I thank my friend.

I want to begin by saying to Senator

HUTCHISON, I think she is performing a

valuable service. This debate needs to

be undertaken. She and I have had very

different views on the Balkans from

the very outset. She, along with a majority

of my colleagues, 3, 4, 5, 6 years

ago, told me that bombing would not

work in Bosnia and we should not be

involved in Bosnia and they asked,

‘‘Why are we getting involved?’’ They

were legitimate, real questions. And

she could have turned out to be as

right, though I think she and others

have proved to be wrong.

No one knew then. I could not answer

some of those questions then. I could

not answer in 1992, when I came back

from Bosnia and there was the report

about what was happening in death

camps, about the support of Milosevic

across the Drina, with the VJ involved

with the Serbs in Bosnia. I could not

prove or convince people that there

were massive massacres that had taken

place and would be taking place. I

could not convince anyone—either

NATO or the President initially—that

the longer we waited, the more the situation

would deteriorate, and the harder

it would be to put back together.

But the question I was always asked

then is the one I am asked now as a

vocal supporter of using force, along

with NATO, to bomb Milosevic; and

that is, people say to me now, ‘‘Well,

BIDEN, tell me what the last step is.

You tell me the first step now. Tell me

what the last step is. You’ve got to

have an end game here, BIDEN. If you’re

talking to the President of committing

to a lift-and-strike policy in Bosnia’’—

that was 6 years ago, or more than that

now, 7 years ago—‘‘you’ve got to be

able to tell us, if you lift the embargo

and you engage in airstrikes, what happens?’’

The following are the contingencies—

if you list them, they are all

reasonable questions.

I say to my friend, the Presiding Officer

and former Governor of Ohio, the

truth of the matter is the world has

changed so fundamentally that this

calculus of what the last step will be is

no longer relevant, especially if we try

to answer it before the first step is

taken. It leads to a policy of paralysis.

I remember arguing then with a man

I had great admiration for then and do

now, the Chairman of the Joint Chiefs

of Staff, Gen. Colin Powell. I remember

him making the argument that unless

we could submit front-end to put

300,000 troops in Bosnia, then we

shouldn’t put anybody in there. My argument

was then and it is now that

that thinking is an absolute policy for

paralysis. I guarantee you that the

world we are entering in the 21st century

doesn’t lend itself to that kind of

calculus.

When there were two superpowers

and we decided whether or not to go

into Czechoslovakia when the Prague

Spring was crushed, or when we decided

whether or not we were going to

invade the counteroffensive in Hungary

when the Russian tanks rolled in, the

calculus then was pretty clear. We

could say if we responded, then there

was a likely probability the Soviet

Union would respond to our response,

and there would be a likely possibility

this would lead to World War III.

It was a reasonable calculus. We

could do a cost-benefit analysis and

ask if the cost of involvement was

worth the possible payoff. And we do

this balance, this calculus. We did this

under Democrats and Republicans for

50 years and did it pretty darn well. Indeed,

we won the cold war.

We are dealing with a different world

now. We are not dealing with a group

of people who are essentially cautious,

who are part of a great empire, and

who had scores of divisions along the

Fulda Gap ready to roll into Western

Europe if, in fact, war broke out. We

are dealing now with a group of tin armed

dictators—malevolent, dangerous

dictators.

In Iraq we are dealing with a man

named Saddam Hussein. I heard when I

urged, along with others, that we

should bomb Saddam Hussein, ‘‘If you

bomb Saddam Hussein, what is the second,

third, fourth and fifth step you are

likely to take?’’ We couldn’t say then

because these guys don’t operate under

the same rational basis that we do.

They are cunning. They are smart. But

they have fewer cards to play, and

their cards are less obvious.

I approach things a little differently

these days. I have been a Senator for 27

years, and I have been involved in foreign

policy, deeply involved, for the

bulk of that time here. I approach it

this way now: Do we know what will

happen if there is inaction? What happens

if we don’t act?

In Iraq, if we don’t act, we know for

certain Saddam Hussein acquires weapons

of mass destruction. We know this

because he has used poison gas before.

We know he has used chemical weapons.

We know he has invaded other

countries. We know that he has been

willing to sacrifice tens of thousands of

his people in a war with Iran. So we

know where this guy is likely to go if

we do nothing.

We have a different calculus now. In

a superpower world, the calculus involved

fairly cautious actors. We did

not have Russian troops invading Latin

America. We did not have Russian

troops, in the wake of the Cuban missile

crisis, storming into Cuba. We did

not have Russians looking for opportunities

to have a Russian soldier confronting

an American soldier. It was a

pretty cautious group of folks we dealt

with. Dangerous, bad, an evil empire,

but pretty cautious.

How about today? What is the downside

of not acting? I will argue in a moment

that it is immense. It is immense

and it is clear, as clear as anything you

can prognosticate in international affairs.

