

NAYS—2

Brownback

Smith (NH)

The PRESIDING OFFICER. The clerk will read the bill for the third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill is now returned to the calendar.

#### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will now be in a period of morning business for not to exceed 1 hour, with the time controlled by the Senator from Kansas, Mr. ROBERTS, and the Senator from Georgia, Mr. CLELAND.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Mr. President, I yield 2 minutes to the distinguished Senator from Washington.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask unanimous consent that Senator BYRD from West Virginia be allowed to speak for up to 20 minutes and Senator REED from Rhode Island to speak for up to 5 minutes following the Senator from Kansas and the Senator from Georgia.

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

#### TRIBUTE TO VICTIMS OF GUN VIOLENCE

Mrs. MURRAY. Mr. President, I thank my colleague for yielding to me.

I come to the floor for a brief moment to pay tribute to the victims of gun violence who were killed one year ago today.

We are all familiar with the incidents of gun violence in our schools; from Columbine to Springfield, OR, to Paducah, KY, and unfortunately to so many other schools and communities.

Gun violence is particularly disturbing when it happens in a school.

But gun violence happens everywhere. A member of my staff lost a son to gun violence. Her son was simply stopping at a convenience store when he was robbed and killed.

How many families have to suffer unnecessarily before this Congress passes commonsense gun control legislation?

The U.S. Conference of Mayors has maintained a list of the thousands of Americans have been killed by gunfire since the Columbine tragedy.

Until we act, Democrats in the Senate will read some of the names of those who lost their lives to gun violence in the past year.

We will continue to do so every day that the Senate is in session until this Republican Congress acts on sensible gun control legislation.

Here are the names of a few Americans who died due to gun violence one year ago today:

Antwan Brooks, 26, Pittsburgh, PA;  
James A Brown, 22, Chicago, IL;  
Kenneth Cork, 46, Houston, TX;

Marsha Cress, 32, Fort Worth, TX;  
Kenneth L. Mack, 49, Chicago, IL;  
Michael Powers, 29, Atlanta, GA;  
Howard Rice, 31, Baltimore, MD;  
Fernando Rojas, 17, Chicago, IL;  
Rodney Wayne Smith, 33, Washington, DC;  
Rolando Williams, 17, Pittsburgh, PA; and  
Earlwin Wright, 22, Chicago, IL.  
The PRESIDING OFFICER. The Senator from Kansas.

#### EMPLOYMENT OF U.S. MILITARY FORCES

Mr. ROBERTS. Mr. President, I thank my friend from Georgia, Senator CLELAND, for his role in our ongoing, bipartisan foreign policy dialog. As we approach Memorial Day, I also thank him for his personal sacrifice and example for our great country.

This is our fourth foreign policy dialog. It is called the employment of U.S. military forces or what could be better described as the use of force. It couldn't come at a better time, the week prior to the Memorial Day celebration, a day of solemn celebration and reflection, a day to remember our fallen family members, our friends, and our fellow Americans, a day that always makes me very proud of our country and humbled by the self-sacrifice of our men and women who paid the ultimate price so that we may live free.

As my good friend from Georgia has seen with his own eyes, it is not the U.S. Constitution that really keeps us free, for it is merely a piece of paper. The marble headstones at Arlington National Cemetery and cemeteries all across America and throughout the world mark what truly has kept us free. And our freedoms will continue to be secured by the brave men and women of our Armed Forces.

Samuel P. Huntington, the renowned author and historian in the 1950s, articulated in his book "The Soldier and the State" two important military characteristics. The first is expertise to prevail at the art of war; the second is the responsibility for protecting our freedoms, similar to the responsibility that lawyers have to protect American justice and the rule of law and that doctors have to save lives and protect the health of their patients. Quite simply: The role of our Armed Forces is to fight and to win the Nation's wars.

Eleven times in our history the United States has formally declared war against foreign adversaries. There have been hundreds of instances, however, in which the United States has utilized military forces abroad in situations of military conflict or potential conflict to protect our U.S. citizens or to promote our U.S. interests. Of those hundreds of uses of military force where the U.S. did not declare war, some have obviously been successful and some obviously have not.

Today, I am not going to discuss the use of military force for the purpose of protecting our vital national interests.

Those uses of force in our history have occurred rarely and usually without much opposition due to the future of the Nation. Our forces are equipped and train every day to carry out this task. Those types of conflicts of national survival have easily been defined in terms of the political objectives, clear military strategies to achieve those objectives, and the definition of victory or success is the capitulation of the enemy.

The U.S. Armed Forces are no stranger to limited contingency operations, military operations other than war, but the changes in political context of the commitments pose new problems of legitimacy, mission creep, operational tempo, and multilateral cooperation. Although limited contingency operations may produce short-term benefits, history has shown the lasting results of long-term commitments are very limited at best.

