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Senate

The Senate met at 11:45 a.m. and was called to order by the President pro tempore (Mr. THURMOND).

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, Sovereign of this Nation and personal Lord of our lives, we praise You for our accountability to You. You are a God of judgment as well as grace. If you did not care, life would have no meaning. We thank You for giving us the basis on which we will be judged each hour and at the end of each day. You want us to know what is required of us so we can pass Your daily examination with flying colors.

Your Commandments are in force as much now as when You gave them to Moses. You require us to do justly, love mercy, and walk humbly with You. You call for integrity, honesty, and faithfulness. Absolute trust in You is the secret for personal peace and the basis for leading a Nation. Help us to live our Nation's motto, ''In God We Trust,'' and judge us by the extent we have put our trust in You for guidance.

Gracious God, as we receive Your judgment, we also seek Your forgiveness and a new beginning. May Your forgiveness give us the courage to seek first Your rule and righteousness.

Today we thank You for Eileen R. Connor, the Supervisor of Expert Transcribers from the Office of Official Reporters of Debates. Tomorrow will be the last day for Eileen after 25 years of dedicated service to the Senate. In Your Holy Name. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able acting majority leader, Senator SMITH of New Hampshire, is recognized.

Mr. SMITH of New Hampshire. I thank the Chair.

Mr. WELLSTONE. Could I ask my colleague for 2 seconds?

Mr. SMITH of New Hampshire. I yield to the Senator.

PRIVILEGE OF THE FLOOR—VOTE ON EXECUTIVE AMENDMENT NO. 2314

Mr. WELLSTONE. I ask unanimous consent that Scott Muschett, an intern in my office, be allowed to be on the floor during this vote.

The PRESIDING OFFICER (Mr. HUTCHINSON). Without objection, it is so ordered.

Mr. WELLSTONE. I thank the Chair.

SCHEDULE

Mr. SMITH of New Hampshire. Mr. President, on behalf of the majority leader, I announce this morning the Senate will resume consideration of the Senator Smith of New Hampshire and the Senator Hutchison of Texas amendment No. 2314, pending to the NATO enlargement treaty. Under the previous order, there will be 2 minutes of debate equally divided between Senator SMITH and Senator HUTCHISON, followed by a rollcall vote on or in relation to the amendment. Following that vote, it is hoped that Members with amendments to the NATO enlargement treaty will come to the floor to offer and debate those amendments.

The majority leader has indicated to me it is his hope the Senate will be able to complete action on the NATO treaty hopefully by the close of business today or by Thursday evening at the latest. So I thank my colleagues for their attention to this matter.

Mr. President, I believe under the previous order, there are 2 minutes equally divided between Senator HUTCHISON and myself.

EXECUTIVE SESSION

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

The PRESIDING OFFICER. Under the previous order, the Senate will now go into executive session and resume consideration of Executive Calendar No. 16, which the clerk will report.

The assistant legislative clerk read as follows:

Treaty Document No. 105–36, Protocols to the North Atlantic Treaty of 1949 on Accession of Poland, Hungary and the Czech Republic.

The Senate resumed consideration of the treaty.

Pending:

Smith (New Hampshire)/Hutchison amendment No. 2314, to express a condition requiring full cooperation from Poland, Hungary, and the Czech Republic with United States efforts to obtain the fullest possible accounting of captured and missing United States personnel from past military conflicts or Cold War incidents.

EXECUTIVE AMENDMENT NO. 2314

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of the Smith-Hutchison amendment No. 2314. There are 2 minutes of debate reserved prior to the vote.

Mr. SMITH of New Hampshire. Mr. President I yield myself 1 minute.

This is a straightforward, simple amendment which I am confident has a strong bipartisan support of this Chamber. It is based on the debate yesterday, with myself, Senator HUTCHISON and Senator BIDEN. I don't expect any opposition.

The amendment expresses a condition with full regard to NATO expansion requiring full cooperation from the Czech Republic, Hungary and Poland concerning unaccounted for MIAs and POWs, and it is supported by all POW and MIA families and certainly

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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many of the national veterans organizations.

I want to stress that I personally received pledges of cooperation from the leaders of the three countries involved here. This amendment is designed to ensure that there is serious follow-up not only with the individuals who may have accessed information but also access to the archives.

I want to thank Senator HUTCHISON of Texas for her support on this humanitarian issue, and I yield to her 1 minute.

Mrs. HUTCHISON. Mr. President, I want to thank Senator SMITH for working with me on this amendment. We must never pass an opportunity to continue to give hope to those whose loved ones are missing because they served our country.

This amendment says to them we will never forget and if there is ever a shred of hope that we could learn more about how even one service man or woman died or became missing, it is worth every effort that we would make. That is what this amendment does.

I urge its passage.

Mr. SMITH of New Hampshire. I yield the remainder to the Senator from Minnesota.

Mr. WELLSTONE. I ask unanimous consent after the vote I be recognized to speak on NATO expansion for up to 30 minutes.

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

The PRESIDING OFFICER. The question is on agreeing to amendment 2314, offered by the Senator from New Hampshire. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Missouri (Mr. BOND) is necessarily absent.

Mr. FORD. I announce that the Senator from Illinois (Ms. MOSELEY-BRAUN) and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

I further announce that, if present and voting, the Senator from Illinois (Ms. MOSELEY-BRAUN) would vote ''aye.''

The PRESIDING OFFICER (Mr. BURNS). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 97, nays 0, as follows:

[Rollcall Vote No. 108 Ex.]

YEAS—97

Abraham	Cleland	Feinstein
Akaka	Coats	Ford
Allard	Cochran	Frist
Ashcroft	Collins	Glenn
Baucus	Conrad	Gorton
Bennett	Coverdell	Graham
Biden	Craig	Gramm
Bingaman	D'Amato	Grams
Boxer	Daschle	Grassley
Breaux	DeWine	Gregg
Brownback	Dodd	Hagel
Bryan	Domenici	Harkin
Bumpers	Dorgan	Hatch
Burns	Durbin	Helms
Byrd	Enzi	Hollings
Campbell	Faircloth	Hutchinson
Chafee	Feingold	Hutchison
Inhofe	Lugar	Sessions
Inouye	Mack	Shelby
Jeffords	McCain	Smith (NH)
Johnson	McConnell	Smith (OR)
Kempthorne	Mikulski	Snowe
Kennedy	Moynihan	Specter
Kerrey	Murkowski	Stevens
Kerry	Murray	Thomas
Kohl	Nickles	Thompson
Kyl	Reed	Thurmond
Landrieu	Reid	Torricelli
Lautenberg	Robb	Warner
Leahy	Roberts	Wellstone
Levin	Roth	Wyden
Lieberman	Santorum	
Lott	Sarbanes	

NOT VOTING—3

Bond	Moseley-Braun	Rockefeller

The executive amendment (No. 2314) was agreed to.

Mr. SMITH of New Hampshire. Mr. President, I move to reconsider the vote by which the amendment was agreed to, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Under the previous order, Senator WELLSTONE of Minnesota is recognized for 30 minutes.

Mr. WELLSTONE. Mr. President, my colleague from Idaho approached me and said he needed to take 5 minutes for an amendment that he wants to lay down. Is that correct?

Mr. President, I ask unanimous consent that my colleague, Senator CRAIG, be allowed up to 5 minutes to offer his amendment and speak on his amendment, after which I then would retain the floor and be able to speak for 30 minutes.

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

The Senator from Idaho is recognized.

Mr. CRAIG. Mr. President, let me first of all thank Senator WELLSTONE for his courtesy.

EXECUTIVE AMENDMENT NO. 2316

(Purpose: To condition United States ratification of the protocols on specific statutory authorization for the continued deployment of United States Armed Forces in Bosnia and Herzegovina as part of the NATO mission)

Mr. CRAIG. Mr. President, I have an amendment at the desk that I call up.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Idaho (Mr. CRAIG), for himself, and Mrs. HUTCHISON, and Mr. SMITH of New Hampshire, proposes an executive amendment numbered 2316.

Mr. CRAIG. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place, insert the following:

( ) STATUTORY AUTHORITY FOR DEPLOYMENTS IN BOSNIA AND HERZEGOVINA.—Prior to the deposit of the United States instrument of ratification, there must be enacted a law containing specific authorization for the continued deployment of the United States Armed Forces in Bosnia and Herzegovina as part of the NATO mission in that country.

Mr. CRAIG. Mr. President, again thanking my colleague, Senator WELLSTONE, for his courtesy, I will be brief. It is a very direct and simple amendment but I think a most powerful amendment. Let me read it.

Statutory Authorization for Deployments in Bosnia and Herzegovina—Prior to the deposit of the United States instrument of ratification, there must be enacted a law containing specific authorization for the continued deployment of the United States Armed Forces in Bosnia and Herzegovina as part of the NATO mission in that country.

That is the substance of the amendment. This amendment would require that before the President can deposit the instruments of ratification, he must receive authorization from this Congress for the mission in Bosnia.

Last May, President Clinton publicly embraced the idea of a new NATO mission. It is my concern that the President's vision of a new NATO will signal the end of NATO as a defense alliance and the beginning of a new role as a regional peacekeeping organization. The President declared, ''We are building a new NATO. We will remain the strongest alliance in history, with smaller, more flexible forces prepared for our defense but also trained for peacekeeping. It will be an alliance directed no longer against a hostile block of nations but instead designed to advance the security of every democracy in Europe—NATO's old members, now members and nonmembers alike.''

I cannot support the President's call for a new NATO to be a de facto peacekeeping organization worldwide.

Mr. President, President Clinton's peacekeeping operation in Bosnia has been going on now for more than 2 years without authorization from Congress, with costs mounting far beyond any estimate, with the mission's end date repeatedly broken. The mission in Bosnia is now what we were promised it would not be, an unauthorized, open-ended, nation-building deployment with no withdrawal criteria.

As costs for NATO's mission in Bosnia continue to add up, the President seems eager to take on new peacekeeping operations. Make no mistake; the U.S. is paying the lion's share of the peacekeeping in Bosnia. We all know these costs are high for the Defense Department. The Defense Department is forced to come to Congress for supplemental funds. We are now meeting in a conference of the Appropriations Committee to deal with those very issues for the Defense Department.

In 1995, the President vowed that U.S. troop deployment in Bosnia should and will take about 1 year and cost about $1 billion. Three years and $8 billion later, the administration now admits we do not propose a fixed end date for the deployment.

Let me be clear. My amendment is not a war powers resolution. It does not say the President cannot continue the deployment in Bosnia without authorization, nor does it cut off funds

for Bosnia, nor does it set an end date for the mission, nor does it establish a withdrawal criteria. It does, however, require the President to cooperate with Congress to set reasonable parameters for that mission before the President gets a blank check in the form of a new NATO for more of other area missions. The commitment of U.S. troops to Bosnia is a commitment of U.S. blood, and expansion of NATO is an expansion of this commitment. The decision to place U.S. troops in harm's way is a commitment that none of us take lightly. We owe it to our troops to obtain authorization for peacekeeping missions. That is what my amendment sets forth.

Mr. BIDEN. Mr. President, will the Senator yield 1 minute, 60 seconds?

Mr. WELLSTONE. Mr. President, I say to my colleague, I would be pleased to yield him 5 minutes.

Mr. BIDEN. There is no need for that.

Mr. WELLSTONE. I yield my colleague 1 minute after which I will retain the floor.

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

Mr. BIDEN. Mr. President, the Senator from Idaho and I are going to have a chance to debate this issue later this afternoon. But I would just say to those who heard what he had to say in the introduction, consider the following: This is a treaty. This is not a conference report. This is not a piece of legislation. This is a treaty. And we should not be effectively legislating on a treaty. This treaty is going to go back to every other nation to sign, and we are going to say, by the way, there is a paragraph in here that says, ''The Senate authorization committee,'' and they are going to think they are reading Greek. It has nothing to do with the treaty.

I do not in any way belittle his concern; it is worthy of debate, but it should not be on a treaty. I will make that point more forcefully when we get into the debate.

I thank my colleague for yielding.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 30 minutes.

Mr. WELLSTONE. Mr. President, I rise to speak in opposition to NATO expansion. NATO expansion has been described by the distinguished foreign policy expert, Professor Ronald Steel, ''as a bad idea whose time has come.'' My fervent hope is that he's only half right in that it will turn out to be ''a bad idea whose time hasn't come.''

Why do I oppose the expansion of NATO? Two fundamental reasons. First because I've yet to hear a plausible case made for expanding NATO, which makes me think we are talking about a policy still in search of a justification. And second, because I believe it will sour our relations with Russia, promote internal changes within Russia harmful to U.S. interests, and may even imperil our own security and that of our allies.

Since the two basic reasons for my opposition tend to be intertwined, I'll deal with them together rather than separately.

Mr. President, I've yet to hear an explanation of why we should be expanding the NATO miliary alliance toward Russia's borders when there is no Russian military threat. The Russian military has collapsed. If there was any doubt about this, it should have been erased by the Russian army's inability to quell tiny, rag-tag Chechnyan forces. Even Polish sources have questioned Russia's capability to threaten its former Eastern Bloc allies in the foreseeable future.

Moreover, arms control agreements signed between 1987 and 1993, pushed through by Presidents Reagan and Bush working with President Gorbachev, have helped to establish a new security structure that makes a surprise attack in Central Europe virtually impossible. The security situation in Central Europe is more stable than it has been at any time in this century. There is peace between states in Europe for the first time in centuries.

Under these circumstances, why in heaven's name are we rushing to expand a military alliance into Central Europe?

Secretary Albright has claimed that expanding NATO will produce an ''undivided'' Europe. I believe the Secretary is mistaken. What it will do is re-create a dividing line in Europe, only farther east than the original Cold War dividing line. President Clinton himself, before he decided to back NATO expansion, said that it would ''draw a new line through Europe, just a little farther east.'' He was right then and I am right now.

Mr. President, since a Europe without dividing lines is vital if the continent is to be peaceful, prosperous and secure, why are we now considering a step that is sure to re-divide Europe?

What would a re-divided Europe mean? Well, for one thing, the U.S. is committed to bringing the Baltic states into NATO if expansion proceeds. In my view this could have devastating consequences for world peace. In this connection, I recently read an outstanding piece entitled ''NATO Expansion and the Baltic Iceberg'' by Michael Mandelbaum, Professor of American Foreign Policy at the Paul H. Nitze School of Advanced International Studies of the Johns Hopkins University and Director of the Project on East-West Relations of the Council on Foreign Relations. I have had the good fortune to meet with Professor Mandelbaum and I found him to be a perceptive critic of NATO expansion who views the issue through the lens of history. He succinctly describes the dilemma that would be created by the commitment to expanding NATO to the Baltic states.

Professor Mandelbaum outlines three options:

> . . . the American government might try to expand NATO to the Baltic countries but fail because of Western European objections. . . . If on the other hand Washington did somehow prevail on the Western Europeans to admit the Balts, or failing that, offered them a unilateral alliance like the Japanese-American Security Treaty, the United States would be obliged to provide for their defense. This option surely require re-creating in some form the military deployments of the Cold War. American troops and American nuclear weapons would have to be stationed within the borders of the three countries. . . . Lithuania, Latvia and Estonia might well turn out to be defensible only with nuclear weapons, as West Berlin was during the Cold War, in which case NATO expansion would return the world to the hair trigger nuclear standoff of the 1950's and 1960's.
>
> Because of the determined opposition to Baltic membership the Western Europeans will mount, and the huge risks including the Balts will entail, the likeliest option for the United States is the third: Having agreed to defend three countries in Central Europe that are not remotely threatened, the United States will renege on its commitment to defend the Balts precisely because they might be threatened. This option would enshrine in the foreign policy of the United States the principle that American security guarantees are available only to those who don't need them . . . It would break a promise the Balts have received from the United States. . . .
>
> The damage to American interests that each of the three options would inflict would be infinitely greater than whatever modest embarrassment rejecting the NATO expansion that is now before the Senate would cause. And rejecting the plan is the only sure way to avoid the damage. Rejection, that is, is the only way to steer the American ship of state clear of the large menacing iceberg toward which the Clinton administration is now guiding it.

I couldn't agree more.

Mr. President, I ask unanimous consent that the text of Professor Mandelbaum's article be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

NATO EXPANSION AND THE BALTIC ICEBERG

(By Michael Mandelbaum)

NATO expansion is the Titanic of American foreign policy, and the iceberg on which it is doomed to founder is Baltic membership in the Atlantic Alliance.

The problem of NATO membership for Lithuania, Latvia, and Estonia is one that, if the proposal to admit Poland, Hungary, and the Czech Republic is ratified by the Senate, the United States will be able neither to avoid nor to solve. The only way to steer clear of this geopolitical iceberg is to reject the plan for expansion that the Clinton administration has placed before the Senate.

If expansion proceeds, the United States is committed to bringing the Balts into the Alliance. That commitment has been expressed in many places and in many forms: at the Madrid Summit last summer at which formal invitations to join NATO were issued to the three Central European countries; in the Baltic-American Charter signed by President Clinton in January; in the resolution of ratification the Senate Foreign Relations Committee has reported; in numerous statements by American officials, such as Madeleine Albright's assertion that no European democracy will be denied admission to NATO ''because of where it sits on the map''; and by assurances given to officials of the Baltic

countries and representatives of Baltic-American groups.

Moreover, if Poland, Hungary, and the Czech Republic are, as the Clinton administration says, ''entitled'' to NATO membership, then so, too, are the Balts. Lithuania, Latvia, and Estonia are just as democratic, just as pro-Western, just as much in need of the stability that NATO membership allegedly confers, and suffered just as much under Communism as the three Central European countries whose candidacies the administration has chosen to favor. Thus, even if there were no commitment to the Balts, logic and justice would prohibit excluding them while including the Poles, Hungarians, and Czechs. But there is a commitment, which ratifying membership for the Central European countries would trigger.

All politically relevant Russians, however, including Boris Yeltsin, have said, repeatedly and emphatically, that Baltic membership in NATO, which would bring the Western military alliance, from which they are excluded, to their borders, is entirely unacceptable to them. The Russians have said that Baltic membership would cast into doubt all existing agreements between Russia and the West, including the historic treaties reducing nuclear and non-nuclear weapons. They have made it clear that they would regard Baltic membership NATO as a provocation, to which they would respond.

The admission of Poland, Hungary, and the Czech Republic to the Atlantic Alliance would therefore confront the United States with three—and only three—options, all of them bad.

First, the American government might try to expand NATO to the Baltic countries but fail because of Western European objections. Such objections are all but certain on the part of countries that have already made it clear that they are going along with the first round of expansion largely to humor the Americans and that they will contribute nothing to its costs. Because of Russian opposition, Western Europeans are privately negative, sometimes adamantly so, about Baltic membership. If the United States pressed the issue, as it would be bound to do given the commitment the Clinton administration has made, the result would be a serious crisis at the core of the Alliance, with charges of bad faith and recklessness echoing back and forth across the Atlantic, that could end by destroying NATO itself.

If, on the other hand, Washington did somehow prevail on the Western Europeans to admit the Balts, or, failing that, offered them a unilateral alliance like the Japanese-American Security Treaty, the United States would be obliged to provide for their defense. This second option would surely require recreating in some form the military deployments of the Cold War. American troops and American nuclear weapons would have to be stationed within the borders of the three countries. This would not be cheap, which is one reason, although hardly the only one, that the Clinton administration's estimate of the price of expansion, which does not include cost of fulfilling the American commitment to the Balts, is ludicrously low.

Lithuania, Latvia and Estonia might well turn out to be defensible only with nuclear weapons, as West Berlin was during the Cold War, in which case NATO expansion would return the world to the hair-trigger nuclear standoff of the 1950s and 1960s. That is why Senator Daniel Patrick Moynihan's warning that NATO expansion could, unintentionally, ''raise the prospect of nuclear war to the most intense point it has reached since the beginning of the Nuclear Age'' is not hyperbole. It is, rather, a reasonable assessment of the consequences of policies to which, if Poland, Hungary, and the Czech Republic join NATO, the United States and Russia are already committed.

Because of the determined opposition to Baltic membership the Western Europeans will mount, and the huge risks that including the Balts would entail, the likeliest option for the United States is the third: Having agreed to defend three countries in Central Europe that are not remotely threatened, the United States will renege on its commitment to defend the Balts precisely because they might be threatened. This option would enshrine in the foreign policy of the United States the principle that American security guarantees are available only to those who do not need them. It would also accomplish exactly what its champions claim NATO expansion is designed to avoid: It would draw a new line of division in Europe and consign friendly democracies to the wrong side of it. It would break a promise the Balts have received from the United States. It would give the Russians what the Clinton administration has sworn it will never permit: a veto on the question of which countries belong to NATO.

Moreover, it would fortify the Communists and nationalists in Russia, who would be able to say to their pro-Western, democratic political opponents: ''We tried your preferred policy, cooperation with the West, and what was the result? NATO expanded to Poland, Hungary and the Czech Republic without consulting us, against our wishes, and in flagrant violation of the promise not to do so given to Mikhail Gorbachev and Eduard Shevardnadze at the time of German unification in 1990. Then Russia adopted our tactics: standing firm, drawing a line, and making threats. And what is the result? NATO expansion has stopped in its tracks. Our way of dealing with the West has been vindicated.'' This is hardly a lesson that it is in the interest of the United States to teach Russia. The fact that it is the lesson that Russia is all too likely to learn is one reason that, according to Alexei Arbatov, a member of the unimpeachably democratic Yabloko faction in the Russian State Duma and the leader in the effort to persuade the Duma to ratify the START II arms reduction treaty, Russians—who have advocated cooperation with the West—feel betrayed by NATO expansion.

Since no American president will ever be able to say, definitely and absolutely, that the Baltic countries will never join NATO, however, even this third option will not put an end to the matter. Russians will always have to believe that NATO might expand to the Baltic countries, and this prospect will therefore poison Russian-American relations far into the future.

The damage to American interests that each of the three options would inflict would be infinitely greater than whatever modest embarrassment rejecting the plan for NATO expansion that is now before the Senate would cause. And rejecting the plan is the only sure way to avoid the damage. Rejection, that is, is the only way to steer the American ship of state clear of the large, menacing iceberg toward which the Clinton administration is now guiding it.

Mr. WELLSTONE. Mr. President, the administration often claims its aim in expanding NATO is to foster democracy, stability, and economic reform in Central Europe. But there already is democracy, stability and economic reform in the Czech Republic, Hungary, and Poland. Besides, if this was our aim wouldn't the European Union, whose fundamental purpose is to spur growth and stability through integration, be a better vehicle for accomplishing these goals than NATO, which is after all a military alliance? If our goal is to expand markets and democracy, why don't we use our leverage to promote the expansion of the European Union?

Central European states covet membership in the European Union for the economic benefits they believe it would confer. Wouldn't it be better for the United States to exert our leadership, our great influence, to promote expansion of the European Union which threatens no one rather than expand a military alliance that threatens the one country on which European security depends most?

What worries me most though, Mr. President, is that NATO expansion, needlessly risks poisoning Russia's relations with the U.S. for years to come and increases the odds that Russian ultra-nationalists and anti-U.S. forces will gain power in the post-Yeltsin Period. NATO expansion threatens to turn the clock back to the worst days of the Cold War, something that few Americans and few Europeans want.

Former Russian officials say and some former American officials confirm that by seeking to expand NATO, the U.S. is violating a commitment made when Moscow agreed to Germany's reunification and remaining in NATO, withdrawing Russian troops from Germany, and disbanding the Warsaw Pact. While there is some disagreement over what commitment was actually made to Gorbachev, there is no question that Russian officials say they had firm U.S. assurances that NATO would not be expanded. The Russian perception that we are reneging on our word can only erode trust and poison future relations.

On this point, I will quote Susan Eisenhower, Chairman, The Center for Political and Strategic Studies, testifying before the Senate Armed Services Committee, March 19, 1998:

> It is Russian democrats who feel betrayed by NATO expansion—not the hard liners who are benefitting from it. Gorbachev says that we were verbally assured that NATO would not expand if the Soviet Union agreed to German unification and its place in NATO. Under the war-time Four Powers Act, Moscow had a legal right to refuse such an arrangement, and would have if the Soviets had imagined that less than a decade later some and eventually all of their former allies would be gazing at them from the other side of a military alliance. Russian hard liners, always deeply skeptical of Western intentions, say this ''betrayal'' is par for the course, and they mock the Russian democrats for trusting the West too much.

Eisenhower, who met Gorbachev on a recent trip to Moscow, reported that Gorbachev was deeply disturbed by NATO Expansion's impact on those who promoted cooperation with the West, adding:

> ''Russia has been swindled,'' he asserted, and it is feeding into the wild ideas of those who hold ''conspiracy theories'' that the West is intent not only on the Soviet Union's demise but also Russia's. ''NATO expansion has poisoned the atmosphere of trust,'' he said.

Mr. President, it is worth pointing out that the sense of betrayal isn't confined to former President Gorbachev, but is shared by our natural allies in today's Russia, political leaders who are committed both to democracy and U.S.-Russia cooperation. For example, there is Dr. Alexei Arbatov, deputy chairman of the Defense Committee of the Duma. Dr. Arbatov is a member of the leadership of Yabloko, Russia's largest unimpeachably democratic party, a strong advocate of U.S.-Russia cooperation, and a leader in the effort to ratify the START–II Treaty in the Duma. He was involved in the START–I negotiations in Geneva, and later served as a consultant on all the major Soviet-American and Russian-American arms control issues, including the START–II and CFE treaties.

Here are Dr. Arbatov's thoughts on NATO expansion in light of Russia's agreement to German reunification and other concessions:

. . . Nobody took the trouble to warn Russian that as a result of all these concessions and sacrifices, NATO—the most powerful military alliance in the world—would start moving towards Russian borders. To the contrary, Moscow was repeatedly told by the West that it would be accepted as an equal and genuine partner and that no major decision on international security would be made without it. Well the NATO summit in Madrid came as a clear manifestation that such decisions may and will be made and Russia's opinion really matters only so long as it is in line with the Western position . . . At best, NATO expansion to the East is regarded in Russia as a mistaken policy. . . . At worst it is regarded as the consummation of a 'grand design' to encircle and isolate Russia, establishing strategic superiority and finally destroying Russia, ending once and for all Russia's role as a European power.

If this is how a democrat and advocate of U.S.-Russian amity sees it, imagine how more conservative, more nationalist forces who could come to power in the future see it.

Mr. President, am I missing something? Is there some compelling, overriding reason that makes NATO expansion so vital to U.S. interests that we must imperil our relations with Russia for years to come and revive Russian mistrust and paranoia? If this is so, I would appreciate it if one of my colleagues or the Administration could tell me, and more important the American people, what that compelling, over-riding reason is.

There is no question in my mind that colleagues who support NATO expansion do so because they believe it would be in the interests of the United States and think it would be the right thing to do. I question no colleague on that. But I am troubled by the fact that U.S. arms makers have played a major role in lobbying for NATO expansion. And this lobbying has been confined just to the United States. As difficult as it may be to believe, McDonnell Douglas helped the Hungarian Government win public support in a referendum on joining NATO by financing a CD–ROM game called ''Natopoly'' that was distributed free to libraries throughout Hungary. The Washington Post described it as a ''piece of slick, unabashedly pro-NATO software.''

Mr. President, U.S. arms makers seem to equate expanding NATO with expanding profits. To explain what I mean, let me quote from a June 29, 1997 New York Times article entitled, ''Arms Makers See Bonanza in Selling NATO Expansion'':

At night, Bruce L. Jackson is president of the U.S. Committee to Expand NATO, giving intimate dinners for Senators and foreign officials. By day, he is director of strategic planning for Lockheed Martin Corporation.

Mr. Jackson says he keeps his two identities separate, but his company and his lobbying group are fighting the same battle. Defense contractors are acting like globe-hopping diplomats to encourage the expansion of NATO, which will create a huge market for their wares.

. . . ''The stakes are high'' for arms makers, said Joel L. Johnson, vice president for international affairs at the Aerospace Industries Association. . . . ''Whoever gets in first will have a lock for the next quarter century.'' The potential market for jets alone is $10 billion, he said. . . . ''Then there's transport aircraft, utility helicopters, attack helicopters,'' Mr. Johnson said—not to mention military communications systems, computers, radar, radios, and other tools of a modern fighting force. ''Add these together, and we're talking real money,'' he said.

And the real ''real money'' he's talking about is more likely to come from the U.S. taxpayers than from new NATO members. In fact, it appears as if funds are already coming from the U.S. taxpayer to subsidize arms purchases by potential NATO members.

Let me also draw from a study by William D. Hartung, the author of the report which is entitled Welfare for Weapons Dealers 1998: The Hidden Costs of NATO Expansion.

I will read the summary of his key findings. Mr. President, how much time do I have left?

The PRESIDING OFFICER. The Senator has 13 minutes 36 seconds.

Mr. WELLSTONE. I thank the Chair.

Mr. Hartung wrote:

Potential new members of NATO are the largest recipients of subsidized military loans from the U.S. Government: Allocations for potential NATO members now dominate the Pentagon's FMF loan program, representing 44.8 percent of the $540.1 million in FMF loans for fiscal year 1997 and 61.2 percent of the $647.5 million for fiscal year 1998.

NATO expansion is good news for Boeing and Lockheed Martin, but is a potential disaster for U.S. taxpayers: Lockheed Martin has been promising ''100 percent economic cooperation and up to 100 percent financing'' for countries that buy F–16 fighters. Lockheed Martin, Boeing and Textron all have deals in the works to produce U.S.-designed weapons in East and Central Europe as an inducement to get officials there to ''buy American''. . .The questionable terms on U.S. military loans to the region could leave U.S. taxpayers to pick up the tab for hundreds of millions or even billions of dollars in potential defaults. The likely result of all this furious marketing activity would be a U.S.-subsidized re-arming of East and Central Europe that will fatten the bottom line of U.S. weapon makers at the expense of U.S. taxpayers.

Mr. President, if Mr. Hartung is right, and I think there is a good chance he is, NATO expansion will be a double whammy for U.S. taxpayers. They will wind up subsidizing U.S. arms merchants in a venture that will bring them less, not more, security.

I now want to mention Senator Nunn, who I join in opposing NATO expansion. He deserves a great deal of credit for being the first Senator, to my knowledge, to raise fundamental questions about the wisdom of NATO expansion. Because of my enormous respect for Senator Nunn's knowledge of national security and defense issues, his concerns about NATO expansion influenced my own thinking.

Senator Nunn delivered one of the most incisive statements I have ever heard on the issue when he appeared on the Jim Lehrer Newshour show in March of 1997. He addressed both the possible impact of NATO expansion on our national security and on Russia domestically.

Here is what Senator Sam Nunn had to say:

I'll start with the question, what are the greatest threats to the United States? Clearly, the No. 1 threat to the United States today is the proliferation of weapons of mass destruction, whether chemical or biological or nuclear.

