
PROTOCOLS TO THE NORTH ATLANTIC TREATY OF 1949
ON ACCESSION OF POLAND, HUNGARY, AND THE
CZECH REPUBLIC

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Mr. HELMS, from the Committee on Foreign Relations, submitted
the following

REPORT

[To accompany Treaty Doc. 105-36]

The Committee on Foreign Relations to which was referred the Protocols to the North Atlantic Treaty of 1949 on Accession of Poland, Hungary, and the Czech Republic, which were opened for signature at Brussels on December 16, 1997, and signed on behalf of the United States of America and other parties to the North Atlantic Treaty, having considered the same, reports favorably thereon and recommends that the Senate give its advice and consent to ratification thereof subject to seven declarations and four conditions as set forth in this report and the accompanying resolution of ratification.

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I. THE FUTURE OF NATO AND THE ENLARGEMENT OF THE ALLIANCE

United States Membership in the North Atlantic Treaty Organization

The North Atlantic Treaty Organization (NATO) was established as an alliance of common defense among democratic and market oriented governments in North America and Western Europe on August 24, 1949, with the entry into force of the North Atlantic Treaty. Original members included the United States, Canada, and ten European countries emerging from the destruction of World War II (Great Britain, France, Belgium, the Netherlands, Portugal, Denmark, Norway, Luxembourg, Iceland and Italy). Subsequently, the Alliance has been enlarged on three separate occasions—to include Greece and Turkey in 1952, the Federal Republic of Germany in 1955, and Spain in 1982. NATO has been central to peace and stability in Europe for almost fifty years and provides the United States with an ongoing and direct leadership role in European security affairs.

During the Cold War, NATO served as a bulwark against the threat of the Soviet Union and its Warsaw Pact satellites. The U.S. strategic nuclear guarantee served as a deterrent to Soviet aggression, and U.S. conventional forces stationed in Europe, reaching over 300,000 at their peak, were evidence that the United States would meet its commitment to collective defense under Article 5 of the North Atlantic Treaty. Since the dissolution of the Soviet Union in 1991, NATO members have made significant cuts in their military forces, including a substantial reduction in U.S. forces stationed in Europe. Since 1991, NATO has shifted from its Cold War strategy of mounting a massive, static defense against a significant military threat from a single direction. Instead, NATO's 1991 Strategic Concept revised the strategy to provide mobile response to diverse and multi-directional risks to the North Atlantic area.

According to the 1991 Strategic Concept, the primary role of Alliance military forces is still to guarantee the security and territorial integrity of member states. The Alliance is also pursuing a broader, cooperative security relationship with a total of 44 European and North American countries in the Euro-Atlantic Partnership Council. NATO has established a forum for constructive dialogue and cooperation with the Russian Federation in the Permanent Joint Council, and NATO has forged a relationship with Ukraine in the NATO-Ukraine Commission. Within the guidelines of its Resolution of Ratification, the Committee supports these initiatives as a way to demonstrate the defensive and stabilizing intentions of NATO. Nonetheless, the core purpose of the Alliance must remain the defense of its members. In order to fulfill this purpose, the forces of Alliance members must remain capable of defending against a significant military threat, and all members of the Alliance must fully meet their military commitments.

History may judge the collapse of communism in Europe to be largely a result of NATO's success in containing the massive, external threat posed by the Soviet Union. During the Cold War, however, NATO also played a second role—equally important as the defense against communism—a role that remains relevant today. After two World Wars in the first half of the century into which

the United States was drawn, the close relationship among NATO members allowed countries to lay aside historical grievances and develop democratic traditions and market economies to the enormous benefit of themselves, their neighbors, and the United States. Under NATO's security umbrella, old enemies have not only been reconciled but now stand side by side as allies; national defense policies are coordinated; and, on a daily basis, consultation, joint planning, joint training and cooperation reinforce the trust and commitment to common principles that are the very essence of the Alliance.

As Poland and Germany, and Hungary and Romania, and several other former antagonists in Central and Eastern Europe build constructive, friendly relations in the post-Cold War era, the stabilizing influence of NATO membership, and potential membership, is illustrated yet again. The defensive nature of the Alliance, the democratic nature of its decision-making, and membership based not upon force of arms or coercion, but the willing choice of democratic governments, are the central reasons that association with the Alliance, and even membership, is a foreign policy priority for many European nations previously denied the rights of self-determination, freedom, and democracy. And for this reason, no country in Europe, with the exceptions of Belarus and Russia, has objected to the enlargement of the Alliance.

With NATO's continued importance to European stability, and a narrow mission of defending the North Atlantic area, the Committee supports a continued United States commitment to, and leadership in, NATO. The Committee welcomes the strategic rationale for NATO that was provided by Secretary of State Madeleine Albright in testimony before the Foreign Relations Committee on October 7, 1997. In explaining the purpose of the Alliance, Secretary Albright stated that:

First, there are dangers of Europe's past. It is easy to forget this, but for centuries virtually every European nation treated virtually every other nation as a military threat. That pattern was broken only when NATO was born and only in the half of Europe NATO covered. With NATO, each member's security came to depend on cooperation with others, not competition. That is one reason why NATO remains essential. It is also one reason why we need a larger NATO which extends its positive influence to Europe's other half.

A second set of dangers lies in Europe's present. Because of the conflict in the Balkans and the former Soviet Union, Europe has already buried more victims of war since the Berlin Wall fell than in all the years of the cold war. It is sobering to recall that this violence has its roots in the same problems of shattered states and of ethnic hatreds that tyrants exploited to start this century's great wars.

Finally, Mr. Chairman, and most important, we must consider the dangers of Europe's future. By this I mean direct threats against the soil of NATO members that a collective defense pact is designed to meet. Some are visible on Europe's horizon, such as the threat posed by rogue states with dangerous weapons. Others may not seem apparent today, but they are not unthinkable. Within this category lie questions

about the future of Russia. We want Russian democracy to endure. We are optimistic that it will, but one should not dismiss the possibility that Russia could return to the patterns of its past. By engaging Russia and enlarging NATO, we give Russia every incentive to deepen its commitment to peaceful relations with neighbors, while closing the avenue to more destructive alternatives.

The Strategic Rationale for NATO Enlargement

Notwithstanding the collapse of communism in most of Europe and the dissolution of the Soviet Union, the United States and its allies face continuing threats to their stability and territorial integrity, including the potential for the emergence of a hegemonic power in or around Europe, conflict stemming from ethnic and religious enmity, the revival of historic disputes, or the actions of undemocratic leaders. Furthermore, emerging capabilities to use and deliver weapons of mass destruction, as well as transnational threats such as terrorism, drug trafficking and organized crime threaten both new and old democracies on the European continent. By providing a defense against many of these threats, NATO membership for Poland, Hungary, and the Czech Republic will expand the area in Europe where peace and democracy are not only present, but secure.

Through much of its history, Europe has seen many insecure and small powers, a few great powers, and far too many nationalist defense policies—a dangerous catalyst for collusion and conflagration. Twice in this century these dynamics have pulled the United States into conflict on the European continent. With the enlargement of NATO, the United States and its allies have an opportunity to build a more stable Europe, to lock in that stability, and to replace the dynamics of confrontation and conflict with trust and cooperation. NATO membership will extend to Poland, Hungary, and the Czech Republic the institutions, practices, and traditions of consultation, joint planning, joint training, and joint operations that have made NATO an effective military alliance for the last half century. This structure has proven that vital U.S. interests in Europe can be guaranteed by a stable architecture of security and cooperation based upon a common commitment to the defense of democracy.

The Committee finds that the accession of Poland, Hungary, and the Czech Republic to NATO will make the Alliance stronger and more cohesive. Each of the three countries is an established democracy with a growing market economy. Each shares the culture, history, and commitment to democracy that unite the transatlantic community. Their militaries are firmly under civilian control. In addition, these three countries have proven themselves ready to bear a share of the burden in support of American and Allied interests beyond their borders. Each contributed forces to Operation Desert Storm, all three are prepared to return to the Gulf if necessary, and today, Polish, Hungarian, and Czech troops stand side by side with U.S. forces in Bosnia.

NATO enlargement is not a reaction to any single event or threat; rather it is a strategic opportunity for the expansion of a zone of peace and democracy in a continent that is of vital interest

to the United States. In the view of the Committee, this is the best way to minimize the possibility that U.S. troops will be called upon again to fight in a major war across the Atlantic. The invasion or military destabilization of Poland, Hungary, or the Czech Republic—with or without the extension of NATO membership—would threaten the stability of Europe, jeopardize vital United States national security interests, and would quite likely lead to the engagement of United States forces. NATO enlargement is a prudent step to ensure that this does not happen.

NATO's Strategic Concept

The Soviet Union's collapse in 1991 and the subsequent disarray of the Russian military have, in the view of NATO, significantly reduced any immediate, conventional threat to Western Europe and the United States. Consequently, in 1991, NATO members agreed to a new Strategic Concept. The Strategic Concept reiterates the central importance of collective defense to the Alliance, but it also notes that, with the emergence of independent democratic states in Central Europe, "the political division of Europe that was the source of the military confrontation of the Cold War period has ... been overcome."

The Committee Resolution of Ratification declares that, in order for NATO to serve the security interests of the United States, the core purpose of NATO must remain the collective defense of the territory of all Alliance members. With that focus, the Committee supports the 1991 Strategic Concept's leaner approach to security for the post-Cold War environment, provided that NATO's forces remain sufficient to deter and counter any significant military threat to the territory of any NATO member.

Under the Strategic Concept, the allies agreed to move away from a positional forward defense and to develop forces to counter "diverse and multi-directional risks." Such forces would "require enhanced flexibility and mobility and an assured capability for augmentation when necessary. ... This ability to build up by reinforcement, by mobilizing reserves, or by reconstituting forces, must be in proportion to potential threats. ..." The Committee supports the Strategic Concept's realistic force adjustments to meet new threats to the territory of NATO. Nonetheless, the Committee considers some positional forces to have continued importance as an element of static defense, especially in fulfilling the military requirements of defending the new members. The Committee Resolution of Ratification declares that as NATO develops forces with enhanced flexibility and mobility, it must continue to pursue defense planning, command structures, and force goals first and foremost to meet the requirements of Article 5 of the North Atlantic Treaty.

The Committee recognizes that, under Article 4 of the North Atlantic Treaty, the Alliance may address instability outside NATO's borders if that instability could lead to a more direct threat to NATO members. The Committee Resolution of Ratification makes clear that this mission should not be elevated, and it requires such activities to be undertaken only on a case-by-case basis and only when a threat arises both to the security and to the interests of the Alliance. Any attempt to make this mission the primary purpose of

the Alliance, or any expansion of this concept, or expansive use of it, would be a matter of great concern to the Committee.

No consensus exists in the Committee in support of a broader mission for NATO. While NATO has been successful in maintaining support for the narrow mission of the territorial defense of its members, some members of the Committee are deeply concerned about proposals to allow NATO forces to defend interests outside the North Atlantic area, such as in Africa or the Middle East; to use NATO forces increasingly for operations other than war (peacekeeping, crisis management, etc.); to require that NATO gain approval of non-NATO countries, the United Nations, or the Organization for Security and Cooperation in Europe in order to act; and for a new mission for the Alliance to respond preemptively to emerging capabilities to use weapons of mass destruction among non-NATO countries.

The Committee strongly advises the Executive Branch to consult extensively with the Senate before undertaking any interpretation, reinterpretation, expansion, or revision of NATO's Strategic Concept. Because NATO will undertake negotiations to review the Strategic Concept in 1998, the Committee Resolution of Ratification requires close consultation on this matter including specific requirements for briefings of the Committee.

Finally, the Committee finds that the Strategic Concept and burdensharing are inextricably linked. Because the United States is the leading military power in NATO and has force projection capabilities far superior to those of its allies, the costs associated with a mission to respond to diverse and multi-directional risks falls disproportionately upon the United States military. Active development of the Combined Joint Task Force concept, in which European forces would undertake some NATO missions on their own, with support from the United States, also will reduce the burden on the U.S. military. However, differences exist among Alliance members over the extent and purpose of such missions, and there is some question of how well the European allies can accomplish such new missions on their own, with only limited U.S. involvement.

The current disparities between the United States and its NATO allies in transport, logistics, communications, and intelligence capabilities (made apparent in the Persian Gulf War and in the ongoing Bosnia operations) indicate that NATO is moving toward a two-tiered Alliance in which the United States and its NATO allies have vast differences in capabilities. The Committee notes that in a February 1997 report to Congress on the rationale, benefits, costs, and implications of NATO enlargement, the Department of Defense concluded that in order to prevent such disparities the current allies would have to spend some \$8–10 billion for force modernization by the year 2010. The Committee Resolution of Ratification requires a specific and detailed report on progress by members of the Alliance to meet their commitments in fulfilling force goals.

Future NATO Enlargement

Article 10 of the North Atlantic Treaty provides that NATO members, by unanimous agreement, may invite the accession to the North Atlantic Treaty of any other European state in a position to

further the principles of the North Atlantic Treaty and to contribute to the security of the North Atlantic area. The Committee emphasizes, however, that in the process of considering the qualifications and purpose for the admission of Poland, Hungary, and the Czech Republic into NATO, the Committee did not state a view on when, or whether, the United States should invite any additional countries to join NATO. The Committee Resolution of Ratification declares that only Poland, Hungary, and the Czech Republic have been invited by NATO members to join the Alliance. No other agreement or document, including the July 8, 1997 Madrid Summit Declaration of NATO, or the January 16, 1998 Baltic Charter, should be construed otherwise.

It is the Committee's understanding that the United States will not support the invitation to NATO membership to any further candidates unless the Senate is first consulted, unless any proposed candidate can fulfill the obligations and responsibilities of membership, and unless their inclusion would serve the overall political and strategic interests of the United States. The Executive Branch has stated its understanding of the need for consultation with the Senate. On March 3, 1998, in a written answer to a question for the record, Secretary of State Albright stated:

We understand fully the Senate's constitutional responsibility to advise and consent to the ratification of any Treaty into which the United States enters. As we have done in the past, as well as on this occasion, we will keep the Senate and the Foreign Relations Committee fully informed of significant developments with regard to possible future rounds of NATO enlargement and seek its advice on important decisions. We would of course be required to obtain the Senate's advice and consent to any future amendments to the Washington Treaty that enlarge NATO.

The Committee Resolution of Ratification reiterates that no action or agreement other than a consensus decision by the full membership of NATO, approved by the national procedures of each NATO member, including, in the case of the United States, the requirements of Article II, section 2, clause 2 of the Constitution of the United States (regarding the advice and consent of the Senate to the making of treaties), will constitute a security commitment pursuant to the North Atlantic Treaty.

Senate Advice on NATO Enlargement

NATO members preliminarily endorsed the expansion of the Alliance at a January 1994 NATO summit, setting in motion a process to expand NATO for the fourth time since 1949. Admission of new members is governed by Article 10 of the North Atlantic Treaty, which states: "The parties may, by unanimous agreement, invite any other European State in a position to further the principles of this Treaty and to contribute to the security of the North Atlantic area to accede to this Treaty." In the view of the Committee, the Executive Branch has consulted and sought the advice of the Senate, consistent with the requirements of Article II, section 2, clause 2 of the Constitution of the United States, as the membership of Poland, Hungary, and the Czech Republic in NATO has been proposed and considered. Indeed, this consultation is a model of how

the two branches should cooperate in exercising their treaty-making power.

As is evident in the Senate Action portion of this report, the Clinton Administration and the Senate have been in constant dialogue on this policy for four years. The Senate debated and approved legislation in support of NATO enlargement in 1994, 1995, and 1996. On July 25, 1996, by an 81–16 vote, the Senate approved legislation stating that “The admission to NATO of emerging democracies in Central and Eastern Europe which are found to be in a position to further the principles of the North Atlantic Treaty would contribute to international peace and contribute to the security of the region.” Throughout 1996 and 1997 the Executive Branch worked closely with the Foreign Relations Committee as this policy was pursued in NATO.

