

[Roll No. 101]

YEAS—139

Archer Goode Packard Klink Klapcik Kind (WI)
 Bachus Goodlatte Paul Knollenberg Oberstar Smith (MI)
 Baker Goodling Pease Kolbe Obey Smith (NJ)
 Baldwin Gutknecht Peterson (MN) LaFalce Ortiz Smith (WA)
 Barr Hall (TX) Peterson (PA) Lampson Owens Snyder
 Bartlett Hansen Petri Lantos Oxley Spence
 Barton Hastings (WA) Pickering Larson Pallone Strickland
 Bass Hayworth Pitts LaTourette Pascrell Talent
 Biggert Hefley Pombo Lazio Pastor Tanner
 Bilbray Herger Radanovich Levin Payne Tauscher
 Bilirakis Hill (MT) Ramstad Rivers Lewis (CA) Pelosi Taylor (MS)
 Blunt Hilleary Lipinski Lewis (GA) Phelps Taylor (NC)
 Bonilla Horn Rogers LoBiondo Pomeroy Thompson (CA)
 Brady (TX) Hostettler Rohrabacher Lofgren Porter Thompson (MS)
 Bryant Hulshof Ros-Lehtinen Lowey Portman Thurman
 Burr Istook Jenkins Royce Lucas (KY) Price (NC)
 Burton Johnson, Sam Salmon Luther Pryce (OH)
 Camp Jones (NC) Sanford Maloney (CT) Quinn Tierney
 Campbell Jones (NC) Scarborough Maloney (NY) Rahall Toomey
 Canady Kingston Schaffer Martinez Regula Traficant
 Cannon Kucinich Sensenbrenner Mascara Reyes Udall (CO)
 Chabot Kuykendall LaHood Serrano Matsui Reynolds Udall (NM)
 Chenoweth Coble Largent Sessions McCarthy (MO) McIntyre Riley Velazquez
 Coburn Latham Shadegg McCarthy (NY) McNulty Rodriguez Vento
 Collins Leach Shimkus Shuster McDermott Roemer Visclosky
 Combest Lee Shuster McGovern Rothman Walden
 Cook Lewis (KY) Simpson McHugh Roukema Walsh
 Cooksey Linder Skeen Lucas (OK) Smith (TX) McIntosh Roybal-Allard Waters
 Crane Lucas (OK) Souder Tancredo Terry Rush Watkins
 Cubin Manzullo Stark McDonald Miller, Gary Weygand
 Cunningham McCollum Stearns Meek (FL) Sabo Waxman
 Danner McCrery Mica Thune Meeks (NY) Sanchez Weiner
 Deal McInnis Stump Sununu Menendez Sanders Weldon (PA)
 DeLay McKeon Sweeney Stark McNulty Sandlin Weller
 DeMint McKinney Metcalf Tancredo McDonald Sawyer Wexler
 Dickey Doolittle Mica Terry Miller, Gary Saxton Weygand
 Duncan Miller (FL) Miller, George Schakowsky Whitfield
 English Moran (KS) Mink Thune Minge Scott Wicker
 Everett Moran (KS) Moran (VA) Upton Moakley Shaw Wise
 Ewing Myrick Wamp Mollohan Shays Wolf
 Foley Nethercutt Weldon (FL) Moore Sherman Woolsey
 Fowler Ney Wilson Moran (VA) Morella Sherwood Wu
 Gallegly Norwood Young (AK) Nussle Murtha Shows Young (FL)
 Ganske Nussle Ose Nadler Siski Skepton

NAYS—290

Abercrombie Condit Gilchrist Aderholt Tauzin
 Ackerman Conyers Gillmor Slaughter Wynn
 Allen Costello Gilman
 Andrews Cox Gonzalez
 Armey Coyne Gordon
 Baird Cramer Goss
 Baldacci Crowley Graham
 Ballenger Cummings Granger
 Barcia Davis (FL) Davis (TX) Green (TX)
 Barrett (NE) Davis (IL) Davis (WI) Green (WI)
 Barrett (WI) Davis (VA) Greenwood
 Bateman DeFazio Gutierrez
 Becerra DeGette Hall (OH)
 Bentsen Delahunt Hastings (FL)
 Bereuter DeLauro Hayes
 Berkley Deutsch Hill (IN)
 Berman Diaz-Balart Hilliard
 Berry Dicks Hinchee
 Bishop Dingell Hinjosa
 Blagojevich Dixon Hobson
 Bliley Doggett Hoeffel
 Blumenauer Dooley Hoekstra
 Boehlert Doyle Holden
 Boehner Dreier Holt
 Bonior Dunn Hooley
 Bono Edwards Houghton
 Borski Ehlers Hoyer
 Boswell Ehrlich Hunter
 Boucher Emerson Hutchinson
 Boyd Engel Hyde
 Brady (PA) Eshoo Insllee
 Brown (CA) Etheridge Isakson
 Brown (FL) Evans Jackson (IL)
 Brown (OH) Farr Jackson-Lee
 Buyer Fattah (TX)
 Callahan Filner Jefferson
 Calvert Fletcher John
 Capps Forbes Johnson (CT)
 Capuano Ford Johnson, E. B.
 Cardin Fossella Jones (OH)
 Carson Frank (MA) Kanjorski
 Castle Franks (NJ) Kapur
 Chambliss Frelinghuysen Kasich
 Clay Frost Kelly
 Clayton Gejdenson Kennedy
 Clement Gekas Kildee
 Clyburn Gephhardt Kilpatrick

Kind (WI) King (NY) Klapcik Kind (WI)
 Klink Klapcik Kind (WI)
 Knollenberg Oberstar Smith (MI)
 LaFalce Ortiz Smith (NJ)
 Lampson Owens Snyder
 Lantos Oxley Spence
 Larson Pallone Strickland
 LaTourette Pascrell Talent
 Lazio Pastor Tanner
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 Lewis (CA) Pelosi Taylor (MS)
 Lewis (GA) Phelps Taylor (NC)
 Lipinski Pickett Thompson (CA)
 LoBiondo Pomeroy Thompson (MS)
 Lofgren Porter Thornberry
 Lowey Portman Thurman
 Lucas (KY) Price (NC)
 Luther Pryce (OH)
 Maloney (CT) Quinn Tierney
 Maloney (NY) Rahall Toomey
 Markey Rangel Traficant
 Martinez Regula Turner
 Mascara Reyes Udall (CO)
 Matsui Reynolds Udall (NM)
 McCarthy (MO) McIntyre Riley Velazquez
 McCarthy (NY) McNulty Rodriguez Vento
 Meek (FL) Sabo Weygand
 Meeks (NY) Sanchez Weiner
 Menendez Sanders Weldon (PA)
 McDonald Sandlin Weller
 Miller, Gary Sawyer Wexler
 Miller, George Miller, George Weygand
 Minge Moakley Shaw Wise
 Mollohan Shays Wolf
 Moore Sherman Woolsey
 Moran (VA) Morella Sherwood Wu
 Nussle Murtha Shows Young (FL)
 Ose Nadler Siski Skepton

NOT VOTING—4

Aderholt Tauzin
 Slaughter Wynn

□ 1703

Messrs. KLINK, WALSH, CONDIT, and GARY MILLER of California changed their vote from "yea" to "nay."

So the concurrent resolution was not agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

DECLARING STATE OF WAR BETWEEN UNITED STATES AND GOVERNMENT OF FEDERAL REPUBLIC OF YUGOSLAVIA

Mr. GILMAN. Mr. Speaker, pursuant to House Resolution 151, I call up the joint resolution (H.J. Res. 44) declaring a state of war between the United States and the Government of the Federal Republic of Yugoslavia, and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

The text of H.J. Res. 44 is as follows:

H.J. RES. 44

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That pursuant to section 5(b) of the War Powers Resolution (50 U.S.C. 1544(b)), and article 1, section 8 of the United

States Constitution, a state of war is declared to exist between the United States and the Government of the Federal Republic of Yugoslavia.

The SPEAKER pro tempore (Mr. LATORETTE). Pursuant to section 4 of House Resolution 151, the gentleman from New York (Mr. GILMAN) and the gentleman from New York (Mr. MEEKS) each will control 30 minutes.

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

GENERAL LEAVE

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.J. Res. 44.

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

There was no objection.

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

Mr. Speaker, when our Committee on International Relations considered this measure yesterday, I was sorely tempted to vote for this resolution. This is not because I am eager for a fight and a war with Yugoslavia, because I am not. But I am eager for our Nation and the NATO alliance to avoid a humiliating defeat in the Balkans, which is where we could end up if we continue down the path of halfway measures.

After the successful conclusion of Operation Desert Storm, many of us were relieved that our Nation finally appeared to have learned from the bitter experiences in Vietnam how not to fight a war. But everything we have seen to date in Operation Allied Force suggests that the lessons of Desert Storm may have been forgotten and that we are at risk of repeating in the Balkans the very same mistakes we made in Vietnam.

We do have an interest in preventing ethnic cleansing, the forcible relocation of hundreds of thousands of refugees, and the destabilization of Albania, Macedonia, and the other countries in that region. I believe the President was right to try to stop President Milosevic from doing these things. And now that we are involved, I believe that we must do everything within our power to restore peace to the region. That is a coherent position.

But what is not coherent, however, is the in-between position that we have enough of a national interest to become involved in an armed conflict with President Milosevic but not enough of a national interest to do what is required to prevail in that conflict. That certainly is a prescription for defeat. And this is what brought us the agony of Vietnam. This is where we may end up in the Balkans if we forget the very first lesson of Vietnam, that we have no business getting into wars that we are not determined to win.

I oppose the Campbell joint resolution declaring war on Yugoslavia, because I do not think Congress should declare wars if we are not determined to prosecute them.

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

Mr. MEEKS of New York. Mr. Speaker, I yield 3 minutes to the gentleman from California (Ms. PELOSI).

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

Mr. Speaker, I rise in opposition to the resolution that is on the floor before us to declare the United States at war with the Federal Republic of Yugoslavia. In doing so, I want to make three points.

First of all, this is deadly serious business that we are talking about. This is not an academic discussion about when war should be declared, and what Congress's role is. As one who was a party to the suit that was sent to the Supreme Court under the leadership of Ron Dellums, I firmly believe in Congress's prerogative to declare war. So on that, the gentleman from California (Mr. CAMPBELL) and I agree. But on the timing of this resolution and the substance of it I disagree.

I think that there is a tremendous need for us to do something to stop what is happening in the former Yugoslavia. I was there myself last week. I held those babies in my arms. I spoke to 95-year-old women who had walked across the woods and the mountains to get to the camps.

We do not need any reiteration of all of the suffering, and we all stipulate that we all want to end the suffering there. So this vote is not about how serious we are about ending the suffering.

The other point I want to make is that the United States is the greatest democracy in the world. People look to us as they aspire to be stronger democracies, especially the emerging democracies throughout the world. When they see us play games with something as serious as the declaration of war, it sends a very strange message to them.

Now, I know playing games is not the intent of the gentleman, but that is what the appearance of this is. Again, this is not an academic discussion. It is a debate about as serious as it gets in this body. And we have to be very clear about what our goals are. We have to be very clear about the timing of our actions. And we have to be very clear about what it means to other countries when they see us engage in a debate at a time when the prospect for war, sending ground troops, is not a lively one.

When I was in the Balkan region last week, and at the end of last week, talking to the representatives of NATO who were here for the 50th anniversary, there was no will for sending in ground troops. So there is no urgency to this resolution today. The timing is very bad. The lesson that we send to other democracies is very poor.

I urge my colleagues, for the sake of the seriousness of the war and the example that we set as a democracy, to vote "no" on the Campbell resolution.

Mr. GILMAN. Mr. Speaker, I am pleased to yield 2 minutes to the gen-

tleman from Arizona (Mr. SALMON) a member of our committee.

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

Mr. SALMON. Mr. Speaker, I would like to applaud the gentleman from California (Mr. CAMPBELL) for having the courage to stand up in a very tumultuous time and risk I think some very, very nasty accusations about playing games and trying to create this academic discussion in the face of a very, very tumultuous time.

I congratulate him, because he understands that our duty as Congressmen of the United States of America is to uphold the law of the land and the law of the land, as passed in 1973, under the War Powers Act requires this kind of action.

Many of us believe this very strongly. It is not just an academic discussion. It is the law of the land. And we take that very seriously.

□ 1715

I opposed this mission from the get-go for three very important reasons. Number one, I believed that there were no national security interests at risk, there was no clear objective, and finally, there was no clearly delineated exit strategy. While I do believe that the intentions are good, to stop the ethnic cleansing or to try to stop the ethnic cleansing, to try to stop war crimes from occurring in that region of the world, the road to hell is paved with good intentions.

When the President stood up the day before the bombing campaign began, he said one of the goals was to stop Milosevic's ability to prosecute atrocities against the ethnic Albanians, and another goal was that every ethnic Albanian be allowed to return to their home. What we have seen since the bombing began painfully shows us that the objectives have not been met. In fact they have been exacerbated. While there were 1.6 million ethnic Albanians in Kosovo before the bombing, now there are somewhere between 500,000 and 700,000. Anywhere from 100,000 to 500,000 are missing and may be dead. We have not achieved these goals by any stretch of the imagination.

I have to look at this from a father's perspective. I have a son who is 17. If I am not comfortable sending my son over there with such an ill-defined mission, how could I be comfortable sending other sons and other daughters of my constituents into harm's way?

