

Atlantic Treaty Organization were not such a temptation, even at the height of the power of the Soviet Union.

Accession to NATO is as close to a guarantee as we can possibly come of the fact that our sons and daughters will not die in Warsaw or in Prague or in Budapest any more than they were required to do so in Oslo or in Paris in the course of the last half century.

Mr. President, this is the easiest foreign policy call of the decade. The North Atlantic Treaty Organization will lend strength to us, a contribution to our own defense, but most importantly the security of countries that have not been secure that want to join us in prosperity and in safety as they have in freedom.

The amendment of the Senator from Iowa is simply another attempt to make these members second-class members. We have already stated that we made no commitment at all, a zero commitment, to subsidize the national expenses for these countries. How much, if any, we subsidize them in the future is a decision that can and should be made in the future and not in the course of this debate.

Even more mischievous, in my view, Mr. President, are amendments to say that there will be no further expansion, that we will leave a vacuum unless certain preconditions are made. For more than 50 years the United States of America refused to recognize the annexation of the Baltic republics by the Soviet Union. When their cause was deemed to be a hopeless cause by almost everyone, they, too, have freed themselves. They, too, want at some future date to be a part of NATO. They, too, create a vacuum at the present time in the power structure of Central and of Eastern Europe.

To pass an amendment that is likely to be proposed by another of my colleagues that singles them out as being countries we will not want to defend or be a part of without special circumstances, in my view, is simply an engraved invitation to some future Russian Government to say: We're coming back in; we don't care about your desire for freedom. You're a part of us whether you like it or not. And, look, the Americans have in effect in the Senate said that's OK.

That is the essence of instability and of uncertainty, not only for the nations immediately involved but for all of us.

Certainty created through 50 years by the North Atlantic Treaty Organization is the best guarantor of peace. I am convinced we should reject all limiting amendments, admit these three nations, and judge in the future what additional nations should be admitted to NATO—nations, in my opinion, consisting of all of those that become real democracies, real free market countries, with a real desire not only to be a part of the North Atlantic Treaty Organization but to contribute their own strength to it.

We should reject the Harkin amendment. We should grant the accession of

the three countries before us at the present time without further conditions, and in the good faith that their accession will strengthen peace, strengthen their democracy, and strengthen our own security.

Mr. MCCAIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I ask unanimous consent that I be allowed to address the Senate as if in morning business past the agreed upon time of 12:45.

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

Mr. MCCAIN. Mr. President, for the moment I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BIDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BIDEN. Mr. President, I realize we only have a minute or two before the unanimous consent order kicks in which ends discussion at 12:45, but let me say for the record that one of the aspects of the amendment that we are considering and will be voting on when we come back from our caucus luncheons, the Harkin amendment, deals with requiring excess military materiel transferred to any NATO country—in this case, the three new members—to be counted against our common budget.

I did not have these numbers before, but I want to put them in the RECORD now. The Senator from Iowa has contended that we provide aid only to the less well off countries in NATO, and he implied they are the only ones we have given this excess military equipment to. Most people don't know what we are talking about here, so let me make it clear. Here are the facts.

In fiscal year 1996, we provided excess defense articles to the following countries: Denmark, Germany, Greece, Portugal, and Turkey, for a total value of \$55 million. In fiscal year 1997, these excess articles went to the United Kingdom, Norway, Spain, and Turkey; value: \$113 million. And my friend from Iowa, if his amendment passes, would say we can continue to spend taxpayers' money for what we believe is in our national interest to give excess items to other NATO countries, not part of our NATO requirement but our individual judgment, but we could not do the same for Poland, the Czech Republic, or Hungary. I think that would be a serious mistake. If he wishes to do that and "save the taxpayers' money," why not have his amendment say no excess military arms could go to any NATO country? Why single out for this second-class treatment the three new countries?

I yield the floor.