We must remember that we are a European

power. Whenever I am asked

why we would consider keeping 4,000–

7,000 troops in Bosnia to protect 100,000

people from being massacred, I respond

by saying that for 54 years we have

kept as many as 365,000 troops in Europe

to prevent the subjugation of people.

We now have 100,000 soldiers currently

deployed in that theater. Why is

the idea of using 2,000–4,000 of them to

keep people of Kosovo from being subjugated

and massacred such a radical

intellectual breakthrough?

Were the United States of America

not deeply involved in the affairs of

Europe, how many in this Chamber

think Europe would be able to avoid

the instability that has characterized

it for 300 years? Who is going to step to

the fore? France? England? Germany?

They are all great nations, all great allies,

but they suffer from disabilities

we do not. They have lived on the continent

for an eternity. They have old

and deep animosities and differences

and allegiances. All of Europe has a

history of dealing with Serbs and Moslems,

Albanians, Kosovars, Bosniacs,

Croats, and it affects significantly

their latitude.

What might happen were America to

leave? Ask the French whether they

would like to see us pull up stakes and

leave Europe, bring the boys and the

women home. Ask anyone who has

spent a lot of time dealing with European

affairs what happens if the United

States disengages.

As a student of history and a participant

in history, I ask whether America

has ever been able to keep its distance

from an unstable Europe. Lucky Lindbergh

thought it was a good idea. A lot

of other people who were more deeply

involved in the conduct of foreign affairs

thought it was a good idea. This

questions represents an historic isolationism

versus internationalism debate

we have had in this country for over 200

years. Internationalists are characterized

as adventuresome by their critics,

and isolationists are characterized as

narrow and self-interested by their

critics. But it is a healthy, long-term

debate.

My friend asks whether or not I

would be happy to yield for questions.

I am always happy to yield for questions

from the Senator from Pennsylvania.

I am not always able to answer

them, but if he has a question, I am

happy to yield.

Mr. President, I will be

happy to respond.

I think the Senator and I agree that

there has hardly been any public

knowledge or discussion of Kosovo. One

of the reasons I am speaking on this

matter is that I feel obliged to lay out

the background on this issue: what is

going on, what is at stake, why we

must act, and the consequences of our

action. I agree with what is implicit in

the Senator’s question: The American

public has not been given sufficient

facts to allow them to be informed as

to whether or not the course of action

the President wants to take is, in fact,

wise.

I was telling my staff as I walked

over here that, this weekend, I came

out of a 5 o’clock mass, and a friend of

mine—a very informed fellow, who is, I

think, a supporter—pulled me aside on

the steps of the church and said, ‘‘JOE,

look, you may be right, and I tend to

trust your judgment in foreign policy;

but I have tried my best to read everything

I could.’’ I listened, and he used

this phrase: ‘‘I listen to MacNeil/Lehrer

Newshour every night, and I am waiting

to hear somebody explain to me

this deal in Kosovo. I know you spent a

lot of time, JOE, on the Bosnia thing,

but isn’t this different? Explain it to

me.’’

Then, the Wednesday before, I was at

a St. Patrick’s Day function where we

raised money for a fund in the name of

a deceased mayor, and a very intelligent

fellow, a graduate of Annapolis

named Healy, a premiere builder in our

State, said, ‘‘JOE, I’m a Republican’’—

I hope I am not going to get him in

trouble—‘‘but I’ve been liking you for a

while. JOE, for God’s sake, don’t go

down this bombing route.’’ Then I

started to explain some things to him

and didn’t change his mind, but he

said, ‘‘I didn’t know that.’’

These are two illustrations, and I

think you could probably canvas the

gallery here and ask them how much

they have heard about Kosovo and

what do they know, and whether they

believe what we are apparently about

to undertake makes any sense. The

very sure answer to your short question

is that, no, the public is not sufficiently

informed.

At our recent meeting at the White

House, you will recall that I, and I

think the Senator from Pennsylvania

and others, stood up repeatedly and

said, ‘‘Mr. President, ultimately, you

must educate the public.’’ The President

told us that in his first news conference

he was going to lead with

Kosovo.

But I have said to him and to the national

security adviser, as well, that I

believe the President has to address

the Nation. I think the President

should go on television at prime time,

and take a half hour and literally, with

a map and a pointer, sit there and say:

This is Kosovo, this is why it is important,

this is what happens if we don’t

act. When we act, if we do, we think we

will bring about the following result.

American forces probably will be

killed, but possibly not. None were in

Bosnia, but this is a much more sophisticated

air defense system in possession

of the VJ. They are much more sophisticated

militarily than we faced

anywhere with a bombing campaign in

Bosnia, and it is possible that American

forces will be hurt.

I will take that as a compliment.

Mr. President, I will respond

by saying two things. I will answer

the second part of his question

first, which is very easy. Clearly, his

hand would be strengthened if he had

one.