I agree with Senator Nunn, that should be the foundation of our foreign policy, our No. 1 concern.

Then my question would be: Does NATO expansion help in the fight against proliferation of these weapons going to the third world rogue countries or terrorist groups? And my answer to that is no, it makes the cooperation that we have underway with Russia more difficult, perhaps not impossible, but more difficult.

The second question I ask is about nuclear threats. Does NATO expansion help us in terms of easing the nuclear trigger, while Russia still has thousands and thousands of nuclear weapons, or is it harmful? And I think the answer to that is it makes it more difficult because it puts enormous pressure on the Russian military. They're extremely weak, conventionally now. They're not a threat to countries we're taking in, but their reaction is likely to be a reliance, a heavy reliance on nuclear weapons. So the answer that I have to both of those key questions relating to the threat is that it makes it—NATO expansion makes our security problems more difficult.

The third question is the question of Russia itself. The greatest change we've had in the threat to the United States has been the breakup of the Warsaw Pact and movement towards democracy and market reform in Russia. That has a long way to go. But the question I ask, is NATO expansion going to make reform more likely in Russia or less likely? I think it makes it more difficult because it puts pressure on our friends, the democrats in Russia, and it gives a great political issue to the demagogues there and the people on the extreme left and the extreme right.

I think my colleague, Senator Nunn, is absolutely right. It works at cross-purposes to stopping the proliferation of weapons of mass destruction. I think it makes the nuclear threat more real, as Senator Nunn suggested, and it absolutely plays into the hands of the

worst forces in Russia and to the disadvantage of democrats in Russia.

Mr. President, the push for a larger NATO has already hurt our relations with Russia, as shown by the stalling of the START II agreements in the Duma, troubling frictions with Russia recently on issues ranging from U.S. policy toward Iraq, to proliferation issues, to the management of Russia's nuclear material.

My colleague, Senator MOYNIHAN, has had a distinguished career in diplomacy and international relations, and he was recently quoted as warning that extending the NATO alliance toward the frontier of Russia risks ''the catastrophe of nuclear war.'' I cannot honestly say whether I think his analysis is right or wrong, but I have to ask myself is there any compelling reason for the U.S. rush to expand NATO if there is the slightest chance that it could trigger a nuclear war down the road. Why are we taking such a chance?

Dr. Arbatov, while in Washington last month to attend meetings at the Center for Political and Strategic Studies, took issue with those in the West who contend that Russians don't really care about NATO expansion. The following is a summary from his remarks that Arbatov approved:

> Contrary to what is being said by many Western proponents of NATO, Russians do care about NATO expansion, and they are almost unanimously opposed. It is true that most Russians, like most Americans, are primarily concerned about everyday things and making ends meet. But almost everyone who has any interest in foreign affairs is very concerned. Millions of pensioners who remember World War II, all the military, workers in defense industries, intellectuals, government and political elites care very deeply about this issue. And nearly the full spectrum of Russian politicians is opposed to the expansion of NATO.

I want to conclude this way. Susan Eisenhower points out that not only are Russia's progressive forces being put under enormous pressure by NATO expansion, but there are signs Russian conservatives are already using it to their own advantage. Eisenhower stresses:

> There is already tangible evidence that NATO expansion has given conservative forces—

Which has a different meaning, I say to my conservative colleagues here, than conservativism in America.

> a platform. On January 23, the Duma overwhelmingly passed a resolution stating that NATO expansion is the ''most serious military threat to our country since 1945.'' It also said that Baltic membership in NATO would be incompatible with the NATO-Russian Founding Act . . . The resolution requested that the Yeltsin government devise a program to counteract NATO expansion.

In pursuing NATO expansion, why is the administration disregarding the warnings of Russian democrats, George Kennan and other distinguished Russian scholars, that NATO expansion is likely to sow the seeds for the reemergence of antidemocratic and chauvinist trends in Russia? That is a serious threat, I say to my colleagues, to our lives, our children's lives, and our grandchildren's lives.

I am especially puzzled by this since it must be evident to both supporters and foes of NATO expansion that European security and stability is greatly dependent on Russia's transition to democracy. A democratic Russia is unlikely to ever threaten its neighbors.

Why then are we considering a step that will weaken Russia's democrats and strengthen ultra-nationalists who oppose democracy? George Kennan has said—George Kennan who wrote the famous Mr. X article in Foreign Affairs; George Kennan, perhaps the most prominent thinker about Russia in our country—George Kennan with the most distinguished career possible has said that expanding NATO ''may be expected to inflame nationalistic, anti-Western and militaristic tendencies in Russian opinion [and] to have an adverse effect on the development of Russian democracy. * * *''

Let me repeat that quote. George Kennan has said that expanding NATO ''may be expected to inflame nationalistic, anti-Western and militaristic tendencies in Russian opinion [and] to have an adverse effect on the development of Russian democracy * * *''

I urge my colleagues to carefully consider George Kennan's wise words, the heartfelt words of Russian democrats, and the prophetic words of Senator Sam Nunn and join me in opposing ratification of NATO expansion.

Mr. President, I ask how much time I have left.

The PRESIDING OFFICER. The Senator has 3 minutes left.

Mr. WELLSTONE. I thank the Chair.

THE MURDER OF BISHOP JUAN GERARDI CONEDERA

Mr. WELLSTONE. Mr. President, in the 2 minutes I have remaining, I just want to bring to the attention of my colleagues that wonderful bishop in Guatemala, Juan Gerardi—a man of justice—who was assassinated on Sunday. He was the director and founder of the Human Rights Office of the Archdiocese of Guatemala. It has been absolutely devastating to the forces for democracy in Guatemala and to the forces for human rights.

On the floor of the Senate today, I just want to say that I believe, as a Senator, that our Government should make it crystal clear to the Government in Guatemala that we want a full accounting. I urge the U.S. Ambassador to Guatemala to ask the Guatemalan government to swiftly investigate this crime; it is a terrible setback to the effort to shine a light into the dark corners of our hemisphere's history.

What we know so far is that on Sunday, April 26, Bishop Gerardi was assaulted and killed as he entered his home. His attacker, whose identity is unknown, smashed the Bishop's head with such brutality that his features were obliterated and his body could only be identified by his ring. Nothing was stolen from Bishop Gerardi's body or his house, nor was his car stolen.

When you have a courageous Catholic bishop who has been such a strong advocate for human rights murdered, we need to know—the people in Guatemala need to know—what happened. There needs to be accountability.

Mr. President, this vicious crime is all the more terrible because of the context in which it occurred. On Friday, Bishop Gerardi had released the Archdiocese's report on past human rights violations in Guatemala entitled ''Guatemala: Never Again.'' He directed the Catholic Church's effort to gather information on the long, tragic history of massacres, killings, and torture in that country. These efforts are an important part of the people of Guatemala's efforts to come to terms with their past, through a full and accurate accounting of past human rights abuses.

I do not prejudge this. I do not know who committed this brutal assassination. But like the Catholic Church in our country and like people all across the world who care so much about democracy and human rights, as a Senator, I do call on the Government of Guatemala to launch an immediate investigation into the murder of Bishop Gerardi, and to make sure that they bring this to closure and we find out who was responsible for this barbaric act. Whether or not this was a crime against a man who was merely in the wrong place at the wrong time or a carefully calculated attack against the Bishop and his work, the truth must be brought to light. Adding another mystery to the labyrinth of deaths, disappearances, and shattered lives in Guatemala would compound the tragedy of the loss of one of Latin America's great human rights leaders.

Mr. President, I ask unanimous consent that the statement from the Human Rights Office of the Archbishop of Guatemala, as well as a copy of my letter to the U.S. Ambassador to Guatemala, be printed in the RECORD.

I thank my colleagues for their courtesy. I yield the floor.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

OFFICE OF HUMAN RIGHTS,
ARCHBISHOP OF GUATEMALA.

In the Face of the Abominable Assassination of Monseñor Juan José Gerardi Conedera, The Human Rights Office of the Archbishopric of Guatemala Announces:

1. Its profound pain and indignation for the cowardly and brutal assassination of Monseñor Gerardi, the founder and General Coordinator of this office.

2. On Sunday, April 26 at around 10:00 pm, when he was entering his house after doing a routine family visit, Monseñor Gerardi was attacked by an individual who was not identified. The assassin first hit Mons. Gerardi on the back of the head with a piece of cement, and later delivered blows to the bishop's face, disfiguring it. The individual returned to a site near the crime ten minutes later, having changed his clothes since they had been soaked with the bishop's

blood. No object of value was stolen from the house, nor was his vehicle taken (which he was getting out of when attacked), nor was any personal item touched by the assassin.

3. Forty-eight hours earlier, Monseñor Gerardi had presided at the Metropolitan Cathedral, along with other bishops from the Guatemalan Episcopal Conference, for the public presentation of the report entitled, ''Guatemala: Nunca Más.'' The report documents and analyzes tens of thousands of cases of human rights violations that occurred during the armed conflict. Mons. Gerardi was the coordinating bishop for the Interdiocesan Project ''The Recuperation of Historic Memory'' which produced the report.

4. Mons. Gerardi was Auxiliary Bishop of the Archdiocese of Guatemala since 1984. From 1967 to 1976 he was bishop of Las Verapaces, where he laid the groundwork for the Indigenous Pastoral. Later he was named bishop of El Quiché, where he had to confront the time of the worst violence against the population. The assassination of various priests and catechists and the harassment of the Church by the military obliged him to close down the diocese of El Quiché in June of 1980. Weeks before that, Mons. Gerardi had escaped an ambush. When he was president of the Episcopal Conference, the authorities denied him entry into his own country and he was forced to remain in exile for two years until he was able to return in 1984.

5. The assassination of Monseñor Gerardi is a ruthless aggression against the Church of Guatemala—which for the first time has lost a bishop in a violent manner—and against the Catholic people, and represents a heavy blow to the peace process.

6. We demand that the authorities clarify this tragedy within a period of time not to exceed 72 hours, because if impunity is allowed to extend to this case it will bring grave cost to the Republic of Guatemala.

7. To the people of Guatemala and the international community we ask your resolute support and solidarity in this difficult moment for the Catholic Church. This treacherous crime has shocked everyone, but in this time of trial we should remain firm and united in order to keep the violence and terror that the Guatemala people have suffered from taking possession of Guatamala and make us lose the political space which has been won at such great sacrifice.

As Monseñor Gerardi said, in his April 24th address at the presentation of the REHMI report, ''We want to contribute to the building of a country different than the one we have now. For that reason we are recovering the memory of our people. This path has been and continues to be full of risks, but the construction of the Reign of God has risks and can only be built by those that have the strength to confront those risks.''

U.S. SENATE,
Washington, DC, April 29, 1998.

Hon. DONALD PLANTY,
U.S. Ambassador to Guatemala, Embassy of the United States, Guatemala City, Guatemala.

DEAR AMBASSADOR PLANTY: I was profoundly shocked and saddened when I received the news of the murder of Bishop Juan Gerardi, Coordinator of the Human Rights Office of the Archbishop of Guatemala.

The circumstances, as I understand it, still remain unclear. However, a spokesman for the Archdiocese of Guatemala City suggested that this murder could be related to the public release of the REHMI Report on Friday, April 24th, just 48 hours before this deplorable killing.

It appears that many believe that this case does not fall into the category of ''common crime.'' Former President Ramiro de Leon Carplo, U.N. Secretary General Kofi Annan, and others have voiced their concerns about the possible political nature of this incident and I am sure this question is on the mind of many other Guatemalans.

I urge you, Ambassador Planty, to let the officials of the Guatemalan government know that Members of Congress anticipate a full and thorough investigation of this tragic event. We hope to learn not only who the perpetrators were, but whatever other factors and motivations, if any, were involved in this terrible crime.

Thank you for your attention to my concerns.

Sincerely,

PAUL WELLSTONE,
U.S. Senator.

Mr. GRAMS addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. GRAMS. I ask unanimous consent that I be allowed to speak for up to 5 minutes in morning business.

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

Mr. GRAMS. I also ask unanimous consent that the Senator from Georgia, Senator CLELAND, be allowed to speak following my remarks.

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

Mr. GRAMS. Thank you very much.

(The remarks of Mr. GRAMS pertaining to the introduction of S. 2004 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. GRAMS. I yield the floor.

Mr. CLELAND addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. CLELAND. I thank the Senator from Minnesota.

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.

Mr. CLELAND. Mr. President, I am honored to have the opportunity to engage in this debate over the proposed expansion of the NATO treaty. It is an important occasion for this body, for our country, and for the shape of the post-cold war world. To quote Emerson, who had in turn been quoted by the great American statesman Dean Acheson about the dawning of the post-World War II era, ''we are present at the sowing of the seed of creation.''

It is a debate which has properly engaged the best minds in American foreign and national security policy. George Kennan, the architect of the successful ''containment'' strategy with which NATO won the cold war, has said,

> Expanding NATO would be the most fateful error of American policy in the entire post-Cold War era. Such a decision may be expected to inflame the nationalistic, anti-Western and militaristic tendencies in Russian opinion; to have an adverse effect on the development of Russian democracy; to restore the atmosphere of the Cold War to East-West relations; and to impel Russian foreign policy in directions decidedly not to our liking.

That is the quote of Mr. Kennan. My predecessor, and someone whose views on national security matters I most value, former Senator Sam Nunn, has said, ''NATO expansion makes our security problems more difficult,'' and Senator Nunn cowrote a recent magazine article with former Senator Howard Baker, Alton Frye and Brent Scowcroft which states that, ''by premature action on new members, the Senate could condemn a vital alliance to creeping impotence.''

On the other hand, the architect of America's detente strategy, Henry Kissinger, testified to our Senate Armed Services Committee that,

> Failure to expand NATO is likely to prove irrevocable. Russian opposition is bound to grow as its economy gains strength; the nations of Central Europe may drift out of their association with Europe. The end result would be the vacuum between Germany and Russia that has tempted so many previous conflicts. When NATO recoils from defining the only limits that make strategic sense, it is opting for progressive irrelevance.

And Zbigniew Brzezinski, with whom I served in the Carter Administration, has testified that,

> NATO enlargement has global significance—it is central to the step-by-step construction of a secure international system in which the Euroatlantic alliance plays the major role in ensuring that a peaceful and democratic Europe is America's principal partner.

Mr. President, these are strong and important words from some of our country's premier experts on international relations, and of course they point the Senate in diametrically opposite directions in the current debate. However, and I will return to this point later, in my view they all raise the right questions and ultimately can help point us in the right direction as we take up the critical questions of whether NATO and whether Europe will remain with us regardless of what we do on the pending resolution of ratification. Though I certainly acknowledge the importance of the impending decision, I would counsel that we not engage in exaggeration or hyperbole about the consequences of this single choice. It is but the first, and in my opinion probably not the most important, question we must answer as we feel our way in this unknown ''new world order,'' and no one, and certainly not this Senator, knows for certain how the future will unfold in Russia, or in the rest of Europe, for that matter.

So I welcome and I appreciate the thoughtful commentary which has been submitted on both sides of this issue. I have benefited from it, and I certainly believe that neither side has a corner on wisdom or concern for our future security. In this same spirit, I would like to thank the distinguished Majority Leader for responding to two requests I made, one in a letter I cosigned with a number of other Senators on March 3, and the other in a personal

note I sent to him on March 25, that he delay final Senate action on the resolution of ratification to allow for more debate, and for more information to be obtained on several important policy questions. While I thought, and think, that for a variety of reasons, it would be better to delay this vote until the beginning of June, I appreciate the postponement he did arrange because it allowed me to make my own ''inspection tour'' of Europe to assess the situation there in person on the ground.

I have just completed a twelve day, 12,000 mile tour of Europe. My travels took me to London, Camp Robertson, V Corps Headquarters and Ramstein Air Force Base in Germany, and NATO Headquarters in Belgium. They also took me to Eagle Base in Bosnia-Herzegovina. On my trip, I tried to get a realistic look at our Western alliance as we approach the end of the 20th Century. Our relations with our European allies, particularly through NATO, are of special importance to the United States. As I have already indicated, the issue of NATO expansion to nations formerly a part of the Warsaw Pact, especially the pending proposal to include Poland, Hungary and the Czech Republic in NATO, is of paramount importance as we consider the crucial matter of the future of the Western alliance in this body.

During my journey, I also attempted to get a feel for the disposition and readiness of our military forces in Europe, and the attitude and morale of our troops deployed on our expeditionary mission to Bosnia.

Any attempt at gaging the temperature of our NATO alliance must begin with a sense of European history. President Kennedy once said that the thing that he cherished most in the White House was ''a sense of history,'' and the thing he feared most was ''human miscalculation.'' I had the same feeling as I toured Europe. In order for us to not miscalculate in terms of our diplomatic and military policy in these areas, we must have a sense of history of the region. Winston Churchill once observed about the value of history that, ''One can not know where one is going unless one knows where one has been.'' This is certainly true in Europe.

To illustrate the lessons of history, I have in mind a trip I took to the Waterloo battlefield in Belgium made famous by Napoleon's encounter with the Duke of Wellington there in 1815. In addition to some fascinating lessons regarding battlefield tactics which created 48,000 casualties in one afternoon, I gained some other valuable insights which I think are instructive as we approach the NATO expansion debate.

One lesson that I learned was that although Napoleon had great loyalty from his band of seasoned veterans who had marched with him through the various Napoleonic wars which had plagued Europe until 1815, by the time of Waterloo he was actually outnumbered 3 to 1. Europe had finally coalesced against him. At a crucial moment in the battle, it was a Prussian commander who brought his forces from as far away as Austria and Germany to come decisively to the aid of Wellington. The Prussian commander massed his forces to help Wellington defeat Napoleon's Grand Armée and the Napoleonic Guards. The lesson for me is clear. Europe has been swept over by one conqueror or another ever since Roman Times. But, when European nations form a strong alliance, they can defeat any enemy.

I think this is an important lesson in history to apply to our present day understanding of Europe, particularly in terms of our NATO alliance. In this century from time to time, Germany, then Russia, has tried to dominate Western and Eastern Europe. Each time, alliances were formed against the hostile force. NATO, the most successful European alliance in history, will celebrate its fiftieth anniversary next year. It is not surprising to me that Western Europe, primarily because of NATO, has seen its longest extended peace in centuries.

Another lesson of history I learned on this trip was the importance of American leadership in helping Europe form alliances that protect it from invasion without and turmoil within. It was after all a British leader across the channel, Wellington, who acted as a catalyst to lead the disparate nations of continental Europe to defeat Napoleon. That was in the last century. This century, it has been an ally across the Atlantic, America, who has led the disparate nations of Europe in an alliance to defeat those who would conquer it. Beginning in World War I, throughout World War II, during the Berlin Airlift, and, finally, through to the conclusion of the Cold War, America has been a catalyst in bringing European nations together to defend and protect our shared interests. American leadership and American guarantees of security with commitment of our forces on the ground in Europe has provided what one French diplomat called an ''insurance policy'' that if things go wrong on the continent ''America will come.''

As America approaches the close of this century and the dawn of the next, our nation finds itself fully engaged, committed and involved in the life of Europe. Our diplomats, politicians and military forces are stretched over the continent. They provide a level of diplomatic clout and military force projection second to none. America in this part of the world is looked upon as an honest broker in dealing with age-old European factional disputes. The security and stability in Europe since WWII principally guaranteed by NATO is the prime reason Europe is the number one trading and investment partner of the United States today. Increasingly, as the European Union develops, forms its own currency and expands its influence into Eastern European countries, it will become the largest economic trader and investment block on the planet. As America enters into the 21st Century, we will have an opportunity to expand our trans-Atlantic trading and investment partnerships to an extent hitherto unknown to us.

Make no mistake about it, this opportunity for record economic growth, and the opportunity to spread the gospel of free market economics and the benefits of trade, travel and commerce, has come about because European states, and especially newly independent Eastern European nations, now perceive themselves at the dawn of a new era of peace and stability. They are, indeed, ''present at the sowing of the seed of creation.''

Russia has imploded. The Soviet Empire is no more. Where Russia goes from here is anybody's guess. Churchill once described Russia as ''a riddle wrapped in a mystery inside an enigma.'' The mystery of where Russia is headed is still with us. We in this country and our European allies wish our Russian friends well. Through the Partnership for Peace, the Founding Act and other entities, we as a matter of policy want to pursue a future based on cooperation rather than conflict. As a democracy ourselves, we in the United States wish the Democratic movements in Russia Godspeed. As a market economy, we believe our type of economic freedom, which brings with it the blessings of growth and opportunity, will sooner or later take hold in Russia as it has in other parts of the world. Democratic notions such as the rule of law, civilian control of the military and human rights now penetrate the thickest of barriers and the strongest of curtains. We know, too, it will take time for these principles to grow naturally in Russia. Many of us feel strongly that Russia will sooner or later make it through this very difficult transitional period. No one knows, however, how long that will take.

Whatever the future of Russia, the future of Eastern Europe is more and more clear. One of the most powerful messages I received on my trip is that there is a new era of hope and opportunity dawning in Eastern Europe. Long denied by the Cold War, a host of Eastern European countries now see an opportunity for their moment in the sun. This is particularly the case for the states who have been invited to join NATO—Poland, Hungary and the Czech Republic. A short time ago, the Parliament in the Czech Republic overwhelmingly voted to join NATO. As the vote was declared, the entire body stood up and applauded. As the great 19th Century French writer Victor Hugo observed, ''An invasion of armies can be resisted, but not an idea whose time has come.'' The nations of Eastern Europe are emerging into the light after fifty years of the Cold War. The notion that they and their people can enjoy the stability and prosperity experienced by Western Europe is an idea whose time has come.

Certainly, one of the great challenges currently facing NATO is the issue of

Bosnia. On my recent trip, I had the marvelous opportunity to fly on a helicopter to an American outpost—Camp Bedrock—in Bosnia on Easter Sunday.

It was near Tuzla in Northeast Bosnia. While flying over the countryside, it seemed I was watching a colorized version of a World War II documentary about war-torn Europe. I saw portions of villages burned to the ground. I had not seen such devastation since I was in Vietnam thirty years ago. On my visit, I got a chance to visit American forces in Bosnia. I found them surprisingly cheerful and confident in their mission of peace-keeping in that war-weary countryside. I'm very proud of our forces. They are paying a personal price every day in risking their lives on our behalf.

When I returned from my trip, I received an e-mail from one of the servicemen I spent Easter Sunday with in Bosnia. He wrote:

> My name is First Lieutenant Brian Brandt. We met today and shook hands in the mess hall here on Eagle Base, Bosnia. I would like to thank you for visiting and sharing in our Easter Mass . . . The greatest burden on today's soldiers is being asked to do more with less and our frequent deployments away from home. I am an OCS graduate and have 14 years of service. In this time I have seen many good and bad things within our services. As we move into the next century I hope we don't find ourselves short. No amount of peace or technology can make up for an Army of over tasked and under trained soldiers. Please carry this message with you to Congress.

A few days after I visited Camp Bedrock, I was in Brussels. An American businessman approached me and asked me if I had ''hope'' about Bosnia. I had to reply, ''Yes.'' I have hope because I believe Europe has learned some painful lessons over the last two centuries. One of those lessons is that alliances—whether against Napoleon, Hitler or Stalin—can win. Secondly, I have hope because Americans have learned some lessons about European history as well. Particularly, I think we've learned one of the lessons about American involvement on the European continent. The lesson is this: ''Pay me now, or pay me later.'' In other words, we as a nation are involved in Europe—militarily, economically, culturally. Better to get in on the takeoff before it turns into a ''crash landing!'' Better to work through the European Alliance, in particular through NATO, to prevent a conflict than to risk that conflict turning into a greater confrontation or, even worse, war itself.

The European community proved incapable of reaching the necessary consensus to act decisively in Bosnia. The U.N. tried to control the tensions but was neither trained nor equipped for the task, even though a limited number of European nations were supportive. Finally, under American leadership NATO stepped in. With its command and control systems well established, with its alliance relationships previously worked out over the years, it was able to field a stabilization force which has succeeded beyond the wildest expectations for it. In Bosnia, the NATO alliance now works with non NATO members, including Russia for a combined alliance of 37 nations.

That's why the killing has stopped.

That's why troops and tanks have been disarmed.

That's why minefields are being dismantled.

That's why refugees are returning.

That's why elections are being held.

That's why war criminals are being identified and hauled before an international tribunal. That's why further excesses of any warring party—as in Kosovo—bring immediate international outrage.

That's why those who perpetrated war are now hunted down and discredited.

That's why political moderates are coming to the fore and condemning the extremists.

The effort in Bosnia involves the largest alliance of nations ever to coalesce against a common enemy on the continent of Europe. Maybe we've learned and acquired a sense of history after all.

I applaud all the members of the alliance for their contributions to peace and stability in Bosnia, particularly the NATO members, and especially the Russians, for coming together in a unified effort to prevent further bloodshed, enhance stability and pave a pathway for peace. I hope it is a harbinger of good things to come in the next century in terms of enhanced cooperation and communications among our countries for the betterment of mankind.

I especially want to applaud our American servicemen and women and their American military commanders who are working to bring peace and stability in Bosnia. They are working in a tasking and demanding environment filled with diplomatic and military minefields. Special thanks go to General Hugh Shelton, Chairman of the Joint Chiefs of Staff, who came with his wife and joined me for Easter Sunday services with the troops in Tuzla. He joined me and Congressman PATRICK KENNEDY, a respected member of the U.S. House National Security Committee, for a very special Easter Mass in a Catholic Chapel. A particular responsibility rests on the shoulders of U.S. General Wes Clark, the top NATO Commander. His diplomatic and military skills have been tested to the maximum, and have been put in full play to hold the NATO Alliance together militarily in a challenging environment in the Balkans. A dear friend and a great Georgian, LTG Jay Hendrix, commands the U.S. Army V Corps out of Germany. He faces the daunting challenge of deploying and replacing the troops in the Bosnian expedition. General Eric Shinseki is the overall commander of all military forces on the ground in Bosnia. He has a tough task in Sarajevo. Major General Larry Ellis is the ''muddy boots general'' on the ground in Tuzla who musters the morale of all of his forces, and is doing a great job in the American sector. All of the men and women involved in this effort are a credit to the United States, the European Alliance and the cause of human dignity and freedom in the Balkans. I am proud of them all. I will support continued funding of their efforts to bring peace and stability to this troubled part of our world.

A proper consideration of the issue of NATO expansion requires consideration of American, as well as European, history. As I discussed earlier, the leading voices on American foreign policy currently offer divided counsel on this issue. It is obvious that no clear consensus has yet formed as to America's post-Cold War strategy.

This lies in stark contrast to previous eras in our history when our approach to the world has generally been guided by a unifying vision. In our earliest days, we were galvanized by seeking to gain our independence. Then Manifest Destiny took hold as we boldly expanded westward into frontier country. During the same time, the Monroe Doctrine guided our relations with Europe and Latin America. This period was interrupted by the Civil War and the painful Reconstruction Era. As the United States entered the 20th Century and Americans turned toward commerce, the industrial revolution made its biggest impact on American economic development. This Gilded Age saw the rise of the Labor movement, the Depression and set the foundation for the New Deal.

Throughout all of this time, it would be fair to sum up our general philosophy on foreign policy as an attempt to continue to follow President Washington's recommended approach, contained in his Farewell Address of September 17, 1796:

> Observe good faith and justice toward all nations. Cultivate peace and harmony with all . . . The Nation which indulges toward another an habitual hatred or an habitual fondness is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest . . . Steer clear of permanent alliances, with any portion of the foreign world . . . There can be no greater error than to expect or calculate upon real favors from nation to nation.

That approach changed when, following the two great 20th Century world wars and alternating cycles of isolationism and engagement, America emerged as the major global economic and military power. We then became united around the fight against Communism which, in the form of the Soviet Union, posed the only grave threat to our physical survival we have ever faced. The Cold War guided our thinking, and NATO was the main military expression of that strategic vision.

Now we are in a new era. No one has quite coined the term for it. Some call it the ''New World Order,'' but I prefer to call it The Age of Democracy. What I find different and indeed magical

about this new era is the fact that while it brings with it the spread of democracy and democratic principles around the world to places that have been burdened by tyranny, it is doing so not through the threat of force, but through the promise of peace. However, thus far we are not in consensus on how we shape our national security policies to meet the challenges of the new era.

I believe the critics of the proposed expansion of NATO are right when they focus on the need for policies which draw Russia into cooperation rather than confrontation with the United States and the West. From the control of nuclear, chemical and biological weapons proliferation to containment of Saddam Hussein, to the termination of the Cold War legacy of Mutual and Assured Destruction, the participation and cooperation of Russia is of vital importance in securing this peaceful Age of Democracy which we are entering.

I also believe the critics are right that we are going to have to be extremely careful in when and how we approach consideration of inclusion of the Baltic states and former Soviet Republics in NATO or any other unified military command structure.

And, over the long-term, I believe the critics are right that it is the expansion of the European Union, and its ultimate promise of what Churchill called a ''United States of Europe,'' which offers the strongest foundation for Eastern European economic and political development, and for Europe at long last being able to be fully responsible for its own security.

However, after much reflection and after having seen the ''ground truth'' on my recent trip, I have concluded that supporters of NATO expansion are absolutely correct that other than NATO there is no entity at present which is able to step up to the plate and fill the security void that currently exists in Central Europe. The European Union is currently considering the proposed admission of six nations, including Poland, Hungary and the Czech Republic, plus Slovenia, Cyprus and Estonia, but that process is likely to take until 2003, at the earliest. Furthermore, the Union has a number of important questions, such as its decision-making process and the division of sovereignty between it and its component nations, which must be worked out before it can offer an effective voice on foreign and defense policies.

As for Russia, I believe we must make every effort to seek cooperative and mutually beneficial relations. Regardless of how the Senate votes with respect to the pending treaty, I believe supporters of NATO enlargement are correct that we and the Russians will have the same set of mutual interests to work for; namely, the non-proliferation of weapons of mass destruction, and stability around Russia's borders in Europe, the Middle East and Asia. We should see what the future brings in Russia, with the European Union, and with all of the former members of the Warsaw Pact before we decide the next steps with respect to NATO, including both its membership and mission.

It is in this context that I as a member of this body consider the issue before the Senate of expanding the NATO treaty to include the nations of Poland, Hungary and the Czech Republic. For a long time I have asked myself the question, ''Can we afford it?'' As a member of the Senate Armed Services Committee, I've heard witness after witness question the wisdom of expanding NATO, particularly at this time and especially in terms of the painful transition going on in Russia today. I have also heard NATO enlargement questioned from a budgetary point of view in terms of its cost to American taxpayers. In the wake of what I've learned on my trip, however, I now ask myself, ''Can we afford not to do it?''