Mr. MCCAIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. I thank my friend from Delaware. His statement is a very important contribution to this debate on NATO, and I appreciate the fact that not only is he giving the Senate information but the great job the Senator is doing on this issue here for these many days. I am very appreciative.

Mr. BIDEN. I thank the Senator.

Mr. MCCAIN. There is no one more qualified, in my view, in the Senate than the Senator from Delaware, on this issue especially, but other foreign policy issues.

THE TOBACCO INDUSTRY'S CAMPAIGN OF DIVERSION

Mr. MCCAIN. Mr. President, much has been said and written about the tobacco bill approved by the Senate Commerce Committee 19 to 1, three weeks ago.

The Senate will soon have an opportunity to debate, offer amendments and vote on tobacco legislation. I know the Senate can and must work cooperatively and without partisanship, as we have on the Commerce Committee, to improve the measure, and assure that it serves the public health interests of our nation—most particularly our children.

The Commerce Committee measure is a bipartisan bill that was developed in consultation with the attorneys general, the administration and the public health representatives including Dr. Koop, Dr. Kessler, and Matt Myers of the National Center for Tobacco Free-Kids.

It's a comprehensive bill aimed at dramatically reducing youth smoking. Every living Surgeon General has signed a letter to Congress urging us to pass comprehensive legislation this year to address what is our nation's number one public health problem.

The tobacco industry is now embarked on a campaign of diversion to change the subject from health and children. They are trying to take attention away from the facts, and use specious "buzz word" attacks to kill a bill they know might actually stop kids from smoking and reduce their ability to lock teens in as lifetime smokers.

So, Mr. President, this is about money—the tobacco industry's money—and the lengths they'll go to make more, including lying to Congress, manipulating nicotine to hook customers and marketing to kids.

Mr. President, I would like to quote recent newspaper items responding to the industry's attacks and regarding new evidence of the prevalence of smoking among minority children as reported in the Washington Post. First, from USA Today:

Some, ever eager for some raw meat, were sucked right in by the rhetoric. But before you believe it, pause a moment for one little bit of truth: Everything the industry is railing against today it agreed to in some form just 10 months ago. Here's the rundown:

Big tax boost. Half a trillion dollars. That's how much those greedy lawmakers want to take from smokers. And a disproportionate amount would come from poor people because they smoke more.

But wait a minute. Where were these brave champions of the downtrodden last June? Ooops. They were signing a settlement deal with a group of state attorneys general to dig \$400 billion from smokers' pockets. The AGs and congress sought high prices to discourage smoking, particularly in the teen years when most smokers start. The poor? Flip the tax idea around. Imagine what the reaction would be to a plan that lowered their costs in order to lure them into a deadly habit.

Big government. Standing athwart the onward march of big government, tobacco executives now warn that "Washington wants to create 17 new bureaucracies." Memories of Clintoncare dance in their heads.

Just don't pay any attention to the fact that 10 months ago these same executives were whipping big government on. The June settlement gave the Food and Drug Administration a 30% boost in its budget, the feds new powers to ban indoor smoking, and on and on.

Ad restrictions. Why those do-gooders in Washington even want to strip the industry of its First Amendment rights by sharply restricting advertising. No human images, no color ads, and so on. Yet somehow all this was perfectly fine with the industry last June.

Tobacco farmers. Congress' plan would put hundreds, if not thousands, of tobacco farmers out of work. The Senate bill does set aside some \$28 billion in a trust fund to help growers and their communities dislocated by the cut in smoking rates. Guess how much the industry secured for these beloved farmers when cutting its June deal? Zip. Zero. Nada.

What changed between June and today is this: Congress started to give the appearance of closing loopholes the industry had artfully built into the June deal—a tactic it has exploited in the past. Penalties for failing to reduce teen smoking, for instance, were too small to matter.

Some observers have suggested that the industry quit negotiations now only to improve chances for a weak deal later. That remains to be seen, but one thing is certain. All Big Tobacco has done for two weeks is blow smoke.

