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) BURDENSHARING.—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?

The PRESIDING OFFICER. Five minutes on each side.

Mr. HELMS. I yield myself half of my time.

The PRESIDING OFFICER. The distinguished Senator is recognized.

Mr. HELMS. Notify me when it is over.

The PRESIDING OFFICER. The Chair will advise the Senator.

Mr. HELMS. I thank the Chair.

Mr. President, rumors, they are aflying to the effect that the President of the United States has instructed the Democrats of the Senate to vote against this conference report and, if my intelligence sources are correct, it will get about three Democratic votes this afternoon. That compares with the vote of 90–5 for this very same bill, largely, that was passed by the Senate. If such game playing is going to happen, and if this conference report is defeated because of that sort of thing, then the President is going to have a difficult time about a lot of things.

Let me say it again. The pending conference report is the result of more than a year's hard work by Senator BIDEN and Secretary Albright and JUDD GREGG, ROD GRAMS, and many others to abolish two antiquated temporary Federal registries created in the 1950s and bringing reform to the United Nations. Now, if this conference report is defeated this afternoon, so be it.

I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. BIDEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. Mr. President, the chairman and I have worked very, very hard over the last 9 months to produce this bill. I will not reiterate all that each of us said last week at the end of the day. We have no real disagreement in terms of the substance of the bill. We have a disagreement on not even whether or not we should attach a provision relating to family planning and abortion in the bill. We don't even disagree on that. The chairman had nothing to do with that being in. He is a strong supporter of the family planning limitation that is in this bill, so-called Mexico City, although he did not ask for it to be put in this bill, but it is on the bill. We are faced with the reality, it is on the bill.

The question is, What do we do from here? I urge my colleagues, notwithstanding the agreement the Senator and I have in every other aspect of the bill, to vote against this conference report. I do so because, at the insistence of the House, the Mexico City provision, which is not related to the underlying legislation, is in the bill, and stopping the conference report, I hope—and I may be tactically wrong here; this is my objective—I hope we send a signal to the House that we will not yield to what I characterize—not the chairman, ''me''—characterize, as legislative blackmail on this or other controversial issues.

As indicated, it would be inappropriate, if the Democrats took back the House next time out—I have no idea whether that will happen, but if they did—for them to attach to one of the bills an education provision that no one on the Republican side liked and said, ''Take it or leave it.'' I think it is a mistake.

The underlying legislation is critically important to American foreign policy. It would pay off our arrearages to the United Nations and bring additional reform to that body and reorganize our foreign policy agency, and it begins to provide the funds, in essence, to restore our diplomatic presence worldwide. I believe the President will sign it promptly, provided we send him one without Mexico City attached.

Again, the only thing that the chairman and I disagree on, he believes, and he believed, and I believe he believes it, that what the House sent is at least a compromise on Mexico City. I view it as not a compromise at all on Mexico City.

So I urge my colleagues to reject this conference report so we can return to conference and produce a bill that the President can sign.

I reserve the balance of the time.

The PRESIDING OFFICER. Who yields time?

Mr. BIDEN. How much time remains?

The PRESIDING OFFICER. The Senator has 2 minutes 30 seconds.

Mr. BIDEN. I see the Senator from Texas is standing. After he speaks, I am delighted to yield my 2 minutes in closing to my friend from Massachusetts.

Mr. GRAMM. I want to ask the distinguished chairman of the committee a question, if I might, if he will yield for that purpose.

Mr. HELMS. I yield for that purpose.

Mr. GRAMM. Obviously, a great deal of compromise has occurred on our side of the aisle with regard to arrearages at the United Nations. That is now, obviously, a focal point of this bill. I have to assume that the President would have to understand that if this bill is defeated today, his chances of getting any arrearage funding for the United Nations in this Congress would be diminished substantially and probably would not happen.

I ask the chairman his views on that.

Mr. HELMS. If I have anything to do with it, there will be no action on arrearages or anything else that the President is interested in.

Now, he has waved that veto flag time and time again. Let him wave it this time, but he must bear in mind that this is it, this is the end of it, one way or the other.

I thank the Senator.

Mr. GRAMM. I thank the chairman.

Mr. BIDEN. I yield to my colleague from Massachusetts.

Mr. KERRY. Mr. President, I will join, I hope with the vast majority of colleagues on this side of the aisle, to vote against this bill even though the bill is an important bill and it is one that I have worked on with the ranking member and chairman for a long period of time.

I know the chairman worked diligently to try to break this bill free of the Mexico City language and to try to have the capacity to move forward on the floor. I applaud him for his good-faith efforts to do that.

