Thanks, Mr. Chairman.

Ambassador, I am going to use my time to try to convey a message

and ask you maybe to convey it back to the Secretary and to

the President. Normally I would use my time to ask you questions,

but this is a very critical and unusual circumstance.

Let me begin with a moment of background, because you don’t

know me well. I happen to support the President in a large number

of his foreign policy objectives and domestic objectives. For example,

on foreign policy, I think he is absolutely right on family planning.

I think he is right to reverse the Mexico City policy. I think

he was courageous to reach out to China. I think he was especially

courageous to go to Gaza and to stand up for some rights of people

who don’t have that many people standing up for their rights.

So I don’t speak from the point of view of somebody who is a

committed critic of the President, nor am I known as the most partisan

member of my party. I don’t think anybody in this body

would say that. So my advice comes from a heart very worried by

what I perceive to be the Administration’s choice—and here I am

afraid you said it, although I think you said it humorously—to

stand up to Congress, rather than to recognize a coequal branch.

Since that is an issue of the most tremendous importance regarding

Kosovo, I am going to take my time to speak to it.

When the Speaker of the House failed to quash me, when the

Speaker of House failed to use his power to prevent a vote, he was

criticized by people in the Administration, and it was said to be a

sign of weakness. We heard some of that criticism today that the

Speaker was supposed to stand up to the far right and prevent this

vote from happening.

I am not far right. I am probably the most moderate Republican

in the Congress. Certainly I am in California. What the Speaker

did was to give us the right to vote, and that is not a sign of weakness.

It was a respect for the constitutional process. His reluctance

to impose his own will on the membership was, I think, a sign of

tremendous respect.

For example, in the Persian Gulf War it was similar. The Speaker

at that time, an honorable man, was Speaker Foley, and the Minority

Leader Bob Michel, when I served before, they did not try

to impose their will. They said, this is war and peace, and in war

and peace we are not going to try to establish a party line and

make you walk it.

As to pressure, there was pressure, Ambassador. There was pressure.

Talk to Dennis Kucinich about pressure on the Democratic

side. ‘‘I know you might disagree with this war, but for heaven’s

sake stick with the President on this one.’’ That was an argument

that was heard on the floor of the House, and truly it should have

been left to the individuals.

The reason why the vote failed on an evenly divided vote, 213 to

213, was because the President didn’t try. I think that members of

his party tried, and I know for a fact that colleagues on this Committee

tried to convince their colleagues. But starting from an attitude

that we really only need to tell Congress what we are going

to do, as opposed to we need to get the approval of Congress as a

partner, flawed the outcome. It wasn’t the President’s proposal—I

could have answered Chris Smith’s question—because the President

said he didn’t need congressional support—because the Secretary

of State said she didn’t need to come to Congress. When I

asked the Secretary of State in open hearing whether there were

hostilities in Kosovo, she refused to answer my question.

Now, there are hostilities. I know the legal consequences of admitting

that. But what she should have said is, ‘‘Yes, and we disagree

with the War Powers Act for the following reasons.’’ But to

say to a Congressman sitting on this Committee, ‘‘I will not answer

your question as to whether there are hostilities in Kosovo,’’ is to

denigrate the coequal branch of which I am certainly the most

humble and least important Member, but, nevertheless, I am a

Member.

I think that the President hurt his case measurably by sending

this letter to the House floor during the middle of the debate, a letter

that was misconstrued by people of good will that the President

was promising he would indeed get a vote from Congress before in-

troducing ground troops. I don’t criticize my friends for misconstruing

it because I think it was intended to be misunderstood.

But what it says when you parse it is, and I quote the President,

‘‘I would ask for,’’ (not I would obtain) ‘‘congressional support,’’ (not

congressional approval or vote) ‘‘before introducing U.S. ground

forces into Kosovo into a nonpermissive environment.’’ That doesn’t

mean before introducing U.S. ground troops. That means if you

bomb Yugoslavia enough, what had been a nonpermissive hostile

environment might become a quasi permissive environment.

This reliance upon torturing words was so disappointing when

what our people wanted and the Congress wanted was clear talk,

straight talk. Here it is. We are at war. Here is my case for being

at war. Support me.

If the President had tried, he would have convinced at least one

more Member, and he would have then had the approval for the

bombing. It is a direct consequence of his not trying, in my judgment,

that he suffered that blow to what he was attempting. Our

country did not suffer because our constitutional processes worked.

Mr. Chairman, thank you for indulging me.

Thanks very much.

Mr. Chairman, thank you. Two questions, one to

General Scowcroft. Is SDI in our interest? Do you support SDI; and

if so, how do you do it, given ABM? How do you bring it to fruition

given the ABM treaty?

The question to Dr. McFaul, this is the big one, give us your answer

on Kosovo.

To follow a moment, the ABM treaty, if it is interpreted

to ban a deployed space-based missile system—I understand

that the legal adviser to the State Department in the Reagan

Administration argued that it did not prohibit it—but if you take

the view that it did—do you take the view that it does—and if so,

then we would, I take it, have to amend ABM or go to the Russians

and denounce ABM, a technical term of denounce—I don’t mean

criticize it, just say 6 months’ notice we are out of it. Is that correct?

Understood. Thanks.

Dr. McFaul, what is the right answer in Kosovo? What should we

do? I know a million experts who told us what we have done

wrong. I have tried to avoid saying that because I never claimed

to have any far-sightedness. The procedures, that is my field, right,

at least I think it is—constitutional, what should have been done

constitutionally; but I don’t know the right answer.

There are terrible human rights abuses. I don’t want to make

Russia our enemy for the rest of my lifetime. What is your answer

right from this point? Not what should have been.

Take us from where we are today and move me

forward.

Pardon me, international security presence is

what the Ambassador representing the State Department spoke of

earlier, involving Russians and peace keeping. That is part of the

answer. You see it, too, I take it?

So I am going to say something, and then you tell

me whether it is right or wrong because I was really asking for you

to give a definitive answer which would then be universally accepted

by all.

Russian troops along with some NATO presence, maybe not

United States and the UK because of the objection of Milosevic, a

mixed group goes into occupied Kosovo. It is a horribly bombed

country; huge amount of money needed then to rebuild Kosovo. The

bridges that we bombed Monday—will be rebuilt on Monday by you

and me, tax payers. A number of years this force resides there to

keep the Serbians from coming back. Is that the answer that you

see as appropriate?