On April 22, 1997, by agreement of the Senate Majority and Minority Leaders, the 28-member Senate NATO Observer Group was established to permit close interaction between the Executive Branch and the Senate during the negotiations on NATO enlargement. The Observer Group includes in its membership the Chairman and Ranking members of the Committees on Foreign Relations, Armed Services, and Appropriations, as well as other interested Senators. Special procedures were established between the Observer Group and the Executive Branch by which documents or agreements in negotiation were discussed with the Senate prior to completion.

The President invited Senate delegations to accompany him to the signing of the NATO-Russia Founding Act in Paris on May 27, 1997, and the NATO summit in Madrid on July 8–9, 1997. Prior to the NATO summit, the President met with Senators to seek advice on which countries in Central and Eastern Europe should be invited to accede to the North Atlantic Treaty. Accession negotiations with Poland, Hungary, and the Czech Republic began in September 1997, and NATO foreign ministers signed the protocols to the North Atlantic Treaty to admit Poland, Hungary, and the Czech Republic on December 16, 1997. The President transmitted the protocols to the Senate on February 11, 1998 for Senate action.

II. QUALIFICATIONS OF POLAND, HUNGARY, AND THE CZECH REPUBLIC FOR NATO MEMBERSHIP

Countries in Central and Eastern Europe first gained institutional access to NATO in late 1991 through the North Atlantic Cooperation Council (NACC), a forum which included all former Warsaw Pact members. At the January 1994 NATO summit, the Alliance launched the Partnership for Peace (PfP), a U.S. initiative designed to develop military cooperation among NATO members and interested countries in Europe. Poland, Hungary, and the Czech Republic were early signatories to the PfP framework agreement.

Since 1994, Poland, Hungary, and the Czech Republic have actively participated in PfP military exercises, which have provided their militaries the opportunity to work with NATO military headquarters, and alongside NATO allies, in the field, and have contributed to increasing the interoperability between prospective new members and the Alliance. After visiting Poland, Hungary, and the Czech Republic last fall, NATO assessment teams concluded that

the PfP program directly contributed to the preparation of these countries for NATO membership.

Of the three prospective members, Poland brings the largest military establishment to NATO. The Hungarian and Czech armed forces, however, are equal or greater in size than those of several current NATO members, including Denmark, the Netherlands, Norway, and Portugal. Poland, Hungary, and the Czech Republic have demonstrated the ability to meld battalion-sized or smaller units into NATO operations through participation in operations in Bosnia, training exercises under the PfP program, or participation in the U.S.-led coalition during the Persian Gulf War. In anticipation of NATO membership, they have made significant progress in adopting the NATO unit structure. In addition, ground force units deployed in accordance with the former Warsaw Pact's offensive doctrine are being re-located to reflect NATO's defensive posture.

In accordance with direction from NATO, Poland, Hungary, and the Czech Republic have made interoperability of air traffic control and air defense their first modernization priority. This would facilitate rapid reinforcement in the event of a crisis. None of the countries is expected, nor has NATO indicated an immediate need, to begin "big ticket" modernization programs before 2000. In examining the equipment inherited from Warsaw Pact days, NATO advance teams found that some existing equipment is either adequate or in need only of minor modification. As an immediate priority, the three countries are focusing on personnel reform, training and the adoption of NATO doctrine, and interoperability. Personnel reform in each country, including reducing overall force levels, increasing the ratio of junior to senior officers, strengthening the Non-Commissioned Officer (NCO) corps, and increasing of the ratio of professionals to conscripts, is well underway.

After being invited to join NATO at the Madrid summit in July 1997, Poland, Hungary, and the Czech Republic announced their intention to intensify defense cooperation in preparation for joining the Alliance. Further, the Chairmen of the Foreign Relations and Defense Committees in each country plan to meet regularly to discuss the steps each country is taking to fulfill commitments on enlargement related issues.

In considering the qualifications of the three countries, the Committee has examined the degree to which each has satisfied the "Perry Principles," five principles that former Secretary of Defense William Perry enunciated in a June 1996, speech at NATO's Supreme Allied Command Atlantic (SACLANT) in Norfolk, Virginia. These principles are: commitment to democratic reform; commitment to a free market economy; good neighborly relations; civilian control of the military; and military capability to operate effectively with the Alliance. An evaluation of Poland, Hungary, and the Czech Republic on each of these criteria follows.

Poland

Democratic Reform

Poland's democratic political institutions have operated smoothly since 1989. Poland has held seven free and fair elections and has had two democratic changes of government since the collapse of

communism, demonstrating the vitality of its democratic system. In 1997, Poland adopted a new constitution, approved in a popular referendum, that codifies the division of powers among the President, the Council of Ministers, and the parliament. The government has been a strong supporter of human rights and civil liberties. The judiciary is independent, and freedom of the press is upheld.

Free Market Economy

Poland was the first formerly communist country in Eastern Europe to launch drastic economic reforms in 1990. Early reforms focused on price and trade liberalization, small-scale privatization, currency convertibility, and structural reforms. As a result, Poland was the first country to emerge from economic decline and currently has one of the fastest growing economies in Europe. Poland's gross domestic product (GDP) has grown steadily since 1993, with growth rates exceeding 5% in each of the last four years. The basic tenets of economic reform have been sustained through numerous changes of government. Private sector activity, especially new enterprises, has grown rapidly and currently accounts for about two-thirds of GDP and about 60% of the work force.

Poland's current account deficit may prove to be problematic, and privatization of large-scale industries and pension reform need addressing. However, the government is taking steps to bring the budget deficit down, and has successfully tackled inflation, reducing it to 13% in 1997 from 20% in 1996. Growth in 1997 was a robust 7%.

Good Neighborly Relations

For the first time in its history, Poland has good relations with all seven of the states on its borders. In December 1997, Poland launched a multinational mechanized infantry corps with Germany and Denmark, which will be based in Poland. In May 1997, Poland and Ukraine concluded a declaration of reconciliation that, among other things, established a joint battalion. Poland is also establishing a joint battalion with Lithuania, which is expected to reach operational capacity later this year. The Polish government is actively cooperating on defense matters with the Baltic states, and is working with Russia to strengthen economic ties. Poland has even maintained a stable relationship with Belarus, a country led by an authoritarian leader.

Civilian Control of the Military

The new Polish constitution, approved in April 1997, codifies civilian control over, and parliamentary oversight of, the military. The government is establishing the appropriate structures to ensure that these principles are effectively implemented. The 1996 National Defense Law subordinates the Chief of the General Staff to the Minister of Defense and shifts supervision of financial planning, administration, personnel, and military intelligence from the General Staff to the Defense Ministry. Both of these changes were confirmed in the Constitution. In addition, the Defense Committee of the Sejm, the lower house of parliament, is taking an active role in overseeing the Polish military. In 1997 it examined military per-

sonnel and procurement decisions, reviewed and amended the budget, and pressed the government for increased defense expenditures.

Military Capabilities

U.S. officials have judged Poland to have the most capable armed forces in Eastern Europe. Relatively large (Army—152,000; Air Force—56,000; Navy—14,000), well-trained and disciplined, the armed forces are progressing smoothly with unit structure reorganization and redeployment from Warsaw Pact dispositions. Polish officers and non-commissioned officers are participating in NATO and U.S. military English language training programs. Poland's participation in multinational operations in Bosnia and Haiti, as well as its participation in over 50 Partnership for Peace exercises, has demonstrated its ability to carry out battalion-sized operations in conjunction with NATO forces. In the PfP exercises, Poland has emphasized military training and tactical exercises. It should be noted, however, that the operations in Bosnia and Haiti have not involved combat and do not reflect the demands of a large-unit, high-intensity conflict.

A U.S. Air Force team conducting an ongoing assessment of Poland's military capabilities has reported that Poland has made substantial progress in laying the groundwork for achieving NATO interoperability. Ports, airfields, rail and road networks, and other infrastructure are currently capable of receiving NATO reinforcements. Poland is already installing NATO-compatible Identification, Friend or Foe (IFF) systems in its aircraft and is upgrading its air defense network with NATO-compatible radar.

Equipment modernization is the largest challenge facing the Polish military. As a result of NATO requirements, the early focus has been on upgrading air traffic control and air defense communications. Additional large-scale procurement programs are not expected to begin prior to 2000. Priority areas for modernization include ground attack aircraft, fighter aircraft, attack helicopters, main battle tanks (T-72 upgrade), and armored fighting vehicles.

The Polish Ministry of Defense has developed a comprehensive 15-year plan to modernize the military and make it interoperable with NATO. To pay for this program, Poland intends to increase annual defense spending at a rate pegged to the growth of its GDP. In 1996, Poland's defense budget was \$3.1 billion, approximately 2.4% of GDP, which is comparable to most (and higher than half of) other NATO countries. The Ministry of Defense estimates that defense spending after 2000 may reach 2.7% to 3.0% of GDP.

Poland has declared a willingness to commit all of its operational forces to NATO. One-third will be designated specifically as "NATO-Assigned," which are already in part capable of joint operations within NATO. The other two-thirds of Polish forces will be "NATO-Earmarked," which means they could be put under NATO operational command or control when needed.

Hungary

Democratic Reform

Hungary is a stable parliamentary democracy. Hungary adopted a new constitution in December 1990, and is currently working on its revision. The country has had two complete democratic changes of government since 1989 in fully free and fair elections. It has stable governmental institutions and an independent judiciary. Hungary is committed to upholding the principles of human rights, freedom of expression, and the rule of law. On November 16, 1997, the government held a binding referendum on the question of NATO membership. 85% of voters supported Hungary's inclusion into NATO.

Free Market Economy

Hungary's approach to economic transformation from a command economy built upon its longstanding experience with gradual reforms under communism. After 1989, Hungary adopted price and trade liberalization and institutional and legal changes. In March 1995, the government embarked on an extensive economic stabilization program designed to redress Hungary's budget and current account deficits and to accelerate structural reform. The austerity program, while unpopular, did much to reverse the imbalances and restore international confidence in the Hungarian economy. The economy experienced modest growth in 1994 and 1995, but declined to 1% growth in 1996, largely as a result of the austerity program. In 1997, however, the economy rebounded and the GDP grew by a healthy 4%. Overall, the private sector produces approximately 80% of GDP in Hungary.

Hungary had a heavy foreign debt burden, but as a result of the austerity program it has been able to service its debt obligations. Inflation rates are problematic, and the Hungarian government is taking steps to address the issue. The government has also privatized almost all of the banking, telecommunications, and energy sectors. Hungary has attracted almost one-third of all foreign direct investment in Central and Eastern Europe.

Good Neighborly Relations

A high priority for Hungarian foreign policy has been improving relations with neighboring countries that have large ethnic Hungarian populations. Hungary ratified treaties on Understanding, Cooperation, and Good-Neighborliness with Slovakia (March 1995) and Romania (September 1996), which include provisions on ethnic minority rights and the inviolability of frontiers. Military-to-military relations with Romania are solid, and the two countries are actively planning to set up a joint battalion. In addition, Hungary is participating in a joint Hungarian-Italian-Slovenian brigade. Hungary and Austria already have established a battalion that is participating in the United Nations peacekeeping operation in Cyprus.

Civilian Control of the Military

Hungary has enshrined civilian control of the military in its legislative and constitutional mechanisms. The Defense Ministry is

granted oversight of the military, and the parliament is granted oversight of the Defense Ministry. The 1993 Defense Law specifies that the Minister of Defense is superior to the Chief of Staff of the Armed Services. Additionally, Hungary's constitution gives the parliament control of the military budget, structure, deployment, fielding, stationing, and senior leadership.

Military Capabilities

The Hungarian armed forces total about 60,000 personnel (Army—45,000; Air Force—15,000). Unit restructuring in accordance with NATO brigade/corps organization, is well underway. The officers and NCOs of the designated "NATO Brigade" are undergoing military and English-language training sponsored by current NATO members. Downsizing has resulted in a smaller, more capable force. Hungary has successfully restructured the General Staff and Service Staffs along NATO lines.

Hungary currently has a battalion participating in NATO's Bosnia operation and hosts a major NATO logistics facility in southern Hungary in support of those operations. To facilitate the U.S. presence in Bosnia, Hungary has brought into force a bilateral supplement to the NATO-PfP Status of Forces Agreement, granting additional privileges and immunities to U.S. forces and contractors. Over 80,000 U.S. military personnel have rotated in and/or out of Bosnia through the Hungarian air base at Taszar. Hungarian armed forces have also participated in over 50 Partnership for Peace exercises with NATO. Hungary was the first country to include a PfP line item in its defense budget.

Hungary has assigned immediate and rapid reaction forces to NATO, which at this time only are partially able to conduct joint operations, but are working toward this goal. Hungary has integrated a system of defense planning compatible with the NATO system and incorporated NATO command, control and communications procedures into training. Other recent modernization efforts have focused on meeting NATO air traffic control and air defense communications standards. Top priorities include the U.S.-sponsored Regional Airspace Initiative, the development of the NATO brigade, and building a peacekeeping capability. Nonetheless, tight defense budgets have led Hungary to continue procuring some military equipment from Russia as part of a debt-forgiveness program.

After a six-year decline, Hungarian defense spending increased in 1997 to approximately 1.8% of its GDP. Hungary has pledged that it will increase defense spending by .1% of GDP each year over the next five years. Priority modernization efforts will include fighter aircraft, main battle tanks, and armored fighting vehicles. The Hungarian government voted in its 1998 budget for a special appropriation to fund increased NATO interoperability. Hungary has also formulated a plan called Force 2000 to prepare it for admission to NATO. Its goals are to downsize the armed forces, standardize structures to NATO requirements, professionalize and increase volunteer personnel, and improve the quality of life for the military force.

*Czech Republic**Democratic Reform*

The Czech Republic is a parliamentary democracy. The state's democratic institutions and charter of fundamental rights are established in the constitution. The constitution, which entered into force on January 1, 1993, provides for an independent judiciary and guarantees internationally recognized human rights. Since 1989, first Czechoslovakia, then the Czech Republic, have held three fully free and fair elections. Freedom of speech, freedom of assembly, and freedom of the press are protected. President Vaclav Havel, himself a former political prisoner of the communist regime, is a world-renowned advocate of human rights and social justice.

After the resignation of Prime Minister Vaclav Klaus in late November 1997, due to bribery and campaign election scandals, President Havel appointed a caretaker government. This government survived a vote of no confidence in January 1998 and will govern until parliamentary elections are held in mid-June 1998. Despite the change in government, overall stability and commitment to democratic principles remain unchanged.

Free Market Economy

The Czech Republic's transformation from a centrally planned economy has progressed steadily since 1991. Early elements of the reform program included price liberalization, tight monetary and fiscal policies, and privatization of state enterprises. Industry remains the largest productive sector, with services, including tourism, growing rapidly. In April and May 1997, the government imposed harsh austerity measures designed to redress economic imbalances and spur economic growth. The reforms included large budget cuts, a currency devaluation, stronger regulatory mechanisms, and swifter large privatization. Nearly 80% of the economy is in private hands, and real GDP has been rising since 1994. Inflation is below 10% and unemployment is low.

Though the Czech economy grew by about 4% in 1996, growth during 1997 dropped to 1.7% due to a widening of the current account deficit and the devaluation of the Czech crown. In addition, severe floods in the summer of 1997 caused billions of dollars in damages. Even so, the Czech economy showed positive signs in late 1997 and is expected to rebound in 1998.

Good Neighborly Relations

The Czech Republic has excellent relations with its neighbors. Relations between the Czech and German governments are particularly strong, though some tensions persist between segments of their populations. On January 21, 1997, Germany and the Czech Republic signed a formal reconciliation pact that addressed animosity between the two countries that has been present since World War II. Germany is the leading foreign investor in the Czech Republic. Austria and the Czech Republic have stable governmental and economic relations. With regard to Slovakia, although some issues still remain unresolved after the break-up of Czechoslovakia, the two countries have fundamentally sound relations.