I've concluded that Russia will do whatever it is going to do. We can encourage cooperation. We can support democratic principles and human rights. We can move forward with arms control agreements, especially Start II and move on to Start III. These are critical items on the American agenda, and critical items on the Russian agenda as well. We must move forcefully in expanding consultation and cooperation on all these fronts.

But, we in this country must heed the call of the Eastern European nations for help in fulfilling their destiny. Their destiny is with the West, as is Russia's destiny one day. In my view, the expansion into the Eastern European community by the Western European community through the expansion of NATO, and a gesture of cooperation to the Russians through the Partnership for Peace and the Founding Act is a plus, not a minus, for our national security. The good news is that so many people in Eastern Europe and Russia want to identify with the West. They want the peace and prosperity offered by Western European ideas and values and Western European organizations. It is for this reason that I intend to vote for NATO expansion. I believe, as Prime Minister Tony Blair said in going to Northern Ireland after I had a brief meeting with him, ''I feel the hand of history on my shoulders. I have hope. I have faith. I don't know how it will work out, but I must try.''

No one can know for certain how NATO expansion will work out, and I certainly believe we must make our future decisions based on what experience teaches, but in this current decision I think the hand of history is on our shoulders. I think we must work in faith and hope. I think we must try. I don't know how the future of Russia will unfold, but I think it is important for the Western community of nations led by the United States, in the spirit of friendship and cooperation, to reach out in faith and hope to the Eastern European nations, and try to help them create a new future for themselves.

On my recent trip, I visited an American battlefield cemetery. The place was the famous Flanders Fields Cemetery in Belgium. It was a Canadian, Colonel John McCrae, who wrote the famous poem about World War I, ''In Flanders Fields.'' Colonel McCrae was later killed in that War. But he challenged all of us for the rest of this century to live up to the hope that the soldiers in that war had that their sacrifice in bringing peace and stability in Europe would not be in vain. As I laid a wreath at the cemetery, I thought of all those in this century since World War I who have given their lives for peace and prosperity in Europe. I support the pending NATO enlargement as a further expansion of a peace process that began with American involvement in World War I at Flanders Fields, and continues until this day. Surely we have learned some lessons of history this century that will keep us from miscalculating. Surely we do not want to repeat the mistakes of this century in the next.

Mr. President, I learned many lessons on this trip. The most important lesson I learned, however, is that American men and women deployed in Western Europe, Eastern Europe and the Balkans are making a positive difference in the lives of millions of people in those parts of the world. Our American diplomats, soldiers, sailors, marines, airmen, guardsmen are our greatest asset. They spread American values and ideals wherever they go because they treat people with dignity. They talk the talk. They also walk the walk.

More than anything I learned on my trip, Mr. President, is that the legacy of American involvement in Western and Eastern Europe in this century has been a courageous and positive one. It is because of our people who have given their lives and risked their reputations this century in the cause of peace, stability, freedom, human rights, the rule of law, civilian control of the military, economic justice and democratic ideals that America plays such a strong hand in diplomatic and military missions throughout Europe. That story is not lost on nations further East, including Russia and the newly independent states of the former Soviet Union.

I returned from my trip to Europe and Bosnia even more proud of my country and our ideals than when I left. As a new century dawns, I'm sure Americans will learn from history and not miscalculate. At this moment in history, we are the key players in the progress of a European Alliance, especially NATO, and we should be a key player when the Alliance expands into Poland, Hungary and the Czech Republic. While I believe we must constantly seek emerging answers on such key questions as the security situation in the Baltic States, the evolution of the European Union, the political situation in Russia, and the impact on the readiness of American military forces, and should be prepared to guide our future policy choices based on those answers,

I support the proposed first round of NATO expansion. As the only currently available alternative, I also support funding for a follow-on-force in Bosnia. As our troops and diplomats do their duty, they can count on support from this Senator.

Mr. President, I yield the floor.

Mr. DURBIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, I ask unanimous consent to be recognized as in morning business.

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

Mr. DURBIN. Mr. President, first let me thank my colleague from Georgia, Senator CLELAND, for that excellent statement. I have listened to a lot of the debate on NATO enlargement. He gave a tour de force by covering not only the nations of Europe but the history of Europe. I congratulate him on an excellent statement. I fully endorse his conclusion.

HEALTH CARE

Mr. DURBIN. Mr. President, I come to speak in morning business on an issue that I believe is of great importance to many families across the United States. It is the question of health care.

Many people watch the U.S. Senate and House of Representatives and wonder what this debate in the operations of this body have to do with their lives. They look at the bills and wonder who has written them and how it can affect them, and many times just write it all off as politics. But the issue I am about to speak to and the issue which I believe should be part of our legislative agenda is the issue of health care.

Mr. President, we are in a state of crisis in this country, a crisis of confidence over America's health care system. A majority of the American people no longer believe their insurance companies are providing them with the quality of service or choice of doctors they were promised when they paid their premiums. Eighty percent of American consumers believe that insurance plans often compromise the quality of care to save money. Ninety percent of Americans say a patient protection act to regulate health insurance plans is needed. Such an act has been introduced, and we are hoping that we can bring it to the floor for consideration before we adjourn, because we have precious few days left this year to consider important legislation.

Unfortunately in America some health insurers have put cost savings before life savings. Such cost-cutting practices are only inviting tragedy.

I brought to the floor today a photograph of a couple from the Chicago area, the Garvey family. I would like to tell you the story of this typical American family and what happened to Mrs. Garvey on a vacation to Hawaii. Barbara Garvey, a wife and mother of seven from Chicago, suffered from severe arthritis. During a once-in-a-lifetime vacation with friends to Hawaii, Mrs. Garvey discovered some bruises on her body. She was worried. She was immediately sent to the hospital and examined. After examination, there was a diagnosis that she was suffering from aplastic anemia.

There she was in Hawaii, thousands of miles from home, with a friend, with this terrible diagnosis. Doctors in Hawaii decided the only option was to perform an emergency bone-marrow transplant. Both Mrs. Garvey's HMO doctor in Chicago and the attending physician in Hawaii agreed that with no immune system and no ability to clot, a commercial flight back home to Chicago to receive treatment would put her at great risk for infection and stroke.

Imagine, there you are, thousands of miles away from home, told that you have to face this emergency bone-marrow transplant and you can't move; you have to do it now. And if you do not, you could have serious consequences.

They advised Mrs. Garvey to receive this emergency treatment as quickly as possible in Hawaii. Her insurance policy covered it. It wasn't a matter of debating that. But when she called the HMO that managed the policy, they refused to accept any treatment in Hawaii. The clerk at the HMO said to Mrs. Garvey she had to travel back from Hawaii to Illinois for this treatment. They wouldn't pay for it unless she did. And it is very expensive. She didn't have the ability to pay for the expensive treatment.

So she made the only decision she could. She got back on the airplane to come back to Chicago. On the plane, as predicted by her treating physician, Mrs. Garvey suffered a stroke that left her paralyzed on her right side, robbing her of her ability to speak. She was left too weak and unstable to even undergo the bone-marrow transplant. She developed an infection and after 9 days at a Chicago Hospital, Barbara Garvey died of a cerebral hemorrhage and complications.

She was 55 years old, on a Hawaiian vacation, in need of emergency medical treatment, but the decision by an HMO clerk cost her her life. She left behind her husband Dave, seven children, and numerous grandchildren.

I might say to my colleagues in the Senate and those listening, this should not happen in America. Health insurers should not make decisions that are best left to doctors and trained health professionals.

Mr. President, we should take up and pass meaningful patient protection this year in Congress. We have a bill, S. 1890, the patient's bill of rights, that would prevent tragedies like this from happening. The bill would allow for both an independent appeals process and for legal accountability for medical decisions made by health insurers. Without such accountability, insurers have no incentive to provide necessary and timely care to people such as Barbara Garvey when they need it the most.

It may surprise some people to learn that many HMO plans across the country, if your doctor says he wants you to receive treatment, require you to call the insurance company. If the insurance company says no, no, we don't cover that treatment or we won't give it the way the doctor wants it, and you go ahead and follow the insurance company's lead and something bad occurs, guess who is held accountable. Guess who is liable in court. The insurance company? In many instances, no. The doctor, the doctor who really wanted to do it differently, who thought it was best for you and your family to receive a different treatment, ends up the person holding the bag.

That is not fair. We should each be accountable for our conduct, and in this situation no doctor should be held accountable for a decision that was made by the insurance company. The insurance company should stand on its own feet.

Now, we only have a few days remaining in the session. It is hard to believe that in April we are talking about leaving, but it is going to be an abbreviated session for reasons that are beyond me. The political leaders have decided it is time for us to get out of town. They think we have about 60 days to act and don't have much time to consider many issues. I hope that we don't leave town without thinking a little bit about this issue, an issue which most Americans are seriously concerned about, the quality of health care and the accountability of HMO's. Whatever we are going to do will not alleviate the pain the Garveys have endured, but we can fix the system. We can save families the pain of losing a loved one because some insurance companies put business before wellness.

Mr. President, I yield back the remainder of my time.

Mr. WYDEN. Mr. President, I ask unanimous consent to speak in morning business for up to 15 minutes.

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

Mr. WYDEN. Mr. President, I commend our colleague from Illinois, Mr. DURBIN, for standing up for the rights of patients in health maintenance organizations. This is an issue of enormous importance, and I think it is clear the Senate ought to be spending time talking about how real patients are suffering as they try to make their way through the health care system. I wish to tell the Senator that I very much appreciate his addressing this issue today.

SECRET WORLD TRADE ORGANIZATION DECISIONS

Mr. WYDEN. Mr. President and colleagues, the poster that is next to me today is a photograph of one of the most important doors in the world. It

is an entry to the World Trade Organization, an organization where decisions are made on an ongoing basis that affect the lives of millions of Americans and billions of citizens around the world, decisions that are directly related to their ability to have good-paying jobs, decisions related to their health, their safety and their well-being.

Mr. President, these are decisions, as our colleagues can see from this photograph next to me that recently appeared in the New York Times, that the World Trade Organization makes behind closed doors. In fact, they seem to think it is so important to do their business in secret that the World Trade Organization has posted it in five languages—five languages—just to make it clear that the public, not just the public in the United States, but citizens around the world, are barred from learning of the deliberations that go on behind those doors at the World Trade Organization.

I do not come to this floor as a protectionist. In fact, I have voted for every market-opening trade agreement that has come before the Senate and, during my years in the other body. Trade, open and expanded trade, is the lifeblood of the Pacific Northwest. In my home State of Oregon, one out of every five jobs depends on international trade.

But I am concerned because the World Trade Organization's decisions have enormous implications for the daily lives of our citizens, and I do not think it is right that those decisions are made behind closed doors. I do not think that a new focus by the World Trade Organization on openness is inconsistent with the principles of expanded and free trade.

If the World Trade Organization had open meetings and could hear evidence from outside experts, it is possible some of their decisions would have turned out differently. Take, for example, the recent case the United States lost involving shrimp imports. The World Trade Organization overturned a U.S. ban on imported shrimp caught without turtle excluder devices. If expert witnesses had been allowed to demonstrate the effectiveness of these devices in protecting an endangered species, I expect that the World Trade Organization would have upheld U.S. law. But experts were shut out of those proceedings. Environmental groups, just as so many business groups have done, condemned that ruling saying, ''Three unaccountable trade bureaucrats sitting behind closed doors in Geneva should not have the power to make up rules that sabotage global environmental protection.'' The World Trade Organization holds more than 150 scheduled meetings a year, and hundreds of others. According to World Trade Organization rules, the Ministerial Meeting, which is to be held at least once every 2 years, shall ordinarily be held in private. The meetings of the General Council are also held in private. All other World Trade Organization meetings follow the same rules. In fact, one observer noted the World Trade Organization carries out all its activities in strict confidentiality in meetings closed to the public, including the press and nongovernmental organizations.

Next month, the world's major trading nations will meet in Geneva for the second ministerial conference. They will also be celebrating the 50th anniversary of the world trading system. I urge the President of the United States, if he chooses to go to Geneva, to use that opportunity to call for an end to the closed meetings of the World Trade Organization.

A few weeks ago, with the bipartisan support of our colleagues, the Senate adopted my amendment to the supplemental appropriations bill that simply tells the President to instruct the U.S. Representatives to the World Trade Organization to open the organization's doors to the world's public.

Today I am joined by several of my colleagues in a letter to the President urging that he attach a top priority to opening up the World Trade Organization. On a bipartisan basis, Senator ABRAHAM, Senator KERREY, Senator CONNIE MACK, Senator D'AMATO, and Senator ROCKEFELLER have joined me in urging that the United States not accept closed markets overseas, but also not accept closed doors in Geneva.

Eliminating the secrecy of meetings takes on a greater sense of urgency in light of the growing power of the World Trade Organization. Just this year, the World Trade Organization is working behind closed doors on new rules on trade in agriculture, financial services, information technology, government procurement, and many other areas.

As the World Trade Organization becomes more enmeshed in global standard-setting and multinational regulations, the agency's secrecy becomes even more disturbing. For example, an important industry group, the American Insurance Association, has publicly criticized the closed-door nature of the road to Geneva.

The type of secrecy that is employed at the World Trade Organization would not be tolerated here in the United States. In our country, when a Federal agency proposes a new rule or regulation, it must seek public comment. We hold hearings. There is debate in the press.

But that fundamental openness is missing in Geneva. The World Trade Organization doesn't have to seek public comment on its actions. It doesn't have to allow the public to watch its deliberations. And this is wrong. The World Trade Organization ought to be held accountable for its decisions and actions. They should not be allowed to withhold from the public information about their activities in meetings.

The press has a special place in the gallery here in the U.S. Senate. In Geneva, the delegates vote by secret ballot about whether to release a statement after the meeting is over.

The President of the United States, to his great credit, has called for greater openness in the World Trade Organization's dispute settlement process. This was listed as a principal U.S. trade negotiating objective in the fast track legislation of last year. In recent testimony before a House committee, senior U.S. officials said that the United States will seek greater transparency in the settlement process in the World Trade Organization. And Mickey Kantor, President Clinton's first trade negotiator, has said, ''These are very important issues. But it is like they are being dealt with somewhere in a closet and no one is watching.''

Agricultural trade is just one area where private decisionmaking at the World Trade Organization has enormous public implications. Since the 1980s, food imports to the United States have doubled. At the same time, while most imported food is wholesome, public health scientists are saying they are seeing more outbreaks of disease linked to imported food—raspberries from Guatemala; carrots from Peru; strawberries, scallions, and cantaloupes from Mexico—the list goes on and on, and some point to the illnesses from this produce as an unintended byproduct of the fact that the safety issues are not debated in the open at the World Trade Organization.

So, our message is simple. The decisions of the World Trade Organization on food safety or other key standards should not be made behind closed doors. The World Trade Organization has the regulatory power to decide whether an Oregon wheat farmer can sell his wheat overseas and whether an Oregon cattle rancher can sell his beef in Europe. A November 28, 1997, WTO report on relations with nongovernmental organizations found that the World Trade Organization restricts the availability of documents on these and many other important issues for our constituents.

The World Trade Organization's dispute settlement process is binding. Last November, an opinion piece in the Journal of Commerce stated:

> World Trade Organization dispute settlement process operates largely in the dark with confidential briefs, closed hearings, unsigned opinions and non-transparent, ad hoc panel appointments. Clearly defined rules on procedure, conflicts of interest and other ethical issues for litigants and judges are not established.

Opening dispute settlement to public view, as the President has called for and as our bipartisan group of Senators calls for today, is essential to maintaining the integrity of the process.

Last December, 129 Members of the Swiss Parliament criticized the World Trade Organization for its lack of democracy, calling for greater transparency. The Swiss should know. They have a front row seat on the proceedings in Geneva, and even they believe that it is difficult, if not impossible, to come up with information about these important proceedings.

I close with this last comment. The call for openness at the World Trade Organization is a pro-trade position. It will strengthen this organization. Sunshine will be beneficial to the cause of free and expanded trade, a cause that I have consistently voted for in my years in the U.S. Congress. But if there is a continued lack of accountability, if there is a continued obsession with secrecy, I believe that is going to undermine the cause of expanded trade in the world. I am very hopeful that as we look to bring more openness to the World Trade Organization, we will see the importance of doing the public's business in public all through the world.

Mr. President, many of our colleagues are aware that I am trying to bring more openness to the U.S. Senate, with Senator GRASSLEY, by barring the right of a Senator to put a secret hold or objection on business here in the U.S. Senate. So I am very hopeful that this year will see changes, changes in the rules in the U.S. Senate, that will bring more openness to the way decisions are made here, changes at the World Trade Organization so there is more openness and more accountability in the way decisions are made there.

I hope I will be able to come back to this floor in the months ahead without this poster, and say the World Trade Organization has taken down the ''private'' signs and shown the public how it is making its decisions and why. Doing the public's business in public is more likely to generate confidence in the important decisions that are made at the World Trade Organization and here in the U.S. Senate.

Mr. President, I yield the floor. 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. MURKOWSKI. 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. MURKOWSKI. I ask unanimous consent that I may speak for about 7 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Alaska is recognized.

Mr. MURKOWSKI. I thank my friend.

ALASKA LANDS BILL

Mr. MURKOWSKI. Mr. President, I rise to speak on behalf of S. 660, known as the University of Alaska lands bill.

Alaska entered the Union in 1959 as the largest State with about 360 million to 365 million acres of land, an area one-fifth the size of the United States. As part of our Statehood Compact, we were to be treated like other States and, from the standpoint of land provided for our land grant education system, namely the University of Alaska, we were to be accorded a reasonable amount of land for our land grant college.

Today, Alaska ranks 48th out of 50 States in the federal land granted for higher education. We have approximately 112,000 acres. It is important that I put this in perspective, because the State of New Mexico has 1.3 million acres; Oklahoma has 1,050,000 acres; Indiana has 436,000 acres; New York, 990,000 acres. And here sits Alaska, 48th, with 112,000 acres.

Something is lacking with regard to the issue of equity. We are the only federal land grant college in the country without the federal land. We received less than one-half of the Federal land that was promised. There is only one other State that has less land in its land grant system, and that is the State of Delaware with approximately 90,000 acres. Here is Alaska with 360 million acres receiving 112,000; New Mexico and Oklahoma over 1 million acres.

This bill I have offered provides the university with land to support itself financially and to continue, obviously, to act as a responsible steward of the land for the education of our greatest resource, our children.

Specifically, this bill would grant the university 250,000 acres of Federal land within our State. I might add that the Federal Government has approximately two-thirds of the landmass of our State, which is somewhere in the area of 200 million acres. So we are not talking about transferring very much. We are talking about 250,000 acres out of 200 million, or thereabouts.

In addition to this initial grant, if the State of Alaska chooses to grant the University land, we propose an acre for acre match, up to 250,000 additional federal acres. This option would be solely at the option of the State.

Again, the bill would provide 250,000 acres to be transferred to the State of Alaska, specifically for its university land grant system, and then if the State provides additional acres, there would be a provision for up to another 250,000 acres of matching Federal land.

There are areas that the university cannot select land from within the Federal domain. They cannot select land within conservation units; they cannot select land within the LUD II areas designated in the Tongass National Forest. They cannot select land conveyed to the State or Alaskan Native Claims Settlement Act Corporation land. They cannot select land with connection to any Federal military institution.

This legislation also provides for what we think is a legitimate exchange, because the university does hold some rather sensitive land. They have land on the Alaska Peninsula in the Maritime National Wildlife Refuge. The university has land in the Kenai Fjords National Park. The university has lands in the Wrangell-St. Elias National Park and Preserve and the Denali Park and Preserve. The University would be required to relinquish these lands under this legislation.

To give you some idea of some of the inholdings the university has, many, many years ago there was a major discovery in Glacier Bay National Park by the Newmont Mining Company, and that was a large nickel reserve. It has never been mined, but it was patented. The patent was turned over to the university. They are willing to give some very sensitive environmental lands back to the Federal Government in exchange for a fulfillment of their federal land grant.

It is not without equity, Mr. President. I know of no other State that has given lands back to the federal government in exchange for lands given to it for its higher educational system.

S. 660 allows the State the option to participate in the process, as I indicated. I think it is time the Federal Government lived up to its commitment to the State of Alaska, as it has to the other States, by allowing Alaska to participate in a realistic Federal land grant for the education of the young people of our State.

Let me advise the Presiding Officer how this process would basically be addressed. The University of Alaska, like most universities, has a board of regents. In our case, the board of regents is appointed by the Governor. They bear the responsibility of responding not only to the legislature and the Governor but the people of Alaska on how they utilize the land.

Clearly, some of the land would be for development to help fund the university and would set up an endowment. We often look with envy to our sister State, the State of Washington to the south, where the University of Washington has large landholdings in the downtown Seattle area. From those leases which the university holds, there has been significant real estate development. The funding from the lease payments goes to the university, an endowment of sorts, and funds the university's needs.

Some have expressed the concern that this land may be developed and there will not be the careful consideration given relative to the balance associated with how the land is used. But that is a legitimate responsibility of the board of regents. My answer is, if you cannot trust the board of regents, appointed people who are accountable to other Alaskans, as well as our Governor and the legislature, who can you trust?

So I think what we have here, Mr. President, is an issue that begs the question of why Alaska should be treated any differently than any other State. We should have a reasonable amount of land for our land-grant college.

We are faced with a situation where we have an institution somewhat in crisis because it does not have the ability to have funding from an endowment, and, as a consequence, its entire operational budget must be met annually by the State legislature, which has resulted in a decline in maintenance

and other normal types of expenditures that most land grant university systems enjoy from the endowment that is generated from the landholdings that they have. But that is not the case with Alaska, and that is why we feel it is so important to rectify this situation.

I conclude by indicating that some of America's environmental groups are in opposition to this. They are fearful that the university will make Federal land selections and develop that land. My answer to that is, what is wrong with responsible development? It provides jobs, it provides a tax base, and it would provide a regular source of funding for the university. To suggest that we cannot develop certain areas within strict accordance with environmental considerations I think is really selling Alaska and America's can-do technology short. We can responsibly develop these areas if given the opportunity.

In the interest of equity and fairness, I encourage my colleagues to reflect on the merits of treating Alaska in the same manner in which other States were treated when they came into the Union by adequately funding their land-grant holdings so that they can meet the needs of the higher education system; namely, the University of Alaska.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SMITH of Oregon). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The Senate continued with consideration of the treaty.

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

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

Mrs. HUTCHISON. Mr. President, I know we have a pending amendment. I would like to speak on the whole issue of NATO enlargement at this time because I was not able to make my opening statement yesterday at the appointed time because we had the other amendment of which I was cosponsor with Senator SMITH.

I believe this Senate will not vote on a more important matter than the one before the Senate this week. The advocates of unfettered enlargement of NATO argue that we are expanding the frontiers of freedom in Europe. It is true that freedom won the cold war. But the spirit of that freedom was the American commitment to defend Europe against the Soviet Union.

Therefore, at the heart of this debate is a simple question: Is the United States prepared to add countries to the list of those that we pledge to defend as we would our own shores? In answering that question, the Senate should look to the future. Instead, many supporters of the resolution have been talking about the past.

They have argued, not without merit, that expanding NATO is necessary to correct the map of Europe that was drawn incorrectly at the end of World War II. And many argue that it is right and just that these three countries before us today become part of the West, since the West turned its back on them at Yalta more than half a century ago.

I think the Senate should be looking to the future to decide if this idea is the right one at this time. What are the future threats to Transatlantic security? Is expanding the alliance the best means of addressing those threats? Must the United States continue to be the glue that holds Europe together, as was necessary during the cold war?

This is an interesting time to consider expanding our military obligations. Today, the President has said the United States will have an open-ended commitment of thousands of U.S. troops in Bosnia. This mission has already cost the United States $8 billion. That is in addition to our NATO requirement, our commitment, our allotment. It appears likely that a major conflict will break out in the Serb province of Kosovo, raising the question whether U.S. troops will be drawn deeper into the morass.

We have also learned just this week that the chief U.N. weapons inspector has declared that Iraq's Saddam Hussein has not complied with U.N. resolutions to destroy his biological and chemical weapons, so the allies may have to take military action to force him to comply. Again, that will mean a disproportionate burden for the United States.

While we are adding new commitments, our military readiness is in decline. Last year, the military had its worst recruiting year since 1979. The Army failed to meet its objective to recruit infantry soldiers, the single most important specialty of the Army. At the National Training Center, where our troops go for advanced training, units rotating in typically come with a 60-percent shortage in mechanics and a 50-percent shortage in infantry. These are often due to the fact that these personnel are deployed abroad for missions such as Bosnia, so advance training is suffering.

This year, more than 350 Air Force pilots have turned down the $60,000 bonuses they would have received to remain in the cockpit another 5 years. A 29-percent acceptance rate for the bonus compares with 59 percent last year and 81 percent in 1995.

Recently, a lack of critical parts for F–16 aircraft forced two fighter squadrons in Italy to cannibalize grounded aircraft to ensure they can continue to conduct the NATO peace enforcement mission over Bosnia.

Mr. President, these are just some of the indicators that show our military is being stretched too thin. The fact is, these defense cuts that we have made over the last few years of almost 50 percent have put our security at risk. This has been made worse by the diversion of U.S. resources and readiness in Bosnia and elsewhere.

In the midst of all this, the President presents the Senate with a proposal to expand NATO to include three new countries without first answering such questions as what is the mission of a post-cold war NATO? The Senate has been put in a dilemma. On one side, we have colleagues who strongly support the resolution of ratification and oppose conditions and reservations that any of us may wish to add.

Throughout this debate, I have heard supporters say that the proposal to add these new members is moral and just and needs no further thought. We have been told that the United States owes these countries membership in NATO, and it has been implied that to question this assumption is to question the very merits of the cold war and NATO's role in winning that role.

Many of us who have reservations about this proposal are the strongest supporters of NATO—I certainly am—and our American leadership in the alliance is also very important. I think NATO is the best defense alliance that has ever been put together in the history of the world. I want to make sure we preserve it, which is why I am questioning some of the assumptions about enlargement that are not based on any facts that we have seen and which have been brought up at the North Atlantic Council or in the U.S. Senate.

There are many other places in the world where only the United States can and will lead. I cherish the role that NATO played in winning the cold war, and it is because of that commitment to support NATO that I take the ramifications of enlargement so seriously.

Many of us with reservations want to see the United States take its fair place in the world and assume its fair share of the responsibility. But we do not think we should be involved in every regional conflict, dissipating our strength and endangering our role as a superpower, a superpower capable of responding where no one else can or will. This doctrine was set in this country as far back as John Quincy Adams, who said to the American people that we will be tempted to go out and right every wrong, but if we do, we will dissipate our strength and we will no longer be effective.

On the other side of the dilemma is the failure of the President to negotiate conditions that address U.S. costs and the heavy burden for European security that we already bear. He promised the three countries under consideration—all of whom are worthy countries—that their admission into the alliance was a fait accompli.

But too many issues remain open, and it has been left to the full Senate the responsibility, a responsibility unsuited to a legislative body, I might

add, to address the mission of NATO and what the criteria for new membership should be. I, for one, believe it may even be premature for the Senate to be considering the question. While the Senate Foreign Relations Committee has held a number of hearings on NATO enlargement during this Congress, several matters have not been yet thoroughly aired. For example, we still await a strategic rationale for an expanded NATO from the President. What will NATO's future mission be? What will be the role in executing that mission?

The resolution before the Senate requires the President to report on these matters within 6 months of our approval of NATO enlargement. I can think of no better example of putting the cart before the horse. If we approve that sequence, the Senate is, in effect, saying it agrees with the President that we need to expand NATO, but we haven't decided why. It seems to me the Foreign Relations Committee, the Armed Services Committee, and even the Intelligence Committee, should have the rationale from the administration now, not in 6 months.

There are other issues that need further discussion. On January 16 of this year, the Clinton administration signed a security charter with Lithuania, Latvia, and Estonia that raises important questions: What are we committed to do in this charter? Have we given these countries a security guarantee? Why have no other NATO members signed the Baltic charter? I just think we need to discuss this in the context of where we are going with NATO over the long-term.

The Senator from Virginia has introduced an amendment to take a 3-year time-out after this first phase of enlargement so that we can begin to consider these important issues without the pressure of additional countries that would be waiting on the doorstep with admission promised to them. This would permit us to discuss additional membership on the merits, rather than because of personalities.

A new development since the last Foreign Relations Committee on NATO enlargement is the violence in the southern province of Kosovo. It is very important that we consider the impact this could have on the U.S. and her allies. I think these issues need to be addressed if we are going to look at what NATO is and what everyone in NATO will agree it should be.

There are other issues. How much will it cost? I will speak in greater detail later, because there will be an amendment on cost. But no one knows how much it is going to cost. Estimates that vary from a few million to $125 billion are not credible. It is impossible to say that we know what the cost to the United States will be. A range of a few million to $125 billion cannot be taken seriously.

I am also concerned about the chances we have of importing into the alliance ethnic, border, and religious disputes that have riven Europe for centuries. I will have an amendment in that regard.

After looking at the underlying resolution and the Kyl amendment that was passed yesterday, which could be interpreted—I hope it isn't—as drawing us into one of those ethnic conflicts, my amendment will say that we want NATO to determine a border and ethnic dispute resolution process before we have to make a decision on what our role will be, so that there will be no question of what process will be followed to make peace, and so that it will not rise to the level of common defense necessities for the United States.

The American people cannot believe that this U.S. Senate would act on a resolution that would draw U.S. troops into harm's way for an ethnic conflict that has been boiling in Europe for a hundred years if there is not a U.S. security interest involved.

Opponents of my proposal will say that that will weaken U.S. influence in NATO, but I don't understand that concern. We should certainly be confident enough in our leadership that we would be able to discuss candidly with our allies the limits of our involvement in a parochial dispute.

Mr. President, the resolution before us is far from a finished project. Many of us who do not serve on the Foreign Relations Committee, and would like to support the resolution, particularly as it applies to the three countries, good countries, that are doing the right thing toward democracy and a free market. But we do believe too much has been left out. It is not right to say that this resolution cannot be improved. There are several good proposals that will be introduced in the Senate, which we will have a chance to debate and vote on, which would make this resolution one that all of us can support in good conscience.

I urge my colleagues to consider each amendment on its merits and not based on a preconceived notion that this resolution needs no refinement and that any change would somehow be a bad change. The Senate has a constitutional responsibility to express its will on international treaties. That is a double responsibility when we are talking about the potential of U.S. troops going into a conflict in which they could lose their lives.

The Senate's responsibility in the Constitution is to advise and consent, not just consent. Mr. President, our responsibility in the Constitution is every bit as important and clear as is the President's responsibility. The signers of our Declaration of Independence and the writers of our Constitution came from a historical point in which they had a king who declared war and also executed that war. They specifically rejected the idea of one person having all the power. They dispersed the power because they wanted it to be a well-debated and difficult decision to send U.S. troops into harm's way.