Mr. MEEKS of New York. Mr. Speaker, I yield myself such time as I may consume. I rise to speak out against House Joint Resolution 44 to declare war on Yugoslavia. The U.S. and our NATO allies do not consider themselves at war with Yugoslavia or its people. NATO is acting to deter unlawful violence in Kosovo that endangers the stability of the Balkans and threatens wider conflict in Europe.

Yesterday, the Committee on International Relations reported this reso-

lution with a negative recommendation by a unanimous vote. This was a right vote. Today, I hope my colleagues will follow suit and vote unanimously against this resolution.

Mr. Speaker, in my opinion a declaration of war is a very serious step. Congress has declared war in only five conflicts: the War of 1812; the war with Mexico in 1846; the war with Spain in 1898; and the first and Second World Wars. In the 20th century, without exception, presidential requests for a formal declaration of war by Congress have been on findings by the President that U.S. territory or sovereign rights had been attacked or threatened by foreign nations.

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

Mr. GILMAN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from New Jersey (Mr. SMITH), the distinguished chairman of the Subcommittee on International Operations and Human Rights.

(Mr. SMITH of New Jersey asked and was given permission to revise and extend his remarks.)

Mr. SMITH of New Jersey. I thank the distinguished gentleman for yielding me this time. Mr. Speaker, the votes today are extraordinarily difficult ones for each of us. The difficulty arises not because we are afraid to face up to these decisions, but because we must find a way to support freedom and democracy for the people of Kosovo and for the people of Serbia without writing a blank check for more fatal blunders on the part of the Clinton administration.

I do not agree with our bombing campaign, but the present "bombing only" policy appears to have been based on the tragic miscalculation by President Clinton that Milosevic would back down if we bombed Serbia for a week or maybe two. This seems to have been based on an even more fundamental miscalculation, that Milosevic cares more about Serbia than he does for Milosevic.

Former Governor George Allen of Virginia pointed out recently, and it was a very good and apt analogy when he said it was the equivalent of being in a football game and you say you are going to pass on every play. You have really given away your options. We did the same thing when we told Milosevic there would be no ground troops. That permitted him to anticipate and adjust to NATO moves. Another miscalculation.

Whatever happened to "loose lips sink ships"? U.S. and NATO spokesmen—including the President, babble on and on. Such carelessness puts the lives of our servicemen at risk and its wrong.

Mr. Speaker, let me just say a couple of things. I have had more than a dozen hearings on the Baltics in my subcommittee, the International Operations and Human Rights Committee and in the Helsinki Commission. I chair them both. We have looked again

and again at the problems, first with Bosnia and Croatia and now with Kosovo and sought to understand and react prudently to mitigate the suffering. We've looked at the war crimes that have been committed by Slobodan Milosevic's military, police and hoods.

I find it incredible that the Clinton administration for the last 6 or more years has not sought to bring action against Slobodan Milosevic at the War Crimes Tribunal at the Hague. In public and private I have asked repeatedly, where is the dossier, the documents, the evidence, why are we not trying to bring this war criminal to trial. To my shock, I am informed that the administration has collected nothing on this tyrant. Thus, last year virtually every Member of this Chamber voted in favor of my resolution that petitioned, admonished, and encouraged the administration to begin the effort to bring Milosevic to justice.

Mr. Speaker, just let me also say that I do not believe voting for this declaration of war is the right thing to do. Our fight is not with the Serbian or Yugoslav people. It is with a cunning madman, and a very small number of very dedicated terrorists who surround him.

I ask for a "no" vote on the declaration of war.

Mr. Speaker, the votes today will be extraordinarily difficult ones for many Members of Congress. The difficulty arises not because we are afraid to face up to these decisions, but because we must find a way to support freedom and democracy for the people of Kosovo—and for the people of Serbia—without writing a blank check for more fatal blunders on the part of the Clinton Administration.

I don't agree with NATO's bombing campaign but the present "bombing only" policy appears to have been based on the tragic miscalculation, by President Clinton and his top advisors that Slobodan Milosevic would back down if we bombed Serbia for a week or so. This seems to have been based on an even more fundamental miscalculation—that Milosevic cares more about Serbia than he does about Milosevic.

Former Governor George Allen of Virginia has pointed out that to announce in advance that we would only use bombs and missiles and never use ground troops is the equivalent of announcing at the beginning of a football game that you intend to pass on every play. Even if we had no intention of using ground troops, it was yet another miscalculation to tell Milosevic about this plan. In war, you don't put your plan on CNN. In effect, we were telling him that we would punish the Serbian people for his regime's crimes, but that we would do nothing to prevent them. The campaign of murder, rape, and ethnic cleansing in Kosovo was already under way—there were over 150,000 displaced persons there even before Rambouillet, and as early as June of last year Physicians for Human Rights issued a report that found "intensive, systematic destruction and ethnic cleansing"—but when we announced that we would bomb and do nothing else, Milosevic knew he could get away with intensifying this campaign, and that is exactly what he did.

So our options now are stark indeed:

We cannot turn the clock back to a time when it might have been possible to persuade the people of Kosovo to accept some kind of autonomy within Serbia. The mass rapes and mass murders, the beatings and tortures, the burning of villages and clearing of cities, have made this next to impossible. Nor can the Muslim population of Kosovo forget the Dayton agreement, in which the Clinton Administration brokered the dismemberment of Bosnia. Instead of arresting Milosevic on the spot and bringing him before the War Crimes Tribunal, our diplomats exchanged toasts and compliments with him and turned over half of Bosnia to his murderous cronies.

Speaking of the War Crimes Tribunal, I have tried for years, Mr. Speaker, to get this Administration to turn over all relevant evidence of Milosevic's responsibility for crimes against humanity. Last September, the House passed my resolution admonishing the Clinton Administration to work to bring Milosevic to justice at the Hague, sadly, nothing was done. This begs the question as to why the Clinton Administration has, in essence, given one of the most brutal dictators on the face of the earth defacto immunity from prosecution.

Mr. Speaker, we cannot simply continue the bombing forever, in the face of mounting collateral deaths and injuries of men, women, and children—Serbs, Montenegrins, and Kosovars alike—and mounting evidence that the campaign is not likely to succeed in bringing down the Milosevic regime or in bringing peace and freedom to Kosovo.

Nor can we simply consign the Kosovars to their fate. For the hundreds of thousands outside Kosovo, this would mean being refugees forever. For those still inside, it would mean more murders, more rapes, more tortures. For those of us who are lucky enough to live in safety and freedom, it would almost certainly mean in the last analysis that we stood by and watched yet another genocide.

So our only real choice is to come up with a plan—perhaps a new diplomatic initiative along the lines suggested by CURT WELDON of Pennsylvania.

Unfortunately, there is no sign that the Administration has such a plan or is trying very hard to come up with one. So Congress today must vote in a way that signals clear support for a just solution to the crisis in Kosovo, without inviting the Administration to blunder its way into further non-solutions.

Mr. Speaker, I will not vote for the declaration of war, because our fight is not with Yugoslavia—and our fight is most certainly not with the peoples whose governments might come in on the side of Yugoslavia in an all out war. Our fight is with Milosevic.

Mr. Speaker, I also will not vote for an absolute and inflexible legal requirement that all U.S. forces be removed from the zone of hostilities within 30 days, because this would be yet another gratuitous decision to tie our own hands in advance, without knowing what may happen in the next day or week or month. To announce in advance that we will withdraw our forces no matter what Milosevic does would be eerily reminiscent of President Clinton's decision to announce in advance that we would use only bombs and never ground troops. Its most likely effect would be to spur Milosevic on to further atrocities. It would also probably have the effect of depriving the humanitarian campaign on behalf of the refugees in Albania and Macedonia of the invaluable assistance of

the U.S. military. I want to make clear that my criticisms of the Administration's military policy are not intended to reflect on the humanitarian campaign. All indications are that everyone involved—UNHCR, the non-governmental organizations, and government agencies emphatically including our armed forces—are doing the Lord's work and doing it as well as can be expected under the circumstances. My only suggestion is that we urgently need even more resources for this humanitarian campaign.

Mr. Speaker, I will vote for the Goodling bill, which will require Congressional authorization for the use of ground troops.

At the beginning of the decade, President Bush persuasively made his case—to Congress and the American people—for ground troops for the Persian Gulf War.

Mr. Clinton, it seems to me, has no less of a responsibility to explain why he might be willing to risk the lives of Americans in a ground action.

It's bad enough the President initiated the misguided bombing with its disastrous consequences to Kosovar Albanians without prior Congressional approval. Any potential, new, escalation must include clear authorization from the Congress.

Mr. MEEKS of New York. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. SHERMAN).

Mr. SHERMAN. Mr. Speaker, I want to thank the gentleman from California (Mr. CAMPBELL) for bringing this issue to a head. We have cast and will cast momentous votes for today.

I think it is important that we clarify the record. We voted for the Goodling-Fowler bill. I should point out that distributed to virtually every Member of this House by the gentlewoman from Florida (Mrs. FOWLER) was a statement in writing that should be part of the record, that says in part that this bill does not prevent the use of Apache helicopters and does not preclude the introduction of small numbers of personnel for intelligence or targeting functions.

I think that our adoption of that resolution, at least by this House, made sense. I know there are those who argue that Congress should not be involved in the momentous decision that lies ahead, but as I have said before, those who say that our enemies should tremble in fear because one man should be allowed to deploy 100,000 American soldiers, should be answered that Americans should tremble in fear if one man without congressional approval can deploy 100,000 men and women into battle.

I should point out that the President of the United States distributed to all Members of Congress today a letter stating, in part, that he would ask for congressional support before introducing U.S. ground forces into Kosovo, into a nonpermissive environment.

The gentleman from Connecticut (Mr. GEJDENSON) will be bringing up a matter later today. It has been interpreted by some as more than a mere authorization of the air campaign but

it states, and I interpret it, as providing only support for the air campaign and not a legal authorization for more.

I would hope that any wise court would look at the record today. A letter from the President saying he will not put in ground troops, a vote by this House not to put in ground troops. Under those circumstances, a wise court should interpret the Gejdenson resolution as nothing more than what it states.

Mr. GILMAN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from South Carolina (Mr. SANFORD), a member of our committee.

Mr. SANFORD. Mr. Speaker, I rise in support of the timing and consideration of this bill because ultimately I think that this is a constitutional question. It is one that the gentleman from California (Mr. CAMPBELL) has raised because he knows what our Founding Fathers knew, and that is that when body bags come back from some foreign deployment, they do not stop within the Beltway. They go across America. They go to Charleston, South Carolina; they go to Knoxville, Tennessee; they go to Los Angeles, California.

It is for this reason, and it came up yesterday in debate, that in contrast to the English system, the Framers did not want the wealth and blood of the Nation committed by the decision of a single individual, which was just pointed out by my colleague from California.

So, one, I rise in support of the timing of this because of the constitutional element. I will ultimately vote "no" because of the foreign policy element of this decision.

Now, all of us would like to solve every ill in this world, but both individually and collectively it is something we do not have the resources to do, so for foreign policy to be effective, it has got to be limited and it has got to be focused. Part of focus means consistency. If we stay in Kosovo, we are going to create a very inconsistent foreign policy.

In fact, I do not even want to be part of a government that would ever signal to people around the world that if you are of European ancestry, we care about your human rights, but if you happen to be unlucky enough to be born in Africa, well, then, good luck. Because in January 3,000 people were killed in Sierra Leone, and if we are going to stay in Kosovo, we owe it to them to go to Sierra Leone. 300,000 people were killed in Angola since 1992. 500,000 people were killed in Rwanda in the genocide there. 1.9 million people have been killed in the south of Sudan basically over the last 15 years. It is important for our foreign policy to be effective that we be consistent and that, I think, is what this bill is all about.

Mr. MEEKS of New York. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Speaker, I rise today in strong opposition to this resolution because I believe that a declaration of war will only increase instability in the region and exacerbate the atrocities against ethnic Albanians. My support and prayers go out to the brave men and women of the United States Armed Forces who have been dispatched to Yugoslavia. We must take every measure to ensure their safe and expeditious return home.

While I will vote against this resolution, it is my belief that this debate and these votes should have been taken before a single bomb was dropped and before any U.S. troops were sent. Our inaction prior to military strikes abdicated our constitutional responsibility and, furthermore, prevented the voice of the people I represent, who are overwhelmingly against air strikes, from being heard. I agree that we have a moral imperative to bring an end to the horrific genocide and suffering in the Balkans. However, violent means have only and will only escalate the crisis.

As a person who strongly believes in the teachings and the work of Dr. Martin Luther King, Jr. I profoundly subscribe to the principles of nonviolence. If peace is our objective, then I implore us to consider the words of Dr. King, not only on his birthday but each and every day of the year. In his last book, "The Trumpet of Conscience," he wrote about United States policy in North Vietnam. He said, "They are talking about peace as a distant goal, as an end we seek. But one day we must come to see that peace is not merely a distant goal we seek, but that it is a means by which we arrive at that goal; destructive means cannot bring about constructive ends."

I am convinced that our best hope for peace and stability is the negotiation of an immediate cease-fire, and a strong belief that the United States and NATO must reach out to Russia, the United Nations, China and others to develop an internationally negotiated political settlement. Our actions must set an example for our young people that violence should never be an option. I ask for a "no" vote.

I rise today in opposition to H.J. Res. 44, which would declare a state of war between the United States and the Federal Republic of Yugoslavia. I oppose this resolution because I believe that a declaration of war, like the NATO air strikes, will only increase instability in the region and exacerbate the atrocities against ethnic Albanians.

