



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, FIRST SESSION

Vol. 145

WASHINGTON, MONDAY, JUNE 21, 1999

No. 88

House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, June 22, 1999, at 12:30 p.m.

Senate

MONDAY, JUNE 21, 1999

The Senate met at 12 noon and was called to order by the Honorable PAT ROBERTS, a Senator from the State of Kansas.

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, You are the same yesterday, today, and tomorrow. We praise You for Your reliability. Our lives change: We have good days and bad days; we experience up times and down times. Often we are caught in the muddle of our moods; sometimes life goes bump when things don't turn out as we expected. We become disappointed with people. But You are our mighty God who has entrusted us with work to do for Your glory. Each time we return to You to find strength to survive and thrive, You are there waiting for us. We begin this new work-week where everything should begin and never end: in complete trust in You, Your availability, and our accountability to You.

Bless the Senators and all of us who work with them. May this be a week of progress and productivity. We place our reliance squarely on Your reliability. Through our Lord and Savior. Amen.

APPOINTMENT OF THE ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. THURMOND).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 21, 1999.

To the Senate:

Under the provisions of rule 1, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable PAT ROBERTS, a Senator from the State of Kansas, to perform the duties of the Chair.

STROM THURMOND,
President pro tempore.

Mr. ROBERTS thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The acting majority leader, the Senator from Ohio, is recognized.

SCHEDULE

Mr. VOINOVICH. Mr. President, today the Senate will be in a period of morning business until 1 p.m. Following morning business, the Senate will begin consideration of S. 1133, the agriculture appropriations bill. Amendments are expected to that legislation, and it is hoped that Members will coordinate with the managers of the bill to offer their amendments. In addition, the Senate may resume consideration of the State Department authorization bill during today's session. Any votes ordered with respect to either of these bills will occur at 5:30 this evening. It is the intention of the leader to complete action on the State Department authorization bill and to make significant progress on the agriculture appropriations bill.

I thank my colleagues for their attention.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 1 p.m., with Senators permitted to speak therein for 10 minutes.

Under the previous order, the Senator from Ohio is recognized to speak for up to 30 minutes.

The Senator is recognized.

Mr. VOINOVICH. I thank the Chair.

THE SITUATION IN KOSOVO

Mr. VOINOVICH. Mr. President, 11 days ago, the American people were relieved to hear that the air war against Yugoslavia was ending. Yesterday, the air war was officially declared over.

In the end, I believe it was prayer and the Holy Spirit that brought enlightenment to our leaders that the death and destruction in Kosovo and Serbia must stop. Enough was enough.

I rise today to commend our men and women in uniform for their honorable, valiant and courageous service over the last several months in the campaign to stop ethnic cleansing in Kosovo.

Conventional military wisdom has long held that a military victory could

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S7287

not be achieved without the deployment of troops on the ground. Indeed, television pundits, newspaper editors and even some of my colleagues, advocated the introduction of ground troops to Kosovo based on this widely-held belief.

However, the incredible work of our pilots, logistics and support staff during the bombing has proven the conventional wisdom wrong—it is possible to achieve limited military objectives on the ground using air power alone given the quality of the American soldier using our technical superiority.

When I traveled to Southeast Europe last month to learn more about the North Atlantic Treaty Organization's campaign, I was struck by the commitment and professionalism of our forces throughout the region. Faced with incredibly long working hours, the stress of a combat environment, isolation from family and loved ones and difficult living conditions, each soldier I spoke with strove to do their best in service to their grateful nation. We can ask no more.

The American people, and Congress, should especially be proud of these fine men and women in uniform.

We should also thank God that we have such soldiers as Chief Warrant Officer David Gibbs, from Massillon, Ohio, and Chief Warrant Officer Kevin Reichert of Wisconsin—two brave Apache helicopter pilots who gave their lives in service to their nation in the Kosovo conflict.

A few weeks ago, my wife Janet and I went to Arlington Cemetery to pay our respects to the David Gibbs' family. I shared our appreciation for the sacrifice that he made and that they will continue to make. I get upset when I hear our leaders say we did not have any combat casualties—a euphemism to mean no soldier died in "actual" combat.

Tell that to David Gibbs' widow, Jean Gibbs. Or to their three children—Allison, Megan, or David. Or his mother, Dorothy. Their lives will never be the same.

Since 1991, when I was Governor of Ohio, there have been 32 men and women from Ohio who have died serving their nation, not counting the 19 that died in the Persian Gulf War.