Mr. President, our founders were right. It is the Senate's responsibility to meet their test of advice and consent when our troops and our American security is at stake. I hope we can make this resolution one that all of us can proudly support, one that has conditions that are responsible in the stewardship of the security of the United States. That is our responsibility under the Constitution, and that is what we must do.

Mr. President, I yield the floor.

Mr. ABRAHAM addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. ABRAHAM. Mr. President, I ask unanimous consent to be allowed to speak as in morning business for up to 10 minutes.

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

INS REFORM

Mr. ABRAHAM. Mr. President, I will discuss today the Senate Immigration Subcommittee's plans for a series of hearings on reform of the Immigration and Naturalization Service.

At the beginning of this Congress, I outlined my agenda as the incoming chairman of the Subcommittee on Immigration. During that discussion, I noted that the time had perhaps come to consider fundamental reform of the INS. In particular, I raised the question as to whether an agency charged with both policing our borders and providing services to those seeking to come here legally and become citizens could perform either mission well.

Nothing I have observed since that time has persuaded me that these concerns were misplaced. To the contrary, the problems I have observed with the Service's functioning leave me persuaded that the current structure simply does not work. I also remain of the view that splitting responsibility for INS's different missions is an important part of the solution.

In my view, Mr. President, we must take a hard look at all aspects of the current INS structure. Right now, for example, the distribution of policymaking authority between headquarters and field offices seems haphazard, at best. There also seems to be almost no mechanism for implementing priorities and holding workers responsible for failing to do so. INS's bureaucratic culture appears to tolerate and almost expect failure on too many occasions.

I want to spend a few minutes setting forth some examples of these rather serious problems.

Most people are, by now, familiar with the story of ''Citizenship U.S.A.,'' how what began as a laudable effort to reduce the backlog of legal immigrants waiting to become Americans ended up sacrificing the integrity of the naturalization process, leaving a bitter aftertaste to what should have been the joyous experience of becoming a citizen of this great country. In the

course of that effort, thousands of criminal background checks were not completed, leading to the naturalization of people who had committed disqualifying crimes.

As a result of the program's deficiencies, INS is already working to revoke the citizenship of 369 immigrants and is considering action on almost 6,000 other cases.

Revocation of citizenship, however, is properly an onerous procedure, considerably more difficult than denying it in the first place to those the law says should not receive it.

This particular episode has already received considerable attention, and I will not go through the details again.

What has received less attention, however, and is in some ways even more worrisome, is what this episode revealed about serious deficiencies in all aspects of INS operations.

To begin with, many of the flaws that produced improper naturalizations in Citizenship USA had been identified years before, but gone unaddressed.

A 1994 report of the inspector general's office identified two major problems with INS's background check process.

First, it found that the INS did not verify that fingerprints submitted with applications actually belonged to the applicant.

Second, the INS failed to ensure that background checks were completed by the FBI.

A General Accounting Office study conducted the same year confirmed these findings. Yet the problems went unaddressed for two years.

In November of 1996, after several front page stories reported on improper naturalizations, the INS Commissioner finally ordered that no naturalizations go forward without a completed FBI background check and unless new, more careful procedures for processing background checks had been followed.

In an audit completed five months after that directive was issued, however, Peat Marwick found that only 1 out of 23 INS offices was actually complying with this policy. 7 offices were only marginally compliant, and 15 were not complying with the new procedures at all. It was only a few months ago that KPMG and INS were finally able to say that the new procedures were being followed.

Allegations of fraud in testing also predate Citizenship USA.

Indictments were handed down against 20 defendants in California this past January. But investigations into these allegations have been ongoing for several years and the INS received complaints as early as 1992 that should have alerted the agency to the potential for serious criminal fraud.

Criminal cases may take considerable time to develop and I am not criticizing anyone for taking the time necessary before bringing these particular prosecutions.

My point, however, is that INS took no separate action to close the serious loopholes these allegations pointed toward until this year, the day before I chaired a hearing to look into the issue.

Mr. President, Peat Marwick also conducted a separate audit of all naturalizations done between August 1995 and September 1996. It concluded that we can be confident that naturalization was proper in only 8.6% of the 1 million cases naturalized during that period.

The other 91.4% of cases either contained insufficient documentation to support a proper decision or (in 3.7% of the cases) involved an outright improper grant of citizenship.

Thus, in addition to the 3.7% of cases improperly naturalized, we simply do not know whether almost 90% of those granted citizenship during that period met the requirements for naturalization.

It may well be that the vast majority of cases with insufficient documentation were decided properly.

But the American people deserve to know that citizenship is being conferred only on deserving people, just as the vast majority of legal immigrants who come here to play by the rules and make a contribution deserve to gain citizenship without a cloud of doubt hanging over its propriety.

Unfortunately, these audits indicate that INS simply does not keep complete and accurate naturalization files and cannot even locate many files that should be in its possession.

I have also heard numerous tales of fingerprints being taken and lost repeatedly, of inconsistent accounts being given about the status of people's files, and of an inability to get resolution on the simple question of a person's status.

Under these circumstances, Mr. President, it comes as no surprise that the backlogs Citizenship USA was designed to address are now back with a vengeance. As many as 1.8 million people are caught up in the nation's naturalization backlog and in some places the wait for citizenship can last up to two years.

Press reports suggest that INS officials have been attributing this slowdown to new procedures put in place in response to Congressional pressure. But when the subcommittee ranking member and I asked whether the new fingerprinting process might cause delays, the INS official in charge of developing them assured us that they would not.

Unfortunately, naturalization is only one area where the INS has not performed either its enforcement or its service mission adequately.

For example, INS does not seem able to figure out how to deport criminal aliens directly after they have finished serving their sentences, and hence claims it cannot detain all of them pending deportation.

At the same time, INS seems to detain many people with strong asylum claims in the same cells as hardened criminals. Who is detained, who is not, and for how long seems to depend less on the person's particular equities as the district in which he or she is found.

When I first raised the issue of fundamental INS restructuring and a split of its missions, I was not sure the idea would be seriously considered. But, as more problems have come to light, people increasingly seem agreed that reform is needed.

The key issue is rapidly becoming not whether there will be a restructuring but what form it should take in order to solve INS problems.

The latest adherent of this view is the Administration. A few weeks ago, I received a letter from Attorney General Janet Reno, Assistant to the President for Domestic Policy Bruce Reed and Director of Management and Budget Franklin Raines, laying out the Administration's proposals on the matter.

This letter acknowledges INS problems and their seriousness. The Administration also recognizes that one major source of these problems is INS' dual role as enforcer of our immigration laws and provider of immigration and citizenship services.

Whether the Administration's proposed remedy is adequate to the task, however, remains to be seen.

The Administration proposes to retain the current INS and have it perform all its current functions. Its plan would then untangle INS' overlapping and confusing organizational structure, replacing it with two clear chains of command, one for enforcement and the other for service provision.

I will study this proposal closely. But I also will look at alternatives.

In particular, while separating lines of authority into enforcement and service is a good start, I am not convinced that it will suffice to allow officials to pursue each mission with sufficient enthusiasm and energy.

I also worry that, by retaining the current agency, even with significant restructuring, we may end up retaining the bureaucratic culture of toleration for failure that we must end.

Finally, I think everyone, including the Administration, understands that no reform plan could command the support necessary to carry the day without careful scrutiny of all relevant problems, the means the plan would use to address them, and the manner in which the plan would work in practice.

These are issues I intend to address through the series of oversight hearings I will launch shortly after the next recess.

Because I believe this is a serious issue, I do not think it is necessarily one that can be resolved this Congress.

But I hope these hearings will help us formulate legislation this session that can serve as a starting point for further discussions. I look forward to working with all interested parties in this important endeavor.

I yield the floor.

Mr. BREAUX addressed the Chair.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. BREAUX. Mr. President, I ask unanimous consent to speak as if in morning business.

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

SOCIAL SECURITY

Mr. BREAUX. Mr. President, it is always interesting in the morning to start your day by reading the newspapers. I did that as well this morning. I think that most of the things that we read are pretty accurate and pretty correct. But every now and then I think what we read, while it may be accurate and correct, doesn't tell the entire story. I think this morning, if you look at the papers around the city, most of the headlines that I saw were accurate in the sense that they talked about Social Security and the condition of Social Security. The stories in the press this morning dealt with that. That was all based on the recent Social Security report.

It talked about the good news dealing with Social Security. I look at the headlines in the Washington Post, ''Forecast Brightens for Social Security.'' The Wall Street Journal headline was ''Economy gives Social Security a Reprieve.'' A New York Times article, ''Surging Economy is Lifting Social Security, U.S. finds.'' The headline in the USA Today was ''Social Security Wins Three-Year Reprieve.''

All of that is very accurate. All of it is very, very true. All of it is based on the Social Security trustees' annual report that they give to Congress and to the American people and to the President of the United States.

If you just read those headlines, you will say, ''Well, things are really good in the area of Social Security.'' The good news, I think, was based on the fact that the trustees' report pointed out that the payroll tax that we pay every month will be able to cover Social Security benefits through the year 2013 as opposed to the early projections that the payroll tax is only going to be enough to pay for benefits through the year 2012. They say that when you combine the payroll tax and the interest paid on the reserves that are in the Social Security trust fund, that would be enough money to cover the benefits to retirees through the year 2021 instead of just through the year 2019.

They further point out that it is good news that the Social Security trust fund, when you add everything up, will not be depleted until the year 2032 instead of the year 2029. All of that is good news. The President correctly spoke about the fact that we added 3 more years to the Social Security program because of the strength of the economy basically. But the reason I take the floor today is to point out ''the rest of the story,'' as the words go, in other areas, because there is another part of the story that didn't seem to get the attention that I think it should have gotten from the press, because the stories don't highlight the other trust fund that I think is equally important and was also released yesterday by the trustees' report. The other trust fund that I am referring to is the Medicare trust fund, the Medicare part A trust fund, which basically pays the expense of 38 million Americans going to the hospital to receive health care.

But the story that is only sort of mentioned as a footnote is that not only have we not run a surplus in the Medicare trust fund since 1995, including deficit spending of $9.3 billion last year, they did not point out that the part A trust fund is going broke 2 years earlier than we had anticipated just this past January.

What the report says is that instead of going broke in the year 2010, it is going to be depleted in the year 2008. And the numbers I just cited for Social Security, talking about 2032 and 2013, those are dates that are at least a little bit further out. But the report said that we are going to be going broke in the Medicare trust fund 2 years earlier than they had in January. I think that is incredibly significant.

Prior to the balanced budget bill that we passed last year, the hospital insurance fund, which pays for Medicare hospital coverage, was estimated to become insolvent in the year 2001, just around the corner. So last Congress we struggled and did what I call the ''SOS'' approach, ''same old, same old,'' by essentially reducing reimbursements to doctors and hospitals. And particularly in addition to that, what we did to sort of save the program in Medicare was to transfer home health care from part A to part B, at least we transferred part of it. We transferred about 60 percent of it, which amounts to about $174 billion over the next 10 years. We just took it out of this column, which was having a lot of trouble being paid for by the payroll tax and moved it over to part B, which is 25 percent paid for by a premium, and then the 75 percent is paid for by the General Treasury of the country out of general revenues.

So what we did, we put a Band-Aid on Medicare. We tried to save it from going busted in the year 2001 and we extended it out to the year 2008.

It is interesting that the Congressional Budget Office earlier this year had said, well, we thought the trust fund was going to be solvent until the year 2010. But now we have this new report just out yesterday, brand new, overlooked generally by the press, in my opinion, that said the Medicare trust fund was going to be insolvent not in the year 2010, but that the trust fund will be depleted in the year 2008. So unlike Social Security, where people are saying it is getting better than we first thought, Medicare is getting worse, and it is getting worse more quickly than was originally anticipated even in January of this year.

We look at the year 2021 as the key year in Social Security because that is the year when you add taxes and the interest in the trust fund. It will no longer be enough to cover Social Security benefits. That is the year we all talk about Social Security, that we are not going to have enough money to pay benefits—when you add money coming in plus the interest on that money, we are not going to have enough to pay the benefits in the year 2002.

I want to tell my colleagues that we passed that point in Medicare a long time ago. Medicare is already passed the point where the money coming in and the interest on the money coming in is not enough to pay for the benefits. We passed that in 1995 when the accumulated taxes and interest in Medicare were no longer enough to pay the benefits of Medicare. So we are not talking the year 2021 as in Social Security. We are talking about we already passed that point when it comes to Medicare. That is how much more difficulty the Medicare system is in than the Social Security system. We have been running a deficit in the program since 1995. Last year, it was $8.3 billion more in benefits than we had in money coming in and the interest in the trust fund. It is obvious we cannot continue that.

I would like to quote a couple of the other highlights from the report which I think are significant. The trustees' report says that to bring the health insurance Medicare part A trust fund into balance over the next 25 years under their intermediate assumptions would require either that outlays be further reduced by 18 percent, or that taxes be increased by 22 percent or some combination of the two over that period. That is, they say, ''the current HI payroll tax of 1.54 percent would have to be immediately raised to about 1.81 percent or the benefits reduced by a comparable amount.''

I haven't heard anyone in my State of Louisiana that I have the privilege of representing telling me to raise their payroll tax by 22 percent, and I have not heard a single person come in and say, ''Senator, would you please cut my benefits by 18 percent.'' More of what I hear is, ''Don't increase my taxes and don't decrease my benefits.''

But I will say to all of our colleagues that that is not an option. That is not an option. The report further says that prior to the Balanced Budget Act of last year, the part A expenditures were estimated to grow at an average rate of about 8 percent a year in Medicare. From 1998 to the year 2002, what we did last year in the balanced budget amendment reduces annual growth to an estimated average of 3 percent. Thereafter, however, expenditure growth is expected to return to the level of about 7-percent increases every year in Medicare costs.

The report further says that ''the balanced budget provisions are estimated to substantially reduce the gap between income and expenditures over the next 5 years, but with a return to steadily increasing deficits in the year 2003 and later. After 2002, the gap between income and expenditures will

widen steadily so that by the year 2007 there would be a $26 billion shortfall in that year alone.''

Those are very sobering statistics. Unfortunately, I think they are very accurate. I have long been very concerned that we in the Congress and the public have this sort of false sense of security that because every year I get my Medicare benefits and I still get the coverage I need, there really is not a problem; that the people who are talking about a problem are sort of like Chicken Little who ran around the country saying, ''The sky is falling. The sky is falling.'' It never fell, and they didn't believe Chicken Little any longer. I think people don't believe Congress anymore. If you look at the headlines I talked about, I think they miss the point about Medicare which is much more immediate. It is around the corner, good news and bad news. Good news that Social Security is in pretty decent shape. We made 3 more years extra out of the program. But the bad news and the very legitimate concern we should have is that Medicare is predicted to go insolvent even earlier than before, 2 years earlier than we had previously predicted.

So I hope that more people will take a look at the trustees' report. It is a good report. It is a sobering report and one that every American, whether they are on Medicare or whether their parents are on Medicare or their grandparents are on Medicare, should take a look at and know that there must be a growing awareness among all people in our country that if we are going to continue to have the greatest system of health care for America's seniors, we have to start making decisions now and recommendations now if we are going to prevent what this report says is going to happen in the not too distant future.

The trustees' report noted—I will conclude with this:

> More far-reaching measures will be needed to prevent the trust fund's depletion as the baby boom generation starts reaching age 65 and starts receiving their benefits. . . . In this regard, the work of the Bipartisan Commission will be of critical importance to the Administration, the Congress and the American public.

I could not agree more. I commend this very sobering report to all Americans, because it, indeed, is a wake-up call as to what this Congress needs to be seriously considering in the very short period of time we have left.

I yield the floor.

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.

Mrs. HUTCHISON addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent the pending amendment be laid aside.

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

EXECUTIVE AMENDMENT NO. 2317

(Purpose: To establish a formal process within the North Atlantic Treaty Organization for the resolution of disputes among members and between members and non-members)

Mrs. HUTCHISON. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON] proposes an executive amendment numbered 2317.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place in the resolution, insert the following:

NEGOTIATION WITH ALLIES REGARDING THE ESTABLISHMENT OF A PROCESS TO RESOLVE DISPUTES AMONG OR BETWEEN ALLIES.

(A) Prior to the first deposit of any of the United States instruments of ratification of any of the Protocols, the United States representative at the North Atlantic Council will introduce at the NAC a proposal for consideration by all allies and aimed at establishing a process for dispute resolution among allies. The proposal shall be limited to addressing those disputes—

(i) between or among allies that are within the collective security purview of the NATO alliance and address territorial or other such disputes within the alliance's area of operations and responsibility, and;

(ii) in response to which at least one disputant has credibly threatened the use of military force.

Mrs. HUTCHISON. Mr. President, my amendment is very simple. It requires the U.S. Representative to NATO to make a proposal to our allies regarding the resolution of disputes that fall short of article V conflicts.

Before discussing what my amendment does, I would like to say what it does not do. It does not require that NATO adopt a dispute resolution process, although I think it should. It does not tell the President what his ambassador to NATO should propose, although I hope the administration will take the opportunity to provide meaningful leadership in this area. It does not treat new members of NATO any differently from current members. In fact, that is the premise of the amendment, that there be a dispute resolution process that applies to all members, current and prospective, so there are no surprises should a dispute arise.

I think it would show strong leadership to anticipate that there might be disputes in Europe where we have seen disputes of varying kinds over the course of history. But to have a dispute resolution process that is not looking at two particular countries and individual personalities, but rather to have a dispute resolution process so everyone knows what the ground rules are and everyone would comply with those, having had a say in the way they are drawn up.

Why is this needed? Simply put, because the history of the 20th century demonstrates clearly that great conflicts can arise from small disputes. If we are going to expand NATO to include an ever-growing number of new countries, it is simply folly to pretend that no such disputes will ever occur within the alliance, or that they would not affect the alliance in its ability to stay together.

According to the Congressional Research Service assessment of a number of sources, there are at least 11 ongoing disputes in Europe that have a moderate or high potential for violence or escalation. Some of those are listed behind me.

For example, three involve Albania. While Albania is not being considered for membership in NATO today, many have said that it should be considered in the next wave of new members. So I think if we set something in place now, we are not saying that it would apply just to Albania; we are not making it personal. But what we are saying is ''let's recognize the obvious. NATO currently has no process to peacefully resolve disputes, which will only grow in number as the alliance enlarges.'' We have had a conflict involving Greece and Turkey for most of the history of the alliance.

Opponents to my amendment would say that this proves that we don't need a dispute resolution process, because we can handle future conflicts the way we have handled the Greece-Turkey conflict. Mr. President, we have not handled the Greece-Turkey conflict. We have avoided handling it. In 1974, these two supposed NATO allies almost went to war over the island of Cyprus. That conflict continues today. Each country regularly threatens the other with war over sea and airspace violations, weapons proliferation, and the treatment of each other's compatriots in Cyprus.

If the best that my opponents can say of my amendment is to point to Greece and Turkey as proof that we don't need it, then there really can be no opposition to it at all. The fact is, the cold war imposed a discipline on the alliance that probably did keep such conflicts in check. That discipline is no longer in place. If we do not at least discuss a process by which NATO can peaceably resolve disputes, then the alliance will lose credibility as we turn a blind eye to a growing number of disputes similar to that of Greece and Turkey. Such a process might even have ended that conflict, permitting both of those countries to move on and focus on their own strengths and their own economies.

In a letter to the President last summer, I joined with nearly two dozen Senate colleagues to raise this and a number of other questions regarding NATO enlargement. We asked the President about the importance of border-dispute resolutions and should we

not be anticipating this so we could resolve them, not in the heat of a dispute, but in a vacuum of such disputes so we would be able to go forward in an objective way.

In his response to us, the President said, in effect, that NATO doesn't need a dispute resolution process because the European countries have themselves established a number of bilateral treaties regarding their borders. But we are changing the makeup of NATO. We can certainly anticipate what more members—many with long-standing disputes, ethnic disputes, border disputes—will do to the alliance. We must go in with our eyes wide open and prepare for some potential escalation of conflicts or new conflicts to arise as we add new and diverse members.

My amendment simply requires that before NATO expansion goes into effect, the U.S. Representative at NATO should open discussion about dispute resolution. My amendment restricts the issues that should be considered in such a proposal, and it certainly restricts it to territorial and security matters so as not to permit an agricultural crisis, for example, to trigger a NATO process.

My amendment further requires that any U.S. proposal be aimed at disputes in which at least one of the parties has threatened the use of military force. That is it. There is no reason to be concerned that this proposal is going to do something drastic. It is not directing any outcome, but it is saying we must raise this question. Let's talk about it when there is not the heat of a crisis.

Opponents to it, though, say that it will dilute U.S. influence in NATO. How could U.S. leadership be weakened by our representative in NATO raising a topic that the European countries themselves believe is so important that they have signed 12 treaties on the matter already? It is because of our leadership in NATO that this could happen in a way that I think would provide stability in the alliance, and I don't know why it would even be resisted.

Why would we be thinking of adding new members to this alliance if we didn't have enough confidence in our leadership to know that we could open for discussion such an issue and that it would be good for everyone to address? It seems to me that the argument about U.S. leadership being diluted is much more relevant to the question of whether there should be new members, rather than whether all members should acknowledge their potential border problems.

I have had conversations with foreign ministers and ambassadors from each of the three prospective NATO members. They have told me that as long as any dispute resolution process applies to all members evenly, then they support the idea.

I also spoke with former U.S. representatives to NATO and to other European capitals. They, too, have told me that NATO should discuss this matter. Former NATO Ambassador Bob Hunter has said that he thought this was a positive approach. President Reagan's Ambassador to the U.S.S.R., Jack Matlock, said—and he is, I would say, a leading authority on European security—that, ''NATO has no policy on how to deal with ethnic unrest, and they need it badly.'' This is a quote directly from Ambassador Matlock, who is a seasoned and career diplomat.

(Ms. COLLINS assumed the Chair.)

Mrs. HUTCHISON. Yesterday, we adopted an amendment that could be interpreted to endorse NATO's role in responding to ethnic or religious disputes. If it is legitimate that NATO be involved in ethnic or religious disputes, why would it not be equally legitimate that NATO discuss a process to avoid or resolve such disputes?

My amendment would initiate that discussion. I had much stronger language in an earlier amendment that I was considering, but I have talked to many Members of the other side, I have talked to many Ambassadors and people who have dealt with the security of Europe for a longer time than I have, and they felt that it was too strong to give directions. So I have pulled back that language. But I think to open the discussion, to open our eyes to the fact that any time we add members to an alliance, we should certainly expect that there would then be more potential for disagreements, I think that will be a responsible approach to our responsibility in the Senate.

I hope my colleagues will accept this amendment. It is one of the amendments that I think would strengthen the responsible role we play, it would strengthen U.S. leadership, and, most of all, Madam President, it would strengthen the NATO alliance to anticipate problems and have a process by which we could address them. What could be more responsible and more reasonable than that?

I do hope we can adopt this amendment. It will be one of the amendments that I think would help me be able to vote in good conscience for this resolution that is before us today.

Thank you, Madam President. I yield the floor.

Mr. SMITH of Oregon. 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. SMITH of Oregon. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

UNANIMOUS CONSENT AGREEMENT

Mr. SMITH of Oregon. Madam President, I ask unanimous consent that with respect to the Moynihan amendment regarding the EU, the Senate proceed to that amendment at 12 noon on Thursday and there be 1 hour for debate equally divided; that following the conclusion or yielding back of time, the amendment be laid aside and Senator WARNER be recognized to offer an amendment relating to a 3-year pause on which there will be 2 hours for debate equally divided; that following the conclusion or yielding back of time, the Senate proceed to a vote on, or in relation to, the Moynihan amendment, to be followed by a vote on, or in relation to, the Warner amendment, following 2 minutes of debate equally divided in the usual form prior to each vote.

Madam President, I point out that this has the consent of the Democratic leader.

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

EXECUTIVE AMENDMENT NO. 2317

Mr. SMITH of Oregon. Madam President, while my colleague from the Democratic side is getting prepared to respond to the Hutchison amendment, I will simply say that it is painful to me to not be on her side of an issue. I am one of Senator HUTCHISON's greatest fans, but I simply must oppose her amendment simply because NATO has for so long been a place where contending European countries have come together in a common purpose and not pursuing national agendas for their common defense. There are many places, many forums, in which dispute resolutions currently take place, and to turn NATO into something that is no longer a place for common defense but a place for nationalistic resolution I think would do a grave disservice, even an undoing of NATO, and dissipate its strength.

I plead with my colleagues, as appealing as this amendment sounds on the surface, I think it would be very hurtful to the future of Europe. I point out that whether or not you can point to Greece and Turkey, I suggest that NATO membership of those two countries has caused them not to come to greater blows in the recent past and I hope will yet be an influence for them not to come to blows in the future.

I think, clearly, NATO has served a historic purpose, in its informal way, of contributing to Prussian-French rapprochement and healing. The same can be said as between Britain and Spain, between Spain and Portugal. Many of the boundary disputes that have raged in Europe for centuries have begun to dissipate, in large part, because of NATO and because it brings all of these countries together in a common purpose and for the good of all of Europe.

Madam President, I thank you for the time and yield the floor to my colleague.

Mrs. HUTCHISON. Will the Senator yield for a colloquy?

Mr. SMITH of Oregon. I will.

Mrs. HUTCHISON. I wonder if the Senator from Oregon is aware that all we are doing is asking our NATO Ambassador to bring this up for discussion.

Isn't it a responsible thing to at least bring it up, start talking about what

would be in a border dispute resolution? And then if there was not a consensus, of course, it could be rejected. What could be wrong with just asking that it be brought up for discussion among our allies?

Mr. SMITH of Oregon. To my friend from Texas, I do not suppose in the abstract there is anything wrong with anything being discussed in NATO. But I would simply fear that we are changing its complexion, turning its focus away from a collective alliance for security and into a place for dispute resolutions.

I think, those European countries, as I have discussed this issue with them, they have said to me, well, this is the place we come together, not the place where we come to divide again. And I think they would quickly say, let us leave this to the United Nations, let us leave this to the European Union, let us leave it to other bodies where these kinds of resolutions can be sought.

Mrs. HUTCHISON. I just say to my friend from Oregon, we left Bosnia to the United Nations. My friend from Oregon, we left Bosnia to the United Nations. If we had the ability to have something in place by which we could have had a process long before Dayton to discuss these issues and perhaps bring them to the table together for a resolution, I do not think we would be in a potentially unending commitment in Bosnia.

I just ask if a border dispute resolution process would not be part of collective security, if it would not help us prevent conflict rather than always reacting when things are already exploding before our eyes?

Mr. SMITH of Oregon. It is a point to be debated. I think it would be duplicative at best and at worst could be very harmful to the unity that NATO by its dynamics currently creates.

I thank the Chair.

Mr. BIDEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. BIDEN. I find myself once again in an uncomfortable position. I admire and like my friend from Texas. And maybe she is not, but I am looking for something to agree with her on, but this is not the one.

She has been, as she always is, persistent and effective in making her case. She and I have been sort of at this dispute about dispute resolutions privately and also in our official capacity of attending the observer group meetings. And so here it is on the floor.

I just rise today to strongly oppose the amendment because its prescription, I think, is both unnecessary for NATO as an organization and, quite frankly, harmful—harmful—to continued U.S. leadership to the alliance. Let me explain what I mean by that. And none of this will come as any surprise to my friend. I do not expect to change her mind at all, but I do want to make the case why I think this is a bad idea.

It is unnecessary because the North Atlantic Council, which is now known as the NAC, the principal political organ of NATO, is by its very nature already a dispute resolution mechanism. That is the place we make decisions in NATO. All actions in the NAC—all of them—are taken by consensus, which comes, in almost every circumstance, after very lengthy formal and informal discussions among the 16 nations who are members of the NAC.

For example, all delegations to NATO are housed in the same headquarters building in Brussels. Every working day there is a wide variety of meetings among delegates and member countries. Some are briefings; some are informal group meetings; and some are one-on-ones. Every Tuesday, NATO ambassadors or so-called perm representatives meet in an informal luncheon, which is strictly an off-the-record luncheon. A lot is resolved there as well. The purpose of these luncheons is to work out tough questions out of the glare of the press and publicity and to be able to be brutally candid with one another.

In addition, the North Atlantic Council holds a weekly formal meeting which is on the record. By that time, issues in dispute, in almost every circumstance, have already been settled. As the alliance grew from 12 in 1949 to 16 in 1982, it has expanded its areas of common endeavor rather than retreated due to the inability of each to reach consensus decisions. Even during the divisive Bosnia debate, which has been referenced here, when one ally favored the Serb position and another the Muslim, the alliance still agreed to the largest historic commitment leading to the Dayton peace implementation force.

This amendment notes that the North Atlantic Treaty does not provide for a dispute resolution process by which members can resolve differences among themselves. As true as that statement is, it is also equally irrelevant. NATO has a remarkably good track record in resolving disputes among its members, or at least in previewing them and then preventing them from escalating into open conflict.

In fact, I think we ought to declare it the sense of the Congress that NATO is to be congratulated for having aided immeasurably in helping two of its members, France and Germany, to resolve their age-old antagonisms that caused two world wars in this century alone. That did not need a formal dispute mechanism. That was a consequence of the way the NATO negotiations take place now among its members.

I think it should be the sense of the Congress that NATO is to be congratulated, notwithstanding the comments of my friend from Texas, for having prevented two members, Greece and Turkey, from going to war on more than one occasion.

I am told my friend has indicated that that may have been the case in the past, but no longer. The truth of the matter is, NATO is still deeply involved in preventing the disagreement over Cyprus and the Aegean, certain islands, the transfer of weapons. It is the real place where most of the resolution takes place, because those Greek generals and those Turkish generals and the Greek perm representative and the Turk perm representative, they pass each other in the corridor every day. They meet every day. They probably talk every day.

More recently, we ought to congratulate NATO for having integrated Germany so well with its neighbors so that the rest of Europe is now comfortable with a larger united Germany. Up until 12 years ago, there were as many people in the West as the East who were concerned about a united Germany. There was as much talk among parliamentarians in the East as the West about a united Germany—not a prospect in 1948, 1955, 1965, 1975, and I would argue even 1985 that anyone was rushing to embrace on the continent.

Why did it go off so smoothly? NATO. NATO. More importantly, we ought to congratulate NATO, under American leadership, for having resolved all these disputes while assembling the most awesome defensive military alliance in history, one that no foe has dared to attack for 49 years.

The only change to the NAC as a result of the enlargement that is about to take place with the addition of three new countries, the only change will be the addition of their three perm representatives, of their generals, of their people in the same building at the same meetings interfacing on the same questions.

Some may worry that they will carry their own hostilities with neighbors into the NAC. I would argue that not only is that not likely to happen, if past is prologue, they have put away those hostilities in order to be able to get into NATO.