At this very volatile time, my support and prayers go out to the brave men and women of the United States Armed Forces who have been dispatched to Yugoslavia. We must take every measure possible to bring an end to this crisis to ensure their safe and expeditious return home.

While I will vote against the declaration of war, I would like to commend my colleague from California, Congressman CAMPBELL, for introducing this resolution into the House of Representatives and bringing forward Congressional action on the US involvement in

Kosovo. It is my belief that these debates should have taken place six weeks ago, before a single bomb was dropped and before any US troops were sent into the hostile situation in the Balkans.

By failing to vote on the air strikes before their commencement, and instead debating authorization now, when we are already heavily involved, the Administration is conducting a war without Congressional consent as required by the Constitution. A vote to authorize the President to conduct military air strikes at this juncture is nothing more than a rubber stamp from Congress for an action that has already begun. In my opinion, our inaction prior to military strikes abdicated our Constitutional responsibility and furthermore, prevented the voice of the people I represent, who are overwhelmingly against the air strikes, from being heard.

There are those who rise today in support of the Administration's action in order to end the genocide of the ethnic Albanians. I agree, in the strongest terms possible, that we have a moral imperative to intervene and to bring an end to the horrific suffering. However, whether air strikes, ground forces, or a declaration of war—these violent means as a method to bring peace and stability to the Balkans have only, and will only escalate the crisis.

As a person who strongly believes in the teachings and work of Dr. Martin Luther King Jr., not just on his birthday, but throughout the year, I profoundly subscribe to the principles of nonviolence. Our policies, and our actions, must set an example for our young people that violence should never be an option. If peace is our objective, and I am certain that this is a goal upon which all in this chamber can agree, then I implore us to consider the words of Dr. King. In his last book, *The Trumpet of Conscience, A Christmas Sermon on Peace*, Dr. King discusses bombing in North Vietnam, and the rhetoric of peace that was connected to those war making acts.

He wrote, "What is the problem? They are talking about peace as a distant goal, as an end we seek. But one day we must come to see that peace is not merely a distant goal we seek, but that it is a means by which we arrive at that goal. We must pursue peaceful ends through peaceful means. All of this is saying that, in the final analysis, means and ends must cohere because the end is pre-existent in the means and ultimately destructive means cannot bring about constructive ends."

The Administration's policy and the NATO campaign in Kosovo to date have produced only counterproductive and destructive results: a mass exodus of over half a million ethnic Albanians, significant civilian deaths, an escalation of Milosevic's campaign of racial hatred and terror, and greater instability in the region. The results are just the opposite of what we want to achieve. Our goal is to prevent innocent people from being killed. In the name of saving Kosovars, we are destroying Kosovo.

At this juncture, I am convinced that our best hope for peace and stability in the region is the negotiation of an immediate cease fire. It is my strong belief that the United States and NATO must reach out to the United Nations, Russia, China, and others to work together to develop a new, internationally negotiated peace agreement and to secure Serbian compliance to its terms. In order to end the suffering in the Balkans and to achieve long term stability, support of a diplomatic political settlement is the only action we can employ.

As we today speak of a policy to end genocide in the Balkans, I am also greatly disturbed to think of the people in many countries in Africa and all over the world, who have also suffered unthinkable atrocities, beyond our worst nightmare. As a result of ethnic conflict in Africa, over 150,000 have been killed in Burundi; 800,000 in Rwanda; and 1.5 million in Sudan. More than 200,000 Kurds have died in Iraq and Turkey, and hundreds of thousands in Burma, and over 1 million in Cambodia.

It is my hope that our nation can develop a foreign policy framework to address suffering and killing all over the world, without the use of force, ground troops, air strikes and other violent means.

I urge a "no" vote on the declaration of war.

Mr. GILMAN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from North Carolina (Mr. JONES).

Mr. JONES of North Carolina. Mr. Speaker, I join my colleagues who express grave doubts about the conduct of Operation Allied Force in Yugoslavia. I am deeply troubled that the administration has started our country down the path of only bad options.

The debate before us illustrates the inability of the War Powers Resolution to effectively deal with post-Cold War realities. In many respects, the War Powers Resolution is a tool of a bygone era.

Mr. Speaker, there are numerous Kosovo type operations in this country's future. These operations require significant military resources and challenge our country's ability to meet the primary objective of our national security strategy. This is nothing new. Congress has not formally declared war since World War II, and yet American troops have since fought and died around the world in numerous hostilities. The framework of the War Powers Resolution has not allowed Congress a voice in the commitment of troops in these engagements.

While the United States may be the world's superpower, we cannot be the world's police force. Our military is simply not prepared to do so. If anything, this fumbling foreign policy escapeade should alert this body that we must reflect upon the failings of the current process by which we are forced to deal with these types of military operations. In the near future Congress should work to improve the process by which we consider and debate these critical issues to our national security.

Today, I would ask my colleagues to pay close attention to this debate and to keep in mind the state of our military. Congress's role is not limited simply to the declaration of war. It is imperative that we look closely at where we commit our troops and ensure that our military is prepared for such commitments.

I do not believe that Kosovo is the kind of conflict where we should be committing our troops. Therefore, I urge my colleagues to oppose the resolution to declare war.

Mr. MEEKS of New York. Mr. Speaker, I yield 3 minutes to the gentleman

from American Samoa (Mr. FALEOMAVAEGA).

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

□ 1730

Mr. FALEOMAVAEGA. Mr. Speaker, I rise in strong opposition to House Joint Resolution 44 which asks our colleagues for a declaration of war by the United States against the Government of the Republic of Yugoslavia. Although I have the greatest respect for the author of the resolution, the gentleman from California (Mr. CAMPBELL) and certainly a dear friend, I must respectfully oppose the resolution.

Mr. Speaker, America's Founding Fathers, in their wisdom, deliberately drafted the Constitution to provide flexibility in the use of U.S. armed forces abroad. The President, as Commander in Chief, clearly has the authority to send our forces into potentially hostile situations without a declaration of war. In fact, since 1798 in our conflict with France over the Dominican Republic, to our air strikes in Afghanistan and Sudan against Bin Laden in 1998, CRS, the Congressional Research Service, has documented over 270 instances where America's Presidents have sent U.S. armed forces abroad into hostile situations. Over two centuries, and only five of these instances has the Congress actually declared war.

Mr. Speaker, a declaration of war is neither necessary nor appropriate for our actions in Kosovo and Serbia. Our Nation and NATO are not at war with Yugoslavia. We are there to stop a sociopathic criminal from committing genocide against his Albanian citizens, actions which threatened to destabilize the Balkan nations, as well as Europe. A unilateral U.S. declaration of war would irresponsibly escalate the conflict, undermine our alliance with our NATO partners, and needlessly jeopardize our already tense relations with Russia.

As a Vietnam veteran, Mr. Speaker, I have seen the violence of conflict, and it is not pretty. However, there are certain times when America must act because no other country can provide the leadership that we can. Almost a quarter of a million innocent people died from Milosevic's handiwork in Bosnia which Europe could not stop alone.

Mr. Speaker, the call to action has come again, and America cannot stand idly by and let this madman continue with his genocidal campaign in Kosovo. The stakes are too high to play political games. I strongly urge our colleagues to defeat the resolution before us and support our armed forces in Kosovo and Serbia that are fighting to protect against these evil forces that Milosevic provides.

Mr. Speaker, are we willing to allow China and Russia perhaps to take the lead in providing the leadership in global issues that affect all human beings on this planet? I dare not say,

Mr. Speaker. Let America become the leader of the world as it should be in this issue affecting the Balkan area.

Mr. Speaker, there have been only five instances in our nation's history that formal declarations of war were made by the Congress—the War of 1812 against England; the War of 1846 against Mexico; the War of 1898 against Spain; World War I and World War II. Mr. Speaker, there are ample precedents set not only by this President but by previous administrations as well, whereby acts of war have been always been part and parcel of U.S. foreign policies and security interests—I believe the Founding Fathers of this nation purposely placed the critical issues of war as a political and public policy matter rightfully as a matter to be decided by both the Administration and the Congress.

Mr. Speaker, the crisis in Yugoslavia is not an American issue—it is a serious matter taken collectively with our Nation Allies. It is a matter that history has given all those European countries to seriously consider the alternative, if Milosevic is allowed to continue his policy of ethnic cleansing and atrocities by murdering and killing well over 300,000 human beings in that country, and the displacement of some 3.5 million persons now as refugees because of Milosevic's military activities in Yugoslavia.

Mr. Speaker, am I to believe now that the most powerful nation on this planet is telling the world that the crisis in Yugoslavia is not in our national interest? If so, then why did the Congress allow our President to intervene and for which he provided a negotiated settlement on the Bosnia matter? Our President did his best to negotiate a settlement with Milosevic, but Milosevic refused and the bombing of Milosevic's military resources and related facilities was the only option left—simply to prevent more reckless killings and atrocities committed by Milosevic and his military forces.

Mr. Speaker, this is not the time to tell the world and our NATO allies that we have now Americanized this conflict by officially declaring a war against Yugoslavia. Vote this resolution down.

Mr. GILMAN. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Florida (Mr. MCCOLLUM).

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

Mr. MCCOLLUM. Mr. Speaker, there is a tragic war in the Balkans. There is every indication that this war will expand, and so will the role of the United States. So far, there is no sign that absent the introduction of ground forces the intensified bombing campaign will cause President Milosevic and the Serbs to agree to the terms regarding Kosovo demanded by NATO. President Clinton has never asked Congress to declare war on Yugoslavia or Serbia. He has never even requested the type of resolution President Bush requested and was granted in advance of Desert Storm. At no time has he spelled out to the American public, let alone Congress, a consistent, coherent foreign policy that demonstrates a compelling United States' national security interest in waging war against the forces of the Government of Yugoslavia.

I am just as moved as anyone else by the atrocities reported in Kosovo, but I

am deeply troubled by our continued engagement. If the United States is going to engage in war, the commitment must be made to let the military use whatever force is necessary, which means paying whatever price in lives of American soldiers is required, and if the American national security interests are not great enough to justify such a price, then there should be no war.

To date, President Clinton has not demonstrated to my satisfaction America's national security interest in the Kosovo matter is great enough to justify paying such a price. For this reason I voted for the resolution offered by the gentleman from California (Mr. CAMPBELL) to withdraw American forces, and it is for this reason that I will not be a party to sending American men and women in uniform to die in an ill-conceived, ill-planned war and I am strongly against this resolution declaring war.

Mr. MEEKS of New York. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. LANTOS), a senior member of the Committee on International Relations.

Mr. LANTOS. Mr. Speaker, it is important to put this resolution by my good friend from California in proper perspective.

When yesterday a deeply divided Committee on International Relations debated and then voted on this matter, we voted unanimously to reject this proposal.

As a matter of fact, my good friend, the gentleman from California (Mr. CAMPBELL), himself voted against his own resolution.

So I think it is sort of important to realize that what we are dealing with here is an academic legalistic exercise, the purpose of which is to take this issue to the courts. No one seriously believes, fortunately, that the United States should declare war against Yugoslavia.

Now there are many reasons why we should not do that. The first and perhaps the most important is that this is not an American engagement, this is a NATO engagement, and not one of the other of the 18 NATO countries has declared war on Yugoslavia. Were we to do so, this would be an Americanization of a war with all the negative consequence that implies. It would divide the alliance. It would indicate that we are determined, as we were during the Second World War, to move on until there is an unconditional surrender.

Those are not our goals. Our goals are limited, clearly defined and specific. We wish to see the 700,000 individuals who were driven out of Kosovo to return there in peace and security. That is the goal we seek. Therefore, a declaration of war under these circumstances would be ill-advised, ill-timed and clearly contrary to U.S. national interests.

I urge all of my colleagues to reject this resolution.

Mr. CAMPBELL. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Mr. Speaker, the United States has been blessed in so many ways, and not the least of which is the good sense that our Founding Fathers had in keeping us out of foreign entanglements and military engagements overseas. George Washington threatened us of these foreign entanglements that would drain our Treasury and drain our national will. So it has been written into our Constitution that we have such limitations on foreign commitments. We have not obviously declared war. This administration is unwilling to declare war even though it is clearly written into our Constitution that we need to come to Congress.

Now, realizing that during the Cold War we gave certain powers to the executive branch for the security of our country and during this four decades of Cold War we felt we needed to centralize this power and give the President a little more authority. The Cold War is over. What we are engaging in now is a process of evolving back. That is what we are doing this very moment, evolving back the power as defined in our Constitution, what our Founding Fathers wanted us to have, and that is the legislative branch must have a check and a balance to the decisions of the Federal branch when it comes to foreign commitments and military operations, and this is something that is part of our Constitution. We are demanding that the Constitution be followed. We are demanding that the War Powers Act, which of course came about after the Vietnam debacle, the War Powers Act is still part of our law, we demand that that part of the law be followed.

Obviously the President of the United States and those people in this body that agree with him do not believe that that part of our law and that part of our Constitution need to be followed. Well, this is what the debate is about. The American people should understand that no one person, as our Founding Fathers so demanded it in writing the Constitution, no one person, whether he be or she be the President of the United States or any other officeholder, should be able to get us into war and cause the deaths of tens of thousands of people. We all must be part of that process.

That is what our Constitution is about. That is why I support the efforts of the gentleman from California (Mr. CAMPBELL) to ensure this type of congressional participation.