Let me say to my colleagues that this is a tragedy of enormous proportions. It is dangerous. It is damaging to the interests of the United States to tie the U.N. arrearages and larger policy questions to one issue, to one point of view, by a very narrow percentage of Members of the U.S. Congress who want to tie it in this way to the United Nations. It is a form of a kind of political blackmail.

The reality is that the United States of America is going to lose significant prestige, significant leverage, and our interests are going to be set back in the international arena. We are going to be hurt with respect to issues like Bosnia. If anybody mistakes it, all you have to do is look at the way in which the coalition fell apart over Iraq and the issue of holding Saddam Hussein accountable for weapons of mass destruction.

Talk to anybody at the United Nations and you can learn very quickly about the growing anger of nations who watched the United States, which has become a scofflaw within the United Nations, unwilling to live up to the rules that we helped to write, unwilling to fulfill our obligations under the United Nations, all because one point of view in the U.S. Congress can't have its way.

I think those who think about this should think hard about what interest is being served here—the interests of abortion versus the interests of world leadership of the United States in the United Nations. That is what is at stake here.

I think the President ought to veto this and we ought to hold those accountable who are unwilling to assert the interests of the United States, the world's leader, all nations of the world today looking to us for that leadership, and here we are, handicapping ourselves over a totally separate issue.

Mr. CHAFEE. Mr. President, I would like to express my opposition to the measure we are about to vote on, H.R. 1757, the State Department Authorization conference report. Despite the fact that this bill contains many provisions which I support, such as a wide-ranging reform package that would ensure U.S. payment of dues to the United Nations, the entire measure is overshadowed by an egregious and misguided abortion provision included at the insistence of those who oppose abortion rights.

This provision would prohibit foreign organizations from receiving U.S. family planning funds if that organization, with its own funds, provides legal abortion services or advocates on abortion issues in its own country. Such providers, for example, would lose their U.S.

funds if they discussed at a conference that more than 20 percent of all maternal deaths throughout Latin America and the Caribbean are due to illegal abortion.

In my view, this provision is a thinly-veiled attempt to further erode our commitment to international family planning programs. I must say, Mr. President, I am always perplexed by those who oppose family planning and also oppose abortion. Study after study has shown that lack of family planning leads to more unintended pregnancies which leads to more abortions. Consider two countries: Russia has very little contraception available, and abortion is the primary method of birth control. The average Russian woman has at least four abortions in her lifetime! Alternatively, Hungary has made family planning services more widely available and the abortion rate has dropped dramatically.

The impact these family planning programs have on the health and well-being of women and children around the world cannot be denied. But there is another issue here that should not be overlooked—the important role population programs play in sustaining the global environment.

The earth now supports 5.7 billion human beings. In thirty years it is estimated the world's population will be 8.3 billion. We are growing by 86 million people per year. It is expected that 90 percent of this increase will be in the developing world. India has to feed an additional 16 million people per year. And so many of these people are children—forty percent of the population of the average less-developed nation is under the age of 15.

Mr. President, the United States plays a critical role in providing family planning services abroad. I feel strongly that we should continue our leadership role in this area. It is both humane and environmentally sound. This conference report contains provisions that would gut our commitment to international family planning, and I urge my colleagues to oppose this measure.

Mrs. MURRAY. Mr. President, here we go again. As we have done so many times in recent years, we are sacrificing serious and legitimate national interests to the partisan and divisive abortion debate. Due to the global gag rule imposed on international family planning, I will vote against the conference report on H.R. 1757, the Foreign Affairs Reform and Restructuring Act.

I commend the President for his strong veto message to the Congress on this legislation. Passage of this conference report will not change current law. A vote in favor of the conference report will not ultimately result in the payment of the U.S. debt to the United Nations or the reorganization of the State Department. Passage may score political points but it will delay this important legislation and diminish U.S. standing in the international community.

This language is anything but a compromise as proponents of the new global gag rule claim in defending the conference report. It was not adopted nor debated on the Senate floor. Every single Democratic conferee to this legislation refused to sign the conference report. Labeling this language a compromise is misleading and untrue.

Passage of the conference report will unfairly disqualify many family planning organizations from receiving U.S. international family planning funds if they use their own funds in their own countries to point out the adverse public health consequences of medically unsafe abortion. The elimination of these non-governmental organizations from the program, considered to be one of the best and most cost-effective channels for U.S. foreign aid dollars, will have a devastating impact on this critical foreign aid program.

The language in the bill will condition an organization's eligibility for U.S. family planning assistance unless it agrees to surrender its rights to free speech and participation in the political process in its own country using its own funds. Proponents of the controversial language will describe it as a ban on abortion lobbying, such as a restriction would be unconstitutional if applied to American citizens and would undermine one of the primary objectives of our foreign policy—the promotion of democracy around the world. The Senate should reject this conference report and the restrictive family planning language added behind closed doors.