Civilian Control of the Military

Under the Czech constitution, the President is the Commander-in-Chief of the military. The Minister of Defense is a civilian, and the Czech parliament is increasingly active in defense and military issues. The government currently is working on a law that will formally legislate the constitutional mandate of civilian control of the military.

Military Capabilities

The Czech Republic has the smallest military of the three NATO invitees, with about 56,000 personnel (Army—38,000; Air Force—14,000; logistics corps—4,000). As with Poland and Hungary, unit restructuring and redeployment is ongoing, select officers and NCOs are being trained in NATO schools, and modernization programs have focused on air traffic control and air defense communications. The Czechs have a battalion serving in Bosnia, and they contributed troops to the U.N. mission in Croatia. A Czech chemical warfare defense unit joined the U.S.-led coalition in the Persian Gulf War. To date, Czech troops have participated in 27 Partnership for Peace exercises.

The Czechs have incorporated NATO command, control, and communications procedures into their military training regimen, and have adopted a modernization strategy with an emphasis on communication, intelligence, and English language skills. In a widely praised initiative, the Czechs anticipated the NATO requirement for secure and non-secure digital communications programs, and applied NATO standards to the national programs it is pursuing on its own. Czech airfields and rail and road networks are capable currently of receiving some NATO troops and materiel, and the Czech military is working on enhancing its infrastructure to be NATO compatible.

Priority needs for the Czech armed forces over the next several years include light attack aircraft, fighter aircraft, attack helicopters, air-to-air and air defense missiles, upgrading Soviet era T-72 tanks to NATO standard, and command and control communications.

In March 1997, the Czech Republic adopted a new national defense strategy, including programs to improve the mobility, compatibility, and interoperability of the armed forces over the next decade. Implementation of the concept began on July 1, 1997, and is scheduled to be completed by the end of 1998.

Defense spending in 1997 was approximately 1.7% of GDP, and the government's draft budget for 1998 includes an increase in the military budget, despite deep cuts in other spending; 1998 levels are expected to reach 1.88% of GDP. The Czech Republic has pledged to increase defense spending by .1% of GDP each year for the next three years. About 20% of the defense budget likely will be devoted to modernization. Czech officials have stated that they are willing to commit up to 90% of Czech operational forces to NATO in times of crisis.

Additional Issues

The Committee finds that Poland, Hungary, and the Czech Republic are meeting the requirements laid out in the "Perry Prin-

principles.” Some issues, however, have come to the attention of the Committee where a deeper and continuing commitment to these principles is necessary, not only in order to qualify for NATO membership, but to complete a process of transformation from the communist era.

The Committee is concerned about the inability of some American citizens to receive fair and appropriate compensation for their property in the Czech Republic that was confiscated by the Nazi or communist regimes.

In 1928, the United States entered into a bilateral treaty with Czechoslovakia that stated that if a citizen of one country became a citizen of the other country the individual automatically would lose his or her primary citizenship. The terms of the treaty were not applicable in periods of hostilities. The Czech government interpreted this “time of war” provision to include the period of 1938–1958.

During 1990–91, the Czech government enacted a series of laws limiting restitution and compensation for individuals whose property had been confiscated under Nazi and communist rule (1938–1989) if they were citizens and residents of the Czech Republic.

In 1994, the Czech Supreme Court ruled that the permanent residency requirement was unconstitutional and required the government to allow for the filing of claims by all individuals who still had their Czech citizenship, regardless of where they lived. Czechs in France, Germany, and elsewhere were eligible to pursue their claims, but American citizens were told they were no longer Czech citizens under the terms of the 1928 treaty. American citizens who had fled the Czech Republic during the “time of war” period were not affected due to the treaty terms, but those who became American citizens after 1958 are unable to pursue their claims.

The Czech law that applies to compensation is not discriminatory by nature, but its compensation rules are impeding the ability of American citizens to receive fair and adequate compensation for their property. The Committee strongly urges the Government of the Czech Republic—as part of its continuing effort to build a sound civil society based upon the principle of justice—to work closely with those whose property was unjustly confiscated either by Nazi or communist regimes

Additionally, the Committee emphasizes the importance of a full accounting of all United States prisoners of war (POWs) and the missing in action during the Cold War period. Relations between the U.S. government and the communist governments in Poland, Hungary, and the Czech Republic were hostile throughout this period. The Committee notes that the U.S. government has pursued reports that the Soviet Union used Central European countries for transshipment or detention of American POWs during the Cold War. Poland, Hungary, and the Czech Republic have fully cooperated with the U.S. government on this issue.

In Poland, senior officials have agreed to conduct a thorough search of their archives and other files and make all relevant information on missing American soldiers available to the United States. The Polish National Security Bureau, Ministry of Defense, Military Intelligence Service, Office of State Security, and Central Archives are all fully cooperating in this search. Additionally, the

Polish government has facilitated meetings between the U.S. government and Polish non-governmental organizations that may have information on this subject.

Hungarian officials have provided the United States with full access to Hungarian archives to search for any relevant information or any potential witnesses with regard to American prisoners of war or the missing in action from the Vietnam and Korean wars.

The Czech Republic has searched the State Central Archives, as well as the archives of the Central Committee of the Communist Party of Czechoslovakia, Ministry of Health, Ministry of Education, Ministry of Defense, Ministry of Foreign Affairs, and the Military Historical Archives. To date, neither U.S. nor Czech officials have discovered any information relevant to American prisoners of war or the missing in action. The Czech Republic has opened the archives of the communist-era secret services and is attempting to identify all Czechoslovak personnel who were stationed in China, Korea, or Vietnam during the wars.

The Committee appreciates the cooperation afforded to the U.S. government by Polish, Hungarian, and Czech officials in the effort to determine the fate of all American prisoners of war or the missing in action. The Committee encourages Poland, Hungary, and the Czech Republic to continue full and complete cooperation in helping the United States fully resolve all outstanding issues relating to prisoners of war and the missing in action.

The Committee also notes the necessity for countries in Europe fully to account for, and fairly to compensate, surviving victims of the Holocaust or their beneficiaries. Such accounting and compensation must include payment of pre-war insurance claims and the return of, or remuneration for, property seized by the Nazis and later confiscated by the communist regimes in the region.

The Committee strongly encourages Poland, Hungary, the Czech Republic, and all other countries in Europe promptly to take steps to resolve fully the issue of rightful ownership of assets.

III. THE COST OF NATO ENLARGEMENT

An important issue reviewed by the Committee during its examination of enlargement was the matter of the financial cost. Several cost estimates have been prepared over the past few years. The Committee has reviewed the Department of Defense estimate of February 1997, the NATO cost estimate of December 1997, and the General Accounting Office (GAO) March 6, 1998 report on the NATO cost estimate. It also heard testimony from the authors of a 1996 Congressional Budget Office study and a 1996 RAND corporation study.

At the outset, it should be emphasized that cost estimates are just that: estimates. Estimates are based on certain assumptions—assumptions that may later prove unwarranted because of the passage of time and/or changed circumstances. Estimates are also based on uncertainties—uncertainties inherent in predictions about the future. The Committee can be reasonably certain about the accuracy of cost estimates for 1999, but is less certain about the accuracy of estimates for costs to be incurred in 2009. It is with these cautionary thoughts in mind that the Committee reviewed the current estimates of the costs of NATO enlargement.

Critical Assumptions

The Committee's evaluation was based upon comparison of the full range of private sector and U.S. government studies. It draws most heavily, however, upon the February 1997 cost study by the U.S. Department of Defense and the subsequent survey by NATO of military requirements and costs, completed in December 1997. As noted above, every cost estimate is based upon assumptions. The Committee's evaluation of the costs of NATO enlargement is premised upon four critical assumptions that are explicit in both the Pentagon and NATO studies.

First, NATO will continue to face, for the indefinite future, the current strategic environment. There is no immediate threat of large-scale conventional aggression in Europe. Any reemergence of a significant conventional threat would take several years to develop, providing the Alliance with ample warning time. This assumption is crucial to the relatively modest cost estimates put forward by both NATO and the Pentagon.

That said, were a conventional threat to emerge, the cost to NATO would be substantial, regardless of whether or not enlargement had occurred. Indeed, in such a situation, enlargement might actually reduce some costs to the United States by enabling NATO to meet a renewed threat more effectively. In this worst-case scenario, some burdens that otherwise would likely have been shouldered by the United States would instead be borne by the new, front-line states. The addition of three new NATO members would dramatically increase the manpower, military capabilities, and strategic depth of the Alliance.

Second, this evaluation assumes that NATO will not station substantial new forces on the territories of the new members; rather, Article 5 guarantees will be extended through the commitment rapidly to deploy forces in the event of a crisis. This assumption flows logically from the previous one. Were the threat environment to change, prompting a military requirement for the forward stationing of NATO forces, obviously the costs to the United States would prove far higher. Likewise this would be the case with or without enlargement.

Third, standard burdensharing rules will apply to the costs of NATO enlargement. These include the requirements that new members pay for their own national forces, and that all members share the costs of infrastructure improvements according to the common budgets' formulae.

Fourth, U.S. military modernization requirements are national initiatives that will not be commonly-funded through NATO. The United States Armed Forces in Europe already possess all of the military capabilities necessary to fulfill the Article 5 commitment to the new NATO invitees required of the United States. For example, the air units within U.S. Air Forces Europe (USAFE) that are earmarked for air power projection from the territory of member states (in the event of a crisis) are already fully capable of performing this mission. Thus, NATO enlargement should not require any new U.S. modernization expenditures, whether common-funded or not, beyond those which the United States already intends to undertake.

Relevant Costs

In general, the costs of NATO enlargement fit into one of two categories: 1) the cost for each of the current NATO members, and the new members, to meet fully their individual obligations to support the collective defense of the alliance, and; 2) what each of the sixteen current allies, plus the three new members, must pay to support common costs of the Alliance. The latter category includes everything from the construction of co-located airfields and a secure communications architecture, to the purchase of desks and chairs for NATO headquarters.

The costs that each of the three new members must pay to meet fully their individual obligations to support the collective defense of the Alliance are not germane to the Committee's evaluation. The United States will likely continue to provide some assistance to these countries—as it does with other NATO allies—probably in the form of Foreign Military Financing, defense loan guarantees, and excess defense articles. Nevertheless, military modernization by Poland, Hungary, and the Czech Republic is the responsibility solely of those countries. The United States will not underwrite that process.

Further, only those costs that represent expenditures above and beyond what normally would be incurred are relevant. Accordingly, because the United States will incur little or no additional cost in meeting its collective defense obligations, the principal expense to the United States for NATO enlargement will be the cost, over the next decade, related to infrastructure improvements on the territory of the three new members.

NATO's Common Budgets

All sixteen members of NATO make annual contributions to the common costs of the Alliance, which comprise three accounts: 1) Civil Budget; 2) Military Budget; and 3) the Security Investment Program. The Civil Budget provides for, among other things, the operating expenses of NATO's civilian headquarters, the International Secretariat, NATO science and defense research activities, and some Partnership for Peace programs. The Military Budget funds the international military headquarters, the airborne early warning aircraft operations, the NATO petroleum pipeline, and the NATO Maintenance and Supply Agency. The Security Investment Program, formerly called the Infrastructure Fund, supports a broad range of projects recommended by the Supreme Allied Commander Europe (SACEUR) and Supreme Allied Commander Atlantic (SACLANT) in accordance with a specified planning cycle that generally requires about two years to execute. Typical project areas include the mobility and deployability of NATO forces, NATO command and control, allied reconnaissance and intelligence, and maintaining logistics and training facilities.

The total and individual contributions for the NATO common costs are determined through Alliance-wide negotiation. Enlargement is expected to result in some increases within the Civil and Military Budgets. These will be necessary to accommodate additional headquarters personnel from the new members. The Security Investment Program, however, will contain the most significant increases, because this account traditionally is used to fund precisely

the types of projects most needed by the new members—namely, infrastructure improvements.

In what seems to be an effort to reduce costs, some of NATO's European members have recommended that dramatic increases in this account should not occur, urging instead that some currently planned projects should be put aside in favor of the NATO priority of enlargement. Apparently, some officials at NATO still intend to pursue this approach. The General Accounting Office found in its March 6, 1998 report on the NATO cost estimate that "according to officials at NATO, some of the costs of enlargement may be absorbed in existing budgets, for example, through the reprioritization of existing projects." It may indeed be appropriate to fund a portion of enlargement costs by reconfiguring various programmatic priorities. The Committee, however, notes that maintaining a robust, effective Alliance will not be without expense, and expects that NATO will proceed with all projects necessary for the common defense. Current allies must be held to their commitments made at the Madrid Summit to provide the resources necessary for enlargement without diluting the importance of other priorities. Paying for NATO enlargement should not impede the effectiveness of the Alliance adequately to perform its core mission of collective defense.

Both the NATO headquarters and the Department of Defense have provided statistical breakdowns of U.S. and allied contributions to the common costs and of comparative national defense spending. The U.S. share for each element of the Common Costs is: Civil Budget—24.3%; Military Budget—24.1%; Security Investment Program—23.8% (see Table 1). The U.S. total contribution to NATO common costs over the last several years and projected for 1998 are: 1993—\$318 million; 1994—\$342 million; 1995—\$407 million; 1996—\$453 million; 1997—\$489 million; 1998 (est.)—\$493 million (see Table 2).

Obviously, when the new members are included in the calculus, a slight reduction in each member's percentage share of common funded costs will occur. During accession negotiations, Poland, Hungary, and the Czech Republic agreed to the percentage share they will pay to the common NATO budgets upon accession to the North Atlantic Treaty. Poland will pay 2.48%, Hungary will pay 0.65%, and the Czech Republic will pay 0.9%. Consequently, the Committee assumes that the U.S. share of common costs will decline. The Committee Resolution of Ratification contains a condition requiring the President, prior to the deposit of the instrument of ratification, to certify that the U.S. percentage of common costs will not increase as a result of enlargement.

Estimating the Costs of Enlargement

The Committee has examined the various cost studies on NATO enlargement prepared to date. The estimates vary widely, in large part due to differing assumptions, differing threat assessments, and varying degrees of recognition of the distinction between costs unique to NATO enlargement and costs that will be incurred by NATO members regardless of whether NATO enlarges.

In February 1997, at the direction of Congress, the Department of Defense prepared an estimate of the costs of NATO enlargement.

The Pentagon study considered both direct enlargement costs as well as two other categories: (1) the cost to current members of meeting their military commitments; and, (2) the cost to new members of developing their military forces. Combining these three categories, the Pentagon estimate totaled \$27-35 billion over the next ten years, with \$9-12 billion attributed directly to enlargement costs. Of this, approximately 60 percent (\$5.5-7 billion) would be eligible for funding from NATO's common budgets. Notably, the Pentagon compiled this estimate with four, rather than three, new members in mind. Adjusted to account for this fact, the Pentagon's proper illustrative figure totals \$4.9-6.2 billion in common costs. Thus, according to the Department of Defense the U.S. financial obligation would total \$1.2-1.6 billion over the next ten years (averaging \$120-160 million per year).

In December 1997, NATO completed two studies that focused exclusively on the cost to NATO's common-funded budgets of enlarging the Alliance to include Poland, Hungary, and the Czech Republic. NATO first identified the military requirements of incorporating these three new members into the Alliance. Teams of experts were then dispatched to each country to evaluate facilities, infrastructure, and current capabilities to meet NATO's projected military requirements. With this information, NATO then developed a cost estimate for bringing the current capabilities into line with NATO requirements. The NATO studies concluded that the cost of enlargement will total \$1.5 billion over the next ten years. Thus, according to NATO, the additional U.S. payment to the common-funded budgets will average approximately \$40 million per year over ten years.