The ideas developed by Carl von Clausewitz, famous military theorist of the early 19th century, are profoundly relevant today. The criteria of appropriateness and proportionality are crucial concerns in any military operation other than war.

Clausewitz identified any protracted operation that involves enlargement or lengthening of troop commitment is likely to cause multiple rationales for the intervention. When a marine landing party went ashore at Port-au-Prince in Haiti in 1915, neither the Wilson administration nor the Marine Corps nor the Congress would have predicted that they began an operation to protect the foreign lives and property and to stop a civil war that would end 30 years later with an admission of failure in reforming the public institutions of Haiti.

Does this sound familiar? Currently, the United States has troops in 141 nations and at sea; 55 percent of the nations of the world have U.S. troops stationed within their borders. From 1956—that is the second term of President Eisenhower—to 1992, the United States used military forces abroad 51 times. Since 1992, the U.S. has used military force 51 times.

During that same timeframe of roughly a 400-percent increase in the use of the military as an instrument of power, the military has been forced to downsize and decrease force structure by 40 percent. That type of planning and management of the military reflects poorly on the civilian leadership. All of our services are at the breaking point. I fear there is no more give or elasticity in the force structure of our most valued treasure, the men and women who serve.

The can-do, never-say-die attitude of the military and its leadership and the very competence that the U.S. military has displayed in successfully responding to a wide variety of contingencies seems to have encouraged its further use by this administration, acquiesced to by this Congress.

A recent study from the Center for Strategic and International Studies of

military culture identifies seven areas of concern within our military today. Service members expressed a commitment to values related to effectiveness and sacrifice and discipline, but they had deep concerns about the imbalance between the missions and the resources to perform those missions to a high standard. They felt the Pentagon was out of touch. Quite frankly, they questioned the command support in the face of social concerns. They had concerns about the sense of dwindling understanding of the military so rampant today in our society. They indicated a lot of disgust with civilian leadership behavior not tolerated in their units in the military.

Thomas Jefferson said: Eternal vigilance is the price of liberty. Our military has always exemplified that statement.

However, I am concerned that the current use of military force is undermining the trust of leadership at all levels. We cannot continue to accept the status quo. We cannot continue to appropriate the contingency funds for emergency deployments with no end in sight or no planned exit strategy.

General Zinni, who is the CINC of the Central Command, expressed concern about the pace of these operations and what it is doing to our service members. He said:

We don't have the resources to meet the strategy. It's plain and simple. We don't have enough people, we don't have enough force structure, we don't have the right kinds of things we need to meet the strategy.

Since 1991, we have spent over \$25 billion on peacekeeping operations. The impact on the war-fighting capability of each of the services, including the time to recover war-fighting skills after peacekeeping operations, is reflected in the current readiness concerns expressed by the Joint Chiefs.

As an example, the United States continues to dedicate three divisions in the Balkans rotation: One division training to deploy for peacekeeping operations, one division in the area of responsibility, and one division retraining after deployment—three divisions not ready to execute their primary tasks.

Here is an account from a commander in Kosovo, a peacekeeping operation, which is very troubling to me. This is a quote, an e-mail that went from one commander to another. He was reflecting to his friend, who was going to take over his command, what went on in terms of his daily operation:

After getting hit in the head by a large rock and getting smashed across the back with a tree limb, I gave the order for the soldiers to open fire with nonlethal munitions. This worked pretty well clearing the crowd back initially. As we continued to fight and move with the people on the hill, I looked over to the landing zone and saw a mob swarming toward the subject and five soldiers. The soldiers started to move out of the landing zone, but they had people around them throwing everything. I grabbed 10 guys and went to help get the five soldiers. When we were 15 meters away, I saw a soldier get

smashed over the head with a huge tree limb. He was fine. Thank God for Kevlar. At this point, I took out my 9mm with the intent to shoot. However, I fired several warning shots. The crowd cleared out, and we walked everyone out, including the injured.

I want to ask a question. What if those rocks and tree limbs would have been AK-47s and RPGs? I think the debate about a week ago regarding Kosovo and our involvement there would have dramatically changed had that been the case.

We continue to maintain multiple wings of aircraft in southwest Asia, and we continue to place American aviators in harm's way every day in Iraq. What most Americans don't know is that although airpower seems sterile, clean, and bloodless on CNN that is not the case—that is not the case. The mission tapes of the men and women flying missions over Iraq reflect the risk. A war America thought we won 10 years ago slowly rages on.

Mr. President, 75 percent of our military today joined after 1989. They have known nothing but turmoil in terms of their missions. They have been deployed away from their families for 6-month rotations and, in some cases, three, four, and five times. Their war-fighting capabilities and readiness to execute military operations is not as sharp as it should be. Their morale is low because they are leaving their families. Seventy percent of the force today is married, and they are leaving them for very questionable missions. No wonder sailors and airmen and soldiers are leaving the force and voting with their feet. Only the Marine Corps has maintained their recruiting and retention goals, and they have had a very difficult time achieving that goal.