Enactment of the conference report will result in the reduction of family planning funding by $44 million. The funding cut would likely cause a subsequent increase in the number of abortions as couples lose or are denied access to contraceptive services. Any Senator who supports family planning as a means to reduce the incidence of abortion should oppose this bill.

Family planning saves lives, particularly in the developing world where a woman dies in pregnancy or childbirth every minute of every day and where more than 12 million children each year do not live to see their fifth birthday.

I urge the Senate to reject the Conference Report on the Foreign Affairs Reform and Restructuring Act.

Mr. DODD. Mr. President, I rise to speak in opposition to the conference report on H.R. 1757—The Foreign Affairs Reform and Restructuring Act of 1998.

As is the case with many of my colleagues who have already spoken on this matter, I believe that it is fundamentally wrong to be holding the payment of U.N. arrears and the structural reform of U.S. foreign affairs organization hostage to a single issue related to international family planning—an issue by the way which was never even discussed during Senate consideration of this legislation. I am speaking of course of the so called Mexico City restrictions on U.S. international population programs that have been included in the legislation pending before us today—Section 1816 of the bill. These restrictions not only prohibit foreign non-governmental organizations that accept U.S. funding from using their own funds to perform abortions, but also bar them from lobbying their own governments, with their own money, on abortion related public policy issues.

Without doubt, Section 1816 is going to result in all of the other sections in the bill, over 160 of them—not becoming law.

That means that nearly two years of work on this bill will have been for naught. That is unfortunate in my view, because many of the other provisions are meritorious and should become law.

Mr. President, how did we get to where we find ourselves with respect to this legislation? Mr. President, let's be clear about who is responsible. It was not the President who created the current dynamic—he and officials in his administration have worked in good faith for months with House and Senate conferees on the legislation before us today.

It certainly wasn't the Senate conferees who working together had come up with an acceptable package of compromises on the various difference between the House and Senate passed bills —a package that we all more or less agreed to and would have supported. A package that did not include Mexico City language.

The responsibility for putting U.S. leadership at the U.N. in jeopardy and delaying foreign affairs reorganization rests solely with the House Republican leadership.

The Republican leadership knew full well that this entire bill was being put at risk with the inclusion of Section 1816 in this bill—a provision which, incidentally, would never become law if it were to be applied to domestic non-governmental organizations because it is so fundamentally a violation of the first amendment constitutional protections of free speech.

I know our Democratic colleagues in the House warned them of what was likely to happen.

I know Senator BIDEN did as well. Certainly the President has made no secret of his fundamental opposition to the so called Mexico City language and most especially the ''global gag rule'' aspect of it.

Despite these warnings, the House leadership instructed House Republican conferees to include this provision in the final version of the bill. Not a single Democratic conferee from either the House or Senate supported the final conference report that we have before us today. I was one of those conferees who refused to sign onto this legislation.

I certainly agree with those who are strongly opposed to the codification of the Mexico City language into law. I

think it is reprehensible to attempt to restrict the free speech of foreign nongovernmental organizations and their members.

I happen to believe that these organizations do very important work—work that is making a real difference to the health and over all quality of life for hundreds of millions of women and children living in developing countries throughout Asia, Africa, and Latin America.

But my objections with respect to this matter go beyond the substance of the provision to that of the tactics that are being used here and for an unwillingness to take into account U.S. national and foreign policy interests that may be at stake. Proponents of this measure have made no effort to balance these overarching interests against the narrower ones of wanting to score partisan political points by promoting a very controversial agenda that clearly does not have the support of the majority of the American people.

Mr. President, it is my hope that the Senate will vote to reject the pending conference report and thereby send a signal that, at least in the Senate, we aren't in the practice of ''legislative hostage taking''—that is not the way the Senate conducts its business. In doing so, we will also be sending a signal to the American people that we are here to do their business, the business that we were elected to look out for, and not to play games of ''partisan one upmanship.'' I would urge my colleagues to join me in sending such a message by voting no on this measure.

Mr. DASCHLE. Mr. President, this conference report contains many important provisions that deserve the support of the Senate.

It authorizes Congress, at long last, to pay our overdue debt to the United Nations. It clears the way for comprehensive UN reform. The bill also includes a much-needed, major restructuring of our nation's foreign affairs agencies.

In the years since the Cold War ended, the maps of the world have been redrawn. The reorganization plan in this bill would enable us to redraw our foreign affairs structure to match the new, post-Cold War reality. It is the product of careful and detailed negotiations, and enjoys broad, bipartisan support.

