Mr. Speaker, I thank the acting chairman of the

Committee on Rules for yielding this time to me. I was asked to speak

on the strategy of why these issues have come forward. I have told the

acting chairman of the Committee on Rules that if I spoke I would speak

on the rule as well, so it is with his permission that I say I object

strongly to section 6. I went to the Committee on Rules last night and

said that we should not cut off the opportunity of other Members to

make use of the War Powers Resolution.

I am an average Member of the Congress. I am not a senior Member, I

am not in any leadership position, I am not a chairman, yet I have the

rights simply granted me under the War Powers Resolution, which are

remarkably important. I do not know of any other statute that provides

that right. It is a right that a Member of Congress can come to the

floor and require other Members of Congress to vote on the record, up

or down, when the question is war. That is what we will be doing today,

whether under this rule or otherwise.

The purpose is to fulfill the constitutional obligation. Are we at

war? Yes, we are at war. There are only the worst possible arguments to

say that we are not at war. We have a President who has designated

combat pay for our soldiers. We have the Secretary of Defense who has

said we are in hostilities. We have the Secretary of State who has said

we are in conflict and her designee who said we are in armed conflict.

We have the Deputy Secretary of State who has said that Serbia would be

within its rights to consider a bombing of Kosovo to be an act of war.

We have all the reasons common sense gives to suggest that this is

indeed war.

Secondly, we are on the verge of ground troops. I do not think

anybody today should be mistaken about that.

In our Committee on International Relations I asked the Secretary of

State whether she thought that the approval of Congress was needed to

prosecute the war, and she said no, she did not think so. And the

ranking member of the Democrats in the Committee on International

Relations yesterday stated that that even included ground troops.

Let me emphasize that. It was the position of the ranking member of

the Democratic Party in the Committee on International Relations that

even for ground troops there was no need for Congress to give

authority.

Well, I am sorry, that is contrary to the Constitution. The Framers

were quite clear that war was too important to be commenced by the

action of one single individual. Those are the words of Alexander

Hamilton and also of representatives at the Constitutional Convention.

Are ground troops imminent? All one can do is look at the newspapers

from this weekend and see the headlines that were prepared. In

particular I refer to the Washington Post: ``Clinton Joins Allies on

Ground Troops'', and the Wall Street Journal: ``Clinton Edges Closer to

Backing the Use of Ground Troops''. The quotations from the articles

under those headlines, which I will be distributing to my colleagues on

the floor or make available, are quite clear that ground troops are

very seriously being considered.

If ground troops are introduced and Congress has not acted, we all

know what will happen. The argument will be, how can we do anything

that might possibly undercut American troops while they are on the

ground in operation? So the moment is now. The moment was earlier,

actually, before the bombing started, but no one can be surprised if

the ground war starts.

So those are the two premises. Number one, we are at war; and, number

two, it is distinctly possible that the bombing will move into ground

war. And, therefore, we must vote. My own view is that we should vote

to withdraw the troops. My own view could be in error. I understand

people of good will feel differently, but my view is that this is a

civil war, and that if our purpose is to help the Albanian Kosovars, we

have not succeeded. Milosevic has done the harm. He is the tyrant, he

is the one at fault, but it is a fact that the Albanian Kosovars are

worse off after our bombing has commenced than they were before. That

is simply a fact. I wish it were not so.

And if ground troops go in, and they must, even if Milosevic signs

the Rambouillet Agreement this afternoon, what Albanian Kosovar will go

back into Kosovo without the protection of ground troops? Thus, ground

troops are the option, slugging their way through Kosovo, either

because the Serbian army is resisting or taking up positions in Kosovo

because the Rambouillet Agreement still requires that placement of

ground troops.

And as to those options, I put to all of my colleagues that we have

the question of lives and the question of money. Lives will be saved if

we do not commence a ground war. I am speaking of NATO lives, American

lives, Serbian lives and Kosovar lives.

