

Mr. DOMENICI. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and any statement relating to the resolution appear at the appropriate place in the RECORD.

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

The preamble was agreed to.

The resolution (S. Res. 284) was agreed to.

The resolution, with its preamble, is as follows:

S. RES. 284

Whereas, the court-appointed monitor of the Hotel Employees and Restaurant Employees International Union (HEREIU) has requested that the Permanent Subcommittee on Investigations provide him with copies of subcommittee records relevant to the monitor's oversight of a consent decree enjoining members of the HEREIU for violating the Racketeer Influenced and Corrupt Organizations Act (RICO) or knowingly associating with organized crime figures;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate can, by administrative or judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that documents, papers, and records under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistently with the privileges of the Senate: Now, therefore, be it

Resolved, That the Chairman and Vice Chairman of the Permanent Subcommittee on Investigations, acting jointly, are authorized to provide to the court-appointed monitor of HEREIU copies of memoranda and transcripts of interviews conducted by Subcommittee staff that the monitor has requested for use in connection with the monitor's oversight of the consent decree.

ORDERS FOR MONDAY, JULY 29,
1996

Mr. DOMENICI. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until the hour of 9:30 a.m. on Monday, July 29; further, that immediately following the prayer, the Journal of proceedings be deemed approved to date, the morning hour be deemed to have expired, and the time for the two leaders be reserved for their use later in the day, and the Senate immediately resume consideration of the energy and water appropriations bill under a previous consent agreement.

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

Mr. DOMENICI. Mr. President, I will comment here for those Senators who want to offer amendments that are contained on the list heretofore agreed to, we will start that process at 9:30 in the morning. As I understand, we will proceed with that process until 12 o'clock. From 12 to 2, there will be other business before the Senate. At 2 o'clock, we will return to the matter of the energy and water appropriations

bill and remain on it for amendments until the hour of 5 o'clock.

Mr. President, I further ask unanimous consent that at the hour of 12 noon on Monday, the Senate conduct a period for morning business, with the time between 12 noon and 1 p.m. under the control of the Democratic leader; from 1 p.m. to 2 p.m. under the control of Senator COVERDELL from the State of Georgia.

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

PROGRAM

Mr. DOMENICI. Mr. President, for the information of all Senators, on Monday at 9:30, the Senate will resume the energy and water appropriations bill. An agreement was reached limiting the first-degree amendments in order and provides all first-degree amendments must be offered during the session of the Senate on Monday.

At 12 noon, the Senate will conduct 2 hours of morning business, and at the hour of 2 p.m. will resume the energy and water appropriations bill. At approximately 5 p.m., the Senate will return to the consideration of the legislative branch appropriations bill under a similar consent, in that all first-degree amendments would have to be offered during the session of the Senate on Monday.

Any votes ordered with respect to the two appropriations bills will be stacked to begin at 10 a.m. on Tuesday on a case-by-case basis. Therefore, votes will not occur during Monday's session of the Senate, and the next votes will begin at 10 a.m. on Tuesday. The Senate can be expected to be in session late into the evening each day next week in order to consider available appropriations bills and conference reports as they become available.

ORDER FOR ADJOURNMENT

Mr. DOMENICI. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order following the remarks of Senator LIEBERMAN.

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

Mr. LIEBERMAN. I thank my friend from New Mexico. I appreciate his kindness and courtesy and wish him a good weekend.

WAR CRIMES IN THE FORMER
YUGOSLAVIA

Mr. LIEBERMAN. Mr. President, I rise as in morning business, and thank the Chair very much, to say just a few words about an amendment to the foreign operations appropriations bill that was adopted earlier today, an amendment which I was privileged to offer with a distinguished list of colleagues. It was accepted by agreement last night without debate, although I did

put a statement in the RECORD at that time. It is, I think, an important amendment and statement, a sense-of-the-Senate resolution, because it deals with the necessity to bring to justice those who have been indicted by the International Criminal Tribunal from the former Yugoslavia, which is meeting now in The Hague, to bring them to justice because they, as the tribunal has said, are perpetrators of gross violations of international law.

Mr. President, I was stimulated in my desire to say just a few words to my colleagues here before we leave for the weekend about this by an interview that was in the New York Times this morning with Antonio Cassese, an Italian law professor who is the president of the International Criminal Tribunal.

The article begins:

The Italian law professor who is president of the War Crimes Tribunal here is known for his cheerful nature, his expertise in international law and his even temper. So his public outburst in a quiet hall here the other day was all the more shocking.

"Go ahead! Kill, torture, maim! Commit acts of genocide!" said Antonio Cassese, president of the tribunal, his voice rising, "You may enjoy impunity!"

This, he said, was the message that would go "to military leaders and all dictators" if the Bosnian Serb leaders indicted for atrocities in the Bosnian war were not brought before the tribunal.