Despite these important provisions, I regret that I will vote against this conference report, and I urge my colleagues to do likewise. The reason I oppose this report is because, in addition to its positive provisions, it also contains an extreme and extraneous provision the Senate has considered and rejected many times in the past. This provision—the so-called ''Mexico City language''—would do serious damage to international family planning efforts—including efforts that have nothing to do with promoting abortion and that, in fact, help to prevent abortions.

It would do serious damage to one of the ideals on which our own nation was founded, freedom of speech and expression. The Mexico City language would bar any agency that receives international family-planning assistance from the U.S. from using their own funds to pay for abortions, or to lobby for abortions.

Let me repeat: This bill does not tell agencies it cannot use U.S. funds for these services. That is already prohibited under existing law. This bill tells agencies in other nations that they may not use their own funds to pay for, or lobby for, abortions, without losing all U.S. family-planning assistance. This goes far beyond what the current law prescribes.

This body has rejected this kind of restriction in the past because we agreed it is inappropriate to place such limitations on how organizations in other nations may use their own money. Mr. President, it is still inappropriate for us to do so. But it is important to note that the Mexico City language is not simply the language this body has previously rejected. In 2 important ways, it is even more extreme.

First, this Mexico City provision will cut funds for international family-planning services. The conference report mandates that family planning agencies in other nations may not receive one dollar in U.S. family-planning assistance unless and until they certify that they will not perform abortions with their own funds. It is true that the President may waive this restriction. But if he does so, U.S. aid for international family-planning programs for that year would be limited to $356 million—$44 million less than we are now spending.

Second, this new version of the Mexico City language includes a provision that not only prohibits funding for any organization that lobbies to change abortions laws in other nations, as the former version did. It goes far beyond that prohibition to forbid recipients of U.S. funds from making any public statements about abortion. They are forbidden, Mr. President, even from expressing concerns about the dangers of illegal abortions.

And the President has no authority to waive this provision. The Secretary of State has rightly labeled this restriction a ''gag rule.'' In no way would this provision improve the lives of women and children around the world, nor would it reduce the incidence of abortion. Instead, this gag rule would violate one of our country's most hallowed principles, the principle of freedom of speech.

What kind of message would we be sending to the rest of the world if violate our founding principles? That those principles are not inalienable after all? That they may have worked 200 years ago, but they are not applicable in a modern world?

Surely, at a time when struggling new democracies all over the world are looking for guidance and inspiration, these are not messages we want to send. But the greatest danger of these extreme and extraneous provisions is that they will not improve the lives of women and children anywhere, nor will they prevent abortions anywhere. In fact, they will have the opposite effect. They will make it more difficult for women to plan their own families.

U.S. support of international family planning programs have immeasurably improved the lives of women in developing countries. By helping women limit the size of their families, we have enabled women to make the educational and economic gains that are essential if they, and their children, are to live longer and healthier lives. The number of women of childbearing age is increasing by 24 million every year. Now is not the time for this nation to cut back on our commitment to programs that enable women to plan their families—programs that actually reduce the incidence of abortion.

And make no mistake, Mr. President, that would be one of the consequences if we pass this conference report. There would, inevitably, be an increase in the number of abortions. That is not something I want to see, and I know that every member of this body agrees with me on this point.

Finally, Mr. President, it is important to note the context in which we are considering this conference report, and the implications it has for another important piece of legislation the Senate has already passed—the supplemental funding for the U.S. contribution to the International Monetary Fund.

Last month, the Senate approved these funds overwhelmingly. The vote was 84–16. The size of that margin indicates the importance Senators attach to an adequately-funded IMF. Unfortunately, a small but vocal minority of members in the other body have expressed reluctance to vote on the IMF funding unless we give into their demands on the Mexico City issue.

They are, in effect, holding hostage an important bill with significant national security implications, a bill that has broad, bipartisan support in the Senate, in order to force their way on a completely unrelated issue. The IMF appropriation is an insurance policy for the world economy and for countless American exporting businesses and farmers whose livelihoods depend on strong markets in Asia, Latin America, and other regions of the world. It is inappropriate and dangerous to link passage of IMF with the Mexico City restrictions. The longer we delay passage of the IMF funds, the more we expose our businesses, workers, and farmers to the risks and uncertainties of world financial markets.

For all of these reasons, Mr. President, the Mexico City provision does not belong in either the State Department authorization bill, or the IMF supplemental. If the other body wishes to implement the Mexico City restrictions, it should debate those restrictions in the context in which they belong—in a comprehensive foreign aid

authorization bill. They should not hold hostage every high-priority piece of foreign policy legislation moving through the Congress.

