure environment for returns is established.
10. The Parties are cooperating with ICTY in the arrest and prosecution of war criminals.

Mr. LEVIN. We on the committee pressed General Clark to give us some kind of timeline for the accomplishment of those benchmarks, and it is that timeline, for how long will it take to establish each of these benchmarks—to achieve, excuse me, each of these benchmarks that General Clark is referring to and he is going to be sending to the Congress within the next few months.

This amendment builds on an amendment to the 1998 supplemental appropriations bill that urged the President to seek concurrence among the NATO members on the benchmarks detailed in that March 3, 1998, report to Congress on estimated target dates for achieving the benchmarks and a process for NATO to review progress toward achieving the benchmarks. It required a report to be submitted, which was submitted semiannually thereafter on such progress.

NATO has now adopted those benchmarks and will use those benchmarks as it conducts its own 6-month reviews of the mission and the size of the NATO led stabilization force in Bosnia. Our amendment is designed to keep the pressure on our NATO allies, to continue the process where the United States is able to withdraw our ground combat forces from Bosnia, while our NATO allies and other nations maintain or increase their share of the stabilization forces, total force strength in Bosnia.

Again, the amendment does not mandate specific force levels. It does not mandate a specific withdrawal or reduction timetable because we do not believe it would be prudent to do so. Indeed, based on General Clark's testimony and on the letter from General Shelton and Secretary Cohen, we believe it could endanger our forces if we mandated a specific date for withdrawal or reduction.

The people who do not want those forces there would then know what our forces would be doing and when, when they would be leaving and in what numbers. And it is not to their safety, it is not to our advantage, it would jeopardize their well-being for us to state legislatively in advance that a certain number of troops are going to be leaving in a certain number of months or years, or to set forth a timetable for the reduction or removal or withdrawal of those ground combat forces.

Well, then, how do we keep the pressure on our European allies? How do we let them know we are not there for an indefinite period of time? How do we avoid writing that open-ended commitment or blank check? The answer is set forth in this resolution which attempts to let our allies know that we are not there indefinitely. At the same time, we do not in any way undermine the morale or the safety of our forces.

Finally, Mr. President, the NATO-led mission in Bosnia has been very successful. It has been able to carry out its military tasks without a single combat death. The civilian implementation of the Dayton accords has not proceeded as well as the military implementation, but some progress has been made in the last 6 months. The upcoming September election, which will involve virtually every elective office in Bosnia, will be a major event. If things go well, it could lead to a major reduction in the U.S. ground combat presence there.

I have been to Bosnia on a number of occasions, as have many of our colleagues. On each of my visits I have been struck by the high morale and the positive attitude of the men and women of the U.S. Armed Forces there. They feel, and I surely concur, that they are making a contribution to the maintenance of an enduring peace in Bosnia. Those who work with the Russian forces on joint patrols in the United States sector also feel that they are contributing to a better understanding of, and a closer relationship with, Russia.

But we have worldwide commitments, and our forces are stretched thin. We cannot remain in Bosnia indefinitely. This amendment—it is a bipartisan amendment with strong support—serves to pressure our European allies to redouble their efforts to bear more of the burden in Bosnia so that United States ground combat forces can be withdrawn within a reasonable period of time.

Finally, I will read from the mission statement that guides our forces, and then I will put the entire statement in the RECORD.

The mission and objectives of the U.S. military forces deployed in and around Bosnia are as follow:

SFOR and the U.S. military forces participating in it will continue to deter a resumption of hostilities and provide support for civil implementation in a manner similar to the previous approach of SFOR.

So that is the very narrow mission of the military forces—to deter a resumption of hostilities and to provide support for civil implementation in the manner that was adopted by the previous force.

The objective of the current mission will be:

. . . to consolidate the gains achieved to date while sustaining the current pace of

civil implementation. This approach will encourage the implementation process to become progressively more self-sustaining without exceeding SFOR's current level of intensity and involvement.

The key military tasks to create that mission have been set forth as follows:

Maintaining deterrence of renewed hostilities.

Preventing removal of heavy or air defense weapons from cantonments.

Maintaining the operation of the joint military commissions.

Ensuring force protection, freedom of movement and continued compliance with the cease-fire and Zone of Separation.

Monitoring the military components of the Dayton Accords and, if required, enforcing compliance.

Controlling the airspace over Bosnia and Herzegovinia.

Contributing, within means and capabilities and in a manner similar to the SFOR previous approach, to a secure environment within which civil implementation can continue.

Mr. President, I ask unanimous consent that that document setting forth the mission, setting forth the key military tasks, and then setting forth the key supporting tasks be printed in the RECORD at this time.

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

MISSION

SFOR and the U.S. military forces participating in it will continue to deter a resumption of hostilities and provide support for civil implementation in a manner similar to the current approach of SFOR. The objective of the follow-on mission will be consolidate the gains achieved to date while sustaining the current pace of civil implementation. This approach will encourage the implementation process to become progressively more self-sustaining without exceeding SFOR's current level of intensity and involvement. To this end, NATO has established the following tasks:

Key military tasks:

Maintaining deterrence of renewed hostilities.

Preventing removal of heavy or air defense weapons from cantonments.

Maintaining the operation of the Joint Military Commissions.

Ensuring force protection, freedom of movement and continued compliance with the cease-fire and Zone of Separation.

Monitoring the military components of the Dayton Accords and, if required, enforcing compliance.

Controlling the airspace over Bosnia and Herzegovina.

Contributing, within means and capabilities and in a manner similar to SFOR's current approach, to a secure environment within which civil implementation can continue.

Key supporting tasks, within means and capabilities and in a manner similar to SFOR's current approach:

Supporting the High Representative.

Supporting phased and orderly returns of refugees and displaced persons by contributing to a safe and secure environment, but not forcibly returning refugees or displaced persons or undertake to guard individual locations.

Supporting OHR and OSCE in the conduct of elections and the installation of elected officials.

Supporting the OHR and International Police Task Force (IPTF) in assisting local police by providing back-up support and a secure operating environment towards the creation of a restructured indigenous police force, but without undertaking civil police tasks.

Supporting OHR and OSCE in media reform efforts.

Supporting ICTY and efforts against war criminals.

Supporting the OSCE, on a case-by-case basis, in implementing Annex 1–B of the Dayton Peace Agreement.

Supporting the Supervisor in the implementation of the Brcko decisions presently in effect.

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

Mr. LEVIN. I will be happy to yield.

Mr. BYRD. Mr. President, the Senator referred earlier to certain benchmarks. What are we to understand with regard to the benchmarks, and what are they? The Senator put them in the RECORD. What are they?

Mr. LEVIN. There are 10 benchmarks that were referred to.

Mr. BYRD. Yes.

Mr. LEVIN. Perhaps I will just read them:

1. The Dayton cease-fire remains in place, supported by mechanisms for military-to-military transparency and cooperation.

2. Police in both entities are restructured, re-integrated, re-trained and equipped in accordance with democratic standards.

Mr. BYRD. What does that mean? What does that mean, ''democratic standards''?

Mr. LEVIN. That means—what it means is, the civilian control over the police, and that the police will operate within the standards which are followed in democratic countries, which means a semblance, presumably, of process for its citizens, avoidance of physical violence against its citizens, and the kind of implementation of the law which democratic countries seek to achieve.

I may say to my good friend from West Virginia that it was because these benchmarks, in the judgment of many of us, including me, are not achievable within a reasonable period of time—that this involves too long a period, that this would require some significant restructuring—that we pressed General Clark, when he was here, for what would be the estimated timeline to achieve those kinds of goals.

This is not the military mission, by the way. This is the civil restructuring that mission seeks to support. That was what I just previously read from. The military mission is what I just read from a moment ago. These are the benchmarks which the Dayton implementation, hopefully, will follow and achieve.

But I must say, I agree with the Senator from West Virginia—at least as to what I believe he is driving at—that these benchmarks will take a significant period of time. That was the point that I made to General Clark. That is why I pressed him very hard to give us the timeline within which he believes these individual benchmarks could be achieved, because I expressed then, and I will express again: I do not believe these benchmarks can be achieved—that these goals, these civilian goals, can be achieved within years. I think this will take decades, in some instances, to achieve these.

So if I could just conclude, and I will be happy to yield further.

Mr. BYRD. I just wanted to say, Mr. President, I think the Senator has contributed an invaluable service in so questioning General Clark.

I did interrupt the Senator. Please proceed.

Mr. LEVIN. What I simply was saying was, for instance, benchmark No. 3, ''An effective judicial reform program is in place.'' I said to the general, ''My heavens, we are not going to be doing that in a matter of years. If it is highly successful, that could take a decade to achieve. But we cannot be there that long. We have to let the Europeans know in some way that we can only be there for a reasonable period of time, and then our ground forces must be removed, because we are stretched thin. We are all over the place, all over the world in many different ways, and our readiness is going to be jeopardized if we continue to have our forces in Bosnia for an unlimited period of time.''

So what General Clark committed to do is to give us, within a matter of months, estimated time lines for achieving these benchmarks. That is what we are awaiting. I think it will be very helpful. I think all of us look forward to his estimates, as to how long would it take for an effective judicial program to be in place.

He said he is not going to give us a specific year. Then I said, ''Can you give us a range as to how long it might take?'' He said he will go through this, benchmark by benchmark, in order to give us that range.

So I think we are kind of after the same goal here, both making sure our mission is clear—and I just put that in the RECORD, making sure that our particular military tasks are clear, and I just put those in the RECORD. But as far as these benchmarks being accomplished, the best we are going to do, I think, is to get the time lines, the estimates on it, and then make the best judgment as to how long the forces can be there while these processes, hopefully, continue.

Mr. President, I yield the floor.

Several Senators addressed the Chair.

Mr. BYRD. The Senator did not complete his reading of the benchmarks.

Mr. LEVIN. I will do that, and then I will be happy to yield the floor. There are 10 benchmarks. The third benchmark I just referred to: An effective judicial reform program being in place.

The fourth benchmark—again, this is for civil implementation, now, of Dayton. This is not our military mission. I want to be real clear, I read our military mission before. I read our military tasks before. This is the civil implementation side of Dayton.

4. Illegal pre-Dayton institutions . . . are dissolved . . .

And they specify which ones they are talking about. And I would be happy to

give you a list. There are four of them: and revenue and disbursement mechanisms under control of legitimately elected officials.

5. Media are regulated in accordance with democratic standards; independent/alternative media are available throughout [Bosnia].

6. Elections are conducted in accordance with democratic standards, and results are implemented.

7. Free-market reforms (e.g. functioning privatization and banking laws) and an IMF program are in place, with formal barriers to inter-entity commerce eliminated.

8. A phased and orderly minority return process is functioning, with Sarajevo, Mostar, and Banja Luka having accepted significant returns.

9. In Brcko, the multi-ethnic administration functioning and a secure environment for returns is established.

10. The Parties are cooperating with [the International Criminal Tribunal] in the arrest and prosecution of war criminals.

Those are the 10.

Mr. COATS. Mr. President, may I ask the Senator to yield for a question?

Mr. LEVIN. I will be happy to yield.

Mr. COATS. Mr. President, I just want to make sure that it is understood by all concerned—and I am asking the Senator this question—that the benchmarks that were read are not a necessary precondition to our accomplishing the military mission; that the amendment that we are offering is an amendment that says our troops should not stay there indefinitely; that we should transition to a European-only-led force, supported by us but not with the use of U.S. ground combat troops.

I wouldn't want to leave the impression here that the request by the Senator from West Virginia, if I can have his attention, the establishment of those benchmarks are not necessary for the accomplishment of the military mission. I think where the Senator is going is the fact that some of those benchmarks may never be established. If that was a precondition to our troops staying on the ground in Bosnia, they might be there for another millennium.

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

Mr. COATS. And I want to make sure that everyone understands that the amendment that is before the Senate, the sense of the Congress, does not address that question, is not meant to address that question.

Mr. LEVIN. I will be happy to respond to the comment. That is exactly what my point was. It is because it will take such a long time, in our judgment, for those kinds of civilian goals to be achieved that we must send a clear signal we cannot be there—

Mr. COATS. Exactly.

Mr. LEVIN. As long as it takes for those goals to be accomplished. It is because those goals, as important as they are—those are important goals; they could take decades, as I just said to the good Senator from West Virginia, they could take decades—may never be achieved. Those civilian goals may never be achieved. We hope they are, but we cannot be there militarily until those civilian goals are achieved, or benchmarks, and that is why this resolution is the signal, the statement that we must have our ground forces out of there within a reasonable period of time.

Mr. BYRD. Mr. President, will the distinguished Senator from Michigan yield on that point? Did not the President in his explanation for keeping our troops in Bosnia beyond December list these benchmarks in a report to the Congress? Did he not—I don't have them before me now, but it seems to me that I recall he sent a report to Congress.

Mrs. HUTCHISON. Will the Senator from West Virginia yield for 1 second? I do have the report, and I know exactly what he is trying to say. I would like to read him exactly what it says.

Mr. LEVIN. If I can respond first, I will be happy to yield in a moment. I just read the President's report.

Mr. BYRD. Wasn't the President saying, in essence, that our troops should stay there until these benchmarks have been achieved? In essence, wasn't he saying that?

Mrs. HUTCHISON. Will the Senator from West Virginia yield?

Mr. BYRD. He has the floor.

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

Mr. LEVIN. I will be happy just to yield for a question for the moment, but—we are going to get the exact wording—but it is my recollection that the President did not say until these benchmarks are achieved.

Mrs. HUTCHISON. Mr. President, reading from the report that the distinguished Senator from West Virginia refers to, in the report the President says:

The exit strategy for U.S. troops engaged in such deployment—

And then he notes:

The goal of the military presence is to establish the conditions under which Dayton implementation can continue without the support of a major NATO-led military force.

And begins to list the concrete benchmarks that the Senator from Michigan has just read. I don't exactly know how you can refer to them as concrete, because I think that they are not concrete. I think the police re-integration, the effective judicial reform, and media regulation is a giant leap, and I think the Senator from Michigan probably has already said that he also sees that these could be limitless. But, in fact, that is the exit strategy that has been put forward by the President, and that is exactly why I think the Senator from West Virginia is on point to question what is the exit strategy.

If these are clear benchmarks—the State of Texas doesn't have effective judicial reform yet—there are countries in the European Union that can't meet the economic test that is set out in this exit strategy for Bosnia.

I think the Senator from Indiana and the Senator from West Virginia and the Senator from Michigan are all beginning to agree that we are looking at an exit strategy from which there is not an exit in the foreseeable future, and I hope that we will be able to clarify this as we go down the road. Thank you, Mr. President.

Mr. LEVIN. Mr. President, if I can reclaim the floor for a final moment. Our resolution, it seems to me, clearly speaks for itself. People can try to interpret the President's statement in different ways, and I will read one line from it in a moment, but our resolution is very clear: Our forces cannot be there indefinitely. We want our forces out within a reasonable period of time.

It is our belief that it will take a long time for these kinds of civilian reforms to occur. If you want to read the President's report as saying that the forces cannot leave, in his judgment, until these are achieved, I think that is really stretching what the President has said, but I will read it, and then one can interpret it the way one wants:

The goal of the military presence is to establish the conditions under which Dayton implementation can continue without the support of a major NATO-led military force.

That is what the President reports. He wants to establish the conditions under which progress can continue—''Dayton implementation can continue without the support of a major NATO-led military force.''

The way I read that is that these do not need to be reality before the President intends to remove combat forces from Bosnia. If one wants to read that differently, one is free to do so. But however one reads the President's report, what our resolution makes clear is we are not going to be there. We don't believe we should be there for as long as it takes to achieve this. That is the point of our resolution.

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

Mr. LEVIN. I will be happy to yield.

Mr. BYRD. Mr. President, I agree with the distinguished Senator from Michigan as to his resolution. I agree with him on that. But from his reading of the benchmark items and the language that was in the President's report, it seems pretty clear to me that conditions that need to exist in order that we no longer keep our troops there are conditions that the President expects to be achieved before we remove our troops. And those conditions, as the distinguished Senator has pointed out, many of them are impossible within my lifetime, if I live to be as old as Abraham, that was 175 years; and if I live to be as old as Isaac, that is 180; if I live to be as old as Jacob, that is 147 years; if I live to be as old as Joseph, that is 110 years. So I have a pretty long while to go to make that. But sincerely, and seriously, I thank the distinguished Senator for his comments.

Mr. LEVIN. Mr. President, I want to just respond to that, because the words in the President's language is not ''these need to be achieved.'' In fairness—and I do not consider this to be

an abundantly clear document. That is the reason why I think we should speak as to what our own beliefs are, and that is why this resolution is introduced. But the document says, ''conditions under which Dayton implementation can continue without the support of a major NATO-led military force.''

Mrs. HUTCHISON. Will the Senator yield?

Mr. LEVIN. In a moment.

Mrs. HUTCHISON. Since we are on this point, I would like to add that the sentence above that, ''The exit strategy for U.S. forces engaged in such deployment,'' that is the question that was asked by Congress for the President to respond to. In response to the question, What is the exit strategy? he lists these 10 benchmarks that we have been discussing. So——

Mr. LEVIN. But I think the Senator would need to then read what it is in entirety, which is to establish conditions under which implementation can continue without the support of major NATO-led military forces. But that could be argued to read as that implementation of this can continue—not that it has to be achieved before the force can leave—but that it could continue after a major—major; a qualification—NATO-led force can continue.

But I will simply repeat and then yield the floor. It is because we have our responsibility to state what we believe our policy should be in Bosnia that this bipartisan resolution has been introduced. We are trying to state we are not there indefinitely, in our judgment. And we want to let the Europeans know we will not be there indefinitely. We are not writing a blank check. We are not making an open-ended commitment. We are putting you on notice, we are there for a reasonable period of time.

Now, why don't we set a specific date? Why don't we then say how many troops, by what date? The answer is, because our top military leaders say that would undermine the safety of our troops. That will jeopardize the well-being of our troops. That will play into the hands of those that want us out of there by one means or another and that will use force if necessary to get us out of there. That is because we want to support our troops as long as they are there and not harm them.

Setting a specific date or setting a specific reduction timetable would, in the judgment of General Clark and General Shelton and Secretary Cohen, jeopardize the well-being of our troops.

So what our resolution does is say we want to express ourselves, put everybody on notice that we are not there for an indefinite period of time. And by the way, we surely are not there until these goals are achieved. There is no way—no way —we are going to be there until these goals are achieved. But that is the expression of our opinion.

I would be happy to yield for a question or yield the floor.

Mrs. HUTCHISON. Well, I would like to ask the question, if the Senator will yield, and that is, I appreciate your interpretation of this because I certainly agree with you that these benchmarks are not achievable in a reasonable length of time. But I would just like to ask you the question, What is the next step? The President has said this is an exit strategy, that these 10 benchmarks could be—would be reached without the necessity of major support from the United States. That is what is on this page.

The Senator from Michigan has asked General Clark, What would be the timetable to achieve these 10 benchmarks, which I think we all now have a consensus are going to be very difficult to quantify? What is the next step? If General Clark comes back and says, well, effective judicial reform would be maybe 50 years, or 30 years, the civil Dayton goals, the reestablishment of minority homeowners in each area of Bosnia, the media regulation, these will take 60 years or 40 years or 25 years, what then is the next step?

If we have the benchmarks in a report from the President, which we are now asking, ''OK, you, Mr. President, have said the exit strategy is that these will be achieved without the requirement of a major U.S. presence,'' we get the timetable back, we think it is unrealistic to have a major U.S. presence for 50 years, and do all of the other responsibilities of the U.S. military, what is the next step?

Mr. LEVIN. First, I think I want to just restate what the President's statement here is. It is not that these will be achieved before. That is not what this states. It is that ''implementation can continue.'' I just want to again reiterate what this document says.

Mrs. HUTCHISON. Without the support of a major U.S. force.

Mr. LEVIN. Absolutely, without the support of a major NATO-led military force.

Mrs. HUTCHISON. That is the exit strategy for the United States.

Mr. LEVIN. That is the strategy, that implementation can continue without the support of a major military force. And what the next step is is for General Clark to submit to us, as he said he would, within 2 months of our hearing, which was early June, June 4—so that, hopefully, by the end of July we will then have his timelines for the achievement of the benchmarks. At that point we will take whatever action we think is appropriate.

This resolution is aimed at stating what our position is, again, relative to not having an unlimited commitment from ground combat forces in Bosnia. That is what this resolution says. We are not going to do that. We are going to say they are there for a reasonable time period. That is what this resolution does, which is what we think is the responsible thing to do at this time, without having more information as to what those estimated timelines are. But I would not want to tell you what action, if any, Congress would appropriately take after it receives estimates of timelines, perhaps ranges, from General Clark before we actually see his response. I don't think it would be responsible for us to project in advance what action, if any, we would think would be appropriate beyond adopting this resolution which states quite clearly that we intend that our ground forces only be there for a reasonable period of time.

Mr. COATS. Will the Senator yield?

Mr. LEVIN. I am happy to yield to the Senator from Indiana.

Mr. COATS. I thank my colleague.

I just want to make sure that I understand that what he is trying to say is that it is important, a discussion over what the benchmarks should be or could be or ought to be, or how it ought to be modified, and should not be confused with what we are attempting to do in this resolution.

Discussing benchmarks, I say to the Senator from Texas, is perfectly legitimate, but not as an objection to the resolution that is before us. It is partly, maybe even primarily, I would ask the Senator, because of the benchmarks, because we agree that they are indefinite, because we agree they are not achievable that we want this resolution.

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

Mr. COATS. If I could finish my statement.

The only thing we do not want is for those of us in Congress to tell the military how to protect itself. But we want to send a message that we do not care what the President's interpretation is; we are dealing with what Congress wants to say.

What Congress wants to say is, Mr. President, I do not care what your exit strategy is, whether I agree with it or disagree with it. We believe that our troops should not be there indefinitely. We believe you should talk to our NATO allies and European allies and tell them that Congress does not support an indefinite troop commitment. We want our combat forces out of there. We want a European force—if you think it is necessary to stay there, you better tell the Europeans to put a European force together. If you want our support, logistics support, intelligence support, communications support, rapid reaction that might help you in a crisis, yes, we can consider that.

But we want those combat troops out of there. I just don't want to confuse the President's policies—exit strategy, benchmarks, General Clark's interpretation. That is not what we are about here. We are talking about Congress' resolution.

I ask the Senator if that is what we are up to?

Mr. LEVIN. The Senator from Indiana is the prime sponsor of this resolution and is exactly correct.

Further, in response to his question, I again state that this is our expression of what Congress intends, that we intend for Europeans to understand, and

what we intend, of course, for the President to understand.

Part of this, paragraph 5, is that the President should inform the European NATO allies of this expression of the sense of the Congress, should strongly urge them to undertake preparations for establishing a Western/European Union-led or a NATO-led force as a follow-on force to the NATO-led stabilization force, if needed, to maintain peace. In other words, there may be a need—in my judgment there will be, by the way—for a long period of time for there to be an outside force in Bosnia.

But what this resolution is saying, it cannot have American combat forces as part of that force beyond a reasonable period of time and we are putting you on notice. Whether we understand your exit strategy, whether we agree with your exit strategy, Mr. President, whatever differences there are as to the interpretation of it, that is not the point. The point is this is what Congress is telling you and telling the Europeans. This is not an unlimited commitment. We are sending you a very clear statement that we are only going to support the presence of American combat forces there for a reasonable period of time. Plus, as long as they are there, we will support them. We are not going to harm them by setting a specific exit date or a specific reduction schedule. We are not going to jeopardize the well-being of our forces with a specific date for an exit, because our top military leaders have told us that is what the effect would be. We are not going to do that in this resolution, at least.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. I simply wanted to say to the Senator from Indiana and the Senator from Michigan, I think I was the first to raise questions about benchmarks. In so doing, I did not mean to imply that I was against the amendment that Senator THURMOND has offered. I don't mean that at all. I just picked up on Senator LEVIN's reference to benchmarks and asked some questions about them. I intend to support the amendment.

As to the distinguished Senator's reference to the military leaders, our military leaders, in part, helped to get us right where we are now. We were misled by some of our military leaders at the very beginning of the discussions concerning Bosnia. I have great respect for our military leaders, but I don't accept their word as having come down from Mount Sinai, as being engraved in stone. They listen to the President. They say whatever the President thinks. They all do. And very seldom will they venture to say something that isn't in accordance with the administration's viewpoint.

I intend to say something about this subject matter later, but I wanted to wait to listen to what the distinguished Senator from Texas has to say first.

I yield the floor.

Mr. THURMOND. Mr. President, we have had a lot of talk here. It is about time for action now.

At this time, I yield to the able Senator from Virginia, Senator WARNER.

Incidentally, for the record, Senator WARNER served as a sailor in World War II. In his career he served in the Marines; he served as Secretary of the Navy. He is the ranking Republican on this committee. He has had vast military experience.

I am very pleased at this time to yield him such time as he desires.

Mr. WARNER. I thank my distinguished colleague. That was unexpected. I assure you that my very modest record of military service pales in comparison to yours, having been the only Member of the Senate to have landed on June 6, 1944, D-day.

Moving on, this is a very important debate, if for only the reason here we have some of the most intelligent persons debating documents which read with clear English language, yet we can't seem to come to an agreement. That signifies the desperate need for clarity to our policy. That clarity has to come from the President of the United States.

This debate was really fostered some months ago by the efforts of our distinguished colleague, the senior Senator from West Virginia, and the Senator from Texas, when they, consulting with members of the Armed Services Committee, and others, showed various proposals. Those proposals manifested, in my judgment, the unrest, certainly within the Senate and I think largely within the Congress, that we could not keep going on and going on as we have been, and that it was inflicting a very severe penalty upon research and development budgets, readiness budgets, procurement budgets, and that we must bring this debate to the floor of the Senate so that Senators can have expressions and perhaps pass a resolution and/or an amendment or, in whatever form, to manifest our great concern.

I wish to compliment the Senator from West Virginia and the Senator from Texas for their efforts. The Armed Services Committee took into consideration their views. As a result, we have this amendment today by the distinguished ranking member and the Senator from Indiana, which I intend to support.

My concern is that as I listen to this debate it is clear to this Senator that our American troops, particularly the combat troops, are simply hostage, I repeat hostage, to the uncertainty of what these goals are and what the time is within which they are achievable. As a consequence of this amendment, I am concerned that the President and others will take it into consideration and come back to the Congress with specificity and clarity.

It will be, in my judgment, impossible for this Congress in the few weeks remaining, to make a decision on this subject. My concern is that we really not make a definitive decision other than this amendment, for the following reasons: No. 1, as the Senator from Michigan said, in the course of General Clark's appearance before the Armed Services Committee, which was a hearing dedicated to the subject of Bosnia and at which we received one of the most profound and eloquent dissertations by the Senator from West Virginia, expressing the responsibilities of the Congress of the United States as being parallel and equal in every precedent to those of the President—an excellent statement.