I rise in support of Mr. CAMPBELL's position on this resolution. Seriously, I'd like to take this opportunity to thank Mr. CAMPBELL for giving us this opportunity to discuss, through this declaration of war resolution, the legal ramifications of the Balkan conflict.

Here in the United States we have been blessed in so many ways, not the least of which was a product of the good sense of our founding fathers and mothers in keeping us out of foreign conflicts and entanglements.

George Washington warned of the threat of military alliances that would lead to foreign adventures that would drain our treasury and undermine our national will to meet the serious challenges to our own security. Written into our Constitution are limitations on power and hurdles that must be dealt with in order to engage the United States in war.

In World War One and the Second World War we followed those constitutional requirements. During that second great conflagration that engulfed this planet we permitted, for the safety of our country and the cause of peace, power to be centralized in the hands of the executive branch as never before. Then, during the decades of, what John Kennedy described as the twilight struggle, Congress acquiesced and endorsed the policy of a strong executive in order to deal with the dangers of the cold war.

My friends and colleagues, the cold war is over. What we do today is part of the process in evolving back to the constitutional system that served our country so well in the past. First and foremost we must reestablish the checks and balances in our federal system, checks and balances that apply to foreign and military commitments as well as domestic policy.

There is no doubt that the intent of our Constitution was to assure that one person, whatever his or her office, could not get our country into war. We had revolted against the power of a king to rule. Congress must declare war, or it is illegal for our President or military commanders to spend our treasure and spill the blood of our defenders in fighting a war.

Yes, during the cold war, which was an uncommon and unique period in our history, the legal necessity of such declarations of war was intentionally by consensus, overlooked. The frustrations of Korea and Vietnam, perhaps, call into question that strategy. And in the aftermath of Vietnam, the War Powers Act was enacted into law to prevent the very kind of questionable foreign military commitments that we debate today.

So in this debate let us as law makers admit that the law is not being followed and that it should be. The Constitutional requirements for conducting war have not been met because the majority of this Congress and more importantly, the President, are unwilling to declare war.

The legal requirements to an extended military operation, as mandated by the War Powers Act, have not been met, because this President and his allies, who represent a majority in this Congress, are not concerned with this law.

Mr. Speaker, the crisis of the cold war is over and the Constitution and the law, as reflected in the body of the Constitution and in the War Powers Act, should be obeyed. If it cannot be obeyed, it should be changed. As it stands, we are making a mockery of the law, which is evident when the Secretary of State testified at the International Relations Committee. Secretary Albright has to speak in convoluted rhetoric, twisting and turning like a semantical acrobat, in order to prevent a legal case that can be easily made against her. There is something wrong if a Secretary of State cannot speak directly to the congressional body which has the constitutional mandate of overseeing American foreign policy.

Mr. MEEKS of New York. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. DEFAZIO).

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

We in Congress are in a position we should never be in. We are confronted with a failed law, failed leadership and a military action that failed to meet its initially stated objectives. Here we are, finally having a belated and truncated debate because of the War Powers Act, but a War Powers Act which is totally defective, and for 8 years I have been introducing legislation to fix the War Powers Act. We need to reclaim our constitutional authority and require prior authorization before Presidents engage in wars or warlike activities using our armed forces.

This is not unique to President Clinton. President Reagan, President Bush went down the same path, as did Presidents before them and as they will continue to do until this body has the guts to change the law and require that not a penny be spent except in defense of our country against immediate attack or armed forces overseas or as a citizen without the authority of Congress in a war or warlike action.

We have a failed congressional leadership. They were engaged in duck-and-cover and get everybody out of town before the bombing began. They did not allow us to have a debate. Even with the defective law, we could have had a vigorous debate here, and if we had that debate, I believe we could have had a better policy.

Did not everybody know that it rained in that area at this time of year? Did not our intelligence forces perhaps know that bombing and removal of the OSCE observers would lead to increased, accelerated ethnic cleansing and slaughter? And what if, what if Slobodan was not going to come to the bargaining table after a few bombs fell? Those questions were not asked by this Congress, and they were not answered by this administration, and now we are in the midst of a failed policy.

I believe we need to go forward from here with productive ideas, but this debate is not going to allow us to talk about productive ideas. What about the idea of a temporary cease-fire, working with our allies to try and force productive negotiations? What about having enough time to talk about this issue? It is not allowed under this absurd rule.

Mr. GILMAN. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Speaker, probably in 8 years this is the first time I have agreed with the gentleman from Oregon, or second time.

If not, what? I am trying to do everything I can to keep us out of war. Then what? First of all, the Pentagon said not to bomb. Rambouillet, according to Kissinger and Larry Eagleburger, said it was to fail. NATO and General Clark

told me, face to face, that NATO only wanted to bomb 1 day and quit. The President called Mr. Blair and the German Chancellor and forced this. So what? Halt the bombing, get our POWs back.

Seventy percent of the Russians support the overthrow of Yeltsin. That is why they are so squirrelly on us. Let us use Russian, let us Greek troops that are petrified about the Albanian expansion. Instead of having Russia be the problem, let us make them part of the solution. The President has got to look the President of Albania in the face and say we want the Mujaheddin and Hamas out of the KLA and deported within 30 days. He has got to do the same thing with Izetbegovic.

Kosovo can be cantonized, but it has got to go off the table, that resolve.

The gentleman from Oregon is right. There is not enough time to talk about a very important issue.

Mr. MEEKS of New York. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Speaker, the truth is war is being waged and will continue to be waged without declaration. But such violence is neither redemptive nor justified in law or morality. Hope is redemptive, love is redemptive, peace is redemptive, but the violence of this conflict stirs our most primitive instincts. When we respond to such instincts, we enact the law of an eye for an eye, and we at last become blind and spend our remaining days groping to regain that light we had once enjoyed.

He only understands force, it is said of Mr. Milosevic, but we must understand more than force.

□ 1745

Otherwise, war is inescapable. We must make peace as inexorable as the instinct to breed, as inevitable as the sunrise, as predictable as the next day. With this vote, let us release ourselves from the logic of war and energize a consciousness of peace, peace through implied strength, peace through express diplomacy, peace through a belief that through nonviolent human interaction, we can still control our destiny.

Mr. GILMAN. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Washington (Mr. METCALF).

Mr. METCALF. Mr. Speaker, I have opposed U.S. military action in the Balkans without a declaration of war. There are no vital U.S. interests now being threatened anywhere in Europe, certainly not in the Balkans, worthy of a declaration of war. We really have no business there militarily. We should not be committing acts of war there. Yes, bombing is an act of war.

This whole military intervention is truly illegal under international law, and I urge a no vote on this resolution. We do need to revise our War Powers Act. Congress should reclaim the power to decide to take this Nation to war.

Mr. MEEKS of New York. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman from New York for his leadership, and I thank my colleague from California for giving us the opportunity to discuss a very important issue as to whether or not we stand for war or peace. I must acknowledge that the gentleman who proposed this particular resolution himself voted against it.

I grappled today and struggled with the vote on the Goodling amendment, because I have concern about whether or not we are forcing ourselves into war, or looking for ways of peace.

I want peace. I have indicated over and over again that we must have peace, but we must have peace with justice. We must have peace for the 37,000 refugees in Montenegro, the 260,000 refugees in Albania and the 120,000 in Macedonia. We must have peace for those in the former Yugoslavia.

So a declaration of war is not, I believe, in the best interests of the United States of America, the best interests of those refugees who are looking to go home, and the best interests of us trying to force or bring about a real peace.

We have only declared war in not more than 5 conflicts in our history: The War of 1812, the war with Mexico in 1846, the war with Spain in 1898, the First World War and the Second World War.

I do believe that the President's hands must not be tied. We must have the ability to send peacekeeping troops in. We must get back our POWs, two of whom are from the State of Texas, but all of them are Americans. We must not be weak in the eyes of the former Yugoslavia and Mr. Milosevic. We must stand united.

And to my friends who have mentioned where were we in Rwanda, and maybe where were we in Ireland, we must not stand while there is ethnic cleansing and killing and murdering in any part of the world.

I want to stand with an America that has principles. I want to stand with an America that believes in human life and human dignity, against the murder of children and women and raping.

I hope we will never stand by against a Rwanda. I hope no matter what race of people are in trouble, or being attacked or being murdered, we will stand up against it. Declaring war, however, is not the way that we should go.

I want us to have a sustained air strike, but, most of all, I want Mr. Milosevic to come to the peace table. I want a negotiated settlement. And for us to declare war today, we will not get that.

So I would say, Mr. Speaker, I want to stand on behalf of the refugees returning to their home, I want peace to come in the Balkans, and I stand by the vote that I took some years ago for

the Dayton peace treaty. Yes, our troops are still in Bosnia, but there is peace there, there is a united peace there, the United Nations peacekeeping troops, and I do not see why America has to step away from providing for peace around the world.

We are not police officers, no, but we have a conscience and we believe in humanity and dignity.

So I would offer to my colleagues as they vote against this declaration to declare war, that we should vote for the sustained air strikes, we should make sure that we force or encourage or demand that those who have the power, including our NATO allies, come to the peace table, and that we remember that the greatest of all those that we can give to the world is love and charity. I hope that we will stand for what is right.

Mr. GILMAN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Alabama (Mr. CALLAHAN), the distinguished chairman of the Subcommittee on Foreign Operations, Export Financing and Related Programs of the Committee on Appropriations.

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

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

Mr. Speaker, I think this is unprecedented. Maybe some of you who are more historically informed and more constitutionally informed can correct me, but I think this is the first time in the history of this Congress where Congress has initiated a declaration of war.

Generally, as I understand it, the President comes to the Congress when he finds situations such as required and requests that Congress declare war. Conceivably I am erroneous on that, but I do not recall. Maybe some of my more learned colleagues can recall a time when the Congress initiated a declaration of war.

I think this is ill-conceived. A declaration of war I think would be divisive within NATO. It would put restrictions on the front line states. It would make them unable to assist us in the efforts they are giving us in providing landing operations and staging operations in those countries, and I think it would be a very dangerous precedent for this Congress to tell the commander-in-chief that he must go to war if he does not want to. I know that is not necessarily the case as we see it today, but I think to start this in this Congress at this time, with the Congress initiating a declaration of war, is ill-advised, and I urge Members to vote "no".

Mr. GILMAN. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from North Carolina (Mr. HAYES).

Mr. HAYES. Mr. Speaker, I oppose a declaration of war, having just returned from the Balkans more firmly convinced, no ground troops.

I know you cannot see it, but this is a picture of a young Apache pilot in the Balkans who graduated with my son. He said, "No ground troops. The cost in human life would be too high."

We need a negotiated settlement, not a declaration of war. I am working to provide momentum, leverage and direction to the administration to settle this conflict.

My colleagues on the other side are dissatisfied because of a lack of leadership by the administration. We are dissatisfied with a lack of leadership and failed foreign policy.

Do not declare war. Do not lose lives of our military. Focus our attention on rebuilding the military, helping the refugees, and negotiating a settlement that returns the refugees to their homes in safety and brings our POWs and our troops home.

Mr. MEEKS of New York. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. CAPUANO).

Mr. CAPUANO. Mr. Speaker, I rise to oppose this particular proposal and to urge my colleagues to keep our eyes open.

This conflict today, we may not like the cards we are dealt, but they are dealt. We may not like how we got there, but we are there. There are millions of people in Europe whose lives are at stake, whose happiness and soundness are at stake, and, if we walk away, if we walk away, we will have done the wrong thing, and you will know that today and you will know that 20 years from now.

Many of us can debate how we got here, how we should do it the next time. I think those are good debates. I think we should discuss what should happen the next time, because there will be a next time.

For those of you who did not have the opportunity today to read the papers, look at what is happening in Indonesia. We are about to send what they call "police advisers" from the United Nations to Indonesia. It is happening elsewhere across this globe, and I do think we need to discuss that.

At the same time, we do not have the luxury to always deal the cards. We are sitting here today, we have to deal with it today. We have to support the efforts to bring those people home, to bring our men and women home, and to do the right thing by humanity, today, tomorrow, and every time we have to do it.

Mr. GILMAN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from California (Mr. HORN).

(Mr. HORN asked and was given permission to revise and extend his remarks and include extraneous material.)

Mr. HORN. Mr. Speaker, I am against this declaration of war, as I am sure practically everyone in this Chamber is.

The origin of many European parliaments was when the leaders of a country got together, formed an organized body and reigned in the king who

was engaged on various adventures. That is, in a sense, what we are trying to do here today.

If the Europeans have a European problem, they ought to be making the decision and they ought to be sending their own ground troops.

Russia should be deeply involved. It has not been included. There is only one other superpower in the world; that is Russia. They should be tied to the West, and they should be helpful in this particular matter. If the North Atlantic Treaty Organization [NATO] is to keep Europe at peace, then Russia should be a member.

The Serbs cannot move north, that is NATO territory; and if they move south toward Greece, that is NATO territory, and that would be one sovereign nation invading another, and that would be appropriate for NATO to take action and defend Greece.

I include for the RECORD, Mr. Speaker, portions of the speech Secretary of Defense Caspar Weinberger made back in 1984. He was an outstanding Secretary and a very wise man. He developed six major criteria which should be met when we use U.S. combat forces abroad.

THE USES OF MILITARY POWER

Thank you for inviting me to be here today with the members of the National Press Club, a group most important to our national security. I say that because a major point I intend to make in my remarks today is that the single most critical element of a successful democracy is a strong consensus of support and agreement for our basic purposes. Policies formed without a clear understanding of what we hope to achieve will never work. And you help to build that understanding among our citizens.

