

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows: The Senator from Alaska [Mr. STEVENS], for Mr. GRASSLEY, proposes an amendment numbered 844.

Mr. STEVENS. Madam President, I ask unanimous consent that the 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 title VIII, add the following: SEC. . Effective on June 30, 1998, section 8106(a) of the Department of Defense Appropriations Act, 1997 (titles I through VIII of the matter under section 101(b) of Public Law 104-208; 110 Stat. 3009-111; 10 U.S.C. 113 note), is amended by striking out "\$3,000,000" and inserting in lieu thereof "\$1,000,000".

Mr. GRASSLEY. Madam President, I understand the committee is prepared to accept my amendment on Department of Defense [DOD] disbursements.

My amendment is simple and straightforward.

It says that each disbursement made by the DOD over \$1 million must be matched with the correct obligation before payment is made.

It also says that this threshold must be met by June 30, 1998.

This is the next, logical step in a process that began with section 8137 of the fiscal year 1995 DOD Appropriations Act.

My amendment is fully consistent with the policy first adopted in 1994.

This policy has been developed under the leadership of my friend from Alaska, Senator STEVENS, and my friend from Hawaii, Senator INOUE.

This policy has been incorporated in the last three appropriations bills—fiscal years 1995, 1996, and 1997.

The policy is embodied in section 8106 of the current law.

The current law says that all disbursements over \$3 million must be prematched. That's down from \$5 million the previous year.

What we are trying to do is gradually ratchet down the dollar thresholds. I think there is a general consensus for cranking down the thresholds. The DOD inspector general [IG], Ms. Eleanor Hill, has said we need to do it.

This is what she said in a letter to the committee Chairman:

We agree with the plan to continue lowering the dollar threshold for prevalidation of all contract payments made by DOD.

Mr. Richard Keevey, Director of the Defense Finance and Accounting Service [DFAS] has said exactly the same thing but in stronger terms.

This is what Mr. Keevey said in testimony before the Governmental Affairs Committee on May 1:

To prevent future problem disbursements, the department will require that every disbursement be prevalidated, that is, matched to an obligation before payment is made. . . . Our ultimate goal is to validate all disbursements to zero.

DOD has a plan for meeting the dollar thresholds set in law.

There is one small problem, however. The problem is at DOD's major contract payment center at Columbus, OH. DOD says the Columbus center cannot meet the \$1 million threshold until June 1999. When we launched this policy back in 1994, DOD claimed it would be years before it could make the required matches.

Well, despite all the bureaucratic roadblocks, DOD found a way to get the job done. DOD is making the matches today.

Second, meeting the \$1 million threshold should be no big deal.

With all of DOD's cutting edge technology, it should be a piece of cake. DFAS Columbus processes no more than 11,000 payments annually that exceed the \$1 million threshold.

That's chicken feed, Madam President.

Banks, for example, routinely handle 500,000 account matching operations in a single day. So why can't DOD do it? DOD seems to be working hard to meet the dollar thresholds mandated by Congress. I feel like the momentum is in the right direction.

But recent GAO and IG audits clearly indicate we still have a long way to go. There's still much more work to be done.

My amendment will help to keep the pressure on. It will help the Department reach the ultimate goal: to validate every disbursement prior to payment.

Until we reach that goal, DOD's financial accounts will remain vulnerable to theft and abuse.

Madam President, I thank the chairman and ranking minority member for their leadership and support on this issue.

Mr. STEVENS. Madam President, Senator GRASSLEY and the Defense Comptroller, Mr. Hamre, have been negotiating concerning this subject. It will reduce the deviation ceiling and billing for the Department of Defense on June 30, 1998, to \$1 million. It is being offered by me on behalf of Senator GRASSLEY with the understanding that the Department of Defense does concur in this amendment.

Mr. INOUE. No objection.

The PRESIDING OFFICER. Without objection, the amendment is agreed to. The amendment (No. 844) was agreed to.

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

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

The motion to lay on the table was agreed to.

Mr. STEVENS. Madam President, that was the work product of our hotline so far. We are trying to work out amendments as they are received. Again, we urge that Members bring their amendments to the floor and notify us of their intention to do so. At this time, we only know of one amendment that is to be forthcoming. My understanding is that that Senator will

present it soon. Meanwhile, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. INHOFE). Without objection, it is so ordered.

## RECESS

Mr. STEVENS. Mr. President, we are still awaiting the arrival of Senators who have indicated they may have amendments to offer.

I ask that the Senate stand in recess until 4 p.m.

There being no objection, the Senate, at 3:23 p.m., recessed until 4:01 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer [Mr. STEVENS].

Mrs. HUTCHISON addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mrs. HUTCHISON. Thank you, Mr. President.

## DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1998

The Senate continued with the consideration of the bill.

Mrs. HUTCHISON. Mr. President, I will shortly offer an amendment to this bill. It is an amendment that many of us are working on. We worked on it last week for the Defense authorization bill. It deals with Bosnia and exactly what our mission is in Bosnia, and the possibility that we are looking at a change to that mission without congressional consultation.

I want to step back and talk about U.S. foreign policy in general over the last 4 years since I have been a Member of the U.S. Senate.

What concerns me is the lack of focus and the lack of stability in our foreign policy that, unfortunately, creates a vacuum that can be filled by either our allies or our adversaries. Since the last 4 years have seen many missions with U.S. troops both under the U.N. umbrella and the NATO umbrella, I think it is important for us to take a step back and look at what happens when there is a vacuum.