It is imperative that the Senate defeat this conference report to demonstrate that we will not support such efforts at linkage either in this instance or in the future. I urge my colleagues to vote against the conference agreement.

Mrs. BOXER. Mr. President, I rise today to emphasize the value of our nation's international family planning program. I share the outrage expressed by my colleagues that the United States Congress would even consider the un-democratic and un-American provisions contained in the Foreign Affairs Reform Act. What Congress should really be focusing on as we debate the role of international family planning is the impact of these scarce federal funds on the lives of women and families throughout the world.

Currently at least one woman dies every minute from causes related to pregnancy and childbirth. In developing countries, maternal mortality is the leading cause of death for women in reproductive age. The World Bank estimates that improved access to family planning would reduce maternal death by 20 percent. In the United States, there are 12 maternal deaths for every 100,000 live births; in parts of Sub-Saharan Africa, this ratio is more than 1,500 maternal deaths for every 100,000 live births. That's over 100 times greater than in the United States.

By being able to plan their pregnancies, mothers are able to ensure they bear their children at their healthiest times and that pregnancies do not occur too close together. This reduces the risks to the lives of both the mother and her children. Data from developing countries shows that babies born less than 2 years after their next oldest sibling are twice as likely to die in the first year as those born after an interval of at least 2 years. Further analysis suggests that, on average, infant mortality would be reduced by 25 percent if all births were spaced at least 2 years apart.

Reduced maternal and infant mortality are just two of the benefits of family planning programs. Family planning education also helps prevent the spread of sexually transmitted diseases, including AIDS. Family planning can also reduce the number of abortions. A U.S. study found that for every $1 increase in public funds for family planning, there is a decrease of 1 abortion per 1,000 women. According to the Rockefeller Foundation, in just 1 year, cuts and severe restrictions of federal funding for family planning programs will result in an additional 4 million unplanned pregnancies, and 1.6 million of those pregnancies will end in abortion. These are only conservative estimates.

U.S. family planning funds are having a profound, positive impact on families throughout the world. Mothers and children are healthier; more women are using contraception; fewer women are having abortions. Let me share just a few examples of the positive role family planning has played in Latin America. In 1960 in Chile, less than 3 percent of married women were practicing family planning, and the abortion rate was 77 abortions per 1,000 married women of reproductive age. By 1990, 56 percent of married women were using family planning, and the abortion rate had dropped to 45 per 1,000. Data from Bogota, Columbia showed that contraceptive use doubled between 1976 and 1990, accompanied by a 40 percent decrease in the abortion rate during the same period. In Mexico City, use of contraception increased by about 24 percent between 1987 and 1992, and the abortion rate fell 39 percent.

Similar successes can be found in examples from former Soviet Bloc nations. In Almaty, Kazakhstan, the United States population program has provided funding to train doctors and nurses and to increase contraceptive supplies for 28 clinics. Between 1993 and 1994, the number of people receiving contraceptives from the clinics increased by 59 percent, and the number of abortions fell by 41 percent. In Russia, contraceptive use has increased from 19 to 24 percent after an affiliate of the International Planned Parenthood Federation opened in 1991. The abortion rate dropped from 109 per 1,000 pregnancies in 1990 to 76 in 1994. The total number of abortions fell from 3.6 million in 1990 to 2.8 million in 1994. In Hungary, abortion rates dropped dramatically from the late 1960's to the mid-1980's, largely due to the significant increase in contraceptive use.

The numbers are incredible, but what is truly important and who we can't forget are the women and their families represented in these numbers. One such woman is 30 year old Maria Elena Absalon Ramirez in Mexico. Her husband earns just $80 per month to support Maria and their four children. They cannot afford contraceptives and rely on USAID-funded family planning. These are Maria's words: ''What I fear most is becoming pregnant again.''

I urge my colleagues to recognize the valuable impact of family planning on the lives of millions of families throughout the world, and to oppose restrictions on the use of international family planning funds.

Mr. KOHL. Mr. President, I want to comment on one aspect of the conference report before us today, the provisions relating to the consolidation of USIA into the State Department. Although the President has already signaled his intention to veto this bill should it pass, I would like to highlight a concern I share with others which was addressed to some degree in the conference report: the need to protect the integrity of U.S. public diplomacy.

There have been some indications that when the State Department incorporates the functions of USIA into its organization, there are some State Department officials who are interested in using the resources associated with USIA programs to boost the public affairs functions of the State Department. I would like to go on record in opposition to any shifting of resources or even worse merging of these two very distinct functions of public affairs and public diplomacy.