The Pentagon and NATO used similar assumptions and military requirements in preparing their cost estimates. They arrived, however, at markedly different conclusions, which vary with respect to the cost of enlargement to the United States by as much as \$122.5 million per year. Aside from minor pricing differences, there are three reasons for this discrepancy.

First, the earlier Pentagon study was illustrative, and did not have the benefit of site surveys from which to compile its assessment. The NATO survey teams dispatched to the countries found, in many cases, that the necessary infrastructure was in far better condition than expected. In particular, the road and rail conditions in all three countries were judged to be adequate for NATO reinforcement purposes, whereas previously the Pentagon had expected that significant improvements would be required. According to the Pentagon, the common infrastructure costs for NATO enlargement could still grow or diminish for a number of reasons. These include changes as details of the NATO implementation plan are finalized (e.g. as specific airfields are chosen as reception facilities for reinforcing air squadrons), as detailed engineering surveys are completed, or in the event that the criteria for common-funded eligibility are reconsidered.

A second reason for the difference in the estimates between the two studies is that NATO was more strict in determining whether improvements would be eligible for common funding. For example, whereas the Pentagon assumed that off-loading capabilities at various facilities would be commonly-funded, NATO determined that

each country deploying reinforcements to the new invitees would bear responsibility for deploying off-loading equipment. Most of these assumptions seem reasonable. Although NATO certainly has the ability to make exceptions to its common-funding eligibility criteria, the Committee expects a detailed explanation of any proposal by NATO to make eligible for common funding any of the projects that it had previously determined to be ineligible.

The final reason for the cost discrepancies between the NATO and Pentagon studies is that, in general, the Pentagon sets higher standards for military infrastructure than does NATO. Because of this differential, NATO planners recommended fewer necessary infrastructure improvements for the three new members than the Department of Defense. For example, NATO did not include in its estimate the need to upgrade two additional airfields and associated facilities, and more generally called for fewer road, rail and port facility upgrades. Moreover, NATO planners did not include in the estimate all of the expenditures on staging areas or brigade-size training facilities that U.S. military planners previously had anticipated. According to the Pentagon, this differential accounted for \$500-700 million of the gap between the two studies.

The Committee notes, as did the Senate Armed Services Committee, that the Secretary of Defense and the Chairman of the Joint Chiefs of Staff have testified that the military requirements underpinning NATO's cost estimate are valid and sound. General Shelton stated before the Foreign Relations Committee on February 24, 1998, that the "five month [NATO study] is thorough and militarily sound and is sufficiently detailed to serve as the basis for accurate cost estimates." The Committee finds that if the requirements contained in the NATO study are met fully, NATO would be able to meet all foreseeable contingencies, given the current threat environment.

GAO has concluded that "the approach used by NATO in determining its estimated direct enlargement cost of \$1.5 billion for commonly funded requirements is reasonable." The GAO report also noted: "Because NATO officials used a conservative interpretation of the over-and-above principle, NATO's cost estimate for the commonly funded military requirements may be lower than the cost actually incurred. For example, the NATO study did not include the cost of repaving runways, although NATO staff acknowledged that the runways, while up to national standards were not up to NATO standards."

Regardless of the exact amount, these estimates for the cost of enlargement represent only a small fraction of the costs that will be necessary to ensure that NATO remains a viable alliance in the next century. All members in the Alliance must continue to expend resources necessary to meet the force goals. With NATO membership comes responsibility. The Committee again stresses the importance of all current and future allies to meet their commitments to the common defense. Anything less will result in a hollow strategic commitment.

Table 1.—NATO Common Cost: Budget Cost Sharing Formula in Percentages of the total NATO Common Budget

	Military Budget	Security Investment	Civil Budget
United States	24.12	23.2708	23.35
Belgium	2.85	4.1260	2.76
Canada	5.6	2.75	5.60
Denmark	1.68	3.33	1.59
France	16.50	12.9044	16.50
Germany	15.54	22.3974	15.54
Greece	0.38	1.00	0.38
Iceland	0.04	0.000	0.05
Italy	5.91	7.745	5.75
Luxembourg	0.08	0.1973	0.08
Netherlands	2.84	4.58	2.75
Norway	1.16	2.83	1.11
Portugal	0.63	0.345	0.63
Spain	3.50	3.2816	3.50
Turkey	1.59	1.04	1.59
United Kingdom	17.58	10.1925	18.82

Table 2.—U.S. Contributions to NATO Common Costs
(in \$ millions)

	FY1993	FY1994	FY1995	FY1996	FY1997	FY1998 (est.)
Security Investment	60	140	119	161	172	176
Military Budget	216	161	248	249	273	273
Civilian Budget	42	41	40	43	44	44
Total	318	342	407	453	489	493

IV. NATO-RUSSIA RELATIONS

The Committee does not find NATO enlargement and the development of a cooperative NATO-Russia relationship to be mutually exclusive. NATO enlargement and cooperative NATO-Russian relations both have immense value for the United States and for the nations of Europe, if they are pursued properly. They are complementary and reinforcing objectives. The challenge for the United States, and for NATO, is to do both correctly. Toward this end, the Committee Resolution of Ratification supports NATO's policy to develop a new and constructive relationship with the Russian Federation as the Russian Federation pursues democratization, market reforms, and peaceful relations with its neighbors.

The enlargement of NATO, a purely defensive alliance comprised of democratic nations, does not threaten any country in Europe. In the view of the Committee, all of Europe benefits from the existence of NATO, including Russia. The Committee finds that admitting Poland, Hungary, and the Czech Republic into NATO will multiply this benefit, not only by securing three countries that have fully embraced democracy and free markets, but also by calling upon those countries to lead in the defense of democracy and stability in Central and Eastern Europe. In appreciation of this fact, democracies throughout Europe—including those that are not seeking NATO membership—have endorsed NATO's plans to extend its

membership to Poland, Hungary, and the Czech Republic. In fact, with the exception of Belarus and Russia, every country in Europe has either expressed explicit support for, or remained neutral on, the issue of NATO enlargement.

The Committee notes a tendency among opponents of NATO enlargement to lay every problem in the U.S.-Russia relationship—and every example of Russian misbehavior—at the doorstep of NATO enlargement. However, even a leading critic of NATO enlargement, Ambassador Jonathan Dean, observed in his October 9, 1997, testimony before the Committee that “the souring of Russian political opinion toward relations with the United States did take place earlier and has been a constant.” In the view of the Committee, the proposed NATO membership of Poland, Hungary, and the Czech Republic is unrelated to the brutal massacre of civilians in Chechnya, the ongoing transfers of Russian technology and weapons to rogue states, and differing U.S. and Russian views over the appropriate response to the situation in Iraq.

An emotional element of the Russian opposition to NATO enlargement is the misperception that NATO is for the first time approaching Russia’s borders. In fact, a far more accurate description of enlargement is an effort to draw Poland, Hungary, and the Czech Republic closer to Western Europe. An enlarged NATO may indeed approach the borders of Ukraine and Belarus, but these countries are not, it should be emphasized, Russian territory. Hungary and the Czech Republic share no border with Russia, and both are geographically closer to France than they are to Russia. The only piece of Russian territory that Poland borders is the tiny exclave of Kaliningrad. All three countries are geographically west of the Russia-Norway border, a border that Russia has shared with NATO since 1949.

Norway, in fact, is an excellent example of the relationship that can and should develop between new NATO members and Russia. An original NATO member, Norway has shared a border with Russia (and before that the Soviet Union) without threatening Russia. In fact, Norway has no foreign forces on its territory, has no nuclear weapons on its territory, and has no substantial, forward-deployed conventional forces. It is covered by NATO’s Article 5 security guarantee, including the nuclear guarantee, yet it maintains good relations with Russia. Norway even provides foreign aid to Russia.

A far more disturbing element found in the opposition of some Russian leaders is the notion that NATO, by enlarging, is encroaching upon Russia’s legitimate space. The Committee rejects the suggestion that any sovereign state in Europe is within any other country’s sphere of influence. That chapter of history was decisively rejected with the collapse of the Soviet empire, and any effort to return to those policies would guarantee instability and turmoil for Central and Eastern Europe. As Secretary of State Albright said in testimony before the Foreign Relations Committee on October 7, 1997, “We often call them ‘former communist countries,’ and that is true in the same sense that America is a ‘former British colony.’ Yes, the Czechs, Poles, and Hungarians were on the other side of the Iron Curtain during the Cold War. But we were surely on the same side in the ways that truly count . . . We should

also think about what would happen if we were to turn them away. That would mean freezing NATO at its Cold War membership and preserving the old Iron Curtain at its eastern frontier. It would mean locking out a whole group of otherwise qualified democracies simply because they were once, against their will, members of the Warsaw Pact.”

Some critics argue that enlargement would irrevocably damage U.S.-Russian relations. These critics contend, for example, that enlargement is the reason that the Russian Duma has failed to approve the START II Treaty. In fact, shortly after START II was signed by the Russian government—and even before NATO enlargement was contemplated—Russian nationalists and communists urged rejection of the Treaty because they believed cuts in strategic weaponry disadvantaged Russia. Subsequently, key members of the Russian Duma indicated that the START II Treaty would not be approved unless the United States agreed to uphold all elements of the 1972 Anti-Ballistic Missile Treaty. It was only later that members of the Duma linked NATO enlargement to the fate of the START II Treaty. Most recently, the Deputy Speaker of the Duma declared that START II would never be approved if the United States were to use force against Iraq. As Undersecretary of State Thomas Pickering, the United States Ambassador to Russia from 1993 to 1996, stated in his appearance before the Committee “The difficulty, I think, is that in the Russian Duma on START II, you have a parliamentary body that is dominated by communists who clearly do not believe that START II, for political reasons, is something they want to ratify and gratify President Yeltsin’s reform government. As a result, they search for any set of arguments.”

Critics of enlargement also argue that it would humiliate Russia and, hence, would serve as an inducement to nationalists to overturn Russian reformers’ efforts to work constructively with the West in such areas as arms control, non-proliferation, and conflict prevention. Yet, since the dissolution of the Soviet Union, practical experience in Europe has shown that Russia engages best in Europe when it works with NATO. The Treaty on Conventional Armed Forces in Europe (CFE) and the CFE Flank Document were the result of NATO-Russia accord. An objective analysis of Russian involvement with NATO in the Implementation Force and Stabilization Force in the former Yugoslavia demonstrates a far better pattern of cooperation than did the pattern of Russian behavior, in the same region, under the UNPROFOR mission of the United Nations.

In testimony before the Foreign Relations Committee on October 29, 1997, Mr. Dimitri Simes, in responding to the charge that NATO enlargement could move Russian public opinion in a nationalist/extremist direction observed that the Russian leadership “engaged in terrible atrocities in Chechnya against, among others, many Russian civilians. They are not paying wages and pensions to their people at the time when people can easily observe the huge mansions of the new elite and the private jets of Russia’s new tycoons. None of this moves Russian politics in a nationalist or reactionary direction. But somehow an obstruction like NATO enlargement is supposed to have a mystical, destructive impact on Russian

politics. It is very difficult for me to believe.” Similarly, in testimony before the Foreign Relations Committee on October 29, 1997, Undersecretary of State Pickering stated that the Russian public “does not consider NATO to be the key threat to their future. They are far more concerned about other issues, from wages and pensions to corruption and crime.”

To provide a forum for confidence building and information exchange, NATO and Russia formalized consultative procedures in a document called the Founding Act, which was signed on May 27, 1997. The Founding Act established a Permanent Joint Council (PJC) for NATO-Russia consultations. The Committee Resolution of Ratification reiterates the outlines and limits on those consultations as explained by Secretary of State Albright on October 7, 1997 in an appearance before the Foreign Relations Committee. Secretary Albright said that:

The Founding Act and the Permanent Joint Council created as a result do not provide Russia any role in decisions the alliance takes on internal matters, the way NATO organizes itself, conducts its business, or plans, prepares for and conducts those missions which affect only its members, such as collective defense, as stated under Article 5.

The Permanent Joint Council will not be a forum in which NATO’s basic strategy doctrine and readiness are negotiated with Russia, nor will NATO use the Permanent Joint Council as a substitute for formal arms control negotiations such as the Conventional Forces in Europe (CFE) Treaty.

Consistent with our past approach to relations with Russia, NATO will continue to explain to Russia its general policy on a full range of issues, including its basic military doctrine and defense policies. Such explanation will not extend to a level of detail that could in any way compromise the effectiveness of NATO’s military forces. Such explanations will only be offered—and I state this very emphatically—after NATO has first set its policies on issues affecting internal matters. NATO has not and will not discuss these issues with Russia prior to making decisions within the North Atlantic Council.

In testimony before the Foreign Relations Committee on October 29, 1997, Jack Matlock, the last U.S. Ambassador to the Soviet Union, who opposes NATO enlargement, agreed with the Founding Act and “the advantages of the relationship that the administration has negotiated with Russia . . .” The Committee strongly urges the Executive Branch to pursue a broader dialogue with Russia in fora other than NATO as well. The Organization for Security and Cooperation in Europe and the bilateral relationship offer opportunities for resolving disputes among Russia, European countries, and the United States.

The Committee notes that in the course of negotiations with NATO, the Russian government has received a political commitment that, under current circumstances, NATO will not deploy permanently stationed forces from other member states in Poland, Hungary, or the Czech Republic. NATO formally declared on March 14, 1997, that “in the current and foreseeable security environment the alliance will carry out its collective defense and other missions by ensuring the necessary interoperability, integration, and capa-

bility for reinforcement rather than by additional permanent stationing of substantial combat forces.” The Committee further notes that NATO has made a political commitment that, under current circumstances, NATO would not deploy nuclear weapons on the territory of Poland, Hungary, or the Czech Republic. NATO stated on December 10, 1996, that its members have “no intention, no plan, and no reason” to deploy nuclear weapons in new member states. The Committee Resolution of Ratification endorses these political commitments, both of which were repeated in the text of the NATO-Russia Founding Act, but notes that they are not legally binding and do not in any way preclude any future decisions by NATO to preserve the security of Alliance members.

In the view of the Committee, two treaties currently under consideration by Russia and the United States—the START II Treaty and the adaptation of the Treaty on Conventional Armed Forces in Europe (CFE)—could offer important, legally binding assurances to both Russia and the members of NATO with regard to the threat from conventional and nuclear armaments. The Committee urges the Russian Federation to ratify START II and to work constructively with the United States to reach agreement on CFE adaptation.

The CFE Treaty, which was ratified by the United States in 1991, has created a more balanced and stable military situation in Europe through transparent conventional armaments reductions. The CFE Treaty establishes regional and national limits on certain categories of military equipment, including tanks, artillery, armored fighting vehicles, fixed-wing aircraft, and attack helicopters among the members of NATO and former members of the Warsaw Pact (as well as their successor states). This Treaty has already led to the destruction of over 53,000 pieces of treaty limited equipment. Negotiations on adaptation of the CFE Treaty are underway in order to update the Treaty and make it relevant to the post-Cold War security environment in Europe. Negotiations are moving slowly, and no final agreement on CFE adaptation is likely until late 1999.

The Committee supports a serious effort to adapt the CFE Treaty so as to further increase the stability of Europe. At the same time, the Committee would view unfavorably any proposal that would have the effect of creating a second-class status for some NATO members. The Committee welcomes the close consultation between NATO and representatives of Poland, Hungary, and the Czech Republic during the adaptation negotiations.

The START II Treaty, which was approved by the United States Senate in 1995, is pending approval in the Russian Duma. This arms control agreement requires the United States and Russia to reduce nuclear weapons holdings to 3,000-3,500 warheads each. At the Helsinki summit in March 1997, the United States and Russia committed to begin negotiations on a START III Treaty, with further reductions to a range of 2,000–2,500 each, once START II enters into force. While a START III Treaty is far from a foregone conclusion—with many complicated issues dividing the two sides and an internal U.S. debate over how low the United States can take its level of strategic nuclear weapons and still retain effective deterrence—it is through these negotiations that the Russian gov-

ernment can gain real assurances of a reduced strategic nuclear threat.

