

NAYS—2

Brownback

Smith (NH)

The PRESIDING OFFICER. The clerk will read the bill for the third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill is now returned to the calendar.

#### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will now be in a period of morning business for not to exceed 1 hour, with the time controlled by the Senator from Kansas, Mr. ROBERTS, and the Senator from Georgia, Mr. CLELAND.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Mr. President, I yield 2 minutes to the distinguished Senator from Washington.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask unanimous consent that Senator BYRD from West Virginia be allowed to speak for up to 20 minutes and Senator REED from Rhode Island to speak for up to 5 minutes following the Senator from Kansas and the Senator from Georgia.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### TRIBUTE TO VICTIMS OF GUN VIOLENCE

Mrs. MURRAY. Mr. President, I thank my colleague for yielding to me.

I come to the floor for a brief moment to pay tribute to the victims of gun violence who were killed one year ago today.

We are all familiar with the incidents of gun violence in our schools; from Columbine to Springfield, OR, to Paducah, KY, and unfortunately to so many other schools and communities.

Gun violence is particularly disturbing when it happens in a school.

But gun violence happens everywhere. A member of my staff lost a son to gun violence. Her son was simply stopping at a convenience store when he was robbed and killed.

How many families have to suffer unnecessarily before this Congress passes commonsense gun control legislation?

The U.S. Conference of Mayors has maintained a list of the thousands of Americans have been killed by gunfire since the Columbine tragedy.

Until we act, Democrats in the Senate will read some of the names of those who lost their lives to gun violence in the past year.

We will continue to do so every day that the Senate is in session until this Republican Congress acts on sensible gun control legislation.

Here are the names of a few Americans who died due to gun violence one year ago today:

Antwan Brooks, 26, Pittsburgh, PA;  
James A Brown, 22, Chicago, IL;  
Kenneth Cork, 46, Houston, TX;

Marsha Cress, 32, Fort Worth, TX;  
Kenneth L. Mack, 49, Chicago, IL;  
Michael Powers, 29, Atlanta, GA;  
Howard Rice, 31, Baltimore, MD;  
Fernando Rojas, 17, Chicago, IL;  
Rodney Wayne Smith, 33, Washington, DC;

Rolando Williams, 17, Pittsburgh, PA; and

Earlwin Wright, 22, Chicago, IL.

The PRESIDING OFFICER. The Senator from Kansas.

#### EMPLOYMENT OF U.S. MILITARY FORCES

Mr. ROBERTS. Mr. President, I thank my friend from Georgia, Senator CLELAND, for his role in our ongoing, bipartisan foreign policy dialog. As we approach Memorial Day, I also thank him for his personal sacrifice and example for our great country.

This is our fourth foreign policy dialog. It is called the employment of U.S. military forces or what could be better described as the use of force. It couldn't come at a better time, the week prior to the Memorial Day celebration, a day of solemn celebration and reflection, a day to remember our fallen family members, our friends, and our fellow Americans, a day that always makes me very proud of our country and humbled by the self-sacrifice of our men and women who paid the ultimate price so that we may live free.

As my good friend from Georgia has seen with his own eyes, it is not the U.S. Constitution that really keeps us free, for it is merely a piece of paper. The marble headstones at Arlington National Cemetery and cemeteries all across America and throughout the world mark what truly has kept us free. And our freedoms will continue to be secured by the brave men and women of our Armed Forces.

Samuel P. Huntington, the renowned author and historian in the 1950s, articulated in his book "The Soldier and the State" two important military characteristics. The first is expertise to prevail at the art of war; the second is the responsibility for protecting our freedoms, similar to the responsibility that lawyers have to protect American justice and the rule of law and that doctors have to save lives and protect the health of their patients. Quite simply: The role of our Armed Forces is to fight and to win the Nation's wars.

Eleven times in our history the United States has formally declared war against foreign adversaries. There have been hundreds of instances, however, in which the United States has utilized military forces abroad in situations of military conflict or potential conflict to protect our U.S. citizens or to promote our U.S. interests. Of those hundreds of uses of military force where the U.S. did not declare war, some have obviously been successful and some obviously have not.

Today, I am not going to discuss the use of military force for the purpose of protecting our vital national interests.

Those uses of force in our history have occurred rarely and usually without much opposition due to the future of the Nation. Our forces are equipped and train every day to carry out this task. Those types of conflicts of national survival have easily been defined in terms of the political objectives, clear military strategies to achieve those objectives, and the definition of victory or success is the capitulation of the enemy.

The U.S. Armed Forces are no stranger to limited contingency operations, military operations other than war, but the changes in political context of the commitments pose new problems of legitimacy, mission creep, operational tempo, and multilateral cooperation. Although limited contingency operations may produce short-term benefits, history has shown the lasting results of long-term commitments are very limited at best.

The ideas developed by Carl von Clausewitz, famous military theorist of the early 19th century, are profoundly relevant today. The criteria of appropriateness and proportionality are crucial concerns in any military operation other than war.

Clausewitz identified any protracted operation that involves enlargement or lengthening of troop commitment is likely to cause multiple rationales for the intervention. When a marine landing party went ashore at Port-au-Prince in Haiti in 1915, neither the Wilson administration nor the Marine Corps nor the Congress would have predicted that they began an operation to protect the foreign lives and property and to stop a civil war that would end 30 years later with an admission of failure in reforming the public institutions of Haiti.

Does this sound familiar? Currently, the United States has troops in 141 nations and at sea; 55 percent of the nations of the world have U.S. troops stationed within their borders. From 1956—that is the second term of President Eisenhower—to 1992, the United States used military forces abroad 51 times. Since 1992, the U.S. has used military force 51 times.

During that same timeframe of roughly a 400-percent increase in the use of the military as an instrument of power, the military has been forced to downsize and decrease force structure by 40 percent. That type of planning and management of the military reflects poorly on the civilian leadership. All of our services are at the breaking point. I fear there is no more give or elasticity in the force structure of our most valued treasure, the men and women who serve.

The can-do, never-say-die attitude of the military and its leadership and the very competence that the U.S. military has displayed in successfully responding to a wide variety of contingencies seems to have encouraged its further use by this administration, acquiesced to by this Congress.

A recent study from the Center for Strategic and International Studies of