As I have observed since President Clinton has been in office, it seems that someone is always wanting the United States to do more. Sometimes it is our allies asking us to send more aid, put more troops on the ground, go into police missions—missions to capture; not kill. If you look at the use of our troops over the last 4 years, we have, in fact, been drawn into conflicts sometimes not really even knowing why we were involved.

Starting with Somalia. Somalia was a U.N. mission. Our mission was to feed starving people and starving children

in Somalia because we heard the reports coming back and saw the pictures of starving people. No one in the world could look at those pictures and not say we have to do something. So under the U.N. auspices, we did go to feed the starving people.

But then there was a mission creep—from feeding starving people to capturing a warlord, Aided. Because we had a mission creep that Congress was not prepared for, we lost 18 Army Rangers without even realizing that the U.S. mission had changed. What was the result? The result is that Aided outlasted the United States. There was not much of a change in Somalia. Yet, we lost 18 Army Rangers.

Then consider Haiti. Under the guise of installing a democratically elected President, United States forces in a U.N. mission invaded the island of Haiti. We spent \$1 billion, American Defense dollars, dollars that we took from other Defense priorities, whether it was training or technology or new equipment.

Today we are seeing the unraveling of the democratically elected President and that regime in Haiti—\$1 billion later.

Then we move to Bosnia. It seems that, since the day I walked onto the Senate floor in 1993, we have been trying to deal with the unrest, the war, and the atrocities in the former Yugoslavia. We started by trying to lift the arms embargo on one part of the population in the former Yugoslavia, because other elements of that population had arms. Some had gotten their arms even though there was an arms embargo. But the Muslim population received very few arms. Many of us in the Senate felt that if we could lift that arms embargo and let the Muslims have a fair fight, perhaps that war would have ended a lot sooner. But the President refused—refused—to provide the U.S. leadership needed to lift the U.N. arms embargo.

Then we saw in 1995 a massacre of Muslim men and boys. We think as many as 10,000 died in Srebrenica and other places. It was clear that the U.N. mission could not do what it was supposed to do, which was to keep some sort of peace in Bosnia. We reached the Dayton peace accords and NATO entered Bosnia. The United States was pushed into putting U.S. troops on the ground. I believe they were pushed to do it because there was a vacuum of leadership and our allies said the only way that we could show our interest and support of Bosnia and peace is to have troops on the ground. Many of us felt that there were other things that we could do besides putting our troops on the ground that would have been helpful to peace in Bosnia—including putting our money into helping the Bosnian people build an infrastructure and economic base that would have led, I think, to a better peace settlement than we are seeing right now. We are seeing a bubbling up of the hostilities in Bosnia despite the fact that our

troops are there. We are seeing the bubbling up of hostilities because there is still no economic base. It is that economic base, I think, that would provide hope for the future.

But, instead, the President said we would put troops on the ground to keep the warring parties apart for 1 year—for 1 year. At the end of 1995, the President said we would be there for 1 year—until the end of 1996. As the end of that year approached, the President said we need to stay there—doing the same thing, not seeing much progress. He said it would be June 30, 1998 before we could withdraw. The Secretary of Defense, Bill Cohen, reiterated when he came into office in his Senate hearing that it would in fact be June 1998.

Just last week in the Senate took up a resolution to confirm that June 30, 1998 will be the end. We did so so all participants can count on it and they can start making plans for it, so that there won't be a vacuum that anyone else could fill with mandates for the United States. But the President has now said that he thinks it would be wrong for the Senate to confirm June 30, 1998 as the withdrawal date.

(Ms. COLLINS assumed the chair.)

Madam President, I think this is the beginning of another muddled message. The President says we are going to be out June 30, 1998. His Secretary of Defense-designate this year said we are going to be out June 30, 1998. Congress proposed for us to start planning for that eventuality by saying we are going to set that limit, it will be in the law, the funding will be cut off. And the President says, no, don't do that. So he must be leaving himself an option, which is a message to both our allies and any adversaries. That leaves room once again for someone else to come in and establish American policy for us.

Now, on top of all of this, we are hearing about a different mission in Bosnia. We hear our Secretary of State talking about capturing the war criminals, seeking the war criminals out.

Once again, I think we need to go back and look at the parameters of the mission very clearly. We must learn from what happened in Somalia. When there is mission creep that Congress does not approve, it is in effect putting our troops into a combat role that Congress has not sanctioned. That is what we are beginning to see in Bosnia. It was clearly stated in the Dayton accords that we hoped that the war criminals, the indicted war criminals, would be apprehended and that it would be done by the three parties to the agreement: the Bosnian Serbs, the Bosnian Muslims, and the Croats.

I want to read a series of statements that confirm what our mission is and what our mission isn't.

On July 3 of this year, State Department spokesman Nicholas Burns stated that a Bosnia Serb television report that NATO peacekeepers had been ordered to arrest Radovan Karadzic and Ratko Mladic on site was "absolutely

and unequivocally false." In support of that position, the Supreme Allied Commander in Europe, Gen. George Joulwan, reaffirmed on Monday, July 7, last week, that the principal responsibility for apprehending war criminals lies with the parties themselves, meaning the Bosnian parties—in accordance with the Dayton accords.

On March 18 of this year, General Joulwan testified before the Senate Armed Services Committee that the military are not policemen.

"I think"—again quoting General Joulwan—"the proper responsibility rests on the parties, the Bosnian parties. That is what Dayton says. . . . If we are not careful, we will go down this slippery slope where the military will be put into hunting down war criminals. This is not within my mandate."