The enlargement of NATO would secure its members against domination by larger powers. Likewise, the development of a constructive relationship between NATO and Russia, as endorsed in the Committee Resolution of Ratification, may provide an avenue for Russia to contribute to the security and stability of Europe. The Committee notes that these goals are fully consistent with the effort the Alliance and Moscow are undertaking together to forge a historic new partnership through the NATO-Russia Founding Act—an agreement designed to ensure that Russia is constructively and legitimately engaged in European affairs.

V. SENATE ACTION

On December 16, 1997, in Brussels, Belgium, Secretary Albright, on behalf of the United States, signed the Protocols to the North Atlantic Treaty of 1949 on Accession of Poland, Hungary, and the Czech Republic. The Protocols were transmitted to the Senate on February 11, 1998 and referred on the same day to the Committee on Foreign Relations.

The Committee held two public hearings in 1994 in conjunction with the Committee on Armed Services, two public hearings in 1995, seven public hearings in 1997, and one public hearing in 1998 on various issues relating to the enlargement of NATO. Both Administration and private sector witnesses appeared at these hearings.

February 1, 1994

The Future of NATO

The Honorable Frank Wisner, Undersecretary of Defense for Policy
The Honorable Stephen Oxman, Assistant Secretary of State for
European and Canadian Affairs
The Honorable Robert Hunter, U.S. Ambassador to NATO
Lt. Gen. Daniel Christman, U.S. Representative to the NATO Military Committee

February 23, 1994

The Future of NATO: The NATO Summit and Beyond

The Honorable James R. Schlesinger, former Secretary of Defense
The Honorable Max M. Kampelman, former U.S. Ambassador to
the Conference on Security and Cooperation in Europe
General John Galvin, USA (Ret.)

April 27, 1995

NATO's Future: Problems, Threats, and U.S. Interests

The Honorable Robert B. Zoellick, Federal National Mortgage Association
Dr. Arnold Horelick, The RAND Corporation
The Honorable Fred C. Ikle, Center for Strategic and International Studies
General William Odom, USA (Ret.), The Hudson Institute

May 3, 1995

Paths and Impediments to NATO Enlargement: Interests and Perceptions of Allies, Applicants, and Russia

Dr. Ronald Asmus, The RAND Corporation
The Honorable Richard R. Burt, International Equity Partners
The Honorable Paula J. Dobriansky, Hunton & Williams
Mr. Dimitri K. Simes, Nixon Center for Peace and Freedom
The Honorable Jack F. Matlock, Jr., Columbia University

October 7, 1997

The Strategic Rationale for NATO Enlargement

The Honorable Madeleine K. Albright, Secretary of State

October 9, 1997

The Pros and Cons of NATO Enlargement

The Honorable William V. Roth, Jr., United States Senator
The Honorable Zbigniew Brzezinski, Center for Strategic and International Studies
The Honorable Jeane J. Kirkpatrick, American Enterprise Institute
Dr. Michael Mandelbaum, The Paul H. Nitze School of Advanced International Studies, The Johns Hopkins University
Ambassador Jonathan Dean, Union of Concerned Scientists

October 22, 1997

Qualifications of Poland, Hungary, and the Czech Republic for NATO Membership (Testimony Submitted for the Record)

The Honorable Marc Grossman, Assistant Secretary of State for European Affairs
The Honorable Franklin D. Kramer, Assistant Secretary of Defense for International Security Affairs
Dr. Stephen A. Cambone, Center for Strategic and International Studies
Dr. Stephen F. Larrabee, RAND
Dr. John S. Micgiel, Columbia University

October 28, 1997

Costs, Benefits, Burdensharing, and Military Implications of NATO Enlargement

The Honorable Walter Slocumbe, Undersecretary of Defense for Policy
Dr. Richard Kugler, National Defense University
Dr. Ivan Eland, CATO Institute
The Honorable Stephen Hadley, Shea and Gardner

October 30, 1997

NATO-Russia Relationship Part I

The Honorable Henry Kissinger, Kissinger and Associates

October 30, 1997

NATO-Russia Relationship Part II

The Honorable Thomas Pickering, Under Secretary of State for Political Affairs

Ambassador Jack F. Matlock, Jr., Institute for Advanced Study

Lt. Gen. William E. Odom, USA (Ret.), Hudson Institute

Mr. Dimitri K. Simes, Nixon Center for Peace and Freedom

November 5, 1997

Public Views on NATO Enlargement

Mr. Jan Nowak, Central and Eastern European Coalition

Mr. Edward J. Moskal, Polish American Congress

Mr. Frank Koszorus, Jr., Hungarian American Coalition

Mr. Bob Doubek, American Friends of the Czech Republic

Mr. Mati Koiva, Joint Baltic American National Committee, Inc., and Estonian American National Council

Mr. Charles Ciccolella, American Legion

Admiral Jack Shanahan, USN (Ret.), Center for Defense Information

Colonel Herb Harmon, USMCR, Reserve Officers Association of the United States

Mr. Daniel Plesch, British American Security Information Council

Mr. David C. Acheson, The Atlantic Council of the United States

Mr. John T. Joyce, International Union of Bricklayers and Allied Craftworkers

Mr. David Harris, American Jewish Committee

Mr. Adrian Karatnycky, Freedom House

Dr. Alvin Z. Rubinstein, University of Pennsylvania

Dr. Paula Stern, The Stern Group

February 24, 1998

Administration Views on the Protocols to the North Atlantic Treaty of 1949 on Accession of Poland, Hungary, and the Czech Republic

The Honorable Madeleine K. Albright, Secretary of State

The Honorable William S. Cohen, Secretary of Defense

General Henry H. Shelton, USA, Chairman, Joint Chiefs of Staff

In addition to Foreign Relations Committee action, since 1995 the Senate Appropriations, Armed Services, and Budget Committees have held several hearings on NATO enlargement.

On April 22, 1997, Senate Majority Leader Trent Lott and Minority Leader Tom Daschle created the Senate NATO Observer Group to provide a focal point for addressing NATO issues that cut across committee jurisdictions and to help educate Senators on the issues involved in any decision to enlarge NATO. Twenty-eight Senators serve on the Observer Group:

Senator Joseph R. Biden, Jr.

Senator Jeff Bingaman

Senator Robert C. Byrd

Senator Dan Coats

Senator Paul Coverdell

Senator Joseph I. Lieberman

Senator Trent Lott

Senator John McCain

Senator Mitch McConnell

Senator Barbara A. Mikulski

Senator Tom Daschle	Senator Daniel Patrick Moynihan
Senator Byron L. Dorgan	Senator Paul S. Sarbanes
Senator Chuck Hagel	Senator Gordon Smith
Senator Jesse Helms	Senator Olympia J. Snowe
Senator Kay Bailey Hutchison	Senator William V. Roth, Jr.
Senator Daniel K. Inouye	Senator Ted Stevens
Senator Robert J. Kerrey	Senator Strom Thurmond
Senator Patrick J. Leahy	Senator John W. Warner
Senator Carl Levin	Senator Paul Wellstone

Senator Roth was appointed Chairman, and Senator Biden was appointed Co-Chairman. The Observer Group held numerous meetings with Administration, NATO officials, and foreign officials. These meetings are listed below.

May 13, 1997

Chairmen's Meeting with Czech President Vaclav Havel

May 14, 1997

Meeting with Secretary of State Madeleine K. Albright

May 15, 1997

Meeting with Deputy Secretary of State Strobe Talbott regarding the NATO-Russia Founding Act

May 27, 1997

Observer Group delegation joined President Clinton's delegation in Paris for the signing of the NATO-Russia Founding Act

June 6, 1997

Meeting with U.S. Permanent Representative to the North Atlantic Council Robert Hunter

June 11, 1997

Meeting with the President at the White House

June 25, 1997

Meeting with Secretary of Defense William Cohen

July 6/7, 1997

Observer Group delegation visit to Prague, Czech Republic

July 8, 1997

Observer Group delegation joined President Clinton's delegation at the NATO summit in Madrid

July 8, 1997

Observer Group delegation lunch with the Presidents of Poland, Hungary, and the Czech Republic

July 9, 1997

Observer Group delegation breakfast with Polish President Aleksander Kwasniewski in Madrid

July 25, 1997

Meeting with NATO Secretary General Javier Solana

September 18, 1997

Meeting with NATO Chiefs of Defense

September 30, 1997

Meeting with the Foreign Ministers of Poland, Hungary, and the Czech Republic

February 10, 1998

Meeting with the Foreign Ministers of Poland, Hungary, and the Czech Republic

February 11, 1998

Meeting with Bulgarian President Petar Stoyanov (jointly with the Foreign Relations Committee)

February 26, 1998

Meeting with the Chairman of NATO's Military Committee, General Klaus Naumann

At a markup on March 3, 1998, the Committee considered a Resolution of Ratification including seven declarations and four conditions. The resolution was agreed to by the Committee by a roll call vote of 16-2. Those members voting in the affirmative were Senators Helms, Lugar, Coverdell, Hagel, Smith, Thomas, Grams, Frist, Brownback, Biden, Sarbanes, Dodd, Kerry, Robb, Feingold, and Feinstein. Those members voting against were Senators Ashcroft and Wellstone.

The conditions and declarations and the rationale for approving them are as follows:

Declaration 1: Reaffirmation that Membership in NATO Remains a Vital National Security Interest of the United States

Declaration 1 reiterates that NATO membership is a vital national security interest for the United States. For over fifty years, NATO has served as the preeminent organization to defend the territory of the countries in the North Atlantic area against all external threats. NATO prevailed in the task of ensuring the survival of democratic governments throughout the Cold War, NATO succeeded in maintaining the peace in disputes among NATO members, and NATO has established a process of cooperative security planning that enhances the security of the United States and its allies while distributing the financial burden of defending the democracies of Europe and North America among the Allies.

Declaration 2: Strategic Rationale for NATO Enlargement

Declaration 2 lays out the strategic rationale for the inclusion of Poland, Hungary, and the Czech Republic in NATO. NATO members have determined that, consistent with Article 10 of the North Atlantic Treaty, Poland, Hungary, and the Czech Republic are in a position to further the principles of the North Atlantic Treaty and

to contribute to the security of the North Atlantic area. This step has been taken with the acknowledgment that, notwithstanding the collapse of communism in most of Europe, NATO allies continue to face threats to their stability and territorial integrity. These threats stem from the possibility of the emergence of a hegemonic power in or around Europe, resumed conflict caused by ethnic and religious enmity, or the proliferation of weapons of mass destruction. Extending NATO membership to Poland, Hungary, and the Czech Republic will strengthen NATO by extending the zone of security cooperation, serve as a deterrent to potential aggressors, and advance the interests of the United States and its NATO allies.

Declaration 3: Supremacy of the North Atlantic Council in NATO Decision-Making

Declaration 3 emphasizes the supremacy of NATO members in making the core decisions of the Alliance, notwithstanding the Alliance's growing association with non-member states. Within the North Atlantic Treaty Organization, the North Atlantic Council, commonly referred to as the NAC, is the principal decision-making body. Final NATO authority rests on its decisions, and all members of NATO are represented. The NAC does not require approval or consensus on its decisions from any outside body, though it is committed by the North Atlantic Treaty to act in accordance with international law. This declaration also emphasizes that decisions are determined at the NAC by consensus of all NATO members and are not subject to approval or review of any forum affiliated with NATO, such as the NATO-Russia Permanent Joint Council or the NATO-Ukraine Commission. Additionally, the NAC does not require consent by international organizations such as the United Nations in order to undertake a mission that includes the use of force in defense of its members.

Declaration 4: Full Membership for New NATO Members

Declaration 4 emphasizes that, upon completion of the accession process, Poland, Hungary, and the Czech Republic will have all the rights, privileges, obligations, responsibilities, and protections that are afforded to all other NATO members. In particular, the Committee would view unfavorably any legally binding requirement arising from the adaptation talks of the Treaty on Conventional Armed Forces in Europe (CFE) that would have the effect of constraining the ability of NATO to fulfill its Article 5 guarantee to new member states. This provision also endorses the political commitments made by NATO to the Russian Federation in the NATO-Russia Founding Act, including its provisions regarding a decision under current circumstances neither to deploy nuclear weapons, nor to station forces on the territory of new members. This provision emphasizes that the Founding Act is not legally binding and cannot preclude any decisions made by the North Atlantic Council.

Declaration 5: NATO-Russia Relationship

Declaration 5 expresses the Senate's support for NATO to engage with the Russian Federation in a new and constructive relationship

as Russia continues to pursue democracy, market reform, and peaceful relations with its neighbors.

Declaration 6: The Importance of European Integration

Declaration 6 emphasizes the important role that other European institutions such as the Organization for Security and Cooperation in Europe and the European Union must play in advancing the political, economic, and social stability of Europe.

Declaration 7: Future Consideration of Candidates for Membership in NATO

Declaration 7 declares that Poland, Hungary, and the Czech Republic are the only countries in Europe that have been invited to join NATO, and that the consideration of future members in NATO provided for under Article 10 of the Senate-approved North Atlantic Treaty is subject to the requirement for advice and consent under Article II, Section 2, Clause 2 of the United States Constitution. Article 10 of the North Atlantic Treaty provides for an open door to the admission into NATO of other European countries that are in a position to further the principles of the Treaty and that can contribute to the security of the North Atlantic area. The only countries that have been invited to accede to NATO are Poland, Hungary, and the Czech Republic, and the United States will not support any subsequent invitation for admission to NATO if the prospective member cannot fulfill the obligations and responsibilities of NATO membership in a manner that serves the overall political and strategic interests of the United States. The Senate emphasizes that no state will be invited to become a member of NATO unless the Executive Branch fulfills the Constitutional requirement for seeking the advice of the Senate, a consensus decision to proceed is reached in NATO, and ratification is achieved according to the national procedures of each NATO member, including the consent to ratification by the Senate.

Condition 1: The Strategic Concept of NATO

Condition 1 declares that NATO's central purpose remains the defense of its members. Any proposal to revise this mission will require full consultation by the Executive Branch. The Strategic Concept of NATO is the guiding policy document that describes NATO's strategy and the steps NATO takes to accomplish it. Collective defense is reaffirmed as NATO's core purpose. The Senate declares that NATO must continue to pursue defense planning, command structures, and force goals first and foremost to meet the requirement of the collective defense of NATO members.

Condition 1 further directs the President to submit a report to Congress that explains the manner in which the Strategic Concept of NATO affects global U.S. military requirements. The report must also contain an analysis of all potential threats to the North Atlantic area over the next decade, and must identify the alternative system architectures for deployment of a NATO missile defense for the region of Europe that would counter any current or emerging threat by ballistic and cruise missile systems in countries other than the declared nuclear powers. Additionally, the report will contain a detailed, country-specific report on the progress of all

NATO members on meeting current force goals in support of the Alliance. The Senate is interested in a full account of the vulnerabilities or weaknesses posed to NATO due to the failure of individual members to meet previously agreed upon force goals. Through required briefings, the Executive branch will keep the Senate informed of any discussions in NATO to revise the Strategic Concept.

Condition 2: Cost, Benefits, Burdensharing, and Military Implications of the Enlargement of NATO

Condition 2 requires the President to reaffirm understandings on the cost, benefits, and military implications of NATO enlargement. Prior to depositing the instrument of ratification, the President is required to certify to the Senate that the inclusion of Poland, Hungary, or the Czech Republic in NATO will not increase the United States' overall percentage share of the NATO common budget. Similarly, the President is required to certify that the United States is under no obligation to subsidize the national expenses necessary for Poland, Hungary, or the Czech Republic to meet those countries' NATO commitments, and that the membership of Poland, Hungary, or the Czech Republic in NATO will not detract in any way from the ability of the United States to meet its military commitments outside the North Atlantic area. This provision does not prohibit voluntary assistance programs by the United States such as the ongoing Warsaw Initiative.