The current military is stressed, it is strained, and it is hollow. As our armed services activity levels have increased and force structure has decreased time for realistic combat training is lost, supply stocks are diminished, and personnel are displaced. Military leadership at all levels suffers from the current strain; leadership crucial in regard to the goal of winning wars.

The key to leadership is trust: Trust from the civilian leadership and the public that the military will put together the proper plan to win, trust from the military that the civilian leadership—those of us in the Congress and in the administration—will provide the proper tools to win, and trust to use force judiciously and to gain the political and public support.

Congress must trust the President, and the President must trust the Congress to ensure the use of force is necessary, after all other instruments of power and diplomacy have failed. And our national interests dictate that the political objectives still must be achieved.

I commend our military leaders for weathering the current storm. I also commend the men and women of the Armed Forces. Whenever I visit a base in Kansas, or overseas, I am always im-

pressed with our citizens in uniform. Their service, integrity, self-discipline, respect for authority, honor, and sacrifice is inspirational; it is a battery charger. I know we have honest disagreements and differences of opinions, and that is good for the system. Debate will continue to occur. Even General Washington had severe disagreements with the Congress about allowing him to perform summary punishments. However, we must mend, heal, and restore harmony to the system by rebuilding the respect, trust, and understanding in the civilian-military relations.

In the post-cold-war era, limited contingency operations have become our predominant military endeavor. There are no easy answers to the problems of limited contingency operations. Deciding to intervene and use our military force is a very difficult problem; it is very perplexing.

The distinguished Senator from Georgia and I have had long talks about this, trying to set up some kind of a criterion, set up some kind of a list that would make sense, outlining the various reasons for intervention abroad. Listing all of the questions the President ought to ask before the Marines are sent in can best be characterized now as an "it depends" doctrine.

I acknowledge that the post-cold-war recommendations and the public debate between the foreign policy elite, the Congress, the Secretary of State and Defense, the Chairman of the Joint Chiefs of Staff, and the Joint Chiefs of Staff cannot agree upon and do not provide a clear set of tests that should be applied before deciding to commit troops to combat in support of less than vital national interests. I wish there were a test or a criterion.

That is really the reason Senator CLELAND and I entered into the foreign policy dialog. We always seem to be stuck with foregone conclusions in terms of foreign policy and sending our men and women in uniform in harms way.

The former Secretary of Defense, Caspar Weinberger, identified six tests that he said should be applied when weighing the use of U.S. combat forces abroad. Three of the tests—number one, when vital interests are at stake; number five, with public support; and number six, as a last resort—concern the foreign policy and the political circumstances in regard to the use of force. Tests number two, three, and four concern the relationship between the military means and the political ends.

Former Secretary of State, George Shultz on the "vital interests" test argued that a wide range of international challenges justify U.S. use of force. And, the last two administrations have uniformly rejected the first vital interest test.

Former Secretary of Defense William Perry argued that the use of force might be necessary to support coercive diplomacy when national interests that

do not rise to the level of vital are at stake.

Secretary of State Madeleine Albright has asserted that decisions can only be made on a case by case basis, and it would be counter-productive to define rigidly in advance the conditions in which a decision to use force would be made.

But if vital interests need not be at stake, the question remains what degree of U.S. interests justify the use of force, at what level, and with what risks.

Mr. President, I would contend that the use of force for other than vital or extremely important national interests, as defined in our second dialogue, has not worked in the post-cold-war period. The role of the military is not to act as the cop on the beat for the whole world. The non-prudent use of force in support of less than vital interests is not worth the current costs to our readiness and military morale.

C. Mark Brinkley in the Marine Corps Times said it best when he identified with no other form of government to turn to, Serbs and ethnic Albanians alike turned to the Marines for help. In addition, to more traditional roles of securing the area and suppressing civil unrest, the unit recreated basic elements of daily life: restoring law and order and reopening schools and hospitals, garbage collection, and counselling. The Marines also evolved into a police force for the American sector, patrolling the night and responding to emergencies.

However, these operations require significantly different skills than what the armed forces are currently trained to execute. If we are training our peacekeepers to be more like MP's than combat troops, don't we run the risk that the skills needed by a policeman may get them killed when there is combat?

Two schools of thought on the use of force have developed, the national interests school which argues that military force should be used only when there is clear cut political and military objectives and in an overwhelming fashion.

The other school, the limited objectives school, which would use military force even in ambiguous situations as a means of enforcing international decisions or quelling ethnic conflict.

General Colin Powell contended in 1993, the key to using military force is to first match political expectations to military means in a wholly realistic way, and, second to attain decisive results. A decision to use force must be made with a clear purpose in mind, and then adding that if it is too murky, as is often the case, know that leaders will eventually have to find clarity.

We are having a hard time doing that in the Balkans today.