Of all the many policies our citizens deserve—and need—to understand, none is so important as those related to our topic today—the uses of military power. Deterrence will work only if the Soviets understand our firm commitment to keeping the peace . . . and only from a well-informed public can we expect to have that national will and commitment.

So today, I want to discuss with you perhaps that most important question concerning keeping the peace. Under what circumstances, and by what means, does a great democracy such as our reach that painful decision that the use of military force is necessary to protect our interests or to carry out our national policy?

National power has many components, some tangible—like economic wealth, technical pre-eminence. Other components are intangible—such as moral force, or strong national will. Military forces, when they are strong, and ready and modern, are a credible—and tangible—addition to a nation's power. When both the intangible national will and those forces are forced into one instrument, national power becomes effective.

In today's world, the line between peace and war is less clearly drawn than at any time in our history. When George Washington, in his farewell address, warned us, as a new democracy, to avoid foreign entanglements, Europe then lay 2-3 months by sea over the horizon. The United States was protected by the width of the oceans. Now in this nuclear age, we measure time in minutes rather than months.

Aware of the consequences of any misstep, yet convinced of the precious worth of the

freedom we enjoy, we seek to avoid conflict, while maintaining strong defenses. Our policy has always been to work hard for peace, but to be prepared if war comes. Yet, so blurred have the lines become between open conflict and half-hidden hostile acts that we cannot confidently predict where, or when, or how, or from what direction aggression may arrive. We must be prepared, at any moment, to meet threats ranging in intensity from isolated terrorist acts, to guerrilla action, to full-scale military confrontation.

Alexander Hamilton, writing in the *Federalist Papers*, said that "It is impossible to foresee or define the extent and variety of national exigencies, or the correspondent extent and variety of the means which may be necessary to satisfy them." If it was true then, how much more true it is today, when we must remain ready to consider the means to meet such serious indirect challenges to the peace as proxy wars and individual terrorist action. And how much more important is it now, considering the consequences of failing to deter conflict at the lowest level possible. While the use of military force to defend territory has never been questioned when a democracy has been attacked and its very survival threatened, most democracies have rejected the unilateral aggressive use of force to invade, conquer or subjugate other nations. The extent to which the use of force is acceptable remains unresolved for the host of other situations which fall between these extremes of defensive and aggressive use of force.

We find ourselves, then, face to face with a modern paradox: The most likely challenge to the peace—the gray area conflicts—are precisely the most difficult challenges to which a democracy must respond. Yet, while the source and nature of today's challenges are uncertain, our response must be clear and understandable. Unless we are certain that force is essential, we run the risk of inadequate national will to apply the resources needed.

Because we face a spectrum of threats—from covert aggression, terrorism, and subversion, to overt intimidation, to use of brute force—choosing the appropriate level of our response is difficult. Flexible response does not mean just any response is appropriate. But once a decision to employ some degree of force has been made, and the purpose clarified, our government must have the clear mandate to carry out, and continue to carry out, that decision until the purpose has been achieved. That, to, has been difficult to accomplish.

The issue of which branch of government has authority to define that mandate and make decisions on using force is now being strongly contended. Beginning in the 1970s Congress demanded, and assumed, a far more active role in the making of foreign policy and in the decisionmaking process for the employment of military forces abroad than had been thought appropriate and practical before. As a result, the centrality of decision-making authority in the executive branch has been compromised by the legislative branch to an extent that actively interferes with that process. At the same time, there has not been a corresponding acceptance of responsibility by Congress for the outcome of decisions concerning the employment of military forces.

Yet the outcome of decisions on whether—and when—and to what degree—to use combat forces abroad has never been more important than it is today. While we do not seek to deter or settle all the world's conflicts, we must recognize that, as a major power, our responsibilities and interests are now of such scope that there are few troubled areas we can afford to ignore. So we must be prepared to deal with a range of pos-

sibilities, a spectrum of crises, from local insurgency to global conflict. We prefer, of course, to limit any conflict in its early stages, to contain and control it—but to do that our military forces must be deployed in a timely manner, and be fully supported and prepared before they are engaged, because many of those difficult decisions must be made extremely quickly.

Some on the national scene think they can always avoid making tough decisions. Some reject entirely the question of whether any force can ever be used abroad. They want to avoid grappling with a complex issue because, despite clever rhetoric disguising their purpose, these people are in fact advocating a return to post-World War I isolationism. While they may maintain in principle that military force has a role in foreign policy, they are never willing to name the circumstance or the place where it would apply.

On the other side, some theorists argue that military force can be brought to bear in any crisis. Some of these proponents of force are eager to advocate its use even in limited amounts simply because they believe that if there are American forces of any size present they will somehow solve the problem.

Neither of these two extremes offers us any lasting or satisfactory solutions. The first—undue reserve—would lead us ultimately to withdraw from international events that require free nations to defend their interests from the aggressive use of force. We would be abdicating our responsibilities as the leader of the free world—responsibilities more or less thrust upon us in the aftermath of World War II—a war incidentally that isolationism did nothing to deter. These are responsibilities we must fulfill unless we desire the Soviet Union to keep expanding its influence unchecked throughout the world. In an international system based on mutual interdependence among nations, and alliances between friends, stark isolationism quickly would lead to a far more dangerous situation for the United States: we would be without allies and faced by many hostile or indifferent nations.

The second alternative—employing our forces almost indiscriminately and as a regular and customary part of our diplomatic efforts—would surely plunge us head-long into the sort of domestic turmoil we experienced during the Vietnam war, without accomplishing the goal for which we committed our forces. Such policies might very well tear at the fabric of our society, endangering the single most critical element of a successful democracy: a strong consensus of support and agreement for our basic purposes.

Policies formed without a clear understanding of what we hope to achieve would also earn us the scorn of our troops, who would have an understandable opposition to being used—in every sense of the word—casually and without intent to support them fully. Ultimately this course would reduce their morale and their effectiveness for engagements we must win. And if the military were to distrust its civilian leadership, recruitment would fall off and I fear an end to the all-volunteer system would be upon us, requiring a return to a draft, sowing the seeds of riot and discontent that so wracked the country in the '60s.

We have now restored high morale and pride in the uniform throughout the services. The all-volunteer system is working spectacularly well. Are we willing to forfeit what we have fought so hard to regain?

In maintaining our progress in strengthening America's military deterrent, we face difficult challenges. For we have entered an era where the dividing lines between peace and war are less clearly drawn, the identity

of the foe is much less clear. In World Wars I and II, we not only knew who our enemies were, but we shared a clear sense of why the principles espoused by our enemies were unworthy.

Since these two wars threatened our very survival as a free nation and the survival of our allies, they were total wars, involving every aspect of our society. All our means of production, all our resources were devoted to winning. Our policies had the unqualified support of the great majority of our people. Indeed, World Wars I and II ended with the unconditional surrender of our enemies . . . the only acceptable ending when the alternative was the loss of our freedom.

But in the aftermath of the Second World War, we encountered a more subtle form of warfare—warfare in which, more often than not, the face of the enemy was masked. Territorial expansionism could be carried out indirectly by proxy powers, using surrogate forces aided and advised from afar. Some conflicts occurred under the name of "national liberation," but far more frequently ideology or religion provided the spark to the tinder.

Our adversaries can also take advantage of our open society, and our freedom of speech and opinion to use alarming rhetoric and disinformation to divide and disrupt our unity of purpose. While they would never dare to allow such freedoms to their own people, they are quick to exploit ours by conducting simultaneous military and propaganda campaigns to achieve their ends.

They realize that if they can divide our national will at home, it will not be necessary to defeat our forces abroad. So by presenting issues in bellicose terms, they aim to intimidate western leaders and citizens, encouraging us to adopt conciliatory positions to their advantage. Meanwhile they remain sheltered from the force of public opinion in their countries, because public opinion there is simply prohibited and does not exist.

Our freedom presents both a challenge and an opportunity. It is true that until democratic nations have the support of the people, they are inevitably at a disadvantage in a conflict. But when they do have that support they cannot be defeated. For democracies have the power to send a compelling message to friend and foe alike by the vote of their citizens. And the American people have sent such a signal by re-electing a strong chief executive. They know that President Reagan is willing to accept the responsibility for his actions and is able to lead us through these complex times by insisting that we regain both our military and our economic strength.

In today's world where minutes count, such decisive leadership is more important than ever before. Regardless of whether conflicts are limited, or threats are ill-defined, we must be capable of quickly determining that the threats and conflicts either do or do not affect the vital interests of the United States and our allies . . . and then responding appropriately.

Those threats may not entail an immediate, direct attack on our territory, and our response may not necessarily require the immediate or direct defense of our homeland. But when our vital national interests and those of our allies are at stake, we cannot ignore our safety, or forsake our allies.

At the same time, recent history has proven that we cannot assume unilaterally the role of the world's defender. We have learned that there are limits to how much of our spirit and blood and treasure we can afford to forfeit in meeting our responsibility to keep peace and freedom. So while we may and should offer substantial amounts of economic and military assistance to our allies in their time of need, and help them maintain forces to deter attacks against them—

usually we cannot substitute our troops or our will for theirs.

We should only engage our troops if we must do so as a matter of our own vital national interest. We cannot assume for other sovereign nations the responsibility to defend their territory—without their strong invitation—when our own freedom is not threatened.

On the other hand, there have been recent cases where the United States has seen the need to join forces with other nations to try to preserve the peace by helping with negotiations, and by separating warring parties, and thus enabling those warring nations to withdraw from hostilities safely. In the Middle East, which has been torn by conflict for millennia, we have sent our troops in recent years both to the Sinai and to Lebanon, for just such a peacekeeping mission. But we did not configure or equip those forces for combat—they were armed only for their self-defense. Their mission required them to be—and to be recognized as—peacekeepers. We knew that if conditions deteriorated so they were in danger, or if because of the actions of the warring nations, their peace keeping mission could not be realized, then it would be necessary either to add sufficiently to the number and arms of our troops—in short to equip them for combat, or to withdraw them. And so in Lebanon, when we faced just such a choice, because the warring nations did not enter into withdrawal or peace agreements, the President properly withdrew forces equipped only for peacekeeping.

In those cases where our national interests require us to commit combat forces, we must never let there be doubt of our resolution. When it is necessary for our troops to be committed to combat, we must commit them, in sufficient numbers and we must support them, as effectively and resolutely as our strength permits. When we commit our troops to combat we must do so with the sole object of winning.

Once it is clear our troops are required, because our vital interests are at stake, then we must have the firm national resolve to commit every ounce of strength necessary to win the fight to achieve our objectives. In Grenada we did just that.

Just as clearly, there are other situations where United States combat forces should not be used. I believe the postwar period has taught us several lessons, and from them I have developed six major tests to be applied when we are weighing the use of U.S. combat forces abroad. Let me now share them with you:

(1) First, the United States should not commit forces to combat overseas unless the particular engagement or occasion is deemed vital to our national interest or that of our allies. That emphatically does not mean that we should declare beforehand, as we did with Korea in 1950, that a particular area is outside our strategic perimeter.

(2) Second, if we decide it is necessary to put combat troops into a given situation, we should do so wholeheartedly, and with the clear intention of winning. If we are unwilling to commit the forces or resources necessary to achieve our objectives, we should not commit them at all. Of course if the particular situation requires only limited force to win our objectives, then we should not hesitate to commit forces sized accordingly. When Hitler broke treaties and remilitarized the Rhineland, small combat forces then could perhaps have prevented the Holocaust of World War II.

(3) Third, if we do decide to commit forces to combat overseas, we should have clearly defined political and military objectives. And we should know precisely how our forces can accomplish those clearly defined objectives. And we should have and send the

forces needed to do just that. As Clausewitz wrote, "no one starts a war—or rather, no one in his senses ought to do so—without first being clear in his mind what he intends to achieve by that war, and how he intends to conduct it."

War may be different than in Clausewitz's time, but the need for well-defined objectives and a consistent strategy is still essential. If we determine that a combat mission has become necessary for our vital national interests, then we must send forces capable to do the job—and not assign a combat mission to a force configured for peacekeeping.

(4) Fourth, the relationship between our objectives and the forces we have committed—their size, composition and disposition—must be continually reassessed and adjusted if necessary. Conditions and objectives invariably change during the course of a conflict. When they do change, then so must our combat requirements. We must continuously keep as a beacon light before us the basic questions: "Is this conflict in our national interest?" "Does our national interest require us to fight, to use force of arms?" If the answers are "Yes", then we must win. If the answers are "No", then we should not be in combat.

(5) Fifth, before the U.S. commits combat forces abroad, there must be some reasonable assurance we will have the support of the American people and their elected Representatives in Congress. This support cannot be achieved unless we are candid in making clear the threats we face: The support cannot be sustained without continuing and close consultation. We cannot fight a battle with the Congress at home while asking our troops to win a war overseas or, as in the case of Vietnam, in effect asking our troops not to win, but just to be there.

(6) Finally, the commitment of U.S. Forces to combat should be a last resort.

I believe that these tests can be helpful in deciding whether or not we should commit our troops to combat in the months and years ahead. The point we must all keep uppermost in our minds is that if we ever decide to commit forces to combat, we must support those forces to the fullest extent of our national will for as long as it takes to win. So we must have in mind objectives that are clearly defined and understood and supported by the widest possible number of our citizens. And those objectives must be vital to our survival as a free nation and to the fulfillment of our responsibilities as a world power. We must also be farsighted enough to sense when immediate and strong reactions to apparently small events can prevent lion-like responses that may be required later. We must never forget those isolationists in Europe who shrugged that "Danzig is not worth a war", and "Why should we fight to keep the Rhineland demilitarized?"

