

First of all, as the war clouds gather in the Balkans, hopefully this Nation and NATO will not be drawn into war. If we are drawn into war, I hope we will, as a country, keep in mind the axiom by Baron von Clausewitz that one must know the last step one takes in terms of war before one takes the first step. That should be fully debated here on the floor of the Senate.

The distinguished senior Senator from West Virginia had some wonderful observations about life itself and about spring.

I could not help but identify with his wonderful comments about his great granddaughter and his love for tomatoes and the things that grow in the spring. My father has a similar love for vegetable gardens and particularly for Better Boy and Big Boy tomatoes. I was very touched by Senator BYRD's comments about me, and I appreciate his thoughts immensely.

The last week or two has been fascinating in my life where I learned some things about my own experience in war that have, in effect, triggered a lot of the emotions of war and, hopefully, will lead to a deeper healing of the wounds I incurred there.

The story is in the Hill newspaper, and Senator BYRD was kind enough to enter that into the CONGRESSIONAL RECORD. I thank him personally for that, and it is an honor to be serving with him. He has been one of my personal heroes for many, many years.

I wanted to say those words, Mr. President, because we have an incredible human being with us in the Chamber, Senator BYRD, whose light and life continues to guide us all.

I yield the floor, Mr. President.

The PRESIDING OFFICER. Who seeks recognition?

Mr. LOTT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### THE KOSOVO COMMITMENT

Mrs. HUTCHISON. Mr. President, I am pleased that we are now going to talk about the Kosovo situation. I think it is a very fluid resolution that we have before us but, nevertheless, I think it is very important that we begin to talk about the situation there, because, frankly, in the last 24 hours, things have changed greatly. When the Serbs refused to sign the peace agreement, that started a different dynamic.

Many Members of Congress have been in constant meetings with members of the administration, including the President, about just where we are now, where is NATO, what are the commitments and, most important, I think from all of the meetings, it has become

very clear that many Members of Congress want to know what is the totality of the commitment.

We are beginning to have to address the issue of what kind of hostile possibilities will there be if the NATO forces, which includes the United States, go forward into any kind of a military intervention in Kosovo.

We do not know what Milosevic is planning. I believe if President Milosevic starts to take human lives, that is going to trigger a very swift response.

I hope the President of Serbia will realize that he could solidify this Congress in a way that nothing else would if he decides that he is going to embark on that course, because I think our forces are ready to stop something that would be the annihilation of innocent people.

Mr. President, I think many are not prepared to go into a full-scale altercation with a sovereign country until we have looked at the entirety of that commitment. We need to know the entirety of the commitment of our allies and what we ourselves are willing to do in light of our own principles and our own standards for when we would put American troops into harm's way, into foreign conflicts, and into a situation in which there is no peace agreement. There is even a question of whether it is a real peace agreement if that peace agreement is arrived at through bombing.

This is a watershed period for our country, and the Members of Congress who have been participating in the meetings are trying to put before the President and the administration and the people of this country exactly what are our options.

I believe it is going to be very important in the next week or so that we do know what our commitments are, if we are going to propose to take any kind of hostile action, that we know what is the end game, what is the strategy, what is the commitment of dollars as well as potential lives. The President of the United States must come forward and not only inform Congress, not only work with Congress on these plans, but inform and work with the American people to explain exactly what is proposed and what will be the end game if we get into this kind of conflict.

Mr. President, this is a sobering time. I am pleased that my amendment is the pending business.

I am pleased that Senator LOTT has now offered a second-degree amendment, because we now have two options. We have the option of an up-or-down vote on whether we are ready to send troops into Kosovo, or we have a second approach, which is, if we are going to do this, let's have a plan. Those are two options, and in the next 72 hours, I think it will become more and more clear what kind of approach we should take.

There is one thing that is certain today, and that is, the Congress of the

United States has the power to declare war. I suggest that means the power to send our troops into harm's way for a long period of time if we are expecting a conflict. If this is the case, then it is imperative we talk about this issue up front, we have a full debate in the Senate and House of Representatives, that the people of America know what the plans are, know what the potential liabilities are, and the people of America realize what is at stake. There is no substitute for this kind of planning and this kind of communication.

So I am pleased that we are now on this amendment. I look forward to working with all the Members of the Senate so that everyone can be heard and so that, hopefully, we will be able to come to an agreement, but if not, a clear agreement that there will be a real vote and that Congress will play its constitutional role in what happens next; because I believe that what happens in Kosovo and the rest of the Balkans in the decisions that will be made in the next few weeks will perhaps have consequences for years to come in our country.

Thank you, Mr. President.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### KOSOVO

Mr. SPECTER. Mr. President, we face a matter of utmost seriousness as events are evolving with respect to Kosovo and the massing of a large amount of Serbian troops about to strike imminently, according to all reports. Ethnic cleansing is already being undertaken in the form of brutal attacks on people in Kosovo. Large numbers of people—according to media reports; and since confirmed—were lined up, asked to kneel, pistols placed behind their heads, and executed in cold-blooded murder. This follows a pattern of ethnic cleansing which has gone on for many years in Bosnia.

The United States is considering, in conjunction with NATO forces, air attacks. In the context of what is likely to go on in Kosovo, these are in fact, acts of war which call for authorization by the Congress of the United States under the U.S. Constitution.

We have seen in modern times this constitutional mandate violated by unilateral action by the President, arguably under his authority as Commander in Chief. It is true that he has substantial authority as Commander in Chief to act in times of emergency, but when Congress has an opportunity to deliberate and to consider the issue, it

is the congressional authority and congressional responsibility to act if the United States is to be engaged in war.

Presidents are traditionally reluctant—unwilling really—to come to the Congress to ask for authorization because they do not want to make any concessions about what they consider to be their unilateral authority as Commander in Chief. That, in fact, was the tact taken by President Bush when he declined to come to Congress to ask for a resolution authorizing the use of force in 1991.