NATO—just the prospect of membership to NATO has caused each of those countries, in varying degrees with varying degrees of disputes outstanding, to settle those border disputes, to settle those ethnic rivalries. I mentioned half a dozen times on the floor I doubt whether anyone on this floor would have predicted 2 years ago, let alone 20 years ago, that Romania would be accommodating a Hungarian minority or that Poland would have settled all of its border disputes.

A President whom I personally admire and politically disagreed with but my friend from Texas, I expect, politically and personally admired, Ronald Reagan, used to say, ''if it ain't broke, don't fix it.'' This ''ain't'' broke. Trying to fix something that ''ain't'' broke is likely to damage it, in my opinion.

Each of the three candidate countries has recently concluded a bilateral agreement with its neighbors resolving any outstanding issues that may lead

to conflict, Poland with Germany, Poland with Ukraine, Poland with Lithuania, Hungary with Slovakia, Hungary with Slovenia, Hungary with Romania, the Czech Republic with Germany, and now that they will be sitting at the same table, making the same profound decisions, dealing with the same issues, again, if past is prologue, there is little to no possibility that concerns of my friend are likely to come to fruition.

Maybe most importantly, in my view, it would be extremely hard for the U.S. leadership of the alliance to create a binding dispute resolution mechanism separate from the NAC, because that would mean relinquishing what I thought was of concern to my friend from Texas, as well as my friend from Virginia and my friend from New Hampshire, and all those who oppose enlargement.

What do they keep talking about? We are basically going to get ourselves entangled with more people. We will get involved in a more unwieldy operation. We are going to be in a position where actions are taken. The mere action of bringing them in will negatively impact their relationships with Russia. This is going to cause friction within Europe because now some countries are left out and some countries are left in, and it goes on and on and on. I respect their concerns.

But if you have those concerns, why would you now want to change the organization of which we are a member, where we can now veto anything NATO wants to do—anyone, anything. All we have to do in the NAC is say, ''Sorry, no; we vote no, no,'' and it is done, finished, over. We lead the alliance.

Now I admit, we lead the alliance as a consequence of the size of our military, the nature of our equipment, our command and control, and our phenomenal economic power. I acknowledge that. But we politically lead the alliance, as well, not only for those reasons but because we have the ability to stop anything we want.

Now, I ask my friends in this body, why would we, a noncontinental power who is, in fact, a European power, why do we want now to sign up as we enlarge NATO—and I respectfully predict that we are going to enlarge NATO. The vote will be overwhelming. We will enlarge NATO, in my humble opinion. Now, why are we now going to say, look, we are going to have a new mechanism, a new mechanism, the equivalent of unilaterally giving up our most potent weapon politically; that is, this new mechanism will say, hey, you know, if most of the European countries want to do something we think is foolhardy and against our interests, we have to submit to a binding resolution. And if, in fact, the binding resolution results in a decision different from the one we have taken, then we have one of two choices. We either go along and consider it to be bad policy or we leave NATO—as I understand the resolution.

I think this would be the political equivalent to unilateral disarmament, robbing ourselves of the final protection against any mischief, should it arise. I think this would inevitably erode American support for NATO itself as it comes to be perceived as a forum where America does not lead but where America's influence has been self-restrained.

Sandy Vershbow, our current U.S. Ambassador to NATO, recognizing this threat, called me from Brussels a couple weeks ago to express his strong opposition and fervent prayer, wanting me to assure him—which I could not do—don't worry, this will not pass. He thinks, our present Ambassador to NATO, any such mechanism would be totally counterproductive to American interests in NATO.

In remarks on this floor last month, the Senator from Texas likened her NATO dispute resolution mechanism to the National Labor Relations Board. Mr. President, NATO is not the NLRB. I know she didn't mean it is. She was making a comparison of how the mechanism would function. But NATO is an alliance that has protected the free world for 49 years. It has worked well the way it is presently constructed. The United States is a leader of that alliance, and it would be totally irrational, in my view, to squander that leadership by tampering with the North Atlantic Council.

We heard yesterday from Senator KYL, and from me, mainly from Senator KYL, about the strategic doctrine of NATO and what it would be in the future and what we were insisting on in this body. We can insist all we want. We can instruct the President to vote any way, tell our NATO Ambassador to vote any way he wanted, and if, in fact, we are outvoted, it wouldn't matter, like it does now. We vote no now, it ends—done, finished, over, no action. But if we submit to binding arbitration, what we say in this floor is diluted. So this also, in my view, dilutes our power, our responsibility as the body that is given the constitutional responsibility to, as was stated by Professor Corwin in another context, to struggle for the right to conduct American foreign policy.

I say to my friends who are worried about dispute resolutions and border disputes, right now I see my friend from Virginia is on the floor again. Amazing how we attract one another to the floor these days. My friend from Virginia, who knows a lot about NATO and the Armed Services Committee, has expressed concern about what NATO may get involved in in the future. I think he would be strongly opposed to this because right now if NATO countries decided to get involved in a border dispute in Europe that we did not want to be involved in, under this operation being suggested, we would have to go or leave NATO. We would not be given a choice. If we lose in binding arbitration, we participate in an operation we disagree with or practically leave NATO. That is a practical matter. The Senator knows he can only work by consensus.

I realize this is extremely well-intended, but I used to go to a Catholic grade school, as well as a Catholic high school, but the distinction was in the Catholic grade school the nuns taught me. I know this will come as a shock to all my colleagues. Occasionally, I would be kept after school for disciplinary reasons, and it wasn't because I spoke too much then, because I used to stutter very badly so I hardly spoke at all. Maybe that is why I speak as much now.

All kidding aside, I used to have to stay after school. I say to my friend from California, if you were a bad boy or a bad girl, in fifth, sixth, seventh, or eighth grade, you would have to write something on the board 500 times.

And the one that I used to have to write the most, that Sister Michael Mary would most often choose for me to write—God rest her soul, as my mother would say—particularly because she would say I always had some rational excuses as to why I did what I did, she always used to make me write the following phrase 500 times on the blackboard: ''The road to hell is paved with good intentions.''

Well, this will not take us to hell, but this is a road to disaster that is paved with very good intentions. It is unnecessary, it is counterproductive.

One other thing. While I was off the floor temporarily, I am told by staff that the distinguished Senator from Texas said that when we had a meeting with the foreign ministers—''we'' being Senator ROTH, Senator BIDEN, the Senator from Texas, and I don't know how many other Senators attended that meeting right downstairs in the room of the Appropriations Committee, their Capitol meeting room. We met with them at length, all of them that were here. The distinguished Senator asked them whether or not they thought a dispute resolution mechanism was a worthwhile thing. They all said yes, initially. And I said, ''Please, will everybody hold up for just a moment.'' I said, ''Let me explain to you''—and I ask the Senator, if she disagrees with the explanation, to say so—''what my distinguished friend from Texas means. That is a resolution mechanism, different than the NAC, that would be binding arbitration. Do you still agree?'' Every single one of them said, ''No; we do not agree.'' They said that with all of us present.

Mr. WARNER. Madam President, on that point, will the Senator yield?

Mr. BIDEN. I am delighted to.

Mr. WARNER. Essentially, all the distinguished Senator from Texas is asking is that we lay down the proposal, and if the NAC repeats the position that you just recited, that is the end of the purpose of the amendment. Therefore, I am wondering why we would preclude a simple act of a proposal being put before the NAC by the U.S. representative, not instructing the NAC as to what to do but simply to say, take it into consideration. It is a very simple, straightforward amendment.

Mr. BIDEN. Will the Senator pardon me for a moment to ask my staff a question?

Mr. WARNER. Sure.

Mr. BIDEN. Madam President, I say to my friend that, to be honest with you, initially I was under the impression that this was to provide for this dispute resolution mechanism.

Mr. WARNER. I have clarified that point.

Mr. BIDEN. You have. Secondly, I was reminded by my staff that our present NATO Ambassador called me personally, and maybe others, asking that he not be put into a position of even having to introduce it, because he thought it was such a serious mistake to even raise that specter.

Now, it seems to me that if I were a member of the NAC presently, if I were France, I might like this dispute resolution mechanism. They have been trying very hard to take over your fleet, without supplying a ship. They have been trying very hard to take titular leadership of NATO—I will get a lot of letters on this. I see Senator ROTH's senior staff saying: There he goes again with the French.

Mr. WARNER. He is a Francophile of some stature.

Mr. BIDEN. Yes, and I am a quarter French heritage.

But my point is this. I think it is dangerous to even introduce this into the NAC. Why would we possibly say to anyone in NATO, now, that we want you to consider us being able to give up our right to dictate the outcome of any decision made by NATO that is in a positive sense? Why would we even want to do that? That would be a question to my friend from Virginia, other than responding to my other colleague. Why would we want to do that?

Mr. WARNER. First, I want to add a fact. I consulted with the distinguished Senator from Texas, and she said that she, in turn, has consulted with Ambassador Hunter, who preceded the Ambassador you just referred to, the incumbent—and, by the way, the incumbent, we all know, was associated with the Senate and was a staffer at one time. He has risen through the ranks and has now gotten due recognition and was given that very important post. He carries with him an extraordinary corporate knowledge of this institution and the general subject of NATO. So I think the appointment is a good one.

But Ambassador Hunter gave some technical advice in the preparation of the amendment. I read the language in paragraph 1 down there, ''between and among allies . . .'' and so on. I sought clarification of one or two words, and I was advised Ambassador Hunter was the source of some of that language. I am not suggesting that Hunter said this is the right thing to do, but at least he gave some technical advice.

The amendment is so straightforward. It simply says we will take—and many of us have grave concerns about the missions of NATO as they are now being formulated—and they, regrettably, will not be made known until a year hence, at the very time we are asked to vote. I have dwelled on that point and will continue tomorrow.

The point is that I think the Senator is entitled to ask for the support of her colleagues, not to simply table it. If the NAC turns it down, so be it, because as this new definition of missions comes out, there could well be provisions—and I will not prejudge it—that deal with the ever-increasing number of ethnic, religious, and border disputes. Speaking for myself, I want NATO's participation, at the very minimum, in trying to resolve certainly by force of arms. So this seeks to have maybe some tribunal within NAC that listens to the parties and hears them out.

Madam President, as the wise Senator from Delaware knows, Greece and Turkey have had some very fundamental disagreements for many years. As a matter of fact, one person whom I respect, with a corporate knowledge, told me that the reason they were given NATO membership was to avoid a conflict between the two of them. I am not suggesting the credibility of that statement, but it was made. And NATO has, in many ways, arbitrated through the years, and continues to arbitrate in some measure, this longstanding dispute as it relates to Cyprus.

The point is, in that sense, NATO is arbitrating the very types of disputes that the Senator from Texas had in mind. I think it is within the purview of this very important deliberation we are having now to simply ask Senators to allow the amendment to be passed for the sole purpose of laying down a proposal.

Mr. BIDEN. Madam President, the Senator doesn't often confuse me. We very often agree, and when we disagree, I usually understand clearly why we disagree. Let me explain my confusion, and if the Senator wishes to respond, I would appreciate it. If not, I understand.

The Senator has been the most vocal and articulate opponent of NATO and/or the United States alone getting involved in what he believes to be intractable civil conflicts, border disputes, that have hundreds of years of history that precede them.

Mr. WARNER. Madam President, the Senator is correct. I remain of that view.

Mr. BIDEN. And I respect that. But what confuses me is, with the Senator's grave concern, why would he even want to give the NAC, or NATO, a possibility of taking away his power to influence those outcomes? He says that he is worried about—and I know him to be—the next strategic doctrine NATO may come out with.

Right now the way NATO is constructed organizationally is if they come out with a doctrine that we sign off on, or intend to sign off on, the distinguished Senator from Virginia can come to this floor, pass a resolution and/or an amendment to a piece of legislation instructing the President not to sign on, and he can make that prevail depending on the number of votes available. If this were to be put before NATO, which would, by the way, imply at a minimum that the United States supported it, and the President doesn't, we do not support it. We wouldn't table something we don't support. People do not go around tabling things and asking for consideration that by implication they don't support. This administration does not support that. The last administration, to the best of my knowledge, does not support that.

But why would this Senator even put in play the possibility that his influence over whether or not we are involved in a border dispute is rendered null and void? For if this were tabled, and if NATO adopted this, we would be in the position of taking exception to getting involved in a border dispute quite possibly, and if the dispute mechanism resolution requiring binding arbitration were in effect, the Senator would have no, no, no impact over whether or not that occurred, other than passing a resolution suggesting we would throw off from NATO.

I don't understand, even though that is not likely to happen, why the Senator would even want to put himself in that possible position. The higher one is concerned with being involved in border disputes seems to me to increase in direct proportion the need for opposition to this amendment. Those who are willing to get involved in every border dispute who think we should be the policeman for all of Europe, central Europe, the former Soviet Union, that we should do whatever our European friends think should be done, they should be for this because it doesn't matter. It may very well be that we have a President who doesn't want to get involved in those disputes. But a majority of the members of NATO do, and they think that is good foreign policy.

But I am perplexed. The more one is concerned about border disputes, the less they should be willing to give an absolute veto power that we now have—absolute. There is no need to discuss it. There is no need to do anything. The President of the United States picks up the phone, the Secretary of State picks up the phone and says to our Ambassador to NATO, ''Vote no.'' Done, over, gone, finished, no troops, no NATO. Why would you want to give up that lock? It is beyond me.

Mrs. HUTCHISON. Will the Senator yield?

Mr. BIDEN. Yes. I yield the floor.

Mrs. HUTCHISON. I would like to try to answer that because what we are trying to do is not have it come up to NAC but to have border disputes and a process that everyone has agreed to, and if anyone doesn't agree, including us, it wouldn't go into effect.

The Senator from Delaware quoted from my statement, but he forgot to say that I laid out the labor arbitration as just an example of what it

could look like. I was only trying to provide one option, one thought. The purpose is not to have border dispute resolutions come to NAC. It is to have an agreed-upon procedure at the lowest level so that every country would know what the ground rules are so that they could handle it at the lowest level and there wouldn't be an eruption at the highest level.

I say to the Senator from Delaware, who I admire very much, that all the United States Ambassador has to do is say, ''I don't think this is a good idea,'' when he does start talking to the allies. It will go nowhere. Why would anyone be afraid to talk about this in anticipation of problems that could occur? There are 11 potential border disputes that have been identified by the Congressional Research Office as having a medium to high probability of escalation. It is, I think, an opportunity to keep a Bosnia from rising to the level it has. If we had a mechanism in place with the Croats, the Serbs and the Moslems could have gone to an arbitration process, or could have agreed on a process early on how they would like to settle the dispute in the former Yugoslavia.

All we are talking about is putting the idea on the table. We are not talking about a result. I don't know why we should fear a discussion. Why should we fear bringing this up just to see what our allies would like to do about potential border conflicts? NATO is not going to be the same. When you add new members, regardless of who they are, you have to anticipate that there may be a change in the alliance. When West Germany became a member it changed the alliance. When Spain became a member it changed the alliance. When France decided not to be a part of the military operation, it changed the alliance.

What I am trying to do with this amendment is provide leadership. If we have the veto, as the Senator from Delaware has said, we can veto. But why not bring it to the table for discussion?

Mr. BIDEN. I see my friend is rising to speak. Let me respond to the questions directed to me very briefly.

I recall my friend from Virginia—I keep referring to my friend from Virginia because he is on the Armed Services Committee. We have been here a long time. We have been back and forth to Brussels zillions of times. So I don't mean that to suggest he agrees with me.

Mr. WARNER. Madam President, it is a term of endearment and it rests equally on both sides. I just regret that the Senator is of the wrong party. Other than that, he is doing good.

Mr. BIDEN. As my friend will remember, a man named Werner was a very dynamic leader of NATO, a German who was made the number one man in NATO. I recall being in Brussels. Don't hold me to the year. I think it was somewhere around 6 over 8 years ago. There was a lot of saber rattling going on relative to Greece and Turkey.

I remember asking Werner about what this all meant. We were about to have a meeting. He was having a luncheon for me, as they do for any Senator who will go over and pay attention, and with the permanent reps and some of the military. He said to his assistant general so and so, and general so and so, one a Turk and one a Greek, ''Call them in the office.'' They called them in the office. He basically said, ''What is going on, fellows? What is the deal?'' The Turkish and Greek military representatives of NATO sat there and in the privacy of that room discussed the politics in their own country; why they didn't see there was much of a problem, but you have to understand it is going nowhere.

If any formal mechanism is put in place, the ability of that Greek general and that Turkish general to walk into a room and totally off the record say, ''We think this, we think that,'' and talk about it in front of a German, and an American, all members of NATO, that would evaporate. Now we will have set up a bureaucratic deal, no matter what it is, no matter how tenuous it is, now it is posture.

One of the things that we get done—and it will come as a shock to some people, but in the Chamber it will not come as a shock—is how do we most often on this floor resolve the disputes when we really get down to it at the last minute in a crunch on any important issue.

We go back to one of those two rooms. There is no press. There is no floor. There is no record. And I say, ''OK, what's the deal? If I change this, can you do that?'' Isn't that how we do it? That is how NATO does it. Now, if we were required by law, by our governments, by our parties, that the only time we could meet is if we say, ''I will meet you at 3:30; we will meet in room S. 107, and we will have two people there, and I will formally table my concern,'' that is what worries me.

Mr. SMITH of Oregon. Will the Senator yield?

Mr. BIDEN. I know that is not what the Senator intends. What I am suggesting after 25 years of watching this thing, I think that is what will happen.

I will be happy to yield to my friend from Oregon.

Mr. SMITH of Oregon. If I can answer the Senator's——

Mrs. HUTCHISON. Madam President, could I just respond to the Senator from Delaware quickly—and, of course, I would like to have the Senator from Oregon respond also—if I could just say that nothing that the Senator from Delaware has said would be prevented from happening. People could certainly go into a room and settle a dispute. What we are trying to do——

Mr. BIDEN. What is broken?

Mrs. HUTCHISON. Is have an option that they would be able to go way below the level of the North Atlantic Council, where they could go into a dispute resolution process, something that would be devised by the council, and if somebody on the council didn't like it, it would never see the light of day.

What is the problem with opening the discussion?

Mr. BIDEN. Madam President, it is done that way now. That is exactly what is done now. On Bosnia, what did we do?

Mrs. HUTCHISON. On Bosnia, what we did is take it to the whole council, and everybody got involved.

Mr. BIDEN. With all due respect, Madam President——

Mrs. HUTCHISON. That is why we are funding the commitment in Bosnia today, because in the United Nations——

Mr. BIDEN. With all due respect, what happened, whether the Senator agrees with the policy or not, the Secretary of State, the National Security Adviser, and their designees got on a plane, and they flew to Paris, and they flew to London, and they flew to Madrid, and they flew to Bonn, and they flew to Berlin, and they flew all over, and they met individually with the governments, not in Brussels.

Mrs. HUTCHISON. But now the United States of America is paying the lion's share and our troops are in harm's way in Bosnia, if the President has his way, in perpetuity. Is that the answer you want for every ethnic dispute that can occur for the next century in Europe?

Mr. BIDEN. Madam President, if I may be recognized, with all due respect——

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. Whether or not—and we disagree in the policy. I have been on this floor for 4 years saying we should be involved. But whether or not we should, NATO has nothing to do with that. NATO troops ended up there, but not because the American President went to a NAC meeting or our Ambassador to NATO at a NAC meeting raised this issue. It is because there was a policy decision made by a President, supported by this Senator—he didn't do it because of me, but supported by this Senator—to try to persuade NATO to do that. Whether or not there was a dispute resolution mechanism in place in NATO that was formal or informal is irrelevant to that question. The President of the United States first picked up the phone and called Tony Blair. Then he called Chirac. Then he called—and the list went on. Then they ended up in NATO.

So I understand what the Senator is trying to deal with. To use an old expression, she in a sense is trying to fight the last war. We fought that war about Bosnia in the Chamber here. My team won; her team lost. But NATO enlargement and a dispute resolution mechanism have nothing to do with that decision.

I yield the floor.

Mr. SMITH of Oregon. If the Senator will yield, as I understood the Senator

from Texas, her original idea was that we should say to the American Ambassador to NATO to raise it with the NAC and to present this idea, that they discuss a dispute resolution. And in that, I think you said it is even OK for the Ambassador to say, ''I think that's a bad idea; I think we need to settle that right now. If this is a bad idea, let's say so.'' And I would hate to begin a debate with our European allies by saying we want to discuss what we think is a bad idea even though the Senate somehow thinks it is a good idea. It is either a good idea or it is a bad idea. That is why I would say no.

Mrs. HUTCHISON. Let me just say to the Senator from Oregon —

Mr. WARNER. Mr. President, let me say, if I could address that response very briefly—

Mrs. HUTCHISON. I hope he wouldn't put forth an idea that he thought was a bad idea.

What I hope is that he would lay out the issue for discussion, and if the result is not something that the United States thinks is the best result, after everyone has had a say in what kind of process it would be, of course, we would not lose our veto power. But I would certainly hope that he would not go in and say, ''I am putting forward an idea that I think is a bad idea.''

Mr. SMITH of Oregon. I apologize. I thought I heard the Senator from Texas say that.

Mrs. HUTCHISON. It is a valid question.

Mr. WARNER. Madam President, if I could join this distinguished group and respond to everybody, the Senator from Texas is asking for a very simple procedural act. And I agree with my colleague from Delaware; when an ambassador goes in with a proposal, it has to have the force and effect of not a bad idea but that we conscientiously think is correct.

Now, I remember Manfred Werner; we all do. What a magnificent person. He was NATO, and no one in this Chamber, particularly John Tower, the late John Tower, could express higher regard for Werner than yourself, myself, and others. But the point is, we don't know what NATO is going to look like after we accept 12 nations, going from 16 to 28, and bringing in a realm of geography.

We understand the Cyprus dispute. It is age old. We understand how two senior military officers assigned to NATO could come into Manfred Werner's office and sit down and informally discuss it. But I look upon a proliferation of problems of unknown—of unknown description, and it seems to me that perhaps we should address the potential for far more problems than ever envisioned as we begin to access country after country after country.

Therefore, I think it would be advisable to explore the possibility of having some procedure by which, hopefully, the use of arms could be avoided, or if arms were being used in a dispute, that somehow NATO, with a wrestful and forceful hand, could put it to rest.

Mrs. HUTCHISON. Madam President, let me just say that I agree with my friend, the Senator from Virginia, that why wouldn't we put out every possible effort with every potential idea that could keep us from having an escalation that would require arms conflict, or would allow for armed conflict? Precisely for the reason that the Senator from Delaware has stated: Perhaps we do need another step in the process.

What if the two generals in the back room can't agree? Why not have a safety valve that would give another option when all else has failed? Why not go the extra mile? We are not trying to guarantee the result with my amendment; we are only trying to guarantee that there will be an effort, that we will try to come forward with a process that everyone would agree is a good process. If the United States thinks the end result is not a good one, it has the final ability to veto, as the Senator from Delaware has pointed out.

Why not try? What are we afraid of? That we would not be able to put this on the table for discussion, to see if a process can be agreed upon by all of our allies in a consensus, and, if so, have the opportunity for another layer at the very lowest levels before it escalates into a situation as we see in Bosnia today?

Mr. BIDEN. Madam President, I don't want to get anyone's hopes up or cause fear on anyone's part. I am not following in a recent line of departure from the Democratic side to the Republican side, but having reached the advanced age of 55, I cannot see from over there this chart, and that is why I am walking over.

Mrs. HUTCHISON. At the advanced age of 55, you are now sitting in STROM THURMOND's chair.

Mr. BIDEN. I think the Senator's point is very well made. I hope it brings me luck. He is one of my closest friends in the Senate. And as he pointed out in a Roll Call article he got framed for me and signed—it was an article featuring him and his aides—I am the only person in the Senate who could beat STROM THURMOND's record if I served in the Senate until I reached age 73, which I am sure my constituents will not let happen.

Mrs. HUTCHISON. The Senator is warming the chair.

Mr. BIDEN. I am not really warming the chair. I am serious. I could not see it. If I may beg the indulgence of my Republican colleagues, let me answer, because I think at least anything useful that could be said on my part has been said, with one exception, and I will say this and cease and desist.

As I read the amendment, on line 5 it says, ''establishing a process of dispute resolution among allies.''

Now, the Senator from Texas has pointed out—and she has been a very, very, very forceful leader in opposition to our present policy in Bosnia. I wish she were not as effective, because she and I disagree. But she raised Bosnia again. I don't know how this dispute resolution mechanism of any nature would involve Bosnia at all. Serbia is not an ally, Bosnia is not an ally, Herzegovina is not an ally, Croatia is not an ally, Moldavia is not an ally.

Looking over here, Romania—Romania is listed in the potential border disputes, ethnic Romanians in Moldavia versus Russia. None of those parties, Moldavia, Russia or Romania, are our allies. Bulgaria-Serbia, Estonia-Russia, Latvia-Russia, Estonia-Russia, Croatia-Serbia, Macedonia-Albania, Moldavia-Russia, Yugoslavia Serb-Bosnia, Serb-Croats, Serbs-Kosovo, Serbs-Macedonia, Albanians-Serbs, Hungarians—possibly; Serbs—Albanians-Kosovoans, Greeks-Albanians, Albanians-Macedonians.

None of those concerns, not a single solitary one, involves allies. They would not be covered by even the unstated illusory mechanism that might be created if we don't table this. My reason for being opposed to this is a little bit like what Senator John Pastore from the State of Rhode Island told me in 1973. I said, ''I'm not sure about this, Senator''—a vote. And he said, ''Let me give you a piece of advice, JOE.'' He talked with a gravelly voice. He said, ''When in doubt, vote no.''

I am in grave doubt, at a minimum. I cannot possibly see how what the Senator is suggesting in any way—I don't fully understand it. She is not proposing a particular mechanism. But I can't envision any mechanism that would have any impact on any of the things that are listed on that chart. Not a single one. Not a single one would fall within the definition of her resolution.

Bosnia would not fall within the definition of her resolution.

I know, ever since Ross Perot, all of us have gotten chart mania. You know, me, too. I have my charts back there. Maybe the chart was just wheeled out by mistake. But it, the chart, has no relevance to the resolution, none at all. I say as a Democrat on this side of the aisle now—I guess I should not be so flip about it. I do not mean to be. But all kidding aside, I really, truly, as they say—I don't get it. The examples the Senator from Virginia and Texas are worried about would not fall within the purview of this resolution even if such a dispute mechanism were arrived at. Nothing on the chart would fall within the purview of this resolution. I don't know what would that is not already working. And I don't know what is broken. I can't think of a single example—I would like to hear one—where NATO was unable to come up with a dispute resolution within the present structure. So that is why I oppose this. I will oppose it.

I have great respect for my friend from Texas. I mean that sincerely. But I strongly disagree with this and I will urge my colleagues to vote ''No.'' I thank her for her indulgence.

I have been asked to yield to Senator CRAIG for a consent request, unanimous consent request. I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER (Mr. ROBERTS). The Senator from Idaho is recognized.

Mr. CRAIG. Let me thank my colleagues. I would like to offer up a unanimous consent request for the good of the order and the remainder of the afternoon.

I ask unanimous consent that the time between now and 5 p.m. be equally divided between the majority and the minority. I further ask unanimous consent that at the hour of 5 p.m., the Senate proceed to a vote on or in relation to the Hutchison amendment No. 2317, to be followed by a vote on or in relation to the Craig amendment No. 2316.

I finally ask consent that there be 2 minutes of debate equally divided in the usual form prior to the second vote.

The PRESIDING OFFICER. Is there objection?

Several Senators addressed the Chair.

Mr. BIDEN. Reserving the right to object, and I'm not sure I will object, I want to be certain that would mean the Senator from Delaware would—or one of us, the Senator from North Carolina—would control, I guess we would control 27 minutes, 27½ minutes, is that right, each? Is that correct? That is a question, parliamentary inquiry.

The PRESIDING OFFICER. The Senator is correct.

Mr. CRAIG. I apologize to the Senator. Would he repeat that?

Mr. BIDEN. As I understand it, if we agree to this unanimous consent order, then there is 27 minutes on a side to dispose of the debate on the amendment of the Senator from Texas and the amendment of the Senator from Idaho.

Mr. CRAIG. That is correct.

Mr. BIDEN. I don't believe that will leave enough time. The Senator from California has been patiently waiting here. She wants 15 minutes. You and I have not even engaged your amendment yet. Senator LEVIN wants 5 minutes. So I would, for the moment, object. But I am sure we can work something out.

The PRESIDING OFFICER. An objection is heard.

The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, I would like to suggest that I take 3 minutes to finish on my amendment and then everything else could be on Senator CRAIG's amendment for the rest of the afternoon.

Mrs. BOXER. I object to that because I wish to speak on the Hutchison amendment and I wish to have 15 minutes of time. I have been waiting around for hours. I might be able to get it down to 10 minutes.

Mrs. HUTCHISON. That's fine. I did not realize the Senator was on my amendment. She certainly should have that right, after which then I will want to have some time reserved. So whatever can be worked out that gives her her time, and then I could close on my amendment at the appropriate time.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Mr. President, I am willing to extend to 5:10, the time at which we would start the votes. I will say to the Senator from California, I certainly respect her right and her need to debate. I can't say how long the Senator from Delaware plans to speak on my amendment. I have said about all there is to say on my amendment, and within a few minutes I could say the bulk of it. I know the Senator from Missouri also wished to lay down an amendment, I believe. That would take a minimal amount of time. But it is important. We have Senators who have obligations by 5:20, and that is what we are trying to meet.

Mrs. BOXER. I say to my friend, believe me, I was trying to get this time earlier in the day. In the interests of comity I will take 10 minutes and speak fast. I must do that.

Mr. BIDEN addressed the Chair.

The PRESIDING OFFICER. The Senator is recognized.

Mr. BIDEN. Mr. President, we have enough time within this time to debate and finish the amendment of the Senator from Texas. But the Senator from Idaho has a very, very important amendment. If I agree to this request, it leaves me a total of 4 minutes to respond to his amendment, and nothing has been said in opposition to his amendment yet. If the Senator from Missouri speaks, it will leave less time.

So I assume it's the leader's desire to have two votes by 5:10 or thereabouts. I don't know how we can do that.

Mr. CRAIG. Mr. President, let me withdraw the unanimous consent request at this time. We are wasting valuable debate time. The debate can go forward. We will see if we can come up with an agreement a few minutes from now. I yield the floor.

The PRESIDING OFFICER. The Senator from Texas has the time.

Mrs. HUTCHISON. Mr. President, let me just propose a unanimous consent that the Senator from California be allowed 10 minutes on my amendment, after which I would have a maximum of 5 minutes and we would close my amendment, and then everything else could be negotiated on the amendment of Senator CRAIG.