Second, the first part of the question:

Would President support it?

I also said in my statement to the

President and our colleagues that I believe

the Congress should—should—be

confronted with a specific piece of legislation

authorizing the use of force. I

think it is constitutionally wise and

politically necessary that be done.

Mr. President, such a congressional

vote will spark the very debate on this

floor that I think is needed to further

inform the American public about what

is at stake.

By the way, I called the White House

after we had our meeting with the

President and reiterated that I hoped

he would send up a resolution. He did

not. So I wrote one. I was prepared to

attempt to amend Senator HUTCHISON’s

amendment. But, in the meantime, as

is his prerogative, the majority leader

came in and offered a second-degree

amendment to Senator HUTCHISON’s. So

I now have no ability to amend her

amendment.

I am told that we are going to vote

on cloture. If we get cloture—and I

hope we will get cloture—then there

will be an up-or-down vote on the Lott-

Smith amendment. That amendment

says that the President can’t take any

action in Yugoslavia until funds are

authorized. I would prefer having an

up-or-down vote on that notion.

My resolution says, ‘‘The President

is authorized to use the United States

Armed Forces for the purposes of conducting

air operations and missile

strikes against the Federal Republic of

Yugoslavia, Serbia and Montenegro,

pursuant to a decision of the North Atlantic

Council Treaty Organization in

order to achieve the objectives in section

2.’’

Through my resolution, I want us to

step right up to our constitutional task

of deciding whether or not to authorize

the use of force.

I am the guy, by the way, who, in a

very contentious meeting with President

Bush, insisted that we have hearings

in the Foreign Relations Committee

on a resolution for the use of

force in the Persian Gulf war. I believe

that is a congressional prerogative.

One might argue that the President

doesn’t need congressional authorization.

I think he does. In my view, a

President is always better equipped

and better advised to go into a risky

operation if the American people know

what is at stake.

My experience, Mr. President, is that

Senators and Congressmen do not like

to be counted. Keep in mind that I have

been here for six Presidents. We in Congress

don’t like to be counted on issues

of war and peace—Democrats or Republicans—

because if, in fact, the risky

business the President wishes to undertake

succeeds, we all want to be able to

say, ‘‘Good idea, Mr. President. I was

with you.’’ If it fails, Congress wants

the luxury of saying, ‘‘I told him. He

never should have done that. Bad

idea.’’

I came out of the so-called Vietnam

war generation. The only thing most

everybody in my generation can agree

on is that a foreign policy of this great

nation cannot be sustained very long

without the informed consent of the

American people. I think that is appropriate.

Mr. President, let me be

precise. It is legally permissible but

unwise. Let me explain what I mean.

I think the reason for the cloture

vote is not because the majority leader

expects anyone to filibuster. It is a tool

that he has learned and has sharpened

and honed very well to gain control

and maintain control of the agenda and

provide for the inability of anyone to

amend whatever he wishes us to vote

on. That is what this is about.

This has nothing to do with anyone

filibustering. Indeed, I have not heard a

single person suggest a filibuster. It

has to do with the leader using, skillfully,

as he does, the tools to be able to

control the agenda of the Senate and

determine what we will vote on, how

long we will debate, and if we will debate.

If the Lott-Smith amendment prevails

and is attached to the supplemental,

I predict that the entire supplemental

will fail. If that happens we

will never have any action on Kosovo

or the supplemental for the near term.

That is my guess.

There is some confusion in the

House, because they thought, as the

President thought, that there would be

an agreement between the Kosovars

and the Serbs as a consequence of the

meetings in France. They concluded

that they should debate whether or not

we would place American forces on the

ground, as offered by the President, if

there was a peace agreement.

But there is no peace agreement. So

someone introduced an amendment—a

freestanding bill on the House side—

thinking they could pass a prohibition

on the use of any American forces to

implement any peace agreement

signed. That was voted down.

Again, the public and a lot of our colleagues

are not adequately informed on

this. The headlines when the House

voted were: House Supports Use of

American Forces In Kosovo. That is

not quite true. The House said it would

permit a deployment in a permissive

environment.

Now we are going to vote in the Senate

on something completely different,

something that may produce a very

ambiguous result. The Lott-Smith

amendment bars all funding for the

purpose of conducting military operations

by Armed Forces of the United

States in Serbia and Montenegro.

What does that mean? Does that

mean that, under our Constitution, if

this passes with the supermajority necessary

to overcome a sure presidential

veto, that airstrikes are not permissible

because bombs cost money and

they are going to be dropped on parts

of Serbia? I suspect it does. Rather

than take such an ambiguous vote, we

should not shirk our responsibility

here.

I sure will.

I could be wrong, but

that is my reading of it.

Mr. President, you can

tell the Senator from Pennsylvania and

I are friends because I am happy to

have his extended questions, because

his questions always shed light on the

subject.