As reported in the Washington Post:

The latest annual report by the surgeon general, David Satcher, showed what other studies have highlighted: that smoking continues to increase in allure to young people even as fewer adults smoke. Over the past six years, it said, youth smoking has risen by nearly a third, and some 40 percent of white high school students smoke. Smoking by high school-age blacks, who still smoke less than white counterparts, rose by nearly 80 percent from 1991 to 1997. The smoking rate among Hispanic students rose by 34 percent, the study found.

Here are the facts.

First the statistics on youth smoking are clear and alarming: 3000 kids a day start smoking every day; 1000 of them will die early from smoking related disease; and one out of every three adolescents uses tobacco by age 18. Mr. President, we're not talking about kids who sneak a cigarette out of their mother's purse. According to a Surgeon General's report: Seventy-one percent of youth smokers, use tobacco daily.

The Centers for Disease Control reports that youth smoking is on the

rise, a trend that the American Cancer Society calls a "pediatric epidemic." Ninety percent of lifetime smokers take up the habit before the age of 18—when it is illegal to buy tobacco products in every state in the union. We know from documents discovered in state suits against the tobacco industry that they have long understood the adverse health impacts and addictiveness of their products, yet actively marketed to children, including studying 5-7 year olds.

The cost of this problem is enormous!

Mr. President, 435 thousand Americans die from smoking related illness every year—the single greatest cause of preventable disease and death in America by far. Every year, taxpayers must foot the bill for \$50 billion in health care costs to treat smoking related disease. According to the Department of the Treasury, smoking related injury, damage and economic cost exceed over \$130 billion annually. To recoup some of these costs to taxpayers, 41 states have sued the industry.

Mr. President, the severity and urgency of the problem is beyond question. Now is the time for action. As I said, every living surgeon general of the United States has signed a letter urging Congress to pass comprehensive tobacco control legislation.

The bill passed by the Commerce Committee is comprehensive and mirrors the framework of the tobacco settlement reached between the industry and the attorney general.

The bill: Restricts tobacco advertising and marketing aimed at kids; sets aggressive but achievable youth smoking reduction targets, and holds the industry responsible for failing to achieve the reductions; increases the price-per-pack of cigarettes by \$1.10 over five years to reduce youth consumption. Experts agree such a hike is a critical part of the overall effort to curb youth from smoking.

It provides the Food and Drug Administration with authority to oversee nicotine and tobacco product ingredients and marketing. It requires the industry to pay up to \$516 billion over 25 years to compensate states for tobacco related costs to Medicaid and public health programs; to fund youth smoking reduction and health research initiatives; and to assist tobacco farmers.

The bill is about our kids, it's about accountability and it's about solving a national problem. The industry wants to change the subject with the tried and true tactics of diversion.

I understand they now intend to spend \$100 million for print and broadcast media to maintain the status quo. Perhaps if the industry had spent some of their resources on legitimate anti-youth smoking activities, we wouldn't have the problem we do today.

The industry diversion play book consists of four themes.

DIVERSION ONE—SOLVING THE PROBLEM OF YOUTH SMOKING IS REALLY ABOUT TAX AND SPEND GOVERNMENT

Experts agree that a price increase is an essential component of the effort to

stop youth from taking up the habit—the industry doesn't want a bill that will truly diminish the number of their "replacement" users.

The money raised by a settlement would be used to reimburse taxpayers for the \$50 billion yearly tax that big tobacco places on American taxpayers in the form of tobacco health care—including a substantial drain on Medicare and Medicaid.

The funds would also finance: Youth anti-smoking initiatives; vital health research to find new cures and treatment for smoking related disease including, cancer, stroke and heart disease. It would assist farmers who will be affected by reductions in tobacco consumption—hard working middle class Americans who for years have been encouraged to grow tobacco by federal policies.

The bulk of the revenue raised—up to \$195 billion—will be dispensed to the states to settle their cases against the tobacco companies and could be used for tax cuts at the State level.

