

be denied the bankruptcy protections accorded to farmers solely because they harvest the sea and not the land.

I have proposed not only to make Chapter 12 a permanent part of the bankruptcy code, but also to apply its provisions to the family fisherman. The bill I have proposed mirrors Chapter 12 with very few exceptions. Its protections are restricted to those fishermen with regular income who have total debt less than \$1.5 million, the bulk of which, eighty percent, must stem from commercial fishing. Moreover, families must rely on fishing income for these provisions to apply.

These same protections and flexibility we grant to farmers should also be granted to the family fisherman. By making this modest but important change to the bankruptcy laws, we will express our respect for the business of fishing, and our shared wish that this unique way of life—that embodies the state of Maine—should continue.

Thank you, Mr. President. I yield the floor.

Mr. President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 12:30 p.m. having arrived, the Senate will now stand in recess until the hour of 2:15 p.m.

Thereupon, the Senate, at 12:31 p.m., recessed until 2:15 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. INHOFE).

The PRESIDING OFFICER. The Chair, acting as a Senator from the State of Oklahoma, suggests the absence of a quorum.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that I be able to speak for 5 minutes as in morning business.

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

KOSOVO POLICY

Mrs. HUTCHISON. Mr. President, I want to speak to a resolution that has been introduced this morning regard-

ing Congress taking an action about our troops in Kosovo and the whole escalation of the operation in Kosovo. The text of the resolution is that we would give the President all of the authority to use whatever force, take whatever steps he sees as necessary.

I certainly think we should have a debate on this whole issue of Kosovo. I think it is certainly something that Congress is going to need to weigh in on. But I think it would be vastly premature to take an action before the President has laid out a plan. The President has not asked us for "all force." The President has not asked us, actually, for anything except funding on an emergency basis to make sure we have the ability to fund the operation that is going on in Yugoslavia without taking away from other national security interests. I am going to support the President in that request. The last thing I want to do is have our troops in harm's way, along with our allies', and run out of money or run out of equipment or have any of our national defense personnel anywhere else in the world be shortchanged. We are not going to let that happen.

When the President gives us the specificity that is required for the appropriation, I think there will be a resounding vote in Congress to give our troops and our military the leeway they need to spend the money to have the equipment they need to do this job. But I cannot imagine having a carte blanche given to an operation that clearly is escalating a mission and we have not seen a plan. We have not seen a plan. We have not seen a timetable. We have not seen a cost estimate for the long term. So I hope we will take a step back here, and rather than voting on the resolution that was put forward today we would be talking among ourselves, that we will be debating at whatever point is the right one, and that we would be having op-eds in newspapers, which I think certainly have added to the body of opinion on this issue. But Congress should not micromanage this war. The President should come to us and say what he needs, what he is going to do with the money, what kind of plan we have, what kind of troop commitment are we talking about, what is it going to do to the rest of our national defense operation. We need to have a full plan.

One of the things that has concerned so many of us is that perhaps we started an operation before we had a contingency plan. Perhaps we started the operation before we knew what we would need for the long term, before we knew the goal. I think the mission has actually changed several times.

We obviously have had a different result from this operation than we had hoped. There is no question about that. Whether this is a success is yet to be determined, and I do not think we should be jumping in, saying it has not

been a success. But I think it is time for us to let the President take the lead, to let him come to us with his requests. He is the one who is supposed to be executing this operation. I do think it would be a mistake for Congress to put the cart before the horse. I do not think we should micromanage. I do not think we should tell the President what to do. I do not think we should put our opinions on top of his. And most certainly, when I hear our NATO allies saying they would not consider ground troops, the last thing I think we should do is encourage ground troops. I think the case has not been made, the base has not been laid, and our allies are not in support.

So I think we need to take a step back. We need to be getting the administration to give us briefings at every point, asking our opinions. Let's debate this, let's talk about what kind of commitment we want to make. But I will not vote for troops on the ground in this operation as a carte blanche, a blank check, before I know what we are going to do. What will our responsibility be? What will our allies' contribution be? What is the timetable? What is the mission? Is it achievable, and what is it going to cost? And what is it going to do to the rest of our national defense?

These are questions that must be asked. We must get answers. We must have a full briefing. For Congress to have a vote before we have all of that would be irresponsible.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

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

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

Mr. GREGG. Mr. President, I ask unanimous consent to speak as in morning business for up to 10 minutes.

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

KOSOVO

Mr. GREGG. Mr. President, I will address what is obviously the issue most pressing on us as a nation and certainly on the Western World. That is, of course, the issue of Kosovo and the war that is being pursued there.