To give some background on this issue, since 1948 when U.S. government information programs were first authorized under section 501 of the Smith/Mundt Act, it has been understood that public diplomacy programs were directed to foreign audiences. As Under Secretary of State Philip Habib said in 1986:

> There is a distinction between public diplomacy and public affairs. The word diplomacy means ''outside'' and has nothing to do with what you are trying to do with the American people, which is altogether different. Gaining the support of the American people for U.S. foreign policy initiatives is entirely different from attempting to pursue the interests of the United States in the foreign arena.

Over the years, Congress and the courts have upheld and strengthened the distinction between public diplomacy, which is directed abroad, and public affairs, which is directed toward a U.S. audience. As USIA and its functions are folded into the State Department—and I do not necessarily oppose this and other cost savings moves—we must continue to uphold the distinction between these two functions. I support the need to provide a clear articulation of U.S. foreign policy to Americans, especially as the world and U.S. international interests have become increasingly complex. However, the State Department should not anticipate a windfall in resources for its public affairs function.

Public diplomacy, the presentation and advocacy of information about the United States, not just the advocacy of a particular foreign policy position, has been best presented independently and objectively without consideration of how that message would play at home. Educating the rest of the world about American society should not be hindered by the equally important but distinct function of explaining U.S. foreign policy to the American people.

Edward R. Murrow said it best almost 40 years ago:

> What we endeavor to reflect . . . is not only our policy, but our ideals. We not only seek to show people who we are and how we live: we must also engage others in the delicate, difficult art of human persuasion, to explain why we do what we do.

Mr. President, as we consider legislation to consolidate USIA into the State Department, whether it be in this session or in future sessions of Congress, I urge my colleagues to keep this important distinction in mind.

Ms. SNOWE. Mr. President, I rise in opposition to the conference report to H.R. 1757, the Foreign Affairs Reform and Restructuring Act.

My opposition is tinged with a measure of regret, for this bill contains

many provisions that I have worked on, first as Ranking member on the House International Operations Subcommittee for ten years and for two years as Chair of the Senate Foreign Relations Subcommittee on International Operations. This bill consolidates our foreign policy apparatus by merging the Arms Control and Disarmament Agency and the United States Information Agency into the State Department—which will make our foreign policy machinery run more efficiently.

With regard to arrearages owed to the United Nations, I supported the provisions of this bill—which are similar to provisions in my own UN Reform bill—which linked payment of funds owed by the United States to the United Nations implementing certain benchmark reforms including a reduction in the dues charged to the United States for the United Nations regular budget as well as our share of peacekeeping assessments.

I have worked on six State Department authorization bills during my time in the Congress and know how difficult a process it is to assemble a consensus on the reorganization of the State Department. I was extremely pleased that this bill built upon the foundation the Foreign Relations Committee laid in the last Congress when I was Chair of the International Operations Subcommittee, I worked with Senator HELMS on these most important foreign policy issues. The work done by Senators HELMS and BIDEN on these matters is to be commended.

However, this bill also contains a provision that would reinstate the Mexico City Policy in a way that imposes unacceptable restrictions in international family planning efforts. And for that reason I cannot support it.

Mr. President, this issue is often referred to as the ''Mexico City policy'' issue because it was at the 1984 United Nations Population Conference in Mexico City that the Reagan Administration adopted for our international family planning programs a precursor of what became known as the ''gag rule'' for our own domestic family planning programs. Under the Mexico City policy, the Reagan Administration withheld international family planning funds from all groups that had even the slightest involvement in legal abortion-related services using their own private funds.

Before I address what I believe to be the most troubling aspects of the current version of the ''Mexico City policy,'' let me first emphasize that no United States taxpayer funds are being used to pay for abortions overseas. Since 1973 an amendment, authored by the Chairman of the Foreign Relations Committee, prohibits the use of United States funds for abortion services. That needs to be made clear in discussing United States funding for international family planning efforts.

However, the current version of the so-called ''Mexico City policy'' contained in this bill is most troubling. Foreign nongovernmental organizations would still be barred from receiving family planning assistance if they, with their own funds, perform legal abortions. While the President can waive the ban on the performance of abortions, he is prohibited from using waiver authority granted him under section 614 of the Foreign Assistance Act of 1961 to permit these groups to lobby on abortion matters.

As Secretary of State Albright noted, this lobby ban ''is basically a gag rule that would punish organizations for engaging in the democratic process in foreign countries and for engaging in legal activities that would be protected by the First Amendment if carried out in the United States.''

Let me take just a moment to illustrate what the practical effect this lobbying ban would have on international family planning efforts.

If a foreign nongovernmental organization, or NGO, were to produce a paper that noted that a certain percentage of all maternal deaths in a certain part of the world are due to illegal abortion, it would lose their US family planning funds. The reason? This paper would be calling attention to ''defects'' in abortion laws.