But General Clark, when pressed—this Senator was particular in urging him to assess these goals, for General Clark to go back to the various individuals, government entities and the like, and to establish a timetable within which they could be achieved. Now, my understanding of his reply and my recollection was that he felt he could not provide the Congress, particularly the Senate, with that reply much before September. That was my recollection.

Now, also in September are a very important series of elections that will take place in Bosnia. Step one is the Clark report. Step two are the elections in Bosnia. Hopefully, those elections will again point in the direction towards greater achievement of the overall Dayton accords. Then we have to recognize that this Congress ends and a new Congress will come in the January-February timeframe, and that they—possibly new Members, possibly different views—they will then have their opportunity to express their views.

I think decisions by the Congress as to the future level of funding, which is pointed out by the Senator from Indiana, is our explicit authority here, will probably have to await until early next year. In that interim, we have called upon the President, subsequent to General Clark's announcement, to come forward no later than, I believe, December 31, of this calendar year and give us a detailed report.

We are beginning to lay the foundation now, expressing to the President, and indeed to our allies, the unrest that exists in the Congress, which unrest is reflective of the people across the United States. And that time is running out. We have made a significant contribution in terms of our men and women of the Armed Services Committee working with our allies. We have made a very significant financial commitment of $9.5 billion.

My concern at this particular moment is that we are walking something of a high wire, because as we are discussing, I think in a very responsible way, these issues, at the same time we have to take notice of the fact of the unrest in Kosovo. With all due respect for my colleague from Texas, I see there is a direct correlation between the actions we take in Bosnia and the possible consequences in Kosovo. I

readily admit, as my colleague from Texas points out, the legalities—namely, that Kosovo is a sovereign part of the Serbian State and, as such, it is a civil war. But I say to my colleagues that if the continued criminal hardships being inflicted upon innocent people in Kosovo become portrayed in greater detail, and we experience greater and greater levels of suffering of those people, all those legalities go to the side. Once the pictures of the horror begin to emanate —and I hope they will not—in further amounts from Kosovo, everybody will recognize that there is a conflict that responsible nations of the world must participate in, in trying to bring about a cessation.

I urge my colleague from Indiana—and I am certain my colleague from Michigan heard—I hope nothing we do here today can in any way be utilized by those forces trying to continue the criminal acts being perpetrated in Kosovo to give them any encouragement to continue those acts. What we are doing today is an important debate, but it is not to be construed in any other way but that the United States will assume its responsible role, along with our allies, in trying to stem the crisis that is developing in Kosovo.

As we speak, the President has dispatched Mr. Holbrooke—soon, I hope, to be confirmed as our U.S. Representative to the United Nations—a man who had a great deal to do with reaching the accords in Dayton and who has had extensive experience in this area. It is our hope that he can bring about a strong message that will eventually bring stability in the Kosovo region. What we do today will have consequences, and it is walking the high wire that nothing be interpreted as lessening our intent to stop the killing, the rape, and so on taking place in Kosovo.

I will return to the debate. It is clear that these Dayton accords, as pointed out by the Senator from West Virginia, the Senator from Texas, and others, are holding hostage the need for troops. I agree with the Senator. He said they are not achievable unless there is a military force in place, and the part that we play or do not play remains to be seen, be it combat or support in that continuing military force, because I am sure that the Dayton accords—no matter what time within which we will require their ultimate achievement—would require a security force, and that security force must perform only military missions. They cannot perform the missions to directly achieve the accords. But only by their presence and the infrastructure that they maintain in place—namely, some semblance of law and order—can we hope to achieve any of the Dayton accords. So I commend my colleagues.

I intend to support this amendment. But I see a direct linkage between the problems in Bosnia and the developing problems in Kosovo. I hope that nothing as a consequence of this debate today will ever be construed by anyone as undermining the efforts of our Government, because I remember so well in the early debates—and this Senator was never in favor of sending in combat troops; the record is clear on that. But once that decision was made and once we have become a party and a partner—and I underline ''partner''—with our allies and achieved the Dayton accords, then I feel we are there and we should not jeopardize the $9.5 billion and the personal sacrifices of our troops by doing something precipitous now that would undo the progress in Bosnia.

But there is a direct correlation between Bosnia and Kosovo. We used to argue that we have to contain Bosnia so it doesn't spill over into Kosovo. The opposite could happen now. The problems in Kosovo could spill over into Bosnia and begin to undermine the progress we made in Dayton. We have to proceed with great caution.

Mrs. HUTCHISON addressed the Chair.

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

Mrs. HUTCHISON. Mr. President, I would like to ask a question of the Senator from West Virginia. I did not intend to speak before the distinguished Senator from West Virginia. If it is his desire to speak first, I am happy to wait.

Mr. BYRD. Mr. President, if the Senator will yield, I certainly do not wish to speak in advance of the Senator from Texas. I very much appreciate the courtesy, but I am very content to wait and listen to the Senator.

Mrs. HUTCHISON. Thank you.

Mr. President, first, let me say I thank the distinguished Senator from West Virginia, because he and I have worked together. We have introduced a bill—the Byrd-Hutchison bill—which would produce a downsizing of our commitment in Bosnia in, I think, a reasonable timeframe, taking into account the safety of our troops. I will talk about that in a few minutes. He has been a leader in this effort, and he is a member of the Armed Services Committee. He has provided a lot of input into this debate and certainly a background that none of us can match because of his years in the Senate and his scholarly pursuits in Senate history.

I also want to thank Senator THURMOND, Senator LEVIN, and Senator COATS for putting forward this amendment. I think this sense of the Senate is a good start. It certainly sends the signal to the President and the administration from Congress that Congress is very concerned about the policy. I think it is very clear from the recent debate that many of us do not consider that the exit strategy put forward, in response to our question, from the President is a serious exit strategy. It cannot be considered a serious exit strategy, because I think when General Clark comes back with a timetable, it is going to be totally unacceptable, and I think everybody on this floor agrees that it is too nebulous to be in any way dubbed a concrete and clear benchmark.

I want to respond because Senator BYRD and I have spoken on this subject and we feel, I think, very strongly about the role of Congress and the importance that Congress exercise its responsibility under the Constitution. That is why we have been active in this area and why I think it is important that we take this first step with the Thurmond-Levin-Coats amendment, and that we eventually go further in making sure that Congress is a part of any effort by the President to have a long-term commitment of our troops in a foreign land.

In fact, that is what the Constitution envisioned. It is very clear if you read the Federalist Papers, if you study the Constitution, if you read the debate, that our founders had an example. The example was a king, a monarchy—a monarchy in which the king not only declared war for his country, Great Britain, but the king also paid for it, implemented it, did the strategy. It was all a power of the monarch. As the founders of our country were debating what they wanted, they said they wanted it to be hard to declare war. In fact, in the debate, I will quote from James Wilson, the delegate from Pennsylvania, who said:

> We must have a system of checks and balances in this area that will not hurry us into war. It is calculated to guard against it. It will not be in the power of a single man or a single body of men to involve us in such distress, for the important power of declaring war is vested in the legislature at large.

Mr. President, we have a situation here in which there is no declaration of war. So we have a shift of power toward the President, putting our troops into combat positions, or into peacekeeping positions, certainly into harm's way—however you would like to describe it—unilaterally.

Congress has since World War II, I think it can be fairly said, continued to allow the President to encroach more and more on the responsibility that was clearly given in the Constitution to Congress, because, in fact, it should be hard to declare war. It should be hard to put our troops into harm's way except in an emergency, which I think all of us would agree is within the power of the President to address.

So now we have a situation where more and more the President is going forward on his own and Congress is stepping back and allowing the President to take the power without our input, and even when we disagree with the President, unfortunately, I think we have been timid about standing up.

I believe it was this timidity that caused the extended Vietnam war. I think we extended it by not exercising the responsibility of Congress, which clearly knew that this was not a war in which we should be, and most certainly not one in which so much American blood should have been shed.

Mr. President, here we are now with an exit strategy given to Congress by

the President that is not realizable—an exit strategy that many States of the United States couldn't meet as benchmarks.

On the effect of the judicial reform program, police in both entities are restructured, retrained, and equipped in accordance with democratic standards; media-regulated in accordance with democratic standards; independent alternative media available; free market reforms; functioning privatization; banking laws; an IMF program in place.

Mr. President, these are worthy goals. They are worthy benchmarks, and I hope we work toward them. But this is not an exit strategy for U.S. forces.

I am pleased that so many Members of Congress agree with that, and are beginning to take first steps that would say to the President you don't have carte blanche to watch our military move into a dangerously hollow force while you are spending $10 billion of taxpayer money on this kind of effort with no exit strategy. That is what is happening.

I am pleased that we are going to begin to take the first steps to say to the President we want an exit strategy; we want an exit strategy that is reasonable, and we want an exit strategy that is responsible as an ally.

Everything that Senator BYRD and I have done has been to try to work with our allies as a responsible ally, not to exit totally from Bosnia as a requirement, but to say we want to do our fair share, and we want our allies to work with us to allow us to continue to have a military that is capable of responding in the only way that America can respond, and that is with our unique capabilities, our unique technology, our unique modernized equipment, and our uniquely trained forces, which are the best in the world. We don't need our best fighting forces to do the police-keeping mission that we are doing in Bosnia, which can ably be done by many other of our allies.

So my goal is going to be to support this very good beginning, but to say that we must be willing to stand up and force this issue because we are going in the wrong direction. We are allowing our military to become hollow because we are in unending missions. Our troop morale is suffering. We are losing experienced people, because they are gone from home so much on missions that they do not see as essential. If you talk to military people, as I have, that is what you will hear. They will be there when they see that it is a U.S. security interest. They have always been. But they do not understand continuous deployments when there is no emergency, as they see it, and when they see no exit strategy.

I am very pleased that the Senator from West Virginia made the specific point of trying to determine what the mission is. Is it a clear mission? He asked what the benchmarks for the exit strategy were. I think it became very clear to anyone who listened that the benchmarks are no exit strategy at all. They are worthy goals. But they will not be met in our lifetime. And, indeed, many countries of Europe do not meet them today.

I hope the Senate will take the first step. But I hope the Senate will not be timid about its responsibility under the Constitution, and take further steps along the way.

We are going to continue to have other amendments to other bills that will provide the United States an opportunity to speak to our allies to determine how we can work together to downsize the U.S. commitment, to help our allies in every possible way within the bounds of reason, because we do have other commitments. We must respond, if there is a real security threat to our country, or to any of our forces in the field, and we are losing our edge.

Mr. President, I hope that this is a first step, not a last step. I hope the President will hear what the Senate is saying with this sense-of-the-Senate resolution. It is a good resolution. The President should work with NATO allies to withdraw U.S. ground combat forces from Bosnia within a reasonable period of time.

That is the resolution. I agree with that—that a NATO-led force without the participation of the U.S. ground combat forces in Bosnia might be suitable for a follow-on; that we, the taxpayers of the United States, have spent $9.5 billion over the last 6 years at a time when our military is telling us that we are dropping in modernization; that we are dropping in our recruitment. We are losing experienced people. We must as responsible Members of the Senate question the priorities in spending for an operation that has no exit strategy.

We want to take this first step. I certainly do. But I want the U.S. Senate to remember our part of the Constitution. If we fail to keep our part of the Constitution working, we are failing in our duty and our responsibility to the people of our country, and most certainly to those combat forces who are putting their lives on the line every day.

We would never jeopardize troop safety in anything we do.

I want to say that Senator BYRD's and my two bills that have been put forward both exempt totally the troops that are necessary for the safety of the troops that are on the ground.

We want a responsible exit. We want to be responsible allies. We are not walking away from our responsibility to our allies. But we do not think it is fair for the United States to continue to bear the lion's share of the burden in Bosnia. We are now twice as many troops as our nearest ally, and I do not think that is a fair allocation.

So, Mr. President, I think this is a good first step. I think the United States is taking a necessary first step. I hope the President will listen to the concerns that have been raised in this very good resolution, and I hope the Senate will be willing to continue to work on legitimate, responsible parameters around this Bosnia mission.

And just one more response to the Senator from Virginia. I think that this must be separated from Kosovo for many reasons. One is Kosovo is an independent country and requires a different set of references. We have been in Bosnia for 6 years, really more. We have been working on the Bosnia issue. Kosovo, we have yet to take the definitive action, and I do support the President for getting his emissaries in and trying to bring these people to the peace table. I want to be shown to support that effort, and I hope that it works.

I think the Bosnia issue is much different, and I think we have worked toward coming to some sort of clear mission and clear exit strategy in Bosnia for many years, since I have been in Congress, and I think now is the time for us to exercise our responsibility under the Constitution and become more firm in how long we will be in a mission in which our troops will be engaged, will be in harm's way, and for which there is no congressional approval as I think is required by the Constitution in spirit if not in actual terms.

I thank the Chair.

Mr. WARNER. Mr. President, will the Senator yield for a question?

Mr. MCCAIN addressed the Chair.

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

The PRESIDING OFFICER. Will the Senator yield?

Mrs. HUTCHISON. I will yield for a question.

Mr. MCCAIN. Did the Senator just yield the floor? Parliamentary inquiry.

Mrs. HUTCHISON. I did not yield the floor.

The PRESIDING OFFICER. The Senator has yielded for a question.

Mr. WARNER. Let's clarify the question of the Senator from Arizona.

Mr. MCCAIN. I thought I heard the Senator from Texas yield the floor. I was asking if that was the case.

The PRESIDING OFFICER. The Senator was asked if she will yield for a question, and she did yield for a question.

Mr. WARNER. My question would be, we have our differences on the legal—clearly, the Senator is correct about Kosovo—independent and the like. But it just has been my experience that once the television pictures and stories come back across the ocean as to the horror and pillage, and so forth, that could take place in greater porportion than now, then this whole thing blends together, and I do see a direct linkage between the turmoil in one geographic area and turmoil in another just a bare few miles away.

But my concern, and it goes to both my distinguished colleagues from West Virginia and Texas; I have followed and respect greatly their efforts here, but we are about to get a report from General Clark which will throw, I think,

some very clear light on this otherwise unclear situation as the time within which the goals for Dayton can be achieved. We are about to experience the results of elections in Bosnia which we all hope, again, will move towards a more rapid resolution of the remaining problems in Bosnia.

The distinguished Senator from Arizona—and I have read through his amendment, which I support—is going to list, I think, some very important analysis from the President, Secretaries of Defense and State, and then we have the fact that a new Congress is coming in. So my concern is what can we hope to achieve now were we to move along the lines of the amendment which I have seen from the distinguished Senator from West Virginia and the Senator from Texas, given that so much remains to be done, and those actions—the Clark report, the elections, the fact that we are going to have a new Congress—in my judgment, all have a direct bearing on what we can achieve by way of reductions in the specific numbers of troops over this period. So I thank the Senator. If the Senator cares to reply, I would appreciate it.

Mrs. HUTCHISON. I thank the Senator.

I would just say to the distinguished Senator from Virginia that we have had benchmarks that are clearly not achievable in any lifetime that we are going to have. We have had deadlines that have failed to be met. I think it is time that Congress stand up and say we are looking at the facts. The facts are we are having a harder time recruiting for the military. We are having a harder time funding the modernization and the technology. We haven't even addressed missile defense systems. And yet we know now that two more countries have joined the nuclear club; that we are talking to troops—at least I am—who are very low in morale, and people who not only are not coming into the service, but our experienced people are leaving, and I think it is time that Congress take the responsibility to address these concerns. One of them is a mission with no exit strategy, which is, I think, an ill-defined mission, and no clear policy that shows our enemies or our allies where we would go in the future.

Kosovo is another issue. There are problems erupting in India and Pakistan. Certainly, Iraq is still on the horizon, not to mention Korea. The United States has the unique responsibility in the world to provide a security umbrella in a lot of places, and I want to make sure that we are going to be strong enough to respond when there is a threat to U.S. security. And if we continue to sit back and let deadline after deadline and benchmarks that do not hold water go forward, I think we are abdicating our responsibility.

Mr. WARNER. Mr. President, I thank the Senator, and I certainly associate myself with her concerns as to the overall posture of our own Armed Forces, which have been degraded, and I so stated in my opening comments, by the heavy expenditures associated with Bosnia. And you are quite correct; the India-Pakistan series of regrettable events has, I think, spurred other nations to look more and more to biological and chemical missilery and other weapons in the area of mass destruction and, indeed, we are all, I think, deeply concerned when we read the reports that, indeed, Iraq was preparing its weaponry to incorporate the biological material in its missile heads, and all the more reason to proceed with this missile defense program which for years the Senator from Texas, myself and others have been urging be adopted.

I yield floor.

Mrs. HUTCHISON. I thank the Senator from Virginia. I think when you look at these other potential necessary points of U.S. defense callings, we have to look at our budget, our defense dollars, our modernization, our technology and our will along with the morale of our troops, and we have got to say that there is a red flag out there, and if we do not do something about the priorities, we are going to have a hollow force at a time when we really need it. And I think that is the responsibility of this Senate to address and to make sure that it does not happen on our watch. I appreciate what the Senator from Virginia has said. I appreciate the leadership he has shown, along with Senator THURMOND and all of those. I think we all have the same goal. I just hope that we can all as a group of 100 independent operators come together and realize that because we are so diverse, we cannot allow ourselves to be inept in action, in doing the right thing that all of us, I think, are seeking to do. That is what happens in a legislative body. It is not an easy, clear direction that you can point a legislative body to. But nevertheless, I hope we can overcome the inherent problems in dealing in a legislative body and do something strong and courageous and decisive and fulfill our responsibility under the Constitution for our country, for those who are serving our country in the military, and for our future generations.

Thank you, Mr. President.

The PRESIDING OFFICER (Mr. HAGEL). The Senator from West Virginia.

Mr. BYRD. Mr. President, the distinguished Senator from Arizona, I believe, has an amendment. Does he wish to call that amendment up at this time?

The PRESIDING OFFICER. The Senator from Arizona.

Mr. BYRD. No, no, I am recognized. I am not yielding the floor. I am merely asking the Senator from Arizona if he would like to call his amendment up.

Mr. MCCAIN. Mr. President, I ask unanimous consent to be able to respond to the Senator from West Virginia.

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

Mr. MCCAIN. Without his losing the right of the floor.

Yes, I have a second-degree amendment, I say to the Senator from West Virginia, concerning this issue that is before us. I believe it is not controversial. The Senator from Virginia supports it, and others. It is concerning reports that are required about progress in our mission in Bosnia and certain benchmarks for us being able to determine how long we have to remain there.

Mr. BYRD. Mr. President, if the distinguished Senator is pressed for time right at the moment, I will be glad to yield to him for that purpose.

Let me say, before I do so, I congratulate the distinguished Senator from Texas on her statement and on the work that she has done in preparing legislation on this very issue that has been discussed. I also congratulate the distinguished Senator from Virginia for his work on the committee and I commend those who have prepared the Amendment that has been offered by Mr. THURMOND, which I intend to support, and I hope it will be unanimously agreed to. I think it goes in our direction, but I don't think it goes far enough. But I think it is moving in the direction that Senator HUTCHISON and I favor.

Mr. President, I have waited 3 hours to address the Senate. I want to speak on the same subject. I have had my share of entries into the colloquy by interrupting others and asking questions. I am perfectly content to desist and await just a few minutes longer, if the distinguished Senator from Arizona wishes to call up his amendment.

Mr. WARNER. Mr. President, I urge the distinguished Senator from West Virginia to do that, and I thank him. I think it would be important because this amendment is germane to this debate and should be before the Senate. And then, of course, immediately after it is sent to the desk, the Senator from West Virginia would give us his important analysis of the debate.

Mr. BYRD. Mr. President, how much time would the distinguished Senator from Arizona need?

Mr. President, I yield the floor for not to exceed 5 minutes to the distinguished Senator from Arizona, and I ask unanimous consent that I may regain the floor at that time.

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

The Senator from Arizona.

AMENDMENT NO. 2977 TO AMENDMENT NO. 2975

(Purpose: To require the President to submit to Congress certain reports on the missions of United States forces in Bosnia and Herzegovina)

Mr. MCCAIN. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN] proposes an amendment numbered 2977 to amendment No. 2974.

Mr. MCCAIN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

After subsection (b) of the amendment insert the following:

(c) ONE-TIME REPORTS.—The President shall submit to Congress the following reports:

(1) Not later than September 30, 1998, a report containing a discussion of the likely impact on the security situation in Bosnia and Herzegovina and on the prospects for establishing self-sustaining peace and stable local government there that would result from a phased reduction in the number of United States military personnel stationed in Bosnia and Herzegovina under the following alternatives:

(A) A phased reduction to 5,000 by February 2, 1999, to 3,500 by June 30, 1999, and to 2,500 by February 2, 2000.

(B) A phased reduction by February 2, 2000, to the number of personnel that is approximately equal to the mean average of—

(i) the number of military personnel of the United Kingdom that are stationed in Bosnia and Herzegovina on that date;

(ii) the number of military personnel of Germany that are stationed there on that date;

(iii) the number of military personnel of France that are stationed there on that date; and

(iv) the number of military personnel of Italy that are stationed there on that date.

(2) Not later than October 1, 1998, a report on the status of the NATO force of gendarmes or paramilitary police referred to in subsection (a)(1), including the mission of the force, the composition of the force, and the extent, if any, to which members of the Armed Forces of the United States are participating (or are to participate) in the force.

(d) REPORT TO ACCOMPANY EACH REQUEST FOR FUNDING.—(1) Each time that the President submits to Congress a proposal for funding continued operations of United States forces in Bosnia and Herzegovina, the President shall submit to Congress a report on the missions of United States forces there. The first report shall be submitted at the same time that the President submits the budget for fiscal year 2000 to Congress under section 1105(a) of title 31, United States Code.

(2) Each report under paragraph (1) shall include the following:

(A) The performance objectives and schedule for the implementation of the Dayton Agreement, including—

(i) the specific objectives for the reestablishment of a self-sustaining peace and a stable local government in Bosnia and Herzegovina, taking into account (I) each of the areas of implementation required by the Dayton Agreement, as well as other areas that are not covered specifically in the Dayton Agreement but are essential for reestablishing such a peace and local government and to permitting an orderly withdrawal of the international peace implementation force from Bosnia and Herzegovina, and (II) the benchmarks reported in the latest semiannual report submitted under section 7(b)(2) of the 1998 Supplemental Appropriations and Rescissions Act (revised as necessary to be current as of the date of the report submitted under this subsection); and

(ii) the schedule, specified by fiscal year, for achieving the objectives.

(B) The military and non-military missions that the President has directed for United States forces in Bosnia and Herzegovina in support of the objectives identified pursuant to paragraph (1), including a specific discussion of—

(i) the mission of the United States forces, if any, in connection with the pursuit and apprehension of war criminals;

(ii) the mission of the United States forces, if any, in connection with civilian police functions;

(iii) the mission of the United States forces, if any, in connection with the resettlement of refugees; and

(iv) the missions undertaken by the United States forces, if any, in support of international and local civilian authorities.

(C) An assessment of the risk for the United States forces in Bosnia and Herzegovina, including, for each mission identified pursuant to subparagraph (B), the assessment of the Chairman of the Joint Chiefs of Staff regarding the nature and level of risk of the mission for the safety and well-being of United States military personnel.

(D) An assessment of the cost to the United States, by fiscal year, of carrying out the missions identified pursuant to subparagraph (B) for the period indicated in the schedule provided pursuant to subparagraph (A).

(E) A joint assessment by the Secretary of Defense and the Secretary of State of the status of planning for—

(i) the assumption of all remaining military missions inside Bosnia and Herzegovina by European military and paramilitary forces; and

(ii) the establishment and support of forward-based United States rapid response force outside of Bosnia and Herzegovina that would be capable of deploying rapidly to defeat military threats to a European follow-on force inside Bosnia and Herzegovina, and of providing whatever logistical, intelligence, and air support is needed to ensure that a European follow-on force is fully capable of accomplishing its missions under the Dayton Agreement.

Redesignate subsection (c) of the amendment as subsection (e).

Mr. McCAIN. Mr. President, I understand I have 5 minutes. I thank the Senator from West Virginia for his courtesy.

Mr. President, I rise to offer an amendment concerning the continuing U.S. military presence in Bosnia. This is a second degree amendment to amendment No. 2975.

Mr. President, I believe everyone in this body knows that I have long had serious concerns about our mission in Bosnia. From the time the IFOR mission was first briefed to the Congress, I knew the job could not be completed in one year—nor against any arbitrary deadline. Instead, I urged the Administration to set concrete objectives and benchmarks for measuring success.

Now, as many members have pointed out, we are in an open-ended and ill-defined military commitment. The Administration has scrapped all the artificial deadlines. But no clear set of objectives and well-defined military missions has taken its place. We seem to drift in and out of going after war criminals, of using the military to resettle refugees, and of taking on a direct political role in parts of Bosnia in the name of supporting international civilian authorities. The role of our military has expanded, and there is no end in sight.

The answer to this problem, however, is not to go back and set new artificial deadlines. Bosnia is a long-term, complicated problem. It involves not only the warring factions, but has direct effects on Croatia and Serbia, including Kosovo, and threatens to spillover to the wider Balkan region. The credibility of NATO and especially the United States is tied up with finding a solution for the Bosnia crisis. It would be sheer irresponsibility, probably leading to renewed warfare, if we were to precipitously pull out of Bosnia after investing so much. It would be a betrayal of our commitment to cooperating with our Allies. And it could well lead to an even more costly and dangerous re-introduction of American forces to stop the renewed fighting.

Dealing with the Bosnia crisis—even if though our objective is to get American troops out of there—requires treating Bosnia as a serious long-term challenge. It is not an issue that lends itself to artificial deadlines for withdrawal. Nor is there any rationale to forcing the Congress to vote by some artificial deadline. Worse still would be a funding cut-off, which would only punish our troops for the failure of policymakers in Washington to craft a viable long-term policy.

Handling the Bosnia crisis requires us to look beyond just this fiscal year. It requires the United States to develop a multi-year strategy that sets out our objectives, the means for achieving these objectives, and a target timetable for getting us there—but no phony deadlines. For the sake of our troops, we need to set out clearly the military and non-military missions they are being asked to perform. ''Creative ambiguity'' may be useful in politics, but it is dangerous for soldiers. We need to be honest with ourselves about the risks we are asking our troops to face, and the costs to the taxpayers of continuing the mission.

I am convinced that the direction we should be taking is to move toward a force made up of European nations inside Bosnia, with U.S. forces just ''over-the-horizon'' outside of Bosnia—providing a rapid response capability to deter or defeat security threats, and providing logistical, intelligence, and air support to the European forces inside Bosnia. This step would free up U.S. forces to prepare for other contingencies.

But it is not possible to achieve this goal simply by setting arbitrary numbers and deadlines for troop withdrawals. Doing so could provoke a crisis with our Allies and could have the effect of simply setting a timetable for restoring violence to Bosnia. Instead, achieving this goal requires working together with our Allies and realistically taking account of the situation inside Bosnia.

