United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, FIRST SESSION

Vol. 145 WASHINGTON, TUESDAY, MAY 4, 1999 No. 63

Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

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

Almighty God, You have promised, ''In quietness and trust shall be your strength.''—Isaiah 30:15. For a brief moment we retreat into our inner world, that wonderful place called prayer, where we find Your strength. Here we escape from the noise of demanding voices and pressured conversations. With You there are no speeches to give, positions to defend, or party loyalties to push. In Your presence we can simply be. You love us in spite of our mistakes and give us new beginnings each day. We thank You that we can depend upon You for guidance in all that is ahead of us today. Particularly we ask for Your guidance on the vote on the war powers resolution concerning our involvement in Kosovo.

Now, Father, we realize that this quiet moment in which we have placed our trust in You has refreshed us. We are replenished with new hope. Now we can return to our outer world with greater determination to keep our priorities straight. Today is a magnificent opportunity to serve You by giving our very best to the leadership of our Nation. In the name of our Lord and Savior. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The able majority leader is recognized.

Mr. LOTT. I thank the Chair.

SCHEDULE

Mr. LOTT. This morning the Senate will resume consideration of S.J. Res. 20, with a brief statement by Senator MCCAIN. Following Senator MCCAIN, the majority leader will be recognized to make a motion to table S.J. Res. 20. Before I speak, however, and make that motion, I believe Senator DASCHLE will use leader time to make some remarks, too. So Senator MCCAIN will speak, Senator DASCHLE, and I will speak and make a motion to table S.J. Res. 20. Therefore, the first rollcall vote of the day will occur at approximately 9:45.

If S.J. Res. 20 is tabled, the Senate will immediately begin debate on S. 900, the financial services modernization bill, under the provisions agreed to last night by unanimous consent. It is hoped that significant progress will be made on the banking bill, and therefore Senators can expect further rollcall votes today.

We do have one complicating factor. We have also had another natural disaster to strike our country, this time in Oklahoma. The Senators from Oklahoma feel the necessity, understandably, to go to Oklahoma, and we will have to take that into consideration in how we schedule votes. I will consult with the Democratic leader about that timing.

The Senate will be in recess for the weekly party caucus luncheons from 12:30 to 2:15. I thank my colleagues for their attention. I believe Senator MCCAIN is ready to speak.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. ALLARD). Under the previous order, the leadership time is reserved.

DEPLOYMENT OF U.S. ARMED FORCES TO THE KOSOVO REGION OF YUGOSLAVIA

The Senate resumed consideration of the joint resolution, which reads as follows:

S.J. RES. 20

Whereas the United States and its allies in the North Atlantic Treaty Organization are conducting large-scale military operations against the Federal Republic of Yugoslavia (Serbia and Montenegro); and

Whereas the Federal Republic of Yugoslavia (Serbia and Montenegro) has refused to comply with NATO demands that it withdraw its military, paramilitary and security forces from the province of Kosovo, allow the return of ethnic Albanian refugees to their homes, and permit the establishment of a NATO-led peacekeeping force in Kosovo: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized to use all necessary force and other means, in concert with United States allies, to accomplish United States and North Atlantic Treaty Organization objectives in the Federal Republic of Yugoslavia (Serbia and Montenegro).

The PRESIDING OFFICER. Under the previous order, the Chair recognizes Senator MCCAIN for 5 minutes.

Mr. MCCAIN. Mr. President, I would like to ask unanimous consent that Senator DORGAN be allowed to make a brief unanimous consent request.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

PRIVILEGE OF THE FLOOR

Mr. DORGAN. I ask unanimous consent that privilege of the floor be granted to Anthony Blaylock, a member of my staff, during the pendency of S.J. Res. 20.

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

Mr. MCCAIN. Mr. President, I also ask unanimous consent for 3 additional minutes, if necessary, for me to complete my statement.

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

Mr. MCCAIN. Mr. President, I thank Senators LOTT and DASCHLE for allowing the Senate more time for this debate than was their original intention. I think it has been a good debate. It was not as long as I would have liked but better than I had expected yesterday morning. Many Members on both sides, or should I say on all the multiple sides of the question, have had the opportunity to express themselves

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

Printed on recycled paper.

and most have done so with distinction. I also thank the cosponsors of the resolution for having the courage of their convictions, Senators HAGEL, BIDEN, LUGAR, KERRY, DODD, ROBB, and all the other cosponsors. You have made the case for the resolution far more persuasively than have I, and I commend you for fighting this good fight.

Mr. President, the Senate is not in order.

The PRESIDING OFFICER. The Senate will please be in order.

The Senator from Arizona is recognized.