The decision to use force must also be supported by the public. Presidential leadership requires working with Congress and the American people requires Congress to work with the

President to provide essential domestic groundwork if U.S. military commitments are to be sustainable. General Powell asserted the troops must go into battle with the support or understanding of the American people.

Mr. President, the pendulum's path has definitely displaced toward the limited objectives school. President Clinton's doctrine of "global vigilance" and "aggressive multilateralism" is the current example and policy.

Mr. President, the current precision strike and technological advantage that we enjoy today has led to its increased use due to the perceived minimal risk to American aviators. A few cruise missiles or laser guided bombs may fix a short term problem but do not address the underlying long term problems. I would contend that if the intervention is not worth the cost of one American service member then we ought to be thinking about the worth of using military force in the first place.

If the U.S. decides to use military force and unleash our military might then the cause had better be commensurate with American national interests and analogous to the risk to American service members.

The Chairman of the Joint Chiefs of Staff, General Henry Shelton pronounced the "Dover Test" must be used when deciding to send troops in harms way, and, if the use of force is not worth the consequences of American service members making the ultimate sacrifice arriving at Dover Air Force Base then the military should not be used.

If the cause is not worth the risk of one American life then the results and handcuffs placed on the military rules of engagement in an effort to curtail risk actually increase the risk. The situation over time, and the situation we are now faced with in the Balkans and in Iraq.

Mr. President, I believe the pendulum of the use of force doctrine needs to swing towards the national interest school of thought. Humanitarian military intervention, in violation of the U.N. charter from attacking other states to remedy violations of human rights, will not rectify the underlying human rights problems. When there is no peace to keep then American service members become targets, not peacekeepers.

Our challenge is to understand the need for prudent, limited, proportionate use of military force as an instrument of national power.

I now want to offer a very strong and very thought provoking words from the book "Fighting for the Future," by Ralph Peters, former Army lieutenant colonel. It is controversial. I offer it as food for thought.

Colonel Peters said:

We face opponents, from warlords to druglords, who operate in environments of tremendous moral freedom, unconstrained by laws, internationally recognized treaties, and civilized customs, or by the approved be-

haviors of the international military brotherhood. These men beat us. Terrorists who rejected our worldview defeated us in Lebanon. "General" Aided, defeated us in Somalia. And Saddam, careless of his own people, denied us the fruits of our battlefield victory. In the Balkans and on its borders, intransigents continue to hold our troops hostage to a meandering policy. Our enemies play the long game, while we play jailbird chess—never thinking more than one move ahead. Until we change the rules, until we stop attacking foreign masses to punish by proxy protected-status murderers, we will continue to lose. And even as we lose, our cherished ethics do not stand up to hard-headed examination. We have become not only losers but random murderers, willing to kill several hundred Somalis in a single day but unwilling to kill the chief assassin, willing to uproot the coca fields of struggling peasants but without the stomach to retaliate meaningfully against the druglords who savage our children and our society.

He went on to say,

Tomorrow's enemies will be of two kinds—those who have seen their hopes disappointed, and those who have no hope. Do not worry about a successful China, worry about a failing China.

Those are words to think about.

Limited contingency operations consisting of crisis management, power projection, peacekeeping, localized military action, support for allies, or responding to terrorism require well-defined objectives, consistent strategies to achieve objectives, and a clear, concise exit strategy once those objectives are attained. Otherwise, our country will get involved in operations like those in the Balkans with no end in sight and no peace to keep.

Mr. President, in closing, our service members are, in fact, America, they reflect our diverse origins and they are the embodiment of the American spirit of courage and dedication. Their forebears went by the names of doughboys, Yanks, buffalo soldiers, Johnny Reb, Rough Riders, and GI's. For over 200 years they have answered our Nation's call to fight. Our citizen soldiers today continue to carry America's value system and commitment to freedom and democracy.

The world we face is still full of uncertainty and threats. It is not a safe world. However, all Americans sleep soundly at night because of the young men and women standing ready to fight and die, if necessary, for our freedoms. It is our duty in this body to ensure they are used appropriately. We have an obligation to do just that in the future, for our sake and theirs.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CLELAND. Mr. President, I wish every American could have heard that distinguished lecture, dialog, and discussion of what I think is the most important action this Government can ever take, and that is the question of committing young Americans in harm's way. It is the most serious decision that I as a Member of the Senate can take. It is one of the reasons that brings me here to share the podium and

the floor in the Senate with the distinguished Senator from Kansas, PAT ROBERTS, my colleague, my friend. We work together so well on the Armed Services Committee on behalf of young Americans in the military and retired military and Guard and Reservists, we thought we would bring our thoughts, our concerns, to the floor of this body and stand shoulder to shoulder as we are today discussing at the question of American intervention abroad.