On July 9, last week, the prospective Supreme Allied Commander in Europe, Gen. Wesley Clark, during his confirmation hearing before the Senate Armed Services Committee, acknowledged his understanding of his predecessor's mandate and affirmed his intention to execute the policy in the same way as General Joulwan has.

On November 17 of last year the Secretary of Defense stated, in response to a specific question regarding the apprehension of war criminals in Bosnia, that "the mission is to provide a secure environment so that all of the other civil functions can go on. . . . It is not to perform apprehension functions."

On December 18 of last year, the Secretary of Defense reaffirmed that "the apprehension of war criminals was not an IFOR mission and it will not be an SFOR mission. Locating and arresting the criminals is a mission for a police force."

On March 3 of this year, the Secretary of Defense stated that the apprehension of war criminals was not a part of the mission. It is a police function. It is not a military-type mission.

Madam President, a change in United States and NATO policy regarding alleged war criminals in Bosnia could expose United States and NATO troops to direct combat action and ultimately do what none of us want, and that is jeopardize the peacekeeping progress to date.

United States and NATO forces have made progress in Bosnia. This could allow the situation to deteriorate to the conditions that existed before the NATO IFOR and SFOR missions were established.

Madam President, we cannot let mission creep hurt what we have done so far. We have spent 6 billion American taxpayer dollars on this mission. We have our soldiers on the ground in Bosnia right now. We cannot walk away from this mission prematurely, but we need to set the parameters of this mission and reiterate them. And the parameters are that our troops' work will be done June 30, 1998, and the mission remains the same unless the President comes back to Congress to change it. And that is: if we run across

a war criminal, yes, we would apprehend that criminal. But when we say we are going to be part of a force that is going to go and seek out war criminals, war criminals that have armies still under their control, that is a very different mission. We are beginning to talk about a combat mission that we did not sign up for in the original IFOR and SFOR missions, which were very clear with Congress.

I have seen General Joulwan time after time get out his book that is underlined and earmarked. It is his mission statement, and he has stuck to the mission. If we are going to change the mission, we need to know it, and we need to provide the extra alertness that would be required for changing the mission. Congress should be consulted if we are going to go out and seek war criminals. And I would say to the Serbs that we are not doing that now. We are not doing that. And when I read statements by Serbs that were passed out at the recent funeral of a war criminal, typed in broken English and appearing in Serb-held areas in northeast Bosnia promising a "head for a head" and warning that "Somalia was too gentle for U.S. troops," I am sending a message: There is no change in the mission as far as U.S. troops go.

There should not be such a change without the full accord of Congress. Many of us in Congress did not want to use our troops in this way. All of us admire and respect our troops because they have done a wonderful job fulfilling their mission, but if we are going to change that mission, we must make that decision, and we must do it knowing what the risks are.

Madam President, what we should not do is permit mission creep, something that inches forward without our specific authorization and consultation, but which would put our troops into a different situation, a combat situation, a high alert situation, without understanding the full consequences of doing that.

So I am standing here today saying I hope all of the Senate will be able to agree on language which says that we want the war criminals at the Hague; these people who have been indicted, who have committed atrocities, should be brought to justice. But we cannot change the mission of American troops under NATO auspices without a full airing. We cannot put our troops in the position of being targets unless we go into a different state of high alert.

So I hope that we will stand together on this to say that we want to be part of a plan that determines how those criminals will be brought to justice. But right now, in the Dayton accords, it is provided that the parties, the Bosnian Serbs, the Muslims, and the Croats, will go after war criminals, as they should. It should be an international police force, but it is not a military mission as George Joulwan, as General Clark, and as our Secretaries of Defense have said for the last 2 years. And if we are going into a dif-

ferent kind of mission, we ask the President to come forward. Do not let this mission start creeping without our assent, without our consultation. It is the least we can do for the security of the United States, for the taxpayers of America, for our troops on the ground, and for the integrity of our word and our commitment.

Thank you, Madam President. I yield the floor.

Mr. INHOFE addressed the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. INHOFE. Madam President, I am not sure what else can be said concerning the dilemma we find ourselves in right now. I think the distinguished junior Senator from Texas has really said it all.

It was just last week that we had our defense authorization bill up before this body. We talked at that time about the desirability of putting some type of amendment on to stop the funding for the Bosnia operation for any time after June 30, 1998. Of course, I think we decided that it wasn't going to work out that way because if that happened, it might jeopardize not just the bill but would probably have caused a filibuster, and we didn't want that. We wanted to keep it moving. We need to have our authorization bill. It is imperative to our Nation's defense that we have it.

So I think against the better judgment of several people we agreed to not have that position in. But that is the way it is going to have to be. I don't know any other way we are going to be able to bring our troops back. Clearly, the President has us over a political barrel right now because any time our troops get out of there—I don't care if it is tomorrow, if it is June 30, 1998, or if it is 10 years from now—the fighting will start again, and anyone with any common sense, with any knowledge of history, knows it has happened that way, and it is going to continue to happen that way. And so the question is do you do it sooner or later.

Those of us who were concerned about mission creep back when they made the decision to send troops over to Bosnia back in December of 1995, they were to be there for, of course, 1 year. They kept saying, "They will be home for Christmas December 1996." And all of us knew they would not be home for Christmas in December of 1996. It just didn't make any sense that that promise was made. So they went over there to provide safety for the corridors, to keep people from crossing over them, and supposedly that was going to take care of the problems that existed.

Well, this is not the first time in history that this has happened. Here it is now. We have made a commitment of 2½ years instead of 12 months. Now the President is trying to renege on that and go beyond to an undetermined period of time.