However, debate was undertaken. We had historic debates on this floor on January 10, 11, and 12. Finally, a resolution was passed in the House and passed in the Senate. The resolution which passed here was by a very narrow margin of 52-47. But the hand of the President was strengthened immeasurably by the congressional action.

We have seen the brutal historical fact of life that a war cannot be maintained—such as the Vietnam war—without public and congressional support. There was a Senate briefing yesterday by the Secretary of State, the Secretary of Defense, the National Security Adviser, and the Chairman of the Joint Chiefs of Staff outlining a number of the issues relating to possible military action in Kosovo. This morning, President Clinton met with a large group of Senators and Members of the House of Representatives in a session which lasted approximately 2 hours, going over a great many of these issues.

I believe it is fair to say that although there has been some dissent, most of those in attendance stated that they believe that acting against Serbia, a sovereign nation, in the context of this case does constitute an act of war and should require congressional authorization. I commend our distinguished majority leader, Senator LOTT, for taking steps today after that meeting occurred to try to bring this issue to a vote.

There is an amendment pending on the supplemental appropriations bill stating that there should not be airstrikes taken by the administration without prior congressional authority. I believe this is a very sound proposition.

In my view, it is very important that there be a national debate, and that there be an understanding by the American people of precisely what is involved if we undertake airstrikes in Kosovo. This is not a matter where the airstrikes can be limited to missile strikes which do not put Americans in harm's way. If there are airstrikes with aircraft, considering all of the factors at play here, there is a very, very serious risk of casualties. That is something which none of us takes lightly. Certainly the American people are very reluctant, as the American people should be, to see those kinds of risks undertaken; and the Congress is very reluctant—really, unwilling—to take

those risks unless there is a clear statement of what our national interests are. And if they warrant that kind of military action.

The Constitution gives the sole authority to involve the U.S. Military in war to the Congress of the United States. One of the problems with this issue is that too often when confronted, there is a tendency on the part of the Congress—candidly—to duck. In February of 1998 when missile strikes were imminent against Iraq, they never came to pass. The Congress had an opportunity to debate and act on the issue and decided not to act.

Last fall, and again this past December, we had missile strikes against Iraq and, again, the Congress of the United States had an opportunity and authority to face up to that issue and decided not to act. Now, with the imminence of military action in Kosovo, in my view, it is imperative that this issue be debated by the Senate. It has been debated by the House of Representatives and they had a narrow, but favorable vote—a close vote—supporting peacekeepers, conditioned on a peace agreement being entered into. The agreement has not since happened, so that resolution is really irrelevant at this point.

But it is my hope that when the President addresses the Nation this afternoon at 4 o'clock, as he is scheduled to do, that will trigger a very extensive national debate. That is not the kind of debate that is going to be triggered by one Senator in an empty Senate Chamber speaking on C-SPAN 2, but the American people need to know what is involved. They need to know that there are risks involved, and there has to be the formulation of a national judgment to undertake this risk if we are, in fact, to move forward.

I have found in my contacts with people from my State of Pennsylvania that the people do not yet understand Bosnia, do not understand why we are there. We have the bitter experience of Somalia, when we saw the television picture of American soldiers being dragged through the streets, and we beat a hasty retreat.

We ought not to undertake military action in Kosovo unless we are prepared for the eventualities. I think it is a very useful matter to have the issue formulated in the Senate, to have debate on Monday and Tuesday, to follow up on the President's presentation, and to make a determination as to what our national policy should be. While bearing in mind that it is the role of the Congress to authorize the use of force if, in fact, it is to be undertaken.

I thank the Chair and yield the floor. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### KOSOVO

Mr. GORTON. Mr. President, for a short while today and on Monday and on Tuesday, we will be debating a very short, clear, and concise proposal by the distinguished senior Senator from New Hampshire, Senator SMITH, relating to the use of American Armed Forces in combat in Kosovo and Yugoslavia.

Mr. President, I want to state as forcefully as I possibly can my support for that amendment. Senator SMITH states, I think with total accuracy, that the U.S. national security interests in Kosovo do not rise to a level that warrants military operations by the United States. It goes on to point out that any intervention on our part would be to engage the Armed Forces of the United States in a civil war inside the truncated but still nation of Yugoslavia.

Mr. President, there was an op-ed column in the Washington Post just 3 days ago in which the author set out three principles that struck me as totally sound and logical. Rule 1 is, don't involve yourself in a civil war; rule 2, if you do involve yourself in a civil war, take a side; rule 3, if you do involve yourself in a civil war and take a side, make certain that your side wins.

Mr. President, the proposed intervention in Kosovo on the part of the United States essentially violates all three of those rules. Clearly, it will involve us in a civil war. To a large extent, we will not have picked a side because we will not be promoting what those who are revolting against the Serbian authorities wish; that is to say, their independence. And we clearly aren't going in with the intention of winning in the sense of settling that conflict.

So we will follow the sorry example of this administration's military adventures so far: The billions of dollars we have spent in Haiti with troops still in that country now simply defending themselves, without having any discernible positive impact on that society; the low caliber war in which we have been engaged on and off in Iraq without any discernible prospect of removing Saddam Hussein from office; and our multibillion-dollar adventure in Bosnia, an adventure that has no end, because we are attempting to force people to live together who have no intention and no willingness to do so; and, now here in Kosovo we propose to do exactly the same thing.

Mr. President, I believe that the situation would be different and perhaps more justifiable if the President were to go all the way and to say that the service of freedom requires liberating people who no longer wish to be a part of Yugoslavia and helping them attain their freedom. But we are not doing that. We continue to promote the fiction that borders will not be changed.