I will recap a couple of items that Senator ROBERTS, in his eloquence and in his great research, has pulled together for Members to consider as we look at the question of America's intervention abroad today. He mentioned that we were involved militarily in 141 places around the globe. I deal with these issues most every day. That is even a shocking statistic to me. Additionally, we were involved militarily in more than 55 percent of all the nations on the globe. One wonders if we are not becoming the new Rome. My greatest fear is we will become part of a Pax Americana, or as 2,000 years ago, Pax Romana, where Rome kept the peace in the known world. Is that our role today? Is that our mission? Are we called upon to be the new Rome or is that part of our intervention strategy?

I thought it was fascinating that Senator ROBERTS pointed out since Eisenhower we have intervened in the world some 51 times; just since 1992 we have had 51 interventions. We have had an increase in American military commitments in the last 10 to 15 years of some 400 percent, but we have downsized the American military's ability to meet those commitments by some 40 percent. A classic case is the Balkans. I just got back from Macedonia, Kosovo, and visited the airbase where we launched the attacks into Kosovo and Serbia at Aviano, Italy. We have three U.S. Army divisions, as the distinguished Senator from Kansas has pointed out, in effect, bogged down in the Balkans. That is almost a third of our entire U.S. Army. They are bogged down in the Balkans with no end in sight. As the distinguished Senator has pointed out, it is hard to keep the peace when there is no peace to keep.

I think also fascinating is his point that some 75 percent of our young Americans in active duty military service joined the service since 1989. All they have known is turmoil, deployments, commitments, time away from their family. I think that is a powerful point and one of the things that stresses and strains our American military today.

That brings us to the floor today on this key question of trust, trust in the leadership, especially the civilian leadership of this Government, and trying to increase that trust among our young men and women deployed all over the world. His point is certainly well taken today, that if we don't judiciously use the American military, then we will see it attrited over time to where we cannot use it. So that element of trust

is a key element that I keep close to my heart. I appreciate the Senator mentioning it.

The distinguished Senator mentioned that next Monday is Memorial Day, May 29. Pursuant to a joint resolution approved by the Congress in 1950, the President of the United States will issue a proclamation calling upon the people of the United States to observe a day of prayer for permanent peace in remembrance of all those brave Americans who have died in our Nation's service. That is what Memorial Day is supposed to be all about—a day of remembrance. As someone who almost wound up on the Vietnam veteran wall, I can say that Memorial Day honoring those who never made it back from our wars is something special to me.

With this, our fourth discussion on the role of the United States in today's world, Senator ROBERTS and I come to what is probably the core issue motivating us to take on this entire project. The key question is, Under what circumstances should the Government of the United States employ military force as an instrument of national policy? I can think of no more fitting subject for the Congress to contemplate as we prepare for the Memorial Day recess.

We have quoted Clausewitz, the great German theoretician on war, numerous times, but this is a quote that I think is appropriate as we approach Memorial Day. Clausewitz said of war,

Kind-hearted people might of course think there was some ingenious way to disarm or defeat an enemy without too much bloodshed, and might imagine this is the true goal of the art of war. Pleasant as it sounds, it is a fallacy that must be exposed: war is such a dangerous business that the mistakes which come from kindness are the very worst . . . It would be futile—even wrong—to try to shut one's eyes to what war really is from sheer distress of its brutality.

General Sherman said it best: War is hell. For those who participate they understand it must only be undertaken under the most serious circumstances. My partner in these dialogues, the distinguished Senator from Kansas, Senator ROBERTS, has often cited the following quotation from one of my personal heroes, Senator Richard B. Russell, from thirty years ago, during the war in Vietnam. At that time I was serving in that war. Senator Russell said:

While it is a sound policy to have limited objectives, we should not expose our men to unnecessary hazards to life and limb in pursuing them. As for me, my fellow Americans, I shall never knowingly support a policy of sending even a single American boy overseas to risk his life in combat unless the entire civilian population and wealth of our country—all that we have and all that we are—is to bear a commensurate responsibility in giving him the fullest support and protection of which we are capable.

That was Senator Russell 30 years ago. As Senator ROBERTS has observed, "That is a most powerful statement of truth that has direct applications to the challenges we face today . . . The only thing that has changed is that

today we refer to American men and women."

I share Senator ROBERTS' sentiment completely.

Richard Haass, a former official in the Bush administration and now director of Foreign Policy Studies at the Brookings Institution, and also someone whom both Senator ROBERTS and I have frequently cited during these discussions, has written a wonderful primer called "Intervention, The Use of American Military Force in the Post-Cold War World." In it Mr. Haass provides an overview of the evolution of American thinking about intervention, followed by an analysis of current policies on the subject and a set of pragmatic guidelines which Mr. Haass proposes to improve the conduct of future American interventions. It is well worth the attention of every Member of this distinguished body.