Condition 2 further directs the President to submit an annual report to the Senate during the five year period following the entry into force of the protocols. The report is to include detailed information on the annual defense budgets of all NATO members, their contributions to the common budget and cost-sharing arrangements of NATO, and an itemization of costs incurred by the United States in support of Polish, Czech and Hungarian membership in NATO.

Condition 3: The NATO-Russia Founding Act and the Permanent Joint Council

Condition 3 requires the President to certify the previously stated position of the Executive Branch on areas of cooperation under the NATO-Russia Founding Act and the nature of discussions in the NATO-Russia Permanent Joint Council. The resolution reiterates the Executive Branch interpretation of Russia's role under the Founding Act and the firewalls between the deliberations of the North Atlantic Council and the Permanent Joint Council to preserve the integrity of decision-making and the security of NATO. The Senate states that any discussions in the Permanent Joint Council will be for explanatory, not decision-making purposes, and that these discussions will not extend to a level of detail that could in any way compromise the security of NATO. Further it is the understanding of the Senate that no issue will be discussed in the Permanent Joint Council until after NATO has reached consensus on its position. The Senate explicitly states that under no circumstance will the Russian Federation have a veto over NATO policy or any role in NATO decision-making under the auspices of the Founding Act or the Permanent Joint Council. Additionally, the

Senate reiterates its understanding of the limits of discussions in the NATO-Russia Permanent Joint Council.

Condition 4: Treaty Interpretation

Condition (4) reaffirms condition (1) in the resolution of ratification of the INF Treaty, which was approved by the Senate in 1988. That condition, known as the “Biden-Byrd-Helms” condition, sets forth important principles of treaty interpretation. The condition has been reaffirmed by the Senate several times since 1988, including during consideration of the CFE Treaty, the Open Skies Treaty, the START I and START II Treaties, and the Chemical Weapons Convention. These principles apply regardless of whether the Senate chooses to say so during consideration of any particular treaty.

A full discussion of the background to, and rationale for, this condition may be found in the Committee’s report on the INF Treaty (S. Exec. Rept. No. 15, 100th Cong., 2d Sess.), and the Committee’s report on the CFE Flank Document (S. Exec. Rept. No. 1, 105th Cong., 1st Sess.).

VI. RESOLUTION OF RATIFICATION

Resolved (two-thirds of the Senators present concurring therein),

SECTION 1. SENATE ADVICE AND CONSENT SUBJECT TO DECLARATIONS AND CONDITIONS.

The Senate advises and consents to the ratification of the Protocols to the North Atlantic Treaty of 1949 on the Accession of Poland, Hungary, and the Czech Republic, which were opened for signature at Brussels on December 16, 1997, and signed on behalf of the United States of America and other parties to the North Atlantic Treaty, as defined in section 4(6), subject to the declarations of section 2 and the conditions of section 3.

SEC. 2. DECLARATIONS.

The advice and consent of the Senate to ratification of the Protocols to the North Atlantic Treaty on the Accession of Poland, Hungary, and the Czech Republic is subject to the following declarations:

(1) REAFFIRMATION THAT UNITED STATES MEMBERSHIP IN NATO REMAINS A VITAL NATIONAL SECURITY INTEREST OF THE UNITED STATES.—The Senate declares that—

(A) for nearly 50 years the North Atlantic Treaty Organization (NATO) has served as the preeminent organization to defend the territory of the countries in the North Atlantic area against all external threats;

(B) through common action, the established democracies of North America and Europe that were joined in NATO persevered and prevailed in the task of ensuring the survival of democratic government in Europe and North America throughout the Cold War;

(C) NATO enhances the security of the United States by embedding European states in a process of cooperative security planning, by preventing the destabilizing renationalization of European military policies, and by ensuring an ongoing and direct leadership role for the United States in European security affairs;

(D) the responsibility and financial burden of defending the democracies of Europe and North America can be more evenly shared through an alliance in which specific obligations and force goals are met by its members;

(E) the security and prosperity of the United States is enhanced by NATO's collective defense against aggression that may threaten the territory of NATO members; and

(F) United States membership in NATO remains a vital national security interest of the United States.

(2) STRATEGIC RATIONALE FOR NATO ENLARGEMENT.—The Senate finds that—

(A) notwithstanding the collapse of communism in most of Europe and the dissolution of the Soviet Union, the United States and its NATO allies face threats to their stability and territorial integrity, including—

(i) the potential for the emergence of a hegemonic power in Europe;

(ii) conflict stemming from ethnic and religious enmity, the revival of historic disputes, or the actions of undemocratic leaders;

(iii) the proliferation of technologies associated with nuclear, chemical, or biological weapons as well as ballistic and cruise missile systems and other means of the delivery of those weapons; and

(iv) possible transnational threats that would adversely affect the core security interests of NATO members;

(B) the invasion of Poland, Hungary, or the Czech Republic, or their destabilization arising from external subversion, would threaten the stability of Europe and jeopardize vital United States national security interests;

(C) Poland, Hungary, and the Czech Republic, having established democratic governments and having demonstrated a willingness to meet all requirements of membership, including those necessary to contribute to the territorial defense of all NATO members, are in a position to further the principles of the North Atlantic Treaty and to contribute to the security of the North Atlantic area; and

(D) extending NATO membership to Poland, Hungary, and the Czech Republic will strengthen NATO, enhance security and stability in Central Europe, deter potential aggressors, and thereby advance the interests of the United States and its NATO allies.

(3) SUPREMACY OF THE NORTH ATLANTIC COUNCIL IN NATO DECISION-MAKING.—The Senate understands that—

(A) as the North Atlantic Council is the supreme decision-making body of NATO, the North Atlantic Council will not subject its decisions to review, challenge, or veto by any forum affiliated with NATO, including the Permanent Joint Council or the Euro-Atlantic Partnership Council, or by any nonmember state participating in any such forum;

(B) the North Atlantic Council does not require the consent of the United Nations, the Organization for Security and Cooperation in Europe, or any other international organization in order to take any action pursuant to the North Atlantic Treaty in defense of the North Atlantic area, including the deployment, operation, or stationing of forces; and

(C) the North Atlantic Council has direct responsibility for matters relating to the basic policies of NATO, including development of the Strategic Concept of NATO (as defined in section 3(1)(E)), and a consensus position of the North Atlantic Council will precede any negotiation between NATO and non-NATO members that affects NATO's relationship with non-NATO members participating in fora such as the Permanent Joint Council.

(4) FULL MEMBERSHIP FOR NEW NATO MEMBERS.—

(A) IN GENERAL.—The Senate understands that Poland, Hungary, and the Czech Republic, in becoming NATO members, will have all the rights, obligations, responsibil-

ities, and protections that are afforded to all other NATO members.

(B) POLITICAL COMMITMENTS.—The Senate endorses the political commitments made by NATO to the Russian Federation in the NATO-Russia Founding Act, which are not legally binding and do not in any way preclude any future decisions by the North Atlantic Council to preserve the security of NATO members.

(5) NATO-RUSSIA RELATIONSHIP.—The Senate finds that it is in the interest of the United States for NATO to develop a new and constructive relationship with the Russian Federation as the Russian Federation pursues democratization, market reforms, and peaceful relations with its neighbors.

(6) THE IMPORTANCE OF EUROPEAN INTEGRATION.—

(A) SENSE OF THE SENATE.—It is the sense of the Senate that—

(i) the central purpose of NATO is to provide for the collective defense of its members;

(ii) the Organization for Security and Cooperation in Europe is a fundamental institution for the promotion of democracy, the rule of law, crisis prevention, and post-conflict rehabilitation and, as such, is an essential forum for the discussion and resolution of political disputes among European members, Canada, and the United States; and

(iii) the European Union is an essential organization for the economic, political, and social integration of all qualified European countries into an undivided Europe.

(B) POLICY OF THE UNITED STATES.—The policy of the United States is—

(i) to utilize fully the institutions of the Organization for Security and Cooperation in Europe to reach political solutions for disputes in Europe; and

(ii) to encourage actively the efforts of the European Union to expand its membership, which will help to stabilize the democracies of Central and Eastern Europe.

(7) FUTURE CONSIDERATION OF CANDIDATES FOR MEMBERSHIP IN NATO.—

(A) SENATE FINDINGS.—The Senate finds that—

(i) Article 10 of the North Atlantic Treaty provides that NATO members by unanimous agreement may invite the accession to the North Atlantic Treaty of any other European state in a position to further the principles of the North Atlantic Treaty and to contribute to the security of the North Atlantic area;

(ii) in its Madrid summit declaration of July 8, 1997, NATO pledged to “maintain an open door to the admission of additional Alliance members in the future” if those countries satisfy the requirements of Article 10 of the North Atlantic Treaty;

(iii) other than Poland, Hungary, and the Czech Republic, the United States has not consented to invite any other country to join NATO in the future; and

(iv) the United States will not support the admission of, or the invitation for admission of, any new NATO member unless—

(I) the President consults with the Senate consistent with Article II, section 2, clause 2 of the Constitution of the United States (relating to the advice and consent of the Senate to the making of treaties); and

(II) the prospective NATO member can fulfill the obligations and responsibilities of membership, and its inclusion would serve the overall political and strategic interests of NATO and the United States.

(B) REQUIREMENT FOR CONSENSUS AND RATIFICATION.—

The Senate declares that no action or agreement other than a consensus decision by the full membership of NATO, approved by the national procedures of each NATO member, including, in the case of the United States, the requirements of Article II, section 2, clause 2 of the Constitution of the United States (relating to the advice and consent of the Senate to the making of treaties), will constitute a security commitment pursuant to the North Atlantic Treaty.

SEC. 3. CONDITIONS.

The advice and consent of the Senate to the ratification of the Protocols to the North Atlantic Treaty of 1949 on the Accession of Poland, Hungary, and the Czech Republic is subject to the following conditions, which shall be binding upon the President:

(1) THE STRATEGIC CONCEPT OF NATO.—

(A) THE FUNDAMENTAL IMPORTANCE OF COLLECTIVE DEFENSE.—The Senate declares that—

(i) in order for NATO to serve the security interests of the United States, the core purpose of NATO must continue to be the collective defense of the territory of all NATO members; and

(ii) NATO may also, pursuant to Article 4 of the North Atlantic Treaty, on a case-by-case basis, engage in other missions when there is a consensus among its members that there is a threat to the security and interests of NATO members.

(B) DEFENSE PLANNING, COMMAND STRUCTURES, AND FORCE GOALS.—The Senate declares that NATO must continue to pursue defense planning, command structures, and force goals to meet the requirements of Article 5 of the North Atlantic Treaty as well as the requirements of other missions agreed upon by NATO members, but must do so in a manner that first and foremost ensures under the North Atlantic Treaty the ability of NATO to deter and counter any significant military threat to the territory of any NATO member.

(C) REPORT.—Not later than 180 days after the date of adoption of this resolution, the President shall submit to the President of the Senate and the Speaker of the House of Representatives a report on the Strategic Concept of NATO. The report shall be submitted in both classified and unclassified form and shall include—

(i) an explanation of the manner in which the Strategic Concept of NATO affects United States military requirements both within and outside the North Atlantic area;

(ii) an analysis of all potential threats to the North Atlantic area up to the year 2010, including the consideration of a reconstituted conventional threat to Europe, emerging capabilities of non-NATO countries to use nuclear, biological, or chemical weapons affecting the North Atlantic area, and the emerging ballistic and cruise missile threat affecting the North Atlantic area;

(iii) the identification of alternative system architectures for the deployment of a NATO missile defense for the region of Europe that would be capable of countering the threat posed by emerging ballistic and cruise missile systems in countries other than declared nuclear powers, together with a timetable for development and an estimate of costs;

(iv) a detailed assessment of the progress of all NATO members, on a country-by-country basis, toward meeting current force goals; and

(v) a general description of the overall approach to updating the Strategic Concept of NATO.

(D) BRIEFINGS ON REVISIONS TO THE STRATEGIC CONCEPT.—Not less than twice in the 300-day period following the date of adoption of this resolution, each at an agreed time to precede each Ministerial meeting of the North Atlantic Council, the Senate expects the appropriate officials of the executive branch of Government to offer detailed briefings to the Committee on Foreign Relations of the Senate on proposed changes to the Strategic Concept of NATO, including—

(i) an explanation of the manner in which specific revisions to the Strategic Concept of NATO will serve United States national security interests and affect United States military requirements both within and outside the North Atlantic area;

(ii) a timetable for implementation of new force goals by all NATO members under any revised Strategic Concept of NATO;

(iii) a description of any negotiations regarding the revision of the nuclear weapons policy of NATO; and

(iv) a description of any proposal to condition decisions of the North Atlantic Council upon the approval of the United Nations, the Organization for Security and Cooperation in Europe, or any NATO-affiliated forum.

(E) DEFINITION.—For the purposes of this paragraph, the term “Strategic Concept of NATO” means the document agreed to by the Heads of State and Government participating in the meeting of the North Atlantic Council in Rome on November 7–8, 1991, or any subsequent document agreed to by the North Atlantic Council that would serve a similar purpose.

(2) COST, BENEFITS, BURDENSARING, AND MILITARY IMPLICATIONS OF THE ENLARGEMENT OF NATO.—

(A) PRESIDENTIAL CERTIFICATION.—Prior to the deposit of the United States instrument of ratification, the President shall certify to the Senate that—

(i) the inclusion of Poland, Hungary, and the Czech Republic in NATO will not have the effect of increasing the overall percentage share of the United States in the common budgets of NATO;

(ii) the United States is under no commitment to subsidize the national expenses necessary for Poland, Hungary, or the Czech Republic to meet its NATO commitments; and

(iii) the inclusion of Poland, Hungary, and the Czech Republic in NATO does not detract from the ability of the United States to meet or to fund its military requirements outside the North Atlantic area.

(B) ANNUAL REPORTS.—

(i) REQUIREMENTS.—Not later than April 1 of each year during the five-year period following the date of entry into force of the Protocols to the North Atlantic Treaty of 1949 on the Accession of Poland, Hungary, and the Czech Republic, the President shall submit to the appropriate congressional committees a report which may be submitted in an unclassified and classified form and which shall contain the following information:

(I) The amount contributed to the common budgets of NATO by each NATO member during the preceding calendar year.

(II) The proportional share assigned to, and paid by, each NATO member under NATO’s cost-sharing arrangements.

(III) The national defense budget of each NATO member, the steps taken by each NATO member to meet NATO force goals, and the adequacy of the national defense budget of each NATO member in meeting common defense and security obligations.

(IV) Any costs incurred by the United States in connection with the membership of Poland, Hungary, or the Czech Republic in NATO, including the deployment of United States military personnel, the provision of any defense article or defense service, the funding of any training activity, or the modification or construction of any military facility.

(ii) DEFINITION OF APPROPRIATE CONGRESSIONAL COMMITTEES.—As used in this subparagraph, the term “appropriate congressional committees” means the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate and the Committee on International Relations, the Committee on National Security, and the Committee on Appropriations of the House of Representatives.

(3) THE NATO-RUSSIA FOUNDING ACT AND THE PERMANENT JOINT COUNCIL.—Prior to the deposit of the United States instrument of ratification, the President shall certify to the Senate the following:

(A) IN GENERAL.—The NATO-Russia Founding Act and the Permanent Joint Council do not provide the Russian Federation with a veto over NATO policy.

(B) NATO DECISION-MAKING.—The NATO-Russia Founding Act and the Permanent Joint Council do not provide the Russian Federation any role in the North Atlantic Council or NATO decision-making, including—

(i) any decision NATO makes on an internal matter;

or

(ii) the manner in which NATO organizes itself, conducts its business, or plans, prepares for, or conducts any mission that affects one or more of its members, such as collective defense, as stated under Article 5 of the North Atlantic Treaty.