The PRESIDING OFFICER. Is there objection? Hearing none, without objection, it is so ordered.

The distinguished Senator from California is finally recognized.

Mrs. BOXER. I thank you. Did the Senator want her 3 minutes at this time, or does she wish to take it after my remarks?

Mrs. HUTCHISON. After the Senator from California has finished her remarks, I will close on my amendment and then they can determine what they want to do with the rest of the time.

Mrs. BOXER. I thank the Senator from Texas.

Mr. President, I have listened carefully to this debate, and I think what the Hutchison amendment really gets to is what NATO is all about. Perhaps it comes down to how each of us sees NATO. Frankly, I see NATO as a military alliance that has been extremely successful, that has worked very well, and I don't want to see anything happen to NATO that would change the focus of what it really is.

As I listened to my friend, and I know she in her heart wants to have a mechanism to resolve the disputes that may erupt and are currently erupting, I understand her intention, but as I look at the amendment, I think what will happen is there will be a procedure set up for every group that has a gripe about another ethnic group to come to a forum, to present their case, and perhaps some of them will bring propaganda, that it could turn NATO into a little sideshow, into a world sideshow, a propaganda stage. I am very concerned about that. Again, I think the reason I am concerned is that I support NATO enlargement. I have been waiting to get some time to talk about why. I think this amendment would, in fact, take us off course of what we are trying to do.

It is important to say that just at the prospect of a country joining NATO there have been 10 major accords that have occurred. In other words, the fact that principles that we have laid down, and some of them are called Perry principles, named after William Perry, we said that if you want to join NATO, you have to have a commitment to democratic reform, you have to have a commitment to a free-market economy, you have to have good, neighborly relations—good, neighborly relations. And because NATO is going to be open to countries that follow these reforms, and others, it seems to me that is one of the best ways we have for resolving problems.

The agreement has been made between Poland and Lithuania, Poland and the Ukraine, Hungary and Romania, Italy and Slovenia, and Germany and the Czech Republic. So while we come up with charts and ways to show the disputes, we also should celebrate the fact that because we have opened up NATO to countries, assuming they make certain reforms, among them good, neighborly relations, that that has been an incentive.

Mr. President, everyone approaches this issue from his or her own experiences. I am very strong on this NATO expansion, because I remember well back when I was a teenager watching the television reports of the Hungarian revolution being cut short by Soviet tanks. I think back to those years in 1956 watching freedom crushed and watching people's dreams crushed and thinking to myself, oh, my God, I wish we could do something but we really can't do anything because of the Iron Curtain, because of what was going on

in the world. I remember feeling so powerless.

I feel so proud that all these many years later I can do something positive, to say to that country and to other countries, ''You will never have to go through that again.'' I feel good about that.

I don't want to see us get off our course, to change what the role of NATO is, to turn it into maybe a mini United Nations, to set up false hopes because, indeed, the Senator herself said it may well be that nothing comes of all of this. If nothing comes of all of this, why do we have to set up a whole new elaborate procedure? I think it is setting up false hopes. I think it is setting up a world stage for propaganda. I think it is setting up a situation where we are getting off what our mission in NATO ought to be about. To me, it is very, very, very serious.

I believe that expanding the NATO alliance to include Poland, Hungary, and the Czech Republic, and focusing on that and holding out hope for other nations to join and not changing the focus to these hot spots, if we stick to what NATO is, we are going to see greater peace and security throughout Eastern Europe, the same peace and security that we were able to provide Western Europe for the past 49 years.

It is important to note that no American soldier has had to fire a shot to defend one NATO ally, nor has a NATO member ever had to wage war to fulfill its security guarantees. This is an incredible record. NATO is a military alliance. It works. If you turn it into something else, you are playing a game with it, and the stakes are far too great, because a peaceful, secure Europe is necessary for a peaceful, secure America. We are inextricably linked. In two World Wars, American troops have fought and died.

The bottom line is, if we do believe that NATO has worked on the world stage—and the proof is there, never was a shot fired by this alliance—then we should not get off course and adopt amendments that are going to take us away from that goal.

I know some of my colleagues worry about the situation with Russia, but I do feel we are handling that. We have set up a way to have a dialog with Russia. I really believe whether you listen to our Secretary of State or former majority leader Senator Bob Dole, or Colin Powell, or veterans groups, they are all saying we should stick to our mission in that part of the world, which means a military alliance, not some dispute resolution organization that invites everybody onto a world stage.

Whether it is Henry Kissinger or Secretary Baker or Madeleine Albright, they all are saying the same things. And the President himself: ''A new NATO can extend the blessings of freedom and security in the new century, we can bring Europe together not by the force of arms but by possibilities of peace, that is the promise of the moment and we must seize it.''

I am worried this amendment, though extremely well intended, will take our eye off what we need to do in Europe, which is, yes, to add countries to the alliance that are willing to undertake free-market economy reforms, that are willing to reach out to their neighbors and solve disputes, that are willing to become truly democratic nations, that are willing to have civilian control over their military. These are the reforms.

If we turn away from the very simple goals of NATO and expand the mission and change the mission, it looks to me like, again, we are setting up a mini United Nations or something here.

What is it going to cost? Already there are complaints about the costs. What is it going to cost to do all this, and what are the procedures going to be? If it is a sham, if it is not going to come to anything, if, as the Senator from Texas says, our Ambassador could just call someone up and say, ''Forget it, we're not interested''—imagine the news on that, imagine the press conferences held around the world by every ethnic group that says, ''The U.S. stopped us from having a dispute resolution.''

I worry about this amendment because I am such a strong supporter of NATO enlargement, and I want us to keep focused on what we have to do and think we are on the path. And as well intended as it may be, I think this takes us off the path.

Thank you very much. I thank the Senator from Texas for her generosity in giving me these 10 minutes.

Mr. CRAIG addressed the Chair.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. CRAIG. For purposes of unanimous consent, Mr. President, let me try this again so we can notify our Members of a vote at 5 o'clock. I ask unanimous consent that the time between now and 5 o'clock be equally divided between the majority and minority. I further ask unanimous consent that at 5 p.m. the Senate proceed to vote on or in relation to the Hutchison amendment No. 2317. I further ask unanimous consent that at 4:25 Senator ASHCROFT be recognized to lay aside the pending amendment and he call up an amendment, for debate only, until 4:55, and at such time there be 5 minutes equally divided for closing remarks on the Hutchison amendment.

Mr. LEVIN. Reserving the right to object, I would like to inquire of the Senator from Delaware whether he heard this unanimous consent agreement.

Mr. BIDEN. Mr. President, I have. And it is my understanding—the reason I am not objecting is that there are no other Democrats looking to speak on the Hutchison amendment, and I wanted to reserve at the end of the time for purposes of explanation, our respective explanations, of the Hutchison amendment of at least a couple minutes.

Mr. LEVIN. May I get 5 minutes out of that?

Mr. BIDEN. Reserving the right to object, I ask it be amended that we take 5 more minutes out so we have a total of—

Mr. LEVIN. For the Craig amendment.

Mr. BIDEN. Oh, no.

Mr. CRAIG. The Craig amendment will not be debated until tomorrow.

Mr. BIDEN. We are only talking about a Hutchison amendment. I have no objection, as long as I understood it correctly. And I apologize. I was in the back of the room.

The PRESIDING OFFICER. Is there further objection? Does the Senator from Missouri have an objection?

Without objection, it is so ordered.

Mrs. HUTCHISON. Mr. President, I will close on my amendment then, except for the last reserved 2 minutes that Senator BIDEN will take, after which I will close.

Mr. President, I have now heard from the Senator from Delaware and the Senator from California that the 11 disputes which have been put together by the Congressional Research Service have no relation to what we are doing today. And yet the countries mentioned for inclusion in the next wave of NATO expansion are Slovenia, Latvia, Lithuania, Estonia, and Romania. And Albania has also been mentioned.

It is relevant that we have ongoing disputes within the area that we will be considering for inclusion in NATO. Mr. President, it is a matter of preparing for the future. We are changing NATO. Every time a new member is included, it changes the alliance. We hope it will strengthen the alliance. We must look to what the future potential conflicts in the alliance would be. And the more you expand it, the more potentials for conflict there are.

Let me read to you the amendment that we passed yesterday. It defines ''common threats'' in NATO to include ''conflict in the North Atlantic area stemming from ethnic and religious enmity, the revival of historic disputes or the actions of undemocratic leaders.'' That is the definition of ''common threats.''

In the paragraph following the next paragraph, the capacity to respond to common threats is addressed. ''NATO's continued success requires a credible military capability to deter and respond to common threats.''

So, Mr. President, it could be that we are opening NATO and changing its very nature by the amendment that was passed yesterday. It could be that we are looking at involvement in ethnic and religious enmity and revival of historic disputes or the actions of undemocratic leaders in a future mission for NATO.

If we are going to change the nature of NATO in this way, my amendment is even more important. Why are we afraid to lead? Why are we afraid to put on the table a border dispute resolution process which everyone would have to agree to so that we will know what the process is before there is an

eruption that goes beyond our ability to contain it without military force?

The PRESIDING OFFICER. The time requested by the distinguished Senator has expired.

Mr. ASHCROFT. I will yield.

Mrs. HUTCHISON. Thank you, Mr. President. I will finish my comments in the last 5 minutes. I yield the floor.

Mr. ASHCROFT addressed the Chair.

The PRESIDING OFFICER. The distinguished Senator from Missouri is recognized.

EXECUTIVE AMENDMENT NO. 2318

(Purpose: To require a Presidential certification that NATO is and will remain a defensive military alliance, and for other purposes)

Mr. ASHCROFT. Mr. President, thank you for this opportunity to comment on an important aspect of this great Nation's efforts to defend freedom generally, and in this specific instance, through the North Atlantic Treaty Organization.

The Senate is being asked to give its stamp of approval to a new NATO, not only changing in membership, but changing in its scope and purpose. The focus of the change in NATO upon which we are being given this opportunity to vote is the expansion of the membership of NATO.

But I would submit that there is something far more important than simply this change in the numerics of NATO, simply this change in the number of nations that are members of the alliance. There is an alteration of NATO more profound than the expansion of its membership, and the Senate should not overlook this crucial aspect of the debate.

Let me just say that I believe NATO has been one of the most successful defense organizations in the history of mankind. NATO has been an agency to preserve the peace and has done that so successfully that we have not had to offer American lives on European soil in the second half of the 20th century. That is in stark contrast to the first half of the 20th century where hundreds of thousands of American soldiers fought for freedom and hundreds of thousands gave their last full measure of devotion in liberty's defense.

I think the success of NATO, though, is something that should be respected by preserving NATO and not changing the character of the alliance. And, to be frank, since the threat of the Soviet Union no longer exists, a number of officials associated with NATO have come to the conclusion that this laudable organization, this most successful of all alliances, should be devoted to new ends and new objectives.

I submit that if we allow, in this vote, the devotion of NATO's resources to new objectives and to new ideas, we will be undermining the very success and purpose for which NATO was constituted 50 years ago.

Let us just look at some of the statements of administration officials as they convey what they propose for the scope and mission of NATO in the future. Here is William Perry, the immediate past former U.S. Secretary of Defense, who left office recently and was replaced in that office by one of our own, former Senator Cohen, now Secretary Cohen.

This is testimony before the Senate Armed Services Committee, March 19, 1998. Of course, it was Secretary Perry who was a part of negotiating this expansion of NATO, which we will vote on in the Senate. Here is what Secretary Perry says:

> The original mission of NATO—deterring an attack from the Soviet Union—is obviously no longer relevant. The original geographical area of NATO responsibility is no longer sufficient. The original military structure of NATO is no longer appropriate. . .the new missions—

This is important language—

> new missions of NATO should be preventive defense—creating the conditions for peace in Europe. . .the geographical area of NATO interests should be anywhere in the world—

This is operative language here.

> The geographic area of NATO should no longer be confined to the North Atlantic area.

If you will read article VI of the treaty, we get into a very clear specification of territory, and it is exacting. It talks about latitudes and longitudes and the like.

Here Secretary Perry reveals what the real agenda is, that we would create a new geographic area for NATO and it would be ''anywhere in the world where aggression can threaten the security of NATO members. . .''

Secretary Albright has also urged that ''an expanding North Atlantic Treaty Organization must extend its geographic reach beyond the European continent and evolve''—key word, evolve— ''into a force for peace from the Middle East to central Africa.''

We are changing the mission of NATO from a mission which was designed to protect the territory of the member nations to being some kind of international policing operation.

With that in mind, it is my intention to send to the desk an amendment which would require that the President certify that actions by NATO are in keeping with the terms of the treaty itself. I send the amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

> The Senator from Missouri [Mr. ASHCROFT], for himself, Mr. ROBERTS, Mr. HELMS, Mr. WARNER, Mr. HUTCHINSON, Mr. FAIRCLOTH, and Mr. BOND, proposes an executive amendment numbered 2318.

Mr. ASHCROFT. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

> In section 3(1), strike ''(A) THE FUNDAMENTAL IMPORTANCE OF COLLECTIVE DEFENSE.—'' and all that follows through ''interests of NATO members.'' at the end of paragraph (1)(A) and insert in lieu thereof the following new condition:
>
> (2) THE FUNDAMENTAL IMPORTANCE OF COLLECTIVE SELF-DEFENSE.—
>
> (A) PRESIDENTIAL CERTIFICATION.—Prior to the deposit of the United States instrument of ratification, the President shall certify to the Senate that—
>
> (i) NATO is and will remain a defensive military alliance, and that Article 5 of the North Atlantic Treaty, which provides for the collective self-defense of NATO members against armed attack, continues to constitute the heart of that treaty; and
>
> (ii) the United States will only support a military operation under the North Atlantic Treaty that is commenced on or after the date of adoption of this resolution of ratification—
>
> (I) if the operation is intended for the purpose of collective self-defense in response to an armed attack on the territory of a NATO member; or
>
> (II) in response to a threat to the territorial integrity, political independence, or security of a NATO member.
>
> (B) CONSTRUCTION.—The Senate declares that nothing in the North Atlantic Treaty, the Strategic Concept of NATO, or any other document setting forth the fundamental purposes, objectives, or missions of NATO shall be construed as altering the constitutional authority of the Congress or the President.
>
> (C) EXCLUSIONS FROM MEANING OF ''NATO MILITARY OPERATION''.—The term ''NATO military operation'' does not include any NATO training mission or exercise.
>
> (3) ADDITIONAL REQUIREMENTS REGARDING THE STRATEGIC CONCEPT OF NATO.—

Mr. ASHCROFT. I thank a number of individuals for their willingness to cosponsor the amendment, not the least of which is the individual inhabiting the Chair at this time, the Senator from Kansas, Senator ROBERTS, Senator HELMS, Senator WARNER, Senator HUTCHINSON, Senator FAIRCLOTH, and Senator BOND. I am pleased they would support this effort.

I indicate that this amendment, which is to reinforce the original intent of the treaty to protect the security, the political independence, and territorial integrity of these treaty nations, is what has been and will continue to be a part of our commitment in NATO, and that is reflected in the amendment.

We have the former Secretary of Defense, William Perry, saying there should be a global mission for NATO. We have Secretary Albright saying we should expand the North Atlantic Treaty Organization into a ''force for peace from the Middle East to central Africa.''

We have witnessed what happens when our soldiers are involved in so-called peacekeeping organizations and operations in Africa. Not too long ago in Somalia, 18 Americans died in a peacekeeping effort. Frankly, the tragedy in Somalia disrupted our foreign policy in Africa for years, and we lost 18 Americans in the process. We have little to show for it. As we noted just 2 weeks ago, one American, a part of a humanitarian team to Somalia, was taken hostage within this last month. We withdrew from Somalia, the warlords are back in business there, and we have not made the kind of progress we ought to make.

I think the first thing to say is that there was a purpose for NATO. It was

manifestly successful, the most successful military alliance ever, and it saved Americans from having to spend their lives in Europe in defense of freedom. The success of NATO is incontrovertible.

The second point I make, those now asking for an amendment to the treaty are asking to change it from what it was, a treaty to defend the territory of NATO nations, into a ''global organization,'' according to William Perry and to become ''a force for peace from the Middle East to central Africa,'' according to Secretary of State Albright.

Now, just to make it clear that these proposals are a dramatic change from the intention and character of NATO, let me just quote Tom Connally, chairman of the Senate Foreign Relations Committee, at the time of NATO's establishment. ''Let us not forget that this treaty is limited in scope.'' Doesn't sound very global. ''Its main purpose is to maintain the peace and security of the North Atlantic area.'' Doesn't sound much like Middle East and central Africa. ''We do not propose to stretch its terms to cover the entire globe.''

Now it is not impossible to change a treaty, but if this treaty is to be changed it ought to be changed through the appropriate constitutional processes in which the Senate plays a central role in offering its advice and consent.

Tragically, the focus of all our attention is on three countries to be added to the NATO alliance. But it has not been on this new mission. It has not been on this attempt, this aspiration, to convert the treaty from one which defends the territory of NATO nations to a treaty which would, in fact, attempt to be a force for peace across the Middle East and into central Africa. This responsibility and this problem has not gone unnoticed.

In last week's New York Times, an editorial reads as follows: ''The White House has provided no military rationale for expanding NATO eastward while Europe is at peace and democracy and free markets are taking root in Russia. Instead, the ratification resolution promiscuously opens the door to NATO military actions almost anywhere in the world. That startling expansion of NATO's license to conduct military operations demands extensive debate.''

That is the New York Times recognizing what so many in the Senate have failed to recognize, that we are not just dealing with this treaty in terms of three additional members. We are dealing with an intended expansion that would take NATO from a limited treaty designed to protect a specific territory into a global organization; if you will, a United Nations called NATO, with a standing army subject to deployment at the authorization of the NATO council around the world.

I think that deserves debate. I think it deserves our inspection. I think there are reasons why we should have real reservations with regard to the transformation of a treaty before our eyes.

Now, some have argued that my amendment will impose new constraints on NATO not contained in the treaty. Let me make it clear that the amendment which I have sent to the desk merely asks that the President certify that any action taken under the treaty is in strict conformance with the limitations and language of the treaty itself.

Those who oppose this treaty are those who are opposed to living by the rules of the treaty. Let those who are willing to live within the limits of the treaty sign the rules and play the game. Let those who do not want to play by the rules object to this amendment and say we want the President to have latitude to go beyond the limits of this treaty, to send American forces, in conjunction with NATO forces, into central Africa, to send them into the Middle East in operations outside the scope of the treaty, to deploy American lives in settings where it is an international policing operation, in settings where it is not relevant or essential to the security interests of NATO.

Given the level of international trade that exists, it is pretty easy to understand that there would be those who would suggest that any country, anywhere, could be an interest of another country. If we are going to convert this treaty to a defense-of-interest treaty instead of a defense-of-territory treaty, we are fundamentally altering the scope of NATO.

Now, the parameters of the treaty have long been understood. I have just indicated that Senator Tom Connally understood the alliance was limited in scope. A focused and limited NATO was the alliance that was ratified. This expanded scope of NATO has never been subject to the Senate's advice and consent. Truman's Secretary of State Dean Acheson also defined the limits of the NATO treaty in a letter transmitting the treaty to President Truman, a great Missourian. Secretary Acheson acknowledges the parameters of the treaty and stated flatly that the North Atlantic Council will have ''No powers other than to consider matters within the purview of the treaty.''

If Acheson viewed the treaty as limitless in scope, why would he testify about the careful limits in various articles? The Foreign Relations Committee, in its report on the treaty, took pains to show that NATO was not an old-fashioned military alliance. The report states, ''In both intent and language it is purely defensive in nature. It comes into operation only against the Nation which by its own action has proved itself an international criminal by attacking a party to the treaty. If it can be called an alliance, it is an alliance only against war itself.''

This was the intention. I don't think we are going to find central African states attacking NATO. I don't think we will find countries from central Africa launching a war machine against the North Atlantic nations. But the Secretary of State wants to be able to deploy NATO forces there in her concept of a force for peace, and I translate that into deploying American troops. The President has sought and asserted his right to deploy American forces as Commander in Chief. This amendment does not seek to infringe on that right. It has to do with protecting American interests by maintaining the scope and integrity of NATO. I don't think we should try to convert the NATO alliance into something it was never intended to be.

With that in mind, there is a real contrast in terms of what the NATO concept of defense was in the past and what we are currently being told NATO ought to be. In NATO's strategic concepts of the past, collective defense was of paramount importance, a priority.

> NATO defense planning is limited to the defense of the treaty area. . .
>
> NATO military authorities have no responsibilities or authority except with respect to incidents which are covered by articles 5 and 6 of the North Atlantic Treaty. . .

Article VI specifies the territory rather directly and comprehensively and tells you what we are really looking at when we are talking about NATO. Here is article VI of the treaty. This is how definite and specific it is:

> For the purpose of article 5, an armed attack on one or more of the Parties is deemed to include an armed attack on the territory of any of the Parties in Europe or North America, on the Algerian departments of France, on the territory of Turkey, or on the islands under the jurisdiction of any of the Parties in the North Atlantic area north of the Tropic of Cancer. . .

That doesn't sound like central Africa to me. It has the specificity and particularity of a carefully drafted treaty that was designed to protect territories, not to be another mini-U.N. with a standing army, the forces of which can be deployed anywhere around the world. The lives of Americans and the treasure of America should not be directed into international policing operations through a transformed NATO never approved by the American people. We should remain true to the North Atlantic Treaty.

The article goes on:

> On the forces, vessels, or aircraft of any of the Parties, when in or over these territories, or any other area in Europe in which occupation forces of any of the Parties were stationed on the date when the treaty entered into force, or the Mediterranean Sea, or the North Atlantic area north of the Tropic of Cancer.

Article VI clearly specifies that NATO is a defensive instrument, an alliance designed to protect the territory. To convert it into something else more or less than that is to involve ourselves in what I would have to say is ''treaty creep.'' We have heard of ''mission creep.'' We know what happened in Somalia as the mission expanded, which threatened the lives and safety of our soldiers. We lost lives because we undermined our preparedness;

we hadn't planned or designed the operation for that into which it evolved.

I suggest that if we allow NATO to creep into a wide variety of international policing operations that it wasn't designed for, it will undermine and hollow out NATO. We have seen what international deployments have done to our own military in terms of our preparedness, our maintenance, and our ability to have the fighting force ready that we need. I think it would be perilous indeed if we were to change the nature of this important defensive alliance and amend it in a way that would make it a global police operation instead of the defense of territory that it was designed to be.

So, Mr. President, I have submitted this amendment. I am delighted to have as a cosponsor of this amendment the Senator from Kansas, and I know he wants to make remarks. I have about 10 minutes remaining in my time.

Senator GRAMS would like to be listed also as an original cosponsor of this amendment. I am delighted, and I know the Senator from Kansas will welcome his cosponsorship as well. I thank the Senator from Kansas. I look forward to his remarks, which will exhaust the last 10 minutes of the time to which I have been allotted.

The PRESIDING OFFICER. The Chair recognizes the distinguished Senator from Kansas.

Mr. ROBERTS. Mr. President, can I inquire as to precisely the amount of time available?

The PRESIDING OFFICER. Ten minutes.

Mr. ROBERTS. Mr. President, I join my colleague from Missouri, Senator ASHCROFT; the Senator from Virginia, Senator WARNER; the Senator from North Carolina, Senator HELMS, and others, in calling for the adoption of our amendment to the resolution of ratification as reported by the Foreign Relations Committee and as amended by the Senate.

As the Senator pointed out, we seek to replace the broad language still in the resolution that expands the scope of NATO's purpose. We add in the amendment what we consider to be clarifying language that upholds, as the Senator has pointed out, NATO's fundamental military mission as explained in article V of the North Atlantic Treaty of 1949. We seek to ensure, particularly in light of the passage of the Kyl amendment, that NATO's purpose is still fundamentally one of collective self-defense.

Our amendment does not strike any of the Kyl amendment as passed by the Senate. Nor does our amendment restrict or alter the basic authority of the President to dispatch American forces whenever and wherever a genuine threat to America's national security does emerge. I will repeat that. Our amendment does not restrict or alter the basic authority of the President to dispatch American forces whenever and wherever a genuine threat to America's vital national security does emerge.

I think that the debate we are having today on NATO has vast implications in regard to the future.

Will NATO continue to operate, as it has for more than 50 years, as a military organization for the collective self-defense of its members? Or will its mission be changed so that it becomes, as the Senator has pointed out, a multinational military police organization?

To transform NATO into what could be described as a ''nuclear supercop'' with authority to operate in all corners of the globe is unnecessary, and, quite frankly, I think it is dangerous.

As we enter the 21st century, it is critical that the original scope of the North Atlantic Treaty be preserved, for several reasons, all relating to America's vital national security and national defense. Now, NATO was established as a defensive military alliance whose strategic position today is, yes, significantly altered by the dissolution of the Soviet empire—we all know that—but whose fundamental military capability remains essential to deter military aggression stemming from regional, nationalist and totalitarian tendencies.

The Ashcroft-Roberts-Warner-Helms-and-others amendment seeks to prevent the decline of NATO into another outlet for ''nation building'' and ''peacekeeping'' deployments. There is nothing wrong with those deployments, except that many times they have no end game, no clear end purpose in terms of time, and they put American lives at risk for no vital U.S. national interest. I don't think NATO should be a mechanism of convenience through which any President can commit the United States to resolving long-time ethnic, religious, economic, and political conflicts worldwide. That is what the President said in Warsaw and in Bucharest in speeches—military matters no longer matter, and he mentioned these various concerns—ethnic, religious, economic, and political conflicts. It was never intended, nor is it designed and maintained, to be primarily a peacekeeping and humanitarian organization. Other organizations can do this; it is fine work, but it is not for NATO. The Senate needs to discourage any transformation of the most successful defensive military alliance in history into an international police force. Mr. President, I hope that the Senate has not hastened this regression with the adoption of any previous amendments. There is some disagreement on that.

A second valid reason for adopting our amendment is to define a definitive and consistent course for the future of American military involvement in Europe. Let me emphasize and stress that it is in our interests, and the world's vital interests, for the United States to remain constructively engaged in Europe.

However, as a member of the Armed Services Committee, it has been made painfully clear to me that we cannot have additional military responsibilities internationally without funding them. To be perfectly frank, the current administration defense budgets, plainly put, are not adequate to meet the basic needs of modernization, maintenance, quality of life, and training needs. Yet, the administration ordered American forces to more than 100 countries worldwide. We already hear the report of a hollow military.

Should we vastly change the scope of NATO's military requirements and, by implication, our commitment to it at a time when our forces are strained by lack of resources? I don't think so. To do so, I fear, will further weaken our own force structure and place in danger the lives of our military men and women who are already being asked to do a tough job without the proper tools.

The Ashcroft-Roberts-Warner-Helms amendment provides a commonsense declaration of NATO's primary purpose that does not—I want to emphasize this does not—preclude the President of the United States from dispatching U.S. troops, equipment, or aid anywhere that he believes is necessary. It simply precludes the President from saying ''We're doing these things as a member of NATO'' if it is not in response to threats as described in article V of the North Atlantic Treaty.

I know there is going to be opposition to this amendment by claiming we are imposing limits on NATO military operations and also decisionmaking. That is not the case. Our amendment seeks to preserve the military nature of the alliance. Steering NATO away from missions not defensive or military in nature is not limiting military decisionmaking—rather it is upholding the original mission.

It also may be argued that the North Atlantic Treaty has worked well for 50 years and has appropriately never been changed or reinterpreted, and, I think the line goes, ''We shouldn't open that Pandora's box now.'' I could not agree more.

Unfortunately, the Senate is being asked to pass a ratification resolution that does open Pandora's box. The New York Times, in a recent editorial, said this: ''. . . the ratification resolution promiscuously opens the door to NATO military actions almost anywhere in the world.''

Some may claim that the Ashcroft-Roberts-Warner-Helms amendment takes away U.S. flexibility—the U.S. advantage in the NATO alliance in regard to convincing our allies to bear more of the burden of Europe's overall security. Further, some may claim that some allies could use this amendment as an excuse to abstain from missions where we want them involved.

I respectfully disagree on both accounts.

The first claim assumes our European allies cannot see for themselves their own legitimate security interests. The second assertion ignores recent

history. What was the greatest military contingency the United States faced in the last 25 years? What was the greatest immediate threat to our interests and those of our allies? I am talking about vital interests. It was the invasion of Kuwait by Iraq and the subsequent war in the gulf.

The remarkable coalition of nations and forces put together by President Bush and Secretary Baker was completely out of NATO's purview. Yet, our allies joined the fight. Why? Because the threat was real, the threat was clear, and events overtook subtle differences. It is the nature of threat that determines the behavior of our allies, not the existence of provisions they may construe as loopholes in multilateral security agreements. Beside, if the mission is pursuant to the North Atlantic Treaty, allied participation is assured. If it is not, why should NATO be leading the charge?

Mr. President, the Ashcroft-Roberts-Warner-Helms amendment is an important effort to preserve the limited responsibility of a military alliance in which we have a tremendous stake, a tremendous stake historically and financially, and, most importantly, in terms of American lives. I ask my colleagues for their support.

I yield the floor.

EXECUTIVE AMENDMENT NO. 2317

The PRESIDING OFFICER. The question recurs on the HUTCHISON amendment. There are now 5 minutes equally divided on the amendment.

Who yields time?

Mrs. HUTCHISON addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Texas.

Mrs. HUTCHISON. Mr. President, I would appreciate the opportunity to close on my amendment. Whatever the opposition would like to say, I would like to yield and then be able to close.

The PRESIDING OFFICER. The Chair recognizes the Senator from Oregon.

Mr. SMITH of Oregon. Mr. President, I rise to encourage my colleagues to vote against the HUTCHISON amendment. I do it with reluctance because of my admiration of the Senator from Texas. But I believe her amendment, though much different than her original proposal, nevertheless remains a bad idea, because it essentially changes NATO from a system of collective defense to a dispute resolution. There are other forums for such resolutions, such as the OSCE. And these things should be resolved anyplace but NATO.

Second, I believe this amendment would undermine the authority of the North Atlantic Council. Its mission needs to remain on defense.

Third, NATO would become a catalyst, even a magnet, for alliance tensions and border disputes. It must not become that.

Finally, we should keep the focus on NATO on what unites Europe in NATO; and that is common defense, not on what divides Europe, which are border disputes and ethnic hostilities.

With great respect for my colleague from Texas, I nevertheless rise in opposition to her amendment and ask my colleagues to oppose it.

Mr. ROTH. Mr. President, while I have great respect for the distinguished Senator from Texas, I strongly oppose this amendment and I urge my colleagues to oppose it.

Last month, when we first addressed this amendment, I stated the reasons for my opposition. In the intervening time, nothing has changed my perspectives. Indeed, my opposition has only hardened.