Mr. MCCAIN. Mr. President, I want to speak plainly in the few minutes remaining to me. What I say now may offend some people, even some of my friends who support this resolution. I am sorry for that, but I say it because I believe it is the truth, the important truth, and it should be said.

The President of the United States is prepared to lose a war rather than do the hard work, the politically risky work, of fighting as the leader of the greatest nation on Earth should fight when our interests and our values are imperiled.

We all know why in a few minutes this resolution is going to lose. It is going to lose because the President and members of his Cabinet have joined with the opponents to the war and lobbied hard for the resolution's defeat. Do not believe administration officials when they tell you that the resolution would have been defeated even without their active opposition. Had they worked half as hard in support of it as they did to defeat it, the result would have been different today.

No, it is not that they could not win; it is because they did not want to win that we are facing defeat this morning. That is a shame, a real shame.

I have said repeatedly that the President does not need this resolution to use all the force he deems necessary to achieve victory in Kosovo. I stand by that contention. And I have the good company of the Constitution behind me.

I had wanted this resolution considered in the now forlorn hope that the President would take courage from it and find the resolve to do his duty, his duty by us, the American people, by the alliance he leads, and by the suffering people of Kosovo who now look to America and NATO for their very lives.

I was wrong, and I must accept the blame for that. The President does not want the power he possesses by law because the risks inherent in its exercise have paralyzed him.

Let me identify for my colleagues the price paid by Kosovars for the President's repeated and indefensible ruling out of ground troops. Mr. Milosevic was so certain of the limits to our commitment that he felt safe enough to widely disperse his forces. Instead of massing his forces to meet a possible ground attack, he has deployed them in small units to reach more towns and villages in less time than if the President had remained silent on the question of ground troops. In other words, he has been able to displace, rape, and murder more Kosovars more quickly than he could have if he feared he might face the mightiest army on Earth. That is a fact of this war that is undeniable. And shame on the President for creating it.

Now what is left to us, as our war on the cheap fails to achieve the objectives for which we went to war? Well, bombing pauses seem to be an idea in vogue. They were popular once before in another war. And I personally witnessed how effective they were. No, Mr. President, I do not have much regard for the diplomatic or military efficacy of bombing pauses. As a matter of fact, it was only when bombing pauses were finally abandoned in favor of sustained strategic bombing that almost 600 of my comrades and I received our freedom. I daresay some of the years that we had lost were attributable to bombing pauses. I will not support a bombing pause until Milosevic surrenders and not a moment before.

My father gave the order to send B–52s—planes that did not have the precision-guided munitions that so impress us all today—he gave the order to send them to bomb the city where his oldest son was held a prisoner of war. That is a pretty hard thing for a father to do, Mr. President, but he did it because it was his duty, and he would not shrink from it. He did it because he didn't believe America should lose a war, or settle for a draw or some lesser goal than it had sacrificed its young to achieve. He knew that leaders were expected to make hard choices in war. Would that the President had half that regard for the responsibilities of his office.

Give peace a chance. Yes, peace is a wonderful condition. Sweeter than many here will ever fully appreciate. The Kosovars appreciate it. They are living in its absence, and it is a horrible experience. But the absence of freedom is worse. They know that too. They know it well. And if the price of peace is that we abandon them to the cruelty of their oppressors, then the price is too high.

Some have suggested that we can drop our demand that NATO keep the peace in Kosovo. Let the U.N. command any future peacekeeping force instead. But a U.N. peacekeeping force led directly to the Srebrinica massacre in Bosnia. I think the Kosovars would rather they not have that kind of peace, Mr. President. And we should not impose it on them.

Give peace a chance. If we cannot keep our word to prevail over this inferior power that threatens our interests and our most cherished ideals, then it is unlikely that we will long know a real peace. We may enjoy a false peace for a brief time, but that will pass. Whatever your views about whether we were right or wrong to get involved in this war, why would you think that losing will recover what we have risked in the Balkans. If we fail to win this war, our allies and our enemies will lose their respect for our resolve and our power. You may count on it, Mr. President. And we will soon face far greater threats than we face today. We will know a much more dangerous absence of peace than we are experiencing today.

Mr. President, I ask my colleagues, in this late hour, to put aside our reservations, our past animosities, and encourage, implore, cajole, beg, shame this administration into doing its duty. Shame on the President if he persists in abdicating his responsibilities. But shame on us if we let him.

The PRESIDING OFFICER. The minority leader.

Mr. DASCHLE. Mr. President, I will use leadership time to conclude this debate with a few comments of my own.