Tell the families of those who did not die in combat that their loss is any less significant because their loved one didn't die in battle.

We must thank God that we have brave men and women who choose to serve our country, and we must never forget those soldiers who have made the ultimate sacrifice for this nation and the ongoing sacrifice of the families.

Mr. President, as you know, I opposed the bombing from Day One. We should have done all that we could to negotiate a diplomatic solution.

I was also violently opposed to sending in U.S. ground troops to Kosovo based on my belief that it would instigate an all-out war in southeastern Eu-

rope with tremendous repercussions throughout the world.

Just in the limited actions of the air war, we have witnessed several potential crises, the ramifications of which will be with us for who knows how long—China, Russia.

But I believe we must congratulate President Clinton for sticking to his guns and not letting others pressure him into getting the United States involved in a ground war; he no doubt saved the lives of hundreds, or even thousands, of American soldiers.

THE BOMBING

Even though I was opposed to the bombing, I had confidence that the bombing campaign would ultimately bring Milosevic back to the table. I just wonder why it took us so long to read his signals.

Indeed, according to the June 6th edition of the New York Times, it was reported that Milosevic was ready to make a deal as early as the beginning of May. The Times said:

That it took another month may have been due less to his unwillingness to make a deal than to the West's slowness to grasp that he was serious. The signs were everywhere.

I have been concerned that very few people have fully grasped the relevance of Serbian history and culture as it relates to this war.

As I have said on the floor previously, it is crucial to remember that Kosovo is the cultural and historical heartland of the Serbian people, and to the Serbs, it is a holy place. It is the scene of the most important event in Serbian history—the battle of Kosovo in 1389 between the Turks and the Serbs.

History, pride and heritage are deeply-seeded in Serb culture. That's why it is significant that Milosevic started his rise to political power in Kosovo and probably the most important event in his political career was when he spoke to one million citizens on the 600th Anniversary of the Battle of Kosovo—at the very site of the battle!

Given the importance of Kosovo to Milosevic politically and to the Serbs historically, I knew that he would not sign the Rambouillet agreement. The agreement called for a referendum on the future of Kosovo's independence after three years. Which, considering the overwhelming Albanian majority, would have guaranteed an independent Kosovo.

I also knew that once we started the bombing, it would, unfortunately, fan nationalistic flames causing the Serbian people to galvanize and rally around him. Prior to the war, I was privy to a Gallup poll that showed some 70% of people wanted him out.

RAMBOUILLET

In addition to the historical and political reasons for Milosevic not to sign, the agreement called for other items that no one has talked about in any detail that would have had a tremendous impact on Yugoslavia's sovereignty.

Here are a couple of the parts of that proposed agreement:

NATO personnel shall enjoy, together with their vehicles, vessels, aircraft and equipment, free and unrestricted passage and unimpeded access throughout the FRY including associated airspace and waters. This shall include, but not be limited to, the right of bivouac, maneuver, billet and utilization of any areas or facilities as required for support, training and operations."

Summary.—NATO will have the ability to station troops and/or equipment anywhere throughout the FRY at its discretion. This would give NATO the ability to take control of the country.

NATO and the Organization for Security and Cooperation in Europe (OSCE), through its Implementation Mission, shall have its own broadcast frequencies for radio and television programming in Kosovo. The FRY shall provide all necessary facilities, including frequencies for radio communications, to all humanitarian organizations responsible for delivering aid in Kosovo.

Summary.—At the discretion of NATO, OSCE and humanitarian groups, the FRY loses control of its radio and television stations.

With a leader as worried about his political survival as much as Milosevic, it's understandable that he would reject an agreement with such provisions.

The White House and NATO political strategists should have anticipated that he would not sign, and should have prepared counter-options based on actions that he might take.

I think it's quite interesting to point out that the day before the Senate vote to authorize the air campaign, my office was contacted by a staff member of the National Security Council who, when asked if there was a "Plan B" should the bombing campaign fail, assured my office that Milosevic would come to the peace table within two weeks of the bombing campaign. The staff member said that Milosevic was about to be subjected to such "devastating" punishment that he would come running back.

That was exactly the same impression that I got from Defense Secretary Cohen, National Security Advisor Berger, Secretary of State Albright, and NATO General Clark—this guy is going to fold.

And what was Milosevic doing while this Security Council staff member and our other leaders were making these pronouncements? He was laying the groundwork to start his policy of ethnic cleansing. Our intelligence community should have known that he was getting ready to move into Kosovo at the first sight of NATO bombers.