Mr. President, thanks to my colleagues, the Senate has now spoken clearly on this issue. I was honored to be joined by Senators LUGAR, BIDEN, SPECTER, FEINSTEIN, MOYNIHAN, HATCH, LEVIN, and D'AMATO, a wonderfully bipartisan group, as cosponsors of this amendment.

The point is this, as we state in the findings of this resolution: The United Nations did create this International Tribunal. A Security Council resolution was adopted on May 25, 1993, early in this horrific episode, which requires states to cooperate fully with the tribunal. The signatories to the Dayton peace accord, signed December 14, 1995, have accepted, in article IX of that accord, the obligation "to cooperate in the investigation and prosecution of war crimes and other violations of internationally humanitarian law." This means all the signatories of the accord, including Serbia, Bosnia, Croatia, and the Republika Srpska.

In fact, the Constitution of Bosnia and Herzegovina, which was accepted as annex 4 to the Dayton peace accord, provides in article IX that—

No person who is serving a sentence imposed by the International Tribunal for the former Yugoslavia, and no person who is under indictment by the tribunal and who has failed to comply with an order to appear before the tribunal, may stand as a candidate or hold any appointive, elective, or other public office in Bosnia and Herzegovina.

The tribunal has now issued 57 indictments against individuals. It continues to investigate gross violations of international laws. Specifically, on July 25, 1995, almost 1 year ago to the day, the tribunal issued an indictment

of Radovan Karadzic, President of the Bosnian Serb administration of Pale and Ratko Mladic, commander of the Bosnian Serb administration, and charged them with genocide, with crimes against humanity.

This was no opposition politician standing up and making a charge. This was an international tribunal which, having heard evidence, charged them with genocide, crimes against humanity, violations of the law or customs of war and grave breaches of the Geneva Conventions. All of these charges arise from atrocities perpetrated, not against soldiers, but against the civilian population throughout Bosnia and Herzegovina, as we remember from those painful, frustrating and infuriating pictures, and including the taking of U.N. peacekeepers as hostages for their use as human shields.

On November 16, 1995, Karadzic and Mladic were indicted a second time by the International Tribunal, this time charged with genocide for the killing of up to 6,000 Moslems in Srebrenica, Bosnia, in July 1995.

The U.N. Security Council, in adopting its own resolution 1022 in November of last year, decided that economic sanctions on Yugoslavia and Srpska would be reimposed if at any time the High Representative, Carl Bildt, or the IFOR commander, soon to be, perhaps already, Admiral Lopez, informs the Security Council that either of these two Governments, Serbia or the Bosnian Serb Republika Srpska, have failed to meet their obligations under the peace agreement.

The fact is that these two entities have failed to arrest and turn over for prosecution indicted war criminals, including Karadzic and Mladic. We know where they are, particularly Karadzic. A while ago one of these two went to Belgrade for a funeral. Authorities in Serbia knew that he was there. Nothing was done to apprehend this indicted war criminal.

Last week, again, in an extraordinary act of public service and diplomatic skill, Ambassador Richard Holbrooke convinced Slobodan Milosevic, the President of Serbia—for fear of having the reimposition of economic sanctions against his country—to use his power to take Karadzic out of power, to take him out of the leadership of the Serbian Democratic Party, and to remove any chance that he would be a candidate for office in the elections.

It is startling, when you think about it. It is as if at the end of the Second World War some leaders of the countries that we fought in the Second World War remained in their countries and ran in the first postwar elections. It would have so infuriated the public here, understandably, that we probably would have done what we are asking here, which is to arrest them and bring them to justice.

But Ambassador Holbrooke did take a step forward. Unfortunately, though, these two war criminals remain at

large. Just a few weeks ago, on July 11, 1996, the International Criminal Tribunal actually issued international arrest warrants for Karadzic and Mladic.

The fact is—and we have heard this from all parties there in Bosnia; and it is just common sense as we move forward to the elections there on September 14 of this year, which we hope will be the next step in rebuilding this country in going back to some form of cooperation among the various peoples there—these elections could not go on with any credibility were these war criminals at large and, in Karadzic's case, actually running a political party, perhaps even at one point thinking about running for office himself.

So now, thanks to Ambassador Holbrooke, we have Karadzic out of political office and out of political leadership. But the truth is, he should be out of that country. He should be taken to The Hague for trial, to be brought to justice.

That is exactly the intention of the resolution that the Senate has now adopted, accepting the principle that the human, but also the practical, principle of the apprehension and prosecution of indicted war criminals—these two and all others—is essential for peace and reconciliation to be achieved and for democracy to be established throughout Bosnia and Herzegovina.