It's more than slightly ironic that last summer the industry agreed to a substantial price increase in their settlement with the attorneys general. They further tax their own credibility by suggesting that an additional 10 cents more per year by the year 2003 is the difference between enlightened public policy and tax and spend government.

DIVERSION TWO—THE EFFORT TO STOP YOUTH SMOKING IS ABOUT BIG GOVERNMENT

The tobacco companys ads say that the bill approved by the Commerce Committee contains seventeen new boards and panels, and is government run amok.

Of the dozen boards, most of which were contemplated in the industry's agreement, eight of them are part-time or advisory and entail little or no cost; two are temporary, including one created to reimburse small business people for the termination of cigarette vending machines. And, one is to ensure that increased research dollars are not wasted.

Furthermore, the majority of these initiatives were contemplated in the June 20th agreement signed by the industry.

DIVERSION THREE—THE INDUSTRY WILL GO BANKRUPT

The Commerce Committee bill implements the President's request for \$1.10 increase in the price per pack of cigarettes over five years.

The Deputy Secretary of the Treasury, Lawrence Summers, testified before the Commerce Committee that this increase would not bankrupt or render the industry financially unviable.

The President has stated that it is not the administration's intention to drive the industry out of business, but to get them to stop marketing and selling to kids.

If the industry truly believes the President's request creates a bankruptcy situation, it's incumbent upon

them to make their case to the Department of the Treasury, not simply walk away from the table, and threaten to go back to business as usual.

DIVERSION FOUR—PRICE INCREASES WILL
CREATE A BLACK MARKET

Again, the administration has assured that the President's request will not stimulate a substantial black market.

It's important to understand that today there is a black market today in cigarettes, as there is in a variety of consumer goods.

If the industry has credible evidence that price hikes will create a substantial black market that poses a threat to public safety or health they should produce that evidence.

I don't believe, however, that most Americans would agree we should refrain from doing what's necessary to stop youth smoking based on unsubstantiated conjecture.

One answer to the omnipresent black market issue is to better enforce our laws against smuggling and sale of contraband.

Let me conclude by saying Congress and the administration must focus on enacting a fair, effective and responsible piece of legislation that will stop youth from smoking. The American people demand it.

They do not want a political football, or partisan politics.

Certainly, improvements in the Commerce Committee bill can be made, and I look forward to continuing to work with all Senators to achieve that end. Now is the time for all sides to lower the rhetoric, make their case and let the legislative process work.

Mr. President, I appreciate the indulgence of the Presiding Officer, and I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 1 o'clock having been reached, the Senate is in recess until 2:15.

Thereupon, at 12:59 p.m., the Senate recessed until 2:15 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. COATS).

Mr. ENZI addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming.

EXECUTIVE SESSION

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

The Senate continued with the consideration of the treaty.

EXECUTIVE AMENDMENT NO. 2310, AS MODIFIED

Mr. ENZI. Mr. President, I ask unanimous consent that it be in order at this time to modify the Kyl amendment with the modification that is at the desk.

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

The Executive amendment, as modified, is as follows:

In paragraph (1) of section 3, after "(1) THE STRATEGIC CONCEPT OF NATO.—" insert the following:

(A) POLICY OF THE UNITED STATES TOWARD THE STRATEGIC CONCEPT OF NATO.—The Senate understands that the policy of the United States is that the core concepts contained in the 1991 Strategic Concept of NATO (as defined in (1)(F)), which adapted NATO's strategy of the post-Cold War environment, remain valid today, and that the upcoming revision of that document will reflect the following principles:

(i) FIRST AND FOREMOST A MILITARY ALLIANCE.—NATO is first and foremost a military alliance. NATO's success in securing peace is predicated on its military strength and strategic unity.

(ii) PRINCIPAL FOUNDATION FOR DEFENSE OF SECURITY INTERESTS OF NATO MEMBERS.—NATO serves as the principal foundation for collectively defending the security interests of its members against external threats.