We should have had a Plan B and a Plan C in case the "sign or bomb" approach didn't work.

Where was our intelligence? Why didn't they anticipate such a massive outpouring of refugees? Or more chilling, maybe our intelligence did have the answer, and no one listened to them!

The whole impetus for the Rambouillet agreement was to prevent ethnic cleansing, to prevent murder and genocide, to prevent an escalation of a

wider war, to prevent an outpouring of refugees, reduce the likelihood of xenophobia and to prevent regional destabilization.

Everything Rambouillet was supposed to prevent from happening, happened because we misjudged Milosevic with our "sign or bomb" diplomacy.

Now look at what we have.

Before the air war there were 45,000 refugees outside of Kosovo. Now there are more than 850,000 refugees outside of Kosovo and probably more than half a million more inside Kosovo.

We've had ethnic cleansing and we're now seeing mass graves.

It was as if the floodgates of death and destruction opened up once the air war started.

Initial projections are that over ten thousand Kosovars died due to ethnic cleansing; and another 1,200 civilians were killed in Serbia due to the bombing.

The infrastructure of Kosovo and Serbia is destroyed and the most vulnerable—women, children and the elderly—are in jeopardy.

In addition, Serb monasteries have been desecrated, religious icons destroyed, and there are further reports that clergy members were kidnapped by men of the KLA.

Hopefully the KLA will be brought under control to prevent any further ethnic cleansing of people in Kosovo.

This war has been a humanitarian disaster.

As I just mentioned, we've destroyed the infrastructure in Kosovo and in Serbia—bridges, roads, industry, water purification and electricity—and in Kosovo alone, the European Union estimates run at about \$30 billion to rebuild. In Serbia, estimates run anywhere from \$50 billion to \$150 billion.

One thing that no one talks about is the ecological disaster facing the entire region. We've destroyed an oil and petrochemical refinery complex in Pancevo, which has sent benzo-pyrene into the atmosphere, there are toxic substances released from oil and chemical plants along the Danube River into the river.

We've bombed other chemical plants and oil refineries that have sent toxic substances into the environment, which has caused acid rain to fall in southwestern Romania and has caused air contaminants to be registered in Hungary.

In addition, it is believed that some of our tank-piercing shells used depleted uranium in order to penetrate the hulls of Serbian tanks. The full effects of these shells are still unknown.

There have been reports of increased numbers of stillborn babies, birth defects, childhood leukemia and other cancers in the children born to soldiers who served in the Iraq war; where depleted uranium was used as well. In addition, depleted uranium is believed to contribute to Gulf War syndrome—a debilitating chronic sickness that a number of our Gulf War veterans suffer.

This war has also had a disastrous impact on the economies of Serbia's neighbors.

The Danube River flows through Belgrade on its way to the sea. The Danube starts in West Germany and flows through Austria, the Czech Republic, Hungary, Croatia, Serbia (and Vojvodina), Romania and Bulgaria.

The Danube is a major economic thoroughfare for these nations, but because of our bombing campaign, river traffic has been curtailed. And until we clean up the river and rebuild the bridges, the passage of ships will be blocked and both truckers and shippers will find it difficult to move their goods to market.

By our bombing, we have put a tourniquet on the economic lifeblood of many nations in the region.

I've met with the Bulgarian President Stoyanov, Foreign Minister Mihaylova and Ambassador Philip Dimitrov and I've spoken with several Romanian leaders—all have asked if they are going to be part of the economic recovery plan for Southeast Europe.

They also want to know if the United States and NATO recognize that the infrastructure damage in Serbia is directly impacting their economic well being.

I don't believe too many people realize the economic ripple effect on Serbia's neighbors that the air war has caused. Tourism, a main economic boost to the entire region at this time of year, has been seriously affected. The agriculture planting season in Yugoslavia has been disrupted which will likely result in food shortages and high prices in the coming months as the area struggles to feed everyone. As I said earlier, shipping goods is more hazardous and shippers must use more circuitous routes to avoid conflict and destroyed infrastructure, which raises costs. The economic uncertainty because of the war (not to mention the destruction of plants and jobsites) has caused a tremendous increase in unemployment in the region—which adds to the refugee problem; as people go elsewhere looking for work. The diversion of economic resources by Serbia's neighbors to address the problems raised by the war (e.g. refugees, environmental damage), particularly Albania and Macedonia. Last month I was with the Deputy Foreign Minister of Macedonia, Boris Trajkovski, who said this war had had a \$400 million (and growing) impact on their economy.