(C) NATURE OF DISCUSSIONS IN THE PERMANENT JOINT COUNCIL.—In discussions in the Permanent Joint Council—

(i) the Permanent Joint Council will not be a forum in which NATO’s basic strategy, doctrine, or readiness is negotiated with the Russian Federation, and NATO will not use the Permanent Joint Council as a substitute for formal arms control negotiations such as the adaptation of the Treaty on Conventional Armed Forces in Europe, done at Paris on November 19, 1990;

(ii) any discussion with the Russian Federation of NATO doctrine will be for explanatory, not decision-making purposes;

(iii) any explanation described in clause (ii) will not extend to a level of detail that could in any way compromise the effectiveness of NATO’s military forces, and any such explanation will be offered only after NATO has first set its policies on issues affecting internal matters;

(iv) NATO will not discuss any agenda item with the Russian Federation prior to agreeing to a NATO position within the North Atlantic Council on that agenda item; and

(v) the Permanent Joint Council will not be used to make any decision on NATO doctrine, strategy, or readiness.

(4) TREATY INTERPRETATION.—

(A) PRINCIPLES OF TREATY INTERPRETATION.—The Senate affirms the applicability to all treaties of the constitutionally-based principles of treaty interpretation set forth in condition (1) in the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988.

(B) CONSTRUCTION OF SENATE RESOLUTION OF RATIFICATION.—Nothing in condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988, shall be construed as authorizing the President to obtain legislative approval for modifications or amendments to treaties through majority approval of both Houses of Congress.

(C) DEFINITION.—As used in this paragraph, the term “INF Treaty” refers to the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter Range Missiles, together with the related memorandum of understanding and protocols, done at Washington on December 8, 1987.

SEC. 4. DEFINITIONS.

In this resolution:

(1) NATO.—The term “NATO” means the North Atlantic Treaty Organization.

(2) NATO MEMBERS.—The term “NATO members” means all countries that are parties to the North Atlantic Treaty.

(3) NATO-RUSSIA FOUNDING ACT.—The term “NATO-Russia Founding Act” means the document entitled the “Founding Act on Mutual Relations, Cooperation and Security Between NATO and the Russian Federation”, dated May 27, 1997.

(4) NORTH ATLANTIC AREA.—The term “North Atlantic area” means the area covered by Article 6 of the North Atlantic Treaty, as applied by the North Atlantic Council.

(5) NORTH ATLANTIC TREATY.—The term “North Atlantic Treaty” means the North Atlantic Treaty, signed at Washington on April 4, 1949 (63 Stat. 2241; TIAS 1964), as amended.

(6) PROTOCOLS TO THE NORTH ATLANTIC TREATY OF 1949 ON THE ACCESSION OF POLAND, HUNGARY, AND THE CZECH REPUBLIC.—The term “Protocols to the North Atlantic Treaty of 1949 on the Accession of Poland, Hungary, and the Czech Republic” refers to the following protocols transmitted by the President to the Senate on February 11, 1998 (Treaty Document No. 105–36):

(A) The Protocol to the North Atlantic Treaty on the Accession of the Republic of Poland, signed at Brussels on December 16, 1997.

(B) The Protocol to the North Atlantic Treaty on the Accession of the Republic of Hungary, signed at Brussels on December 16, 1997.

(C) The Protocol to the North Atlantic Treaty on the Accession of the Czech Republic, signed at Brussels on December 16, 1997.

(7) UNITED STATES INSTRUMENT OF RATIFICATION.—The term “United States instrument of ratification” means the instru-

ment of ratification of the United States of the Protocols to the North Atlantic Treaty of 1949 on the Accession of Poland, Hungary, and the Czech Republic.

VII. VIEWS OF THE SENATE COMMITTEE ON ARMED SERVICES

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United States Senate
COMMITTEE ON ARMED SERVICES
WASHINGTON, DC 20510-6050
February 27, 1998

Senator Jesse Helms
Senator Joe Biden
Committee on Foreign Relations
United States Senate
Washington, D.C. 20510

Dear Jesse and Joe:

We are writing to inform you of the recommendation of the Committee on Armed Services on the protocols of accession of Poland, the Czech Republic and Hungary to the Washington Treaty of 1949.

In a February 23, 1998 letter to the Chairman of the Committee, the Secretary of Defense conveyed the views of the Department of Defense that NATO enlargement is in the interests of the United States, and that our national security would be strengthened by including Poland, Hungary and the Czech Republic in the Alliance. He also believes that enlargement of the Alliance will advance efforts undertaken by our allies and partners to build an undivided, democratic and peaceful Europe, as well as deter threats and bring stability to the region. He believes that these new countries will add substantial forces to NATO who are willing and able to defend common interests. Lastly the Secretary of Defense believes that U.S. support for NATO enlargement will demonstrate our continuing engagement and leadership in transatlantic affairs.

The Committee has a tradition of long-term support of the NATO Alliance. Since the recommendation of the North Atlantic Council in 1994 to enlarge the Alliance, the Committee has conducted hearings on the military and national security implications of enlarging the membership of the North Atlantic Treaty Organization (NATO).

The Committee's review highlighted several concerns about enlarging NATO and adapting the Alliance to a new strategic environment. Like the United States, our Allies face budgetary constraints with reductions in their defense budgets. Following the July 1997 NATO Summit in Madrid, NATO Heads of States reportedly were reluctant to assume their share of enlargement costs, which has raised concerns about the commitment expressed in the December 1997 Ministerial Communique that resources necessary for NATO enlargement would be made available.

In short, with regard to the costs of expanding the Alliance, the Committee believes it is important that new members be capable of meeting the financial obligations of membership in NATO upon accession to the Treaty, to include contributing to the NATO Common Fund which supports the headquarters operating costs, common operations and maintenance, and construction of infrastructure. Alliance members are expected to contribute military forces who are capable of interoperating with the Alliance forces, while at the same time providing for their own national defense. This will require prospective new members to restructure their forces and modernize their military more closely to western military forces.

Other concerns raised by members of the Committee included the impact of expanding the Alliance eastward on NATO-Russia relations; and, in adapting NATO's mission to a post-Cold War environment, taking on out of area non-Article 5 missions such as peace enforcement, peacekeeping and crisis management.

The current estimate of the cost of enlarging the Alliance could increase, or decrease, if the assumptions upon which it is based change, or the level of threat increases. The assessment of the Secretary of Defense and Secretary of State, as well as the North Atlantic Council of the Alliance is that there is currently no threat of a large-scale conventional attack, and that any threat of a large-scale conventional attack would take years to develop. Due to the change in the strategic environment, the defense posture of the Alliance is oriented toward a low threat environment, and therefore does not require the creation of new forces or the permanent deployment of new forces on the territory of new members. The current estimate on the cost of enlarging NATO therefore reflects efforts that will be undertaken to assist prospective new members in achieving an initial interoperability capability and limited capabilities for new members to defend themselves.

The Committee recommends that understandings be incorporated into the resolution of ratification of the protocols to the Washington Treaty of 1949 regarding the costs associated with enlarging and adapting NATO and the relationship between the Permanent Joint Council and the North Atlantic Council and maintaining the collective defense as the core mission of NATO. With the inclusion of these understandings in the resolution of ratification, the Committee is prepared to participate in the Senate's debate. Without the inclusion of the Committee's concerns, the Committee is prepared to take action to amend the resolution of ratification. In providing our recommendations, we include the following background upon which our recommendations are based.

History of NATO

The North Atlantic Treaty Organization was formed in 1949 with the primary mission of presenting a common front should the Soviet Union attack any NATO member. Since its formation, NATO has increased its membership by four nations, with the inclusion of Greece, Turkey, Germany and Spain.

The disintegration of the Soviet Union in 1989 and the demise of the Warsaw Pact prompted the Alliance to redefine its mission. In an effort to maintain its relevance, expanding its membership has been identified by NATO as a key element of redefining NATO's mission.

Costs of Enlarging the Alliance

The defense budget has shrunk from a high of \$423.2 billion in 1985 during the Cold War, to a post-Cold War level of \$257.3 billion currently requested in the fiscal year 1999 budget. Likewise, U.S. force strength in Europe has been reduced from 320,000 during the Cold War to the current level of approximately 100,000. We would note that similarly, since the end of the Cold War, our NATO allies have reduced their defense spending, as well as their force structure.

Article III of the Washington Treaty of 1949 provides that the allies "separately and jointly, by means of continuous and effective self help and mutual aid," help each other "maintain and develop their individual and collective capacity to resist armed attack." Funding for the Alliance has been through the NATO Military Budget, to which members of the Alliance contribute on a percentage basis. The U.S. contribution to the NATO Military Budget is approximately 24%. In fiscal year 1998, the defense budget included a total of \$449 million for the U.S. contribution to the NATO Military Budget, which includes the NATO Security Investment Program. The fiscal year 1999 defense budget request includes \$450 million for the NATO Military Budget and the NATO Security Investment Program.

To date, four assessments of the costs of enlarging NATO have been prepared. Of those four estimates, three were concluded prior to the July 1997 NATO Summit in Madrid, where Poland, Hungary and the Czech Republic were invited to join the Alliance. Following the July 1997 Madrid Summit a fourth estimate was prepared by the NATO Military Authorities.

The three preliminary assessments of the costs of enlargement completed prior to the July 1997 Madrid Summit were prepared by the RAND Corporation, the Congressional Budget Office and the Department of Defense. The most recent estimate was

prepared by the NATO Military Authorities after the Madrid Summit and submitted to the North Atlantic Council (NAC) for its review.

The four estimates range from as high as \$125 billion over a fifteen-year time frame to as low as \$1.5 billion over a ten-year time period. The differences between costs contained in the four estimates are primarily a result of differing views on the current and future military requirements of NATO forces, the threat, the condition of facilities in the three candidate nations, and the activities identified by NATO as eligible for NATO funding.

The NATO Military Authorities conducted an on-site review of the infrastructure sites and equipment upgrades considered necessary for reinforcement of the new member countries. They found that infrastructure sites were in a better condition than believed in the previous cost estimates and studies. The military authorities also determined that a smaller number of sites had to be upgraded than previous assessments indicated. In addition, the three new member nations' commonly funded modernization requirements were limited to the upgrade of command and control equipment and air defense radars. The overall effect of NATO's study was to achieve a reduction from the DoD estimate of commonly funded requirements of \$5.5-\$7 billion to \$1.5 billion over ten years.

The February 1997 DoD Report to Congress also included an estimate of the costs of enlarging the Alliance for new members and current allies to be in the range of \$13-17 billion and \$12.5-\$15 billion, respectively. Following the Madrid Summit, NATO allies were reported to be reluctant to pay the costs associated with enlarging the Alliance. They were also reported to have voiced opinions that the estimates were exaggerated and inflated. News articles reported French President Chirac as saying that France would not pay to expand the Alliance. The reported reluctance of our Allies to pay the costs of enlarging the Alliance has raised concerns.

Following their invitation to join NATO in July, the European Union placed Poland, Hungary, and the Czech Republic on the fast track for accession negotiations. With the economic reforms required by the International Monetary Fund, and the requirements of reducing budget deficits in order to join the European Union, placed on Poland, Hungary and the Czech Republic, the Committee is concerned about their ability to meet the financial obligations to NATO, as well as their ability to bear the cost of the restructuring and modernization of their military forces.

At the Senate NATO Observer Group meeting on February 10, 1998, the foreign ministers of Poland, Hungary and the Czech

Republic assured Members that their countries are committed to fulfilling NATO financial and military obligations. The Committee notes that the final communique of the 1997 December Ministerial includes statements of commitment to the financial and military obligations of NATO by Poland, Hungary and the Czech Republic. These commitments to the North Atlantic Council include increasing defense spending as a percentage of their gross domestic product (GDP). In the case of Poland, it has committed to a defense budget of 2.8%, which is above the average for NATO members. On the other hand, the defense spending for the Czech Republic and Hungary have been in decline with current spending at 2% and 1.8%, respectively. Hungary has agreed to increase its defense spending by 20-30% and the Czech Republic has agreed to maintain its current rate of defense expenditures.

In exchanges with government and legislative representatives of several of our current allies, the Committee has received assurances of their willingness and commitment to bear their share of costs associated with enlarging the Alliance. The Committee notes that this commitment is also contained in the Final Communique of the December 1997 Defense Ministerial.

On February 23, 1998, the Department of Defense submitted to Congress its review of the estimate of the common-funded enlargement requirements and costs prepared by the NATO Military Authorities. The NATO Military Committee estimates the common-funded costs to be \$1.5 billion over 10 years. The U.S. share of these costs will be around \$400 million. The Committee notes that this estimate, approved by the North Atlantic Council in December, covers activities identified by the NATO Military Committee as essential military requirements of prospective new members and which are eligible for NATO common funding to assure an effective Article 5 collective defense capability in an expanded Alliance.

Both the Secretary of Defense and the Chairman of the Joint Chiefs have testified that the military requirements underpinning NATO's cost estimate are valid and sound. The February 1998 DoD Report assesses that these military requirements will ensure that new members are integrated into the military structure of the Alliance, enabling an expanded NATO to respond to anticipated contingencies in the new strategic environment. Common-funded costs of enlarging the Alliance and implementing the military requirements will include extending the NATO command and control network into the new territories, integration of the new members into the NATO Integrated Air Defense System, upgrading reception facilities, and increasing training and exercises.

Based on the testimony and documentation presented to the Committee by the Administration, the Committee believes the resolution of ratification should include an understanding that

the U.S. will not bear a disproportionate share of the costs. In other words, unless the assumptions upon which the estimate on the costs associated with enlarging the Alliance are based change, or the threat faced by the Alliance increases, the Committee expects that funding in the defense budget for the U.S. share of NATO activities will not increase by more than \$400 million over the next ten years. In addition, the Committee believes that the level of U.S. burdensharing in the Alliance should be maintained at the current level of 24%, if not less.

Adapting NATO to a post-Cold War Environment

Because it could potentially result in substantial costs to the defense budget of the United States, as well as the defense budgets of Alliance members, certain aspects of adapting NATO's mission have raised some concerns.

NATO proved itself to be an effective military Alliance throughout the Cold War by maintaining peace and stability in Europe. With its ability to work cooperatively with its members and harness military interests, NATO has also proved at times to be an effective political institution. It is through NATO that the United States has kept itself involved in transatlantic security matters. However, since the fall of the Berlin Wall, and the demise of the Soviet Union and the Warsaw Pact, some Members of Congress have come to question the relevance and purpose of NATO.

Since its creation, the cornerstone of the Alliance has been its mission of collective defense, expressed in Article 5 of the 1949 Washington Treaty. During the Cold War, the objective of NATO was to deter or defend against an attack by the Soviet Union and the Warsaw Pact on western Europe. The collective defense provision of the Treaty deems that "an armed attack against one ... shall be considered an attack against them all ..." and that each Party ... in concert with other Parties, "will assist the attacked Party by taking such actions as it deems necessary," including the use of force.

The Committee notes that the Treaty does not direct or specify how the objectives and strategy promoting stability and peace in the North Atlantic region will be met. Nor does the Treaty specify how the Parties are to protect themselves against armed attack. Because of this flexibility, NATO is able to adjust its defense posture and strategy to meet the military or political environment. For example, NATO has adjusted its defense posture and its nuclear strategy throughout the Cold War. In the 1950s, NATO had a strategy of "massive retaliation", which has evolved into a strategy of "flexible response" in the 1980s. However, due to the profound political changes since 1989, NATO

has reevaluated its defense posture and strategy.

In 1991, NATO approved a new strategic concept intended to guide the Alliance into a security era that would reflect new defense priorities and a balance between U.S. and European responsibilities in the Alliance. Under this concept, NATO's defense posture has shifted from a static defense to a reinforcement strategy to enable rapid and flexible power projection for both Article 5 and non-Article 5 operations. Additionally, NATO's nuclear strategy has fundamentally changed to a reliance on the use of nuclear weapons as a last resort.