First, I think it is important to understand that we as a nation are obviously the sole major superpower in the world and that we have, as a nation, a significant obligation to use our strength in order to promote the betterment of the world and to promote interests around the world which assist our national policy. We should not disengage from the world, we should not

be isolationist—just the opposite; we have an obligation to reach out and use our great wealth and our great good luck and our great good fortune to benefit as many people around the world as we can.

But I think we must also be sensitive to the fact that we can't be everywhere all the time and that when we ask American troops, men and women, to put their lives on the line, we have to be very specific as to why we are doing it and what the purpose of that effort is, because that, of course, is the most extreme request we can place on any American.

We should have a process of putting forward a plan, a test, if you will accept it, as to why we engage with American force. I have always felt that test should have three elements. I have spoken about it before.

The first is, is there a definable American interest? In many instances this could be international interests which impact us significantly, such as the gulf war, where European oil was at risk. But is there a definable American interest which is specific enough and which can be justified and which can be explained, quite honestly, in these terms: If an American service person loses his or her life, could you go to the parent of that person, could you go to the wife of that person, could you go to the child of that person, and tell them why the loss of their life was important to America? Could you explain our purpose in terms that would satisfy a grieving parent, wife, or child that their son or daughter had died in a cause which assisted America? That is the first and most important test.

The second test is, is the engagement of American troops going to be able to resolve the situation, or is the situation so complex, so convoluted, and so historically intertwined that it probably can never be resolved or never even be, for any extended period, pacified?

The third is, is there a plan for getting out? Before you get into something, you ought to know how you are going to get out of it or at least have some concept of how you are going to get out of it. That is absolutely critical.

Those are the tests for our engagement.

We are now engaged in a war in Kosovo. Unfortunately, in my opinion, none of those tests was met before we made the decision to go forward. This administration could not explain, and has certainly not explained very well, why we decided to step off on this route of military action.

The initial statement was that we were doing it in order to bring Milosevic into negotiations, in order to bring the Yugoslav Government into negotiations to try to settle the situation in Kosovo, because a number of people had been killed in Kosovo, hun-

dreds maybe, although the number that had actually been reported was somewhat less than that, and because we were concerned that there would be a great dislocation of population in the Kosovo—or the administration was concerned that there would be a great dislocation of population in the Kosovo province of Serbia if we did not take action to try to force Milosevic to agree to the settlement as had been outlined at Rambouillet.

That was the initial purpose of the use of air power against Serbia, and against Yugoslavia, or Yugoslavia and Kosovo and Serbia. The purpose, therefore, was never to go in to occupy and to win a war against Yugoslavia. That was never the original purpose as presented by this administration.

One has to wonder, what was our national interest in that region in Kosovo? A legitimate case could be made that humanitarian interests are a national interest. But actually what was happening in Kosovo, although severe and brutal and being shown on TV, was nothing—absolutely nothing—compared to what was happening in Ethiopia, Somalia, Sudan, Sri Lanka, and a number of former republics, in fact, of the former Soviet Union, where literally millions of people died in Africa as a result of internal civil war.

Remember, this was a civil war situation. Kosovo was a province of Yugoslavia, which was an independent state, and is an independent state.

So there is the issue of humanitarian interests, although they hardly raised it to the level that justified use of American force when we weren't using American force to settle matters in Ethiopia, in Somalia, in Sudan, in Sri Lanka, or Azerbaijan, or Georgia.

So you had to ask, what was in the national interest? Quite honestly, prior to this process—this is all prior to the actual air campaign—I never believed, and I don't think the President ever made clear, because he really couldn't, that there was a dramatic American national interest in Kosovo. In fact, the irony of this situation is that NATO is now using all its force against a region—Albania and Kosovo—and claiming that that region is strategically important, when throughout the cold war when NATO was at its peak—at its absolute peak—of deterrence and purpose, when it had specific purpose, which was to deter East European and Soviet aggression in Albania, which was behind the Iron Curtain, which was an Eastern European country, it was never even considered a factor of threat. Other nations were—East Germany, Poland, Czechoslovakia, Hungary, and Russia, Soviet Russia—during the cold war.

But Albania was never a factor, because it was such a poor and desperate nation; it had no strategic impact at all. But suddenly it becomes a nation of strategic impact to us. Suddenly

Kosovo, a subprovince of Yugoslavia, becomes a nation of strategic impact to us. It is hardly explainable to the American people. It must be found against other strategic events which precipitated the bombing. And what impact do those have? And what is the significance? I think the answer to that is yes, the unintended consequence of this bombing is that we have created significant strategic and national concerns which weren't there before we started the bombing but are certainly there now.