I agree with everything he said so

far. Let me be specific. When there is a

Republican President, the Republicans

argue the President doesn’t need congressional

authority. When there is a

Democratic President, all of a sudden

the Democrats support the President’s

unilateral war-making power.

Let me give you the argument that

could be made by scholars as to why

the President has the constitutional

authority to act absent our approval.

They would argue that our actions in

Kosovo are not an act of war. But as

the Senator knows, the war clause does

not require an act of war; it requires a

use of force, a use of force that constitutes

an offensive action. They

would argue that this is defensive in

nature. Presidents do that all the time.

Remember why President Reagan invaded

Grenada. To save medical students.

That was the reason. That was

the thin reed upon which he held his

entire rationale, because everyone acknowledges

that if it is an emergency

or it is to defend American citizens and

their property, it could be done.

In Kosovo, the argument could be

made that there are U.S. personnel on

the ground who would be in harm’s

way. If we do not take action, the

roughly 40,000 Serbian troops near

Pristina could threaten the small number

of American forces in Macedonia. I

can picture the argument being put together

by the President’s legal counsel.

Because the Americans forces in Macedonia

are now in jeopardy, there was a

requirement to act to save them.

There also could be an argument

made that airpower would be used for

the purpose of protecting American

personnel in Belgrade. The President

could argue that Milosevic, with a long

history of genocidal acts and acts of

brutality, is about to move on American

personnel. That is the nature of

the argument that could be made.

There is also an argument, which I

think is totally specious, that this

qualifies as an emergency. The Founding

Fathers, in this Senator’s view,

clearly contemplated emergency situations

where the President would have

to use force. That is why they gave

Congress the power to ‘‘declare’’ war

rather than ‘‘make’’ war. They did not

want to tie the President’s hands in the

context of an emergency.

Another argument being made, which

is not accurate but is made all the time

by people justifying Presidential action

in an area of making war or using

force, is that there are 200 years of

precedent. They will list hundreds of

times where American forces were used

without prior congressional authorization.

It is a specious argument, in my

view, but it is one that has credibility

only as a consequence of its repetition.

That is the other argument that will be

used.

People will cite Libya. Did the President

have a right to go in? I found Senator

HUTCHISON’s rendition of history

fascinating, because her memory of

Reagan and my memory of Reagan

were fundamentally different. I don’t

mean it critically. I mean it factually.

She said Reagan never put American

forces in harm’s way. Well, hell, they

flew all the way from England, all the

way across the Iberian Peninsula, and

bombed the living devil out of Libya.

Was that a declaration of war? Most

Senators said it basically worked. It

cowed the Libyan dictator for a while,

and no American got hurt.

I cite that not to be critical of anything

President Reagan did, but to

point out that we often hear the precedence

argument used. They say the

Congress didn’t do anything then.

Therefore, that makes it constitutional.

Yet there is a seamless fabric to

the Constitution. Action, no matter

how often repeated, cannot make an

unconstitutional undertaking constitutional.

That argument has been put

forward by this administration and at

least six other Presidents.

I might point out that the Lott proposal,

the very thing we are going to

vote on, may also be unconstitutional.

It bars Defense Department funds for

the purpose of conducting military operations

by the Armed Forces of the

United States. The only exceptions to

the funding restrictions are (1) intelligence

activities, including surveillance;

(2) the provision of logistics support;

and (3) any measure necessary to

defend U.S. Armed Forces against immediate

threat. Note that this third

exception would give the President the

excuse I just mentioned.

So the Lott proposal is flawed in two

respects. First, as a constitutional

matter, it is unnecessary. The Constitution

already bars offensive military

action by the President unless it

is congressionally authorized. If Congress

adopts the Lott amendment, it

would imply that the President has

carte blanche to take offensive action

anywhere unless Congress makes a specific

statement to the contrary.

We are telling the President he can’t

do something that the Constitution already

says he can’t do. Then we build

in exceptions, exceptions that give him

authority beyond what, in my view and

the view of most constitutional scholars,

he is entitled to as a matter of

constitutional law.

Let me repeat the exceptions he

builds. The amendment provides for

providing intelligence activities. As

the Senator knows, that can involve

U.S. personnel. They may be all sitting

up in Rhein-Main Air Force Base, or

sitting in Italy. They may be on

AWACS aircraft at a distance that

can’t be shot down. I do not know. It

also could include spotters. It can include

people on the ground. It could include

U.S. military aircraft flying in

Kosovo airspace, but not participating

in the actual strikes.

Secondly, it provides for a provision

of logistical support. That could include

logistical support in the theater.

If I were the President’s lawyer on this

one, I would say, Mr. President, don’t

worry about this sucker passing. You

are OK. You can work this one out.

You don’t have to fight Congress on

whether using force is constitutional.