And, lastly, regarding money, we are bombing bridges that we will be

asked to rebuild tomorrow. Please mark my words. My colleagues know

that. We all know we are going to be asked to appropriate taxpayers'

money to rebuild the very buildings that today we destroy. We can, for

the same amount of money or less, help the Albanian refugees right now

immensely better where they are, in Albania and Macedonia.

As for Milosevic, he should be denounced to the International War

Crimes Tribunal. If he leaves his country, he will be subject to

arrest, as has happened to Augusto Pinochet as he has tried to go

around the world. And the time will come when there will be a change in

government in Yugoslavia. But by putting in ground troops to force that

change, it will cost innocent lives, and it will cost more economically

than helping the Albanian refugees where they are now.

So the options today are to declare war, which is what it is, to be

honest under our Constitution, and thereby empower the President to

carry on war, which is our constitutional right. After we declare war,

then the President can conduct it. That is his constitutional right.

I am very wary of the Congress telling the President, well, it is

war, but now we want to overview every step of the war. No--if it is

war, we declare it and then the President conducts it. But if it is

something the American people do not wish to become engaged in, this is

the moment to say no, this is the moment to remove the troops, and this

is the moment to help the Albanian Kosovars where they are. Mr.

Speaker, the choices are obvious.

I want to conclude by offering my thanks to the Speaker of the House

particularly for his graciousness and consideration, and to the

chairman of the Committee on Rules, the gentleman from California (Mr.

Dreier), for the same and allowing these two resolutions to come

forward.

Shall we be at war? Then vote to declare war. That is what the

Constitution says. If we say no, then vote to withdraw troops, bring

them home, and start the humanitarian assistance for those refugees

where they are. I suggest the second is the better option.

Mr. Speaker, I yield myself the balance of our time.

Mr. Speaker, the moment we never had in Vietnam we now have. This is

a remarkable moment for the history of our country and for the history

of our Congress. We have the chance to say no. We have the chance to

stop it before we get in too deep. We have a chance to say that we can

do more good for those refugees who are at risk by helping them where

they are now than by commencing a ground war.

Mr. Speaker, think about this, pause, reflect, I say to my

colleagues. We do not have to do this war. We do not have to commit the

United States to this war. How many of us wished we had some

opportunity through some courage on the part of our colleagues who

preceded us when Vietnam was the war!

Instead, we went in step-by-step, gradually, and then a number of us

asked, how did we get here? Did no one have the courage to stand up and

say, this is not a war in which we should be involved; this is a civil

war in which we will be drawn deeper and deeper until, in that case,

58,000 Americans were dead?

This is the moment. We did not have it before. Seize this moment now.

As to the concern which motivated our entry into this war, I

recognize the importance and the depth of feeling of compassion for

those who have suffered so much in Kosovo and in Serbia. If we are

concerned, we should show that concern by helping them where they are,

in those refugee camps.

The alternative is a ground war, it is not simply bombing. The

bombing will soon lead to a ground war. In that ground war, as United

States and NATO troops go in, the Serbian forces will be resisting. It

is the Albanian Kosovars who will be used as human shields, and what

few are left who are not, will be driven out of Kosovo into the refugee

camps so many of their brothers and sisters already populate. The

choice really is a ground war or stopping the involvement now.

The President of the United States this day sent us a letter. He

assures us that, indeed, he would ask for congressional support before

introducing U.S. ground forces into Kosovo into a ``nonpermissive

environment.'' That is not saying he will not introduce ground troops.

He is saying he will not introduce them into a nonpermissive

environment, without asking some members of Congress. He does not say

he will ask for a vote.

By ``permissive environment,'' he might mean if we have bombed enough

so that he believes it is no longer a nonpermissive environment, he

will then put ground troops in. Secretary Albright and Secretary Cohen

said on this same day, in their letter, that the President has

authority to authorize the use of force in the national interest,

without the approval of Congress.