Let's name three of them.

First, of course, is the humanitarian issue. The huge number of refugees, to whom our heart goes out, and to whom we obviously have some responsibility for carrying forward—and I will get back to that in a second—clearly we now have a strategic and national concern about doing something to care for those refugees. That should have been anticipated before we started the bombing. But it obviously was not by this administration. So we created an event there.

The second event, which is maybe even more significant, which absolutely is more significant, was an unintended consequence which this administration clearly didn't expect and can't even represent that it marginally expected, and which has occurred; that is, that we have managed, through this bombing activity and this military action of NATO against the Kosovo region, potentially to be expanded to a greater Serbia—we have managed to dramatically undermine and, in my opinion, destabilize the process of evolution towards democracy in Russia, and certainly the process that Russia was moving towards engaging with the Western nations in a constructive way, including being a partner for peace ancillary to NATO. We have as an unintended consequence managed to invigorate the nationalist spirit within the political system of Russia, which was already under great strain, and a fledgling democracy which is absolutely critical to the future peace of this world and to the prospective activities of us as a nation as we move into the next century. A democracy in which we had invested a great deal has been placed at some jeopardy as to its relationship with us in the West, and we have clearly undermined much of the goodwill that we built in Russia.

Unfortunately, it could get worse, significantly worse. If we were to pursue a course of invasion of Yugoslavia, it would put Russia in an almost untenable position because of the relationship which has gone back for hundreds of years where the Russians consider the Slavic people and the Serbian people to be their brothers. An invasion would clearly make it very difficult for the forces of moderation and reason within Russian society to overcome the forces of nationalism and jingoism. Even worse than that, were we

to declare war—which has been proposed by some, because we are at war, but if we were to formally declare war, we would even see a more difficult position placed on the Russian moderates and voices of reason.

Let me say this: Our relationship to Russia, our ability to nurture and build that nation as a democracy and a capitalist-oriented, marketplace-oriented society is exponentially more important than what happens in the Balkans. The Balkans are important to Europe. Russia is important to the United States.

So that unintended consequence has occurred. We have started the destabilization of our relationship with Russia, and we have dramatically encouraged the forces of nationalism.

The third unintended consequence which this administration has created by its actions in Kosovo is that we have dramatically weakened our military capability to fulfill our legitimate obligations in many places around the globe.

As a result of this administration's continuous reduction in defense activity and its basic antipathy towards the Defense Department for the first 4 to 5 years of this Presidency, we no longer have the capability to fight effectively in an extensive engagement on two fronts, as was our traditional approach to our military defense. And we know—now publicly reported—that our ordnances are being drawn down and our capacity to support our men and women in military action is at risk. That is a consequence of this event and could lead to serious ramifications, which I have no desire to go into but which are logical.

So that is one of the reasons I have called this undertaking by our administration to be one of the—probably the most significant—blunders of the post-world-war period, because we have created a huge refugee population in large part, in good part—obviously not entirely—because Milosevic is a thug—because of the function of our bombing.

We have undermined our relationship with Russia and we have degraded our own military capability, all in the name of intervening in a region of the world where our interests were there, obviously, because we are a humanitarian nation concerned about humanitarian needs, but in relationship to other points around the world, whether it be African genocide that is occurring today at a rate—well, it wasn't until the refugee situation anyway—at a rate dramatically greater than what was occurring in Kosovo, or whether it be in our strategic relationship with areas such as North Korea or Iraq, where we have dramatic national interests. Our interests in this part of the world were limited, yet we have rolled the dice there at a level that is extraordinary.

So what do we do now? That is of course the question. We have been

drawn into this action, and almost on the back of an envelope, it seems. You have watched the administration's different justifications for being there. And they change with the regularity of the weather, it seems, in that part of the world. There is no consistency to their position. One day it is that we are there to help the Kosovars have some form of autonomy within the Yugoslavian system and to avoid refugees.

And then there is a huge refugee event, in part because of our—in part, I say, only in part—because of our bombing. And now it is no longer that we are there in order to maintain autonomy. We appear to be moving there, being there, for purposes of obtaining independence, or some greater autonomy than certainly a state relationship, and it is to put the refugees back in a region which has been decimated.

The target moves constantly. It is one day that we are trying to bring Milosevic into negotiations. It is another day that we are trying to replace the Milosevic regime. And, of course, we don't even know what it would be replaced with.

So it is a policy that has gone arbitrary and, in my opinion, on the back of an envelope process without any definitive purpose that can be subscribed to in a way that we can be assured we can get there in any course or pattern.

So what do we do now?