Mr. President, my amendment seeks to do exactly these things. It expresses the sense of the Senate that we need to have a clearer picture of our objectives, timetable, missions assigned to our military, risks, and costs. It expresses the sense of the Senate that we should be moving toward a European force inside Bosnia, and a U.S. ''over-

the-horizon'' capability outside Bosnia. It also says it is time to stop treating Bosnia as an unplanned emergency and include funding for operations there as an addition to the defense budget.

My amendment also imposes a number of reporting requirements. Each time the Administration submits a budget request for funding military operations in Bosnia, the Administration must clearly state its best assessment of six items:

(1) Our overall objectives and multi-year timetable for achieving these objectives—taking account of the benchmarks already required under the supplemental appropriation passed earlier this year; (2) the military and non-military missions the President has directed U.S. forces to carry out—including specific language on our policy on war criminals, returning refugees, police functions, and support for civil implementation; (3) the Chairman of the Joint Chiefs of Staff's assessment of the risks these missions present to U.S. military personnel; (4) the cost of carrying out our strategy over several fiscal years. (5) the status of plans to move toward a European force inside Bosnia with a U.S. force outside Bosnia that would deter threats and provide support to the European force; and (6) an assessment of the impact of reducing our forces according to the timetable proposed in the original Byrd-HUTCHISON amendment.

This may seem like a detailed and onerous reporting requirement, but it is nothing more than the kind of long-term planning the Administration should be doing anyway. And by requiring it in a report to Congress, we ensure that the Congress is operating off the same set of assumptions and plans as the Administration. This will give us an opportunity to look more thoughtfully at the real challenges in Bosnia and structure our decisions more appropriately. Instead of broad swipes through artificial deadlines or prohibitions on certain missions, we will be able to target our policy choices more effectively.

Finally, Mr. President, my amendment requires that if the Senate votes to discontinue funding for continued operations in Bosnia, the Administration must submit a withdrawal plan within 120 days. This language does not impose any artificial procedure or deadline on the Senate. Rather, it acknowledges that the Senate already has the right at any time to vote to discontinue funding for Bosnia operations. The question is whether the Senate chooses to exercise this right. If it does, and the vote is to pull out, then the Administration must present a withdrawal plan within 120 days.

Mr. President, no one is more frustrated than this Member; all of us are. The administration came over and said our troops would be out in a year. We knew that wasn't true at the time. Then they came over and said they would be out in a year and a half. We knew that wasn't true at the time. And the frustration that many of us felt as members of the Armed Services Committee during that period was enormous because we knew that there was no way that we could possibly have our troops exit on a date certain which was not an exit strategy. The purpose of this amendment is to try to force an exit strategy from the administration so we have expectations as to, No. 1, what our goals are and, No. 2, how they can be achieved.

I also am a student of the Constitution. I also understand the role of the U.S. Senate to advise and consent, and if the U.S. Senate wants the troops withdrawn from Bosnia, all we have to do is, on the Department of Defense appropriations bill, cut off all funding. That is all we have to do. We have that right —and that responsibility, in the view of some.

What we don't have the right to do, because we don't have the commensurate responsibility, is to devise a strategy for Bosnia. How in the world do we know what troop levels can be dictated so we will know that those young men and women are secure? That is why we have generals. That is why we have a Pentagon. That is why we have a Chairman of the Joint Chiefs of Staff. That is why we have a National Security Adviser and a Secretary of Defense.

Mr. President, we give them that responsibility that is not a legislative function, to set troop levels. If the Senator from Texas wants them out, get them out. I will be glad to debate and discuss an amendment that says no further funding as of whatever date she wants. But to say at some date there should be a certain level of troops—from whence does this information come? From whence does this judgment that 5,000 or 10,000 or 50,000 is the right number of troops?

Mr. President, occasionally I put myself in the role of a military commander, a position that I aspired to but never achieved. I cannot imagine—I cannot imagine, as a military commander, trying to meet a national security threat saying, ''Wait a minute, I've got to be down to 5,000''—or 10,000 or 20,000 or whatever it is. I am the one who is supposed to decide that, along with the Commander in Chief. Then we come to the Congress for approval or disapproval. That is the way the system should work. We cannot have the Senate, the U.S. Senate, decide what number of troops are there.

So, I believe that this administration has failed in devising a strategy. They have failed in giving us an exit strategy. They have deceived, really, the Congress and the American people, when they first came over and said that they would be out by a certain date.

But at the same time, to set troop levels, I think, is very, very dangerous, not only for our troops and the men and women who are there, but is a dangerous precedent.

Mr. President, I thank the Senator from West Virginia. I appreciate his courtesy, as always, that he extends to every Member in this body in allowing me to propose this amendment and make it part of the debate.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, if I might, just for purposes of management, seek recognition for a moment. Can the Senator from Arizona advise us with regard to the yeas and nays?

Mr. MCCAIN. Mr. President, I ask for the yeas and nays.

Mr. LEVIN. Will the Senator withhold the yeas and nays, because the yeas and nays have been ordered on the underlying amendment. I wonder whether or not the Senator might accept a voice vote on the second-degree amendment. I think it has strong support.

Mr. MCCAIN. I withdraw my request for the yeas and nays.

The PRESIDING OFFICER. Under the previous order, the Senator from West Virginia has the floor.

Mr. BYRD. Mr. President, the original amendment by Senator HUTCHISON and myself does not set troop levels.

The original amendment offered by Senator HUTCHISON and myself does not cut off money for the troops.

The original amendment by Senator HUTCHISON and myself does not withdraw troops from Bosnia.

The original amendment by Senator HUTCHISON and myself sets no termination date for withdrawal of American troops from Bosnia. It does not jerk the rug out from under our troops.

The amendment which the distinguished Senator from Texas, Mrs. HUTCHISON, and I would have offered and may offer at another time on some bill provides that the President—the Commander in Chief, if you will—submit to Congress a report, a plan, no later than February 2, 1999, for reducing the military personnel of the United States in Bosnia to an average of the numbers of troops that Great Britain, France, Italy and Germany have in Bosnia, the other members of the contact group—an average—and that that reduction occur by February 2 of the year 2000.

That is not setting troop levels. That is not withdrawing American troops. We are saying, ''We'll stay there with you; we'll stay there, but it's about time that the other members of NATO take on a greater part of the burden.'' After all, this situation has developed in their own backyard, not in ours.

We are not saying we are going to withdraw. We are not suggesting that the money be terminated. We are not suggesting that American troops get out lock, stock, and barrel. We are simply saying that we should at least be able to reduce our troops, now that there is stability in Bosnia, we should be able to reduce our troop level to an average, we would say, of the troop numbers that are involved from the other members of the contact group.

I think Great Britain has 5,000 involved. France has something like

2,500. Germany has something like 2,500. Italy has fewer. And we are saying to the President, ''Now you submit us your plan—your plan. Submit us your plan, and you don't need to submit it tomorrow or the day after tomorrow or next month. Submit it by February 2 of next year, just the plan. Tell us how you, Mr. Commander in Chief''—that magic term, that all-encompassing, worshipful term, ''Commander in Chief''—''you tell us how you can get our troop levels down to an average of those of Great Britain and Germany and France and Italy, and by February 2 of the year 2000.''

What is wrong with that? Is there someone here who would say to me that the Congress under the Constitution doesn't have a right or doesn't have a duty even to submit such an amendment calling on the Commander in Chief to do that? ''Just let us have your plan, Mr. President. You have lots of time now. We're putting our allies on notice that we want our troop levels to be down to an average of what theirs are. It doesn't have to be an exact average. Certainly, instead of 7,000, it could be 3,500 by then, but we'll still be there with you.''

What got us into this situation, Mr. President, I have heard it said that our military leaders, our generals, our Commander in Chief, have to make these decisions as to troop levels. I don't quarrel with that, but these are the same people, these are the same individuals—there may have been some changes since 1995 and 1996, perhaps some changes in the identity of the personnel in those respective positions, but it is the same administration that got us where we are, the same administration that misled the Congress, misled us into the belief that our troops would be there no longer than 1 year, roughly a year.

We were told that. We were told that on the Armed Services Committee. The distinguished Senator from Indiana and the distinguished Senator from Michigan were there when the committee discussed this matter. That is what the administration told us, and the distinguished Senator from Indiana has set forth a litany of the dates and the things that were said in keeping with the idea that the United States would be involved there roughly only a year. He has done that for the record, and I consider that to be a service. That is what was there.

They are the very people who misled us in the beginning. That is why some of us feel that we haven't been dealt with fairly from the beginning, and that it is about time that the administration come forward and give us some reliable statements, give us some reliable data upon which we can depend and the American people can depend. I don't think I have voted at any point against the funding or any authorization of troops in Bosnia. I don't think I have. I am going to check to make sure, but I was misled along with everybody else.

I doubted, at the time, that the administration would have us out in a year. I was listening to the Commander in Chief through his Chairman of the Joint Chiefs of Staff, through his Secretary of Defense, in their appearances before the Armed Services Committee. I listened.

We took them at their word. You see where we are today. That was 1995, and now this is 1998. I just want to shed a little history for the record—for the record—not necessarily for all Senators. Some Senators probably know more about the record than I do. Certainly several of them are in a good position to remember as much about it as I can. But for the record, I want to state a little of the history of this situation.

To begin with, in a nationally televised address on November 27, 1995, President Clinton justified dispatching U.S. troops to Bosnia as part of IFOR by saying U.S. engagement was needed to stop the great suffering caused by the war, to bring stability in Europe, a region vital to U.S. interests, and to maintain U.S. leadership in NATO. President Clinton said that the deployment would last—and I quote—''about one year.''

In subsequent statements, administration officials asserted that U.S. forces would be out of Bosnia by the end of 1996. President Clinton decided on April 30, 1996, to keep U.S. forces in IFOR at full strength through the Bosnian election on September 14 in order to support the election process. He said the United States would maintain a robust force in Bosnia until IFOR's 1-year mandate expired on December 20, 1996. However, administration officials continued to insist that U.S. forces planned to leave Bosnia within a few weeks after December 20, 1996.

On November 15, 1996, President Clinton said that the administration had agreed in principle to send U.S. troops to Bosnia as part of a new NATO-led peacekeeping force for Bosnia. President Clinton said the force would remain there until June 1998.

Now, let me read that again. On November 15, 1996, President Clinton said the administration had agreed—the administration had agreed; did not say that Congress had agreed; the administration had agreed—in principle to send U.S. troops to Bosnia as part of a new NATO-led peacekeeping force for Bosnia. President Clinton said the force would remain there until June 1998.

So there the administration had already changed their position. No longer was it said that we would be there about a year. Then it was said by the President that we would remain there until June 1998.

On December 18, 1997, President Clinton announced that he had agreed in principle that U.S. forces should participate in a Bosnian peacekeeping force after the mandate of the current SFOR expires in June 1998. He did not set a new departure deadline, but said the force would leave only when key peace implementation milestones have been achieved. This follow-on force has been unofficially dubbed ''deterrent force'' or DFOR by some observers. So it went from IFOR, which was ''intervention force''; to SFOR, which was ''stabilization force''; to DFOR, which was ''deterrent force.''

Mr. President, this is the administration. It was they who said, in the beginning, that American forces would be in Bosnia for about 1 year. We took them at their word. But then, as time went on, the administration, the President, the Commander in Chief, set new dates. After all, Congress sometimes is faced with a very difficult situation. And that is what we are faced with. Things are more complicated than they were in 1787 at the time the Constitution was written. Things are very complicated.

Here is what Congress is faced with. The administration uses the cloak ''Commander in Chief'' to put our men and women in foreign areas, in foreign countries where they are in danger; takes them away from their families, away from their loved ones, away from their hearthstones, away from their homes—puts them in foreign countries where they are in danger. They may never come back. They go, and they are there because the Commander in Chief sent them, whoever he is—it may be a Democrat or it may be a Republican.

I respect the Commander in Chief, whoever he is, be it Mr. Reagan, be it Mr. Bush, be it Mr. Clinton. I respect that office. But our troops are sent overseas. Congress did not vote to send them overseas. We are told they will be there about a year. The year comes and the year goes; they are still there. Then we are told they will be there until June 1998. It is now June 1998, and June is about gone.

Then we are faced, we in the Senate, we in the Congress are faced with the choice of providing money for the military that has been sent abroad. They did not ask to go abroad—these soldiers, sailors, airmen, and marines. They have been sent by the Commander in Chief. Then we are faced with the dilemma.

The administration knew that when it told the Congress that our men and women would be there about a year. The administration knew that once they were there, Congress would be faced with a dilemma. And, of course, Congress—we are going to support our military people wherever they are. The administration knows that. They knew that back in 1995. We had our doubts on whether we were deliberately misled, the administration knowing that they could not do this within a year. How am I to know?

Some of us are becoming aware of the fact that we have been dealt that hand more than once. We had the same hand dealt to us in Somalia—the same hand. And there have been other places as well.

But I think this is why the Senator from Texas, Mrs. HUTCHISON, and I, and others, are just becoming a little distrustful of what the administration says about these matters. And we want to have a hand at the end of the leash. We want that constitutional leash to be there. The power of the purse, of course, is the most fundamental, the most basic, the greatest power in Government—the power of the purse.

We want a hand at the end of the leash. We are not saying, you have to take the troops out. We are not saying, you have to set certain levels. We are just saying, as I indicated earlier, let us know by February 2, 1999, Mr. President, how you would suggest that we reduce those to a certain level that is more in keeping with what the other major parties are doing in Bosnia. And you reach that level by February 2, 2000.

Now let me lay the predicate by reading into the RECORD what the Constitution says. Now, how much responsibility, how much power, how much authority does the Commander in Chief have? After all, the framers had in mind making doubly sure that the Commander in Chief was a civilian, not a military officer; and that this civilian, the President, would have the authority over the military. The framers were determined that a civilian would have supreme authority over the military. They placed that authority in the President. He would be the Commander in Chief. He would be superior to the military. It would not be a military officer who would be Commander in Chief. It had to be a civilian officer, selected by the people through electors who, in turn, would elect a President. A civilian would be the Commander in Chief.

The framers were very jealous of that power. They knew the history of England. They knew that the King was the Commander in Chief and the admiral in chief and that the King in England raised armies and maintained navies, that the King in England declared war and declared peace, and that the King in England made the regulations for the governance of the Armed Forces. They were determined that no King would do that in this country. They were determined that no President would sit as a King in this country.

The President, a civilian, was to be the Commander in Chief.

Now, I want to read for the RECORD everything that is in this Constitution with respect to the powers of the President—the Commander in Chief—when it comes to the military.

So I look to Article II of the United States. Here it is, Article II of the Constitution of the United States. ''The executive power shall be vested in a President of the United States of America.''

That sentence vests the executive power in one person, the President of the United States. It is just that simple. There is your separation of powers.

Now, I want to read everything that is in this Constitution that has to do with the Commander in Chief and his power. Here we go. Section 2, Article II:

> The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States;

Now, who provides for the calling of the militia into the actual service of the United States? The Congress. I will read that a little later. The Congress provides for the actual calling of the militia into the service of the United States.

Then in the second paragraph of section 2:

> He [meaning the President, the Commander in Chief] shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two-thirds of the Senators present concur;

In England, the king could make treaties, but the framers decided that that power in this country, under this Republic—it is not a democracy, it is a republic—under this Republic, would be shared between the President and the Senate.

Continuing to read:

> and he [the President, the Commander in Chief] shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors . . . [and other public officers].

So, there again, the King in the motherland from whom most of the Members came either directly or by their ancestors, the King appointed the officers. But in this Republic, the President can appoint them by and with the consent of the Senate.

So that is a power that the framers decided to share.

Now, there is one more phrase.

Section 3, the President, the Commander in Chief, ''shall Commission all the Officers of the United States.''

Now, there it is, lock, stock, and barrel, every bit of it, all of it. There is the Commander in Chief's powers with respect to war. There it is. I have read all that the Constitution says regarding the Commander in Chief.

He shall be Commander and Chief of the Army and Navy of the United States and of the militia of the several States when called into the full service of the United States; he shall have power by and with the advice and consent of the Senate to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the advice of the Senate shall appoint, ambassadors; and, finally, he shall commission all the officers of the United States.

That is it. So the President is Commander in Chief. The Constitution doesn't say what his powers are as Commander in Chief. He is Commander in Chief of the Army and the Navy if Congress provides an Army and Navy for him to command.

So much for the Commander in Chief. Now, let's read what the war powers of the Congress are, according to the Constitution. Here they are with regard to warmaking:

> The Congress shall have power to lay and collect Taxes . . . to pay the Debts and provide for the common Defense . . .

Section 8, the very first sentence. I will go ahead:

> The Congress shall have Power To . . . borrow money . . .

The President doesn't have that power.

> The Congress shall have Power To . . . regulate Commerce with foreign nations . . .

That is a very important power in peace and in war.

Continuing, still, in section 8 of Article I of the Constitution:

> The Congress shall have Power To . . . define and punish Piracies and Felonies committed on the high Seas, and Offenses against the Law of Nations . . .

Continuing:

> The Congress shall have Power To . . . declare War, grant Letters of Marque and Reprisal and make Rules concerning Captures on Land and Water . . .
> The Congress shall have Power To . . . raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years . . .
> The Congress shall have Power To . . . provide and maintain a Navy.
> The Congress shall have Power To . . . make Rules for the Government and Regulation of the land and naval Forces . . .
> The Congress shall have Power To . . . provide for calling forth the Militia . . .
> The Congress shall have Power To . . . provide for organizing, arming, and disciplining the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress . . .

Continuing in Article I, section 8;

> The Congress shall have Power To . . . exercise like Authority over all Places . . . for the Erection of Forts, Magazines, Arsenals, dock-Yards . . .
> The Congress shall have Power To . . . make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

Including the Department of Defense, or officers thereof, which includes the Secretary of Defense.

So there you are. Then in Article I, section 9:

> No money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . .

Congress makes the law. So I have taken the time of the Senate—and Senators have been very kind to listen—to read into the record that which any Member of the Congress, or any individual, can at any time he or she wishes to read for himself or herself from the Constitution of the United States. All of the authority of the Commander in Chief is there in the Constitution. That is all. And all of the authority is there in that Constitution for the Congress, when it comes to warmaking.

From my reading of those portions of the Constitution, it appears to me that

Congress has the authority and the duty, on behalf of the people from whom all power comes, in whom all power resides, under this Constitution—Congress has the responsibility and the duty to ask questions and to make laws, and to make appropriations, and to draw lines in the sand. Yes; Congress has the authority there to decide overall troop levels. One will find that most of the lawmaking powers, most of the authority and the powers that deal with the military forces and with military actions, rest in the Congress of the United States. Don't blame me for that. You are not arguing with me, you are arguing with the Constitution. I have read the pertinent parts of the Constitution into the RECORD.

Mr. COATS. Will the Senator yield for a question on that point?

Mr. BYRD. Yes, I will.

Mr. COATS. The Senator certainly understands that the Senator from West Virginia has a much greater grasp of the Constitution than this Senator from Indiana. But I am having difficulty understanding how the power of Congress to regulate troop levels—and I understand that we set force levels. The Congress, through our committee, authorizes certain force levels for the Army, for the Navy, and the branches. But I don't understand how that would apply to the deployment of those forces or the utilization of those forces within a specific military exercise. I don't know that that is a power that is granted to the Congress. I don't see that here in the Constitution.

Mr. BYRD. I don't think that I said that.

Mr. COATS. Perhaps I misunderstood the Senator.

Mr. BYRD. Perhaps I didn't speak clearly. There are those who say that the Congress doesn't have authority to do this, Congress doesn't have authority to do that. If the Congress wanted to limit the troop levels in the war to 5,000 men, is the Senator telling me that Congress doesn't have the authority under the Constitution to say there will be 5,000 and no more in this theater or that?

Mr. COATS. I don't see what grants the Congress the power to do that.

Mr. BYRD. The Senator doesn't?

Mr. COATS. I don't. I wonder if the Senator could point out that portion of the constitutional powers that grants Congress that authority.

Mr. BYRD. Well——

Mr. COATS. I understand how Congress has the power to establish the level of the militia, the level of the Army, the number of individuals. I suppose if Congress said there shall be no more than 5,000 members in the U.S. Navy, that would impose a limit to how many troops could be deployed, and the maximum number you could deploy would be 5,000. But I don't see where once the level is established, and we have established a level of nearly 500,000 Active Army, for instance, I don't see how that would translate to Congress having the power to dictate how that 500,000 force level would be assigned.

Mr. BYRD. I don't, either. I don't think Congress would attempt to do that. But I think Congress has the power and has the authority to say there will be no more than 5,000.

Mr. COATS. Total.

Mr. BYRD. Total.

Is that the troop level?

Mr. COATS. Yes.

Perhaps I was extrapolating wrongly. I thought the Senator was indicating that power would be vested with the Congress relative to the Byrd-Hutchison amendment which sets a level—attempts to set, to dictate a process which would set a level for total number of troops that would be engaged. Perhaps this Senator—

Mr. BYRD. No. The Senator heard me. The Senator was in here earlier and heard me say that the Hutchison-Byrd amendment did not do that, did not dictate troop levels.

Mr. COATS. Would that amendment not lead to Congress making the decision on that?

Mr. BYRD. No. It states specifically that the President, the Commander in Chief, shall submit to the Congress the plan by February 2, 1999, which will bring the force levels of the United States in Bosnia down to a certain number which is more in keeping with the numbers that are provided by Germany, France, Italy and Great Britain.

Is there anything unfair about that?

We don't say it has to be 2,000, or 2,500, or anything like that.

Mr. COATS. But as a condition, that level is required; a level is required to be reached on the basis of an average of ground force levels of other NATO troops, specified troops from Great Britain, Germany, France, and Italy that arrives at a specific number.

Mr. BYRD. What is wrong with that? We are saying to the President, ''You tell us how you would get it down to something which, in the eyes of the American people, who are paying the taxes to keep our forces over there, would be a fair level in view of the fact that we have carried most of the burden thus far. We have helped stabilize the situation. Why isn't it fair?'' But let the President tell us how he would go about doing it and bring it down more in keeping with what the other leading countries of NATO are providing.

Mr. COATS. I would respectfully say to the Senator, my reading of the amendment indicates that it would do more than that. It doesn't just ask the President as Commander in Chief to tell us what the numbers shall be. It tells the President of the United States that he has to submit to us a number which is the average of four other countries' participation. That requires the President to tell us a specific number dictated by the decisions made by the King.

Mr. BYRD. Right.

Mr. COATS. Made by Great Britain, made by France, made by Italy.

Mr. BYRD. What is wrong with that?

Mr. COATS. I think there is a great distinction between asking the President, ''What do you think the force should be? What, in your judgment as Commander in Chief, with the advice and consent and assistance of your military commanders, should the number be to perform a certain mission?''—there is a great distinction between that and a direction to the President of the United States saying, ''You must give us a number based on an average of troops that are committed by nations outside Congress' control,'' and it cannot exceed that.

The President here couldn't have the discretion to say, ''Well, we need whatever troops are necessary to protect, or complete our mission, or carry out our mission in this part of the world, or to protect our forces.'' The President is being dictated to arrive at a number, which the President may disagree with, or the Commander in Chief, or the Chairman of the Joint Chiefs of Staff disagrees with in terms of ability to carry out that mission.

That is my concern with the Byrd-Hutchison amendment.

Mr. BYRD. What is the Senator's question? Is he saying that, under the Constitution, Congress cannot ask the President to do this?

Mr. COATS. I do not understand where in the Constitution the power is vested in Congress to specify not the total force level but to specify military strategy.

Mr. BYRD. Where in the Constitution does it say that the Commander in Chief can do that? Where in the Constitution can the Senator point to me that the Constitution says the Commander in Chief can do that?

Mr. COATS. This Senator interprets the power given to the President to be the Commander in Chief of the Army and Navy of the United States. ''Commander in Chief'' implies that person is in charge. That person makes the decision.

Mr. BYRD. The Senator interprets that.

Suppose Congress doesn't raise and support any Army. Suppose Congress does not provide and maintain a Navy. Then what does the Commander in Chief command?

Mr. COATS. Nothing.

Mr. BYRD. He is Commander in Chief. But he has no Navy, and he has no Army to command.

Mr. COATS. I agree with the Senator. If the Congress does not choose to give the President the military force, he has nothing with which to command. But if the Congress does give him forces and raises an Army and a Navy, this Constitution designates that the President of the United States is commander of that Army.

Mr. BYRD. And that is all. Just that he is Commander in Chief.

Mr. COATS. The duties of Commander in Chief are to direct that Army, to deploy that Army when necessary to defend the United States.

Mr. BYRD. This doesn't say that. This Constitution doesn't say that.

Mr. COATS. Is the Senator saying those are the decisions to be made by this Congress?

Mr. BYRD. I am reading the Constitution.

Mr. COATS. So am I.

Mr. BYRD. Let me read it.

> The Congress shall have Powers . . . To make Rules for the Government and regulation of the land and naval Forces.

And:

> The Congress shall have . . . Power to provide for calling forth the Militia . . ..

It doesn't say the President has the power to call forth the militia. It doesn't say the President has the power to make rules for government and regulation of land and naval forces.

I am reading the Constitution, Senator. I am not interpreting it. I am reading it word for word.

Mr. COATS. I ask the Senator, what does the Senator believe the founders intended to be the powers of the President as Commander in Chief? What would be his duties as Commander? What does the word ''commander'' imply, or state, or mean?

Mr. BYRD. They saw the benefit in having one individual lead the military forces of this country.

Mr. COATS. How does that individual do that?

Mr. BYRD. If Congress declares war.

Mr. COATS. It only applies if Congress declares war.

Mr. BYRD. I see. The Senator wants to play games.

Mr. COATS. No. The Senator wants to understand the Constitution.

Mr. BYRD. This Senator cannot teach the Senator from Indiana how to understand the Constitution. I can only read the Constitution. And it is pretty clear.

Mr. COATS. This Senator is reading the Constitution. It says the President shall be Commander in Chief.

Mr. BYRD. Period. That is it. That is all.

Mr. COATS. If I am in charge of my office, I make decisions about how that office performs its duties. If the President is Commander in Chief of the military, he makes decisions about how the military performs its duties.

That is my understanding of the word ''commander.''

Mr. BYRD. The Constitution doesn't say anything about how the Senator would operate his office.

Mr. COATS. The Senator was using an analogy to try to illustrate the role of Commander.

Mr. BYRD. It is not a good analogy, if I may say so most respectfully.

Mr. COATS. Then I will go back to my first question, respectfully.

Mr. BYRD. Then I will go back to my first answer.

Mr. COATS. How are we to interpret the role and the meaning of the word ''Commander in Chief''?

Mr. BYRD. In the first place, the courts might do the interpreting at some point.

Second place: Read the Constitution. Congress has power over the purse strings.

I hope the Court will decide that the Line Item Veto Act is unconstitutional. I hope it will do that before it goes out for its recess.

Congress having the power over the purse, Congress having the power to declare war, Congress having the power to raise and support armies, having the power to provide and maintain a navy, having the power to make rules for the Government and regulation of the land and naval forces, having the power to provide for calling forth the militia.

It would seem to me that a reading of the Constitution would indicate that the basic power, the power of the purse, is the basic, fundamental, rock bottom power in this Government. There is no greater power. There is no power as great as the power of the purse. That is vested here.