Mr. Haass writes:

The changes intrinsic to the post-Cold War world have created new, intense conflicts that complicate any prospective use of force by the United States. On the other hand, a number of political and technological developments enhance opportunities for the United States to use its military might effectively. . . . But if there are new reasons as well as new opportunities for the United States to use force, there are no longer any clear guidelines for when and how to do it. . . . Intervening too often poses an obvious danger. Any government indulging in what might be described as wanton uses of force would be guilty of acting irresponsibly, particularly toward those in uniform. . . . At the same time, setting too high a bar against intervention has costs as well. Defining interests too narrowly or prerequisites for employing force too broadly would be tantamount to adopting a policy of isolationism.

In my view, this is a very lucid discussion of where we are and of the difficult choices we face when—and unfortunately I must add if—the Congress of the United States is included in these deliberations on intervention. We saw these issues largely recapitulated here on the Senate floor as recently as last week with our belated but still illuminating debate on the ongoing Kosovo intervention.

I wish my distinguished friend from Kansas and I could have had that kind of debate before we engaged in the first military strike in Kosovo. I still remember well, as the Senator from Kansas has indicated, virtually by the time we got the ball here in the Senate, the prestige of the United States and NATO was already at stake. The horse was already out of the barn. We debated military intervention into Kosovo, an offensive strike by NATO, which is a basically defensive military organization—we debated it here only a couple of days. We had a very fine debate, pro and con, about the future of that military engagement in Kosovo in the last few days. Those debates will continue as long as that force is there, and properly so. But our point here is let's make those debates on the floor of the Senate before we commit military force, and not after.

As I mentioned before, the Haass book also offers a useful presentation on the evolution of American thinking on intervention, starting with our heritage under what he calls Christian "just wars," or the "just war" theory as enunciated by such luminaries as St. Augustine, Thomas Aquinas, and others. As defined by Haass, under this approach, "wars are considered to be just if they are fought for a worthy cause, likely to achieve it, sponsored by legitimate authority, undertaken as a last resort, and conducted in a way that uses no more force than necessary or proportionate and that respects the welfare of noncombatants."

While the "just war" theory has never been the sole criterion by which America or other western nations have waged war, it is nonetheless still a standard moral benchmark, if you will, which we can and should apply to individual proposed interventions. It is something we ought to keep in mind.

As we have discussed before in this series, the end of World War II and the onset of the cold war produced great tension, the threat of a global nuclear Armageddon, and a vast expenditure of resources. But it also created a very clear standard of military interventionism for the United States; namely, the containment of the Soviet Union and its allies. It was under this overall framework that the two largest post-World War II American interventions took place, in Korea and Vietnam.

The eminent military historian of the war in Vietnam, Colonel Harry G. Summers, Jr., discussed the failure—on many different levels—of that American intervention in his book "On Strategy: The Vietnam War in Context."

I have read this book thoroughly. I just wish I had read it before I went to Vietnam and not after.

It is not my purpose today to revisit that conflict in detail, but for purposes of today's discussion on the general subject of American intervention abroad, let me quote briefly from Summers' work. He says:

By our own definition, we failed to properly employ our Armed Forces so as to secure U.S. national objectives in Vietnam. Our strategy failed the ultimate test, for, as Clausewitz said, the ends of strategy, in the final analysis "are those objectives that will finally lead to peace."

Given the magnitude of our defeat in Vietnam, and attendant human, financial, and political costs, there was a very understandable recoiling from military interventionism in the public and Congress, among various Presidential administrations and among the American military itself. Nearly a decade passed from the end of U.S. combat participation in Vietnam in 1973 until the deployment of the U.S. Marines as part of the Multinational Force in Lebanon in August of 1982. However, this was also a period when many of the post-cold-war conditions described by Haass as facilitating U.S. interventions were first taking hold, including the

diminution of the Soviet/Warsaw Pact threat, the development of greater U.S. capacity to sustain long-distance military operations, and the resurgence of national and ethnic tensions around the globe.

A little less than a decade after the Lebanon debacle, in the aftermath of other interventions in Grenada in 1983, Libya in 1986, Panama in 1989–1990, and in the 1990–1991 timeframe in the gulf war, and after the final end of the cold war, the Chairman of the Joint Chiefs of Staff, Colin Powell, who had lived through this entire era, propounded a list of six questions which must be addressed before we commit to a military intervention.

I submit General Powell's summation here is a summation based on his own experience and his own history in looking at this turbulent time.

No. 1, is the political objective important, clearly defined, and well understood?

No. 2, have all nonviolent means been tried and failed?

No. 3, will military force achieve the objective?

No. 4, what will be the cost?

Next, Have the gains and risks been thoroughly analyzed?

Next, After the intervention, how will the situation likely evolve and what will the consequences be?

That is, I guess, my biggest problem with some of our interventions. We have not thought through the end game, sometimes called the exit strategy. But what would be the result of failure? What will be the result of success? I am not sure we are thinking through our interventions.