One other point that should be made is the cost. One hates to talk about costs when American troops are at risk. Clearly, we will do whatever we need in this Congress to support those troops with whatever dollars are appropriate and whatever dollars we can put towards their efforts. But the fact is, the cost of this is going to be astronomical. This \$6 billion request from this White House, which is such an understated and inaccurate figure—it is frustrating to deal with a White House that won't be forthcoming with the American people on this issue, which it has been, clearly, on others.

But clearly, on this issue, that cost nowhere near reflects what it will cost in the long run to pursue this policy that they have undertaken, simply because we are going to have to replace all of the ordnance they have used, for one thing, which is accounted for. And, No. 2, we are going to have to rebuild what we have blown up in order to put the refugees back, if it is the purpose of this administration to put the refugees back. Obviously, you can't put them back without housing, without electricity, without water, and without jobs. So the potential of reconstruction costs exceeds the military costs probably by a factor of 2, 3, or 4.

The absurdity of this administration coming to us and claiming that \$6 billion will get them through the rest of the year just from the standpoint of executing this war is, on the face of it, something the American people should

question seriously. So the cost is dramatic.

So what should we do? I don't know the answer. If I had the answer, obviously it would be wonderful. But I don't. But let me suggest a couple of options.

No. 1, we have the responsibility to the refugees. We have a responsibility to make sure they are adequately housed and fed. I think that is going to mean getting them out of where they are today. We cannot let them sit there as chips at the bargaining table for months, or years, as the Palestinians were left in limbo. Rather, we are going to have to move them someplace where they can survive the winter and where possibly they can be resettled. It may be political asylum for them in many parts of Europe or in the United States, but there has to be a thoughtful, long-range plan for how you handle these refugees.

Second, it is going to cost a lot of money, and we are going to have to spend it. Instead of pushing Russia to the brink, instead of engaging Russia in a way that basically undermines the moderate and reasoned forces and accelerates and raises the nationalist forces, let's engage Russia in a constructive way. Let's use the German proposals. Let's use their support and use our contacts with Russia, which has the contact with Serbia, in order to try to negotiate a resolution of this, a resolution which would probably involve some sort of multifinanced force, not NATO related, in the Kosovo region. But, rather than pushing Russia away, let us try to draw them in and let us not put ground troops into this region. How disastrous would that be. This is an area of the world where the people fight, where they believe. We have taken a nation which was a little bit fractured, actually, Yugoslavia, greater Serbia, and united those people. And they will fight.

Unless we go in there in a noncombative way, there will be a significant loss of life. And again the question will have to be asked, for what cause? And I cannot answer that question. So I do not see it as being constructive to put ground forces into that region. To authorize this administration to have that flexibility, after this administration has so completely mismanaged the issue to begin with, is, to me, foolhardy. So this is a complex and difficult issue, but it is the issue of the time and we need to address it and that is why I have taken this time.

Mr. President, I make a point of order a quorum is not present.

Mr. DOMENICI. Mr. President, I wonder if I might ask the Senator a question?

The PRESIDING OFFICER. Does the Senator withhold his point of order?

Mr. GREGG. I yield solely for the purpose of a question.

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

Mr. DOMENICI. I was here for most of your remarks. First I want to commend you. In my recollection of the discussions we had with those who were in the administration prior to this involvement, with reference to Russia, there was almost kind of a trite answer—don't worry, they will not do anything.

I want to ask you if there is not a serious problem coming about now. They are going to have elections next year. We have always wondered how long will it be before their nationalist temperaments come back to the surface and they move in the wrong direction politically. I wonder if you might speculate or reason with me about that.

My evaluation, based upon a number of people who have talked about Russia and an analysis that has been given to me, is that they are now so anti-American and so antiwest that they are apt to move in a rather concerted manner by large numbers of votes in a direction that is not moving toward a marketplace economy and democracy. Is that your concern also?

Mr. GREGG. I think the Senator from New Mexico, as usual, has hit the nail on the head. That is the most significant strategic concern we have on the issue of Kosovo, which is where does Russia end up? Do we end up forcing it down the road towards a nationalist state with maybe irresponsible leadership? Or do we continue it on the path of democracy and marketplace economy?

I think that ever since the end of the cold war period everyone has analyzed the Russian situation as being tentative. The biggest concern of everyone who has analyzed it is that they may go the course of a nationalist leader who might use the West as the purpose for uniting a militaristic response, a militaristic nation approach. That is the concern. The Senator's point is absolutely on target.

Our biggest strategic interest today is what happens with Russia.

Mr. DOMENICI. I thank the Senator.

Mr. GREGG. Mr. President, I make a point of order a quorum is not present.

