

The President relies quite substantially upon the "humanitarian catastrophe", he may really be saying the use of force for humanitarian purposes, and it may be that this standard is a one which ought to be adopted. But I do suggest that this may be a departure from what has previously been recognized as U.S. policy to use force where there is a vital United States national security interest. If we look for humanitarian catastrophes, we can find them all around the world, and we have been criticized for not doing more at an earlier stage in Bosnia. We have been criticized for not doing more in Rwanda. There have been many criticisms leveled against the United States and the civilized world for not intervening on prior occasions. It may be that with such a thin statement of vital national interests, the authorization to use force in Kosovo really reflects a shifting standard. As the President articulates, "to prevent a human catastrophe."

(Mr. BROWNBACK assumed the Chair.)

Mr. SPECTER. Mr. President, several weeks ago, I filed a resolution for the use of airstrikes in Kosovo. This was essentially a vehicle to move the Senate of the United States to take up the issue of the use of force, to debate it and to decide the question. It has always been my view, as expressed in 1991 in the debate on the use of force in the Persian Gulf and, before that in 1983, where we debated the War Powers Act with respect to deployment of marines in Lebanon, that the constitutional issue of Congress' sole authority to declare war is of paramount importance.

I congratulate our leadership today for moving through a procedural morass, where we had a cloture vote—that is, a vote to cut off debate—on the resolution pending by the Senator from New Hampshire, Senator SMITH. Afterwards, in consultation, this resolution was crafted so the Senate could vote yes or no on this important issue. As noted by others, we did have a bipartisan vote of 58–41 in favor of the use of force, with some 17 Republicans joining 41 Democrats, making a total of 58, and 38 Republicans and 4 Democrats voting in the negative. There is a strong bipartisan showing by these figures.

It would have been vastly preferable, Mr. President, had President Clinton taken this issue to the American people at a much earlier stage so the American people could be aware of the consequences of this very, very important decision. The President did ad-

dress the matter in the opening remarks on his press conference on Friday.

I concurred with what the Senator from Delaware said yesterday—when he and I debated or discussed the subject for about a half hour—this was most appropriately a subject for a 30-minute Presidential speech. The president should lay out the issue in great detail. There is a large concern on my part, and on the part of many others, that the American people are not really prepared for the consequences as to what may occur in Kosovo. There have been forceful statements that the risks are very, very high, and that the air defenses in Serbia are very strong.

It is important that the American people understand the substantial risks involved so we do not retreat as we did in Somalia. The way to guard against that is to build up a public understanding as to what the scenario is in Kosovo with as forceful an articulation as possible, and I repeat, much more forceful than the President's letter today. The President should articulate in great detail about the savagery of the assaults on people and the brutality and the ethnic cleansing which has gone on in Kosovo. Those details, I think, are a concern to the American people but they have not been stated in a way which really brings forth the magnitude of the human catastrophe in Kosovo so the American people would be willing to accept and undertake the risks that are involved in this matter.

But all of that is prologue. Now we have the authorization by the Senate for the use of force. On a very difficult question, I think it is the lesser of the undesirable alternatives, and featuring prominently is the desire of keeping NATO intact. We seem to have more support from our European allies on this matter than at any time in the past. Our precarious position on NATO has occurred because the administration has moved us into a position without congressional authorization to an executive commitment really, in effect, to support the NATO decision to use force in Kosovo.

To that extent, so that we do not have a breach of making NATO look bad and do not have a breach of making the United States look bad, which would in effect be a backdown, we are in a sense backing into the issue. But the more important aspect is the fact that the President did come to the Senate.

I was interested in the discussion with our distinguished senior Senator

from West Virginia and to hear his comment where he had expressed to the President today the view that the President should not lean so heavily on Presidential prerogatives but should ask the Congress of the United States for authority to use force. The President has done so.

Now we have a very significant precedent which should be a clarion call to future Presidents not to exercise their authority as Commander in Chief and unilaterally engage the United States in war. The President should take this issue to the Congress of the United States and to the American people. The President should do this at an early time so the issue can be fully debated, not on a short time limit, as we had this evening.

It must be a source of some wonderment to people who were watching on C-SPAN II to see such an important issue debated in such a brief period of time with 2 minutes allotted to Senators to speak on the subject and 1 minute taken by the manager, the Senator from Delaware. There had been extensive debate yesterday, but we could have used even more time. Unfortunately, we were caught in the press with the budget resolution, which is first on the docket for tomorrow.

I thank the Chair for setting this extra overtime.

I yield the floor.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands in adjournment until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 8:49 p.m., adjourned until Wednesday, March 24, 1999, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate March 23, 1999:

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

GARY L. VISSCHER, OF MARYLAND, TO BE A MEMBER OF THE OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION FOR A TERM EXPIRING APRIL 27, 2001, VICE DANIEL GUTTMAN.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. ROBERT A. HARDING, 0000.