With this amendment, you can do what

you want.

Thirdly, it excludes any measure necessary

to defend forces against an immediate

threat. Well, I guarantee you

the argument will be made that once

NATO decides to move, all those forces

in Macedonia are in harm’s way. Not

only there, but American forces a little

bit across the Drina River in Bosnia

would also be in harm’s way.

I guarantee you that the argument

will be made, if this were to become

law, that the Lott amendment gives

the President the authority to bomb

and use force. Sure. I think so.

I thank the Senator. I

will respond——

Mr. President, I would be

delighted to do that, but I want to

warn anybody who comes to the floor,

I came to the floor to deliver what I

thought to be, if not enlightened, a

comprehensive rationale for why I

think we should act. I am happy to

stay here as long as possible, and I am

happy to delay giving that speech, but

as long as the Senator realizes that

when we finish our discussion, it is

going to take me 20 to 25 minutes to

deliver this speech.

One of the arguments here that no

one has laid out sufficiently—I am not

sure I am capable of it—is why we

should do what the President is seeking

to do, why we should do what

NATO has voted to do, and why we

should be either for or against doing

that.

We did discuss here a very important

subject about whether or not it is constitutionally

permissible to use force

absent congressional consent.

All I am suggesting is that the President

and those of us who support the

use of airpower in conjunction with

NATO should lay out why that action

is in America’s interest. What are the

costs, what are the risks, what are the

benefits, and why should we do it?

Those who disagree with our position

should lay out in one place, where people

can go to the RECORD, why they

think we should not do that. There are

legitimate arguments in opposition beyond

the constitutional arguments in

opposition to the use of force in

Kosovo.

As long as the Senator understands

that, I am happy to yield for questions.

I do not want to keep him here to have

to listen to my speech. When we conclude

this colloquy, if I do not lose the

floor, I will be delivering that speech.

I am happy to yield for a question.

Mr. President, the Senator

should take as much time as the

Senator wants.

Mr. President, in response

to the Senator’s question, for

technical purposes, I agree with him

100 percent. I am an admirer of the

Senator from Virginia, in no small part

because he was in combat, because he

was in the military and because he

knows, I suspect, what it feels like sitting

there, figuratively speaking,

strapped in waiting for an order.

I am always very reluctant to argue

a position that may get somebody

killed, may get somebody maimed,

may get someone put in a prison camp.

And men like Senator KERREY, a Congressional

Medal of Honor winner, and

Senator MCCAIN, who argued against

my position for years on Bosnia—not

Kosovo; Bosnia—when men who are

brave like that, men like DANNY

INOUYE, Senator CHAFEE, and Senator

HOLLINGS, my seatmate, when they

have questions about this, I take it

very, very seriously.

Mr. President, I did not

mean to misrepresent. I have great respect

for the Senator. I know he was

Secretary of the Navy. He also is more

informed in a personal sense about

this—not, I am reluctant to say, not

the issue; I think I am as informed as

he is, or quite frankly, as anybody on

the floor—but in terms of all that goes

into a young man’s or woman’s head as

they are about to take off the deck of

that carrier or off that piece of concrete,

or whatever the mission.

But let me suggest that I will lay out

for you why I personally am willing to

do something that I am not happy

about doing; and that is, vote to support

asking the brave young women

and men of our military, in this case

the fliers—Navy, Marine, Air Force—to

risk their lives. And it is a real risk.

There is a probability someone is going

to get hurt.

Thank you.

Mr. President, let me begin my more

formal remarks by referring to the concluding

remarks I made on this floor

on October 14, 1998, immediately after

the agreement between Ambassador

Holbrooke and the President of Yugoslavia,

Slobodan Milosevic, was made

public.

I said at that time:

I do not cite that to suggest any air

of erudition, Mr. President. I cite that

to say my position—right or wrong—

has been consistent since the day this

agreement has been signed.

Mr. President, from the bottom of

my heart, I regret to report that there

has been a third time. There have been

more massacres, have been violations

of the agreement, and both the massacres

and the violations are continuing

as we speak; indeed, as I speak

at this moment. Let’s look at the disgraceful

record.

Everybody forgets that we are operating

in the context of Holbrooke-

Milosevic agreement, an agreement

that has been signed on by our allies

and our friends. The President has been

saying for the last month and a half

that if Milosevic does not sign on to an

agreement, assuming that the

Kosovars do sign on, we will bomb. For

an unusual thing, NATO already acted.

NATO got together and debated this

issue. And NATO members all voted

unanimously to use airpower if in fact

one side or the other did not—did not—

agree. So what happened here is, there

is an agreement. The context of this

whole debate is that agreement in 1998.

Immediately following the

Holbrooke-Milosevic agreement, machinery

was set in place to prevent a

recurrence of massacres that had already

occurred in Kosovo and in Bosnia

the previous years and to move toward

an interim agreement on the future

status of Kosovo.