I can remember in history when we sent our Marines into Nicaragua in

1909, and that was supposed to be for a 6-month period in 1909 because there were some problems with the government down there and they felt our intervention would stabilize things, and we did have some national security interests at that time, not as great as they were in other parts of the world, but nevertheless we sent our troops in for that short period of time and they were still there 13 years later. In fact, they never really came back until 1933. That is 24 years.

As to Haiti, the Senator from Texas was talking about the fact that we still have troops in Haiti. People forget about that. We did not have any mission over there in the first place that was strategic to any of our problems in this country and yet we sent troops over to Haiti to supposedly try to clean up their government and run it better than they can run it. And now we have the same problems over there as we had before and we still have troops over there. We sent Marines to Haiti in 1915 and the same problems existed at that time. They were going to help with some of the stability there in Haiti and they stayed there until 1934.

So now we see that we are in the middle of a classic case of mission creep. We are enlarging the mission. We are exposing U.S. troops to a whole new set of risks, and it is all without the permission of the American people or the permission of the Senate, but they are going to do it.

Let's review for a minute the timeline in Bosnia. The President and administration officials pledged on numerous occasions in 1995 and 1996 that the United States military forces would be out of Bosnia by 1996 in the hearings that we had in the Senate Armed Services Committee. The Secretaries of Defense and the Secretary of State, the Chairman of the Joint Chiefs of Staff, John Shalikashvili, all of them said that the IFOR mission would be concluded in 1 year and that there were no plans to extend United States presence in Bosnia beyond a 1-year timeframe. And they kept repeating it.

I can remember, since I serve on the Senate Armed Services Committee, a meeting we had October 17, 1995, Madam President, and that was when General Shalikashvili said, and I am going to quote his words, not my words—this is General Shalikashvili, the Chairman of the Joint Chiefs of Staff. He said on October 17, 1995:

From a military perspective, as I evaluated the tasks we wished this force to accomplish, it was my judgment that it in fact can be done in 12 months or less. Secondly, when tied to the equipping and training issue, it was my judgment that that, too, can be accomplished in less than a year. And so I felt it was important that we, therefore, set a target of one year and then bring the force back. In the absence of that, you just find yourself staying there, and that's how very often mission creep comes in. The force needs to be brought home and they need to resume normal training and be ready for other operations. And I just think one year—

I saw no military justification for that force to stay longer than one year, and that is why that was my recommendation.

This is a guy who is supposed to be running the military, the Chairman of the Joint Chiefs of Staff.

I was over in Bosnia several times, but the last time I talked to Gen. Monte Miggs up in that northeast sector and it is his job—he is doing a great job, by the way, of trying to carry on some type of training during the time that those troops are stationed over there. You have two big problems that exist when you have, when you are leaving troops in an area. One is in the case we are in right now where we have just decimated the military budget, our defense budget, we are spending all of this money. I can remember standing on this floor in November 1995 when the President had made the statement that the cost of the deployment to Bosnia would be somewhere between \$1.5 billion and \$2 billion.

It is now going through \$7.3 billion, and where does that money come from? It comes from readiness, it comes from modernization, it comes from force strength, and it comes from quality of life. That's the only four places it can come from.

Now we have an optempo rate, where our troops are being asked to do things that human beings really can't do. Instead of being deployed for the normal 115 to 120 days a year, in some cases it is twice that. And we keep hearing stories from the field that it is even worse, because with the depleted budget we are now having to cannibalize perfectly good F-15 engines, that's F-100 engines, to get spare parts to keep the ones running that are in planes right now. Of course, that is very labor intensive. So from the field we hear these guys are working, some of them, 15 and 16 hours a day. They cannot keep that up for a period of time.

But I think General Miggs up there, if there is ever anyone who can do it, up in the Brcko area, near the Posavina corridor, he is carrying on training. Of course, to carry on training and perform these humanitarian or peacekeeping or peacemaking missions, whatever they are supposed to be doing over there, it means longer and longer hours. So they are trying to do it. But there is not one general I have talked to who has not said that, if we should need our troops, if something should happen in North Korea at the same time something happened in Iran—not totally inconceivable—or Iraq or anyplace else, but if we were challenged in two regional fronts, we would have to take those people, withdraw them and retrain them, before we could send them into combat. So it's a real serious problem.

In that same Senate Armed Services Committee meeting of October 17, 1995, I might add, Secretary Bill Perry said:

I cannot conceive of the circumstances which would motivate me to come back and ask an extension of that time.

This is an extension, he's talking about, beyond Christmas of 1996.

... 12 months is sufficient to do the job we're describing. And I believe there is a great value, a great management value to putting a definite time scale on it and sticking to that time period.

Again, he said later, in December, this is 6 weeks later, he said:

We believe the mission can be accomplished in 1 year, so we have built our plan based on that timeline. This schedule is realistic because the specific militarily tasks [which are changing all the time, and that's the justification they are making for leaving them over there] 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.

Madam President, we are in a posture of indefinite garrison.

Look at this in yesterday's paper, "Clinton keeps door open to extending U.S. role in Bosnia."

Here's the problem we have. I was disturbed we had to go beyond 12 months. Now they say we will make it 2½ years and we will be out of there on June 30, 1998. I went over to the NATO meeting in Brussels and found we had Members of Congress, Members of the other body, who were walking around telling our NATO friends, whispering to them, "Don't worry, we won't leave you. We'll be there."

There is plenty of time, adequate time now to make this as the policy, which is the accepted policy, that is we are getting out on June 30, 1998. Because there is a lot of time between now and then.