We need to recognize and respond to this regional economic crisis.

We have also suffered a tremendous blow to our nation's image.

We've damaged our relations with the Russians. A recent public opinion poll in Russia indicated that 72% of the Russian people have an unfavorable view of the United States, whereas before the war it was at 28%.

I can't help but wonder if the war would have been over sooner—or averted—had we worked with the United Na-

tions and Russia from the beginning and not asked them to come in as an afterthought.

And what about the Chinese? With the bombing of their embassy in Belgrade, we've harmed nearly 30 years of good relations with China and destroyed the leg-up we had with them. We've had rioting in front of the U.S. Embassy in China and we've had the humiliating image of our Ambassador in Beijing trapped inside.

We've lost prestige with a number of Europeans, who look upon this war as a giant American bombing "video game"—a sort of Star Wars—complete with a daily score card of target "hits."

There are reports of anti-Americanism happening throughout Europe.

Mr. President, I will be attending the Organization for Security and Cooperation in Europe (OSCE) meeting in St. Petersburg, Russia in two weeks. I am curious to hear, first hand, what these parliamentarians think about the United States, and how the people in their respective nations feel about the United States. I look forward to sharing my observations with my colleagues upon my return.

Like Bosnia, this country will be in Kosovo as one diplomat has told me "for as far as the eye can see," and it will have a lasting impact on our finances. It is being paid for right now with Social Security.

I believe the war over there has been a disaster—one of our worst foreign policy decisions of the century, and no amount of plastering over of the Clinton Administration can cover it up.

Let me be clear—we must get rid of Milosevic. He is a war criminal. And I am glad we are reportedly finally trying to help those in Serbia who want democracy. I've been working with Serbs in diaspora for almost two years to find alternative leadership to Milosevic.

This group is still willing to help if given support from our State Department. There are Serbs from all over the world who want to help—doctors, engineers, accountants, architects.

We need to encourage the Serbian people to pursue new leadership. We should publicly applaud Serb Orthodox Patriarch Pavle, for calling for Milosevic's removal.

The Orthodox Church has been opposed to Milosevic from the beginning, and the Serbian Orthodox Church last week called for the ouster of Milosevic. The Holy Synod, the Church's highest body, said:

We demand that the Federal President and his government resign in the interest and the salvation of the people, so that new officials, acceptable at home and abroad, can take responsibility for the people and their future as a National Salvation Government.

I thoroughly believe that Milosevic should heed the call from the Church and do what is right—he must put his country's needs and his people's needs ahead of his own. He has put his nation through enough death, destruction and

shame. The time is now to step down and I echo the call for his resignation.

However, Mr. President, I am concerned that there seems to be a consensus that very little will be done to respond to the needs in Serbia until Milosevic is gone. Mr. President, we must remember that there are more than 500,000 refugees in Serbia and over 250,000 that were ethnically cleansed from southern Croatia in 1995 and reports are that they could have 50,000 more coming out of Kosovo.

And though I am somewhat comforted that the President and the European Community have said they will respond to the humanitarian needs, I am really interested in how they define "humanitarian."

I am certainly hopeful that humanitarian means things like repairing the bridges and cleaning the Danube, so people can go to work and receive necessary goods, bringing power back online, so people's essential needs can be met, or mending the basic infrastructure, to provide clean water and sanitation. However, based on news reports from this weekend, that does not seem to be the entire case; the West is only considering food, medicine and basic humanitarian aid, including, hopefully, electricity.

Nevertheless, I believe we should listen to Russian Prime Minister Sergei Stepashin who, according to the Washington Post, says the West is taking a short-sighted attitude on aid, which will foment resentment among the Serb people and make it hard to be a part of restoring peaceful relations in the region. Stepashin said, "You must not penalize 10 million Serbs for the conduct of one man."

We all know that part of our post-war objective in Yugoslavia is to get rid of Slobodan Milosevic. The best way to do that is to present an olive branch, not to him, but to the people of Serbia.

If we help the people, if we give them the humanitarian assistance they need directly, we speed up the process to his ouster. However, if we don't help, Milosevic will continue to keep his political hold by appealing to his constituents' worst instincts about NATO and the U.S.

In addition, our actions to help the Serbian people re-build will have a ripple effect on the rest of the region, such as Bulgaria and Romania, which have a great need to revitalize their respective economies.