So those are our choices: Shall we commence a ground war, at risk of

the very people we are attempting to save, or shall we stop the war?

This is our moment. Let us not let it pass.

Mr. Speaker, we are at war. There is no question that

that is the truth. We are at war. And I believe that it is fair under

the Constitution for us to declare that war if we are at war, and if we

do not wish to engage in the war, to withdraw from that war. That is

why I offered these alternatives to this body.

I am going to go through evidence that is unmistakable that we are at

war, both quotations from the administration and just average facts

that would compel the conclusion to any fair observer that we are at

war.

Before I do so, though, I yield to the gentleman from California (Mr.

Cunningham), my colleague, my good friend, and a distinguished veteran

of the Vietnam war.

Mr. Speaker, reclaiming my time, I thank my colleague.

To this day, we have flown 11,574 missions. We have 4,423 air

strikes, but this is not war, says the administration. Please, this is

war. Recognize it, say it, admit it.

The Secretary of Defense said in testimony in the Senate Committee on

National Security on April 15, ``We are certainly engaged in

hostilities. We are engaged in combat. Whether that measures up to a

classic definition of war I am not qualified to say.''

For heaven's sakes, Mr. Speaker, the Secretary of Defense of the

United States says he is not qualified to say whether we are at war

when he admits we are engaged in hostilities, we are engaged in combat.

The Secretary of State of the United States, in testimony before the

Committee on International Relations on April 21, refused to answer my

question whether we were in hostilities. It is shameful that the

Secretary of State of the United States did not answer a question put

by a member of the Committee on International Relations, the committee

of jurisdiction over international relations, as to whether we were in

hostilities.

The reason she didn't, I believe, is because I explained in asking my

question to her that the word ``hostilities'' appears in the war powers

resolution, and she was afraid of confessing that hostilities were in

existence, because that might trigger the War Powers Resolution. She

did admit we were in conflict.

The next day, April 22, her spokesperson, the Assistant Secretary of

State, admitted we were in an armed conflict. The President's executive

order of April 13 accords extra pay to our soldiers who are in, and I

quote the word, ``combat.''

The Deputy Secretary of State Thomas Pickering on February 10 before

our committee answered my question, ``Would Serbia be within its rights

to consider the bombing of sovereign Serbian territory as an act of

war?,'' by saying ``Yes, they would be within their rights to consider

it an act of war.'' I asked him, ``Is Kosovo a part of sovereign

Serbia?'' He said, yes, it was.

We have prisoners of war, admitted by the President and called as

such by him and by the Assistant Secretary of State Jacobs. We had a

call-up yesterday of 33,102 troops from our Reserves.

We are at war. It is inconvenient, perhaps, to admit the truth, but

it is the truth. We are at war. I applaud two of our colleagues who

have spoken today, our colleague, the gentlewoman from Hawaii (Mrs.

Mink) and our colleague, the gentleman from Mississippi (Mr. Taylor),

who said, this is war. We should declare it to be war if we wish to be

at war.

But if we do not wish to be at war, then we must not permit the

incidents of war, the bombing and the troops. Why do we have this

distinction? Why do we say the bombing is okay but the troops are not?

Is bombing any less war? Is it less war to the people in Yugoslavia? It

is war.

The President needed the approval of Congress before he commenced the

bombing. It is no victory that today he sends us a letter saying that

he will come to Congress before commencing ground troops, because he

says ``before commencing ground troops in a nonpermissive

environment,'' he does not say ``before putting in ground troops to

fight.'' And he does not say he will wait for a Congressional vote.

If the Serbs are sufficiently diminished, ``degraded'' is the word

they use in the administration, so that entry will be quasi-permissive,

then I take it the President would put in ground troops.

Please, we are at war. The honest choice is this: If we are at war,

declare we are at war. If my colleagues do not wish us to be at war,

withdraw the troops. I ask my colleagues to stand up to their

constitutional obligation and to honesty on this resolution.