(iii) PROMOTION AND PROTECTION OF UNITED STATES VITAL NATIONAL SECURITY INTERESTS.—Strong United States leadership of NATO promotes and protects United States vital national security interests.

(iv) UNITED STATES LEADERSHIP ROLE.—The United States maintains its leadership role of NATO through the stationing of United States combat forces in Europe, providing military commanders for key NATO commands, and through the presence of United States nuclear forces on the territory of Europe.

(v) COMMON THREATS.—NATO members will face common threats to their security in the post-Cold War environment, including—

(I) the potential for the re-emergence of a hegemonic power confronting Europe;

(II) rogue states and non-state actors possessing nuclear, biological, or chemical weapons and the means to deliver these weapons by ballistic or cruise missiles, or other unconventional delivery means;

(III) threats of a wider nature, including the disruption of the flow of vital resources, and other possible transnational threats; and

(IV) conflict in the North Atlantic area stemming from ethnic and religious enmity, the revival of historic disputes or the actions of undemocratic leaders.

(iv) CORE MISSION OF NATO.—Defense planning will affirm a commitment by NATO members to a credible capability for collective self-defense, which remains the core mission of NATO. All NATO members will contribute to this core mission.

(vii) CAPACITY TO RESPOND TO COMMON THREATS.—NATO's continued success requires a credible military capability to deter and respond to common threats. Building on its core capabilities for collective self-defense of its members, NATO will ensure that its military force structure, defense planning, command structures, and force goals promote NATO's capacity to project power when the security of a NATO member is threatened, and provide a basis for ad hoc coalitions of willing partners among NATO members. This will require that NATO members possess national military capabilities to rapidly deploy forces over long distances, sustain operations for extended periods of time, and operate jointly with the United States in high intensity conflicts.

(viii) INTEGRATED MILITARY STRUCTURE.—The Integrated Military Structure of NATO underpins NATO's effectiveness as a military alliance by embedding NATO members in a process of cooperative defense planning and ensuring unity of command.

(ix) NUCLEAR POSTURE.—Nuclear weapons will continue to make an essential contribution to deterring aggression, especially aggression by potential adversaries armed with nuclear, biological, or chemical weapons. A credible NATO nuclear deterrent posture requires the stationing of United States nuclear forces in Europe, which provides an essential political and military link between Europe and North America, and the widespread participation of NATO members in nuclear roles. In addition, the NATO deterrent posture will continue to ensure uncertainty in the mind of any potential aggressor about the nature of the response by NATO members to military aggression.

(x) BURDENSARING.—The responsibility and financial burden of defending the democracies of Europe will be more equitably shared in a manner in which specific obligations and force goals are met by NATO members.

Mr. ENZI. Mr. President, I ask unanimous consent that at 4:30 p.m. today, the Senate resume consideration of the Kyl amendment No. 2310, as modified, and there be 30 minutes equally divided for debate on the amendment. Further, I ask unanimous consent that following the expiration or yielding back of time, the Senate proceed to vote on or in relation to the Kyl amendment, and further that no amendments be in order to the Kyl amendment prior to the vote.

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

Mr. ENZI. Mr. President, I further ask that following the vote on adoption of the State Department conference report, at 2:25 p.m., there be 2 minutes equally divided for closing remarks on the Harkin amendment prior to the vote on or in relation to the Harkin amendment.

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

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to legislative session.

FOREIGN AFFAIRS REFORM AND
RESTRUCTURING ACT—CONFERENCE
REPORT

The PRESIDING OFFICER. Under the previous order, there will now be 10 minutes of debate equally divided for closing remarks prior to the vote on the adoption of the conference report accompanying H.R. 1757, which the clerk will now report.

The legislative clerk read as follows:

The committee on conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 1757), have agreed to recommend and do recommend to their respective Houses this report, signed by a majority of the conferees.

The Senate continued with the consideration of the conference report.

The PRESIDING OFFICER. Who yields time?

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. I yield myself 2½ minutes. It is what, 5 minutes each?