I was watching the Senator from Texas and remembering what happened when we had a resolution of disapproval back in October 1995. Because we knew, once they went over there, it was going to be very difficult to bring them back. Sure enough, we lost that by four votes. It was interesting, because the main argument that was used by the other side was that our troops will be back in 12 months. So who can object to 12 months?

I heard Senator after Senator say to me, and say privately, "Well, I was going to support the resolution of disapproval and not send troops over there, not agree to that, but after all, the President has promised it will be 12 months. He's promised it would not exceed on the outside \$2 billion."

I made a speech on the floor at that time and stated it would be closer to \$8 billion. And sure enough, we are creeping through right now \$7.3 billion. Looking back, I remember what I stated on the floor. And I will repeat that now, because I think it is appropriate now, 18 months later. This is quoting myself in the CONGRESSIONAL RECORD, December 13, 1995.

My conviction that the administration's intention to put troops in harm's way in Bosnia is a huge mistake rests on three broad arguments. First and above all, the conflict in Bosnia imposes no real threat to vital American interests. Simply put there is

nothing in Bosnia that Americans should die for.

Second, the Dayton talks have produced a false peace, that is inherently unstable and politically doomed.

Here I was talking about the fact we go to Dayton and we have all these factions in there, supposedly coming to a peace agreement, but who wasn't at Dayton? Karadzic was not in Dayton, that's the Bosnian Serbs. Sure, Milosevic was there. That's Serbia. But that wasn't where the problem was. Those individuals who were creating the problem were not there. The Bosnian Serbs were not represented. Not only were they not represented, but none of the rogue elements were represented. We still had the mujahidin, the Arkan Tigers, the Black Swans, and the rest of them, who are still over there right now.

So you have a flawed meeting with a flawed attendance making an agreement that we cannot live with.

Finally, quoting from my statement on the floor on December 13, 1995:

The Implementation Force [that's IFOR] plan is self-contradictory, and hopelessly optimistic and will expose our soldiers to unreasonable risk even as they diligently pursue its unrealistic objectives.

So, that is where we are today. I think, if you look and see what they agreed to and what was supposed to have happened in the first 12 months in the Dayton accords, they talked about "we were going to have the elections." They have not had the elections. They had flawed elections. They said, "The refugees would all be able to go home before 12 months." Guess what, the refugees haven't gone home and it's 18 months. We keep finding violations of arms agreements, in the 18 months into the 1-year agreement, and we can't pull out. I am very thankful we have not suffered precious casualties at this time, but I tell you, we predicted on the floor if we continue this mission creep we may not be so fortunate in the future.

I would conclude, Madam President, that we have a responsibility to be responsible. If this were a time when we didn't have the distinguished Senator from Alaska, the chairman of the Appropriations Committee, having a very difficult time coming up with the money to keep America strong enough to meet the minimum expectations of the American people, which we can't, that is to be able to defend America on two regional fronts—if that weren't the case, maybe we could afford to be sending troops around the world on humanitarian missions, on peacekeeping missions. But we can't afford to do that, Madam President.

So I conclude by saying we need to make it very clear that we are going to be out of there, and give a date certain that is still 12 months from now. There is still plenty of time for our allies to make time to make that happen. I have been agonizing with this concern.

This is not a partisan thing, by the way, Madam President. Because when

we sent troops into Somalia, George Bush was President. That was in December. After he had been defeated but while he was still in office, we sent troops over there, if you'll remember, for a period of some 3 months to 6 months. Then, once President Clinton got in, he kept extending it. So we sent resolutions and resolutions, "We want to bring the troops back." Month after month, every month we sent resolutions, and the years started going by, and it was not until 18 of our rangers were brutally murdered and their naked corpses were dragged through the streets of Mogadishu before the American people got concerned enough to force the administration to bring the troops home from Somalia.

Madam President, I don't want that to happen in Bosnia. I don't want our troops to be dragged through the streets of Sarajevo or Tuzla or Brcko or any of the rest of them.

We have experienced mission creep. We are now in a situation where our troops are there for an indeterminate period of time. Now is the time to draw the line and say that June 30, 1998, is our time that our troops will be coming home. Are they going to be safe over there when that happens? No. If we brought them home tomorrow, there would still be fighting once our troops were out, or June 30, or 10 years from now.

Madam President, I yield the floor.

Mr. WARNER. Mr. President, I rise today as an original cosponsor of an amendment which expresses the sense of the Senate that: "The Administration should consult closely and in a timely manner with the Congress on the NATO-led Stabilization Force's mission concerning the apprehension of indicted war criminals, including any changes in the mission which could affect American forces."

From the beginning of the NATO mission in Bosnia, particularly the ground element—a mission which I have consistently opposed—the administration has been clear that U.S. forces would be used primarily to implement the military aspects of the Dayton accords, and assist in limited civilian missions at the discretion of the local IFOR or SFOR commander.

On the specific issue of apprehending war criminals, the administration has been unequivocal—NATO troops are not charged with hunting down war criminals. The specific, detailed mission statement is set forth in a classified document; therefore, I can only use as a resource statements made by administration officials on this issue. The following is a compilation of such statements:

Secretary Cohen, before the House National Security Committee, March 20, 1997, in response to a question from Congressman Lantos: "Why aren't we apprehending war criminals? Well, that's not the mission of SFOR."

Ken Bacon, DOD Spokesman, July 3, 1997, in response to a question about whether or not the administration was

considering expanding the authority of NATO troops to arrest war criminals:

There's been no change in our procedures. And those procedures are, first of all the Dayton accord makes it very clear that the formerly warring factions are responsible for turning in war criminals.