If the president of an NGO were to give a radio interview and make a ''public statement'' giving an opinion about his or her nation's own abortion law, that NGO would lose its US family planning funds. The reason? A question about abortion law was answered on the airwaves.

These restrictions greatly concern me and they should concern anyone interested not only in the free exchange of ideas but the welfare of developing nations.

Ever since the 1974 United Nations Population Conference in Bucharest, Romania the United States has been the traditional leader in international family planning assistance. Many of the world's developing nations at that time perceived family planning to be a western effort to reduce the power and influence of Third World nations. By the time of the Mexico City Conference ten years later, most developing nations had come to understand the importance of widely-available, voluntary family planning to their own nation's development potential.

I believe that the absence of family planning assistance may well lead to more, not fewer, abortions being performed. If organizations such as the International Planned Parenthood Federation would be denied United States funds, we would be unable to support some of the most effective and capable family planning programs in the developing world. These programs are vital in preventing unplanned pregnancies, in reducing infant mortality and in promoting maternal and child health.

I am also troubled by the message that this ''gag rule'' sends to nations all around the world about American values that I cherish—freedom of speech and participation in the political process of one's country. Under the restrictions imposed by this bill, a foreign nongovernmental organization would be required to remain silent on this issue. This restriction on public debate is unhealthy for the democratic process and is something Americans would not tolerate if attempts were made to impose it here at home.

Finally, I am troubled by the fact that these restrictions would place the weight of the United States government behind efforts to tell NGOs what they can and can not do with their own, let me repeat that, their own, funds. These groups should not have to check in with the United States whenever they wish to issue a public statement, sponsor a conference, or distribute materials with their own money.

Mr. President, international family planning should not be held hostage to these restrictions. The benefits of population control are substantial. Funds invested in family planning yield savings in maternal and child health care costs. Lower population growth rates make it easier for developing nations to institute the types of free market reforms that offer them their best hope for long-term sustainable development. Lower population growth places fewer strains on these nations political institutions which means there is less of a risk to international stability and peace.

Lower population growth also places less of a strain on the environment. Reduced environmental trauma, improved standards of living, and reduced immigration pressures benefit every single living person on the planet.

This conference report endangers all of these potential benefits. For this reason I will oppose its adoption and I urge my colleagues to do likewise.

The PRESIDING OFFICER. The time allocated to the Senator from Delaware has expired.

The Senator from North Carolina.

Mr. HELMS. All the President has to do is pull back that flag of veto. All the Democrats have to do is to vote for this bill, and then we can proceed to work in harmony, as we have previously, leading to a 90–5 endorsement on this bill on the first go-round.

I yield the remainder of my time to the distinguished assistant majority leader.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. I compliment my colleague from North Carolina for his work on the State Department reorganization bill. He has worked on it for years. He has done good work. It will save taxpayers a lot of money and make the State Department more accountable and do a better job.

We have heard colleagues on the other side say, I will not support it because of the so-called abortion provision. The only thing in this bill that deals with abortion is that it basically says we don't want to have U.S. money used to lobby other countries to change their laws. What in the world makes

people think that we are so right on abortion, this administration's philosophy is so right on abortion, we should be lobbying other countries to change their position? Some countries are pro-life. They have it in their constitution; they have it in their legislature. Why should U.S. tax money be used to lobby those countries to change their laws? That is a serious mistake—a serious mistake.

I heard somebody say we haven't changed Mexico City policy. There is no restriction in here. These International Planned Parenthoods can use their money for abortions overseas. That is not even in this. The only restriction is, anybody that received nongovernmental entity can't use money to lobby other countries to change their laws and influence other countries on abortion. I don't think we should do that. We certainly shouldn't have U.S. tax moneys doing that.

I think this is a decent compromise. I urge my colleagues on both sides of the aisle to pass this.

Mr. BIDEN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. BIDEN. Does the Senator from Delaware have any time left?

The PRESIDING OFFICER. No.

Mr. BIDEN. I ask unanimous consent for 60 seconds.

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

Mr. BIDEN. Mr. President, I know my friend from Oklahoma didn't intend to mislead, but there is already a law, the HELMS amendment, which says no U.S. money can be used for that purpose —no U.S. money.

What the Mexico City language in this bill says is that these nonprofit organizations cannot use their own money, the money they raise, in Mexico, in Argentina, in Italy, in France, in China, they can't use that money to lobby their government. No U.S. taxpayers' dollars are allowed under present law to be used to lobby for abortion, period, bang. That is already law. That is the HELMS amendment.

What we are talking about is using their money raised from sources other than a contribution from the U.S. taxpayer.