This opposition is based on four very clear and simple points:

First, the establishment of a formal dispute resolution mechanism within the Alliance would undercut the authority of the North Atlantic Council, the Alliance's supreme decision-making body.

Second, the proposal would change the focus of the Alliance from collective defense to dispute resolution. That would fundamentally transform the very culture of the Alliance, one that is now primarily derived from its mission of collective defense.

Third, the establishment of a dispute resolution mechanism would introduce into NATO a dangerous catalyst for inter-Alliance tensions. It would serve as a magnet for disputes that exacerbate tensions within the Alliance.

And fourth, by inviting and exacerbating tensions and disputes into the Alliance, this proposal would weaken the Alliance's ability to fulfill its core mission of collective defense.

When it comes to formal dispute resolution, we should look toward the United Nations or the OSCE—an international organization in Europe dedicated to preventing, mediating and bringing an end to disputes between countries. But, I don't think that we want to transform NATO, the most successful military alliance in history, into another OSCE.

I fear that this proposal implies that the NAC—and the Alliance—has failed in fostering cohesion among its European members over the last fifty years. I do not believe any of us would say that is true.

Let us not forget that in its current form, NATO has proven itself to be a remarkable forum through which differences between Allies have been mitigated and managed. The clearest example of this influence is the alliance's positive contributions to relations between Turkey and Greece. This success is very much due to the trust this fostered through the Alliance's focus on war-fighting. We must be careful to not undercut this success.

Yet that is exactly what this proposal would do. If the Alliance were to follow through on this proposal articulated by the good Senator from Texas, it would establish a new body possibly independent from the NAC. That is a major change to the Alliance. It will create a process that in no small way will distract members of the Alliance from the core mission of collective defense. It will serve as an incentive for them to use the Alliance as a means to pursue a laundry list of other matters—many of a strictly national, and not Allied, concern.

That's how this proposal would invite tensions within the Alliance. That's how it would undercut its mission of collective defense. That mission requires cohesion and it requires focus. This amendment portends to undercut both.

Moreover, offering this amendment implies that the United States regards Poland, Hungary, and the Czech Republic as unstable and more contentious than other members. I do not believe that is the sense of the Senate.

As well intentioned this amendment may be, it contradicts its own objectives and would severely damage the vital interests of the Alliance.

Therefore, I urge my colleagues to oppose this amendment.

Mrs. HUTCHISON addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, is the time that is equally divided now finished?

The PRESIDING OFFICER. The Senator from Oregon still has 1 minute.

Mr. SMITH of Oregon. I yield the remainder of my time.

The PRESIDING OFFICER. The Senator from Texas is recognized for 2½ minutes.

Mrs. HUTCHISON. Thank you, Mr. President.

Mr. President, it was said by the distinguished Senator from Oregon, for whom I also have great respect and I think he is doing a fine job in the Senate, but he said that we have other mechanisms for dispute resolutions. My problem with that is that the OSCE not only is a very different kind of organization in which we are 1 vote out of 50, but if a dispute resolution is not passed in the OSCE, we aren't pledging military involvement by the United States. The OSCE is a good organization, and I hope we can use it. What I am trying to do is to recognize that we are changing NATO as we add new members. When we added West Germany, it changed. We want NATO to be strengthened by the new members, and we know that new members are coming down the pike. In fact, members that are in dispute right now have been mentioned as potential new members of NATO. Why would we be afraid?

As my amendment says, to introduce to the North Atlantic Council a proposal for consideration by all allies aimed at establishing a process for dispute resolution—to keep our alliance strong, we must have a mechanism where disputes that we know are pending today by potential future members, or things we have not even thought might occur, if they do, why not have

a process that everyone has agreed is the way to hold this to a low level rather than raising to the high level of the North Atlantic Council?

Mr. President, we have seen border disputes in Europe erupt. We want to do everything. We want to go the extra mile to make sure we can resolve small things at a low level because small things can become big things. Then we would have troops at stake. Our security could be at stake. We want to lower the rhetoric.

That is what this amendment does. It does not guarantee the outcome of our proposal. It says we will lead. The United States will lead to try to make sure that we have a process before we need it, before personalities are involved where we can solve problems.

I hold up the New York Times of today: ''Greek Cypriots To Get Missiles from Russians.'' ''Turkey has warned that it may take military action to block the sale of S–300 missiles'' going into that part of the world.

If we had talked about a process where we could be helpful in resolving disputes like this, wouldn't we be better off? Why would we fear talking and having a forum that would allow us to solve these problems before they escalate and our troops could be called in to military action? It is our responsibility to lead, and I am asking my colleagues to make sure we do.

I yield the floor.

The PRESIDING OFFICER. The Senator's time has expired.

Mrs. HUTCHISON. 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.

The PRESIDING OFFICER. The question is on agreeing to the Hutchison amendment No. 2317. The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

Mr. FORD. I announce that the Senator from South Carolina (Mr. HOLLINGS) is necessarily absent.

The PRESIDING OFFICER (Mr. ABRAHAM). Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 37, nays 62, as follows:

[Rollcall Vote No. 109 Ex.]

YEAS—37

Allard	Gramm	Roberts
Ashcroft	Gregg	Sessions
Bennett	Hatch	Shelby
Bond	Helms	Smith (NH)
Bumpers	Hutchinson	Snowe
Burns	Hutchison	Specter
Campbell	Inhofe	Stevens
Coats	Jeffords	Thomas
Conrad	Kempthorne	Thurmond
Craig	Kyl	Warner
Dorgan	McCain	Wyden
Enzi	Moynihan	
Faircloth	Nickles	

NAYS—62

Abraham	Bingaman	Bryan
Akaka	Boxer	Byrd
Baucus	Breaux	Chafee
Biden	Brownback	Cleland
Cochran	Grassley	McConnell
Collins	Hagel	Mikulski
Coverdell	Harkin	Moseley-Braun
D'Amato	Inouye	Murkowski
Daschle	Johnson	Murray
DeWine	Kennedy	Reed
Dodd	Kerrey	Reid
Domenici	Kerry	Robb
Durbin	Kohl	Rockefeller
Feingold	Landrieu	Roth
Feinstein	Lautenberg	Santorum
Ford	Leahy	Sarbanes
Frist	Levin	Smith (OR)
Glenn	Lieberman	Thompson
Gorton	Lott	Torricelli
Graham	Lugar	Wellstone
Grams	Mack	

NOT VOTING—1

Hollings

The executive amendment (No. 2317) was rejected.

Mr. COCHRAN addressed the Chair.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I ask unanimous consent to proceed for up to 5 minutes as in morning business.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. COCHRAN. I thank the Chair.

(The remarks of Mr. COCHRAN pertaining to the introduction of S. 2007 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. SMITH of Oregon addressed the Chair.

The PRESIDING OFFICER. The Senator from Oregon.

EXECUTIVE AMENDMENT NO. 2319

(Purpose: To set forth managers' amendments to the resolution of ratification)

Mr. SMITH of Oregon. I ask unanimous consent that it be in order at this time to offer a managers' amendment on behalf of Senators HELMS and BIDEN. I further ask unanimous consent that the amendment be considered agreed to and the motion to reconsider to be laid upon the table. I announce again that these are a series of amendments that have been cleared on both sides.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The clerk will report the amendment by number.

The assistant legislative clerk read as follows:

The Senator from Oregon [Mr. SMITH] for Mr. HELMS, for himself, and Mr. BIDEN, proposes an executive amendment numbered 2319.

(The text of the amendment is printed in today's RECORD under ''Amendments Submitted.'')

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. The managers' amendment which the Senator from Oregon has just offered addresses several of the amendments which have been offered by our colleagues. Let me very briefly highlight a few of them.

First, we have an amendment proposed by Senator BINGAMAN affirming the importance of the Partnership for Peace program.

Second, there is a provision offered by Senator HUTCHISON of Texas related to the strategic importance of NATO.

Third, there is an amendment offered by Senator SPECTER related to payments owed to the victims of Nazi Germany oppression.

Fourth, there is a requirement for a report on future rounds of enlargement. This amendment is a combination of amendments offered by our colleagues, Senators BINGAMAN, HARKIN, and JEFFORDS.

This is a very useful amendment, in my view, because it will require the executive branch to submit a detailed analysis related to the possible new members of NATO, including cost and military readiness issues before—before—a nation is invited to begin accession talks. This will, I hope, allow the Senate to have a better understanding of the ramifications of admitting new members in the future and thereby enable the Senate to fulfill its constitutional function of providing advice to the President in the negotiation of treaties.

Finally, Mr. President, there is an amendment related to intelligence issues which was proposed by the chairman and vice chairman of the Intelligence Committee, Senator SHELBY and Senator KERREY of Nebraska.

I appreciate very much the cooperation of all our colleagues and urge the approval of the managers' amendment.

The PRESIDING OFFICER. Under the previous agreement, the amendment is agreed to.

The executive amendment (No. 2319) was agreed to.

Mr. BIDEN. Mr. President, I realize there is no unanimous consent agreement, but our colleague, Senator REED, has been here on the floor seeking to speak on NATO, and I yield for that purpose. I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Thank you, Mr. President.

For the last several days, this Senate has been considering the expansion of NATO, which is a complicated issue that has profound consequences for the world we live in and for the future and security of the United States.

This decision which will shape the security structure of not just Europe, but the entire globe, for decades to come. It will also determine in large part whether new emerging democracies and free markets coming out of the shadow of totalitarianism will perish or flourish. It is not a decision that is without controversy, but it is a decision that I believe we must make in the affirmative, and I will support the expansion of NATO, the underlying legislation that we are debating today.

NATO was originally created because unstable conditions in Europe threatened not only the peace of Europe but the security of the United States. In the late 1940s, Europe was still in shambles after World War II. Economies were crumbling, political systems had endured great pressure, and factions arose. There was a very real threat, in fact, that many countries

would succumb to the blandishments of communism.

The possibility of a Communist victory in Europe was all too real. Communiques between the Soviet Union and the West had broken down. Berlin had been blockaded. Tension was at an all-time high. Communists were battling for control in Greece, France, and Italy; a Communist coup had already taken place in Czechoslovakia.

So when 12 countries came together to sign the North Atlantic Treaty Organization protocols, their goal was to protect the peace and stability of Europe and, indeed, the peace and stability of the world. The parties affirmed among themselves that their goal and their commitment was to ensure a peaceful and stable Europe, because within the context of that peace and stability they could begin to rebuild their economies and their democracies, and the strength of those democracies and those economies would truly preserve the peace.

As the Foreign Relations Committee stated in its report to the Senate in 1949, NATO would, ''free the minds of men in many nations from a haunting sense of insecurity, and enable them to work and plan with that confidence in the future which is essential to economic recovery and progress.''

In the last 50 years, the signatories' handiwork has borne itself out nobly, effectively, and efficiently. This assurance of peace and security was—and it is important to note—not limited to the original signatories to this treaty. In fact, Article X of the treaty allows for the admittance of new members to NATO. And since it was signed in 1949, NATO has expanded to include Turkey, Greece, Germany, and Spain.

In the 50 years since its inception, 50 years of progress and peace and stability in Europe, we have seen a remarkable revival in Western Europe. Their countries have been rebuilt. Their economies are thriving. Historical tensions between France and Germany have been channeled from hostility to cooperation. Although tensions still exist between some NATO partners, such as Greece and Turkey, NATO provides a forum and a place in which they can peacefully and amicably settle these disputes. It has been a resounding success. More importantly, NATO has stemmed the march of communism and contributed significantly to its collapse.

Because the true goal of NATO is for European peace and security—because it was not narrowly focused as any specific set of countries to the exclusion of others at its inception—I think it is appropriate that we consider the applications of those countries who are emerging from the shadow of the Soviet Union. I think it is, in fact, appropriate that we consider the countries of Poland, Hungary, and the Czech Republic because they, too, need that sense of confidence, that sense of stability, that sense of peace that will allow them to build their economies and, perhaps more importantly, build their democracies, so that they, too, can participate in the free assembly of nations in one of the proudest forums, NATO. NATO membership will also help these countries modernize their militaries and better defend themselves.

Now, I think most people would concede that this is an appropriate step in terms of the benefits I have listed. However, there are those who question this expansion, question it in terms of NATO having been conceived at a particular moment in history when a particular threat confronted Europe, the threat of an expansionist Soviet Union. Today, that has changed. The Soviet Union has collapsed, and, rightfully, people ask, ''Where is the threat that would motivate and suggest the enlargement of NATO?''

Well, there are still threats to peace, still threats to Europe, still threats to the world community of free nations. In 1991, NATO recognized these changing conditions and authored a new strategic concept. This concept places more emphasis on crisis management, on peacekeeping, and peace enforcement. And it is appropriate and significant to know that these countries who seek admission today—Poland, the Czech Republic, and Hungary—are already participating with NATO in this new strategic approach.

These countries have contributed approximately 1,500 soldiers to our peacekeeping operations in Bosnia through the Partnership for Peace program. The U.S. offices have been very impressed with the cooperation, the professionalism, and skill of the Hungarians in their operations at our base in Taszar, one of the major marshalling and staging points for our operations in Bosnia. All of these indicate that these countries are cooperating already, are seeking involvement, are seeking engagement, and I believe can benefit from association, integration, and participation in NATO.

Also, the expansion of NATO would help to quell the tensions that exist, the historical rivalries that exist, among these new areas emerging from Communist domination. As Secretary Cohen stated, we would ''dampen nationalism and ethnic tensions by bringing new member states into NATO's security framework. The re-nationalization of defense, with a country obtaining weapons of mass destruction, 'arming itself against an enemy, real or perceived,' could be averted by enlargement.''

This is an extremely valuable goal and objective. If we leave these countries to their own devices, they very well may feel threatened enough to rearm themselves, to begin an arms race within that region, that sensitive region between the old NATO boundary line and the lines of the Commonwealth of Independent States. That, I think, would be a real mistake.

There are signs already that the prospect of membership in NATO are beginning to provide very, very positive movements to resolve ancient and long-held tensions. For example, Hungary has entered into agreements with Slovakia and Romania, in 1995 and 1996 respectively, guaranteeing the rights of ethnic minorities. This is evidence that the prospect of NATO membership is already producing positive effects within these countries.

Again, of great significance is the fact that NATO membership for these countries would, I hope and believe, eliminate the need for them to build up arms independently against perceived threats. If we don't act to accept these countries, they very well could start an arms race in the area that would be detrimental to the peace not only of Europe, but of the world, and add to the tensions in the areas that are sensitive, those areas around the borders of Russia.

Having said all this, and having talked about the benefits that are, I think, obtainable through expansion of NATO, it would be, I think, incomplete to suggest that there are not factors which weigh on the other side. There are possible consequences that must be carefully watched with respect to the management of the enlargement of NATO.

There are, in fact, valid reservations that have been made with respect to this expansion. One of the major issues that has consistently been brought forward and presented to us is the possible adverse reaction of Russia. Russia is sensitive to the growth of NATO. They have seen for centuries the progress of military forces invading Russia through the plains of Poland. They are sensitive to this. Their sensitivity has been manifested in many different ways.

For example, the chairman of the upper House of Russia's Duma has said that START II won't be approved if NATO expands. In October of 1996, the Duma, in fact, passed a resolution opposing enlargement by a vote of 307–0.

Russian officials contend that the ''Two plus Four'' treaty which united Germany in 1991 prohibits the expansion of NATO. Although the treaty does not contain such language, there is suggestion by some of our diplomats that, in fact, there was a verbal commitment not to expand NATO.

All of these things manifest an opposition to NATO, but there are other signs indicating that Russia is prepared to accept this expansion, they are prepared to accept the integration of Poland, Hungary, and the Czech Republic. For example, in May of 1997, in Paris, NATO allies and Russia signed a ''Founding Act on Mutual Relations, Cooperation and Security Between NATO and the Russian Federation.'' This Founding Act outlines the nature of the military presence in Eastern Europe upon expansion of NATO, and it also establishes a Permanent Joint Council between NATO and Russia to undertake consultations on matters of mutual interest.

Russia also continues to perform under the agreement, START I. In fact,

they are taking out and dismantling their nuclear platforms ahead of schedule under START I.

Although we must be concerned with the reaction of Russia, I believe with respect to these three countries, Russia is prepared to accept expansion will not undermine our cooperative efforts to disarm the world and also be a force for cooperative peace in the world between the West and Russia.

Now, there are signposts ahead which we must be very careful of. The rapid integration, for example, of the Baltic States would send a profound sense of shock to Russia. Any further expansion beyond these three countries must be watched terribly carefully. I think we must be careful as we move forward not to rapidly and precipitously increase membership in NATO. To do so would, I think, undercut the benefits which we are obtaining through this limited expansion to these three countries.

Now, there is another issue which has been raised and which is also vitally important, and that is the cost of this expansion. We understand that numbers sometimes are in the eye of the beholder, and the cost figures that have been suggested for NATO expansion range across a very broad spectrum, from $19 billion over 15 years to a mere $1.5 billion over 10 years. Now, the CBO estimates are the most pessimistic. Their numbers for expansion would see total costs over 15 years for all of NATO expansion as roughly $61 billion to $125 billion, with our share about $5 billion to $19 billion.

The Rand Corporation has weighed in. They have estimated over 15 years a total cost of $14 billion to $110 billion. The administration's costs also show a wide variability. Again, NATO itself has projected probably the lowest cost, $1.3 billion to $1.5 billion.

All of this suggests that the issue of costs—and, more importantly, who pays for it—is vitally important to our considerations and is an issue we must continually watch and be very careful about. The bulk of these costs belong to those nations who are joining, but I think we have to question whether they have the economies to sustain such costs despite their best indications and willingness to do so.

Our allies also must be a source of burden sharing as we go forward, but many of their comments suggest that they have an unwillingness to do more than what they are obligated to do. President Chirac has stated that, ''France has no intention of increasing its contribution to cover NATO enlargement.'' Even though all of the NATO countries accepted their NATO cost estimate, we recognize that estimate is most optimistic in terms of cost.

We must be very concerned about this. But at this juncture, I think that will be a factor that, in and of itself, should not prevent the expansion from going forward. We have to assume that costs will be incurred. We have to vigorously, through our efforts, ensure that they are fairly borne by all parties. We have to also do that in the context of our own national defense priorities and an increasingly tight defense budget. But I believe we can work through these issues and we can, in fact, ensure that the costs are not excessive and, in fact, they are fairly borne.

There is another set of issues that we face and that we should consider today, and that is the challenges of interoperability. The quality of NATO must be maintained. It is, today, the preeminent coalition force in the world. We have demonstrated that in Bosnia. But we are finding in these new entrants—Poland, the Czech Republic, and Hungary—armies that have aging Soviet equipment, armies that are heavy with high-ranking military officers without well-trained and, in many cases, noncommissioned officers.

Another factor is that these countries' pilots will typically fly only 40 to 60 hours in a year, whereas NATO requires at least 180. Communications is an issue. The language of NATO is English, yet reports are that many countries have not yet provided the kind of training and upgrading that is necessary so that their officers can speak English fluently and can participate effectively in NATO.

I think these obstacles can be overcome. NATO, in the past, has reached out and embraced new countries, many times embracing those countries that have equipment problems, that have different cultural and language bases than those in Western Europe. I think we can do it today. But, once again, we have to be very careful that we when do this, that we do it appropriately.

Let me just, once again, emphasize a point that is very important. Today's expansion—the acceptance and integration of Poland, Hungary, and the Czech Republic—I hope does not set off a rush to judgment with respect to other countries. These three countries have a history that is very closely related to Western Europe. These three countries have already shown their commitment to democracy, to free market economies. These three countries have much in common with the culture of Western Europe, which is at the core of the NATO experience.

So I strongly suggest that whatever we do with respect to expansion today, we do not presume to rush into further expansion tomorrow. Quick entry of more members will compound all of the problems I talked about—problems of costs, interoperability, the north-south relationship within NATO. Today I will support the integration of Poland, the Czech Republic, and Hungary, but I would be very wary of the integration of other countries into NATO.

In conclusion, I want to say that we have had a very thoughtful and principled debate on this issue. This is not an easy decision; it is a very important decision. Back in 1949, when the United States first joined NATO, it was also a momentous occasion, one that was noted in the biography of President Harry Truman by David McCullough. Back then, he wrote that joining NATO ''marked a radical departure with tradition—the first peacetime military alliance since the signing of the Constitution—but had such an agreement existed in 1914 and 1939, Truman was convinced, the world would have been spared two terrible wars.''

The past 50 years have proven President Truman right. NATO has allowed democracy and free markets to thrive, has allowed peace to be maintained within Europe, and that peace has inspired others within the former Soviet Union. Today we have another opportunity. I hope that the expansion of NATO, the entry of these three new countries into NATO, will provide the same stability, the same peace, well into the 21st century.

Today, if we do in fact move forward and vote for the expansion, we take on a very solemn and important obligation, and that is to make this expansion work for peace and stability of the world, to ensure that we have not only the plan but the resources to ensure that NATO continues to be a force for peace in Europe and around the world. I believe we can do that. I believe we must do that.

I yield the floor.

Mr. McCONNELL. Mr. President, when I gave thought to what I wanted to say today, the words and deeds of two great Americans came to my mind—the words belong to Abraham Lincoln—the deeds were my father's.

In many respects, this debate was launched a half century ago in Europe. There, on the battlefields in Germany and France, Italy and Belgium, American soldiers fought and died to secure our future—our freedom. My father was one of those men. Standing shoulder to shoulder with friends, with fellow countrymen, he saw many fall in combat—never to rise again—never to return to their families—never to worship in their churches—to play an afternoon game of baseball with their sons and daughters.

My dad was proud to serve his country as a platoon guide—he was proud of the soldiers who became life-long friends, bound together over time by their common mission.

Decades before Staff Sergeant McConnell shipped out to the Rhineland, American heroism was memorialized in Lincoln's Address at Gettysburg. President Lincoln's words echoed across Europe's plains of courage and glory.

> We cannot dedicate—we cannot consecrate—we cannot hallow this ground. The brave men, living and dead, who struggled here have consecrated it, far above our poor power to add or detract. The world will little note, nor long remember, what we say here, but it can never forget what they did here. It is for us the living, rather, to be dedicated to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us . . . a new birth of freedom.

Freedom.

That is the purpose President Lincoln defined for our nation—the noble calling my father served—the mission we must finish here today.

The debate this week centers on the wisdom of America, once again, expanding her horizons—adding to her security family—advancing freedom.

To reach this point, the Senate and Administration have struggled, often in open conflict, to redefine the terms of our relationship with Europe, and more particularly, Russia. These deliberations are as much about American responsibilities and interests, as they are about Russia's role and ambitions.

The commitment of my father and his fellow soldiers laid the moral foundation of this debate. The politics of Europe's future followed later and, to me, seemed joined in 1993. The Wall had fallen yet more thousands of Russian troops occupied the Baltic nations. Ever sensitive to Russian concerns, the Administration was reluctant to press Moscow to withdraw. Understandably, the Baltic nations were deeply concerned that they would never be free from Russia's imperial grasp. Against strong Administration opposition, the Senate voted 89–8 to condition aid to Russia on achieving an agreement for a withdrawal timetable. Remarkably, within weeks, negotiators produced a concrete plan for action.

This was my first direct experience with Russia's approach to the region. I think it is fair to say I learned a lesson Henry Kissinger sums up well—''It is, in fact, ambiguity about dividing lines not their existence, and ambivalence about Western reactions, not their certainty that tempt nationalists and militarists.''

Sadly, fuzzy thinking, grey-beige lines and Moscow myopia continued to dog the Administration's European policy throughout 1993, 1994, and into 1995. No where was this mistaken course more apparent that the Administration's firm and abiding opposition to establishing a road map or criteria for admission to NATO. Senior officials engaged in a simple shell game arguing Eastern and Central European nations were not qualified to meet the standards to join NATO's ranks, yet they refused to define those standards. I recall a particularly frustrating session when Secretary Christopher appeared before the Foreign Operations Subcommittee, and I questioned him on this point. I asked him what exactly an applicant must do to join NATO? He claimed it was all spelled out in the NATO charter. ''Where?'' I pressed. ''Right there,'' he demurred.

Of course, there were no specific terms for admission nor had any been imposed on other recent entrants. This game, which bent to Russian demands not to expand NATO, continued, eventually taking on new shape with the introduction of the Partnership for Peace. Dismissed by leaders in Poland as ''treachery'' and a ''second Yalta,'' the Partnership drew no admissions distinction between the historical victims of Russian aggression and the aggressor—everyone was welcome to join!

The President's team explained that this approach avoided establishing new blocs in Europe and would erase all dividing lines. What it erased was any sense of comfort in Central Europe about U.S. resolve, responsibility or commitment to stand up an ever ambitious Kremlin as it widened control over what Moscow deemed its ''sphere of influence''.

Administration briefers and papers systematically dodged the serious security issues related to expanding NATO. In preparing for a 1994 Treaty summit, Administration talking points declared, ''We do not believe the summit should set a specific timetable or criteria for membership (in NATO) or identify preferred candidates . . . The (Partnership for Peace) will not give the Poles, Czechs or Hungarians all they want, but we think they will recognize it is an important step forward on NATO's part. At the same time it should not create problems in Russia.''

The explanation was dismissed by a characteristically blunt Lech Walesa as ''a tragedy''.

July of 1994 was the real low point in the drive to expand NATO. It is marked in my mind by two events: the Senate defeated 53–44 an amendment I offered on admissions standards and the President traveled to Europe.

The amendment hardly seemed controversial—it was a reporting requirement asking the President to define specific military, political and economic standards for admission to NATO and then provide an assessment of what it would take to guarantee that Poland, Hungary, the Czech Republic and Baltic nations were capable of fulfilling military interoperability and other NATO responsibilities.

The Administration's overwhelming opposition was given a voice by the Chairman of the Foreign Relations Committee, Senator Pell, who warned that this reporting requirement singled out certain countries and ''draws dangerous new lines in Europe.''

Just about this time, President Clinton left for Poland. Ever eloquent, he tried to reassure the Polish Assembly that the U.S. ''would not allow the Iron Curtain to be replaced by the veil of indifference.'' His comments prompted the Chairman of their Foreign Affairs Committee to observe his speech was ''beautiful, but did little to satisfy our security expectations.'' Walesa publicly lamented the fact that the Administration did not seem to understand Poland's ''history and geography cautioned not to take this moment for granted.''

What turned this debate around? When exactly did the Administration stop taking Central European security for granted?

I can pinpoint the moment—the month—when I saw and heard the change.

On February 9, 1995, Deputy Secretary Talbott appeared before the Foreign Operations Subcommittee and spoke in vague generalities about American ''hopes and expectations'' for European security. I asked point blank, ''Is it correct that there is no timetable and no criteria'' for admission to NATO? His response was simple, ''That is correct.''

In March, with the arrival of Richard Holbrooke as the new Assistant Secretary for European Affairs, the policy changed. In a little noticed appearance before the Subcommittee, Holbrooke announced a major departure in American policy. He said, ''Expanding NATO eastward is our highest priority . . . if NATO is a 16 car train, with a car for each member, the U.S. is clearly the engine.''

This was the clearest definition of American purpose and leadership I had heard since President Clinton's election, and then Secretary Holbrooke went further. During the hearing, I asked and he answered six questions bearing on the standards for NATO eligibility including the relevance of democratic institutions, civilian control of the military, the size and NATO compatability of the armed forces, and a nation's financial and infrastructure requirements. Getting straightforward answers was ground breaking!

From that moment forward, I found cooperation and support for funding and program initiatives which strengthened the military capabilities of potential entrants. In 1996, 1997, and 1998 the Subcommittee was able to set aside funds for Poland, Hungary, the Czech Republic and then Lithuania, Estonia and Latvia to improve military training, equipment and capabilities with a view to accelerating their timetable for admission.

Mr. President, I could argue that Mr. Holbrooke's assignment to the European Bureau marked a key transition point in the NATO debate. However, there were many other factors which contributed to turning the tide. A shift in control of the Senate, our disastrous policy in Bosnia, Russia's role in destabilizing Georgia and abominable conduct in Chechnya—among many factors focused attention on the urgent need to revitalize U.S. leadership in a stronger Atlantic security alliance.

1995 marked the point when the Administration seemed to grasp a very basic concept articulated by Henry Kissinger—''an alliance depends on drawing lines around a specified territory that members undertake to defend. Basing European and Atlantic security on a no-man's land between Germany and Russia runs counter to historical experience, especially that of the interwar period.''

This Treaty reflects the fact that we have finally reached a point, with bipartisan agreement, where we draw new, bright lines in Europe. The vote this week affirms our commitment to protect our partners and our principles with an iron clad military guarantee.

Now is not the time for ambiguity. Today, is not the occasion to equivocate, qualify or confuse the message we

send to friends, allies and potential foe. Expanding our horizons and enlarging NATO safeguards our interests as it strengthens the sense of security in Poland, Hungary, the Czech Republic and the next class of entrants.

Shortly before the Madrid summit, leaders across Europe were asked about the importance and implications of expansion. Their answers offer a commanding vision of American interests in NATO's future.

Czech President Vaclav Havel offered a compelling view:

> Membership is the best tool for a collective European defense, and for the defense of democratic values of states under the rule of law . . . Members will now work together to face a spectrum of threats, including local and regional conflicts.

The Chairman of Lithuania's Parliament strengthens the case for expansion:

> NATO's declared open door policy . . . and firm stand on the principle that the Baltic countries have an unrestricted sovereign right to their own choice will only aid the emerging new Russia in living up to its obligations of normal European behavior.

Romania's President's goes further:

> The process for preparing for NATO enlargement has led in less than four years to a broad and profound stability and solidarity in Central Europe.

Both he and Mr. Havel acknowledge that the enlargement process stimulated resolution of age-old border and ethnic policy disputes.

Poland's President's made a final point:

> Enjoying traditionally close ties with the United States and being at the same time a profoundly Europe oriented society, Poland will contribute to the alliance's cohesion. As for the military dimension, the alliance will gain reliable and modernizing armed forces. We shall continue our active policy aimed at ensuring Central Europe remains a zone of stable and harmonious relations.

Central Europe's leaders have summed up with clarity and conviction the strategic political, economic, and security justification both for NATO and its expansion. They make clear that the importance of our decision this week will only increase over time.

While I am convinced of the arguments in favor of expansion, there is one concern raised by some of my colleagues which I wish to address—that is the doubt about providing security guarantees to new members.

I know there are Senators who would prefer to narrowly define the terms of participation of new members or limit our contribution or commitment to their defense. Unfortunately, such determinations would create a caste system—dismissing new or future members to second class citizen status. This would be a terrible mistake and undermine an alliance forged and strengthened by its tradition of common purpose, common defense, in short, a commitment to equality.