And second, our job, because the collection and detention of war criminals is an act of law enforcement for law enforcement activities, our rules have been clear from the beginning, which is that if we encounter war criminals in the course of our patrols, we would detain them and turn them over to authorized law enforcement agencies. There's been no change in that rule.

Sandy Berger, National Security Adviser, July 10, 1997:

Under SFOR's mission they may apprehend indicted war criminals encountered in the course of its duties and if the tactical situation permits. This was such a situation (British action on July 10) . . . SFOR concluded that they could detain these individuals. NATO political authorities agreed with that view. SFOR acted within its mission and mandate.

Background briefing by senior administration official, July 10, 1997.

Rules of engagement and the authority of the SFOR forces permit the commander in a particular situation when he encounters or is encountering war criminals and believes that he has a tactical capacity to apprehend in a way that is not unduly risky to exercise that authority. That continues to be the authority.

The authority here is to apprehend war criminals who are encountered by SFOR where the commander makes the tactical decision that he can do so.

From the above, it is clear that war criminals are to be apprehended only if IFOR or SFOR forces encountered these war criminals, and only if the local NATO commander determined that the tactical situation allowed his troops to safely apprehend the war criminals.

Now that understanding seems to be changing. We hear press reports of the Secretary of State urging for a more proactive role for our troops in hunting down war criminals in Bosnia. We also hear that the Secretary of Defense is opposing this policy change. What is the accurate situation?

Before it is too late, and the policy is changed, it is imperative for the Senate to express its judgment on this important issue.

I strongly support the apprehension of the indicted war criminals so that they may be brought to justice.

The policy of "how"—working with all of the member nations of SFOR—must be carefully coordinated. The current policy, as enunciated above by administration officials, if it is to be changed, such change should beforehand be the subject of the most careful consultation with the Congress.

In the case of Somalia, the Congress witnessed mission creep without taking any action to try to stop it. The results in that case were disastrous—18 dead, over 70 wounded.

We should have learned from history that the military is not an appropriate force for tracking down and arresting individuals. There is no question as to

their capability—but how would that detract from their primary mission? What are the personal risks?

What will be the consequences of an expansion of the SFOR mission to include actively seeking out and apprehending indicted war criminals? While I share the hopes of all that the war criminals in Bosnia will be brought to justice, I question the wisdom of seeing the lives of United States or allied troops jeopardized in an effort to hunt and arrest these individuals. Both IFOR and now SFOR have been able to achieve a measure of success in Bosnia because they have been perceived as even-handed. That will all change if we use our troops to aggressively pursue indicted war criminals. Rightly or wrongly, we will be seen as taking sides. Our troops will become targets, the success they have achieved thus far will be jeopardized.

As I said earlier, I opposed the President's decision to send United States ground troops to Bosnia in December 1995. But that decision is behind us, and the American people have invested \$7 billion into the operations in Bosnia. Precipitous action in this area could well put at risk that investment. As I stated last week, that investment could likewise be jeopardized by Congress forcing a specific withdrawal date. But these are separate issues.

Our request of the administration is simple. Do not allow a significant change in the mission of our troops in Bosnia without first coming to the Congress.

Mr. INOUE. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ALLARD). The clerk will call the roll.

The legislative 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, last week, the Senate expressed in very clear terms its view that the United States' mission in Bosnia should be terminated by next June, which is the administration's stated deadline. This was not a position that was taken without public debate. In fact, the Senate debate regarding the Bosnia operation began last Thursday evening and continued well into Friday morning. A number of Senators were involved in the debate at various times during the consideration of the DOD bill. Quite frankly, Mr. President, as we well know, there were some Senators—including the Senator from Delaware [Mr. BIDEN] and the Senator from Virginia [Mr. WARNER]—who did express their disagreement with having a date certain for termination of U.S. ground troop deployment. Mr. President, they were clearly in the minority on this issue.

The Senate took this action regarding an end date as part of one of the

most important pieces of defense related legislation—the Department of Defense authorization bill for fiscal year 1998. Mr. President, let me remind my colleagues what we did this past Friday. Indeed, one of the reasons that I pressed so hard to have a Bosnia-related provision added to that bill was because of the importance of having this debate on the DOD authorization itself.

Now, today, we have begun consideration of the other key defense bill—the Department of Defense appropriations bill. As in the authorization bill, I do not think we can let the fact that we currently have 8,000 of our troops in Bosnia go unnoticed during a debate on the Department of Defense appropriations.

Just 3 days ago, we passed an amendment to the defense authorization bill that clearly states the Senate's desire to have United States troops out of Bosnia no later than June 30, 1998. The resolution we passed was a modification of an amendment I had introduced that would have imposed a hard, statutory requirement that the administration stick to its announced pullout date of June 30, 1998. My original amendment was virtually identical to the one that passed the other body, the House, on a vote of 278-148 that literally cut off funding for the Bosnia mission after that June 30 date.

The message of the action, Mr. President, in both the House and the Senate is crystal clear: It is the overwhelming desire of the Congress that the administration pull our brave men and women out of Bosnia by June 30, 1998.

In light of these strong messages, Mr. President, I was somewhat disappointed in what I read in the papers over the weekend. Only 1 day after the Senate passed its resolution, President Clinton publicly stated what I am afraid the administration has been thinking all along—the possibility that the deployment of United States troops in Bosnia may well continue after the present mission expires. Let's not forget, this is already a major extension from the original date when it was supposed to terminate, which was approximately the end of December 1996.