On October 25, 1998, the Yugoslav

Government and the North Atlantic

Treaty Organization fleshed out the

Holbrooke-Milosevic agreement, authorizing

exact numbers—exact numbers—

of troops, the so-called VJ, and

Serbian Interior Police, so-called

MUPs, who are a bunch of thugs, would

be able to be in Kosovo province. The

agreement also specified the garrisons

to which they were to be restricted.

That was signed by NATO and

Milosevic, and a cease-fire took effect,

monitored by unarmed NATO aircraft,

and international compliance verifiers

were allowed into Kosovo.

Like his ideological model earlier in

this century, Milosevic has treated

most of this agreement as a ‘‘scrap of

paper.’’ The Yugoslav Government has

flagrantly violated the limits stipulated

in the October agreement. Rather

than the 12,500 regular army troops and

the 6,500 special police called for—a

total of 19,000—there are presently

40,000 Yugoslav soldiers and Serbian

special police forces in the province of

Kosovo, in clear violation of the agreement.

As for the cease-fire called for—it is

a total joke. Milosevic was afraid to

refuse entry of the international

verifiers or to shoot down NATO

planes. So as a result, we have a documented

ongoing pattern of warfare,

both against units of the Kosovo Liberation

Army, but especially against

Kosovar civilians.

There have been countless massacres,

but the most widely publicized one was

perpetrated by the Serbs on January

15, 1999, in the village of Racak. There

45 Kosovar Albanian civilians—women

and children—were slaughtered. The

Serbs, of course, asserted that they all

had been KLA fighters who had either

been killed in combat or shot while

fleeing.

Unfortunately for the Serbs, a Finnish-

led team of forensic experts that

examined the bodies reported unequivocally

that the victims had been

forced to kneel and had been executed

by being riddled with small-arms fire.

They got down on their knees. These

bullet wounds were in the back of their

heads. They were executed, just like

they did in Bosnia, just like Hitler did

in World War II.

Just yesterday, Mr. President, 10

Kosovars were massacred by Serbs in

the village of Srbica. During the past

10 days, the Yugoslav Army and the

Serbian special forces have gone on the

offensive, seizing the high ground

above roads and railroads, moving in

their most modern weaponry, including

M–72 and M–84 tanks, and conducting a

search and destroy mission against

Kosovar villages suspected of harboring

KLA sympathizers.

The net result is a new flood of refugees

so great that their number is now

approaching 450,000—450,000 the number

reached last fall.

I might remind my colleagues, the

only difference was, last fall when it

reached that number, folks were able

to flee to the mountains because they

were not full of snow, they were able to

hide. One of the reasons for the urgency

that was being argued in the negotiations

by Mr. Holbrooke was—and

we all seem to agree—was that winter

was coming and all these folks would

die. Well, it is winter there now.

Mr. President, the tragic events of

Kosovo have a clear historical causality

which I will summarize now.

Kosovo is considered by Serbs to be the

heartland of their civilization. There,

in the year 1389, on the so-called Blackbirds

Field near present-day Pristina,

the medieval Serbian knights were defeated

by the Ottoman Turks, which

led to more than five centuries of

Turkish domination of the Balkans.

It was a courageous fight. They saved

Christianity and the rest of Europe,

but the bottom line was, they lost. And

the bottom line was that the Balkans

for 500 years were dominated by Turkey

and many parts became Moslem.

The Albanians, however, also claim

Kosovo as their own and, in fact, can

trace their habitation there even further

back than the south Slavs, the

Serbs.

As a result of the policies of the Communist

dictator of the former Yugoslavia,

Marshal Tito—whom I had the

interesting pleasure of having lunch

with in his private residence in Split,

Yugoslavia, with now deceased Ambassador

Averell Harriman, one of the

most interesting encounters I ever had

in my career—the former Yugoslavian

dictator, Marshal Tito.

In 1974, the Kosovar Albanians were

granted the status of an autonomous

region within the Republic of Serbia

because of this history. Basically, the

Albanians were allowed local control,

while border security and foreign relations

remained under the control of

Belgrade. In the next 15 years, the percentage

of Serbs in the Kosovo population

dropped from approximately

one-quarter to less than one-tenth. At

the time this agreement was reached—

this autonomy was granted by Tito in

1974—one out of four people living in

the province of Kosovo were Serbs;

three out of four were Albanians living

within Serbia. They were basically

Moslem, and the others were Orthodox

Christians. Since that time, it has become

10–1; only 1 in 10 are Serbs.

Now, this has occurred for several

reasons: A much higher birth rate

among the Kosovar Albanians than

among local Serbs; ‘‘buyouts’’ of many

Serbian homesteads by Kosovars, some

of whom earned hard currency abroad;

and some harassment of Serbs by

Kosovars, although nothing approaching

the ethnic cleansing that is now

being carried out by the Serbs.