Let me begin by commending the authors of this resolution, Senator MCCAIN, Senator BIDEN, and others. I support their intent, and I appreciate the effort of all the authors in making this resolution the focus of our attention this morning.

There ought to be three rules this country should always adhere to in an addressing an international conflict. The first rule is that every effort should be made to resolve the matter diplomatically. I believe this is being done in the case of the conflict in Kosovo. In this struggle, there is no end to the lengths the United States and NATO have gone in an effort to resolve this matter diplomatically. As we speak, diplomatic efforts are underway. There will continue to be negotiations, discussions, and communications to resolve this matter diplomatically. Up to now all these efforts have failed.

Secondly, should diplomacy fail and U.S. forces be needed, we must not tie the hands of the Commander-in-Chief. We must provide whatever support is requested. That is what this resolution says: that the President is authorized to use all necessary force. I understand and support that concept.

Thirdly, we must support our troops when they come home—something we haven't always done. We didn't in Vietnam when they were suffering from the effects of exposure to Agent Orange; we didn't in the Persian Gulf when they were hit by Persian Gulf Syndrome. We have not always supported our troops when they come home. Veterans and the Veterans' Administration oftentimes are neglected in times of peace.

There is a caveat, an obvious caveat, to these three rules. When deploying force, there must be a clear indication of need. Only in the rarest of circumstances when it comes to executing a war, a military effort, should the Congress get ahead of the Commander in Chief and his military advisers. That is especially true when the United States is involved, as it is today in Yugoslavia, with other nations. They are the ones—the military, the Commander in Chief—who must decide

what kind of forces are to be used, what kind of war is to be waged, what facts must be considered in waging it successfully.

The distinguished Senator from Arizona made some comments about the President's unwillingness to use ground troops. It isn't just the President. It is all of his Joint Chiefs of Staff. It is everybody in the Pentagon who advises the President who has said, This is not the time; we do not want to commit ground troops at this point, Mr. President; don't request them. And he has not.

It is for this reason, Mr. President, that I reluctantly join in tabling this resolution today. I do so for three reasons. First, as I have just noted, the President has not asked for this authority, nor have his military advisers. They have indicated they don't support the inclusion of ground troops at this time. Why? Because the air campaign is working. That is not what some of the media want you to hear, but it is the case that the air campaign is working. The resolve on the part of Yugoslavia is being tested. And, I must say, there is increasing evidence that their resolve is weakening. There is increasing evidence that, regardless of what criteria one uses to evaluate the success of the air campaign, it is working.

Until we have given every opportunity for the air campaign to work, moving to a new strategy is premature. The time involved, the logistics involved, the questions involved in moving forces into Yugoslavia all have to be considered, but not now. This is not the time. Will there come a time? Perhaps. But it is not now. The Joint Chiefs of Staff unanimously endorse that position—not now. What is the Commander in Chief supposed to do? He listens to his military advisers and they say, ''Not now.'' He listens to his national security people and they say, ''Not now.''

This isn't a matter of courage, this isn't a matter of a lack of resolve on the part of the President. Instead, it is a matter of the President working with all the people in this administration to pick the best course of action. I believe he has done so.

Secondly, we must keep one thing in mind about this effort. This is not unilateral. We are involved with 18 other nations, most of whom oppose changing NATO's current air campaign strategy. If all necessary force implies using ground troops, they oppose taking a different course of action. This is a test for NATO. We should all recognize that. If we truly want NATO to succeed, we have no choice, no choice but to make all decisions involving strategy in concert with our NATO allies.

For Members today to say we are going to assert that our position calls for a change in strategy, that the air war alone is not working, sends a clear message to all the other NATO countries that we are the ones in charge, we are the only ones making this decision; we don't care what you think, we are not going to resolve this matter in concert with you; it is going to be us; we will call the shots.

We are not prepared to do that today, Mr. President.

Thirdly, because this authority has not been requested either by the President or his military advisers or by NATO, we have no clear idea what it is we are authorizing with this resolution. Because the President hasn't made a specific proposal, are we voting to use tactical nuclear weapons? Are we committing 500,000 troops for 5 years? Are we committing ourselves to an invasion of neighboring countries, should that be necessary? The answer to these questions, of course, is no. They are extreme options which no one would dare suggest. But what are we authorizing with this resolution? Without a specific proposal from the President, we can only guess. By guessing, we do a disservice to our mission. By guessing, we relegate too much discretion to others.

Mr. President, an up-or-down vote on this resolution is premature. There may be a time when it will be required. That time must be determined by the Commander in Chief and our NATO allies. If or when that time comes, it is the responsibility of the Congress to do what we must do and what we have done on many occasions in the past: We must debate it and we must vote on a resolution of approval. Until then, the Senate has spoken on this conflict. On a bipartisan vote, we have given our approval to the air campaign. We have no need to do so again.