These tests I have just mentioned have been phrased negatively for a purpose—they are intended to sound a note of caution—caution that we must observe prior to committing forces to combat overseas. When we ask our military forces to risk their very lives in such situations, a note of caution is not only prudent, it is morally required.

In many situations we may apply these tests and conclude that a combatant role is not appropriate. Yet no one should interpret what I am saying here today as an abdication of America's responsibilities—either to its own citizens or to its allies. Nor should these remarks be misread as a signal that this country, or this administration, is unwilling to commit forces to combat overseas.

We have demonstrated in the past that, when our vital interests or those of our allies are threatened, we are ready to use force, and use it decisively, to protect those inter-

ests. Let no one entertain any illusions—if our vital interests are involved, we are prepared to fight. And we are resolved that if we must fight, we must win.

So, while these tests are drawn from lessons we have learned from the past, they also can—and should—be applied to the future. For example, the problems confronting us in Central America today are difficult. The possibility of more extensive Soviet and Soviet-proxy penetration into this hemisphere in months ahead is something we should recognize. If this happens we will clearly need more economic and military assistance and training to help those who want democracy.

The President will not allow our military forces to creep—or be drawn gradually—into a combat role in Central America or any other place in the world. And indeed our policy is designed to prevent the need for direct American involvement. This means we will need sustained congressional support to back and give confidence to our friends in the region.

I believe that the tests I have enunciated here today can, if applied carefully, avoid the danger of this gradualist incremental approach which almost always means the use of insufficient force. These tests can help us to avoid being drawn inexorably into an endless morass, where it is not vital to our national interest to fight.

But policies and principles such as these require decisive leadership in both the executive and legislative branches of government—and they also require strong and sustained public support. Most of all, these policies require national unity of purpose. I believe the United States now possesses the policies and leadership to gain that public support and unity. And I believe that the future will show we have the strength of character to protect peace with freedom.

In summary, we should all remember these are the policies—indeed the only policies—that can preserve for ourselves, our friends, and our posterity, peace with freedom.

I believe we can continue to deter the Soviet Union and other potential adversaries from pursuing their designs around the world. We can enable our friends in Central America to defeat aggression and gain the breathing room to nurture democratic reforms. We can meet the challenge posed by the unfolding complexity of the 1980's.

We will then be poised to begin the last decade of this century amid a peace tempered by realism, and secured by firmness and strength. And it will be a peace that will enable all of us—ourselves at home, and our friends abroad—to achieve a quality of life, both spiritually and materially, far higher than man has even dared to dream.

In brief, there is no vital United States interest in what is going on in Kosovo. What is going on in Kosovo is tragic, but it is not at the level of defending vital interests of the United States by making war in the area. Kosovo should receive humanitarian aid.

I think all of us abhor Milosevic. He should be tried as an international war criminal, and, if convicted, a bounty ought to be offered for him.

The Balkans are a quagmire of ethnic and religious rivalries that we cannot solve alone. Let us remember Dien Bien Phu, when many of his key advisers pressured President Eisenhower to send our armed forces to bail out the French. He was a wise President; he turned them down. There was not vital interest of the United States at stake.

Eisenhower had 800 advisers in Vietnam. He told them not to get involved in the battle—simply train the soldiers. He was a wise President.

John F. Kennedy was not a wise President when it came to Vietnam. He put 16,000 people there and told them to get engaged and shoot. Lyndon Baines Johnson was not a wise President when it came to foreign affairs. LBJ upped the ante to 550,000 American troops. They were heavily engaged. We lost that war. There was no vital interest for our country.

During the Bush administration the United States put an arms embargo on sending arms to Bosnia. That was the wrong decision. If the Bosnians had weapons, they could have protected their country and its people. The Albanians should have arms to protect their people.

Mr. MEEKS of New York. Mr. Speaker, I yield 3 minutes to the gentleman from Mississippi (Mr. TAYLOR).

Mr. TAYLOR of Mississippi. Mr. Speaker, of the many books that have been written about the failed American policy in Vietnam I think one of the most damning was a book called "Derection of Duty." It talks about how the generals and admirals who comprised the Joint Chiefs of Staff during the early Vietnam years knew that President Johnson was intentionally lying to the American public about his plan, or lack of a plan, in Vietnam, that there was no plan to win the war, there was no plan as to how to win the war, and yet not one of these people who claimed to be looking out for their troops was willing to step forward and risk their career by saying, "Mr. President, do it right, or do not do it at all. If you are not willing to do it right, I will resign my commission and go out and tell the American people the truth about what is going on."

Mr. Speaker, this Congress is doing the exact same thing. This Congress is criticizing the American President for the way he is handling this conflict. Yet the American President says he will not introduce ground forces, and the Congress that is damning him today by 250 votes said, "Do not introduce ground forces."

We have a President who says, "I am not going to stop the bombing." We have a Congress, 250-plus votes, said, "Do not stop the bombing."

We share in the responsibility for what is happening right now. Tonight, brave young Americans will get in F-15s, F-16s, A-6s, and they will put their lives on the line in what is for them a very real war.

□ 1800

One cannot wish it away. We just voted not to end it. The choice we have is to do it right or to repeat the mistakes of the Congresses and the Presidents during Vietnam and to pretend that some half-hearted policy is going to achieve American objectives, and to look the other way as the casualties mount because we are not willing to

put our necks out, we are not willing to risk our careers, but we are going to let those kids risk their lives.

Think about it. This is our constitutional obligation. The vote to get the kids out failed. That leaves but one other alternative, and that is to do it right for the sake of those kids who are putting their lives on the line right now.

Now, if we want to revoke the last vote, if we have changed our minds, then vote it. But if we are going to ask those kids to make the ultimate sacrifice, then we as a Nation ought to commit this Nation to the effort and not just a handful of pilots.

Mr. GILMAN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Pennsylvania (Mr. WELDON).

(Mr. WELDON of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. WELDON of Pennsylvania. Mr. Speaker, I thank my distinguished chairman for yielding time to me.

I rise in strong opposition to this particular resolution, and I especially am concerned about the timing of these votes. I understand the reasons why my friend and colleague from California did what he did to maintain the integrity of the process and the responsibility that we have as parliamentarians to engage in that process. I, however, went to the leadership and asked if we could postpone these votes at least until next week, as a group of Members of this body, in fact 10 of us, travel to Austria, Vienna, Austria tomorrow evening to meet with the senior leadership of the Russian Duma and their major factions to try to find some common ground to provide leverage to convince Milosevic that it is time to come to the table and end this conflict.

We have an opportunity, Mr. Speaker. We have not used that opportunity before this debate and this vote, and that is extremely unfortunate. We should not be locked into an artificial vote time frame that tells us when to come forward and have Members in such disarray as we are going to see today watch the results of this vote. And that will tell us the problem that Members have in terms of what we are doing.

I understand the process is important, but I also understand the substance of what we are about is even more important, because we are talking about an issue and decisions and votes that could affect our ability to bring Russia in in a way that helps us bring this to a resolution peacefully. In my mind, Mr. Speaker, that is the top priority. Keeping our ground troops, keeping NATO ground troops from having to confront the Russian military, and from those Serbs in a confrontational way that will lead to additional bloodshed.

It is unfortunate we are having these votes today. In my opinion, it is not in our country's best interests that we have these votes. I wish we could have

avoided that. I think the vote results will show the concern that Members have, not necessarily with just the issue of what we are about, because anyone could argue that, in fact, we are in war today with the things that are occurring. But rather, the timing, the sequence, and the way this is being done without full consideration to what I think is one very real opportunity.

Mr. MEEKS of New York. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Florida (Mr. HASTINGS).

(Mr. HASTINGS of Florida asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Florida. Mr. Speaker, yesterday I spoke to my dear colleague, the gentleman from California (Mr. CAMPBELL) regarding the need for clarity with reference to the War Powers Act. On that I agree with him thoroughly, and I indicated to him at that time that I would be prepared to stand with him, and I am sure others will, once this matter is litigated. I think the timing is poor, and I agree and associate myself with the remarks of the previous speaker with reference to the preserving of the process.

That said, the question is, why would we act unilaterally in declaring war with Yugoslavia? Presently, we are not at war with Yugoslavia; we are engaged in an international mission to bring about peace in Yugoslavia. A unilateral declaration of war would signal that the United States was intensifying the war, while others were fighting for more limited objectives. OSCE and NATO this past week confirmed as our partners the objectives that we have set forth. Why, then, would we destroy our credibility with NATO and destroy NATO's credibility?

I suggest that we defeat this declaration.

Mr. GILMAN. Mr. Speaker, may I inquire as to how much time is remaining?

The SPEAKER pro tempore (Mr. LATOURETTE). The gentleman from New York (Mr. GILMAN) has 7½ minutes remaining, and the gentleman from New York (Mr. MEEKS) has 3½ minutes remaining.

Mr. GILMAN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Alabama (Mr. BACHUS).

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

Mr. BACHUS. Mr. Speaker, war is hell, but at times it is our most dreaded necessity. At times it is unavoidable. At times it is a matter of self-defense. None of this is the case in Kosovo. This war was not, nor is it now unavoidable. It is neither a dreaded necessity, nor is it fought in self-defense against an attacking enemy. All the good intentions in the world do not justify continuing such a war. A war that has every potential for disastrous consequences and catastrophe, not only for the United States, but also for our

NATO allies, and for all of the people of Europe, both east and west.

The deep divisions and misgivings expressed here in Congress over continuing this war are heard throughout the Nation and among our NATO allies. These divisions and misgivings are understandable, they are justified, and they cannot be ignored. The administration has failed to make a persuasive case to Congress or to the American people.

For these reasons, and consistent with my concern and support for our troops, I voted to withdraw U.S. forces from the war in Kosovo, and I will vote against ratifying this war with a declaration from Congress.

Mr. MEEKS of New York. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from New Jersey (Mr. ROTHMAN).

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

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

Mr. Speaker, I do not believe that the conflict in Yugoslavia requires this body to take the extraordinary step of declaring war today, for the first time in the last 50 years of American history. To declare war today could have dangerous consequences that nobody, regardless of party, wants to have occur. If war is declared, then any country that has a connection to Serbia becomes a potential enemy of the United States and could be drawn into the conflict in the Balkans. We could find ourselves at war technically with Russia or China, who have a relationship with Serbia, two of the world's most potent nuclear powers.

We did not declare war when we engaged in the conflict in Korea, Vietnam, the Persian Gulf, Panama, Haiti or Grenada. Why are some forcing Congress, or trying to force Congress to declare war now? We have not done so in 50 years, since World War II. Now is not the time to escalate the conflict. We should not tie our military's hands with the red tape and other legal obligations that flow from a declaration of war. We should not engage in an action that might cause this conflict to spread to other regions of Europe beyond our control.

This measure demands defeat, and I urge my colleagues to vote against it.

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

Mr. MEEKS of New York. Mr. Speaker, I yield the balance of my time to the gentleman from Connecticut (Mr. GEJDENSON), the ranking member of the Committee on International Relations.

The SPEAKER pro tempore. The gentleman from Connecticut (Mr. GEJDENSON) is recognized for 2½ minutes.

Mr. GEJDENSON. Mr. Speaker, I am confident the House will reject this unwarranted proposal for a declaration of war. What we should do when we complete rejecting this constitutionally-

propelled resolution by the gentleman from California (Mr. CAMPBELL), who wants to bring this to court and test it, and he will apparently have his day in court, is then to make sure we leave no confusion about where the Congress and the American people are. We must pass the Senate language which I will offer to authorize the activities we are under.

We have created sufficient confusion today by contradicting even our own statements here on the floor. Many of those who argued against the President unilaterally, saying he would not use ground troops, have now passed what is potentially a statute that would prohibit the President from using ground troops unless Congress comes together, meets and passes it in both Houses.

So let us not leave this Chamber leaving confusion in Belgrade or anywhere else. The bulk of the American people are with the President on this action; the bulk of the American people are proud that we are fighting to save human beings from murder. There is no second agenda here. There is no oil, there is no Communist threat, there are simply human beings who will then be murdered. Reject this amendment, reject the proposal to declare war, and join us to simply state that we support the actions that are being taken, so that Mr. Milosevic can take no heart in the debate in this great, free and Democratic institution that we speak clearly and honestly, that we want to set Kosovo free.

Mr. MEEKS of New York. Mr. Speaker, I yield back the balance of my time.

Mr. GILMAN. Mr. Speaker, I am pleased to yield the balance of my time to the gentleman from California (Mr. CAMPBELL), who is the proponent of this measure.

The SPEAKER pro tempore. The gentleman from California (Mr. CAMPBELL) is recognized for 5½ minutes.

Mr. CAMPBELL. Mr. Speaker, we are at war. There is no question that that is the truth. We are at war. And I believe that it is fair under the Constitution for us to declare that war if we are at war, and if we do not wish to engage in the war, to withdraw from that war. That is why I offered these alternatives to this body.

I am going to go through evidence that is unmistakable that we are at war, both quotations from the administration and just average facts that would compel the conclusion to any fair observer that we are at war.

Before I do so, though, I yield to the gentleman from California (Mr. CUNNINGHAM), my colleague, my good friend, and a distinguished veteran of the Vietnam war.