It would seem to me that a reading of this Constitution would indicate that Congress has more power and authority under the Constitution than many Senators are willing to admit.

Mr. COATS. I am not disagreeing with the Senator on that point whatsoever.

Mr. BYRD. All too many Senators appear to be thinking that the Commander in Chief can do this, the Commander in Chief can do that, and that we ought to follow along like the tail on a kite and do whatever the Commander in Chief decides should be done.

I am just saying that Congress has these powers in this Constitution and Congress should raise some questions. And Congress certainly has the authority to rein in the Commander in Chief if it sees fit.

Mr. COATS. I do not disagree with the Senator a bit on anything he has just said.

Mr. BYRD. I thank the Senator.

Mr. COATS. But the question I asked the Senator is whether that power extends to once that force is raised, once Congress determines to raise an army, once Congress appropriates funds for that army, once Congress establishes force levels and sets the rules, at what point does Congress, does that extend—I should add, does that extend to the actual utilization by the Commander in Chief of the power—does the Congress have the power to determine how those forces then should be deployed to protect and defend the interests of the United States?

Mr. BYRD. The distinguished Senator appears bent upon splitting hairs.

Mr. COATS. But that is the essential question.

Mr. BYRD. I am not interested in splitting hairs.

Mr. COATS. That is the essential question.

Mr. BYRD. The Senator says at what point does Congress have that. Congress before, before it provides for calling forth the militia, before it creates an army, before it creates a Navy, it certainly has the power and authority not to do those things; it has the power to issue regulations. I am not suggesting that the Congress ought to try to get into the nitty-gritty, teensy-weensy little details of this and that. Of course, there has to be one person who can command the military forces of this country.

Mr. COATS. That is the Senator's question.

Mr. BYRD. I am saying the Congress has not done its duty, and I am taking my responsibility along with others. We have not done our duty. Congress has the responsibility not to follow along after the President like my little dog Billy follows after me. The Commander in Chief is just a man like I am. I respect the Presidency. I respect the President of the United States. I have never served under any President—that is the way I look at being a Senator—but he puts his britches on just like I do, one leg at a time. No more. And he is there for 4 years, unless the House impeaches him. He can't impeach us, but the House can impeach and we can convict him and take him out of that office, and we can also provide that he can never again hold an office.

I am not one who bows down to the President, who bows down to any Commander in Chief. I am not one who believes we have to do what the Commander in Chief says, but I respect the Commander in Chief. I haven't cast a vote, I don't think, against our having personnel in Bosnia. I haven't done that. But I am certainly not one who says that Congress has to follow the Commander in Chief.

Now, if the Commander in Chief is ever a Republican again, I daresay there won't be as many people on that side who will stand up and challenge his powers as I stand up and challenge the powers of a Democratic President. As far as I am concerned, under this Constitution there is no Democrat; there is no Republican. He is the President of the United States. He is in there for 4 years, and that is it, unless he is reelected.

I have been here for 40 years. I hope to be here 40 years more, if the Good Lord lets me live that long. But don't look at this Senator and say I am picking on the President. I am not picking on the Commander in Chief. I am simply saying that we here in the Congress have not stood up to our duties under this Constitution. And I do not read under this Constitution where we have to follow any President lock, stock, and barrel, line, hook and sinker. We do not have to do that. We can set a line, and we can say ''this far and no farther. If you want to keep our troops in Bosnia longer, come back, Mr. Commander in Chief, come back and we will decide whether or not we want to open the purse strings and provide more appropriations.''

Mr. COATS. Well, in response—perhaps I should let the Senator finish and then I will respond on my own time.

Mr. BYRD. I hope the Senator doesn't think he has to respond.

Mr. COATS. The Senator feels that he should respond because——

Mr. BYRD. I am not challenging the Senator.

Mr. COATS. I am not challenging the Senator from West Virginia.

Mr. BYRD. I am talking about the Commander in Chief, in the abstract. I haven't said anything about the Senator from Indiana. He shouldn't feel he has to respond to me. He has a right to if he wishes, but I hope the Senator will know I haven't challenged him.

Mr. COATS. No, the Senator didn't take it that way at all. The Senator is simply trying to get an answer to his question as it applied to the language in the Byrd-Hutchison amendment which has been talked about today, and trying to understand the role of the Commander in Chief vis-a-vis the role of Congress in that specific, requiring that specific requirement of the President as Commander in Chief relative to that language in the Byrd-Hutchison amendment. I was just trying to clarify it.

Mr. BYRD. The Senator apparently doesn't believe the Congress has the authority to do what the Hutchison-Byrd amendment would require. I hope he does. I think it does.

Congress can limit troops by limiting funds for missions. No one questions that. There is great reluctance to placing limits on missions. But when we come to a place where an administration doesn't level with the Congress, then it is about time that the Congress thought about putting some limits on missions, and Congress has the constitutional authority to do it. Don't think it doesn't. I have been around here for 40 years in this Senate and 6 years in the other body, and as far as I am concerned I am getting a little tired of Presidents and Commanders in Chief and their administrations misleading Congresses. This isn't the first time it has been done. It has been done before.

Madam President, I think I have said about everything already that I have in my prepared remarks. I have read the pertinent parts of the Constitution that deal with the Commander in Chief's war powers and the war power and authority that rests with Congress. I do not say this disrespectfully towards our Commander in Chief. I would say the same if he were Republican. The Constitution is not partisan. I hope that we can be able to agree on some legislation—and it is extremely difficult under the circumstances—particularly in regard to the situation we have in the Balkans. And I agree with the distinguished Senator from Texas, Mrs. HUTCHISON. In my own mind, I can keep separate the circumstances and conditions that we face in regard to Bosnia from those which we might have to face in Kosovo.

I don't understand what our security interests are in relation to Bosnia. But I do understand what our security interests can be when it comes to Kosovo. I think Congress has to recognize it has a duty here, not just to let the administration do whatever it alone thinks best. And I think we owe the President that kind of consideration. I would hope that we could come out with some kind of proposal, certainly in the long run, that would clearly state what the exit strategy is or what the limitations are, what is the deadline, what are the phases by which we reduce our forces.

I do not have the magic bullet. I don't claim that the Hutchison-Byrd amendment has the magic bullet. I have taken the time at this point to quote the pertinent provisions of the Constitution for the RECORD, Madam President. I don't claim to add to them or to subtract from them. Here they are.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana is recognized.

Mr. COATS. Madam President, first of all, I have great respect for the Senator from West Virginia. His knowledge of the Constitution certainly is far deeper than mine is, or perhaps will ever be. And I also share his deep concern about the duplicity of this administration in terms of its dealings with Congress on the issue of Bosnia. What was assured to the Congress by the President and his designees prior to deployment in order to secure congressional support and appropriations for that deployment is far from the picture that exists today. Many of us knew that, once in, it would be tough to get out, and that a year, probably, would be far insufficient to accomplish the mission that was there, that was outlined for us. This is the reason I voted against it in the first place.

As well-intended, as humanitarian, as compassionate as the decision was to try to stop the bloodshed in Bosnia, there was no realistic means by which that nation could be reborn into a nation of multi-ethnic harmony that would at least be accomplished within that 1-year period of time, or perhaps even a decade or more. So, many of us feared that, once in, we would have trouble getting out.

I certainly agree with the Senator from West Virginia when he says that the Constitution clearly gives Congress the responsibility for providing the funds for the first person in uniform, the first ship ever built, setting limits on how many ships we build or the size of our force. The question that the Senator from Indiana was trying to raise, and still doesn't feel he has the answer to, is whether or not the power extended to the Congress extends to defining how that force, once raised, is used in defense of the Nation, in defense of our vital interests. Which is the entity, the Congress or the President as Commander in Chief, that makes the decision establishing a process by which decisions are made, through his military commanders, about utilization of the forces that are raised after the Congress appropriates the funds to raise those forces? And it goes to the specific question of whether or not we have the authority, in Congress, to set specific limits to how those troops, once raised, within that category of troops—who has the power to do that.

But let's set that aside. Let's assume that the power given to the President as Commander in Chief is nothing more than titular. It is just simply a title. It is a phrase that means nothing. It grants no power. It just simply says the President of the United States is the titular head of the Army, but there are no powers that go with the title of ''Commander,'' or the role of ''Commander''—that all powers are vested in the Congress.

Let's say that the courts interpret the Constitution to clearly mean that Congress makes decisions on how troops are deployed, where they fight, whom they fight, how they fight, how many infantry are needed, how many tanks are needed—make the military strategy decisions. It is inconceivable to this Senator that our Founding Fathers thought that would be a power delegated to the Congress, but let's assume that it was. Would we want to do that? Would we want to put ourselves in the place of a military commander, with his training and years of experience, honed through hard experience in many cases, to make a decision about how we protect those forces and how we deploy those forces? It just seems it would be perhaps the most unwise thing Congress could ever do. Who would ever want to take on that responsibility? Which one of us would want to say that, for the protection of our forces deployed overseas in a hostile environment, we should be the ones to make the determination about how many troops are necessary to protect those forces, what weapons are necessary to protect those forces, what enablers are necessary to protect those forces? I am not sure any of us would want to do that, even if we did have the power.

But that is a debate that I think we will have again. The amendment before us is not the Byrd-Hutchison amendment, which this Senator supports parts of but not all of, because I think it dictates a specific force level inappropriately and I don't think that is something that we ought to do.

But the amendment that is before us is one that I think is supported by most Members. It simply says that we want to advise the President that we don't think an indefinite troop deployment in Bosnia. We want the President to understand, the Congress is not going to continue to support that policy. But the decision that vests with us is whether or not to pay for it. That is the power given to us under the Constitution. And, to echo the words of Senator MCCAIN from Arizona, if you want the troops out of Bosnia, cut off the funds. That is our responsibility. But if you are going to appropriate the

funds, let's let the Commander in Chief and the people he designates as leaders of those troops make decisions as to how those troops are deployed and at what levels they are deployed, and not have the Congress dictate force levels.

So, I agree with the Senator from West Virginia. We ought to follow our constitutional responsibility. That constitutional responsibility is to vote on the appropriations, yea or nay. That is the honest, straight-up vote. That is the debate we ought to be having. In the meantime, we would like to send a message to the President of the United States. That is what a sense of the Congress is. The message that we would like to send to the President of the United States is: Mr. President, we are concerned that we are looking at an indefinite troop deployment at considerable cost to the taxpayer in Bosnia, and we don't see the light at the end of the tunnel. Because of that, we are just giving you a warning flag.

We are not going to continue to appropriate funds for this unless we have some idea of how we are going to get out of this morass and whether or not this is achieving the goals that have been set out.

So, therefore, we would like you, understanding that message, to begin consultations with our NATO allies and European friends and begin the process of telling them, ''You can't count on us indefinitely. We need to move toward a European force. Now, we will provide support for you, but we are not going to provide combat troops on the ground much longer. So let's move forward with this process.''

That is the amendment that is before us. I think it is a message that needs to be sent. We can have debate on whether or not Congress has the power or whether or not it is even wise for Congress to get into the specifics of how troops are used once they are there. We will have that debate at another time.

Madam President, I don't know that there is any further debate on this particular amendment. It does not mean we can't further debate on Bosnia or another amendment, but if there is no further debate on this particular amendment, we need to voice vote the McCain second-degree amendment and then have a recorded vote on the underlying amendment. I do, however, see the Senator from New Hampshire on his feet, as well as the Senator from South Carolina.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. THURMOND. Madam President, I ask unanimous consent that Senator REED from Rhode Island be added as a cosponsor to the Thurmond-Levin-Coats amendment.

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

Mr. SMITH of New Hampshire addressed the Chair.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. SMITH of New Hampshire. Madam President, just as an inquiry to the managers, I have an amendment that I would like to offer which will probably take 15 or 20 minutes for me to present at the most. I don't want to delay a vote, but it seems that we might be able to put the two votes together. We would have the voice vote on McCain, and then if I offer my amendment, we can have two votes together. Will that work for the Senator? I would at least like to debate and offer this amendment prior to the vote on your amendment.

Mr. THURMOND. Madam President, will the able Senator allow the other amendments to go forward before we take up his amendment?

Mr. SMITH of New Hampshire. My preference, I say to the Senator, is that I be allowed to debate this amendment, present it and allow——

Mr. THURMOND. After we finish this amendment.

Mr. SMITH of New Hampshire. No, I prefer to do it prior to this amendment, because it is on the same subject. It is Bosnia, and once you vote and that amendment is gone—my preference is to do it now if I can do it.

Mr. COATS. Will the Senator yield?

Mr. THURMOND. I will be glad to yield.

Mr. COATS. I say to the Senator, our vote will not preclude the Senator from offering an amendment on Bosnia. If the Senator's amendment is not a second-degree amendment to the underlying amendment, we strongly prefer to deal with our amendment as it stands and then have the Senator be recognized to offer an amendment on Bosnia.

Mr. SMITH of New Hampshire. All I am trying to do is to make it a little more convenient for Members. I was saying if I had 15 or 20 minutes to present my amendment, we can have both votes on the underlying amendment and my amendment at the same time. That is my point.

Mr. COATS. As I understand it—parliamentary inquiry—if the Senator's amendment is not a second degree, does it not require unanimous consent to set aside the underlying amendment before going to his amendment?

The PRESIDING OFFICER. The Senator is correct, unanimous consent is required.

Mr. SMITH of New Hampshire. I ask unanimous consent that the underlying amendment be set aside in order for me to offer my amendment and subsequently have a vote on both amendments.

Mr. COATS. Reserving the right to object, Madam President, and I am going to object. I don't think that is the procedure we ought to be following. I understand the Senator's desire to speak on his Bosnia amendment, and we will do that, but if an amendment is not being offered as a second degree to perfect or change or modify the underlying amendment—we have been working on this since noon. We would very much like to get to a vote. It is second degreed. We have an amendment. And on that basis, I object.

Mr. SMITH of New Hampshire. Further parliamentary inquiry. It is my understanding the tree is full with the McCain second degree; is that correct?

The PRESIDING OFFICER. The understanding of the Senator from New Hampshire is correct.

Mr. SMITH of New Hampshire. Thank you, Madam President.

Mr. THURMOND addressed the Chair.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. THURMOND. Madam President, we have been on this amendment now for hours. It is time to vote and take some action. I urge adoption of the amendment.

Mr. CLELAND addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CLELAND. Madam President, I have remarks I would like to make in general on the subject of the amendments to the defense authorization bill regarding Bosnia. It will take about 5 minutes. I ask the tolerance of the distinguished chairman, if that is permissible.

Mr. THURMOND. Madam President, I yield to the Senator to speak for 5 minutes.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. CLELAND. I thank the Chair.

Madam President, the debate on Bosnia has raised some fundamental questions regarding the conduct of our foreign policy particularly with respect to the deployment of U.S. military forces around the world. I will point out just a few of the questions that members have raised:

What is the mission of U.S. forces in Bosnia?

When can we expect to bring them home?

What should the role of the Congress be in the fulfillment of this mission?

How can we manage the cost of the Bosnia commitment in terms of dollars and the overall strain to our forces?

It is good that we debate these important issues here in the Senate today. But I feel it is important to say that I believe we should ask only one question:

SHOULD WE CONTINUE TO SUPPORT A U.S. TROOP PRESENCE IN BOSNIA?

That is a simple question. If the answer is yes, then I do not see anything we can do but to support the troops and insure that their mission is achievable.

If the answer is no, then we should bring them home today.

I support the mission. Let me take a few moments to explain why. I was very skeptical of the Bosnia mission before I was elected to the Senate. That is part of the reason why I made Bosnia one of the first places I visited on my first trip abroad as a U.S. Senator. On my journey in Bosnia, I had the opportunity to visit with our troops at Eagle Base and then at Camp Bedrock. I found them surprisingly cheerful and confident in their mission

of peace-keeping in that war-weary countryside. I'm very proud of our forces. They are paying a personal price every day in risking their lives on our behalf. They are working in a tasking and demanding environment filled with diplomatic and military minefields. All of the men and women involved in this effort are a credit to the United States and the cause of human dignity and freedom in the Balkans. I am proud of them all.

The effort in Bosnia involves the largest alliance of nations ever to coalesce against a common enemy on the continent of Europe. I applaud all the members of the alliance for their contributions to peace and stability in Bosnia, particularly the NATO members, and especially the Russians, for coming together in a unified effort to prevent further bloodshed, enhance stability and pave a pathway for peace. I hope it is a harbinger of good things to come in the next century in terms of enhanced cooperation and communications among our countries for the betterment of mankind.

It was raining during the afternoon we were in Bosnia. By the time we were preparing to leave, the rain had ceased and the sun was coming out. As we boarded our airplane, I noticed a large rainbow forming in the sky. It was impossible to avoid the symbolism and be reminded of the covenant between God and mankind after the great flood. It was a symbol of hope, I think.

Today we are in a new era. No one has quite coined the term for it. Some call it the ''New World Order,'' but I prefer to call it The Age of Democracy. What I find different and indeed magical about this new era is the fact that while it brings with it the spread of democracy and democratic principles around the world to places that have been burdened by tyranny, it is doing so not through the threat of force, but through the promise of peace. U.S. forces in Bosnia bring with them the promise of peace.

A few days after I visited Camp Bedrock, I was in Brussels. An American businessman approached me and asked me if I had ''hope'' about Bosnia. I had to reply, ''Yes.'' I have hope because I believe Europe has learned some painful lessons over the last two centuries. One of those lessons is that alliances—whether against Napoleon, Hitler or Stalin—can win. Secondly, I have hope because Americans have learned some lessons about European history as well. Particularly, I think we've learned one of the lessons about American involvement on the European continent. The lesson is this: ''Pay me now, or pay me later.'' In other words, we as a nation are involved in Europe—militarily, economically, culturally. Better to work through the European Alliance, in particular through NATO, to prevent a conflict than to risk that conflict turning into a greater confrontation or, even worse, war itself.

I do not know whether the Bosnia mission will ultimately prove to be successful, but I do believe we should try. We should not tie the hands of our troops.

In spite of my support for the Bosnia mission, however, I do not like the fact that it appears to be open-ended. I do not like the fact that it is placing a tremendous strain on our Armed Forces. I do not like the fact that we do not know when the mission will be completed. But we should have addressed these issues years ago before we ever sent our troops there. We have violated a fundamental principle about the deployment of military forces.

Clauswitz stated that in military matters you should not take the first step unless you know what your last step is going to be. Four years ago, we had no idea what our last step would be. That has led us to where we are today. Today we are deciding by amendment what our policy in Bosnia should be. You can't manage a military deployment that way.

It seems to me that we are in for a dime, in for a dollar. The question is should we stay in Bosnia, or should we leave? Once we decide to go in, we need to give our military commanders the resources and support they need to get the job done. We cannot change our mind every year with new amendments and new resolutions and new laws.

The Senate Armed Services Committee has debated this matter numerous times. We could not arrive at a consensus on the matter. The more we debated the issue, the more I became convinced that we should not do anything that would undermine the mission in Bosnia. I fear that all of the amendments that have been offered sent the wrong message to both our troops and our allies.

I was inclined to support a proposal by Senator LEVIN which would have established expedited voting procedures on the question of whether to continue authorization of funds for the Bosnia mission. I believe of all of the amendments, his is one of the better approaches. Many members of the Senate want to have a straight up or down vote on the Bosnia mission—in or out. Senator LEVIN's amendment would have provided a mechanism for that.

However, I would point that over the past 4 years, the Congress has given its consent and approval for the Bosnia mission dozens of times. The Congress has appropriated over $9.4 billion for this mission. The bottom line is that we have had the opportunity to weigh in on this matter. Enough is enough.

Now is the time to focus on ensuring that we do not allow a situation like the current situation with Bosnia to occur again. Before we get to the point of committing our service men and women, we must certainly determine if we have an appropriate military mission which can only be accomplished by military means. Once such a determination is made, we must provide our forces with sufficient resources, and clear and concise rules of engagement to get the job done.

In this day and age we must pick and choose our battles carefully. As we have learned so painfully in Vietnam, Somalia and now Bosnia, American troops cannot stay there forever. We have learned valuable lessons from these engagements and now realize that before approving funding for such missions, Congress must have a defined game plan and exit strategy. Senator SNOWE and I have offered an amendment to the defense authorization bill which would require the President to submit, along with a request for appropriations to support a military contingency involving 500 or more personnel, a strategic plan regarding the goals and objectives of the contingency and the conditions that define the success of that contingency. We needed this amendment 4 years ago when we first sent American troops into Bosnia, but we have learned from these important lessons. Congress, by approving such a plan would be in on the takeoff, as well as the landing.

Frankly, I think this is the most important amendment related to the deployment of forces in the entire bill. I am pleased that the Senate has approved it. I would only urge that we think twice before doing anything that would undermine U.S. forces after they have already been committed.

Madam President, I thank the Chair and yield the floor.

Mr. LEVIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Madam President, let me just thank the Senator from Georgia not just for his statement but also for the amendment which he and Senator SNOWE had offered in committee, which was adopted in committee. It is a very important amendment. It is based on his experience, the experience of so many others relative to the use of military force, and the importance of exercising exceeding care when that military force is utilized. And I think the Nation, again, is in his debt and Senator SNOWE's debt. I just thank him for it.

Mr. THURMOND addressed the Chair.

The PRESIDING OFFICER. The Senator from South Carolina.

AMENDMENT NO. 2977

Mr. THURMOND. I urge adoption of the McCain amendment No. 2977, which would amend the amendment offered by myself, Senator COATS, and Senator LEVIN that would require two reports on matters related to U.S. forces in Bosnia.

The PRESIDING OFFICER. Is there further debate on the amendment?

Mr. LEVIN. Madam President, I understand that Senator BIDEN might be on his way over. I suggest the absence of a quorum for just one brief moment until we can ascertain that.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Is there further debate on the McCain amendment?

Mr. THURMOND. I urge adoption of the McCain amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2977) was agreed to.

VOTE ON AMENDMENT NO. 2975, AS AMENDED

Mr. THURMOND. Madam President, I ask that we proceed to vote on the Thurmond, Levin, Coats amendment.

The PRESIDING OFFICER. The pending question is on agreeing to the Thurmond amendment, as amended.

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from New Mexico (Mr. DOMENICI) is necessarily absent.

I also announce that the Senator from Pennsylvania (Mr. SPECTER) is absent because of illness.

Mr. FORD. I announce that the Senator from Hawaii (Mr. AKAKA), the Senator from Montana (Mr. BAUCUS), and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

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

The result was announced—yeas 90, nays 5, as follows:

[Rollcall Vote No. 170 Leg.]

YEAS—90

Abraham	Ford	Lott
Allard	Frist	Lugar
Ashcroft	Glenn	Mack
Bennett	Gorton	McCain
Bingaman	Graham	McConnell
Bond	Gramm	Mikulski
Boxer	Grams	Moseley-Braun
Breaux	Grassley	Moynihan
Brownback	Gregg	Murkowski
Bryan	Hagel	Murray
Bumpers	Harkin	Nickles
Burns	Hatch	Reed
Byrd	Helms	Reid
Campbell	Hollings	Roberts
Chafee	Hutchinson	Roth
Coats	Hutchison	Santorum
Cochran	Inhofe	Sarbanes
Collins	Inouye	Sessions
Conrad	Jeffords	Shelby
Coverdell	Johnson	Smith (NH)
Craig	Kempthorne	Smith (OR)
D'Amato	Kennedy	Snowe
Daschle	Kerrey	Stevens
DeWine	Kerry	Thomas
Dorgan	Kohl	Thompson
Durbin	Kyl	Thurmond
Enzi	Landrieu	Torricelli
Faircloth	Lautenberg	Warner
Feingold	Leahy	Wellstone
Feinstein	Levin	Wyden

NAYS—5

Biden	Dodd	Robb
Cleland	Lieberman	

NOT VOTING—5

Akaka	Domenici	Specter
Baucus	Rockefeller	

The amendment (No. 2975), as amended, was agreed to.

Mr. THURMOND. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

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

The motion to lay on the table was agreed to.

Mr. SMITH of New Hampshire addressed the Chair.

The PRESIDING OFFICER. The Senator from New Hampshire.

AMENDMENT NO. 2912

(Purpose: To limit the use of funds to support the continued deployment of ground combat forces of the Armed Forces of the United States in Bosnia and Herzegovina pending a vote of Congress on the continuation of the deployment, and to require the President to submit to Congress a plan for withdrawing United States forces from Bosnia and Herzegovina if Congress does not so act by March 31, 1999)

Mr. SMITH of New Hampshire. Mr. President, I ask that my amendment No. 2912, which is at the desk, be called up.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New Hampshire (Mr. SMITH) proposes an amendment numbered 2912.

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the end of subtitle D of title X, add the following:

SEC. 1064. POLICY ON DEPLOYMENT OF UNITED STATES FORCES IN BOSNIA AND HERZEGOVINA.

(a) LIMITATION.—None of the funds authorized to be appropriated under this Act may be expended after March 31, 1999, to support the continued deployment of ground combat forces of the Armed Forces of the United States in Bosnia and Herzegovina unless, on or before such date, each House of Congress votes on passage of legislation that, if adopted, would specifically authorize the continued deployment of ground combat forces of the Armed Forces of the United States in Bosnia and Herzegovina.

(b) PLAN FOR WITHDRAWAL OF FORCES.—If legislation referred to in subsection (a) is not presented to the President on or before March 31, 1999, the President shall submit to Congress, not later than September 30, 1999, a plan that provides for the ground combat forces of the Armed Forces of the United States in Bosnia and Herzegovina to be withdrawn from Bosnia and Herzegovina in an orderly and safe manner.

(c) PROHIBITION.—

(1) USE OF FUNDS AFTER MARCH 31, 1999.—After March 31, 1999, none of the funds authorized to be appropriated by this or any other Act may be obligated or expended to support the continued deployment of United States ground combat forces in Bosnia and Herzegovina, except for the purpose of implementing the withdrawal plan.

(2) CONDITION.—The prohibition on use of funds in paragraph (1) shall not take effect if a joint resolution described in subsection (d)(1) is enacted on or before March 31, 1999.

(d) PROCEDURES FOR JOINT RESOLUTION OF APPROVAL.—

(1) CONTENT OF JOINT RESOLUTION.—For the purposes of subsection (c)(2), ''joint resolution'' means only a joint resolution that sets forth as the matter after the resolving clause only the following: ''That the continued deployment of ground combat forces of the Armed Forces of the United States in Bosnia and Herzegovina is authorized.''.

(2) REFERRAL TO COMMITTEE.—A resolution described in paragraph (1) that is introduced in the Senate shall be referred to the Committee on Armed Services of the Senate. A resolution described in paragraph (1) that is introduced in the House of Representatives shall be referred to the Committee on National Security of the House of Representatives.

(3) DISCHARGE OF COMMITTEE.—If the committee to which is referred a resolution described in paragraph (1) has not reported such resolution (or an identical resolution) at the end of 7 calendar days after its introduction, the committee shall be deemed to be discharged from further consideration of the resolution and the resolution shall be placed on the appropriate calendar of the House involved.