Meanwhile, in Serbia proper, an ambitious

young Communist politician

named Slobodan Milosevic engineered

a coup against the communist leadership

of Serbia. He needed a vehicle to

consolidate his power, and the time honored

vehicle used by most rogues is

rabid nationalism. He needed to be able

to spread his newly consolidated power

to the Serb-inhabited regions of Yugoslavia

outside of Serbia. So in a famous

speech in 1989—he would have done

proud any demagogue who has ever arrived

on the political scene, and I am

not referring to anyone here, I am referring

to those folks who don’t make

it usually—in 1989, on the 600th anniversary

of the Battle of Blackbirds

Field, to which I earlier referred,

Milosevic traveled to Kosovo and delivered

a rabble-rousing speech in which

he promised that no Serb would ever be

pushed around by anyone again anywhere

in the world, notwithstanding

the fact that it was a hard case to

make that that was happening.

On March 23, 1989, without the consent

of the people of Kosovo, Milosevic

amended the Constitution of Yugoslavia,

revoking the autonomous status

that they had had for roughly the past

15 years.

The following year, the parliament

and the government of Kosovo were

abolished by further unlawful amendments

to the Constitution of Yugoslavia.

A thoroughgoing purge of ethnic Albanians

in Kosovo followed. Thousands

of hard-working citizens were summarily

fired from their civil service positions,

and the Serbian Government

denied funding to basic institutions of

Kosovo society.

It is absolutely necessary to note the

reaction of the Kosovars to these massive

violations of their human and civil

rights. What was that reaction initially?

Under the leadership of Dr.

Rugova, the Kosovars—and he is a

Kosovar—the Kosovars set up a parallel,

unofficial system of governance.

They set up schools, hospitals, and

other institutions that make society

run. Mr. President, under Dr. Rugova’s

leadership, the Kosovars held to a policy

of nonviolence for nearly seven

years. I do not know any other example

elsewhere of such self-restraint anywhere

in recent years.

The United States recognized that

Kosovo was a tinderbox that could explode

at any time. For that reason,

former President George Bush sent a

warning to Mr. Milosevic at Christmas

1992, the so-called Christmas warning.

Keep in mind, the Kosovars had not

used violence; they were still peacefully

trying to piece together their society.

On Christmas of 1992, the three

Senators in this Chamber at the moment

were all here at the time—not in

the Chamber—and President Bush, a

Republican President, issued the

Christmas warning that said the

United States was prepared to intervene

militarily if Serbia attacked the

ethnic Albanians in Kosovo.

As a matter of fact, I am

about to come to that quote.

President Bush’s warning was contained

in a letter delivered to

Milosevic and General Panic, the commander

of the Yugoslavian Army. The

New York Times and the Associated

Press quoted Bush’s letter as saying:

‘‘In the event of conflict in Kosovo

caused by Serbian action, the United

States will be prepared to employ military

force against the Serbians in

Kosovo and in Serbia proper.

Let me read it again: ‘‘In the event of

conflict in Kosovo caused by Serbian

action, the United States will be prepared

to employ military force against

the Serbians in Kosovo and in Serbia

proper.’’

Perhaps because of this Christmas

warning, Milosevic refrained from an

all-out military assault on the

Kosovars, contenting himself with the

legal repression that I described earlier.

The Kosovars waited in vain for the

West to help. They hoped that their

plight would be placed on the agenda of

the Dayton peace negotiations in November

of 1995, but having been warned

by Milosevic that he would walk out if

Kosovo were brought up, the West,

under this President, President Clinton,

and our NATO allies, restricted

the talks to Bosnia and Herzegovina.

So, finally, in late 1996, armed

Kosovar resistance began on a small

scale under the loosely organized

Kosovo Liberation Army, abbreviated

UCK in Albanian, but as KLA in the

West. Gradually, the KLA escalated to

larger attacks by February of 1998. Let

me review the bidding again here, and

I will get the letter, or the news accounts

quoting the letter, if I can, for

my friend from Alaska, and I will enter

it into the RECORD.

Now, what happened? In 1989, this

genocidal leader of Yugoslavia, named

Milosevic, had seized power and attempted

to consolidate Serbs throughout

the former Yugoslavia. He made a

speech on the 600th anniversary of

Blackbirds Field near Pristina to enrage

and bring up the blood of every

Serbian living in the region. It worked

very well in Bosnia. It got them going

in Bosnia and, as well, in Kosovo. Then

he, under the Serb Constitution, by

most accounts, unconstitutionally

amended the Constitution, taking

away the autonomy that Tito had

granted to Kosovo in 1974. But even

when that was done, the Albanian

Serbs did not use force or violence.

They were headed by a guy named Dr.

Rugova, who said they would, by nonviolent

means, attempt to reestablish

their societal institutions, allowing

them their dignity and their right to

work.

