Mr. President, we

face a matter of utmost seriousness as

events are evolving with respect to

Kosovo and the massing of a large

amount of Serbian troops about to

strike imminently, according to all reports.

Ethnic cleansing is already being

undertaken in the form of brutal attacks

on people in Kosovo. Large numbers

of people—according to media reports;

and since confirmed—were lined

up, asked to kneel, pistols placed behind

their heads, and executed in coldblooded

murder. This follows a pattern

of ethnic cleansing which has gone on

for many years in Bosnia.

The United States is considering, in

conjunction with NATO forces, air attacks.

In the context of what is likely

to go on in Kosovo, these are in fact,

acts of war which call for authorization

by the Congress of the United States

under the U.S. Constitution.

We have seen in modern times this

constitutional mandate violated by

unilateral action by the President, arguably

under his authority as Commander

in Chief. It is true that he has

substantial authority as Commander in

Chief to act in times of emergency, but

when Congress has an opportunity to

deliberate and to consider the issue, it

is the congressional authority and congressional

responsibility to act if the

United States is to be engaged in war.

Presidents are traditionally reluctant—

unwilling really—to come to the

Congress to ask for authorization because

they do not want to make any

concessions about what they consider

to be their unilateral authority as

Commander in Chief. That, in fact, was

the tact taken by President Bush when

he declined to come to Congress to ask

for a resolution authorizing the use of

force in 1991.

However, debate was undertaken. We

had historic debates on this floor on

January 10, 11, and 12. Finally, a resolution

was passed in the House and

passed in the Senate. The resolution

which passed here was by a very narrow

margin of 52–47. But the hand of

the President was strengthened immeasurably

by the congressional action.

We have seen the brutal historical

fact of life that a war cannot be maintained—

such as the Vietnam war—

without public and congressional support.

There was a Senate briefing yesterday

by the Secretary of State, the

Secretary of Defense, the National Security

Adviser, and the Chairman of

the Joint Chiefs of Staff outlining a

number of the issues relating to possible

military action in Kosovo. This

morning, President Clinton met with a

large group of Senators and Members

of the House of Representatives in a

session which lasted approximately 2

hours, going over a great many of these

issues.

I believe it is fair to say that although

there has been some dissent,

most of those in attendance stated that

they believe that acting against Serbia,

a sovereign nation, in the context

of this case does constitute an act of

war and should require congressional

authorization. I commend our distinguished

majority leader, Senator LOTT,

for taking steps today after that meeting

occurred to try to bring this issue

to a vote.

There is an amendment pending on

the supplemental appropriations bill

stating that there should not be airstrikes

taken by the administration

without prior congressional authority.

I believe this is a very sound proposition.

In my view, it is very important that

there be a national debate, and that

there be an understanding by the

American people of precisely what is

involved if we undertake airstrikes in

Kosovo. This is not a matter where the

airstrikes can be limited to missile

strikes which do not put Americans in

harm’s way. If there are airstrikes with

aircraft, considering all of the factors

at play here, there is a very, very serious

risk of casualties. That is something

which none of us takes lightly.

Certainly the American people are very

reluctant, as the American people

should be, to see those kinds of risks

undertaken; and the Congress is very

reluctant—really, unwilling—to take

those risks unless there is a clear

statement of what our national interests

are. And if they warrant that kind

of military action.

The Constitution gives the sole authority

to involve the U.S. Military in

war to the Congress of the United

States. One of the problems with this

issue is that too often when confronted,

there is a tendency on the part

of the Congress—candidly—to duck. In

February of 1998 when missile strikes

were imminent against Iraq, they

never came to pass. The Congress had

an opportunity to debate and act on

the issue and decided not to act.

Last fall, and again this past December,

we had missile strikes against Iraq

and, again, the Congress of the United

States had an opportunity and authority

to face up to that issue and decided

not to act. Now, with the imminence of

military action in Kosovo, in my view,

it is imperative that this issue be debated

by the Senate. It has been debated

by the House of Representatives

and they had a narrow, but favorable

vote—a close vote—supporting peacekeepers,

conditioned on a peace agreement

being entered into. The agreement

has not since happened, so that

resolution is really irrelevant at this

point.

But it is my hope that when the

President addresses the Nation this

afternoon at 4 o’clock, as he is scheduled

to do, that will trigger a very extensive

national debate. That is not

the kind of debate that is going to be

triggered by one Senator in an empty

Senate Chamber speaking on C-SPAN

2, but the American people need to

know what is involved. They need to

know that there are risks involved, and

there has to be the formulation of a national

judgment to undertake this risk

if we are, in fact, to move forward.

I have found in my contacts with

people from my State of Pennsylvania

that the people do not yet understand

Bosnia, do not understand why we are

there. We have the bitter experience of

Somalia, when we saw the television

picture of American soldiers being

dragged through the streets, and we

beat a hasty retreat.

We ought not to undertake military

action in Kosovo unless we are prepared

for the eventualities. I think it is

a very useful matter to have the issue

formulated in the Senate, to have debate

on Monday and Tuesday, to follow

up on the President’s presentation, and

to make a determination as to what

our national policy should be. While

bearing in mind that it is the role of

the Congress to authorize the use of

force if, in fact, it is to be undertaken.

I thank the Chair and yield the floor.

Mr. President, I suggest the absence

of a quorum.