Senator, you and I

came to this marvelous institution

roughly two decades ago, give or take a

year or so. We have witnessed on this

floor spirited debates on the very

issues that you raise, more or less circling

around the War Powers Act legislation

that followed the war in Vietnam

and legislation which, in the judgment

of many, is questionable to constitutional

standing. I think it is time

that we had another debate on this

issue because it is very important.

Mr. President, had we used force in

Kosovo, it would have been the fourth

time President Clinton has directed

force against a sovereign nation. Now,

I must say, in the course of the deliberations

in Rambouillet, France, and

prior thereto, I think the administration

tried to take an almost unmanageable

situation and do the best they

could. Frankly, I am relieved that

force at this moment is not to be used.

I have not had the opportunity in the

last 4 or 5 hours to get the latest situation,

given that I have been on the

floor managing this bill. But I believe

the talks are at a virtual stalemate;

am I not correct?

Well, Mr. President, I

think it is timely that the Senate went

back and, once again, as we did in

years past, take a look at the War

Powers Act, take a look at the proposal

that the distinguished Senator

from Pennsylvania has, not by way of

criticism at the moment of the President,

because you have two situations—

one in Kosovo, and, of course,

the parallel in Bosnia, and then you

have Iraq.

I have said from time to time, as we

have had deliberations among ourselves

in small groups, if anybody has a

better idea how to manage it, come forward.

They are the most complex situations

that I have had in my tenure

here in the Senate, and prior thereto in

the Department of Defense, in terms of

the complexity and the difficulty to resolve

it.

I would encourage the Senator, and I

would be happy to participate in that

debate at some future date.

Mr. President, before

the Senator departs, I think the

RECORD should reflect that in connection

with the action taken against Iraq

in the fall, and then in connection with

the proposed sending of ground troops

as part of the NATO force and U.S. contingent

of up to 4,000, there was confrontation

with leadership in the Senate

and the House in both instances. I

think there has been a level—whether

it is up to the expectations of my colleagues,

it is individually for them to

say —a level of confrontation in both

sequences. We must bear in mind that

under the Constitution, the President

is the Commander in Chief. He has the

right to direct the deployment of our

Armed Forces in harm’s way when he

thinks hopefully it protects the vital

security interests of the United States,

and only under those situations because

oftentimes the Congress has dispersed—

it is in recess, and the like—

and those decisions have to be made

quickly. Nevertheless, we have a coequal

responsibility with the President

regarding the welfare and the state of

our men and women in uniform and the

circumstances under which they are

employed, particularly in harm’s way.

I commend the Senator.

Mr. President, I again

commend our colleague. I thank him

for recalling the history of the 1991 debate.

I recall it well because I was one

of the floor managers. It was legislation

that I had drawn up in accordance

with the directions of Senator Dole,

then-leader. We had a vigorous debate

for some 3 days, and it is interesting.

There we had in place a half million

men and women in the Armed Forces.

We had seen the most atrocious form of

aggression by Saddam Hussein down

through the gulf region, primarily Kuwait.

Yet, that debate took 3 days. And

by only a mere margin of five votes did

the Senate of the United States express

its approval for the President of the

United States, in the role as Commander

in Chief, to use force in that

situation.

I thank the Chair. I thank my colleague.