In the meantime, Milosevic comes in

and he heads down from Belgrade and

the orders are essentially: fire them

all. Fire them all. All of the civil service

jobs were eliminated, all of the

schools were shut down, the language

was not allowed, and so on. Still, the

Kosovars did not use force. Still, they

attempted, through peaceful means, to

regain their autonomy. And with the

help of President Bush—I can only surmise

this, I can’t read Milosevic’s

mind, but knowing what a coward he

is, based on what he has done in the

past, I expect that the Christmas warning

by President Bush kept him from

using the force he wanted to.

Dr. Rugova came to me and others

and said, ‘‘Get us into Dayton. While

this is being discussed, get us on the

agenda.’’ We made a mistake, in my

view. We said, ‘‘No; you are not on the

agenda; this is just about Bosnia. This

is about Bosnia and nothing else.’’ And

so when peaceful means began to fail,

and had clearly failed in late 1996,

seven years later, the Kosovar resistance

called the Kosovo Liberation

Army—the UCK or the KLA, whatever

you would like to call it—began to engage

in larger attacks, a la the IRA.

Milosevic then saw an opportunity.

Having been humiliated in his aggressive

wars against Slovenia in the

spring of 1991, and Croatia in the summer

of 1995, and having seen the Bosnian

Serb puppets routed in the fall of

1995 and forced to accept a compromise

settlement in Dayton, the Yugoslav

dictator needed another crisis to divert

the Serbian people’s attention from the

massive failure of his authoritarian,

Communist economic and political

policies.

So what did he do? He did what is

often done. He found a common enemy.

He appealed to this naked, rabid nationalism

and used the suppression of

the KLA as a justification, as his vehicle,

attempting in the process to drive

the ethnic Albanian population out of

large areas of Kosovo. What have been

the results?

To date, approximately 2,000 Kosovar

Albanians and Serbian civilians have

been killed. More than 400,000 Kosovar

Albanians have been driven from their

homes, including tens of thousands

during the past 10 days. Thousands of

homes in hundreds of villages in

Kosovo have been razed to the ground.

One-quarter of Kosovo’s livestock has

been slaughtered and 10 percent of its

arable land burned. A food blockade

has been imposed upon large segments

of the Kosovar population.

The world has taken note of this. The

United Nations Security Council has

passed two important resolutions—Nos.

1160 and 1199—in 1998, decrying the repression

and calling for an end to it.

Milosevic publicly agreed to the U.N.

demands and has cynically continued

his state terrorism.

Mr. President, why should we be surprised

by this? We saw it repeated and

repeated in Bosnia, until we had the

nerve to act.

What is at stake for the United

States in all of this? In the interest of

time, I will come back to the floor at a

more appropriate time to enlarge upon

this. But I will say that our entire policy

in Europe since the end of World

War II has been to promote stability

through the spread of democracy. In

order to create the security conditions

for this development in Western Europe,

we created NATO in 1949, and for

50 years this alliance has provided an

umbrella under which our allies have

survived and prospered.

Since the end of the Cold War, it has

been our policy to extend this zone of

stability eastward in Europe by three

methods.

First, we have agreed to a well-conceived,

measured enlargement of

NATO, which has already brought Poland,

Hungary, and the Czech Republic

into the alliance.

Second, NATO has entered into partnerships

with many countries in the region,

which in time will probably yield

additional alliance members, which

also in the short run has created productive

relationships with a great

power like Russia.

Third—and here is where Kosovo

comes in—we have determined to oppose

directly the aggressive policies of

demagogues like Milosevic who are

trying to foment ethnic and religious

hatred.

We know, as NATO knows, that its

credibility is on the line in Kosovo. We

have warned Milosevic countless times

to halt his fascist aggression. We have

cooperated with our NATO allies, and

with Russia, in fashioning a fair interim

settlement for Kosovo.

We know that if Milosevic’s scorchedearth

policy of ‘‘ethnic cleansing’’ is

allowed to continue, the inevitable result

will be a massive tide of refugees,

which would destabilize fragile democracies

in Macedonia and Albania. We

also know that Milosevic is itching for

the excuse to overthrow the democratic

and reformist government of

Montenegro, which is a direct challenge

to his authoritarian communist

rule in Yugoslavia.

We also know that the ultimate

nightmare—which is not impossible by

any means—is a widening of the hostilities

to include NATO members

Greece and Turkey, who have different

interests in this outcome.

Mr. President, the national interests

of the United States are directly

threatened by the continued aggressive

actions of the Yugoslav Government in

Kosovo.

For that reason, Mr. President, I

think we should do what I said earlier,

which is, introduce a resolution authorizing

air operations, in conjunction

with the Activation Order voted on by

the North Atlantic Council of NATO.

I urge my colleagues to support that

resolution.

I thank the Chair and yield the floor