We should support infrastructure programs that respond to the greater economic vitality of the entire region no matter where they are located.

As the international community continues to examine its options and alternatives for the redevelopment of the region, they should consider removing the outer wall of sanctions to allow the IMF and the World Bank into Serbia to promote its long-term reconstruction, understanding that the Serbian people will know that this cannot happen with Milosevic's vice-grip on all the institutions in the country.

There is a responsibility on the part of the countries of NATO to recognize that the Balkan nations are European, and they must be brought aggressively into the European fold.

The fact that the Europeans are taking on the lion's share of rebuilding the infrastructure and economy is the best guarantee that Southeast Europe will join the European and world economies, and presents a once-in-a-lifetime opportunity to make lasting and significant changes in that part of Europe.

For that challenge to become a reality, the people of Southeastern Europe, including the people of Slovenia and Croatia, must understand that they all have a symbiotic relationship.

By working together, their economies will improve, their standard of living will increase and the nationalism and ethnic cleansing that has plagued them for centuries will end.

I have often said that "there is some good that blows in an ill wind," and I consider this war to be an "ill wind."

However, the good that is blowing is the opportunity for the United States and NATO, to provide the impetus for a lasting peace to prevail throughout Southeastern Europe.

We can provide the reconstruction assistance that righted the economies of the rest of Europe after World War II and which has made them economically prosperous and willing defenders of the rights of all men and women.

We have had two world wars that have sprung from Europe in this century. We have a chance to guarantee that there will be no such wars in the 21st Century by helping restore Southeast Europe. It is important to the world, and its important to the strategic and national interests of the United States of America.

I have two mottoes: "Together, we can do it" and the other is our state motto, "With God, all things are possible."

I am confident that working together with our allies and with God's help, we can get the job done.

I yield the floor.

The ACTING PRESIDENT pro tempore. The distinguished Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, I ask to proceed for 15 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. KENNEDY. Mr. President, I see my colleague on the other side. I have been asked by the Senator from Michigan for some time. What is the remaining time to be divided between the Senator from Michigan and the Senator from Minnesota?

The ACTING PRESIDENT pro tempore. The Senator from Ohio has 8½ minutes remaining. Under the previous order, the Senator from Illinois, Mr. DURBIN, or his designee, is recognized

for up to 30 minutes. Under the previous order, the Senator from Kansas, Mr. ROBERTS, is recognized to speak for up to 15 minutes and then morning business is to be closed at 1 p.m.

Mr. KENNEDY. If the good Presiding Officer adds up the times, does that take us to 1 o'clock?

The ACTING PRESIDENT pro tempore. Normally, we grant the full time of individual Senators. It is the Chair's opinion that will be the case, in that the ag appropriations bill is to be taken up at 1 o'clock, but I believe the Senator will be protected.

Mr. KENNEDY. I ask unanimous consent that the time which remains be divided between the Senator from Michigan and the Senator from Minnesota, after my 15 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. KENNEDY. I thank the Chair.

PATIENTS' BILL OF RIGHTS

Mr. KENNEDY. Mr. President, I will address the Senate this morning on a subject which I believe needs attention in the Senate and also needs action by this body, and that issue is the legislation called the Patients' Bill of Rights.

The Patients' Bill of Rights is legislation which has been before the Senate for some 2 years. It is a rather simple bill. It is understandable. It is a rather commonsense bill. That is, we are, with this legislation, going to give assurances to the American people when they purchase insurance, that the medical profession, the doctors and the patients themselves, are going to make decisions related to the health care which affects them, rather than the accountants or insurance agents.

Basically, that is what this legislation is about. There are a number of guarantees and protections included in the Patients' Bill of Rights, which I have addressed on other occasions and which I, again, will mention this morning.

Every day we fail to take action on this legislation, we see what has happened in this country over the last 2 years; the patients suffer, while our Republican leadership refuses to schedule this particular legislation.

During the 2 years that we have been blocked, effectively, from a Patients' Bill of Rights, HMO abuses have caused some 33 million patients difficulty in getting specialty referrals, delayed needed medical care for some 33 million patients, forced some 23 million patients to change their doctors, forced 14 million patients to change medications, denied payments for emergency services to 11 million patients—those are patients who use the emergency room, who felt they had a medical emergency but were denied the coverage from their HMO and had to pay for it out of their own pocket—and caused unnecessary suffering and financial loss and frustration for millions more.