The President said, "I believe the present operation will have run its course by then"—referring to the June deadline—"and we'll have to discuss what, if any, involvement the United States should have there." Meanwhile, the White House said that an international presence will be necessary in Bosnia for perhaps a considerable time past June 1998.

Now, Mr. President, I fear these statements send the wrong message. By making these remarks, the administration is hinting that the United States might be willing to sign on to a new mission once the mandate of the NATO-led stabilization force, or SFOR, has run out. Mr. President, I think it frighteningly opens the door for additional U.S. troop involvement after that time. Now, this is contrary to what Congress has said, that the U.S.

troops should be on the way home next June, not starting a new mission. There should be no maybes about the continued involvement of U.S. ground troops past the clear deadline that has been set by the administration and endorsed by both Houses of Congress.

Mr. President, in 1995, President Clinton asked Congress to approve the deployment of United States troops to Bosnia, with an understanding. The understanding was that our military personnel would remain there for just 1 year. Well, as we all know, after the 1 year the original implementation force was turned into a stabilization force and renamed from IFOR to SFOR. It just kept on going. And as a result, the United States has kept 8,000 of our troops in the region under the premise that SFOR was somehow a completely new mission. But it obviously is not.

I also do not need to remind everyone, I hope, of the ballooning costs of the Bosnia mission. This is really quite startling to me. Despite original estimates in the \$2 billion range, we are now committed to pay at least, Mr. President, \$7.7 billion, and it is going up. When I first raised this issue this year on the supplemental bill, the figure I brought to the floor was \$6.5 billion. Now it is already up to \$7.7 billion a few short weeks later. Every time there is an assessment of the cost of this mission, the figure goes up another \$1 billion or \$2 billion.

After this weekend, I have a new fear that when the June deadline rolls around this mission will undergo another name change. Maybe the "stabilization" force will become the "coordination" force, or CFOR. Maybe it will become the "maintenance" force, or MFOR. Whatever the new acronym is, Mr. President, I am afraid the results will be the same—our ground troops will be asked to remain in Bosnia past June under the pretense of a new mission.

Now, I don't doubt for a minute, Mr. President, that United States goals in Bosnia are to maintain the peace and to help the three sides rebuild a united government. While our mission has succeeded in stopping the fighting, we are far behind in preparing for the day when Bosnians will once again have to rule themselves without the benefit of NATO troops. In a May study of the Bosnia mission, the GAO noted there has been little progress in creating a united police force, or on building a functioning parliament, or even setting up offices for a new Bosnian cabinet.

Mr. President, the best way to ensure that something never gets done is to constantly extend the deadline. If a teacher were to give his or her students a term paper assignment and tell them, "try to get it done by this year and, if that's not possible, maybe next year," you can bet that the students will not be rushing off to the library to get the work done. In a way, that is a little like what we are doing in Bosnia. We are saying, "try to comply with the Dayton accords by June, but if you

can't, we'll stick around anyway." It is no wonder the various parties in Bosnia are not making much headway in rebuilding their civilian institutions, given that NATO and the United States seem committed, it appears, to policing this country indefinitely.

Similarly, I do not think that our European allies will take seriously their own responsibilities to the region unless they clearly understand American intentions. I think that's why the compromise resolution the Senate passed last week actually included language that the President should inform our partners in Europe in this exercise of the expression of this Congress—tell them that we are planning to leave by June 30, 1998. I think this is a very important part of the Senate's position on this issue.

The administration, our friends in Europe, and the parties to this conflict must all understand that this Congress does consider the June deadline a firm one. That is not to say that at the end of next June there will be no more American involvement in the region. That is not my position. I don't think that is the position of most Senators. As the Senate resolution indicates, Congress would be open to considering a different kind of supporting role in Bosnia. This could include activities such as airlift, logistics, intelligence, or equipment, for example. As long as such activities do not include the use of ground forces, and as long as the Congress is appropriately consulted, I too am open to considering the United States having such a supportive role for our allies. That is not inconsistent with the notion of making sure ground troops come home.

Mr. President, there are many who feel uncomfortable with Congress actually using its literal "power of the purse" to command a withdrawal of U.S. troops from a military deployment. During the debate last week, some Members who firmly support termination of the Bosnia deployment by the June target date did express concern about the mechanism—a hard funding cutoff—that I had originally proposed. However, I want to point out that the reason Members of Congress turn to these drastic remedies, the reason I proposed it in the first place, and the reason the House passed such a hard date overwhelmingly is precisely because not only the administration but also some leaders in Congress seem oblivious to the calls by other Members of Congress for ending the mission by the target date.

Given the statements we heard this weekend, Mr. President, it is even more imperative than ever that the conferees employ the strongest possible language regarding the June 30 pullout date when we get to the final version of the Defense authorization bill. I originally believed that a hard mandate—nearly 1 year in advance of that date—would give the administration more than enough time to prepare for and to implement an orderly withdrawal of U.S. ground forces.

Unlike the President's remarks, the message from the Congress has to leave no room for interpretation or ambiguity. We should not just say that our ground troops should be back home next year, if possible. I think we have to say, as we have done in both Houses—and we have to say this in the conference report—that our men and women should be out of Bosnia by June 30, 1998, period.

Mr. President, I yield the floor.

AMENDMENT NO. 846

Mr. STEVENS. Mr. 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 Alaska [Mr. STEVENS], for himself and Mr. INOUE, proposes an amendment numbered 846.