So I ask my colleagues, let us be patient. Let us support our military as they fight so valiantly and successfully in the air mission. Let us send a clear message to the leaders in Yugoslavia, and to NATO: We will not terminate the air war until we are successful.

I might note another bit of evidence of our success occurred just this morning. There are reports that a NATO F–16 fighter jet shot down a Serb Mig29. The air war is working. We will keep the pressure on. We will not look the other way when victims of ethnic cleansing look to us.

A vote on this motion to table this resolution is a vote to postpone the decision to alter our military course in Yugoslavia. It is a vote to support our military in their efforts to bring peace to this region. I urge our colleagues to support it.

I yield the floor.

Mr. SHELBY. Mr. President, there are few people in the United States Congress who are as familiar with war as is the sponsor of this joint resolution, my esteemed colleague from Arizona, Senator JOHN MCCAIN. I agree with the principles behind his resolution; that this Nation should not fight wars to a stalemate, it should fight them to win or not fight them at all.

Mr. President, for the past 6 weeks, American military forces have been participating in a NATO-led aerial campaign in the Balkans. In March, I voted to support the use of air power in this operation. It was my view then that the administration had already committed our forces to action. A vote against the President, when bombing was imminent, would have undercut our troops at the front. However, that is not the case with the resolution before us today. As a nation we have a choice to make. The choice should be an informed one. Our intentions in this operation have been noble and just. However, the boundaries of this conflict are not apparent to many in this body nor it seems to a majority of the American people. Before we give a blank check to the administration, I believe that the President should clearly articulate to both Congress and the American people the objectives and the national interest which require a resolution authorizing full scale war. To date he has not done so.

As have many of my colleagues, I have traveled to the region. I have been briefed by General Clark, spoken to troops in the field and visited refugee camps in Albania. There is no question that our military personnel are the best in the world and are doing an outstanding job under extremely difficult circumstances. However, I have grave concerns over NATO's ability to salvage the humanitarian situation through aerial bombardment and its policy of war by committee. I know that Senator MCCAIN shares this latter concern. The United States led a coalition force during the Persian Gulf war. Yet in that war it was our military leaders and not politicians in Brussels who called the shots. Mr. President, we won the Persian Gulf war; we are not winning this war. My fear is that if we adopt this resolution now, it will be viewed as tacit approval of an overly bureaucratic and ineffective NATO command structure. The Senate can pass this resolution and authorize the President's ''. . . use of all necessary force and other means . . .'' but I fear the effect will be mitigated by the current command structure. It is a prerequisite that prior to any escalation of our involvement in this conflict, that NATO streamline its command structure and put professional soldiers back in charge.

A greater concern to me is the effect that this operation is having on the readiness of our military forces worldwide. Can we adequately defend South Korea, Taiwan, and Kuwait while waging a full scale war against Serbia? Some of the facts are alarming. We have no carrier battle group in the Western Pacific. The Air Force has committed one-third of its combat aircraft to the Balkans. The President has authorized the activation of over 33,000 reservists, including many Air National Guard tanker pilots from Birmingham, Alabama. The United States is still involved in an undeclared shooting war with Iraq. Last week, the administration informed the Appropriations Committee that the Nation's stated ability to simultaneously fight

and win two major regional conflicts is tenuous at best. And finally, our intelligence resources are being stretched thin due to this crisis. In short, we are pushing the envelope of our military capabilities. It begs the question: Is there a vital national interest in the Balkans which necessitates a commitment of the bulk of our limited military assets and endangers longstanding strategic interests? I don't have the answer to that question. The answer must come from the President. He must make his case for war to the Congress and American people prior to the passage of any resolution authorizing full scale war. I urge him to do so. It is his duty as the Commander in Chief. The stakes are very high.

I close with a reaffirmation of my support for our military forces throughout the world, especially those personnel fighting in the Balkans. Like their predecessors throughout history, the Americans who today go in harm's way wearing the uniform of their country lead a noble pursuit. Their service is not just another job as some would have us believe. Regardless of the outcome of this vote, I pledge my continued support to those soldiers, sailors, airmen, marines, and Coast Guardsmen who are in the field as I speak today.

This resolution authorizes the President to, ''. . . use all necessary force and other means, in concert with United States allies, to accomplish United States and North Atlantic Treaty Organization objectives in the Federal Republic of Yugoslavia.'' I have no doubt that Senator MCCAIN knows what it takes to succeed in a military campaign. I am confident that our military leaders know what it takes to succeed in a military campaign. However, as of today, this administration has demonstrated neither the vital necessity for, nor the capacity to successfully prosecute, a full scale war in the Balkans. I urge the Commander in Chief to execute the duties of his office and make that case before Congress and the American people. Until he does so, I cannot in good conscience vote to support Joint Resolution 20.