(4) FLOOR CONSIDERATION.—

(A) IN GENERAL.—When the committee to which a resolution is referred has reported, or has been deemed to be discharged (under paragraph (3)) from further consideration of, a resolution described in paragraph (1), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for any Member of the respective House to move to proceed to the consideration of the resolution, and all points of order against the resolution (and against consideration of the resolution) are waived. The motion is highly privileged in the House of Representatives and is privileged in the Senate and is not debatable. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the resolution is agreed to, the resolution shall remain the unfinished business of the respective House until disposed of.

(B) DEBATE.—Debate on the resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the resolution. A motion further to limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the resolution is not in order. A motion to reconsider the vote by which the resolution is agreed to or disagreed to is not in order.

(C) VOTE ON FINAL PASSAGE.—Immediately following the conclusion of the debate on a resolution described in paragraph (1), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the appropriate House, the vote on final passage of the resolution shall occur.

(D) RULINGS OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution described in paragraph (1) shall be decided without debate.

(5) COORDINATION WITH ACTION BY OTHER HOUSE.—If, before the passage by one House of a resolution of that House described in paragraph (1), that House receives from the other House a resolution described in paragraph (1), then the following procedures shall apply:

(A) The resolution of the other House shall not be referred to a committee.

(B) With respect to a resolution described in paragraph (1) of the House receiving the resolution—

(i) the procedure in that House shall be the same as if no resolution had been received from the other House; but

(ii) the vote on final passage shall be on the resolution of the other House.

(6) CONSIDERATION OF VETO.—

(A) ACTION UPON RECEIPT OF MESSAGE.—Upon receipt of a message from the President returning the joint resolution unsigned to the House of origin and setting forth his objections to the joint resolution, the House receiving the message shall immediately enter the objections at large on the journal of that House and the House shall proceed to the immediate reconsideration of the joint resolution the objections of the President to the contrary notwithstanding or of a motion to proceed to the immediate reconsideration of the joint resolution, or the joint resolution and objections shall lie on the table. Upon receipt of a message of a House transmitting the joint resolution and the objections of the President, the House receiving the message shall proceed to the immediate reconsideration of the joint resolution the objections of the President to the contrary notwithstanding or of a motion to proceed to the immediate reconsideration of the joint resolution, or the joint resolution and objections shall lie on the table. A motion to refer the joint resolution to a committee shall not be in order in either House.

(B) MOTION TO PROCEED.—After the receipt of a message by a House as described in subparagraph (A), it is at any time in order (even though a previous motion to the same effect has been disagreed to) for any Member of the respective House to move to proceed to the reconsideration of the joint resolution the objections of the President to the contrary notwithstanding. The motion is highly privileged in the House of Representatives and is a question of highest privilege in the Senate and is not debatable. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the reconsideration of the resolution is agreed to, the resolution shall remain the unfinished business of the respective House until disposed of.

(C) DEBATE.—Debate on reconsideration of the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion further to limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business is not in order. A motion to reconsider the vote by which the joint resolution is agreed to notwithstanding the objections of the President or disagreed to is not in order.

(D) VOTE ON FINAL PASSAGE.—Immediately following the conclusion of the debate on reconsideration of the resolution, and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the appropriate House, the vote on the question of passage, the objections of the President to the contrary notwithstanding, shall occur.

(7) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This subsection is enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a resolution described in paragraph (1), and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

Mr. THURMOND. Mr. President, will the able Senator allow me to get two people on the floor?

Mr. SMITH of New Hampshire. I am happy to yield.

PRIVILEGE OF THE FLOOR

Mr. THURMOND. Mr. President, I ask unanimous consent that a military fellow on assignment to my staff, Major Joann Eberle, be permitted access to the Senate Chamber during the consideration of S. 2057, the FY–1999 defense authorization bill.

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

Mr. THURMOND. Mr. President, I ask unanimous consent that Vaughn Ward, a fellow in Senator KEMPTHORNE's office, be permitted floor privileges during the consideration of the pending bill.

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

Mr. SMITH of New Hampshire. Mr. President, it is not my intention to delay the Senate. I have a very serious amendment, and I have a few moments of time and would like to outline what it is. If there is not a lot of argument on the other side, I say to my colleagues, we could have a vote in a very few minutes.

The amendment is very simple. It just limits the use of funds to support the continued deployment of ground forces of the United States in Bosnia pending a vote of Congress on the continuation of deployment, and to require the President to submit a plan for withdrawal, if the Congress does not do so by March 31.

Very simply put, Mr. President—Mr. President, may I have order.

The PRESIDING OFFICER. Will Members of the Senate who are having discussions please retire to the Cloakroom.

Mr. SMITH of New Hampshire. I thank the Chair.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. SMITH of New Hampshire. Mr. President, this amendment is very simple. It simply says that we will have a vote, that the Congress will go on record one way or the other. It doesn't say we have to vote yes. It doesn't say we have to vote no. It just simply says that we exercise our opinion so that the Congress can speak, so that we will be on record one way or the other. Leaving forces in Bosnia, taking them out, whatever that vote turns out to be, that is all this amendment does. If the President decides to keep them there after that, then so be it. But we go on record as making a statement. This does not get into some of the other issues that have been gotten into.

I would just like to briefly go back a little bit to remind Senators, because we hear a lot of talk of frustration about the Bosnia operation, about why our troops are there, how long are they going to be there, people complaining about being misled by the President or not being told the truth by the President and all this. I am hearing all of these comments and here is our chance with this amendment to be heard. It just seems to me if we vote against this amendment, I don't see any reason why we should be complaining about the operation.

I remind my colleagues of some testimony. Secretary of Defense Perry on December 1, 1995, said the following:

> We believe the mission in Bosnia can be accomplished in 1 year. So we built our plan based on that time line. And this schedule is realistic because the specific military tasks in the agreement can be completed in the first 6 months and thereafter IFOR's role will be to maintain the climate of stability that will permit civil work to go forward. We expect these civil functions will be successfully initiated in 1 year, but even if some of them are not, we must not be drawn into a posture of indefinite garrison.

Further, on December 6, 1995, Assistant Secretary of State Holbrooke said:

> The military tasks are doable within 12 months. There isn't any question. The deeper question is whether the nonmilitary functions can be done in 12 months. That is the real question. But it is not the NATO or U.S. force responsibility to do that. It is us on the civilian side working with the Europeans. It is going to be tough. Should the military stick around until every refugee has gone home, until everything else in the civilian annex has been done?

No, that is not their mission. That is what Secretary Holbrooke said.

So, Mr. President, the mission to Bosnia has very strong advocates and strong detractors. We have heard that in the debate in these past few hours. My amendment does not seek to open that discussion nor to close it. It really has nothing to do with that. It simply asks that Members of Congress at some point between now and March 31 of next year, 1999, cast a vote on the wisdom of the United States-Bosnia policy. That is all it does.

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

Mr. SMITH of New Hampshire. I will be happy to yield to the Senator from Oklahoma.

Mr. INHOFE. I would like to make a comment as to the genesis of this. I think there might be some misunderstanding. First of all, we did have a vote back in 1995. That was the resolution of disapproval. And I suggest that we only lost that by three votes. And at that time there was a guarantee it was going to be a 12-month operation, it would not exceed $1.2 billion, all of these things. So predicated on that, the vote took place.

Now we are over there, and, quite frankly, I would have preferred to have an amendment that would require a vote periodically, every 3 months or every 6 months, on approval of leaving them there, because I think that would

be much stronger. I think we need to be on record.

But all the Senator is doing is just—he is not saying this is going to be a resolution of disapproval or approval that we are voting on; it is just a vote.

Mr. SMITH of New Hampshire. That is correct. And I would just say to the Senator, I agree with him. I would like to vote for and see passed a resolution of disapproval.

Mr. INHOFE. The only thing that the Senator would accomplish, if he will yield for one last question, is the fact that would give us all an opportunity to be on record.

Mr. SMITH of New Hampshire. On record.

Mr. INHOFE. So the people would have no doubt as to who wants to ultimately get out of there.

Mr. SMITH of New Hampshire. The Senator is exactly correct. It gives us the opportunity to go on record as saying, one, let's just keep going, doing what we are doing. If you vote against the resolution, you can do that, or if you want to get out. But the point is we vote. This says that we have to have a vote by March 31 before we spend the rest of the money for the 6 months of the fiscal year 1999.

That is all it says. Now, however we vote is another issue. Then Senators go on record one way or the other—get out, stay in, either one, but they will be on record instead of all the complaining that we hear around here about the Bosnia policy. Why would anybody object? This is not asking us to vote yes. It is not asking us to vote no. It is asking us to vote, have a vote.

Mr. INHOFE. One last comment. One last question. The reason I bring this up, there are still some Senators who may be thinking this was the stronger version in which I joined the Senator. I would have preferred to have this as the stronger version, but this is not that version. This is simply that vote to which the Senator is referring.

Mr. SMITH of New Hampshire. The Senator is correct. I would have preferred the stronger version myself, but given the fact that we didn't have the votes, I decided to step back and just say, look, let's go on record. Let's have the opportunity to go on record. It doesn't require that the vote be affirmative for the money to be released, only that a vote takes place.

So to require that a vote take place and to have that vote taken seriously, my amendment uses the constitutional power that Senator BYRD spoke so eloquently of an hour or so ago of Congress to restrict funds. The amendment holds back half the money authorized for Bosnia operations next year until a vote is held—not a vote to leave them there, not a vote to take them out—a vote on a resolution authorizing continued deployment of U.S. ground combat forces to Bosnia. If it fails, the only result is that the President is required to tell us how and when he intends to withdraw. The money is still released.

The purpose is simple and straightforward. It is to use a small amount of leverage, half of next year's money, to force Congress to express itself—that is all, to express itself—clearly on the Bosnia mission. The resolution may pass, it may fail, but at least Congress will have expressed itself.

As the Senator from West Virginia has said so eloquently a while ago, why would Congress want to step away from its constitutional responsibilities if it doesn't tell the President what to do? It doesn't restrict the President. It doesn't get into troop strength. It doesn't get into deployment. It doesn't get into any of that. It just simply says Congress will have a vote.

Let me just say this. Before we have a vote on this amendment, I would say to my colleagues that our constituents elected us to represent them. How can we represent them if we are afraid to just express ourselves on the Senate floor one way or the other? They expect us to stand and be counted on major foreign policy issues, and I can't think of any excuse that we would give our constituents that would justify refusing to even have a vote on the resolution on Bosnia.

So I would urge my colleagues to accept some responsibility for United States-Bosnia policy, stand up and be counted and to pass the amendment.

Let me be a little more specific, in summary, as to what the amendment does. It is going to withhold half of next year's funding for Bosnia until Congress votes on the issue. It doesn't require that the mission be approved, just that the vote is one way or the other. The purpose is to honor the very strong arguments and strong feelings on both sides of the issue—both sides of the issue—by requiring the debate and a vote. I hope my colleagues understand this amendment because I think there have been some expressions of misunderstanding.

As the Senator from West Virginia so eloquently said awhile back, the only leverage that Congress has is funding. That is our leverage. I think to use it in this manner is to use it responsibly. Unless we place some restriction on it, there will be no pressure to debate anything and no pressure to vote on anything, and the debate itself will not, in my view, ever be taken seriously. You know: sense of the Senate, sense of the House—these resolutions, they don't mean anything.

So, to try to get in the middle here so we can get some common ground, just to have a vote rather than go one way or the other, is my goal. I do not think that is asking that much, that the American people, through their elected representatives, declare either their support for or opposition to this.

Don't you think your constituents are entitled to know how you feel, on the record, not in some speech where it is easy to say something and then walk it back a little later, but on the record with a vote? I don't think that is unreasonable. I think it is in everyone's interests to have this vote. I have been trying to offer this amendment for a long, long time. I have been put off on certain other vehicles because it was not the appropriate place to do it, they said. I don't know what the appropriate place is.

I remember, as some of my colleagues will who are here on the floor with me, I remember similar debates on the floor of the Senate and the House of Representatives while people were dying every day in Vietnam. While those men and women were honorably serving their country, the debate raged on and nobody had the guts to do one thing or the other, either win the war or get out. I am not saying this is Vietnam, yet. But we do have a situation here where I believe Congress should go on record.

I happen to be a critic of the mission. I agree with Senator INHOFE and I supported Senator INHOFE in his mission here, if you will, to end the deployment. But that is not what I am trying to do here. If the Senators on both sides cannot force themselves to vote, take a public position, then I don't understand how they can continue to talk about it and complain about it and attack the President and say: ''Oh, the President's going to do this,'' or, ''We might get stuck in Bosnia,'' or, ''We ought to do this,'' or, ''We ought to do that.'' Here is your chance to say, one way or the other. I want to have a vote. That is all it says. No more complaining about costs. No more second-guessing the President. Just stand up and be counted. Yes, we will have a vote, and when we take that vote, we can decide one way or the other what we want to do.

I think I have made the case on this amendment. It uses funding leverage. It is an appropriate congressional tool. It does not micromanage the executive branch, as some people have expressed a lot of concern about. It does not do that. It doesn't tell the President how to conduct his operations. But it does say that we ought to have a vote, and I think it calls for a future vote. Don't wait until next year or the year after; let's have the vote. Let's let the American people know how we feel.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I rise to oppose the amendment offered by my friend and colleague from New Hampshire. If I may respond in one sense directly to what the proponent of the amendment said about going on record, I want to make very clear that I oppose the amendment because I feel that America's involvement in the implementation force and in the stabilization force has been critically important to the return of peace to that region, has been critically important to American prestige and credibility militarily in the world, and has been

critically important to the stature and force of NATO. That is about as unambivalently as I can express it.

I think American involvement in Bosnia has been a remarkably successful involvement at a time when it was very important to draw a line in Europe against aggression, against genocide, and to indicate—more than indicate, to make very clear at the end of the cold war that we were not going to stand idly by, that NATO was not going to stand back, idly by, and allow the disintegration of sections of Europe that could have led to a wider war.

So I am unambivalently proud of the involvement that has occurred there, am supportive of it, and do not want to send any mixed messages. I want to oppose the Senate sending any mixed messages to our allies, to those who were previous combatants in the war in Bosnia—indeed, and most important, to our own troops there—not to send any mixed messages to any of them about the support of the Congress of the United States for the mission that our troops are performing there.

Looking back to the early 1990s when this conflict broke out, it was my honor to work alongside the former majority leader, Senator Dole, first trying to urge an end to the arms embargo on the Bosnians who were being slaughtered and were the victims of genocide, and then to urge the United States to lead NATO into doing something to stop this conflict.

We have been involved in three wars in Europe in this century, two world wars and one long, costly, dangerous cold war. It seemed to many of us that the lessons from those conflicts were to act as early as possible to contain just the kind of conflict that was occurring in Bosnia from spreading. And we battled, Senator Dole and I and others in both parties—battled the administration, first the Bush administration and then more directly, as the conflict in Bosnia became more desperate, the Clinton administration, to get involved, to exercise leadership, to be at least fair with the Bosnians and give them arms.

Finally, the resolution to lift the arms embargo did pass in the early part of 1995, here, with bipartisan support. There was a significant Croatian offensive on the ground, which was making headway, which contributed to a changing strategic situation on the ground. And Srebrenica fell, with a disastrous loss of life which was exposed to the world. And then there were airstrikes on Serbian positions. The fear that we had was that this was an indomitable force, one that we could not stop. There were recollections of the futile attempts by the Nazis to suppress the Serbs. In this case, the power of NATO from the air had the effect of bringing the combatants to the peace table in Dayton, the State of the Presiding Officer, where a historic peace agreement was signed.

This implementation force, followed by the stabilization force, in which the United States contributed troops, has been critical to implementing that Dayton agreement. Our presence there has always been less than half. The majority of the effort has been provided by our European allies and others. And, as success has been attained, the number of troops has been scaled down again. And yet it goes down again—now, I believe, below 7,000, I think maybe closer to 6,500. As a result of the effort of these troops in IFOR and then followed on by SFOR, the conflict has ended, hostilities have ended, and there is a slow, steady implementation of the Dayton peace agreement, the military and the civilian components of that. IFOR and SFOR have been charged with carrying out that agreement.

The economy is up and beginning to flourish again. Elections have been held; common institutions are beginning to be developed. In the Serbian Republic, Srspka, an extraordinary turn of events has occurred as a result of, first and most important, I think, the desire of the Bosnian Serbs to have new leadership, not the leadership of indicted war criminals like Karadzic and Mladic, but to see new leadership. But that was assisted by some very aggressive, determined involvement by the SFOR, particularly by American leadership leading up right to the Supreme Allied Commander in Europe, General Wesley Clark, who has performed, in my opinion, with extraordinary skill and effectiveness in this arena of, first combat, and now peacemaking, followed by some very effective involvement by Ambassador Bob Gelbard in the political situation in Srspka, resulting in new leadership: President Plavsic now, Prime Minister Dodik, proud Serbian nationalists, but committed to the Dayton peace accord.

The progress goes on. Benchmarks have been provided, civilian benchmarks have been provided to us by the administration to determine progress as we go along, all of it leading to a hopeful withdrawal and an end date.

Mr. President, along the way, some mistakes have been made. The Senator from New Hampshire mentioned them; others have as well. As part of the earlier involvement, there were those in the administration who offered deadlines for withdrawal of American forces. I presume that some measure of the motivation for doing that was to reassure Congress that this involvement would be limited. But those deadlines were always, in my opinion, a mistake. They were a mistake because why would one want to state a date by which one would withdraw from an uncertain situation?

Traditional policy would be in a conflict or in a peacemaking situation, one withdraws when one achieves the goals of the involvement. So the deadline was always a mistake.

It was a mistake in another sense because it would send a message to those hostile to our involvement there in the first place, who want to reignite the conflict, that there is a date on which we are getting out. They could lay back and wait until NATO forces, IFOR and SFOR, including the U.S. leadership, left.

I feel that the proposal here for a vote and the more indirect references in the amendment that was just voted on for withdrawal, head back in the direction of the setting of deadlines, and they have some of the same deficiencies that I think were part of the deadline which the administration set, which most all of us in the Senate condemned and see now as a mistake.

My own feeling is that we are on the right course in Bosnia; that this is all moving in the right direction, both in terms of implementation of the Dayton accords and scaling back the number of American personnel who are there on the ground. I think if we now enter and say we are going to have a vote on whether to go forward, and if we don't vote to do so, in the middle of the next fiscal year, March 31, 1999, that we will withdraw, that puts a cloud over our involvement.

Mr. SMITH of New Hampshire. Will the Senator yield for a question?

Mr. LIEBERMAN. Yes, I will be glad to yield to my colleague.

Mr. SMITH of New Hampshire. With all due respect, the Senator misunderstands my amendment, because that is not what my amendment does. You just articulated the policy that you supported. Even if your side would lose in the debate that we would have in Congress—let's say we have the debate. If your side lost, the money would still be released. If my side loses —I happen to favor withdrawal—if I lost, the money would still be released.

All my amendment calls for is a vote. It doesn't say that if we vote to get out on March 31 that the money is not released. The money is still released.

This is on the Senator's time. He has been very generous. The only conclusion I can draw is the Senator just doesn't want a vote in the Congress at all.

Mr. LEVIN. Will the Senator yield?

Mr. LIEBERMAN. Yes, I yield to the Senator from Michigan.

Mr. LEVIN. Mr. President, are we under any time limits?

The PRESIDING OFFICER. There are no limitations.

Mr. LEVIN. I wonder if the Senator will yield to me. Is it not true, I ask the Senator from Connecticut and the Senator from New Hampshire, obviously, as well, that the amendment says the following in paragraph (c)(1) that ''after March 31, 1999, none of the funds''—none of the funds appropriated or authorized here or anywhere else can be used ''to support the continued deployment of United States ground combat forces in Bosnia * * * except for'' withdrawal. Is that not your amendment?

I guess since the Senator from Connecticut has the floor, let me ask the Senator from Connecticut, is that not the amendment before you.

Mr. LIEBERMAN. If I may say to the Senator from Michigan, that is exactly

the understanding of the impact of the amendment offered by the Senator from New Hampshire, which is that if there was a negative vote by March 31 of next year on our American involvement in Bosnia, that the only thing funds would be available for would be to withdraw our personnel.

Mr. SMITH of New Hampshire. If I can respond to the Senator, I need to see if we are looking at the same draft, because that is not my intention, and if that is in the draft, I will amend that to change that because that is not the intention of the Senator's amendment. I yield back to the Senator his time and let me take a look at the draft.

Mr. LIEBERMAN. Fine, Mr. President. The statement Senator LEVIN made was exactly my understanding and was what I saw in the draft. The direct effect of a negative vote next March would be to terminate funding of our operations except to withdraw. I await clarification on that, but I must say again, because I support this involvement, I support the command overseeing it, and I support the soldiers in the field, I don't want to set a date down for this kind of vote on our involvement in Bosnia.

For those who are against it, they always have the option to try to eliminate funding for it through the appropriations process. I think to state a date by which we are going to vote next year on whether to remain involved in Bosnia or not hangs a sword of uncertainty in this case over the entire operation, over the American troops that are there, over our NATO allies who have said they will leave when we leave: ''We went in together, we are going out together.'' That is what I have heard them say over and over again. Again, it raises the prospect in the minds and hearts of those who are waiting to resume this conflict that they may well have the opportunity come next spring, because the U.S. Senate may vote to terminate this involvement.

I do want to say about our troops there, I have had the occasion to be there now three times in the last year, as it happens: once last July in a delegation headed by Senator LOTT, and the distinguished occupant of the Chair was with us; once in December, right before Christmas, when we went over with President Clinton to visit the troops; and then again in February when I went with a delegation headed by Senator MCCAIN.

One thing that struck me was the very high morale of American troops that are part of this peacemaking mission in Bosnia. I have had the opportunity as a member of the Armed Services Committee—the honor, really—to visit American soldiers in the field around the world. I must tell you that I have never met a group of American soldiers who had a better, clearer, more positive feeling about why they were somewhere around the world.

It struck me as particularly interesting and encouraging, because right now they are not involved, certainly not involved in active combat. They are active, they are peacemaking, they are patrolling, but they are involved in a lot of civilian activity. They understand why they are there.

One of them said to me that once a month, he went into an orphanage, somewhere around Sarajevo, as some of the troops there do, and visited some children who were orphans as a result of the war in Bosnia. He said, ''You know, when I go there, I understand why we are here. We are here to stop more children on all sides from becoming orphans; to keep people alive and to help this country to rebuild itself.''

And I fear that any of these amendments we pass here that incline toward withdrawal or state the necessity for a vote on withdrawal by a date certain puts a cloud over the mission of our personnel in Bosnia and runs the risk of diminishing the morale, understandably, of our troops there as well as those who have led them so ably.

I do want to take just a moment, Mr. President, to explain, consistent with what I have said here, why I voted against the previous amendment offered by Senator THURMOND and Senator LEVIN, a worthy attempt to achieve consensus, and in fact it did achieve consensus since the vote was 90–5 on it. It was not an easy vote to vote against, to be one of the five.

But I was concerned about it because on page 3, beginning in paragraph (2), it does say that:

> The President should work with NATO allies and other nations * * * participating in the NATO-led Stabilization Force to withdraw United States ground combat forces from Bosnia and Herzegovina within a reasonable period of time, consistent with the safety of those forces and the accomplishment of the Stabilization Force's military tasks.

Well, it is not a direct withdrawal. It does condition it on the accomplishment of the stabilization force's military tasks, but, to me, it inclines toward withdrawal as a matter of policy. Because I am so proud of what has been accomplished as a result of the stabilization force that we have led, and because I am so committed to a withdrawal that occurs consistent with the achievement of the goals, the benchmarks that the administration and NATO have set down for this mission, I was troubled by that paragraph as well as the succeeding paragraphs which suggest the possibility that there might be a need for continued military presence there but that we should consider that it be a NATO-led force without the participation of U.S. ground combat forces.

I think once we begin to do that, once we begin to separate ourselves from NATO, we begin to diminish the unity of that greatest military alliance in history and we begin to diminish our leadership of NATO. And I do not think any one of those is in our national security interest. The fact also is, as I mentioned briefly a moment ago, our NATO allies—the Brits, the French, Germans—all of them have said, ''We went in together. We're going out together. So when the United States departs from Bosnia, we're all leaving.''

So on a practical ground, I do not think we have that option. I think the option is to hang in there together, continue what has been a remarkably successful mission, and we can see the end in sight. But let us not force it. Let us let it come naturally as we achieve the benchmarks.

So that is why I voted against the previous amendment No. 2975, and all the more so for the current amendment, because it puts us on a course to vote on withdrawal and sends a mixed signal.

One of my favorite expressions from the Bible in cases such as this is—I am not going to quote exactly—''If the sound of the trumpet be uncertain, who will follow into battle?'' ''If the sound of the trumpet be uncertain, who will follow into battle?'' And I fear here that the sound from these amendments is uncertain and the effect will be to diminish the morale, the effectiveness, of the remarkably effective high-morale mission that American troops have carried out as part of IFOR and SFOR in Bosnia.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. Is there further debate on the amendment?

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. If there is no further debate at this time, I was going to note the absence of a quorum because I do have some things I want to say about the amendment, but I want to get the amendment straightened out.

Mr. SMITH of New Hampshire. I say to my colleague, I have a modification, and I will have it ready in a moment. So I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. FEINGOLD. Mr. President, in light of the fact that the managers are working out an agreement on the amendment, I am wondering if I could simply address the bill itself for just a few moments.

Mr. President, I come to the floor today to register my opposition to the fiscal year 1999 Department of Defense Authorization Act. I have numerous concerns with the bill, especially the continued spending of billions of dollars on wasteful and unnecessary programs.

In a time when we are cutting programs and fighting for a truly balanced budget, we cannot really afford to insulate any department of our Government from scrutiny as we seek to reduce the Federal debt.

I think it is very ironic that programs like health care for veterans and social services were put on the chopping block to offset increased funding for our highways and transit systems but we did not have an attempt to use defense spending for transportation. It was not even considered.

The message we are clearly sending is that roads and overpriced weapons systems are more important than the people who are actually living in this country: We will give you roads and planes, but we will have to take away your health care and programs that serve ordinary human needs.

Mr. President, there are a number of provisions in the DOD bill that I oppose and I will continue to oppose. One is the subject of some of the discussion we have been having this afternoon. And that is the $1.9 billion ''emergency'' supplemental appropriations recently passed by the Congress.

The Congress has never developed firm rules on how we should define an emergency. Everybody assumes, I guess, that we will use common sense when deciding when to grant special emergency treatment to certain expenditures. And of course common sense tells us that things like floods and tornadoes clearly are unanticipated emergencies.

In my view, however, the mission in Bosnia is not. It is a substantial, long-term commitment. It is something the United States has, for better or worse, decided to do for quite a long term. If events there take an unexpected turn for the worse, of course, we could have some kind of emergency on our hands, but as we stand here today and debate this bill, the Bosnia situation is not really something you can call an emergency.