Mr. President, we have sent 20,000 American soldiers to be part of the implementation force, the IFOR, that has performed magnificently in separating the warring parties and creating a sense of stability. We have spent a lot of money in doing that and put some of our finest men and women in uniform on the line as part of that process.

But unless we remove these indicted war criminals, the prospects of redeeming the investment of courage and bounty that we have made in avoiding broader conflict and ethnic partition in Bosnia will be for naught, because the end result, when our troops pull out, will be that we will have divided camps again, with no trust, not even the minimal elements of trust. So long as these indicted criminals are walking around flaunting their freedom, that trust will not be possible, that trust that is necessary to rebuild a civil society within Bosnia.

So this resolution said very clearly, and I am very grateful to my colleagues for supporting it, that it is the sense of the Senate that the International Criminal Tribunal merits the continued and increased U.S. support for its efforts to investigate and bring to justice the perpetrators of these gross violations of international law.

Second, it is the sense of the Senate that the signatories of the peace agreement and those nations and organizations participating in the Dayton peace agreement and the relevant mandates of the United Nations and Security Council must continue to make it an urgent priority to bring to justice persons indicted by the International Criminal Tribunal.

Third, it is the sense of the Senate that the President of the United States should support the request of the President of the International Criminal Tribunal for the former Yugoslavia to reimpose full economic sanctions on Serbia and Montenegro and the Republika Srpska in accordance with the relevant U.N. Security Council resolution, if Serbia and Montenegro and the Bosnian Serb authorities have not complied with their obligations under the relevant agreements and resolutions to cooperate fully with the International Criminal Tribunal.

Finally, it is the sense of the Senate that all the States in the former Yugoslavia should not be admitted to international organizations until and unless they have complied with their obligations under the Dayton peace agreement and the relevant U.N. Security Council resolutions.

The Senate has said clearly in this resolution now adopted as part of the foreign operations appropriations bill that while we take some comfort and we have some appreciation for Ambassador Holbrooke for the statement that Karadzic has made that he is removing himself from politics, this is a small step toward what should be done. We are not leaving the field here. We have stated here quite clearly that we will not redeem our investment in the end of this war and the reconstruction of Bosnia until we settle the moral accounts here, and bring those who have been indicted by this very legitimate International Criminal Tribunal to justice. Until that happens, we cannot rest. Until that happens, there will not be a genuine hope of reconnecting and rebuilding this war-torn country.

Mr. GORTON. Will the Senator yield?
Mr. LIEBERMAN. I am happy to yield to the Senator.

Mr. GORTON. Mr. President, I had the privilege of listening to most of the remarks of the Senator from Connecticut, and I simply wanted to express my agreement with his views and say on this occasion how much I admire his dedication to the administration of justice, both here at home but, particularly in this connection.

I can remember even in previous Congresses his frustration, our frustration, over the way in which we conducted our relationships with Bosnia and the tragedy that has continued there for so many years. His position on this resolution, coming through this morning's foreign operations appropriations bill I think greatly strengthens it and I believe the other Members of the Senate and the people of the country owe him a debt of thanks for his dedication to this cause.

Mr. LIEBERMAN. Mr. President, I thank my friend from Washington very much for the very gracious words that mean all the more to me because they come from him who I first met in our shared service as attorneys general of our respective States.

The rule of law is the rule of law. It is what separates civilized from uncivilized people. It is true not just here for

us but in countries around the world, and insofar as we fail to bring to justice indicted criminals in an international situation like this, it is no better than if we failed to bring to justice murderers and rapists here in our own communities in the United States. But I mostly just thank my friend from Washington for his kind words and also for his consistent and very important support of this effort to make sure that there is both peace and justice in Bosnia, since without justice there will ultimately never be peace.

I thank the Chair. I yield the floor.

ADJOURNMENT UNTIL 9:30 A.M.
MONDAY, JULY 29, 1996

The PRESIDING OFFICER. Under the previous order, the Senate will

stand in adjournment until 9:30 Monday morning.

Thereupon, the Senate, at 2:04 p.m., adjourned until Monday, July 29, 1996, at 9:30 a.m.

CONFIRMATION

Executive Nominations Confirmed by the Senate July 26, 1996:

THE JUDICIARY

ROBERT E. MORIN, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF 15 YEARS.

DEPARTMENT OF STATE

ROD GRAMS, OF MINNESOTA TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE 51ST SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

CLAIBORNE DEB. PELL, OF RHODE ISLAND, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE 51ST SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

ALAN PHILIP LARSON, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AN ASSISTANT SECRETARY OF STATE.

JEFFREY DAVIDOW, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AN ASSISTANT SECRETARY OF STATE.

The above nominations were approved subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

FOREIGN SERVICE

FOREIGN SERVICE NOMINATIONS BEGINNING PAUL P. BLACKBURN, AND ENDING VEDA B. WILSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 26, 1996.