In a similar vein, falling on the side of what I would call restraint with respect to U.S. military interventions, in 1993, then-Secretary of State Warren Christopher outlined four prerequisites for the use of force by the United States:

No. 1, the presence of clearly articulated objectives;

No. 2, a high probability of success;

No. 3, the likelihood of congressional and public support; and No. 4, the inclusion of a clear exit strategy.

Not bad advice. However, even before the start of the Clinton administration, developments in Africa and in the Balkans were leading to a reassessment of the limits on U.S. military interventions. At the same time his administration was deciding in favor of intervention in Somalia but against military involvement in Bosnia, President Bush articulated a somewhat lower bar for U.S. military intervention. As described by Haass:

Bush argued for a case-by-case approach in deciding when and where to use force. He argued against using interests as an absolute guide, noting that "military force may not be the best way of safeguarding something vital, while using force might be the best way to protect an interest that qualifies as important but less than vital."

That is Haass.

Instead, Bush set out five requirements for military intervention to make sense: force

should only be used, he said, where the stakes warrant it, where and when it can be effective, where the application can be limited in scope and time, and where the benefits justify the potential costs and sacrifice. Multilateral support is desirable but not essential. What is essential in every case is a clear and achievable mission, a realistic plan for accomplishing the mission, and realistic criteria for withdrawing U.S. forces once the mission is complete.

That is a pretty thorough analysis of the thought process that must be undergone if we are to be successful in our interventions.

During the Clinton administration, there have been military interventions in Iraq on several occasions, and continuing to this day: In Somalia from 1992 to 1995, in Bosnia and Macedonia since 1993, in Haiti from 1993 to 1996, in Afghanistan and Sudan in 1998, and of course in Kosovo beginning last year.

There has been an accompanying evolution away from the more restrictive view of interventions expressed by Secretary Christopher and toward the less restrictive stance perhaps expressed most clearly recently by British Prime Minister Blair in an April speech last year in Chicago.

Prime Minister Blair said:

The principle of non-interference must be qualified in important respects. Acts of genocide can never be a purely internal matter. When oppression produces massive flows of refugees which unsettle neighboring countries then they can probably be described as "threats to international peace and security. . . ." So how do we decide when and whether to intervene. I think we need to bear in mind five major considerations. First, are we sure of our case? War is an imperfect instrument for righting humanitarian distress, but armed force is sometimes the only means of dealing with dictators. Second, have we exhausted all diplomatic options? Third, on the basis of a practical assessment of the situation, are there military operations we can sensibly and prudently undertake? Fourth, are we prepared for the long term? In the past, we talked too much about exit strategies. But having made a commitment we cannot simply walk away once the fight is over, better to stay with moderate numbers of troops—

Does that sound familiar?

than return for repeat performances with large numbers. And finally, do we have national interests involved? The mass expulsion of ethnic Albanians from Kosovo demanded the notice of the rest of the world. But it does make a difference that this is taking place in such a combustible part of Europe.

That is the end of Blair's statement. Interesting.

Clearly, we have come a long way from Vietnam, and today's world is quite different than the world of the sixties and seventies. Questions about the use of force are, by their very nature, difficult ones. There are no easy answers and no easy choices for any President, and certainly not us in the Congress. Part of this is a product of the disorderly post-cold-war order, or a new world disorder. Every American and every inhabitant of this planet is certainly better off than we were in the cold war which threatened the very survival of global civilization. That

ended, but the termination of that phase of international politics has made the world actually more complex for foreign policymakers.

In the cold war, the superpower rivalry and its mutually assured destruction doctrine, in terms of nuclear war, imposed strong constraints on interventions by either superpower. Korea, Vietnam, and Afghanistan were notable exceptions.

In the pre-cold-war history of the United States, the question of U.S. intervention outside of the Western Hemisphere rarely arose, short of a Pearl Harbor or a Lusitania incident that began the First World War. In the new post-cold-war disorder, we largely face only self-imposed constraints to our actions abroad. Thus, we now need answer only whether we should undertake such an action, not whether we can do so.

That is a clear distinction. In the cold war, we had a line that we knew we could not cross or should not cross. Now there are no lines. If my colleagues read Tom Friedman in the book "Lexus and the Olive Tree," barriers of all kinds, not only the Berlin Wall, are coming down all over the world. So the question more and more on American intervention is, Should we do it? What Senator ROBERTS and I are trying to say is that it is not only a Presidential decision, it is a decision in which all of us have to participate and, hopefully, one that we can arrive at a consensus on before we send young Americans into harm's way. That is why we are here. That is why we are taking the Senate's time today.

The two administrations which have confronted the post-Soviet Union world have grappled mightily with the complexities in places such as Iraq, Croatia, Bosnia-Herzegovina, Somalia, Haiti, and now Kosovo. And almost every step in these areas have been subjected to questioning and controversy before, during, and after the operation in question. Opposition to the Presidential policies has not offered a clear-cut alternative, with some opponents calling for greater and some for lesser exertions of American power. As I have said before on several occasions, I approach the debate on intervention with the greatest respect for the difficulties which the current or, indeed, any other post-cold-war administration and Congress must face when deciding Americans should go to war.