The line items in the law—military personnel, operations and maintenance, and contingency funds—are really standard military costs that would be part of any military mission. United States troops have been on the ground in Bosnia for more than 2 years. The change in designation from IFOR to SFOR was made more than a year ago and is scheduled to continue through June of this year. Then, last December, the President announced he would forgo imposing a deadline altogether and opted instead for a policy of benchmarks whose definitions remain open to interpretation.

Mr. President, how can Congress and the President possibly profess to the American people that the additional costs for the Bosnia mission constitute an emergency? On the contrary, it has been quite clear for a while now that the cost of this mission would rise continuously and substantially. And I would say, to me at least, that was really clear from the start. This was never going to be a temporary emergency situation.

Ironically, congressional appropriators and our military leaders have planned for many months, Mr. President, on obtaining these funds in this emergency spending bill. So that invites my next question: What are these funds doing in the bill? I just do not think you can equate the long-anticipated needs of the operation in Bosnia with the urgent, unexpected needs of the farmers in California or homeowners in Florida who have been devastated by natural disaster.

Another matter, Mr. President, in the bill, that concerns me is that $3.3 billion authorized for the Navy's F/A–18E/F Super Hornet program. It is no secret that I have some questions about this program. But I am also troubled by the activities of the Pentagon and the Navy in moving the Super Hornet airplane forward. And my concerns are not addressed in the least in this bill.

The current Hornet program has proven reliable and cost effective. Why do we want to replace the Hornet with a bloated, cost-prohibitive aircraft that offers only marginally greater benefits over the current reliable fighter?

Third, I am concerned that the DOD authorization bill shortchanges our National Guard by at least $594 million. The National Guard is an immense source of pride throughout the country, and especially in my State of Wisconsin. As I travel across the State, I frequently have the privilege of meeting the men and women who compose the Wisconsin Guard, and I have been very impressed with the tremendous degree of professionalism and proficiency with which they complete a wide range of missions.

They are well-trained, dedicated, professional soldiers who earn rave reviews from the Governor's office, down to the villages and municipalities who often are the principal beneficiaries in regard to assistance.

Since I arrived in the U.S. Senate more than 5 years ago, my driving objective has been to reduce the Federal deficit and achieve a balanced budget. We have made great progress in that regard. While we continue to run a deficit while using the Social Security trust fund to mask the deficit, we have almost overcome the hangover of our 1980 spending binge.

A large part of that success has been due to the willingness of both the Congress and the President to do more with less, to trim excessive spending wherever possible, and maintain important services but with fewer resources. And we have succeeded in almost every area of government to do this—in education, in health care, in veterans' care, in welfare benefits, and in environmental programs. We have succeeded virtually everywhere, except defense spending, where we continue to build destroyers the Navy does not ask for and we continue to build bombers the Air Force does not want.

Balancing the budget, as you well know, is about making difficult choices. Sure, the Navy would rather have a Super Hornet, and if we were in a radically different budgetary position I could possibly support giving them 300 of those airplanes instead of the 30 they are receiving in this legislation. But can we afford 30 of these new tactical fighters when a more affordable and equally effective alternative aircraft is readily available? How that question is answered is the difference, that is the difference between fiscal excess and fiscal responsibility.

So we have to make smart choices. A truly balanced Federal budget is almost, unbelievably, in sight for the first time in three decades. But we are not going to be able to get the balanced budget or maintain a balanced budget, let alone starting to bring down the Federal debt and protect Social Security, so long as we continue to commit to programs and force structures that are so blatantly unaffordable. We must continue to fight for further spending reductions until we achieve the most effective and cost-efficient military which serves our national security interests.

I thank the Chair.

The PRESIDING OFFICER. Mr. SMITH of New Hampshire.

AMENDMENT NO. 2912, AS MODIFIED

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent it be in order for me to modify my amendment with the text that I now send to the desk.

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

The amendment (No. 2912), as modified, is as follows:

At the end of subtitle D of title X, add the following:

SEC. 1064. POLICY ON DEPLOYMENT OF UNITED STATES FORCES IN BOSNIA AND HERZEGOVINA.

(a) LIMITATION.—None of the funds authorized to be appropriated under this Act may be expended after March 31, 1999, to support the continued deployment of ground combat forces of the Armed Forces of the United States in Bosnia and Herzegovina unless, on or before such date, each House of Congress votes on passage of legislation that, if adopted, would specifically authorize the continued deployment of ground combat forces of the Armed Forces of the United States in Bosnia and Herzegovina.

(b) PLAN FOR WITHDRAWAL OF FORCES.—If legislation referred to in subsection (a) is not presented to the President on or before March 31, 1999, the President shall submit to Congress, not later than September 30, 1999, a plan that provides for the ground combat forces of the Armed Forces of the United States in Bosnia and Herzegovina to be withdrawn from Bosnia and Herzegovina in an orderly and safe manner.

(c) PROHIBITION.—

(1) USE OF FUNDS AFTER MARCH 31, 1999.—After March 31, 1999, none of the funds authorized to be appropriated by this or any other Act may be obligated or expended to support the continued deployment of United States ground combat forces in Bosnia and Herzegovina, except for the purpose of implementing the withdrawal plan.

(2) CONDITION.—The prohibition on use of funds in paragraph (1) shall not take effect if a joint resolution described in subsection (d)(1) is acted upon on or before March 31, 1999.

(d) PROCEDURES FOR JOINT RESOLUTION OF APPROVAL.—

(1) CONTENT OF JOINT RESOLUTION.—For the purposes of subsection (c)(2), ''joint resolution'' means only a joint resolution that sets

forth as the matter after the resolving clause only the following: ''That the continued deployment of ground combat forces of the Armed Forces of the United States in Bosnia and Herzegovina is authorized.''.

(2) REFERRAL TO COMMITTEE.—A resolution described in paragraph (1) that is introduced in the Senate shall be referred to the Committee on Armed Services of the Senate. A resolution described in paragraph (1) that is introduced in the House of Representatives shall be referred to the Committee on National Security of the House of Representatives.

(3) DISCHARGE OF COMMITTEE.—If the committee to which is referred a resolution described in paragraph (1) has not reported such resolution (or an identical resolution) at the end of 7 calendar days after its introduction, the committee shall be deemed to be discharged from further consideration of the resolution and the resolution shall be placed on the appropriate calendar of the House involved.

(4) FLOOR CONSIDERATION.—

(A) IN GENERAL.—When the committee to which a resolution is referred has reported, or has been deemed to be discharged (under paragraph (3)) from further consideration of, a resolution described in paragraph (1), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for any Member of the respective House to move to proceed to the consideration of the resolution, and all points of order against the resolution (and against consideration of the resolution) are waived. The motion is highly privileged in the House of Representatives and is privileged in the Senate and is not debatable. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the resolution is agreed to, the resolution shall remain the unfinished business of the respective House until disposed of.

(B) DEBATE.—Debate on the resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the resolution. A motion further to limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the resolution is not in order. A motion to reconsider the vote by which the resolution is agreed to or disagreed to is not in order.

(C) VOTE ON FINAL PASSAGE.—Immediately following the conclusion of the debate on a resolution described in paragraph (1), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the appropriate House, the vote on final passage of the resolution shall occur.

(D) RULINGS OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution described in paragraph (1) shall be decided without debate.

(5) COORDINATION WITH ACTION BY OTHER HOUSE.—If, before the passage by one House of a resolution of that House described in paragraph (1), that House receives from the other House a resolution described in paragraph (1), then the following procedures shall apply:

(A) The resolution of the other House shall not be referred to a committee.

(B) With respect to a resolution described in paragraph (1) of the House receiving the resolution—

(i) the procedure in that House shall be the same as if no resolution had been received from the other House; but

(ii) the vote on final passage shall be on the resolution of the other House.

(6) CONSIDERATION OF VETO.—

(A) ACTION UPON RECEIPT OF MESSAGE.—Upon receipt of a message from the President returning the joint resolution unsigned to the House of origin and setting forth his objections to the joint resolution, the House receiving the message shall immediately enter the objections at large on the journal of that House and the House shall proceed to the immediate reconsideration of the joint resolution the objections of the President to the contrary notwithstanding or of a motion to proceed to the immediate reconsideration of the joint resolution, or the joint resolution and objections shall lie on the table. Upon receipt of a message of a House transmitting the joint resolution and the objections of the President, the House receiving the message shall proceed to the immediate reconsideration of the joint resolution the objections of the President to the contrary notwithstanding or of a motion to proceed to the immediate reconsideration of the joint resolution, or the joint resolution and objections shall lie on the table. A motion to refer the joint resolution to a committee shall not be in order in either House.

(B) MOTION TO PROCEED.—After the receipt of a message by a House as described in subparagraph (A), it is at any time in order (even though a previous motion to the same effect has been disagreed to) for any Member of the respective House to move to proceed to the reconsideration of the joint resolution the objections of the President to the contrary notwithstanding. The motion is highly privileged in the House of Representatives and is a question of highest privilege in the Senate and is not debatable. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the reconsideration of the resolution is agreed to, the resolution shall remain the unfinished business of the respective House until disposed of.

(C) DEBATE.—Debate on reconsideration of the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion further to limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business is not in order. A motion to reconsider the vote by which the joint resolution is agreed to notwithstanding the objections of the President or disagreed to is not in order.

(D) VOTE ON FINAL PASSAGE.—Immediately following the conclusion of the debate on reconsideration of the resolution, and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the appropriate House, the vote on the question of passage, the objections of the President to the contrary notwithstanding, shall occur.

(7) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This subsection is enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a resolution described in paragraph (1), and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

Mr. LEVIN. Mr. President, I take 1 minute because I understand the Senator from Arizona now is here to move to table.

This amendment, I believe, is seriously flawed. What it will do is keep our troops nervous and our commanders nervous, because if there is not a vote that occurs on March 31 next year, then no funds can be spent to support our troops.

So it really is the worst of all worlds. It attempts to guarantee there will be a vote. Of course, you never can tell what efforts will be made to thwart that. What this amendment says, if there is no vote by a certain date, the funding is cut, the troops must be withdrawn, the troops will not be supported—if there is no vote.

That is a ''keep the troops and commanders nervous'' approach. I think it is a terrible mistake. I hope our last vote, which was overwhelming in this body, will be considered the view of this Senate.

Mr. McCAIN. Mr. President, I make one remark before I move to table. We will be taking up the Department of Defense appropriations bill after this. I recommended that the Senator from New Hampshire propose a simple amendment which would cut off funding for further operations in Bosnia. That is a right, as part of our role as advice and consent—keeping with an earlier debate that we had—to somehow draw down and set troop levels in Bosnia.

Therefore, since among other things I am opposed to the amendment in principle, but also there is a parliamentary standpoint, I think it would be much more appropriate to propose an amendment on the Department of Defense appropriations bill that would give us all a chance to be on record as to whether we support funding or not.

I now move to table the Smith amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER (Ms. SNOWE). The question is on agreeing to the motion to table the amendment offered by the Senator from New Hampshire, Senator SMITH.

The yeas and nays have been ordered.

The clerk will call the roll.

The bill clerk called the roll.

Mr. NICKLES. I announce that the Senator from Pennsylvania (Mr. SPECTER), is absent because of illness.

Mr. FORD. I announce that the Senator from Hawaii (Mr. AKAKA), the Senator from Montana (Mr. BAUCUS), and

the Senator from West Virginia (Mr. ROCKEFELLER), are necessarily absent.

The result was announced—yeas 65, nays 31, as follows:

[Rollcall Vote No. 171 Leg.]

YEAS—65

Abraham	Dorgan	Lieberman
Bennett	Enzi	Lugar
Biden	Feinstein	Mack
Bingaman	Ford	McCain
Boxer	Glenn	McConnell
Breaux	Gorton	Mikulski
Bryan	Graham	Moseley-Braun
Bumpers	Hagel	Moynihan
Byrd	Harkin	Murkowski
Campbell	Hollings	Murray
Chafee	Inouye	Reed
Cleland	Jeffords	Reid
Coats	Johnson	Robb
Cochran	Kennedy	Roth
Collins	Kerrey	Sarbanes
Conrad	Kerry	Shelby
Coverdell	Kohl	Stevens
D'Amato	Kyl	Thurmond
Daschle	Landrieu	Torricelli
DeWine	Lautenberg	Wellstone
Dodd	Leahy	Wyden
Domenici	Levin	

NAYS—31

Allard	Grams	Roberts
Ashcroft	Grassley	Santorum
Bond	Gregg	Sessions
Brownback	Hatch	Smith (NH)
Burns	Helms	Smith (OR)
Craig	Hutchinson	Snowe
Durbin	Hutchison	Thomas
Faircloth	Inhofe	Thompson
Feingold	Kempthorne	Warner
Frist	Lott	
Gramm	Nickles	

NOT VOTING—4

Akaka	Rockefeller
Baucus	Specter

The motion to lay on the table the amendment (No. 2912), as modified, was agreed to.

Mr. THURMOND. Madam President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. KEMPTHORNE addressed the Chair.

The PRESIDING OFFICER. The Senator from Idaho.

AMENDMENT NO. 2892

(Purpose: To provide a substitute for title XXIX, relating to the Juniper Butte Range, Idaho)

Mr. KEMPTHORNE. Madam President, I would call up amendment No. 2892 and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Idaho [Mr. KEMPTHORNE] proposes an amendment numbered 2892.

Mr. KEMPTHORNE. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is printed in today's RECORD under ''Amendments Submitted.''

Mr. KEMPTHORNE. Madam President, in the defense bill we have language dealing with land withdrawal. This is a project that the Air Force has been working on for some years. The language that I have now proposed to the Senate is the perfecting language which has been provided to us.

Madam President, this concerns the 366th Composite Wing which is bedded down at Mountain Home Air Force Base in Idaho. This is a composite wing that consists of F–15s, F–16s, B–1 bombers, and C–135 tankers. This allows them to train as they fight. This is one of our rapid deployment Air Force units that would be called to respond anywhere in the world where we may have a terrible situation.

The current range that we have in place, there is only one direction—that is from the south—from which you can access that range. That worked when this was not a composite wing, but now that you have all of these different aircraft there, they need to have much greater ability for training purposes. This would allow us to maximize training for this situation.

After many, many months of a process, I will tell you that this is something that has been a high priority for the White House, for the Air Force, for the Department of the Interior, for BLM, for the Governor of the State of Idaho, and for the Idaho delegation.

With regard to the process, Madam President, this is a process that has taken 2½ years to get us to this point—2½ years. During those 2½ years, 16 different public hearings were held in three different States. Over 400 witnesses testified as to their thoughts, either pro or con, mitigations they would suggest. Over 1,000 different comments were recorded.

This is the Environmental Impact Statement that is the result of 2½ years of effort, three volumes. Included in the first volume is the reference that ''The final EIS has been prepared in accordance with the National Environmental Policy Act,'' or NEPA. So, again, this is a process that has been in place, that has followed all of the guidelines. And really I think the Air Force and the Department of the Interior are to be commended for the process which they have utilized, and really the mitigations that have been put into place are some of the most significant the Air Force has ever had. Also, the Air Force had no less than 25 meetings with tribal representatives of the Shoshone-Paiute tribe. Their reservation is Duck Valley.

The particular site that was chosen, Madam President, 12,000 acres, is currently under ownership by the Bureau of Land Management. When we talk about land withdrawal, who are we withdrawing it from and who becomes its new landlord? Well, currently, because it is BLM, it is Federal land. It will remain Federal land. It is being withdrawn from the BLM to be put under the stewardship of the U.S. Air Force.

I would like to give you a sense of what this issue is about. In this particular area of the State, these are what are called the Owyhee Canyonlands. As you see, they are beautiful. You can see the streams going through there.

Currently, in this area, we have the Mountain Home Air Force Base, and under existing regulation those aircraft can fly at 100 feet above the canyon rim or 100 feet above ground level 365 days out of the year. With this proposal that is before the Senate, in this legislation that changes. For 3 months out of the year—April, May and June—those aircraft, instead of flying at 100 feet above the canyon rim, if they fly parallel to the canyon, would be at 5,000 feet, and that is 1 mile from the canyon either side. If they fly perpendicular, across the canyon, they would be at 1,000 feet—significant improvements. Also, during those months they would only fly Tuesday, Wednesday and Thursday—not 7 days a week. So for recreationalists, this is a real advantage that is gained by them.

Now, when we talk about 12,000 acres, is it this same sort of beautiful landscape as we see here? Let me show you.

This is a picture of the 12,000 acres. As you can see, it is sparse. It is flat. This is where for 100 years they have been grazing cattle. Folks out there work hard to make a living on this land. But this is the picture of the 12,000 acres that are out there now.

Also, when I mentioned the Shoshone-Paiute tribes, one of the things that was asked of our Native Americans—and this is the Duck Valley Reservation, which is in this southwest corner of the State of Idaho, and also in Nevada—but we asked them what areas of concern they would have, what geographic areas of concern that they would have for some of their sacred areas. They drew this line and said, anything in here we would certainly prefer that you not have this training facility in. And, therefore, Juniper Butte, which is the land in question, is right here. As you can see, it is a great deal outside the area of concern of the Native Americans.

The funds for the improvements and for land acquisition for this project have been provided by President Clinton in his defense bill that is before us. It is included in the Department of Defense authorization bill, so it is very logical and consistent for us to deal with this project in the same legislation that has the funding for this project. That is what is before us at this point.

The result of this is that there will be: A new, no-live-ordnance, 12,000-acre training range using land that has been grazed for over 100 years; the most extensive mitigation program in the history of the Air Force; new seasonal overflight restrictions of the canyons for recreationalists and sheep; an Air Force commitment to provide $430,000 over 4 years to monitor impacts on bighorn sheep and sage grouse; avoidance of the entire sacred site area identified by the Shoshone-Paiute Tribes at the start of the process and protection of

existing sacred sites; Air Force agreement with ranching operation impacted by land withdrawal. The Juniper Butte Range is supported by letters from Defense Secretary Bill Cohen, Interior Secretary Bruce Babbitt, and Air Force Secretary—Acting Secretary Whitten Peters, and Idaho Governor Batt.

The Air Force, from the outset, said if, in the area that they ultimately chose as the approved site for this training range, there were people who might be adversely impacted, that the Air Force would compensate. This agreement would allow for compensation to be a result of the agreement negotiated between the Air Force and, in this case, a ranching family. We have a rancher who, for years, has been grazing his cattle on these 12,000 acres and has made a great many improvements with regard to the water lines and fencing. So as he moved those water lines and the fencing to a different location, again, he would be compensated for this and he would have those grazing areas realigned in a different location. So, again he would be leaving that area.

The language that we have before the Senate is language that was given to us by the Department of the Interior, by BLM, and by the U.S. Air Force.

I will tell you, Madam President, that there are a couple of items which have been added to the Kempthorne-Craig amendment which are a substitute for the language in the bill. Again, the language comes from the Department of the Interior and the Air Force, and there are four additional changes.

No. 1, the impacted rancher may continue to graze the withdrawn land until his agreement with the Air Force is fully implemented; that is, until rights-of-way are granted and new fences and water pipes are built.

We cleared this with Katie McGinty, who is the President's counsel on environmental quality. The White House is very comfortable with this language.

No. 2, to the maximum extent possible, Interior should use maps already bought and paid for in development of the EIS, just trying to avoid further costs of the project.

No. 3, we add Owyhee County to the development of the resource management plan for withdrawn lands and monitoring activities.

No. 4, we change water right language from the Air Force ''may'' not seek water rights to the Air Force ''shall'' not seek water rights.

The substitute amendment will result in development of the Juniper Butte Range. I think this is an important distinction. That is, that particular site was recommended by the Bureau of Land Management after a lengthy process, which I have outlined; the Air Force then concluded that was the best site. It was not a situation where the rancher came forward and said, is there any way that the Federal Government could somehow come and utilize this land? This was something that was driven by, No. 1, the Air Force wanting to have this enhanced training for the Composite Wing at the Air Force base, the Bureau of Land Management choosing the Juniper Butte site, the Air Force ultimately agreeing to it, and then a whole series of mitigations have been put in place.

The amendment sets no precedent on grazing rights, as is acknowledged by the Bureau of Land Management. I think that is an important distinction.

So this is perfecting language. It, again, is a process that has taken 2½ years, three volumes that are contained in the environmental impact statement following NEPA. It has the strong support of the President of the United States, the Acting Secretary of the Air Force, the Secretary of the Department of the Interior, the Director of the Bureau of Land Management, the Governor of the State of Idaho, the Idaho delegation.

Again, I appreciate all the cooperation we have had and the strong support from the administration on bringing this project, finally, to closure.

With that, I know the senior Senator from Idaho, Senator CRAIG, has some comments he would like to make on this amendment as well.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Madam President, first of all, I thank my colleague, Senator KEMPTHORNE, for the tremendous diligence with which he has approached this issue for national defense and for the citizens of the State of Idaho. What we are talking about this evening in the amendment that we bring before you is an issue of national defense and the appropriate allocation of natural resources, natural public resources in our country.

There is no question that it has been determined by the Air Force that Mountain Home Air Force Base needs additional capacity to train, to train the 366th Wing, the Composite Wing that my colleague has just spoken about—not only current training but future training. And of course out West, where the skies are blue and the horizons seem to be endless, you would think this would be an easy process. There is all of this public land. In fact, 63 percent of the State of Idaho is owned by the Federal Government. And you can just go anywhere and fly anywhere and train anywhere. That is not the case. We know that is not the case. And it should not be the case, because that public land is a valuable natural resources allocated for a variety of uses.

It is most important that where the Air Force should train, that training should be specific, well defined, and that is exactly what we are attempting to do. The Senator has outlined the process—well over 2½ years, 16 public hearings, thousands of inputs from the citizens of our State and from around the country for and against the expansion or the development of a new training range. We are now here, doing the necessary thing, and that is to reallocate public land, to take land which was once grazing land and wildlife habitat, but primarily used for grazing—it had been for well over 100 years—and saying no longer will this land be used for grazing, it will be used for training overflights.

But for the person who grazed that land, the family who has had the right to graze that land under BLM permit for nearly 100 years, we are saying, ''You will no longer be able to graze there. We are going to take that land away from your use. We are going to allocate a new area, and you are going to be able to gain a permit to graze in the new area under the standard prescriptions of the BLM and the range management set forth by the Secretary of the Interior and the appropriate rules and regulations of the National Environmental Policy Act.'' As the Senator has just spoken, ''You will be able to graze on your own range until such time as this agreement is worked out.''

There is no special treatment. There is a recognition that in this process, we have two demands, and we ought to be able to meet both of them. We have the demand for expanded training range capability of the 366th, and we have what I think is a reasonable approach toward land use, and that is grazing. If we did not grant this rancher an opportunity to graze in other areas, we would destroy a 100-year-old family business and put them out of business. It is that plain, and it is that simple.

The Air Force understood that, BLM understood that, the President understands that, and through this give-and-take and negotiations, we have arrived at a settlement. Not everybody agrees with that settlement, but everybody has been treated fairly.

The Duck Valley Indian Reservation, Shoshone Paiute Tribe, Native Americans with substantial rights in that area have been treated fairly, have been allowed to be at the table to negotiate, as we should have treated them, and all considerations have been made—overflight levels not to disturb their solitude and the character of their lands, all the corridors of flight, all of those have been considered, because those pictures that the Senator just showed us show huge expanses of public lands and no fences and no lines and no roads. You would think, well, my goodness, fly anywhere. Not the case. There are land rights out there. There is private land, there is Indian land, and that is private by character of a separate nation, and there are private inholdings of citizens, and then, of course, there is the public land.

There is a criticism launched that somehow this particular rancher that we are dislodging from an area where he and his father and his grandfather grazed for over 100 years is getting special treatment. That is not the case. What we are saying to him as we take away from him the land under which

he grazed, therefore, if we didn't offer new land to graze, under the standards of the current law, somehow we would be denying him his livelihood. We are saying there will be costs involved in bringing the new range into quality—quality grazing, availability of water, fences for rest rotation grazing, and that rancher should not have to sustain those costs. So there are costs in transition.

There are mitigating costs, and that is why we have worked hard; that is why Senator KEMPTHORNE has worked especially hard on his committee to make all of these things happen.

He twice—at least twice, maybe three times—has hosted meetings in his office that I have attended with all of the parties at the table to assure that everybody was talking and the fullest public process was met; that every ''i'' was dotted and every ''t'' was crossed under the National Environmental Policy Act to make sure that no stakeholder was left out.

There are some California sheep, wild sheep in the area of concern. There is money in here for the Idaho Department of Fish and Game to monitor the character of that herd so that in no way do we damage the environment or the wildlife at hand.

I think as a country, I hope that we as a Congress, have the ability to allocate resource and balance natural resource use and environmental needs along with our national defense. That is what this amendment does. It not only expands training range capability for Mountain Home Air Force Base and this new concept we call ''composite wing,'' but it assures long-term ability to do that kind of training.

I say to my colleagues, you have just received a ''Dear Colleague'' letter from Senator KEMPTHORNE and myself outlining the pros and cons of this. I must tell you that this is not without opposition. There are some who still prefer that nothing be done. But a majority of Idahoans believe something should be done, and certainly as those who are caretakers of the national defense—and that is what we as Senators are—it is important that we assure the long-term capability for our national defense and optimum training conditions for the men and women who fly the aircraft of our country. That is what we believe we are doing here. At the same time, we are assuring that the traditional and legally prescribed uses of our public lands for grazing purposes can continue to go on.

I believe, Madam President, that what Senator KEMPTHORNE and I offer tonight is a win-win proposition. The Air Force wins; American citizens win because of enhanced capability for national defense training; and our public land users and the environment win, because we are now expanding the capability of grazing by improving its conditions, and those grazing conditions also improve the conditions for wildlife because of additional water in areas where there may not currently be water and will be in the future.

That is what we bring before you tonight. We appreciate your consideration of it. We hope you can agree with us, because, as Senator KEMPTHORNE has said, the Idaho delegation stands united, along with the Governor of our State and our State legislature. We appreciate having a military presence in our State. We appreciate Mountain Home Air Force Base for what it does for the country, but also what it does for the State of Idaho. We also appreciate the beauty of the great expanse of our Federal lands.

We also understand the importance of balanced and multiple uses. We think we bring all of those to the table in the amendment that we have offered, that the Senator has authored, and we hope that the Senate will concur with us in that amendment. I yield the floor.

Mr. THURMOND addressed the Chair.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. THURMOND. Madam President, the land withdrawal for enhanced military training in Idaho is a necessary element for varied, realistic training that is essential to enable the 366th Wing at Mountain Home Air Force Base to sustain combat readiness to meet the complex threats expected in the 21st century. The proponents of this provision have worked long and hard to resolve all of the stakeholders' interest related to this military land withdrawal and have put together a good provision.

I strongly support Senator KEMPTHORNE's substitute amendment to title XXIX of the National Defense Authorization Act for fiscal year 1999 and the continued efforts to secure enhanced military training in Idaho.