The NATO which new members are being invited to join today, is not the same NATO of the Cold War. The Alliance maintains that Article 5 collective defense will remain the core mission of NATO. However, with the absence of a major imminent threat, the Committee understands that NATO will focus its defense cooperative efforts on new non-Article 5 missions, to include operations that occur out of area such as peacekeeping, peace enforcement, crisis management and humanitarian assistance. The Administration has cited the current operation in Bosnia, and the U.S.-led coalition in the Persian Gulf, as examples of how NATO can be used to build multinational coalitions and in defensive cooperative efforts to assist in the democratic reform of the military in new democracies. The Committee notes that the NATO operation in Bosnia alone is estimated to have cost the United States \$8 billion already, most of which was not anticipated or included in the defense budgets for fiscal years 1996, 1997 and 1998.

The Committee supports NATO as a military alliance and believes its primary mission must remain collective defense. The Committee understands that NATO can be an effective political institution when the interests of its members are similar. NATO can also be effective in fostering better relations between alliance members and their neighbors, as well as in helping to smooth tensions between its member states. However, the differences between the United States and a number of its partners over the war in Bosnia were a threat to the Alliance's cohesion. On the other hand, the NATO air strikes on Bosnian Serb targets that led to the Dayton negotiations and the NATO-led Stabilization Force in Bosnia have contributed to Alliance cohesion. The Committee notes, however, that not all our NATO allies supported the United States during the recent Iraq crisis.

Efforts taken by the allies at the January 1994 Brussels summit to establish a Combined Joint Task Force (CJTF) will give NATO a more flexible set of options for conducting military operations to respond to various challenges of the future. The Committee commends the Alliance for reaching agreement in principle to streamline its command structure from 65 to 20

commands, and for achieving progress in establishing a chain of command for Western European Union (WEU) missions. The Committee further commends the Alliance for reaffirming its commitment to maintaining collective defense as its core function. The Committee is disappointed that more significant progress has not been achieved in the formation of the European Security and Defense Identity. The Committee understands that the Alliance conducted the first successful CJTF trial in December and urges the Alliance to continue to work toward the successful formation of the European Security and Defense Identity (ESDI). Frankly, the Committee believes the successful implementation of the CJTF concept and the ESDI initiative will make it possible for Europe to take more responsibility within the Alliance for the security of the transatlantic region and to relieve the United States, with its global commitments, of the need to participate with ground forces in peacekeeping missions like Bosnia. The Committee recommends an understanding that the core mission of NATO should remain collective defense, and that only when it is in the national security interests of the United States, and with consensus of the Alliance, should NATO engage in non-Article 5 operations. In addition, the Committee believes that in order for NATO to remain a viable collective defense organization, the members must meet their target force goals.

NATO-Russia Relations

Prior to the Madrid Summit, President Yeltsin, President Clinton and NATO leaders signed the NATO-Russia Founding Act, which established the Permanent Joint Council, a forum in which NATO and Russia can consult on issues of mutual interest. The Act also restated NATO assurances regarding the lack of a present need for permanent stationing of NATO forces and nuclear weapons on the territory of new members. The Committee understands that consultations in this Council will not take place on internal matters of NATO, NATO member States or Russia. The Committee also understands that the Act does not allow Russia the right to veto the actions of NATO. Despite this agreement between NATO and Russia, Russia continues to remain opposed to NATO enlargement in principle.

The Committee received testimony on January 29, 1998 from former Secretary of State Henry Kissinger where he stated his strong opposition to the establishment of the Permanent Joint Council as an adjunct to the Alliance and his concern that Russia not be allowed to participate in NATO meetings. He also indicated his concern that Russia is using the Permanent Joint Council to distract NATO from its core function, as well as a platform to denounce U.S. policy and a tool by which to divide the Alliance. He used, as an example, the most recent incident between Iraq and the United States.

Concerns have been expressed by Members of the Committee that further eastward expansion of the Alliance might negatively exacerbate NATO-Russia relations, strengthen communist and nationalist forces in Russia and create a new confrontational relationship between NATO and Russia.

While collective defense will remain the core mission of the Alliance, NATO and the United States have a program of outreach and cooperation with Russia. Through statements before the Committee, and in diplomatic fora, NATO and Administration representatives have clearly emphasized the view that NATO's intention is no longer to contain Russia. In an effort to show that NATO is no longer working to contain Russia, but working toward contributing to lasting peace, stability and the well-being of Europe, the Alliance has established a series of initiatives. NATO's initiatives include the creation of a consultative forum with Russia, as articulated in the Founding Act, and the creation of the Partnership for Peace (PfP) program in which Russia is able to participate. Objectives of the PfP program include assisting newly democratic states to restructure and establish democratic control of their military forces. The program also assists countries in developing transparency in defense planning and budgetary processes. In training exercises, PfP assists interested countries in becoming interoperable with Alliance forces. In addition, PfP provides participants with a better understanding of collective defense planning and new forms of military doctrine, and provides training in environmental control and disaster relief. NATO invited members of the North Atlantic Cooperation Council, including Russia, and other states to work alongside the Alliance.

The Committee has been assured by the Administration that the Permanent Joint Council will not be used as a forum to negotiate NATO's strategic doctrine, strategy or readiness, and that Russia will not have a voice or veto on matters internal to NATO. The Committee commends NATO for working to build a strategic partnership with Russia. In the interests of serving the long-term security interests of fostering stability, the Committee believes that the Permanent Joint Council can be an effective arm through which the Alliance and Russia can continue to work toward building a peaceful, undivided and democratic Europe. However, the North Atlantic Council is the decision-making body of the Alliance, and should remain so in the future. In this regard, the Committee recommends that the resolution of ratification include an understanding that the NAC shall remain the decision making mechanism of the Alliance.

We have consulted with Members of the Committee on the recommendations mentioned above. Members of the Committee from both sides of the aisle have expressed other concerns regarding various aspects of NATO and the issue of NATO enlargement itself.

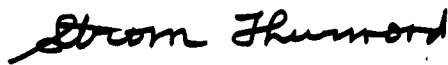
Members of the Committee will address these other issues during the Senate's consideration of the resolution of ratification of the protocols of accession for Poland, Hungary and the Czech Republic to the Washington Treaty of 1949. We ask your consideration of the Committee's recommendations as you draft the resolution of ratification, and ask that this report be submitted as part of the official record of the three protocols.

With kindest regards and best wishes,

Sincerely,



Carl Levin
Ranking Minority Member



Strom Thurmond
Chairman

ST/lmc

VIII. VIEWS OF THE SENATE SELECT COMMITTEE ON INTELLIGENCE

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TAYLOR W. LAWRENCE, STAFF DIRECTOR
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 KATHLEEN P. HUGHES, CHIEF CLERK

United States Senate
 SELECT COMMITTEE ON INTELLIGENCE
 WASHINGTON, DC 20510-0476

SSCI# 98-0931

March 5, 1998

The Honorable Jesse Helms
 Chairman
 The Honorable Joseph R. Biden, Jr.
 Ranking Member
 Committee on Foreign Relations
 United States Senate
 Washington D.C. 20510

Dear Senators:

At our direction, the staff of the Select Committee on Intelligence has prepared a report to support the ratification process by providing the Committee on Foreign Relations and the Senate its assessment of the intelligence implications raised by the modification of the North Atlantic Treaty to admit three new members.

The staff report is the culmination of the committee's work over the past year monitoring the progress of the accession process set in motion by the Alliance's decision last July to formally invite Poland, the Czech Republic, and Hungary to join NATO. The committee has routinely reviewed the state of the accession negotiations with these three countries, a process that concluded in December 1997 with the signing of the accession protocols between NATO and these three countries. Committee members and staff have met numerous times with NATO negotiators as well as representatives from the acceding states, both in European capitals and in Washington D.C. The committee has expressed its views on intelligence issues to the negotiators and to other senior-level officials both formally and informally.

In preparation for the Senate vote on advice and consent to ratification of a modified North Atlantic Treaty, committee staff held numerous staff briefings with U.S. and NATO intelligence officials; reviewed documents prepared by the intelligence community on the intelligence implications of NATO enlargement;

The Honorable Jesse Helms
The Honorable Joseph R. Biden, Jr.
March 5, 1998
Page Two

and asked numerous questions for the record. The committee also required of the Executive branch — the Department of State, the Department of Defense, the National Security Agency, the Central Intelligence Agency, and the Federal Bureau of Investigation — a formal report on the intelligence implications of enlargement. Committee staff also met with members of the Alliance's Interagency Working Group on NATO Enlargement (IWGNE) on 18 February 1998 to discuss integration efforts in the intelligence field. Finally, committee staff traveled to national capitals of the three aspiring members to gain a more detailed, first-hand knowledge of how the civilian and military services of these countries operate, and whether adequate procedures are in place for the sharing of sensitive information with current NATO members.

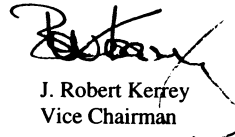
An unclassified summary of the committee staff report is attached. The committee plans to make available to Senators and appropriately cleared staff of the Committee on Foreign Relations the contents of its classified report.

We hope that the report is of use to you and your committee as well as the full Senate as we proceed with further debate on this issue.

Sincerely,



Richard C. Shelby
Chairman



J. Robert Kerrey
Vice Chairman

Attachment

Intelligence and NATO Membership
Staff Report of the Select Committee on Intelligence

Committee Staff Overview

The ability of Poland, Hungary, and the Czech Republic to protect NATO secrets must be viewed not only from the perspective of specific programs and initiatives, but also against the pace and scope of democratic reforms, the degree of civilian control over the military, and the effectiveness of civilian oversight over reformed, restructured, and redirected intelligence services.

Incorporation of three former members of the Warsaw Pact requires that special attention be paid to the sharing of intelligence and other classified material both from the perspective of ensuring adequacy of protection of sensitive intelligence data, and of guarding against hostile intelligence collection efforts. These concerns are echoed by the three countries themselves.

The United States, along with its NATO allies, believes that membership in NATO cannot be granted *a la carte*. NATO has thus determined that there will not be a two-tiered security structure within the Alliance. If and when the three accede to full NATO membership, they will share in all rights and obligations, and will be entitled to share in Alliance secrets, whether analysis or operations. The work undertaken bilaterally and through NATO with the three is geared to ensuring that they take the necessary steps over the transition or pre-accession period to demonstrate that they can and will guard NATO secrets appropriately once they join in April 1999.

Among the factors to be taken into account in assessing the reliability of Poland, Hungary, and the Czech Republic to guard NATO secrets are:

- * the strength of democratic reforms, with a focus on ministerial and legislative oversight of intelligence services and activities;
- * the degree to which the three countries have succeeded in reforming their civilian and military intelligence services, including the ability of the services to hire and retain qualified Western-oriented officers, and the evolution of political and public support for these services;

- * Russian intelligence objectives directed against these countries, including any disinformation campaigns designed to derail, retard, or taint their integration with the West;
- * counterintelligence and other security activities being pursued by the three countries and the adequacy of resources devoted to these efforts; and
- * the work underway between the three invitees and NATO to ensure that security standards will be met by the time the three join the Alliance.

Committee Staff Findings

As a result of its investigation and analysis, committee staff arrived at a series of key findings:

General

- * Any intelligence sharing inevitably involves some risks. Nevertheless, committee staff has concluded that the intelligence relationships with Poland, Hungary, and the Czech Republic will be, on balance, a **net plus** for U.S. and NATO interests.
- * Cooperation with the three countries on intelligence issues began before the idea of NATO enlargement itself took root. In that respect, sharing intelligence in the NATO context will build on a pattern of bilateral cooperation which has existed for nearly a decade.
- * Based on the information provided to the Committee, Poland, Hungary, and the Czech Republic have proven to be reliable in handling operational information and capable of guarding classified information - some of it extremely sensitive.

The Multilateral Context:

- * Poland, Hungary and the Czech Republic have participated in IFOR/SFOR operations, and have cooperated actively with U.S. intelligence to provide critical force protection information.

- * The three countries have demonstrated a solid record in the area of information and operational security within the NATO Partnership for Peace Program.
- * All three countries value their bilateral links to the U.S. and wish to expand them. They view multilateral intelligence cooperation in NATO as a complement to, not a substitute for, these bilateral intelligence relations.

The Counterintelligence Threat:

- * The legacy these countries inherit from 44 years of Soviet domination makes them suspicious of Russian policies and motives.
- * Past association with Soviet intelligence services, together with proximity to Russia, makes these countries vulnerable to hostile intelligence activity. But over time, personnel and generational changes, training, and more robust counterintelligence programs by the three countries should reduce further this vulnerability.
- * **For Poland, Hungary, and Czech Republic, the problem is not complacency about the foreign intelligence threat, but ensuring a capability to counter it.**
- * Russian and other intelligence efforts to penetrate NATO will continue, irrespective of new Alliance members.

The Record of Reform:

- * All three countries have made significant strides in restructuring, reforming, and redirecting their intelligence services. More needs to be done to attain greater experience in parliamentary oversight of the services, to secure acceptance by politicians of the need for these services to maintain political neutrality, to retain and promote experienced officers with Western orientation, and to enhance computer security.
- * As professionalism increases, morale will improve, and the intelligence services will be looked upon as contributing to common security

interests. Adequate funding and visible support from the political leadership will be essential to this process.

The NATO Work Program:

- * In a variety of interactions with the U.S. and other current NATO allies, including the sharing of sensitive information through the Partnership for Peace program, IFOR/SFOR, and bilateral intelligence cooperation, the three invitees have demonstrated solid records in the area of information and operational security, according to the Executive Branch.
- * These three countries have undertaken significant steps to conform to NATO security standards and have enhanced personnel and information security practices.
- * Looking toward accession in April 1999, the effort to ensure that the intelligence aspects of NATO enlargement are adequately addressed appears to be on track. Indeed, the intelligence planning in NATO is currently ahead of the other NATO programs which must be readied for the April 1999 accession date.
- * The specific criteria that the Alliance is using to ensure that NATO practices and regulations become standard operating procedures for the three new invitees are based on established security guidelines developed for the Alliance and approved by the member states. Each of the three NATO invitees has thus far achieved or exceeded each criterion set before it, according to the Executive Branch.

Committee Staff Overall Assessment

In developing its overall assessment of the security and security-related risks associated with the inclusion of the three new invitees in NATO, committee staff notes that the issue is not only how to ensure that these three countries protect NATO secrets as new members, but also to ensure that the new members, and NATO at large, devote sufficient attention and resources to address the overall non-NATO intelligence threat to the Alliance. Within those parameters, committee staff concluded:

- * Based on the information provided to the Committee, the governments of Poland, the Czech Republic, and Hungary have demonstrated both an intent and an ability to protect the classified military and intelligence information that would be routinely provided them as members of the Alliance.
- * These countries are not entering NATO as surrogates for an outside power. The historical legacy renders leaders and publics of these countries suspicious of and vigilant against Russian policies and operations. While past associations make these countries vulnerable to Russian intelligence activity, over time, personnel and generational changes, training, and more robust counterintelligence programs by the three countries should reduce further this vulnerability.
- * Cooperation on intelligence issues began before the idea of NATO enlargement took root. In that respect, sharing intelligence in the NATO context builds upon a pattern of cooperation of nearly a decade.
- * As with other aspects of NATO integration, it will take some time and technical advice and assistance from other NATO members for the governments of these three countries to totally overcome the legacy of their communist past. As a critical element of such a program, the three governments must devote adequate resources to support professionalized intelligence and counterintelligence services, and must demonstrate their political support for these services' role in safeguarding the democratic political order.
- * By the time the three invitees join NATO, a decade will have passed since the collapse of their communist regimes. Contacts with the U.S., other allies, and NATO, coupled with continuing modernization programs and priority assistance efforts from current NATO members, should help to ensure that all three countries satisfy membership security requirements by the time of their accession to NATO in April 1999.