Mr. HOLLINGS. Mr. President, Winston Churchill observed that the ''Balkans have produced more history than we can absorb locally.'' With that in mind, let's realize certain history necessary to judgment.

This was a civil war in a sovereign country. Last Spring it was escalating. The shooting of a Serb policeman on the corner and the resulting burning of Albanian homes on the block had mushroomed to three thousand KLA fighting for independence versus ten thousand Serbian troops massing on the Kosovo border. By Fall it had grown to ten thousand KLA versus forty thousand Serbs.

In walks Secretary of State Madeleine Albright in Rambouillet, announcing to Milosevic and the Kosovars that killing would have to stop; that there be a cooling off period for three years, then one man one vote. The intent was noble—to defend human rights. The dreadful massacre at the hands of the Serbs was met with equally savage conduct by the Albanians. The agreement instrument was intentionally vague to be interpreted by the Kosovars as a vote for independence. The important thing to remember is that Serbia-Montenegro is a sovereign country. Milosevic was selected as its head by its Parliament. In this civil war there was no good side. Today in total war there is no good side.

Another important point is that the proposed agreement was a non-starter—Milosevic could not agree any more to relinquishing Kosovo than Lincoln could the South—a so called free election in three years was a given in an area ninety percent Albanian and ten percent Serb.

According to the Carter Center in Atlanta there are twenty-two wars the world around—all civil. And over half more violent than Kosovo. The United States is a world power. To continue as a world power with sufficient credibility to extend our influence for freedom and individual rights we cannot venture into every human rights conflict. The American people will not support it—as evidenced by the vote in the Congress. And living in the real world we need to husband our integrity for the world concerns of Russia and its missiles, North Korea, peace in the Middle East and the like.

There is no national security threat to the United States in Kosovo. We have yet to have a national debate to determine that GIs are to be sacrificed for human rights.

The demand that Milosevic agree or be bombed into agreement was diplomacy at its worst. The Congress, the country and most of all the military were totally unprepared to pursue this threat. More importantly, as I learned in the artillery no matter how good the aim if the recoil is going to kill the gun crew, don't fire!

The following is the recoil: (A) A civil war has turned into one of national defense for Milosevic. When the U.S. went to national defense upon the attack on Pearl Harbor, the first order of business was to clear the west coast of all who were thought to be the enemy or sympathetic to the enemy. Over 110,000 Nisei, sixty-four percent of whom were U.S. citizens, were forced from their homes into internment camps. When NATO attacked, Milosevic's ethnic cleansing became enemy cleansing; 700,000 in three weeks. Milosevic never would have attempted this on his own save the NATO attack on his country. We have made Milosevic popular in his country.

(B) Unprepared to pursue a ground war, NATO has strengthened Milosevic's military control of Kosovo.

(C) In contrast, the KLA assumes NATO has taken its side in the civil war and now will want revenge no matter what happens. We have ignited further the historic flames of enmity.

(D) With no national security interest at stake, the overwhelming air invasion of the U.S. into a small European country appears arrogant and threatening to much of Europe. Russia, no longer a strategic threat in Europe, is now being revitalized into a strategic threat.

(E) A country half the size of South Carolina with half the population is being hit with forty bombardments a day. Like Viet Nam, we are destroying it in order to save it.

It appears to me the recoil is killing the gun crew. Once again we are told that bombing will soon cause the people of Serbia-Montenegro to arise and throw the rascals out. In 1944 while preparing to cross the Rhine I heard this about Hitler; then in Viet Nam about Ho Chi Min; then for the past seven years about Saddam. When will the State Department learn? When will we all learn that there is no ''win'' in Kosovo? At the moment we are not only losing the war, we are losing our integrity as a world power. This mistake must be brought to a close. While under orders, we all support our troops. But this is not the issue before us. Unfortunately, the policy in Kosovo is a split decision between the House and the Senate. We still debate to determine that policy. This is sad, but it's the reality. Under no circumstance should we sacrifice a single GI for this mistake and indecision.

I shall vote to table.

Mr. MURKOWSKI. Mr. President, I rise in support of the motion to table the resolution authorizing the President to use whatever force and means necessary to carry the military campaign against Yugoslavia to a successful conclusion. As written, this resolution would provide the President with blanket authority to wage this war, including the right to deploy ground troops in the Balkans. There are too many unanswered, if not ignored questions about this war. If the Senate were to give the President this blanket authorization, we would abrogate our responsibility to our troops and to the American people to get real answers to these questions.