Madam President, we have both Senators from Idaho in accord on this matter. The Governor of Idaho is in accord on this matter. It appears to be highly desirable that the Senate adopt this amendment and accommodate the two Senators, the Governor and the people of Idaho. Thank you. I yield the floor.

Mr. LEVIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Madam President, the Senator from Idaho, Senator KEMPTHORNE, has done what he indicated in committee that he intended to do, which was to offer a modification of his previous language when this bill got to the floor. That is being carried out with the support of his good colleague from Idaho.

We have no objection to the modification in the language. My understanding is there is further discussion or debate relative to this subject which will be forthcoming at a later time, but I have no objection to this amendment.

Mr. KEMPTHORNE addressed the Chair.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. KEMPTHORNE. Madam President, I thank the chairman of the Armed Services Committee, Senator THURMOND, for his comments and his strong support. I also thank Senator LEVIN for his comments. I enjoy greatly working with the ranking member.

We have fulfilled what we said we would do. Also, I point out to our ranking member that this language is the language provided to us by the administration.

And so I feel very comfortable with this.

I also, Madam President, would like to make part of the RECORD the letter from the Secretary of Defense, Bill Cohen; the letter from the Secretary of the Air Force, Acting Secretary Whitten Peters; and the letter is also signed by Secretary of the Interior Bruce Babbitt, in support of the project with the language, the news release by the Bureau of Land Management, which goes into details, and also the letter from Whitten Peters, Acting Secretary of the Air Force, where he affirms that the Air Force will provide $430,000 to monitor the impact on bighorn sheep and sage grouse over 4 years. I ask unanimous consent that those be printed in the RECORD.

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

SECRETARY OF DEFENSE,
1000 DEFENSE PENTAGON,
Washington, DC, October 21, 1997.

Hon. DIRK KEMPTHORNE,
U.S. Senate,
Washington, DC.

DEAR DIRK: Thank you for your letter of September 8, 1997. I want to assure you nothing has changed regarding my enthusiasm for the Enhanced Training in Idaho (ETI) initiative.

The 366th Wing as Mountain Home Air Force Base (AFB) is an important component of our military capability. As one of the first units to deploy to a problem area, it has the responsibility to neutralize enemy forces. It must maintain peak readiness to respond rapidly and effectively to diverse situation and conflicts.

ETI balances realistic local training with careful consideration of environmental, cultural, and economic concerns. The elements of the ETI proposal, though designed to minimize environmental impacts, will simulate real world scenarios and allow the aircrews to plan and practice complex missions. In addition to providing realistic training, ETI's close proximity to Mountain Home AFB also will enable the Air Force to convert time currently spent in transit into actual training time. Thus, the ETI proposal allows Air Force crews to use limited flight training hours more efficiently.

I continue to give the ETI process my full support. It will provide our commanders with realistic training opportunities locally, while ensuring potential impacts to natural, cultural, social, and economic resources are identified, and where possible, cooperatively resolved. Your strong support for the ETI initiative is very important to us, and you may rely upon my continued interest and commitment.

I trust this information is useful.

Sincerely,

WILLIAM S. COHEN,
Secretary of Defense.

SECRETARY OF THE AIR FORCE,
Washington, DC, June 19, 1998.

Hon. DIRK KEMPTHORNE,
U.S. Senate,
Washington, DC.

DEAR SENATOR KEMPTHORNE: We are pleased to provide you with the attached legislation for the withdrawal of lands for the Enhanced Training in Idaho (ETI) project. As you know, this legislation represents three years of extensive work by the Bureau of Land Management (BLM), the Air Force, you and other representatives of the people of Idaho, and many others who care about the welfare of Idaho's environment and the effectiveness of the 366th Wing at Mountain Home Air Force Base.

ETI will increase the realism, flexibility, and quality of the Air Force's training. It permits the 366th Wing to train more efficiently and effectively for its important missions, thereby improving the aircrews' safety and mission performance. Implementation of ETI will substantially strengthen the 366th Wing's ability to ensure readiness to perform its assigned missions.

Importantly, however, the Air Force and BLM also worked very hard so that ETI would balance training needs with the concerns of the Shoshone-Paiute Tribes, the environment, and other public land uses. The Air Force and BLM actively solicited public and agency involvement throughout the development of the project. Participants in the process included the State of Idaho, environmental organizations, the Shoshone-Paiute Tribes, ranchers, recreational organizations, and other users of the public lands in Idaho.

The Air Force incorporated numerous mitigations in the design of the project to address public concerns and relocated facility sites during preparation of the environmental impact statement (EIS) to avoid various environmental concerns expressed by the Shoshone-Paiute Tribes and others. Following completion of the EIS and consideration of public comment the Air Force adopted further mitigation measures, including altitude and seasonal overflight restrictions that further address concerns of recreational users and protect the habitat of bighorn sheep. The NEPA process was a valuable tool in helping to identify these mitigations and resolve concerns.

We believe the attached legislation accommodates many issues that you and other representatives of the people of Idaho have raised throughout the process and is an important step forward for national security, for the environment, and for significant tribal interests.

The Office of Management and Budget advises that from the standpoint of the Administration's program there is no objection to the presentation of this report to Congress.

Sincerely,

BRUCE BABBIT,
Secretary of the Interior.
F. WHITTEN PETERS,
Acting Secretary of the Air Force.

AGREEMENT ON ENHANCED TRAINING IN IDAHO

* * * * *

BRUNEAU-JARBIDGE RIVER SYSTEM

In general, for all major canyons in the Bruneau-Jarbidge River System, low-altitude training flights would be limited to 1,000 feet above ground level and would cross only perpendicular to the canyons. Additionally, parallel flights within one mile of the canyon rims would be limited to 5,000 feet above ground level (AGL).

Along the Bruneau River from the Bruneau-Jarbidge confluence to Clover Creek, no low-level overflights will occur within one mile of the canyon rim below 5,000 feet AGL from April 1 through June 30.

Along the Bruneau River from Clover Creek to Miller Water, no low-level overflights will occur within one mile of the canyon rim below 5,000 feet AGL from April 1 through June 30 on Fridays, Saturdays, Sundays, and Mondays.

To support composite wing exercises (includes fighters and bombers) from April 1 through June 30, the low-level flight restrictions over the Bruneau River will be relaxed during two days each month to allow exercises as low as 500 feet AGL. The Air Force will provide advance public notification of when these composite wing exercises will occur.

OWYHEE RIVER SYSTEM

In general, for all major canyons in the Owyhee River System, low-altitude training flights would be limited to 1,000 feet AGL and would cross only perpendicular to the canyons. Additionally, parallel flights within one mile of the canyon rims would be limited to 5,000 feet AGL.

Along the South Fork of the Owyhee River from the 45 Ranch to the confluence with the East Fork of the Owyhee River, no low-level overflights will occur within one mile of the canyon rim below 5,000 feet AGL from April 1 through June 30, subject to two composite wing training exercises per month.

Along the East Fork of the Owyhee River from the confluence of Dickshooter Creek to the confluence of the South Fork, no low-level overflights will occur within one mile of the canyon rim below 5,000 feet AGL from April 1 through June 30, subject to two composite wing training exercises per month.

Along the East Fork of the Owyhee River from the confluence of Battle Creek to the confluence of Dickshooter Creek, no low-level overflights will occur within one mile of the canyon rim below 5,000 feet AGL from April 1 through June 30 on Fridays, Saturdays, Sundays, and Mondays.

AIRSPACE EXPANSION OVER LITTLE JACKS CREEK

There will be no military training overflights below 5,000 feet AGL in the airspace over the Little Jacks Creek area during April, May, and June.

RECREATION STUDY

The BLM and Air Force will jointly fund a study on recreation use in the Little Jacks Creek area and the canyonlands of the Bruneau-Jarbidge and Owyhee River Systems.

BUREAU OF LAND MANAGEMENT,
OFFICE OF PUBLIC AFFAIRS,
Washington, DC, May 15, 1998.

BLM, AIR FORCE REACH AGREEMENT ON IDAHO TRAINING RANGE EXPANSION

The Bureau of Land Management and the U.S. Air Force have reached an agreement that would accommodate military flights over public land in southwest Idaho while subjecting those flights to altitude and seasonal restrictions over key portions of the Owyhee and Bruneau river canyons, BLM Director Pat Shea announced today.

Under the agreement, which would withdraw 12,000 acres of BLM-managed public land for expanded military training, the Air Force would extend its airspace training over Little Jacks Creek, but its additional flights would be subject to altitude and seasonal restrictions. Under the agreement, the Air Force would continue its current use of about 7.5 million acres of airspace over BLM-managed land.

''This agreement reflects extensive public input on issues surrounding Enhanced Training in Idaho (ETI), and protects public land resources while accommodating vital U.S. military training,'' said Shea. ''the agreement ensures that military flights would be limited to 5,000 feet above ground level in the airspace above Little Jacks Creek during April, May, and June, which addresses concerns raised by recreationists who hike in the area and raft down the Owyhee and Bruneau rivers. The altitude restriction is also aimed at protecting the habitat of bighorn sheep.''

Shea said the agreement took into account public input from eight ''scoping'' meetings held by the Air Force and BLM in 1996 and seven public hearings held last year on the Air Force's Draft Environmental Impact Statement relating to expanded airspace training.

Below are the particulars of the BLM-Air Force agreement:

SEASONAL LOW-LEVEL FLIGHT RESTRICTIONS

The Air Force will institute seasonal low-level flight restrictions for all military users in the Jarbidge and Owyhee military operating areas to minimize conflicts with public land resources and uses.

SECRETARY OF THE AIR FORCE,
Washington, DC, June 11, 1998.

Hon. DIRK KEMPTHORNE,
U.S. Senate,
Washington DC.

DEAR SENATOR KEMPTHORNE: Thank you for your recent inquiry concerning Enhanced Training in Idaho (ETI). You have asked if the Air Force intends to monitor bighorn sheep and sage grouse populations further in conjunction with the ETI proposal.

The Air Force provided $100K in FY 1998 to determine the baseline populations of the two species in areas where ETI would cause surface and airspace changes with the implementation of ETI. Headquarters Air Combat Command has indicated that it intends to fully fund monitoring activities in subsequent years, assuming ETI is approved. They would then provide the State of Idaho $110K per year for the next three years for monitoring activities.

ETI will be a great asset for the composite wing based at Mountain Home AFB and will reflect our commitment to environmental stewardship. We appreciate your commitment to this important project.

Sincerely,

F. WHITTEN PETERS,
Acting Secretary of the Air Force.

Mr. KEMPTHORNE. Madam President, I want to report that there are some members who believe the proposed substitute amendment #2892 sets a new standard for environmental remediation before the Air Force can relinquish the withdrawn lands back to the Bureau of Land Management. Like I did with the Department of Interior, the BLM and the Air Force regarding the new overflight restrictions of the canyons, I will convene a meeting with all of the interested parties and committees to try to reach a consensus on this issue before completion of the conference on this bill.

Madam President, I would just like to say, after months and months of due process, I think we are doing what is right by the environment, what is good for recreation, and certainly what is right for the pilots.

When we think of those pilots who have to climb into those aircraft, if we do have to send them into harm's way, let us make sure we provide them with not only the best aircraft in the world but the best training opportunities, so that when they go into harm's way,

they can come back to their loved ones in good shape.

So I want to thank Senator CRAIG for his partnership. He has been a tremendous partner, as has Congresswoman CHENOWETH, Congressman CRAPO, Governor Batt. And, again, there are folks who do not like this—didn't like it from the outset, don't like the conclusion, don't like the answer. But the process has been fulfilled, and the conclusion, I believe, is right.

I just want to say to the family of the Bracketts, the ranchers who have been working with us on this, I appreciate their willingness to go through this process. Again, they did not come forward; they did not step up and say, ''Boy, why don't you use this land.'' I think out of their belief in Idaho and their belief in the country, they are willing to go along with this. But in this very public process, unfortunately, some people lodge charges that bring into question the integrity of some individuals. I think that is just very unfortunate. That happens in the political process. Perhaps we get used to it a little more, but I hate to see it when it is leveled at a good family like this. So I appreciate the Brackett family.

Again, I appreciate the chairman and the ranking member's comments. And I believe, unless there is further debate, we are ready for a vote.

The PRESIDING OFFICER. The question is now on agreeing to the amendment offered by the Senator from Idaho.

The amendment (No. 2892) was agreed to.

Mr. KEMPTHORNE. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

PRIVILEGE OF THE FLOOR

Mr. BROWNBACK. I ask unanimous consent that a fellow in my office, Terry Bare, be able to sit in on the debate.

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

AMENDMENT NO. 2978

(Purpose: To require separate housing for male and female basic trainees, and to ensure after-hours privacy for basic trainees)

Mr. BROWNBACK. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Kansas [Mr. BROWNBACK] proposes an amendment numbered 2978.

Mr. BROWNBACK. I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

Strike out section 527, and insert in lieu thereof the following:

SEC. 527. REQUIREMENTS RELATING TO RECRUIT BASIC TRAINING.

(a) ARMY.—(1) Chapter 401 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 4319. Recruit basic training: separate housing and privacy for male and female recruits

''(a) SEPARATE HOUSING FACILITIES.—The Secretary of the Army shall require that during basic training male and female recruits be housed in separate barracks or other troop housing facilities.

''(b) HOUSING PRIVACY.—The Secretary of the Army shall require that access by drill sergeants and other training personnel to a barracks floor on which recruits are housed during basic training shall be limited after the end of the training day, other than in the case of an emergency or other exigent circumstance, to drill sergeants and other training personnel who are of the same sex as the recruits housed on that floor.

''(c) BASIC TRAINING DEFINED.—In this section, the term 'basic training' means the initial entry training program of the Army that constitutes the basic training of new recruits.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''4319. Recruit basic training: separate housing and privacy for male and female recruits.''.

(b) NAVY AND MARINE CORPS.—(1) Part III of subtitle C of title 10, United States Code, is amended by inserting after chapter 601 the following new chapter:

''CHAPTER 602—TRAINING GENERALLY

''Sec.

''6931. Recruit basic training: separate housing and privacy for male and female recruits.

''§ 6931. Recruit basic training: separate housing and privacy for male and female recruits

''(a) SEPARATE HOUSING.—The Secretary of the Navy shall require that during basic training male and female recruits be housed in separate barracks or other troop housing facilities.

''(b) HOUSING PRIVACY.—The Secretary of the Navy shall require that access by recruit division commanders and other training personnel to a barracks floor on which Navy recruits are housed during basic training shall be limited after the end of the training day, other than in the case of an emergency or other exigent circumstance, to recruit division commanders and other training personnel who are of the same sex as the recruits housed on that floor.

''(c) BASIC TRAINING DEFINED.—In this section, the term 'basic training' means the initial entry training programs of the Navy and Marine Corps that constitute the basic training of new recruits.''.

(2) The tables of chapters at the beginning of subtitle C, and at the beginning of part III of subtitle C, of such title are amended by inserting after the item relating to chapter 601 the following new item:

''602. Training Generally ..... 6931''.

(c) AIR FORCE.—(1) Chapter 901 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 9319. Recruit basic training: separate housing and privacy for male and female recruits

''(a) SEPARATE HOUSING.—The Secretary of the Air Force shall require that during basic training male and female recruits be housed in separate dormitories or other troop housing facilities.

''(b) HOUSING PRIVACY.—The Secretary of the Air Force shall require that access by drill sergeants and other training personnel to a dormitory floor on which recruits are housed during basic training shall be limited after the end of the training day, other than in the case of an emergency or other exigent circumstance, to drill sergeants and other training personnel who are of the same sex as the recruits housed on that floor.

''(c) BASIC TRAINING DEFINED.—In this section, the term 'basic training' means the initial entry training program of the Air Force that constitutes the basic training of new recruits.''.

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''9319. Recruit basic training: separate housing and privacy for male and female recruits.''.

(d) IMPLEMENTATION.—(1) The Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force shall implement section 4319, 6931, or 9319, respectively, of title 10, United States Code (as added by this section), as rapidly as feasible and shall ensure that the provisions of that section are applied to all recruit basic training classes beginning not later than the first such class that enters basic training on or after April 15, 1999.

(2)(A) If the Secretary of the military department concerned determines that it is not feasible, during some or all of the period beginning on April 15, 1999, and ending on October 1, 2001, to comply with the requirement for separate housing at any particular installation at which basic training is conducted because facilities at that installation are insufficient for such purpose, the Secretary may grant a waiver of the requirement with respect to that installation. Any such waiver may not be in effect after October 1, 2001, and may only be in effect while the facilities at that installation are insufficient for the purposes of compliance with the requirement for separate housing.

(B) If the Secretary of a military department grants a waiver under subparagraph (A) with respect to an installation, the Secretary shall require that male and female recruits in basic training at that installation during any period that the waiver is in effect not be housed on the same floor of a barracks or other troop housing facility.

(3) In this subsection:

(A) The term ''requirement for separate housing'' means—

(i) with respect to the Army, the requirement set forth in section 4319(a) of title 10, United States Code, as added by subsection (a);

(ii) with respect to the Navy and the Marine Corps, the requirement set forth in section 6931(a) of such title, as added by subsection (b); and

(iii) with respect to the Air Force, the requirement set forth in section 9319(a) of such title, as added by subsection (c).

(B) The term ''basic training'' means the initial entry training program of an armed force that constitutes the basic training of new recruits.

(e) AUTHORIZATION OF APPROPRIATIONS.—Funds are authorized to be appropriated for the Department of Defense for fiscal year 1999 for actions necessary to carry out this section and the amendments made by this section, including military construction projects (which projects are hereby authorized), in the total amount of $166,000,000.

Mr. LEVIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

AMENDMENT NO. 2979 TO AMENDMENT NO. 2978

(Purpose: To require a moratorium on changes to gender-related policies and practices)

Mr. LEVIN. Madam President, I send an amendment to the desk on behalf of Senators SNOWE and CLELAND and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN], for Ms. SNOWE, for herself and Mr. CLELAND, proposes an amendment numbered 2979 to amendment No. 2978.

Mr. BROWNBACK addressed the Chair.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. BROWNBACK. Madam President—

Mr. LEVIN. Will the Senator yield for two unanimous consent requests relative to staffs' presence on the floor?

Mr. BROWNBACK. Could I ask a parliamentary question?

The PRESIDING OFFICER. The clerk is still reading the amendment.

The assistant legislative clerk continued to read as follows:

Beginning on the first page, strike out all after SEC. and insert in lieu thereof the following:

. MORATORIUM ON CHANGES OF GENDER-RELATED POLICIES AND PRACTICES PENDING COMPLETION OF THE WORK OF THE COMMISSION ON MILITARY TRAINING AND GENDER-RELATED ISSUES.

Notwithstanding any other provision of law, officials of the Department of Defense are prohibited from implementing any change of policy or official practice in the department regarding separation or integration of members of the Armed Forces on the basis of gender that is within the responsibility of the Commission on Military Training and Gender-Related Issues to review under subtitle F of title V of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1750), before the date on which the commission terminates under section 654 of such Act.

Mr. BROWNBACK addressed the Chair.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. BROWNBACK. Madam President, if I could make a parliamentary inquiry. As I understood, I was putting forward an amendment to be considered and had the floor to speak concerning that amendment. Is that correct?

The PRESIDING OFFICER. The Senator lost the floor when he offered the amendment.

Mr. BROWNBACK. I would note that we would like to have and will get a debate on this issue at some point in time about separate barracks for the genders. And I had that as my understanding, that that was the debate that we were going to at the present time.

Mr. WARNER. If the Senator will yield, he can go ahead and debate on his amendment.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. The Senator is entitled to go ahead with his amendment.

Mr. BROWNBACK. Thank you very much.

Mr. LEVIN. Would the Senator yield for a unanimous consent for two staffs' presence on the floor?

Mr. BROWNBACK. Only for that, and I am not yielding the floor. The understanding is, I am not yielding the floor. Yes, I will, if I receive it back to consider my amendment.

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

PRIVILEGE OF THE FLOOR

Mr. LEVIN. Mr. President, on behalf of my colleagues, Senator BINGAMAN, and Senator DOMENICI, I ask unanimous consent that the privileges of the floor be granted to Peter Lyons of his office during the pendency of S. 2057 and any votes thereon.

The PRESIDING OFFICER (Mr. HUTCHINSON). Without objection, it is so ordered.

Mr. LEVIN. Mr. President, I ask unanimous consent that, for the period of time the Department of Defense authorization bill is under consideration, Mark Tauber, a State Department Pearson Fellow on the Foreign Relations Committee staff, be granted floor access.

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

Mr. LEVIN. I thank my friend from Kansas.

Mr. BROWNBACK addressed the Chair.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. BROWNBACK. Mr. President, I rise to discuss today the amendment I have offered that I put forward at the desk and will, at the appropriate time, be calling for the yeas and nays on that.

I have discussed my amendment with the distinguished chairman of the Subcommittee on Personnel of the Armed Services Committee, the distinguished Senator from Idaho, Senator KEMPTHORNE. And after my staff had briefings with the Pentagon, I decided the privacy of our new recruits, by mandating separate barracks, was extremely important and that this debate was necessary and needed at this point in time.

Mr. President, my amendment is common sense. It simply requires separate barracks for male and female recruits during basic training. Further, the amendment protects the privacy of recruits by limiting access to barracks after hours to those of the same gender.

I might note for the Senators that the House has considered much stronger language, and actually enacted in their bill, in the DOD authorization, the separation of genders during basic training. But we fall far short of that. This is just about barracks and housing during basic training.

I believe this is a sensible step in restoring privacy and dignity to the military basic training experience and will allow our young recruits to focus on the serious tasks before them.

This amendment helps to uphold the military standards of behavior and improves the quality of life for military members and spouses left at home while a loved one completes basic training.

The amendment will help train instructors to instill the basic core values of discipline, teamwork, unit cohesion, and values that will ultimately benefit the individual, the family, and the military. By adopting this amendment, we codify a unanimous recommendation of the bipartisan Kassebaum-Baker commission.

The Kassebaum-Baker Commission interviewed 2,000 recruits, 2,000 recruits, and their supervisors and found serious problems. Let me just articulate a few of them. The commission recognized that sexual relations take place inside of barracks where young men and women live together. Moral and unit cohesion were negatively affected. Thus, the commission recommended that male and female recruits sleep in separate barracks. Talk about common sense, that seems to be it.

To avoid cries that the cost is prohibitive, the Kassebaum Commission completed an analysis of the current structures at training installations which showed that the cost of this amendment is marginal. Mr. President, I will read the section of the Kassebaum Commission that says just that, quoting from page 15 of the study of the Kassebaum Commission:

The committee has reviewed the layout and surge numbers of the training installation and believes this change can be accomplished at marginal cost, if any.

Available barracks exist and have already been converted to accommodate both male recruits. Thus, there are no physical constraints to having men and women recruits housed separately during basic training. Existing structures can be used. The Kassebaum panel was stunned to discover—and this is a direct quote—''high frequency'' of sexual relations during basic training between male and female recruits in all branches of the services. High frequency.

Now, if you think about this, if you put young male and female recruits around the age of 18 in close proximity, in the same quarters, I think there is a possibility that a high frequency of this may happen. The amendment that I put forward simply says we should have separate barracks. It doesn't even go to wanting separate training. It says separate ''barracks,'' to maybe reduce some of these incidents.

The same report said ''some drill sergeants complained to the panel about the large amount of time they were spending investigating or disciplining male and female misconduct. It was found that the problem is exacerbated in mixed-gender barracks. This is after interviewing 2,000 recruits and sergeants. It is exacerbated in mixed-gender barracks, especially where men and women live on the same floor.

Just think about it again, in common-sense terms. Doesn't this just make sense that you will have more problems if you have mixed genders on same floor in the same barracks, and that you will then have to deal with that in basic training?

Listen to this. At one location at Fort Leonard Wood, MO, the panel was told that male and female fraternization was so frequent that drill instructors had to take the doors off of the barracks rooms so they could maintain order inside. It was that frequent. They had to take the doors off.

Secretary Cohen gave the services an opportunity to respond to the Kassebaum recommendations. Other than the marines, God bless 'em, they all came back and disagreed with the recommendation to establish separate living barracks. Despite this, I believe that there is no reason why male and female recruits should be sleeping on the same floors. This makes no sense.

I put it in personal terms, if I could, for my colleagues. Think about their daughters, if they are going into the military. I have two young daughters. What if they were going in. Would you feel safer and better about their security and about this issue of fraternization if, during basic training, they are in separate facilities, or would you feel better and safer about it if they are on the same floor with different genders? Just think about that for half a second. Wouldn't you feel a lot better about it if they are in separate barracks so that people can watch a little closer than if they are on the same floor with other recruits and you already have these instances taking place?

This is a common-sense proposal with minimal, if any, cost. This is about national security and ensuring our recruits make up the best, most disciplined force in the world. Just last month, we learned that five instructors at the Navy's boot camp have been accused of sexual misconduct and improper relations with women recruits. This is the Navy, not the Army; this is the Navy. One of the instructors at the Great Lakes Naval Training Center, a 30-year-old, was arrested on April 30 on charges of having an improper sexual relationship with an 18-year-old female recruit.

I want to read some of the press account that is out of this, from the Chicago Sun Times, June 6, 1998.

> A Navy petty officer was found guilty of sexual misconduct with female recruits and making false statements to Navy officers in a court-martial Friday at the Great Lakes Naval Base.
>
> After deliberating about 90 minutes, [90 minutes, not long.] a three-member jury made up of two male Navy officers and one female enlisted sailor found Machinists Mate 1st Class Gregg Peterson guilty of eight of nine charges against him.

They quoted in this article several of the sailors, some of the women sailors. One—and I will not give her name because I don't think that is appropriate—said she cried as the jury presided and read its decision of guilty. She said ''I feel like I can breathe again now.'' She walked out of the Navy headquarters building where the court-marital was held. She stated—this is sad—''I didn't join the Navy to be laughed at.'' She had stated that this particular officer that was found guilty had stated lewd things towards her. Another recruit had said this person that was found guilty intimated to her he wanted to have sex with her, and she stated, ''I'll feel better when he is punished. He was in charge of the way he made us feel.''

Two other recruits testified they had sex with the same person that was found guilty after he threw a mattress on the floor in the barracks and told them to undress. This is a superior position telling these recruits to do this. This is one of the recruits who said, ''The Navy is trying to cover up the fact that they let this guy wander through the barracks, intimidating recruits into having sex with them.'' That is a horror story for them. And another who had sex with this particular person found guilty said she couldn't have fought him off if she tried.

What is that about? This is terrible. This is disgusting that this took place at the Navy basic training facility, and you have several recruits testifying of what this person in a senior position forced them to do.

Our amendment is aimed at trying to get just at that, separate barracks. You cannot have a person of the other gender in the facility where the people of the opposite gender are except on emergency cases. What are we letting them do, just parade around and throw mattresses on the floor? He was court-martialled for this and found guilty of eight of nine charges. This is the press account from June 6th after the court-martial report came back. My goodness.