Mr. DURBIN. Will the Senator withhold?

Mr. GREGG. Yes.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak for 15 minutes in morning business.

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

THE SITUATION IN KOSOVO

Mr. DURBIN. Mr. President, I commend my colleagues for the time they have taken on the floor to talk about the situation in Kosovo. I was privileged this last weekend to be selected to be part of the first leadership dele-

gation to go to the Balkans. It was a joint House and Senate delegation involving Democrats and Republicans, and it was a whirlwind trip. We all came back exhausted, but I think each of us came back better informed about the situation.

I would like to speak to that a few moments, following up on the speech just given by my colleague.

Let me say at the outset that I am a product of the Vietnam era. I did not serve in the military nor in Vietnam, obviously, but I came to the conclusion, as a result of that experience, that war is the last resort; that there is no such thing as a military adventure. When military is involved, people die. It should be taken ever so seriously.

That has guided me through 17 years of service on Capitol Hill. I have not been quick to turn to the military or quick to pull the trigger. I have always looked for an alternative, a peaceful alternative. Yet, I believe we find ourselves in the Balkans in a situation where, frankly, there was no alternative but the use of force.

The Senator raised the question about what in the world is our national interest in Kosovo? Most Americans could not find it on a map. Why are we sending all this money and all of our troops, all of the resources of this country focused on Serbia? Why?

It is part of Europe. It is part of a continent where the United States has a special interest. And if there is any doubt about that special interest, merely tour the veterans cemeteries in Europe, because in World War I and World War II, our best and brightest in America put on their uniforms, picked up their guns and went to Europe to defend the stability and future of that continent.

We have an Atlantic alliance, not just because of a common ethnic heritage, but because we believe the synergy between the United States and Europe brings strength to the Atlantic, brings strength to both countries, both regions, and we have committed ourselves to that.

Today, as you look at the map of Europe, the investments we made in two World Wars and the cold war has paid off so well. We now have former Warsaw Pact nations, like Poland, like the Czech Republic and like Hungary, waiting in line and finally being accepted as part of the NATO alliance. They are part of our alliance. We won. We are bringing Europe together. Our leadership makes a difference.

But, yes, in one corner of Europe, a terrible thing has occurred over the last 12 years. A man by the name of Slobodan Milosevic has on four separate occasions started a war in this region of Europe. If you look at the nature of the war, you will find some harrowing language from this man.

Twelve years ago in Kosovo, he stood up to the Serbs and said, "They will

not beat you again," and heard this roar of approval. This man, who was a minor league Communist apparatchik, said, "I have a rallying cry here. I can rally the Serbs in their hatred of other ethnic groups." If you think I am overstating the case, in 1989, he went to Kosovo, stood on a battlefield where a war had been fought in 1389 and the Serbs had lost to the Ottoman Turks, and announced his policy of ethnic cleansing. As a result of his policy, that region has been at war and in turmoil ever since.

For those who act surprised at Slobodan Milosevic, merely look at the history. For those who question why we are there, look at the history of the 20th century. We have said that Europe is important to the United States, and we have said something else: America does not go to war for territory or for treasure. We go to war for values. And the values at stake in this conflict are values that Americans can take at heart.

Some have said that President Clinton came up with Kosovo at the last minute. Yet, history tells us that as President George Bush left office, knowing what Milosevic was all about, he left a letter behind to President Clinton saying: Watch Kosovo. We have warned Milosevic—do not show your aggression toward the province of Kosovo. President George Bush knew that. President Clinton was forewarned. And he has tried, with limited success, to contain this man's barbarism.

Of course, they raise the question over whether or not we should have started the bombing in the Serbian area and in Kosovo. I voted for it. I voted for it because there was no alternative, none whatsoever.

Many people have questioned the strategy ever since—important questions, questions that should be answered. But at least we have the answer to one question. When the United States saw this ethnic cleansing, this genocide in Serbia, did we stand idly by and do nothing? The answer is no, and that is an important answer.

We decided to use the resources at our disposal to try to stop Milosevic from what he was doing. Of course, he is equally adept and should be recognized as a man of military means. He decided since he could not invade the neighboring nations of Albania and Macedonia with troops, he would overwhelm them with refugees.

Saturday, I spent the afternoon in a refugee camp in Macedonia, near Skopje, named Brazda. You read about it a lot. It is a camp that did not exist 2 weeks ago, and 32,000 people live there today in that camp. The day I came and the previous 2 days, 7,500 people had flooded into this camp from Kosovo. These are not the poorest of the poor dragging themselves in. These are teachers and businessmen. These