First of all, what would constitute a ''successful conclusion'' to this war? Would it be the overthrow of Slobodan Milosevic and his government? Perhaps the removal of all Serbian troops from Kosovo and the subsequent return of all refugees to their homeland? Or would a successful conclusion to the war simply be forcing Milosevic to agree to the terms of the peace agreement which failed at Rambouillet? I, for one, do not feel this question has been sufficiently addressed, and I have a hunch that most, if not all of my colleagues would agree with this assessment.

Mr. President, even if we can agree to what would constitute a ''successful conclusion'' to the war, what else are we agreeing to? Surely the use of ground troops. But how many are we talking? 50,000? 100,000? 200,000? more? We have already committed our pilots to the conflict. But as to ground

troops—I think this is an issue which mandates a separate Senate debate specifically on this issue. We owe it to the American people, and we surely owe this to the troops whose lives lay in the balance of this decision.

What about the costs of this operation? I do not think we have a clue what this will cost—in lives or in dollars. We know that the President has requested somewhere in the realm of $6 billion, but the actual floor debate hasn't even begun and the figure is already fluctuating between $8 and 13 billion.

There is another matter about this resolution, and about this war, which troubles me greatly. When the military completed its Quadrennial Defense Review (QDR), we were assured that our readiness state would allow us to successfully respond to two full scale wars at the same time. This would mean that although we are engaged in the air, and perhaps on the ground, in Kosovo, we would be ready to fight a full scale operation at the same time in another theater—the Korean Peninsula and Iraq come to mind as real possibilities.

Prior to the Kosovo operation, the Department of Defense assessed the risks associated with responding to a second major theater war as ''high.'' But now, because of our large commitment in the Balkans, and the fact that we are running dangerously low on cruise missiles and other munitions, our same military planners have changed this assessment to ''very high.'' If I understand this correctly, and I think I do, some of our own military strategists are concerned that our readiness is insufficient at this time to take on Milosevic and Saddam Hussein (Iraq) or Kim Jung-il (North Korea) at the same time.

Given this Administration's track record in dealing with Iraq and North Korea, I think we have a real problem on our hands. This is a catastrophe of virtually untellable proportions waiting to happen.

President Clinton has not asked the Congress for this blanket authorization on this war—and he continues to oppose the use of ground troops. While I strongly believe that it would be wrong for him to deploy ground troops absent clear Congressional authorization, I also do not believe that we should grant him this authority before he makes the request and the case for this authority.

On a final note, I want to congratulate Reverend Jesse Jackson for his efforts this past weekend, and convey my deep relief and pleasure that the three American soldiers were released and are now reunited with their families.

Mr. President, I support the motion to table, and urge my colleagues to do the same.

Mr. KERREY. Mr. President, I rise today to state my strong opposition to the McCain-Biden resolution currently pending before the Senate. I intend to vote to table this resolution.

I continue to have concerns about both the failure of diplomacy that led to the use of force in Kosovo and the current military strategy being employed. But now that U.S. Armed Forces are engaged, we should send a strong message of unity and determination to see the mission through. President Milosevic should know both the U.S. Senate and the American people remain committed to achieving our objectives.

I will vote to table S.J. Res. 20 for three reasons. First, the language contained in the resolution is too broad. I respect what Senators MCCAIN and BIDEN are trying to accomplish with this resolution; they are trying to increase the chance of success of our military operation. However, I do not support giving the President of the United States the authority to ''use all necessary force'' to accomplish our goals in Kosovo. I find it disturbing that the United States Senate is considering a resolution that would give the President more authority to exercise military force than he has requested. Passage of this resolution would be the equivalent of giving the President a blank check to operate militarily in Yugoslavia.

Secondly, passage of the resolution would abrogate Congressional responsibility for the conduct of this war. The Constitution provides the Congress with a clear role in the use of military force. While the President has consistently stated his belief that ground forces will not be used in a non-permissive environment, passage of this resolution would allow the President to reverse his position without prior Congressional authorization. To be clear, Mr. President, if this resolution were to pass, the President would be able to commit the full might of the U.S. military in Kosovo without first coming to the Congress and explaining the mission, without explaining the military objectives, without explaining the exit strategy, and without explaining how such a deployment would affect our military commitments around the world. Mr. President, the American people should expect more from their elected representatives; Congress should not surrender its Constitutional responsibilities in this matter.