The PRESIDING OFFICER. All time has expired.

Mr. NICKLES. Mr. President, I ask unanimous consent for 60 seconds.

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

Mr. NICKLES. Mr. President, money is fungible. We had the law of the land under President Reagan and President Bush for 10 years, 12 years, a certain number of those years. No money should be used by these organizations if they take U.S. money to fund abortions or to lobby governments. Whether it be government money or their money, we said, ''No; if you are going to get U.S. money, you can't go in and take other money and use it to pay for abortions or lobby other countries.''

Money is fungible, so the net result is, what we are trying to say is, wait, if you are going to take U.S. taxpayer dollars, don't use money and shuffle money around in accounts and lobbying other countries to change their laws. They are representing our Government in many cases. If they are getting U.S. taxpayer money and they are lobbying and using that money to set up family planning, and they are also lobbying, a lot of other countries are going to think that is the U.S. Government or would think that is taxpayer dollars. That is a mistake.

This is a reasonable compromise. I urge my colleagues to pass it.

The PRESIDING OFFICER. All time has expired.

Mr. KERRY. I ask unanimous consent for 30 seconds.

Mr. HELMS. I object.

The PRESIDING OFFICER. The objection is heard.

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 51, nays 49, as follows:

[Rollcall Vote No. 105 Leg.]

YEAS—51

Abraham	Faircloth	Lugar
Allard	Ford	Mack
Ashcroft	Frist	McCain
Bennett	Gorton	McConnell
Bond	Gramm	Murkowski
Breaux	Grams	Nickles
Brownback	Grassley	Roberts
Burns	Gregg	Santorum
Campbell	Hagel	Sessions
Coats	Hatch	Shelby
Cochran	Helms	Smith (NH)
Coverdell	Hutchinson	Smith (OR)
Craig	Hutchison	Stevens
D'Amato	Inhofe	Thomas
DeWine	Kempthorne	Thompson
Domenici	Kyl	Thurmond
Enzi	Lott	Warner

NAYS—49

Akaka	Feinstein	Mikulski
Baucus	Glenn	Moseley-Braun
Biden	Graham	Moynihan
Bingaman	Harkin	Murray
Boxer	Hollings	Reed
Bryan	Inouye	Reid
Bumpers	Jeffords	Robb
Byrd	Johnson	Rockefeller
Chafee	Kennedy	Roth
Cleland	Kerrey	Sarbanes
Collins	Kerry	Snowe
Conrad	Kohl	Specter
Daschle	Landrieu	Torricelli
Dodd	Lautenberg	Wellstone
Dorgan	Leahy	Wyden
Durbin	Levin	
Feingold	Lieberman	

The conference report was agreed to.

Mr. HELMS. Mr. President, I move to reconsider the vote by which the conference report was agreed to.

Mr. CRAIG. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

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. 2312

The PRESIDING OFFICER. Under the previous agreement, there will be 2 minutes equally divided on the Harkin amendment No. 2312.

We will not proceed until the Senate is in order.

Who yields time? If no one yields time, time runs equally on each side.

Mr. BIDEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. Mr. President, I rise in opposition to the Harkin amendment. Everyone should understand one thing. This has nothing to do with the expansion of NATO. Under the resolution we are passing, we say we are not going to do anything beyond what we now do to contribute to the common budget of NATO, which, on average, is 25 percent.

There are three common budgets. My friend from Iowa comes along and says: Look, we are not going to allow you to do what you were allowed to do now for Greece, Turkey, Germany. For example, when we passed the CFE agreement, we agreed we would get rid of a lot of materiel. That materiel was worth the sum total of about $185 million. We gave it to Turkey, Portugal, Germany, et cetera.

Under this amendment, we would not be able to do that kind of thing for any of the new countries if they come in. In addition to that, we would be limited to be engaged in any foreign military sales to these countries. Nothing to do with common budgets.

I urge you to vote no.

The PRESIDING OFFICER. The Senator's time has expired. The Senator from Iowa has 1 minute.

Mr. HARKIN. As former U.S. Ambassador to Russia, Jack Matlock warned:

> We're going to have a dilemma that we either encourage them—new NATO members—to divert resources they don't have or we end up fooling the American people about what it's going to cost them.

That is what this amendment is about, not fooling the American people.

My amendment does two things. It requires a full accounting of all U.S. contributions, all for NATO expansion by including the U.S. contributions to the national governments when calculating the U.S. share of enlargement costs.

Right now, we are limited to 25 percent for the common costs. That does not take into account the national costs. What I am saying with this amendment is, sure, we will provide our fair share, but why should we do more than 25 percent.

And please do not fall for the argument that we could not have done this