Now, what sort of solace, if you are an 18-year-old and your family is considering letting you go into the military service and you want to go into the military service and you are a female, and you are reading these sort of stories, what goes through your mind at that time? Do you want to go into the military then? Is this going to be an inhibition if you think you want to be a part of the Navy, of the proud tradition of the Navy, of the Army? You want to be part of that unit, but then you read this stuff about guys parading around in barracks and throwing mattresses on the floor. What does that do? And what does it do to the family? What does the family think about in that case?

A study of female recruits out last November found them particularly susceptible to unwanted pregnancies and assaults. The study found that ''to many young female recruits, the basic training experience can be uniquely stressful with individuals often experiencing feelings of loneliness and isolation and the possibility that some individuals would turn to sexual relationships as a means of coping with the stress is great.''

Let's go to another case we are all familiar with. We all remember what went on at the Aberdeen Proving Ground between instructor and trainee last year—rape and sex between drill instructors and trainees. Aberdeen is an example of what can happen in the pressurized training environment without proper supervision. Remember, basic trainees are even more susceptible, even more susceptible.

We must do what we can to remove these pressures. Again, I plead with my colleagues, think of your own 18-year-old daughters going into the military, or others that would be considering this. Is this really the sort of situation we want to put them in, that we are forcing them to go into, that we force them, if they want to be a part of the military. That is what they have to do; this is where they have to sleep.

I recognize that the services are already taking steps to ensure security and privacy of the current male and female living arrangements and I applaud the services for taking these steps. My amendment allows time for the services to accomplish the transition to separate barracks, which is where they have to get. It really is where they have to get. It sets October 1, 2001, as the effective date. If an installation has insufficient facilities, the amendment allows recruits to be housed in separate barrack floors with the proper access restrictions until 2001.

We are giving the military some lead time to build into this, to deal with this situation, and they are trying to deal with it. The bottom line is this: The primary function of the basic training is to properly induce young trainees into the Armed Forces, with minimal distractions. They are there to learn the skills that spell success or failure on the battlefield. I urge you to support Secretary Cohen's goal of ''a basic training system which provides gender privacy and dignity and safe, secure living conditions.'' Safe, secure, and separate barracks is the best way to ensure a well-trained and disciplined force. At a minimum, I believe that we owe that to these recruits and their families.

Mr. President, I just ask you to think about this for a little while, because this really makes sense. I know the military is trying to get accomplish what we have mandated them to do on the mixed-gender training, and they are trying to do it in the close quarters that we have, and these have been the ways they have received pressure.

My goodness, I say to Senators, we have to look at the facts and what is taking place, ask ourselves a bit of common sense. These young 18-year-old men and women are in close quarters, in a pressurized situation at basic training. What do you think is going to happen in this situation if you provide a situation where they are in the same barracks and you have a common area for them to go into, or you have instructors that are superior in age and position and they are able to go into the same facilities?

The military is saying, ''Look, we are trying to divide and partition the buildings, so that on the same floor

you are going to have a plywood petition, and hopefully we will get to a permanent petition between the two genders on the floor.'' But you are still going to have common areas where the two can mix. Plus, you can still have and will still have your instructors going into the area of the opposite sex and being there. You are going to have, unfortunately, that situation like just happened up in the Navy basic training facility, if that occurs. If we leave the situation the way it is today, that is going to occur. Plus, you are still mixing a situation that just doesn't apply to us in common sense, if we think about it. This is going to lead to the problems we have.

I also want to add a personal Kansas story into this. My office in Kansas—I have not been a Senator a long time, but we regularly get requests from female recruits who get pregnant while in basic training, and they ask for discharges. One lady who contacted my office had a nervous breakdown. She has since separated from the Navy. I will not say her name; that would be inappropriate. But my note to colleagues is that everybody loses in this deal. Everybody loses in this deal. The Navy loses a highly qualified, motivated recruit, who falls into a pressurized environment and then gets demoralized and has a nervous breakdown.

This is a Kansas example I have, and only one. I have multiple ones that come into my office in Kansas. I am sure others have them, too. Check your records, check your services, and what you are being contacted about in your State. How many of you have the same situation—being contacted by female recruits who want out of the military because they have unwarranted sexual advances? My goodness, the Navy loses, we lose, and this particular recruit was demoralized and loses as well. This makes no sense.

I want to go through the report, if I may, of the Kassebaum commission. This is something I respect, coming from Nancy Kassebaum Baker from my home State of Kansas, who is as level-headed a person as you will ever find anywhere in the world. She is a wonderful lady. She is very thoughtful, and she doesn't go around tilting at different things and doesn't follow wildly different philosophies. She looks at things and applies a good Kansas common sense to it. I think she epitomizes that sense of common sense. A lot of my colleagues will remember her, and they know what I am saying is true. This is her commission's report:

> The committee observed that integrated housing is contributing to a higher rate of disciplinary problems. Both recruits and trainers, consequently, are distracted from their training objectives . . ..

What is our objective in basic training but to train? They are being distracted because of disciplinary problems they are having. This is a quote from the commission report on December 16, 1997. I want to show you a chart of this commission in a little bit. It was appointed by the Secretary of Defense, Secretary Cohen, and from the President, and they came out with these unanimous recommendations. It was bipartisan, and there were a number of people in this commission who served in the military themselves. This is a group that has considered it. Here is another quote from congressional testimony:

> We have reviewed the barracks structure at the training installations and believe that this can be achieved at minimal cost.

I am sensitive to the cost issue because we are not funding the military sufficiently. I have military bases in my State that are important and are not being funded sufficiently. They have studied this thoroughly. They said we can do this at minimal, if any, cost.

In my amendment, we do authorize money to be able to be used to do this. I think even if you are talking about recruits coming in, you have to provide some solace to the families that we are going to separate and do everything we can—and right now we are not—to prevent this sort of situation from happening. We still provide an authorization in the amendment that I have, and we can deal with the appropriation on another day.

This is the Army inspector general's special inspection from July 22, 1997:

> Many of the first sergeants interviewed indicated that trainee-trainee consensual sex occurred quite often, but felt the chain of command was reluctant to enforce the installation regulation.

To back up this even with my staff's investigation, the military requested—and they want to try to make this situation work—and they have been pushing our office and saying, ''Don't do this.'' They said, ''Send a couple of your staff members to Fort Jackson to look at the situation.'' We did. I had two staff members go there. They went and talked with some of the recruits, who told them about instances of sexual activity happening in the telephone booth and in the same barracks where you have mixed genders involved, and they told them how this was done, how the pressure is and the environment and how this occurs.

So rather than allaying my fears, which is what I hoped would happen, it just heightened them. Here we had my staff members being told by recruits, ''Well, yes, this goes on. Here is how it happens in separate facilities.'' And we were shown how the barrier is built between the male and female genders on the same floor, with a piece of plywood put up and a Radio Shack alarm. Well, you are still putting males and females in close proximity, in common areas. My staff was supposed to be there being assured this was not going on, but we got just the opposite report of what was taking place.

This is the CRS issue brief of May 14, 1998. It is the third different study looking at this particular issue:

> At a number of Army facilities, investigations and court marshals are underway, or have been completed, concerning harassment, fraternization, assault and rape.

So I have the Kassebaum commission, the Army inspector general, and now the CRS issue brief. This isn't just one study; this is the third one. It is the same point that it makes.

Some of the people who have supported the military for a long time, the American Legion, submitted a report to the House Subcommittee on Military Personnel on March 17. It said:

> The American Legion advocates separate barracks for male and female recruits at basic training facilities.

This is also an American Legion statement:

> The mission in combat is to close with and destroy the enemy by fire and maneuver and/or close combat. Separate gender living conditions will better prepare the Armed Forces to fulfill this mission.

That is what the military is about, Mr. President. This is the overall commission's unanimous recommendation for separate barracks. Mr. President, I hope we can have a direct vote on this. I think we should have separate training for male and female, like what the House passed. I know a number of my colleagues actually support that as well—separate training altogether. We decided, let's take a narrower approach. Let's go on this narrower issue here, because this one I don't see how you disagree with.

Some of my colleagues will argue, and say, ''Well, let's wait for another commission report. We have a congressional commission.'' Yes; we have a congressional commission. It has been appointed. It has a much broader requirement than just the issue of separate gender relations. Plus, I would point out again to you, now we are another year into the future. We are going to be on a second commission. We already have one conducted and led by a Member of this body, a highly respected Member of this body, who unanimously reported back. Now we are going to wait another year.

How many more of these situations like we had take place in the Navy are we going to have in the interim? How many more letters or contacts am I going to get by constituents in Kansas saying they had nervous breakdowns because of this situation? How many more of these will it take when we will not respond to common sense? This is just common sense.

I have deep respect for my colleagues who view this differently. Senator KEMPTHORNE and his committee has looked at this. But I don't think this makes any sense of where we are. I think this is a very narrow approach. It isn't about basic training; it is just about barracks. We can do it at minimal cost. If not, we have the authorization here to deal with this.

I plead with my colleagues that we do it. I hope we take a different tack on this.

Mr. WARNER. Mr. President, could I ask the Senator a question? I listened very carefully. I am supportive of his amendment.

Did the Senator from Kansas mention the Marine Corps?

Mr. BROWNBACK. Only briefly.

Mr. WARNER. Their experience has been considerably freer of the problems that the other two services have incurred as a consequence of that. Am I correct?

Mr. BROWNBACK. The Senator is absolutely correct. They, as a service, agree with what the Kassebaum Commission put forth. The other services have not.

Mr. WARNER. For those who may be following this debate outside of the Senate, so to speak, basic training is just 9 weeks in each of the services. So it is a relatively short period of time. It is a brief period from when they leave the home environment, school environment, and other structured environments in their communities across America to come and undertake this important first phase of their training of a military career.

It seems to me that what the Senator is asking is just the opportunity for the different sectors to go into this very intense period where the objective is to really transform them in many ways, as the Senator pointed out. First of all, it is a patriotic duty to be a member of the team. And all of the other important goals are in the first 9 weeks. To simply, at the end of the training, give them a little respite from all of the pressures which they are being subjected, give them a chance to kick back and rest on their own, among themselves, and then as soon as reveille the following morning, beginning with the mess facility, beginning the fallout, the grinder formation, as they march off to the rifle range, they are together, and it is joint in every respect. Am I not correct?

Mr. BROWNBACK. That is correct. The Senator from Virginia is correct.

Mr. WARNER. I thank the Senator very much.

Mr. BROWNBACK. Mr. President, I want to address further the issue of cost on this, because some will allege that is the reason we should block this, because it puts a cost figure of $166 million, $190 million. I am very sensitive to the cost issue, so I provide for the authorization.

But I also challenge my colleagues on this very point to think about this. Basic training for 9 weeks, pressurized environment. It is where you teach, train, build, and mold—9 weeks of a focused, intense time period that is taking place. You are putting somebody 18 years old, male and female, into that pressurized environment. Is this a place for us to cut costs in the military, saying because of that cost we have to force them onto the same floor and the same common area because we cannot afford the $166 million?

Mind you, the Kassebaum Commission says we can do this at zero to minimal cost. We can do this with minimal, if any, cost.

Let's say it does have some cost with it. I don't think it does. I don't support that notion. Anyway, if you are 18 years old looking at going into the military, isn't this a pretty minimal amount of cost? If you are the family of that 18-year-old considering going into the military, is that a cost that you want the Government to be putting forth and being a part of? My goodness, we have to make some sense out of this.

This is a very narrow amendment that we are asking for. I hope we have a direct vote on this. I hope we will be able to get to it. I will learn my lessons quickly. So I hope we can get to a vote on this particular issue.

Thank you, Mr. President.

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

Mr. BROWNBACK. Yes; I yield to the Senator.

Mr. BYRD. Mr. President, I support the Senator and commend him on his fine statement. I support the recommendations of the Kassebaum Commission. I think it is the right recommendation. I wonder if the Senator would add my name as a cosponsor of his amendment.

Mr. BROWNBACK. I am pleased to do so.

Mr. BYRD. I thank the Senator.

I ask unanimous consent that I be added as a cosponsor of the Brownback amendment.

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

Mr. BROWNBACK. Mr. President, I will be asking for the yeas and nays at the appropriate time on this. I plead with my colleagues to really consider this.

I ask them really just one small, simple favor: Will they call their constituent services' offices to see how many recruits they have been contacted by back home during this past year asking for relief from military duty because they were sexually assaulted, got pregnant at basic training or at training, and see what the numbers are in their particular office? One is too many. But I would be interested to see how many of them have had multiple contacts in their office.

We shouldn't ignore this anymore. We should deal with it. This is a minor request we should be making.

With that, Mr. President, I will ask for the yeas and nays at the proper time.

I yield the floor.

Ms. SNOWE addressed the Chair.

The PRESIDING OFFICER. The Senator from Maine.

Ms. SNOWE. Thank you, Mr. President.

I appreciate this opportunity to address this body on the subject of an important issue and what it means, I believe, to the future of our Armed Forces.

The participation of women in the armed services today is very important. As the Secretary of Defense said recently in reaffirming his support for gender-integrated training, and the recommendations of the services with respect to gender-integrated training, he said clearly that the military depends upon women.

Women now represent 14 percent of our armed services. So their role and their well-being is an essential ingredient to upholding the importance of certain standards with respect to our national security and performance of our Armed Forces and personnel.

I offered a second-degree amendment to the amendment offered by the Senator from Kansas, because it will reaffirm the judgment that was made first in the Armed Services Committee last year to the DOD 1998 authorization. The amendment that was offered created a congressional commission to examine many of the issues that were raised by the Senator from Kansas. Obviously, they are not new issues. They are ones in which we have been wrestling with time and time again, not only here in Congress but, of course, within the Defense Department.

There are no simple solutions. But what I find amazing in hearing the discussion with respect to women in the military and the gender-integrated training and the problems that have resulted from gender-integrated training, no one seems to raise the issue as to what about the responsibilities and the moral authority of those people who are in positions of leadership within our military?

I have had the opportunity to visit many installations, including Fort Jackson, the one which the Senator from Kansas referred to and that his staff visited. I also visited that facility. I well remember the facilities that are there that separate men and women. Men and women are separated within the Army, within the Air Force, within the Navy. They have separate entrances. They have separate wings, separate bays, separate bathrooms, separate alarms. They have security guards, security cameras. So there are certain security measures that are already in place. Now the question has arisen as to whether or not we should have separate barracks.

With all the misconduct and sexual harassment that has occurred that we have heard so much about over the last few years, much of it, interestingly enough, has occurred in advanced integrated training programs, not with basic training. But nevertheless, one of the critical areas that we must focus on is developing standards and upholding and enforcing those standards that are consistent with the well-being of both men and women who serve in our Armed Forces, the basic rights of all human beings, whether they are in the military or in the private sector.

And these questions have to be considered as proposed by the Senator from Kansas through a simple disposition of an amendment? We in the committee last year said no, and, frankly, I was prepared to debate and fight this issue in the Chamber with respect to gender-integrated training, whether or not to have separate barracks, and so

on and so forth. But in the good judgment and the wisdom of the committee, we decided to create a consensus-based amendment that was offered by the chairman of the Subcommittee on Personnel, Senator KEMPTHORNE, Senator BYRD from West Virginia, and myself. We knew that the Department of Defense had already created its own commission to evaluate these questions and many more. We decided that it was also important to create a commission that was independent to evaluate these issues as well.

Now we have to decide in this Chamber whether or not we should subjugate the recommendations of the commission that will be coming forward next spring to the amendment that is offered by the Senator from Kansas. I say not. This is a major and fundamental issue. How we proceed is important, and that is why the Committee on Armed Services approved an amendment that was included in the 1998 authorization to create this commission that is now part of law, and it was approved in the Senate and approved by Congress. So now we have to decide whether or not we are going to allow the Senator from Kansas to override the judgment of the members of this commission that will come forward with recommendations next spring. There will be 10 members of this commission that are appointed by the chairman and ranking member of the House National Security Committee and the ranking member and the chairman of this Committee on Armed Services in the Senate with consultation with the majority and minority leaders in both bodies.

They represent a cross-section of experience, expertise on some of these critical issues—that is what we are welcoming—that is independent of the kind of decision that we can make here in an amendment that is offered by the Senator from Kansas without the examination and the evaluation of these issues.

We have represented on the commission a Marine Corps general who commanded a division during Operation Desert Storm; we have a former Assistant Secretary of Defense for Force Management; a former Assistant Secretary of the Navy for Manpower; a board member of the Virginia Military Institute; the Provost of the University of Michigan, two military sociologists, a former Marine Corps Deputy Chief of Staff for Manpower and Reserve Affairs and a retired sergeant major from the Training and Doctrine Command. The men and women in our commission have held these positions or are currently holding them. We should give them the opportunity to meet their responsibilities under law.

The proponents of the amendment that is offered by the Senator from Kansas would require by the year 2001 the construction of separate barracks. It basically will not allow any flexibility by the service chiefs with respect to the construction of those facilities; that, yes, will cost more than $167 million to construct. It will not permit trainees, instructors, commanders, to offer their own assessments of whether the way the recruits live supports the process for developing a soldier.

They should be in a position of making those decisions—in fact, have had the ability to accept the decision that was recommended by the Kassebaum-Baker Commission. In fact, the Secretary of Defense gave the service chiefs the opportunity to respond within 90 days to that recommendation as to how they wanted to proceed and to develop criteria on the basis on which they decide they would advance or implement those recommendations. The service chiefs responded. They all upheld their current status because they have made adjustments in the living quarters. They are separate. They are not in separate facilities, but they are in separate wings and bays, as I mentioned earlier, and they believe that the current process is working. They support gender-integrated training because they feel that this is the way in which you build a cohesive unit.

We have thousands and thousands of women who are currently serving in Bosnia without complaint. We have had thousands and thousands of women serving in the Persian Gulf without complaint. We have had more than 1,000 women who participated in our operations in Somalia, and we have had no complaints.

Are we now not saying that it is possible for men and women, on the day in which they begin their basic training, cannot work and train together as they will be required to do after their basic training, as they are required to do right now in Bosnia? We have over 5,000 women currently serving in Bosnia. In fact, the Washington Post had an in-depth story last year that described the circumstances under which both men and women were serving, and they were doing an extraordinary job without hindrance, without barriers, without complications under some most arduous of conditions. We had 41,000 women in the Persian Gulf. Did we hear of complaints? No. It is because they trained together. They understood the professionalism of their responsibilities, and they carried them out as we could expect them to do. They upheld the highest moral standards.

The amendment that I offer here today reinforces the recommendation that was made by the Armed Services Committee last year by the creation of this commission to examine many of the questions that have been raised. Frankly, I had my doubts as to whether or not it was necessary to create another commission, but I also personally had to recognize that, in fact, many here in this Chamber and elsewhere had concerns about basic training and about gender-integrated training, and that perhaps the best way to proceed was to create another commission that would represent a breadth of experience and professionalism and qualifications and skills that are necessary to make the kinds of decisions that we would expect of them.

Their mandate is substantial. We have more than 10 different areas with respect to gender-integrated training and all of the other dimensions to the question—the living conditions, the impact on readiness, on morale, on fitness standards, the rationale for the establishment or the disestablishment of gender-integrated or gender-segregated basic training, the rationale that was used at the time in which these decisions were made by the services to integrate training or to segregate in the case of the Marines, or assess whether or not the concept of training as you will fight is a valid rationale for gender-integrated basic training; identify the requirements that are unique to each of the services that could affect a decision by the Secretary considering adopting a gender-integrated or gender-segregated format for basic training; to examine all the facilities for feasibility or the implications of requiring drill inspectors to be of the same sex.

There are a number of issues that are embodied in this statute that was approved by the Congress last year to the authorization that will be examined by the men and women who are serving on this commission. So the question is, Should we adopt the amendment by the Senator from Kansas or should we adopt the amendment that I have offered as a second-degree to the amendment offered by the Senator from Kansas that will give this commission the opportunity to evaluate these questions so that we can make a reasoned, informed decision as to what approach should be taken by the military?

This amendment that I have offered is supported by the civilian, the officer, and the enlisted leadership of the Pentagon to retain the current training programs at each of the armed services until this Commission on Military Training and Gender-Related Issues files its final report in March of 1999. It reaffirms this decision. It reaffirms the bipartisanship and the consensus that was produced last year in the Senate Armed Services Committee and in the Congress on these difficult issues of obtaining the most comprehensive use of professionals and military leaders outside of Congress. And the charter stipulates very clearly the aspects that will be examined of the training practices and the policy directives and the regulations that enumerate the professional relationships between men and women in uniform. It also assigns the commission the obligation and responsibility to evaluate the findings of the Kassebaum-Baker panel on gender-integrated training and the Pentagon's rules regarding fraternization as well as adultery.

So we have to decide here whether we are going to approve my amendment that is supported by the Secretary of Defense and the service chiefs and many of the Members here in this

body, or are we going to support the amendment offered by the Senator from Kansas that presumes to answer this in three pages this afternoon with a new regulation imposing a $167 million military construction cost on the Defense Department. I think we have an obligation to give the commission the opportunity to work its will as we have asked them to do.

I would like to read to you, Mr. President, some excerpts from the various letters and statements that have been made by the service chiefs and by the Secretary of Defense about the issues concerning gender-integrated training and separate barracks. The Secretary of Defense wrote to the chairman of our committee, Senator THURMOND:

Training in the Air Force, Army, Navy and Marine Corps is a complex matter given each Service's unique mission, traditions and conditions of service. Each Service has their own approach in how they conduct basic training. This training must not be characterized by any one issue such as billeting or any one policy such as the extent of gender integrated training. We must, however, identify the right set of standards to produce a safe and secure environment for the rigorous training our young men and women need for military service.

This is exactly what the Department is doing. We are making sure that we have the very best personnel to staff our training establishments and to serve as role models for our new recruits. . . .

* * * * *

I urge you not to tie the Department's hands by enacting legislative provisions that address one or two components of a far more complex force management issue.

I should remind Members of the Senate, there are about 30 recommendations that were made by the Kassebaum-Baker Commission back in December; 28 of those 30 recommendations were implemented by the Secretary of Defense—28 of the 30 recommendations. But let's hear from the United States Army, again, in a letter to the chairman of the committee, Chief of Staff, General Reimer. He says in his letter:

Segregating their units into gender unique platoons for training and billeting the soldiers by gender in separate buildings will degrade the commander's ability to command and control his or her unit.

Admiral Johnson, Chief of Naval Operations, said in a letter to the chairman:

During basic training, Navy's gender-integrated divisions perform at least as well as their all-male counterparts.

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We agree wholeheartedly that Sailors in basic training must have safe, secure housing and living arrangements that promote effective training. But Sailors should also learn to live and work together from the first day of training. This is how they will serve at sea, as part of a gender-integrated unit.

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I ask that you continue to allow Navy to build our gender-integrated team from the first day of basic training.

Admiral Pilling, who is the Vice Chief of Naval Operations, in his letter to the chairman of the committee:

This experience builds effective teamwork and establishes Navy standards during the crucial transformation from civilian to Sailor. Roughly a third of all recruits and 40 percent of women report to the Fleet without follow-on advanced training. For these men and women, preparation for shipboard life is limited to boot camp and less than three weeks of Apprentice Training.

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Learning about security, privacy, dignity and personal responsibility should not be a lesson left for the Fleet to teach. I ask that you continue to allow Navy to build our gender-integrated team from the first day of basic training.

And General Ryan of the Air Force. He said in his letter to the chairman:

The training process in the Air Force has developed over the years, with changes along the way, to best support our mission. To place artificial barriers between men and women in basic training, such as those proposed in the current House bill [and basically embodied in some of the legislation offered by the Senator from Kansas], is counterproductive to our training philosophy and sends the wrong signal to our new recruits.

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I respectfully request your support to allow the Air Force to keep training as we operate—together from the start.

Mr. COATS. Mr. President, I wonder if the Senator from Maine could just yield for a unanimous consent request. I believe it has been cleared. I want to make sure it is cleared with her staff.

Ms. SNOWE. I yield to the Senator.

Mr. COATS. I thank the Senator for yielding.

Mr. President, because Members are trying to get a fix on schedules for this evening, in consultation with the managers and the leaders, I would like to propound a unanimous consent request.

I ask unanimous consent that there be 1 hour of debate—an additional hour from this point forward—on the pending second-degree amendment, equally divided and controlled by Senator BROWNBACK and Senator SNOWE, with a vote to occur on the second-degree amendment not later than 8 p.m.

The reason for that is that many Senators had been told that there would be a vote at 8. They have planned their schedules accordingly. If we can agree to this now with an additional hour of debate equally controlled by the two Senators, we can then schedule that vote for 8 o'clock.

The PRESIDING OFFICER. Is there objection?

Mr. BROWNBACK. No objection.

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

Mr. COATS. I thank the Senator for yielding and ask her pardon for the interruption.

Ms. SNOWE. I appreciate the Senator's unanimous consent agreement.

The PRESIDING OFFICER. The Senator from Maine.

Ms. SNOWE. Mr. President, I would like to also quote a letter from the Senior Noncommissioned Officers of the Armed Forces of the United States, representing the Army, the Air Force, and the Navy. They said:

As the Senior Noncommissioned Officers of the Armed Forces of the United States, we feel compelled to state our disagreement with a proposed amendment on recruit training that might be considered during the Senate's debate of the FY99 Defense Bill. A mandatory requirement to house recruits in completely separate barracks is unnecessary.

Based on our experience, each Service is different and therefore has different needs in training its recruits to join operational units. The determination as to how to train recruits is best determined by the individual Services based on the specific needs of the Army, Navy, Air Force, and Marines. Any attempt to make a training policy that applies across all Services is not in the best interests of the nation and will impact the readiness of the total force.

Their many successes in our gender-integrated all-volunteer force is a direct result of the training the Services currently provide.

We are grateful for Secretary Cohen's support of the Services in determining how best to conduct recruit training. We respectfully request the same vote of confidence from you as the Senate considers the fiscal year 1999 defense authorization bill.

We also had a quote from the Army Research Institute study, and I think it is interesting to note, about the standards that have also been developed in this environment of basic training, so that there is no misunderstanding, unless there is any concern about the role that women are playing and their ability to perform during the course of basic training. I quote:

Females trained in a gender-integrated environment improved their performance in all measures of physical fitness (push-ups, sit-ups, 2-mile run) and the males in gender-integrated training improved in two of three events. This has occurred without the Army fitness standards being changed or adjusted for gender-integrated training.

In the December report of the Federal Advisory Committee, which is, of course, the Kassebaum-Baker commission, it said:

The committee believes that the increasing number of women in expanded roles is an important reason why the United States is able to maintain an effective and efficient volunteer military force.

Another letter, from the Secretary of the Army in 1997 to Congress. He said:

Turning the clock back to gender segregated training will result in unrealistic training which degrades readiness.

I mention these quotes, Mr. President, because I think it is important that we remind ourselves of the role that women do play in our military and will play in our military, and as they have in the last 100 years. They represent 14 percent of armed services, and the armed services cannot perform without them.

I just believe it is important to make sure that we can ensure the stature and the well-being of all those who serve our country. That is why I believe we should follow the wisdom and the judgment of the Senate Armed Services Committee—indeed, the Congress last