Finally, I oppose the McCain-Biden resolution because it is the wrong legislative statement at the wrong time. While I recognize S.J. Res. 20 is before the Senate due to the parliamentary intricacies of the War Powers Act, it does not provide an appropriate starting point for a Senate debate. The truth is, the Senate is long-overdue in conducting a real debate over our role in Kosovo. What are our objectives? What are our long-term strategic interests in the Balkans? How do our military actions Kosovo affect our commitments to peace and stability throughout the world? These are the sort of fundamental questions we should be debating on the floor today. Rather than providing a starting point for discussing our policy options, the McCain-Biden resolution merely provides the final answer: the President knows best. This is not the statement I want to provide to the people of Nebraska.

I remain hopeful that the current air campaign will bring about a return to diplomacy. President Milosevic must realize that NATO's objectives—to stop the humanitarian tragedy in Kosovo, return the Kosovar people to their homes, and re-establish Kosovar autonomy—will be achieved. The only hope for the Serbian people is a negotiated settlement. In the mean time, the United States and our NATO allies should continue to apply pressure on the Serbian government while working with nations like Russia to establish the basis for a settlement. In the long-run, the United States and Europe are going to have to address the issues of peace and stability in the Balkans in a larger context of economic development and ethnic security.

Mr. President, Congress does have a role to play, both in the short-term discussion of our current military actions and in the long-term discussion of our broader policy in the Balkans. We must begin to talk about these issues in a serious manner or continue to face the prospect of having our decisions made for us as events pass us by. Mr. President, let's table the McCain-Biden resolution and begin a real debate on Kosovo and our national security interests.

Ms. LANDRIEU. Mr. President, Douglas MacArthur, one of this country's greatest military minds, stated ''it is fatal to enter any war without the will to win it.'' I believe that we are faced with that question today. Does this country have the will to win the war in Kosovo, or will the Atlantic Alliance become another fatality of Serbian aggression? We must pose this question to the Senate now because of a mistake. As NATO policy in Kosovo evolved, we made the mistake of taking a critical capability off the table. From the very start, the President and NATO leadership stated that this would be an air campaign, and an air campaign only. They went to great lengths to make this point to the press and to the public. Unfortunately, other ears were also listening. Slobodan Milosevic heard loud and clear that this would be a limited NATO effort. By doing so, we gave Milosevic every reason to doubt that NATO had the will to win.

Furthermore, we gave Mr. Milosevic a vital piece of intelligence on how we would fight this war. In doing so, we have inadvertently given him an advantage more valuable than divisions of soldiers, or batteries of antiaircraft guns. This information has allowed Milosevic to disperse his forces and dig in. He knows he has only to wait out the air campaign to win this war.

It is axiomatic that you cannot win a war by air power alone. We tried in Vietnam. We tried in Iraq, but when meeting an enemy determined to resist, airpower can only succeed with

the use of ground troops. However, at the start of this war, we told Milosevic that he did not have to worry about ground troops. That is why he is so certain that this country and NATO do not have the will to win. Ask yourselves, how much more accommodating to NATO demands would Serbia be, if they knew we were preparing an invasion? Yesterday, Milosevic announced that he has over 100,000 troops in Kosovo. This is most likely a lie, but nevertheless, could Milosevic afford to have so many troops rounding up Kosovars if he knew NATO might invade? Of course not. One of the reasons that this man has been able to continue to perpetrate war crimes in Kosovo, is precisely because he has always known that he need not fear a ground war.

Mr. President, I believe it is high time that we rectify our mistake. Mr. Milosevic has underestimated the resolve of the United States and the resolve of NATO. We will see this war through to victory. The first step to victory is a very simple one. Mr. Milosevic must understand that this country will use all of its resources to prevail. No one doubts that we have the means to win the war in Kosovo, this resolution will also demonstrate that we have the will. It does not commit the United States to a ground war, but it does state that if a ground war is necessary for NATO to meet its objectives, we will fight a ground war. In short, we will fight anywhere and anytime to accomplish this mission.

This country has faced dark days in Europe before. I think few people expressed the significance of that time better than Winston Churchill. When asked what were his goals for the war with Germany he said simply ''victory at all costs, victory in spite of all terror, victory however long and hard the road may be; for without victory there is no survival.''

I believe that if this Nation has learned any lesson from the twentieth century, it is that you do not win wars by half measures. Winston Churchill understood this. So do the American people. I hope that the Senate will demonstrate that it too understands this lesson, and will oppose tabling the McCain resolution today.

The PRESIDING OFFICER. The majority leader is recognized to move to table.

Mr. LOTT. Mr. President, I want to use my leader time to make a brief statement also.