At an appropriate place in the bill, insert:

**SEC. . FINDINGS.**

The North Atlantic Treaty Organization, at the Madrid summit, decided to admit three new members, the Czech Republic, Poland and Hungary;

The President, on behalf of the United States endorsed and advocated the expansion of the North Atlantic Treaty Organization to include three additional members;

The Senate will consider the ratification of instruments to approve the admissions of new members to the North Atlantic Treaty Organization;

The United States has contributed more than \$20,000,000,000 since 1952 for infrastructure and support of the Alliance;

In appropriations Acts likely to be considered by the Senate for fiscal year 1998, \$449,000,000 has been requested by the President for expenditures in direct support of United States participation in the Alliance; and

In appropriations Acts likely to be considered by the Senate for fiscal year 1998, \$9,983,300,000 has been requested by the President in support of United States military expenditures in North Atlantic Treaty Organization countries.

**SEC. .**

The Secretary of Defense shall identify and report to the congressional defense committees not later than October 1, 1997: (1) the amounts necessary, by appropriation account, for all anticipated costs to the U.S., for the admission of the Czech Republic, Poland and Hungary to the North Atlantic Treaty Organization for the fiscal years 1998, 1999, 2000, 2001 and 2002, and; (2) any new commitments or obligations entered into or assumed by the United States in association with the admission of new members to the Alliance, to include the deployment of United States military personnel, the provision of defense articles or equipment, training activities and the modification and construction of military facilities.

Mr. STEVENS. Mr. President, I apologize to the reading clerk for not having it drafted properly to start with. But I do ask that these changes be made so that the amendment is as read by the reading clerk.

It is an amendment that is a direction to the Department of Defense to provide the Congress with two specific reports.

First, the amounts necessary, by appropriations account, for all antici-

pated costs to the United States for the admission of three new members to the North Atlantic Treaty Organization, and that report to cover the current budget cycle of fiscal year 1998 through 2002.

Second, a report on any new commitments or obligations entered into or assumed by our Nation in association with the admission of these new members of the alliance, including—it is not limited to—but including deployment of U.S. personnel, the provisions of defense articles or equipment, training activities, and modification and construction of military facilities.

I am one who has still strong reservations about the determination to add new members to NATO. I am not opposed to NATO. I have been a firm supporter of NATO. On the other hand, we are doing some studies now on the history of the expansion of NATO and how United States participation in deployment of forces there has just constantly increased.

We, I think, need to know now what the obligation is that we have undertaken and really what will be the costs of this obligation in connection with the expansion of NATO. This really is, I think, a fairly restrictive list of things that we should have. But, clearly, we should have this information before we proceed with any consideration of ratification of any agreements that have been entered into by the United States in connection with this expansion of NATO.

It is, I think, one of the strange coincidences of history that NATO was entered into—and I will present the documentation on this later—with the firm assurance by the then Secretary of State Dean Acheson to the Senate that would be no obligation at all for the deployment of forces to Europe by virtue of the North Atlantic Treaty that was entered into by the United States at the very beginning of this organization, the NATO organization.

I want to be right upfront about it, that this information may convince Members to go one way or the other concerning the matters that will be presented to us later. But I don't know of anyone who could object to asking for this information for the use of the Congress, and particularly for the use of those of us who have the duty to find and allocate the money to maintain our national defense forces to assure the capability to defend this country.

I am pleased that my friend from Hawaii has cosponsored this amendment in that spirit. This is just seeking information. It will in no way inhibit the administration—either the Department of Defense or the President—in their current course. But I do, as I said, still maintain reservations about that course because of what I perceive to be the costs of that course and its impact on our future ability to maintain our own defense.

Mr. INOUE addressed the Chair.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUE. Mr. President, as appropriators, I believe it is the only prudent process that we can follow to at least advise ourselves and our colleagues as to what can be reasonably and rationally anticipated if we are to take this important step.

When NATO was originally organized, I doubt if Members of Congress had any inkling of what the costs would be to the taxpayers of the United States. Whether you are for it or against it, I think it would be well that we enter into this new phase and very important phase with our eyes open.

Mr. STEVENS. Mr. President, it is not a small amount that is in the bill which is before us. As this amendment points out, there is almost \$10 billion in the request of the President for U.S. military expenditures pursuant to the North Atlantic Treaty Organization obligations. I do believe that it is important for us to know to what extent that will be increased by virtue of the cost of action that is proposed due to the enlargement process as far as NATO is concerned.

Mr. President, I ask for the yeas and nays on this amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. STEVENS. Mr. President, I ask unanimous consent that the amendment be set aside so that we may proceed with the program already outlined by the leadership.

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

**NOMINATION OF JOEL KLEIN TO BE ASSISTANT ATTORNEY GENERAL IN CHARGE OF THE ANTI-TRUST DIVISION**

Mr. KOHL. Mr. President, as the ranking Democrat on the Antitrust Subcommittee, let me tell you why I support Mr. Klein's nomination, why he is a good choice for the job, and why we ought to confirm him today.

First, Joel Klein is an accomplished lawyer with a distinguished career. He graduated from Columbia University and Harvard Law School, and clerked for the U.S. Court of Appeals here in Washington, then for Justice Powell. Just as importantly, he is the President's choice to head the Antitrust Division, and I believe that any President—Democrat or Republican—is entitled to a strong presumption in favor of his executive branch nominees.

Second, Joel Klein is a pragmatist, not an idealogue. His answers at his confirmation hearing suggest that he is not antibusiness, as some would claim the Antitrust Division was in the late 1970's, nor anticonsumer, as some argue the Division was during the 1980's. Instead, he will plot a middle course, I believe, that promotes free markets, fair competition, and consumer welfare.

The third reason we should confirm Joel Klein is because no one deserves