However, I must say that I believe any departure from the principle of using our military intervention solely in defense of vital national interests is a slippery slope. Let me say that again. I have to say that I personally believe that any departure from the principle of using American military intervention solely in defense of vital national interests is a slippery slope. Let's recall from our previous discussions the very small "A" list of truly vital interests. As articulated by the 1996 Commission on America's National Inter-

ests—and Senator ROBERTS and I are engaging ourselves with that commission that is cranking up again and we hope to have some input—the Commission on America's National Interests articulated that those interests are "strictly necessary to safeguard and enhance the well-being of Americans in a free and secure Nation," and include only the following: Prevent, deter, and reduce the threat of nuclear, biological, and chemical weapons attacks on the United States. That is simple. That is clear.

Two, prevent the emergence of a hostile hegemon in Europe or Asia. As Senator ROBERTS the other day said, hegemon means the big bully, the lead dog, the big dog.

Three, prevent the emergence of a hostile major power on U.S. borders or in control of the seas.

Four, prevent the catastrophic collapse of major global systems such as trade, financial markets, supplies of energy, and so forth.

Five, ensure the survival of U.S. allies.

In pursuit of these objectives, the "United States should be prepared to commit itself to fight," the commission says, "even if it has to do so unilaterally and without the assistance of allies." I understand my friend and colleague, Senator ROBERTS, says this list might be slightly modified and updated by a new commission, but the content will basically be similar.

In short, I believe we can and must be prepared to commit all available American resources—including military forces—in the defense of truly vital national interests. In such cases, I believe Presidents should seek congressional approval, and I cannot imagine a Congress not granting such authority in these cases. But in all other cases, I believe we have to impose a much higher bar before we put American service men and women into harm's way—a much higher bar and a much higher standard than we have used in the last 10 or 15 years.

General Shelton, Chairman of the Joint Chiefs of Staff, put it beautifully in an address to the Kennedy School at Harvard recently:

In every case when we contemplate the use of force, we should consider a number of important questions. These are not new questions, as most are articulated formally in the National Security Strategy. They are:

Is there a clearly defined mission?

Is the mission achievable, and are we applying the necessary means to decisively achieve it?

Do we have milestones against which we can measure or judge our effectiveness?

Is there an exit strategy? Or, put another way, a strategy for success within a reasonable period?

Do we have an alternate course of action should the military action fail or take too long?

Are we willing to resource for the long haul?

If our military efforts are successful, are the appropriate national and international agencies prepared to take advantage of the success of the intervention?

We see that in the Balkans right now.

Have we conducted the up-front coordination with our allies, friends, and international institutions to ensure our response elicits the necessary regional support to ensure long-term success?

These are powerful questions, as articulated by the Chairman of the Joint Chiefs of Staff.

He goes on to say:

The military is the hammer in America's foreign policy toolbox . . . and it is a very powerful hammer. But not every problem we face is a nail.

That is critical.

We may find that sorting out the good guys from the bad is not as easy as it seems. We also may find that getting in is much easier than getting out.

Boy, is that true.

These are the issues we need to confront when we make the decision to commit our military forces. And that is as it should be because, when we use our military forces, we lay our prestige, our word, our leadership and—most importantly—the lives of our young Americans on the line.

As we approach Memorial Day, where we pay tribute and honor to those young Americans who have given their lives in the past, we must think carefully and judiciously how we commit young Americans in the future in terms of American military intervention in the world.

Americans who serve today on the front lines in the service of this great Nation in Korea, Kosovo, Bosnia, Saudi Arabia, and elsewhere around the globe, are very special Americans. They have volunteered to do this duty for the rest of us.

When we return from the Memorial Day break, Senator ROBERTS and I will resume these dialogs with a discussion of Clausewitz's trinity of warmaking. He said, successfully war is prosecuted if you have three things together: the people, the government, and the military. Marching forward arm in arm is what we are all about. That will be the subject of our next discussion.

I yield to the distinguished Senator from Kansas, my partner, my dear friend, Mr. PAT ROBERTS.

Mr. ROBERTS. Mr. President, how much time remains?

The PRESIDING OFFICER. All time has expired.

Mr. ROBERTS. I thank my colleague for his contribution. I yield the floor for that purpose.

#### UNANIMOUS CONSENT AGREEMENT—CONFERENCE REPORT TO ACCOMPANY H.R. 2559

Mr. ROBERTS. Mr. President, I ask unanimous consent that following the allotted times for morning business, the Senate then proceed to the conference report to accompany H.R. 2559, the crop insurance bill, and it be considered as having been read, and under the following time restraints: 1 hour under the control of Senator LUGAR; 1 hour under the control of Senator HARKIN; and 1 hour under the control of Senator WELLSTONE.