Mr. President, I should begin by saying I understand the feeling of the sponsors of this resolution and I commend them for their dedication and their untiring efforts. But I would today, in dealing with this resolution, quote an ancient Greek historian who once said, ''Observe due measure, for right timing is in all things the most important factor.''

This resolution is out of sync with current events. There is no request for this action. NATO is not seeking additional authority. The President is not seeking additional authority. The Senate has already acted and expressed its support for the bombing campaign.

I have had my reservations about the President's policy from the beginning and I so voted; but it appears that perhaps the Administration has stopped deciding on targets by committee and that they are actually attacking targets that have greater value. We should allow that campaign to continue to work. This is the wrong language and it is at the wrong time. Currently, there seem to be some effort to find a negotiated settlement. We should encourage that.

But this language would go too far, beyond what I think the Senate is prepared to do and what is necessary and what has been requested. It authorizes the use of all necessary force and other means to prosecute this fight. That does include ground troops. I think the Senate would want to have a longer debate and want to discuss other options. For instance, when we were considering the timing of this resolution last week, we were exchanging language between the majority leader and the Democratic leader, to see if we could find language that would have broad, bipartisan support. That was interrupted by this resolution.

Let me review how we got here. This resolution was introduced weeks ago. And under the War Powers Act, it was the pending business as of last Friday. We cannot go to another matter, under the War Powers Act, once the Parliamentarian ruled that this language kicked into action the War Powers Act. So we had to either act on it or get an agreement to postpone it. I agreed and urged that we postpone it for a week or 10 days until we had some bipartisan language we could agree on. Senator MCCAIN agreed to that postponement. Senator DASCHLE indicated that he thought he could support that.

But, along the way, as Senators are entitled to do, there were objections to postponing it by unanimous consent. So we had to deal with this issue. My suggestion at that time was that we not get into a substantive debate, that we offer a procedural motion to set it aside until another time when we can better determine what is needed—if something different is required than what is already on the books, if something more is asked for by the President, or if we are ready to go forward with the War Powers Act or even a declaration of war. But I don't think we are there at this moment.

So we are forced to have this vote today. I would like to describe it as a procedural vote because I think it is. It is to table this resolution and to reserve the opportunity at some future date to have a vote on whether or not we want to give the President authority to prosecute this matter with all necessary force. I do not think that is where we are today. But I do want to say emphatically that I think the language is substantively excessive, not necessary, and uncalled for.

So, Mr. President, I urge our colleagues to support the motion to table and I so move to table the resolution. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the majority leader. The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced, yeas 78, nays 22, as follows:

[Rollcall Vote No. 98 Leg.]

YEAS—78

Abraham	Enzi	Moynihan
Akaka	Feingold	Murkowski
Allard	Feinstein	Murray
Ashcroft	Fitzgerald	Nickles
Baucus	Frist	Reed
Bennett	Gorton	Reid
Bingaman	Gramm	Roberts
Bond	Grams	Rockefeller
Boxer	Grassley	Roth
Breaux	Gregg	Santorum
Brownback	Harkin	Sarbanes
Bunning	Helms	Schumer
Burns	Hollings	Sessions
Byrd	Hutchinson	Shelby
Campbell	Hutchison	Smith (NH)
Chafee	Inhofe	Snowe
Collins	Jeffords	Specter
Conrad	Johnson	Stevens
Coverdell	Kennedy	Thomas
Craig	Kerrey	Thompson
Crapo	Kohl	Thurmond
Daschle	Kyl	Torricelli
Domenici	Levin	Voinovich
Dorgan	Lincoln	Warner
Durbin	Lott	Wellstone
Edwards	Mikulski	Wyden

NAYS—22

Bayh	Hagel	Lugar
Biden	Hatch	Mack
Bryan	Inouye	McCain
Cleland	Kerry	McConnell
Cochran	Landrieu	Robb
DeWine	Lautenberg	Smith (OR)
Dodd	Leahy	
Graham	Lieberman	

The motion to lay on the table the joint resolution (S.J. Res. 20) was agreed to.

FINANCIAL SERVICES MODERNIZATION ACT OF 1999

The PRESIDING OFFICER (Mr. BUNNING). The motion to proceed to S. 900 is agreed to and the clerk will report.

The legislative assistant read as follows:

A bill (S. 900) to enhance competition in the financial services industry by providing a prudential framework for the affiliation of banks, securities firms, insurance companies, and other financial service providers, and for other purposes.

The Senate proceeded to consider the bill.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. GRAMM. Does the Senator from New Mexico wish to say something before we start?

Mr. President, I ask unanimous consent to yield to Senator DOMENICI and to reclaim my time when he is finished.

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