Mr. CUNNINGHAM. Mr. Speaker, I would ask my colleagues to look. If NATO and OSCE are unanimous, then why are Hungary and France still shipping oil to Serbs? Why do we have Hungary and Poland and the Czechs who say that if we go to war they will not support us, and we had to fight for air-space.

Please look at other solutions to this problem besides ground troops and bombing, and realize that there are many, many nationalists lined up behind Milosevic to take his place. It is not just Milosevic. We have caused the nationalism in many cases. But look at the Mujahedin and Hamas who, in my opinion, will cause problems for the next 100 years unless the President looks at the Albanian President and Izetbegovic and says, deport them within 30 days.

Have we looked into the children's eyes that are the refugees? They do not have a clue as to why they are being uprooted from their homes. And in my opinion, we have caused a lot of it. It is not just a single focus. We have to reach out and look at all of the different factors that are affecting Kosovo and Bosnia.

Mr. CAMPBELL. Mr. Speaker, reclaiming my time, I thank my colleague.

To this day, we have flown 11,574 missions. We have 4,423 air strikes, but this is not war, says the administration. Please, this is war. Recognize it, say it, admit it.

The Secretary of Defense said in testimony in the Senate Committee on National Security on April 15, "We are certainly engaged in hostilities. We are engaged in combat. Whether that measures up to a classic definition of war I am not qualified to say."

For heaven's sakes, Mr. Speaker, the Secretary of Defense of the United States says he is not qualified to say whether we are at war when he admits we are engaged in hostilities, we are engaged in combat.

The Secretary of State of the United States, in testimony before the Committee on International Relations on April 21, refused to answer my question whether we were in hostilities. It is shameful that the Secretary of State of the United States did not answer a question put by a member of the Committee on International Relations, the committee of jurisdiction over international relations, as to whether we were in hostilities.

□ 1815

The reason she didn't, I believe, is because I explained in asking my question to her that the word "hostilities" appears in the war powers resolution, and she was afraid of confessing that hostilities were in existence, because that might trigger the War Powers Resolution. She did admit we were in conflict.

The next day, April 22, her spokesperson, the Assistant Secretary of State, admitted we were in an armed conflict. The President's executive order of April 13 accords extra pay to our soldiers who are in, and I quote the word, "combat."

The Deputy Secretary of State Thomas Pickering on February 10 before our committee answered my question, "Would Serbia be within its rights to consider the bombing of sovereign Serbian territory as an act of

war?" by saying "Yes, they would be within their rights to consider it an act of war." I asked him, "Is Kosovo a part of sovereign Serbia?" He said, yes, it was.

We have prisoners of war, admitted by the President and called as such by him and by the Assistant Secretary of State Jacobs. We had a call-up yesterday of 33,102 troops from our Reserves.

We are at war. It is inconvenient, perhaps, to admit the truth, but it is the truth. We are at war. I applaud two of our colleagues who have spoken today, our colleague, the gentlewoman from Hawaii (Mrs. MINK) and our colleague, the gentleman from Mississippi (Mr. TAYLOR), who said, this is war. We should declare it to be war if we wish to be at war.

But if we do not wish to be at war, then we must not permit the incidents of war, the bombing and the troops. Why do we have this distinction? Why do we say the bombing is okay but the troops are not? Is bombing any less war? Is it less war to the people in Yugoslavia? It is war.

The President needed the approval of Congress before he commenced the bombing. It is no victory that today he sends us a letter saying that he will come to Congress before commencing ground troops, because he says "before commencing ground troops in a non-permissive environment," he does not say "before putting in ground troops to fight." And he does not say he will wait for a Congressional vote.

If the Serbs are sufficiently diminished, "degraded" is the word they use in the administration, so that entry will be quasi-permissive, then I take it the President would put in ground troops.

Please, we are at war. The honest choice is this: If we are at war, declare we are at war. If my colleagues do not wish us to be at war, withdraw the troops. I ask my colleagues to stand up to their constitutional obligation and to honesty on this resolution.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in strong opposition to this joint resolution. This resolution would pursuant to section 5(b) of the War Powers Resolution, declare a state of war between the United States and the Government of the Federal Republic of Yugoslavia. Again, Mr. Speaker this joint resolution is not in the best interest of United States of America.

Neither NATO nor the United States believes that a state of war exists in the current conflict in the Balkan region. The President has not requested that Congress issue a declaration of war. I believe that a declaration of war would be entirely counterproductive as a matter of policy and is unnecessary as a matter of law.

On only five occasions in the United States history and never since the end of World War II has the Congress declared war, reflecting the extraordinary nature of, and implications attendant on, such a declaration. While we are not at war with either the Federal Republic of Yugoslavia or its people, Slobodan Milosevic should not doubt the determination of NATO to see the stability of Europe reassured. With

resolve NATO can attain a durable peace that prevents further repression and provides for democratic self-government for the Kosovar people.

Mr. Speaker, if this resolution is adopted this body would convey the wrong message. The adoption of H. J. Res. 44 would indicate the existence of a bilateral war between the United States and Yugoslavia. A bilateral war between the United States and Yugoslavia has not been declared and in my opinion should not be declared; rather our efforts must remain in concert with the allied effort under the NATO umbrella.

As a matter of law, there is no need for a declaration of war. Mr. Speaker, every use of U.S. Armed Forces since World War II has been undertaken pursuant to the President's constitutional authority. In some cases like the Persian Gulf War, action was taken under congressional authorization, but not since World War II has Congress declared war.

Mr. Speaker, in the time in which we live, the President must have the discretion and authority to use U.S. Armed Forces when there is a clear and significant risk to our national security interests. I would hope that if nothing else we would have learned that instability in Europe does have an immediate impact on our own security interests.

In addition, a declaration of war could have serious counterproductive effects on NATO cohesion and regional stability. Russia, already agitated over NATO action, could be further alienated from joining in diplomatic efforts to achieve a lasting peace.

As NATO reaffirmed at its 50th Anniversary, it remains committed to the stability of Europe. NATO is acting to deter unlawful violence in Kosovo that endangers the fragile stability of the Balkans and threatens a wider conflict in Europe. The NATO alliance is as united as ever, and there is no sense in giving up now, and there is no better prospect for getting a fair and lasting settlement.

I urge my colleagues to oppose this resolution and let us proceed with our NATO allies to bring about a peaceful settlement.

Mr. CONYERS. Mr. Speaker, as with all Americans I am greatly distressed by the brutality and loss of freedom the Kosovars are suffering at the hands of military forces of the Serbian regime in Belgrade. However, NATO military policy, while inflicting heavy penalties on the infrastructure of Yugoslavia, has done nothing to stop the forced removal of the Albanian residents of Kosovo, the original objective announced by President Clinton and our NATO allies. It may, in fact, have aggravated the situation. And the effort of the honorable Congressman from California, TOM CAMPBELL, and his supporters, to move for a congressional declaration of war is fraught with additional danger with regard to both our domestic tranquility and the possibilities of expanding the conflict.

On the domestic front the President as Commander in Chief would be empowered to call up the Reserves and federalize the National Guard. All regular enlistments in the armed services would be extended until 6 months after the termination of the conflict. (10 U.S.C. 506, 671a) Private property deemed necessary for military purposes could be seized. (10 U.S.C. 2663-64) Under certain conditions, the President could take over private manufacturing plants, transportation systems, and regulate the transmission of elec-

trical energy. (10 U.S.C. 4501-02, 9501-02, 4742, 9742, 16 U.S.C. 824) Private vessels could be requisitioned by the government (46 U.S.C. App1242-a), radio and television transmission rules could be suspended (47 U.S.C. 606), and a variety of controls could be established with regard to aliens, particularly those from states considered enemies. While it is not certain, it is highly probable that Congress would agree to pass other legislation deemed necessary to achieve victory, which would curtail other aspects of civil life we take for granted.

With regard to United States foreign policy, the negative costs could be equally grave. Such a declaration could be divisive in NATO, with some members (Greece, Italy) determining that the effects of such a war declaration by the U.S. Congress would decrease the support among their own citizens, thus ending their cooperation and producing a rupture in the alliance. It would certainly increase the sense of hostility with Russia, the Ukraine and possibly other former Soviet states.

While we are all agreed with the objective of bringing peace and justice to the Balkan region, there needs to be further reflection and discussion regarding the terms we wish to establish with the Yugoslav government and the means by which we achieve this end. It may be desirable to consider establishing an ad hoc group within the UN General Assembly, beyond just the NATO members, to aid in the search for an honorable and sensible end to this increasingly grave crisis.

Ms. LEE. Mr. Speaker, I rise today in opposition to H.J. Res. 44, which would declare a state of war between the United States and the Federal Republic of Yugoslavia. I oppose this resolution because I believe that a declaration of war, like the NATO air strikes, will only increase instability in the region and exacerbate the atrocities against ethnic Albanians.

At this very volatile time, my support and prayers go out to the brave men and women of the United States Armed Forces who have been dispatched to Yugoslavia. We must take every measure possible to bring an end to this crisis to ensure their safe and expeditious return home.

While I will vote against the declaration of war, I would like to commend my colleague from California, Congressman CAMPBELL, for introducing this resolution into the House of Representatives and bringing forward Congressional action on the U.S. involvement in Kosovo. It is my belief that these debates should have taken place six weeks ago, before a single bomb was dropped and before any U.S. troops were sent into the hostile situation in the Balkans.

By failing to vote on the air strikes before their commencement, and instead debating authorization now, when we are already heavily involved, the Administration is conducting a war without Congressional consent as required by the Constitution. A vote to authorize the President to conduct military air strikes at this juncture is nothing more than a rubber stamp from Congress for an action that has already begun. In my opinion, our inaction prior to military strikes abdicated our Constitutional responsibility and furthermore, prevented the voice of the people I represent, who are overwhelmingly against the air strikes, from being heard.

There are those who rise today in support of the Administration's action in order to end the

genocide of the ethnic Albanians. I agree, in the strongest terms possible, that we have a moral imperative to intervene and to bring an end to the horrific suffering. However, whether air strikes, ground forces, or a declaration of war—these violent means as a method to bring peace and stability to the Balkans have only, and will only escalate the crisis.

As a person who strongly believes in the teachings and work of Dr. Martin Luther King Jr., not just on his birthday, but throughout the year, I profoundly subscribe to the principles of nonviolence. Our policies, and our actions, must set an example for our young people that violence should never be an option. If peace is our objective, and I am certain that this is a goal upon which all in this chamber can agree, then I implore us to consider the words of Dr. King. In his last book, "The Trumpet of Conscience, A Christmas Sermon on Peace," Dr. King discusses bombing in North Vietnam, and the rhetoric of peace that was connected to those war making acts.

He wrote,

What is the problem? They are talking about peace as a distant goal, as an end we seek. But one day we must come to see that peace is not merely a distant goal we seek, but that it is a means by which we arrive at that goal. We must pursue peaceful ends through peaceful means. All of this is saying that, in the final analysis, means and ends must cohere because the end is pre-existent in the means and ultimately destructive means cannot bring about constructive ends.

The Administration's policy and the NATO campaign in Kosovo to date have produced only counterproductive and destructive results: a mass exodus of over half a million ethnic Albanians, significant civilian deaths, an escalation of Milosevic's campaign of racial hatred and terror, and greater instability in the region. The results are just the opposite of what we want to achieve. Our goal is to prevent innocent people from being killed. In the name of saving Kosovars, we are destroying Kosovo.

At this juncture, I am convinced that our best hope for peace and stability in the region is the negotiation of an immediate cease fire. It is my strong belief that the United States and NATO must reach out to the United Nations, Russia, China, and others to work together to develop a new, internationally negotiated peace agreement and to secure Serbian compliance to its terms. In order to end the suffering in the Balkans and to achieve long term stability, support of a diplomatic political settlement is the only action we can employ.

As we today speak of a policy to end genocide in the Balkans, I am also greatly disturbed to think of the people in many countries in Africa and all over the world, who have also suffered unthinkable atrocities, beyond our worst nightmare. As a result of ethnic conflict in Africa, over 150,000 have been killed in Burundi; 800,000 in Rwanda; and 1.5 million in Sudan. More than 200,000 Kurds have died in Iraq and Turkey, and hundreds of thousands in Burma, and over 1 million in Cambodia.

It is my hope that our nation can develop a foreign policy framework to address suffering and killing all over the world, without the use of force, ground troops, air strikes and other violent means.

I urge a "no" vote on the declaration of war.

Mr. GANSKE. Mr. Speaker, last November, I asked Iowans to remember the victims of Hurricane Mitch * * * and in America's generosity, we responded with private and public

philanthropy. I voted for federal assistance not only for humanitarian reasons, but also because it is in our own country's interest that the economics of our trading partners to the South be salvaged.

Sharing our nation's treasure is a long tradition of United States humanitarianism. Perhaps the best example was the Marshall Plan to rebuild Europe after World War II and there are countless others.

We are now facing a man-made disaster with hundreds of thousands of homeless in the Balkans. Our country is partially responsible for these refugees, because without President Clinton's go ahead, there never would have been NATO military action. We should give strong financial support to Albania and Macedonia to help them clothe, feed and shelter the displaced Kosovars.

However, there is a big difference between providing humanitarian financial assistance to homeless victims whether in Guatemala or Albania and spending the blood of our sons and daughters in a ground war in the Balkans. One of the lessons we should have learned in Vietnam is that the public will tolerate loss of life and limb only when it is convinced that its vital national interest is at stake. While the American public is rightly concerned about the human rights violations in Kosovo, few believe that our own country's interests are at risk.

