Mr. President, I had

intended to offer a joint resolution on

the subject of the use of force in

Kosovo for this bill, but events have

overtaken this issue as the picture is

now unfolding. I did want to put this

joint resolution in the RECORD. I did

want to talk about it for a few minutes.

I discussed it with the distinguished

chairman of the committee.

The concern I have is on the repeated

use of force that constitutes acts of

war by the President of the United

States without authorization by Congress,

in violation of the constitutional

provision that only the Congress of the

United States has the authority to involve

the United States in war.

We have seen an erosion of the congressional

authority in modern times

on many, many occasions. Perhaps the

strongest, sharpest example is the Korean

war, a subject on which I have

questioned nominees for the Supreme

Court of the United States, trying to

get a delineation on the power of the

Commander in Chief under the Constitution,

contrasted with the authority

of Congress. But where we have had

the air and missile strikes recently in

Iraq, I raised the same question challenging

or questioning the authority of

the President. And as it has appeared

in the past several days, there has been

discussion of using force, air-strikes,

perhaps missile strikes, in Kosovo, and

it seems to me this is a matter that

ought to be decided by the Congress.

I do think there is a good bit to be

said in support of the United States

participating in the air-strikes in light

of what has gone on there, and I shall

not speak at any length. The issues are

submitted in this joint resolution. I

would like to engage my colleague, the

distinguished Senator from Virginia, as

to his sentiments on this subject.

I think the Senator is

correct. It does not appear that the

United Nations, with the United

States’ participation, will engage in

strikes.

Mr. President, I

thank my colleague from Virginia for

those comments. It was 8 years ago in

early January—I believe January 10—

where we had a much publicized debate

on this floor about the use of force in

the gulf war. A number of the people

who are on the floor today, the Senator

from Michigan, the Senator from Virginia,

and I, participated in that debate

with our distinguished then-colleague,

Senator Nunn.

I do believe, as I have said, there is

much to recommend of U.S. participation

in Kosovo. But I do not like to see

further erosion of the congressional authority.

I think too often the Congress

stepped aside.

About a year ago this time there was

a key issue about the use of force

against Iraq. We discussed it on the

floor to some extent. We had a winter

recess. By the time we got back, the

issue had not matured. But force was

used in Iraq in December. It was not

authorized by the Congress. I think

that the Congress ought to take a

stand one way or another before force

is used in accordance with the Constitutional

provisions.

In the interest of brevity, Mr. President,

I send this joint resolution to the

desk and ask that it be printed since it

makes a fuller statement on this subject.

There being no objection, the material

was ordered to be printed in the

RECORD, as follows:

I thank the Chair. I

yield the floor.