Vietnam also taught us that military might is only one factor in determining the outcome. We were much stronger militarily than the Viet Cong, but they were much more committed. It was their country. We have an analogous situation in Kosovo, a province of Yugoslavia, which the Serbs consider the birthplace of their nation.

We are hearing arguments that the credibility of NATO is at stake. For those of us who remember the Vietnam era only too clearly, these were the same arguments that got us deeper into a Southeast Asia war. The lesson we should have learned then was: Unless you are willing to wade in a swampy pit, don't dig your hole deeper. The consequences of failing to carry through later will be much worse than not getting more deeply involved now.

So where do we go from here? First, Congress ought to assert its Constitutional duty. The Framers assigned the power to enter wars to Congress only, not the President. Congress should step up to the bar and not let the President take the risks of war and then either cheer or castigate depending on the outcome.

I support Congressman TOM CAMPBELL's attempt to get Congress to vote on a declaration of war. I will vote "No," since our country has not been attacked by Yugoslavia nor do we have such an overriding national interest to justify going to war over their own civil war.

If Congress votes for war, then we will have upped the ante a thousand fold. If Congress votes no, then I would support taking this to the courts in order to get a cease and desist order on the executive.

But what about Kosovo itself? Milosevic is indicating that he would now accept non-NATO international observers in Kosovo. We should suspend bombing, institute a full UN-sponsored economic boycott, and resume negotiations. Probably the best that can be achieved is a partition of Kosovo with the Serbs and their religious and historical sites on one side and the Albanian Kosovars on the other. A UN peacekeeping presence will be necessary for generations.

One thing, though, is clear to me. I just completed town hall meetings in every county in my district. Iowans are very skeptical about our military involvement in that part of the world. Of the nearly one thousand people who attended, only a handful were for placing U.S. ground troops in Kosovo under any circumstances.

Humanitarian aid, yes. U.S. ground forces, no.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to section 4 of House Resolution 151, the joint resolution is considered as read for amendment, and the previous question is ordered.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on passage of the joint resolution.

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

Mr. CAMPBELL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 2, nays 427, not voting 5, as follows:

[Roll No. 102]		
YEAS—2		
Barton	Taylor (MS)	NAYS—427
Abercrombie	Buyer	Dickey
Ackerman	Callahan	Dicks
Allen	Calvert	Dingell
Andrews	Camp	Dixon
Archer	Campbell	Doggett
Armye	Canady	Dooley
Bachus	Cannon	Doolittle
Baird	Capps	Doyle
Baker	Capuano	Dreier
Baldacci	Cardin	Duncan
Baldwin	Carson	Dunn
Ballenger	Castle	Edwards
Barcia	Chabot	Ehlers
Barr	Chambliss	Ehrlich
Barrett (NE)	Chenoweth	Emerson
Barrett (WI)	Clay	Engel
Bartlett	Clayton	English
Bass	Clement	Eshoo
Bateman	Clyburn	Etheridge
Becerra	Coble	Evans
Bentsen	Coburn	Everett
Bereuter	Collins	Ewing
Berkley	Combest	Farr
Berman	Condit	Fattah
Berry	Conyers	Filner
Biggert	Cook	Fletcher
Bilbray	Cooksey	Foley
Bilirakis	Costello	Forbes
Bishop	Cox	Ford
Bliley	Coyne	Fossella
Blumenauer	Cramer	Fowler
Blunt	Crane	Frank (MA)
Boehlert	Crowley	Franks (NJ)
Boehner	Cubin	Gekas
Bonilla	Cummings	Frelinghuysen
Bonior	Cunningham	Frost
Bono	Danner	Gallegher
Borski	Davis (FL)	Ganske
Boswell	Davis (IL)	Gejdenson
Boucher	Davis (VA)	Gephardt
Boyd	Deal	Gibbons
Brady (PA)	DeFazio	Gilchrest
Brady (TX)	DeGette	Gillmor
Brown (CA)	Delahunt	Gilman
Brown (FL)	DeLauro	Gonzalez
Brown (OH)	DeLay	Goode
Bryant	DeMint	Goodlatte
Burr	Deutsch	Goodling
Burton	Diaz-Balart	Gordon

Goss	Markey	Rush	Ryan (WI)
Graham	Martinez	Ryun (KS)	Sabo
Granger	Mascara	Salmon	Sanchez
Green (TX)	McCarthy (MO)	Sanders	Sandlin
Green (WI)	McCarthy (NY)	Sanford	Sawyer
Greenwood	McCullum	Saxton	Scarborough
Gutierrez	McCrary	Schaffer	Schakowsky
Gutknecht	McDermott	Scott	Sensenbrenner
Hall (OH)	McGovern	Serrano	Shadegg
Hall (TX)	McHugh	Sessions	Shaw
Hansen	McInnis	Simpson	Shays
Hastert	McIntosh	Siskiyou	Sherman
Hastings (FL)	McIntyre	Skeen	Sherwood
Hastings (WA)	McKeon	Skelton	Shimkus
Hayes	McKinney	Smith (MI)	Shows
Hayworth	McNulty	Smith (NJ)	Shuster
Hefley	McNulty	Smith (TX)	Simpson
Herger	Meehan	Smith (WA)	Sisisky
Hill (IN)	Meek (FL)	Snyder	Souder
Hill (MT)	Meeks (NY)	Spence	Spence
Hilleary	Menendez	Spratt	Stabenow
Hilliard	Metcalf	Stark	Stark
Hinchey	Mica	Stearns	Stearns
Hinojosa	Millender-Lee	Stenholm	Strickland
Hobson	McDonald	Strickland	Stump
Hoefel	Miller (FL)	Stump	Stupak
Hoekstra	Miller, Gary	Tancredo	Sununu
Holden	Miller, George	Tancredo	Sweeney
Holt	Minge	Tanner	Tanner
Hooley	Mink	Tauscher	Tauscher
Horn	Moakley	Taylor (NC)	Taylor (NC)
Hostettler	Mollohan	Terry	Thomas
Houghton	Moore	Thompson (CA)	Thompson (MS)
Hoyer	Moran (KS)	Thompson (PA)	Thornberry
Hulshof	Moran (VA)	Townes	Thune
Hunter	Morella	Traficant	Tiabert
Hutchinson	Murtha	Turner	Tierney
Hyde	Myrick	Udall (CO)	Toomey
Inslee	Nadler	Udall (NM)	Towns
Isakson	Napolitano	Upton	Trafficant
Istook	Neal	Velazquez	Turner
Jackson (IL)	Nethercutt	Vento	Walden
Jackson-Lee	Ney	Visclosky	Walsh
(TX)	Northup	Walden	Wamp
Jefferson	Norwood	Waxman	Waters
Jenkins	Nussle	Weiner	Watkins
John	Oberstar	Weldon (FL)	Watkins
Johnson (CT)	Obey	Weldon (PA)	Watt (NC)
Johnson, E. B.	Olver	Weller	Watts (OK)
Johnson, Sam	Ortiz	Wexler	Watts (OK)
Jones (NC)	Ose	Riley	Weygand
Jones (OH)	Owens	Rivers	Whitfield
Kanjorski	Oxley	Rodriguez	Wicker
Kaptur	Packard	Roemer	Rogers
Kasich	Pallone	Rogers	Rohrabacher
Kelly	Pascarella	Rohrabacher	Ros-Lehtinen
Kennedy	Pastor	Rothman	Rothman
Kildee	Paul	Roukema	Roukema
Kilpatrick	Payne	Royal-Allard	Royal-Allard
Kind (WI)	Pease	Royce	Royce
King (NY)	Pelosi	Reynolds	Reynolds
Kingston	Peterson (MN)	Riley	Riley
Kleckzka	Peterson (PA)	Rivers	Rivers
Klink	Petri	Rodriguez	Rodriguez
Knollenberg	Phelps	Rothman	Rothman
Kolbe	Pickering	Roukema	Roukema
Kucinich	Pickett	Royal-Allard	Royal-Allard
Kuykendall	Pitts	Royce	Royce
LaFalce	Pombo	Reynolds	Reynolds
LaHood	Pomeroy	Riley	Riley
Lampson	Porter	Rivers	Rivers
Lantos	Portman	Rodriguez	Rodriguez
Largent	Price (NC)	Roemer	Roemer
Larson	Pryce (OH)	Rogers	Rogers
Latham	Quinn	Rohrabacher	Rohrabacher
LaTourette	Radanovich	Ros-Lehtinen	Ros-Lehtinen
Lazio	Rahall	Rothman	Rothman
Leach	Ramstad	Roukema	Roukema
Lee	Rangel	Royal-Allard	Royal-Allard
Levin	Regula	Roybal-Allard	Roybal-Allard
Lewis (CA)	Reyes	Royce	Royce
Lewis (GA)	Reynolds	Young (AK)	Young (FL)
Lewis (KY)	Riley	Young (AK)	Young (FL)
Linder	Rivers	Woolsey	Woolsey
Lipinski	Rodriguez	Wu	Wu
LoBiondo	Roemer	Young (FL)	Young (FL)
Lofgren	Rogan	Wise	Wise
Lowey	Rogers	Wolf	Wolf
Lucas (KY)	Rohrabacher	Woolsey	Woolsey
Lucas (OK)	Ros-Lehtinen	Wu	Wu
Luther	Rothman	Young (AK)	Young (AK)
Maloney (CT)	Roukema	Young (FL)	Young (FL)
Maloney (NY)	Royal-Allard	Young (FL)	Young (FL)
Manzullo	Royce	Young (FL)	Young (FL)

NOT VOTING—5

Aderholt
Blagojevich

Slaughter
Tauzin

Wynn

□ 1837

Messrs. MCINTOSH, MCINNIS, UPTON, HUTCHINSON, and NADLER, and Ms. PRYCE of Ohio and Ms. KILPATRICK changed their vote from "yea" to "nay."

So the joint resolution was not passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. SLAUGHTER. Mr. Speaker, I was unable to be present today for rollcall votes 98, 99, 100, 101, and 102.

Had I been present, I would have voted "yes" or "aye" on rollcall vote 98, and "no" or "nay" on votes 99, 100, 101, and 102.

AUTHORIZING PRESIDENT TO CONDUCT MILITARY AIR OPERATIONS AND MISSILE STRIKES AGAINST FEDERAL REPUBLIC OF YUGOSLAVIA

Mr. GEJDENSON. Mr. Speaker, pursuant to section 5 of House Resolution 151, I call up from the Speaker's table the Senate concurrent resolution (S. Con. Res. 21) authorizing the President of the United States to conduct military air operations and missile strikes against the Federal Republic of Yugoslavia (Serbia and Montenegro), and ask for its immediate consideration in the House.

The SPEAKER pro tempore (Mr. KOLBE). The Clerk read the title of the Senate concurrent resolution.

The text of Senate Concurrent Resolution 21 is as follows:

S. CON. RES. 21

Resolved by the Senate (the House of Representatives concurring), That the President of the United States is authorized to conduct military air operations and missile strikes in cooperation with our NATO allies against the Federal Republic of Yugoslavia (Serbia and Montenegro).

The SPEAKER pro tempore. Pursuant to section 5 of House Resolution 151, the gentleman from Connecticut (Mr. GEJDENSON) and the gentleman from New York (Mr. GILMAN) will each control 30 minutes.

The Chair recognizes the gentleman from Connecticut (Mr. GEJDENSON).

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

Mr. Speaker, some of our colleagues are distributing a letter that frankly is, I am sure, unintentionally inaccurate. I would hope that every Member of this body, before they vote, reads the five line resolution.

This five line resolution is not an authorization for ground forces, and I will ask my colleagues to listen as I read it, because it is only five lines. The resolution that has come from the Senate says: "The President of the United States is authorized to conduct military air operations and missile strikes

in cooperation with our NATO allies against the Federal Republic of Yugoslavia."

It says nothing else. Make it clear. Members should vote however they believe is correct, but they should do it based on the facts.

Mr. Speaker, I ask unanimous consent that the gentleman from Florida (Mr. DAVIS) control my time.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Florida (Mr. DAVIS) will control the remainder of the time allotted to the gentleman from Connecticut (Mr. GEJDENSON).

GENERAL LEAVE

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the subject matter under consideration, S. Con. Res. 21.

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

There was no objection.

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

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

Mr. GILMAN. Mr. Speaker, as I have previously indicated, I am prepared to support statutory authorization for appropriate measures necessary to achieve all of our objectives in Kosovo. Accordingly, I support this resolution, although I consider it to be only a half-way measure. It is not a statutory authorization, even though it purports to be such, and it addresses itself only to the present military air operation by NATO in the Federal Republic of Yugoslavia.

As I previously stated, I believe that it would be both timely and prudent for the administration to come to the Congress with a request for statutory authorization for any and all measures necessary to bring about our stated objectives in Kosovo. We do not want to encourage Mr. Milosevic to believe that our Nation is not prepared to pursue victory, and we do not want him to believe that he can wait us out and his will is superior to our manifest determination in this matter.

I believe that this measure advances, in a modest way, our determination of support for an end to the brutality in Kosovo and, accordingly, I urge my colleagues to support this measure.

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

Mr. DAVIS of Florida. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I rise in support of Senate Concurrent Resolution 21. The Congress needs to have a voice in the involvement of the United States in Operation Allied Force. We should stand up and express our support for our troops and our allies in NATO.