NATO's strength and credibility would be compromised by any decision to qualify new members with ambiguous standing. There should be no side-deals, doubts or questions raised about the deployment of weapons or troops on a new member's soil. This Treaty must be implemented with the firm understanding that new members are full partners entitled to full protection and expected to bear full responsibility. We cannot create damaging divisions within the alliance by imposing restrictions on the nature of participation.

Only instability and uncertainty would result from creating such a double standard for defense. Only Democracy's opponents would gain ground. Only those who have long maligned closing the gap between East and West—who yearn for the days of despots and communists kings—would win.

We should not cast votes which serve to encourage Zhirinovsky's storm troopers. Our call is to stand by the champions of free market principles—to stand up for the voices which appeal for democracy's day.

I'm sure there may still be a senator or two unconvinced that American lives should be laid down to defend Budapest or Prague. Let me remind those colleagues of remarks made by Margaret Thatcher when she called Great Britain to the defense of the Falklands. She said, ''To those—not many—who speak lightly of a few islanders beyond the seas and who ask the question, 'Are they worth fighting for?' Let me say this: right and wrong are not measured by a head count of those to whom that wrong has been done. That would not be principle but expediency. The Falklanders are not strangers. They are our own people.''

With more than 23 million Americans of Central and East European descent, Prime Minister Thatcher's insight and the analogy reach across our nation into every community.

NATO exists to defend principle not expediency.

I know some of my colleagues feel we are rushing to judgment. For those friends and colleagues, I call attention to the fact that I believe this debate has gone on at least five years—it has taken a long time and much effort to bring the Administration to this important decision.

The cause is important—the reasoning sound. Our vote to expand NATO's European frontier strengthens the pillars of democracy and free market principles, stimulates dispute resolution, balances and restrains Russian ambitions, reduces military tensions, and adds new security capabilities.

In short, we take one step closer to finishing the mission President Lincoln called upon our nation to faithfully serve.

Freedom.

I know my father and his friends would have been proud to defend our choice, our invitation to Poland, to Hungary and the Czech Republic to join NATO.

Mrs. BOXER. Mr. President, every one of us has memories of historical events that stay with us forever. Those times in history that are so momentous, they strike at our heart and leave a lasting imprint for all our years.

I think back to the fall of 1956, when the people of Hungary bravely renounced the shackles of tyranny, only to have their dreams of freedom and democracy brutally suppressed. I will never forget sitting around the television with my family, watching the TV footage of this major challenge to Soviet rule be crushed by tanks. Those were dark days for Hungary, as they were for Poland, the Czech Republic, and all nations behind the Iron Curtain.

The memory of those times makes me appreciate to my core how wonderful it is that the countries of the former Soviet Union are now free and that three of them have the opportunity to join the peaceful community of nations that make up the North Atlantic Treaty Organization. To me, the post-Cold War Era will be truly over when all the nations of Europe—west and east—join in an alliance that will in and of itself indicate a Europe at peace.

Mr. President, I support NATO expansion, and do so for one primary reason: I truly believe that expanding the NATO alliance to include Poland, Hungary and the Czech Republic will lead to greater peace and security throughout Eastern Europe—the same peace and security that American leadership was able to provide Western Europe for the past 49 years. In that time, no American soldier has had to fire a shot to defend a NATO ally, nor has NATO ever had to wage war to fulfill its security guarantees.

A peaceful, secure Europe is necessary for a peaceful, secure America. We are inextricably linked. In two World Wars, American troops have fought and died as a result of instability in Europe. Through collective defense, an enlarged NATO will help reduce the chance of another major European conflict.

The formation of NATO in 1949 has enabled Europe to flourish into the prosperous region it is today. I believe history will show that the transformation of a war-ravaged Europe in the first half of the twentieth century to the safe and secure Europe we have seen in the second half of the century is among the most remarkable achievements of our time. I believe NATO can bring that same stability to the former Warsaw Pact nations.

What is also remarkable are the recent achievements of Poland, Hungary and the Czech Republic. These nations have made great strides to reform their economic and political systems to conform with international norms and to provide greater freedom for its citizens. These nations have placed their armed forces under civilian control and have resolved historical disputes that have threatened the region. In all, ten major accords have settled ethnic and border disputes throughout Eastern Europe. These include agreements between Poland and Lithuania, Poland

and the Ukraine, Hungary and Romania, Italy and Slovenia, Germany and the Czech Republic.

During the Senate Foreign Relations Committee's thorough debate on the NATO issue, Colonel Herbert Harman, the National Commander of the Reserve Officers Association, stated that, ''over time, the defensive nature of NATO will become clear to all parties, and with it, the realization that NATO threatens no one.'' I agree. NATO is strictly a defensive alliance. It does not aim to pose a military threat to Russia or any other nation. I know some of my colleagues do not see it this way, but Russia is making moves toward democracy and those have been recognized by the NATO-Russia Founding Act. The Founding Act, signed in May 1997, created the Permanent Joint Council, a useful forum where NATO and Russia can consult on security issues of mutual interest. This will help facilitate a trusting and constructive relationship between NATO and Russia. Last fall, Ambassador Thomas Pickering put it best when he said, ''it is in the security interest of the United States, NATO, and the States of Central Europe to have constructive relations with Moscow, and to integrate a peaceful Russia into the world community.'' I would also point out that NATO has an open door policy to other nations wishing to join NATO, including Russia, as long as NATO members determine it would promote European security and the strategic interests of the Alliance.

Mr. President, there is a long list of high-ranking officials and organizations who support NATO expansion. These include every living former Secretary of State, the former Majority Leader Senator Dole, former National Security Adviser Colin Powell, several veterans groups—including the American Legion—and many, many others. Let us hear the thoughts of some of these distinguished people on NATO expansion.

Secretary Henry Kissinger says that NATO enlargement ''represents above all an overriding American political interest.'' Secretary James Baker claims, ''The Cold War's legacy of great power confrontation in Europe will be truly ended only when it is replaced by a collaborative structure between former antagonists. The expansion of NATO should be seen in this light.'' Our current Secretary of State, Madeleine Albright, states that Poland, Hungary and the Czech Republic, ''will not just be consumers of security by the United States but producers of a more secure Europe; and also because the United States has interests in Europe, producers of security for the United States.'' Senator Dole maintains, ''The enlargement of NATO will strengthen security, freedom, and peace in Europe. It will secure the gains of democracy in Central Europe.''

Once again, I support expanding NATO to include the nations of Poland, Hungary and the Czech Republic and want to thank both the Chairman and Ranking Member of the Senate Foreign Relations Committee for all their hard work on this historic issue. Let me end with the words of President Clinton, who said, ''A new NATO can extend the blessings of freedom and security in a new century . . . we can bring Europe together—not by force of arms, but by possibilities of peace. That is the promise of this moment. And we must seize it.''

UNANIMOUS CONSENT AGREEMENT

Mr. WARNER. Mr. President, I ask unanimous consent, on behalf of the leader, that the following amendments, declarations, and conditions be the only remaining in order, other than the pending amendment, and following the disposition of the listed issues, the Senate proceed to vote on the committee reported amendment, as amended, to be followed by adoption of the resolution of ratification, all without further action or debate, following 90 minutes of debate equally divided.

The list of amendments, declarations and conditions is as follows: An amendment by Senators WARNER and MOYNIHAN mandating a 3-year moratorium, under a 2-hour agreement, with an up-or-down vote; Senator MOYNIHAN's amendment that defers membership until members of EU, under a 1-hour agreement; Senator STEVENS' amendment on cost; Senator STEVENS' amendment on caps; Senator INHOFE's amendment on submission of the Kyoto Protocol; Senator ROBERT SMITH's amendment on Bosnia; Senator CONRAD, tactical nuclear weapons; Senator NICKLES, strategic concept of NATO; Senator BINGAMAN, Baltics; Senator BINGAMAN, strategic concepts; Senator HARKIN, costs; Senator HARKIN, arms control; Senator BIDEN, relevant amendment; and Senator HELMS, relevant amendment.

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

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. SPECTER. Mr. President, after extensive study, discussions, and deliberation, I have decided to vote against ratifying the treaty to expand NATO. Since my college days, when I wrote my senior thesis on U.S.-U.S.S.R. relations, I have supported a strong U.S. role in international affairs. I oppose NATO expansion now because it does not fulfill NATO's basic purpose in countering the U.S.S.R. military threat that existed from 1945 to 1991 but, instead, creates a new potential threat from Russia.

As a frequent participant in the North Atlantic Assembly meetings since the spring 1981 session in Venice, I have always felt that the United States consistently paid more than its fair share of the NATO burden. Our national interests were so substantial in countering the Soviet threat in Western Europe that it was worthwhile not to withdraw because other nations did not do their part in burden sharing.

As noted in my votes and previous floor statements, I do not believe our vital national interests justify the extent of our contribution in Bosnia. In my judgment, that is a matter where European nations should have taken charge. It is always hard to say when century-old hostilities in the Balkans may threaten the peace, but the issue is sufficiently a European obligation that I do not think the United States should again be pulling the ''laboring oar''—that is, doing more than our share.

The inclusion in NATO of Poland, the Czech Republic, and Hungary is the unmistakable start of bringing in more nations than the United States should be obligated to defend. It is getting us deeper into potential quicksand, like Bosnia. Perhaps even more important, including those countries poses more of a risk of a Russian military action against them than assurances of their national security. There is the obvious risk that Russia, with a deteriorating army, may choose to use its enormous nuclear arsenal.

The representations that Russian President Boris Yeltsin does not object to NATO enlargement do not answer the threat that Russia might retaliate under a new leader. President Yeltsin's government is unstable. His health may be even worse. Radical Russian elements have already used NATO expansion as a potential argument to take over the Russian Presidency. Final action on expansion of NATO may give them the political weapon to succeed. So instead of strengthening NATO, the expansion may subject NATO to attack with the possible focus on its newest members.

In 1949, the United States and its allies in Europe literally joined forces to define the post-World War II world. The North Atlantic Treaty Organization was established with a clear mission: collective defense of its members. NATO became the centerpiece of the U.S. policy of collective security and defined our military commitment to our allies in Europe. Throughout the Cold War, NATO protected U.S. interests and U.S. allies in Europe by providing a framework through which to overcome the political instabilities in post war Europe. NATO started out as a military alliance of 12 members and eventually expanded to a military alliance of 16 members. Turkey and Greece have been members since 1952, Germany since 1955, and Spain since 1982.

Then, in 1989, the political landscape in Europe changed. The Berlin Wall fell. The Cold War was over. The Warsaw Pact disbanded. In 1990, the Union of Soviet Socialist Republics disintegrated. In its stead, across central and eastern Europe and in Russia itself, fledgling governments began the transition to democracy and market-oriented economies. The original goal of NATO had been fulfilled.

Immediately after the fall of communism, NATO began to reevaluate its role and purpose. NATO has redefined

its organization to focus not only on collective defense, but also on ''promoting stability throughout Europe through cooperation and by developing the means for collective crisis management and peacekeeping.'' Furthermore, what started out as a military organization of first 12 then 16 nations is now holding out the possibility of membership for at least 12 new members and even more if the Administration's rhetoric comes to fruition.

My former colleagues Senator Howard Baker and Senator Sam Nunn, along with former national security advisor Brent Scowcroft and Alton Frye from the Council on Foreign Relations wrote in February that the Administration's premise that NATO should be open to many additional members ''is a prescription for destroying the alliance'' which will antagonize Russia. In their words, NATO expansion is ''an ill-defined invitation for new members unrelated to either military threats or military capabilities.''

I agree with their interpretation that an expanded NATO is unrelated to current military threats and capabilities. I question U.S. participation in an organization increasingly devoted to ''crisis management and peacekeeping.'' While NATO was originally designed to counter the threat of communism, it will increasingly be called upon to counter new threats facing the region: particularly civil unrest and ethnic conflict in Eastern and Central Europe. Membership in NATO involves a serious commitment to defend other members if attacked. As NATO expands, the United States may well be obligating itself to become involved in a potentially great number of conflicts that are strictly European in nature and not a direct threat to vital U.S. national security interests. I do not believe the United States should commit to involvement in ethnic and civil hotspots throughout Europe, but should reserve the option to decide on such involvement on a case by case basis.

Furthermore, NATO reports from the July 1997 NATO summit in Madrid state that the end of the Cold War has provided the opportunity to ''build an improved security architecture in the whole of the Euro-Atlantic area without recreating dividing lines.'' This line of reasoning is unsound. If NATO is in fact to remain a primarily military alliance, how can including new members not recreate dividing lines? It is likely that the new dividing lines will antagonize Russia.

Last year, in an open letter to the President, 50 former Senators, cabinet secretaries and ambassadors, as well as arms control advisors and foreign policy experts, called for postponement of NATO expansion until other security options are explored. In their letter, they expressed concerns about drawing ''a new line of division in Europe, between the 'ins' and the 'outs' of NATO,'' which would actually work to increase regional instability and decrease the security of those not included.

George Kennan, most noted for the policy of containment of Russian expansive tendencies, who later disclaimed the view that containment meant stationing military forces around Soviet borders, wrote in the New York Times last year that ''expanding NATO would be the most fateful error of American policy in the entire post-Cold War era.'' He went on to ask:

> Why, with all the hopeful possibilities engendered by the end of the cold war, should East-West relations become centered on the question of who would be allied with whom and, by implication, against whom in some fanciful, totally unforeseeable and most improbable future military conflict?

Kennan pointed out that the Russians are not impressed with American assurances that NATO expansion does not reflect hostile intentions. In fact, he notes, the Russians ''would continue to regard it as a rebuff by the West and would likely look elsewhere for guarantees of a secure future.'' What comes to mind is forcing Russia to move even closer to China or Iran.

Michael Brown, then senior fellow at the Center for Science and International Affairs at Harvard, cautioned early on in 1994, when NATO was first addressing the question of new members, that ''NATO expansion should be tied to strategic circumstances: If Russia takes steps to threaten Central Europe militarily, NATO should offer membership to as many states in the region as possible.'' Otherwise, Brown pointed out, correctly I think, that ''Russian aggression would be encouraged, not discouraged by NATO expansion.''

Potential Russian presidential candidates are already preparing themselves for the next Russian presidential election in 2000 and NATO expansion is already on the platform. Alexander Lebed, a likely top contender for the Russian presidency, wrote in an opinion piece last year that NATO expansion is drawing Russia into ''a process of mutual provocations.'' He cautioned that ''a reversion to old ways threatens the system of agreements which until recently had provided stability in Europe.''

One year later, the Russians remain quite clear on how they view NATO expansion. Russia's ambassador to the United States, Yuli Vorontsov, commented in the March 10, 1998 Washington Post on what he calls the ''authentic Russian view'' of NATO expansion.

In his article, Ambassador Vorontsov advises that ''Russia's attitude toward NATO enlargement has been and remains unequivocally negative. The signing of the Russia-NATO Founding Act does not alter that attitude in any manner.'' He goes on to say, ''If enlargement goes forward, there are no guarantees that everything positive we have developed in the relationship between Russia and leading Western countries will not be put in severe jeopardy.''

The most telling Russian reaction to date has been the Russian Duma's delayed vote on ratification of the START II treaty. Lebed contends that the Conventional Forces in Europe Treaty and other arms control treaties could all be reconsidered.

In my college senior thesis, I was very much impressed by the famous words of Winston Churchill, which he gave in a 1939 London radio broadcast when he was first lord of the admiralty. Commenting on his inability to forecast the action of Russia, Churchill described Russia as ''* * * a riddle wrapped in a mystery inside an enigma.'' But perhaps more telling is the oft-forgotten phrase following. Churchill went on to say that ''* * * perhaps there is a key. That key is Russian national interest.'' NATO expansion is clearly not in the Russian national interest, and the West can expect Russia to react accordingly.

I believe that the United States and Russia must maintain a real balance of power if we are going to coexist as peaceful nations. Clearly, if NATO is to remain a strictly military alliance, expanding NATO to the east means tilting the balance of power toward the west. If the desire is to create greater economic and political cooperation among Western and Central European nations, there are already existing organizations such as the European Union, the Organization for Security and Cooperation in Europe and others to take up this task.

Many claim that there is now a security vacuum in Central Europe that NATO expansion can address. On the contrary, I believe NATO expansion is creating just such a vacuum. It is implausible to think that Russia would send conventional troops into Central Europe any time soon.

While it is probable that there are lingering fears of Russian aggression in the countries of Central Europe, Russia's current Army capabilities make such an advance next to impossible. Furthermore, the West would never tolerate a repeat of past Russian aggression in these countries.

On the other hand, it is plausible to think that Russia will revisit the status of its relations with the Baltic nations, Ukraine and Belarus. Oddly enough, these may be the countries most likely to be adversely affected by NATO expansion and the very nations not to be included in the first round of new members. We must also not forget Russian military involvement in Georgia and in the Armenia-Azerbaidjan conflict. How will NATO expansion influence Russian military action in the Caucasus?

In 1992, I presented remarks at the North Atlantic Assembly meeting in the Netherlands while I was part of a Senate delegation visiting the Assembly, commenting then that there was an unease among the American people over the cost of U.S. foreign relations obligations. That is not to say that the predominant U.S. view would ever return to the isolationist ideology of the

1930s, but the question I posed then was: What is fair and equitable? As a longtime member of the Foreign Operations Subcommittee of the Senate Appropriations Committee, I believe many Americans still feel the same unease when it comes to U.S. contributions to areas clearly outside our vital national interests.

Again in 1993, after returning from the next North Atlantic Assembly meeting, in remarks on the Senate floor, I commented on the debate under way in NATO at the time on inviting new members to join the alliance. There were signs at the time that NATO and the North Atlantic Assembly were looking more toward economic matters than defense matters. Furthermore, when we talked to the Director of the Center for Strategic Stability, he made the point that the Russians were very concerned about an expanding alliance. The concern then was what would happen with respect to Russia being isolated. I do not believe this question has been adequately addressed.

Last January, I made remarks on the Senate floor concerning my participation in the 1996 North Atlantic Assembly meeting. I noted that NATO has been perhaps the most successful international collective security arrangement in the world's history, ultimately achieving its once thought unattainable goal of containing and outlasting the empire of the former Soviet Union through a vigilant deterrence rather than actual conflict. It was this successful because it was more than a mutual defense pact. It is the coming together, across the Atlantic, of the power of the ideas of freedom and democracy. However, I pointed out that NATO's very success in achieving its original aim is the basis of the present quandary of the alliance. I asked then, and I repeat now: In the wake of the dissolution of the Soviet Union there are many reasons—including our responsibility to wisely spend American taxpayers' dollars—why we must ask what is NATO for now, what countries should be a part of the Alliance, and what roles and burdens should be played and borne by the different members of the North Atlantic community?

In the year since I gave these remarks, there has been much discussion and debate on NATO expansion, here in the Senate and in the media. I believe the situation now in Bosnia gives us reason to pause and reflect on these questions before we commit the United States to even more security obligations in Eastern and Central Europe.

During my visit last December to Bosnia, I asked our troops to estimate how long we would need to stay there to avoid the resumption of bloodshed which would happen if they left on Congress' schedule. The answer was a ''generation,'' given the intensity and longevity of the religious and ethnic tensions in the region. There is no doubt about the dire consequences if fighting resumes among the Muslims, Serbs and Croats. The entire region would be destabilized. Certainly, the current situation in Kosovo is cause for great alarm. Russia has come out on the side of the Serbs against the United States and Europe. In the short term, the ability of the West to work with Russia will aid in the resolution of this issue. This picture changes in the long-term. Albania, Kosovo's neighbor to the south, is on the long list of countries proposed for NATO membership.

There is significant question as to how far can U.S. military resources be stretched on the current $268 billion defense budget. The top military brass in Bosnia had no answer to my question on priorities in deciding how to spend among Bosnia, Korea, Iran, Iraq and the world's other hot spots.

Now we add to this the additional costs of NATO expansion. Although the Administration says the total cost of expansion will be $27 to $35 billion—the U.S. portion being $1.5–$2 billion over 10 years—other estimates for the cost of NATO expansion range as high as $125 billion. There are many unanswered questions about the cost of NATO expansion.

We have good reason to conclude that the estimates of the administration as usual, are deceptively low.

If we use Bosnia as an example, how much more are we willing to spend in Europe than the Europeans themselves? Doing our part does not mean doing more than other major European nations. This is not the Cold War where the United States squared off against the USSR and our dominant role in NATO protected our vital national interests. Obviously, Bosnian stability is of much greater concern to the European nations than it is to the U.S. although you wouldn't know it from the contributions in Bosnia today. This also does not mean that the United States cannot play an important strategic role in the region, for the United States has played a successful leading role in the War Crimes Tribunal for the Former Yugoslavia.

The United States will always play a role in peace and security in Europe. We all applaud the great success of the new countries of Eastern and Central Europe on their transition to democracy and free-market economies. However, as we move into the 21st century, I believe this is not the time for NATO expansion.

We would be moving away from the basic premise that NATO was expanded to protect Western Europe from Soviet attack. We would be looking at a Russia now, after the disintegration of the Soviet Union, which is not stable. We are trying to build up our relationships with Russia. Certainly this would be very counterproductive.

As I noted earlier, I recall very well in my studies at the University of Pennsylvania noting in my college thesis on United States-U.S.S.R. relations the description of Winston Churchill that Russian foreign policy was a mystery surrounded by a puzzle wrapped in an enigma. It is puzzling as to what the Russian will do next. They are enigmatic.

While we are on the path which has a reasonable possibility of leading to peace and stability, the inclusion of new NATO members I do believe would be counterproductive.

For these reasons, I oppose the expansion of NATO at this time.

I intend to vote against the ratification of this treaty.

I thank the Chair.

I yield the floor.

Mr. BUMPERS. Mr. President, first of all, let me say that I have listened rather attentively to the debate the past 3 days. It has all been heartfelt. A lot of it has been very thoughtful. I think it has been instructive for the Senate to hear this debate.

I spent a lot of time reading a lot of articles, doing a lot of research and trying to reach a conclusion that I felt not only was correct, but one that I would feel very comfortable with not just today but in future years.

I have heard a lot of people say the average man on the street in Russia does not really care about NATO expansion. I agree with that. He or she doesn't care about it right now, just as the American people are not zeroed in on partial-birth abortion right now. But you wait until October and November comes and all those 30-second spots start appearing on television, and those awful, barbaric films are shown just before the election, and you will find that virtually everybody in America cares about that issue. And when the election in Russia is held in the year 2000, you can rest assured the hard-liners are going to have a picnic.

Mr. President, I have read a number of times that we should not let the Russian hard-liners dictate our foreign policy. I agree with that. By the same token, I do not think we ought to gratuitously allow the Russian hard-liners to dictate internal policy in Russia as well as foreign policy to come.

I am one who believes that peace on the Eurasian Continent and probably in the world is dependent on our engaging Russia over the next several years. I do not denigrate any of the arguments for ratification. I think a lot of the arguments are very compelling for expanding NATO. But when I weigh what I believe will be the cost sometime in the future compared to the benefits, I believe the cost is likely to far outweigh the benefits.

What do we get out of it? Not NATO but the United States. How are we enriched? How is our security aided by taking in these three countries? If, as I believe at some point the hard-liners in Russia are going to have a field day with this, just as there are people in this body and in the United States who cannot give up on the cold war, I think we are going to pay a heavy price.

Nobody should cling to the naive belief that a lot of this expansion is not dictated by the hard-liners in this country. We have our own. We have

people who after 50 years of fearing the great Russian bear and communism and the Soviet Union have a very difficult time turning loose that philosophy.

I hear it said that we gave our word to Poland, the Czech Republic, and Hungary, and we must follow through on our word. I hear it said that they have suffered enough. And God knows, we can all relate to that. We all know what Eastern Europe endured under the foot of communism and the U.S.S.R. for 45 years after World War II. Not only are we sympathetic, in my opinion, without the expansion of NATO, the United States and our allies in Europe would come to the rescue of any of these countries if they were threatened. But we should bear in mind also in that connection that it was not Russia, it was not the Soviet Union that invaded Czechoslovakia, that invaded Poland and Hungary.

We hear all of these soothing assurances from proponents of enlargement that NATO is a defensive alliance; we have no aggressive intentions. I believe that. Of course, that is true. But I am not Russia. I ask the Members of this body, if the shoe were on the other foot how would they feel? Incidentally, I might say that one of the most powerful speeches I have ever heard made on the Senate floor was about 30 seconds long during the Panama Canal Treaty debate. That was by far the most volatile political issue to confront this body since I have been in the Senate. Everybody that was going to vote for it—and it had 67 votes—was trying to cleanse their skirts with their constituents back home. And Henry Bellmon, a wonderful Republican Senator from Oklahoma, stood at his desk at about where the Senator from Indiana is seated right now and said: ''I have agonized about this for 6 weeks. The President's called me. The Secretary of State's called me, and people on the other side have called me. Mr. President, I have decided that I think we ought to treat the Panamanians the way we would want to be treated, and therefore I am going to vote for the treaties.'' He shortly thereafter announced he would not run again because he knew he could not possibly be reelected in Oklahoma with that vote. You talk about a profile in courage. That is probably the most dramatic illustration of it I have seen since I have been in the Senate.

And so I ask you this: If this treaty were being executed by Russia, Mexico and Canada, and Russia was saying not to worry, don't worry about us lining up with Mexico and Canada on your border, we have no aggressive intentions, how would that go over?

Mr. President, we cannot deny what this treaty is all about. It is to hem Russia in. The Russians are not stupid.

Look at some of the declarations in the resolution itself. Paragraph (2)(A)(i). It says:

> 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 [listen to this] the potential for the emergence of a hegemonic power in Europe.

That is No. 1. ''The potential for the emergence of a hegemonic power in Europe.''

Now, the Russians would never guess who we were referring to with that. Further:

> 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.

Who would invade Poland, Hungary or the Czech Republic? The Russians would never guess who we were referring to in this resolution.

Listen to this:

> 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.

Question: Who do you think the potential aggressor is?

Or, perhaps the Russians will never see or know about a letter I received in my office last week from Mr. Bruce Jackson, president of the United States Committee to Expand NATO. Here is what he said:

> Dear Senator:
>
> I am forwarding a copy of Charles Krauthammer's opinion piece which appeared on April 17 in the Washington Post while the Senate was in recess. While I cannot say that every member of the U.S. Committee to Expand NATO shares Dr. Krauthammer's views on Russia, we are in complete agreement with his conclusion:
>
> NATO expansion is simply a return to—a ratification of normality . . . It is the easiest U.S. foreign policy call of the decade.
>
> If you need any additional information, call me.

This is the Committee to Expand NATO, saying we agree with virtually everything Dr. Krauthammer said in his article in the Washington Post. And what did Dr. Krauthammer say? Listen to this headline. This is the headline of the Krauthammer article that that committee says they agree with totally. ''Is NATO expansion directed against Russia? Of course it is.''

What would our response be if we were in Russia's shoes? Their conventional forces are in shambles, their economy is a basket case, their people are demoralized and they are experiencing the fifth consecutive year of economic negative growth. The most dangerous thing in the world is for a bully to jump on somebody who is weak. You know what I have always said? I think government has a role in our lives. I think government has a role in protecting the weak from the bully. I am not saying the United States is a bully. But I am saying, when we expand NATO at a time when Russia is on their hunkers and everybody knows it—mostly the Russians—what would our response be? We have assured Russia orally we will not put nuclear weapons in Poland, Hungary, and the Czech Republic. But we have refused to put that in writing. You think of that.

Again, I am going to come back to the broken promise of all broken promises in just a moment. But here we are telling Russia that we will not put nuclear weapons in the three countries that we are taking into NATO, ''So you have nothing to fear.'' But we don't want to put it in writing. And yesterday the U.S. Senate, by a vote of 90 to 9, said the very foundation of NATO requires a nuclear presence in Europe and those three countries were not excluded in that amendment.

The Russians would have to be naive beyond all imagination to believe that Dr. Krauthammer wasn't saying it exactly right. NATO enlargement is designed to hem Russia in.

Mr. President, the last time Russia took our word for something was in 1990. It was in a meeting during a meeting between Secretary of State Baker and Mikhail Gorbachev, and the promise was very simple, according to Jack Matlock, who was our Ambassador to Russia at the time. When the Soviet empire was falling apart and the Germans were clamoring to reunify the west and east, we promised Mikhail Gorbachev that if he would not interfere with the reunification of Germany, we would never move NATO 1 foot further east toward Russia. I have no documentation to prove that, but I called Jack Matlock, who knows what happened, and asked him. He assured me in roughly a 30-minute conversation, over and over and over, that not only did the United States promise Russia we would not move any further—wouldn't move NATO any further east toward Russia, Helmut Kohl later joined in the promise. I am not saying that Gorbachev had that much option. I am saying we made the promise. Again, an oral promise.

Let me go back to the rationale some people use for saying we have to go through with this. It is because we promised the Czech Republic, Poland, and Hungary that we would do it. How about our promises to Russia that we would not?

So, what are we doing to Russia? We are forcing them to rely more and more heavily on nuclear weapons. And the more you rely on nuclear weapons, the lower the hair trigger for nuclear war. Why are they depending on nuclear weapons? It is cheaper. They can maintain a nuclear force at a fraction of the cost of maintaining a conventional force in case NATO did attack them.

Are we safer with the Russians depending on nuclear weapons? Of course we are not. That is another big negative to this whole thing. And the Duma says they are not going to ratify START II. Maybe they will. I hear arguments on both sides of that. But I can tell you this, START II is extremely important to the security of the world and it is extremely important to the security of the United States. But the Duma has not ratified

it. They have talked about it for almost 2 years now and they have not ratified it.

So, what does that mean? It means we have to maintain our nuclear forces on a high state of readiness, at an extra cost of several billion dollars a year. There has been a lot of talk about who is going to pay for all of the new weaponry for Poland, Hungary, and the Czech Republic. Nobody has mentioned the fact that instead of destroying weapons, as we would under START II, we may very well not only keep them but keep them on a high state of readiness, and it is already costing us several billion dollars a year to maintain the extra nuclear forces.

What are our friends in Russia saying? Mr. President, I feel this may be the most salient point I can make in the debate on why I do not intend to vote for the expansion of NATO. What are our friends—who we are depending on to democratize and bring sanity to the Soviet Union and bring that poor, bedraggled nation into the 20th century—what are they saying?

Victor Chernomyrdin, everybody thought he was a rational, moderate person. Vice President GORE is genuinely fond of him and met with him many times. What does he think about this? Here is what he said:

> We will never agree that the expansion of NATO is needed now, since its doctrine of confrontation with the Warsaw Pact, the Soviet Union and Russia, has not essentially changed.

That is one of our good friends. Then: The Russian Federation National Security Blueprint which was signed by Boris Yeltsin:

> The prospect of NATO expansion to the east is unacceptable to Russia since it represents a threat to its national security.

What did the State Duma, the principal legislative body in Russia, say 3 months ago? This wasn't way back in the past, it was January 23 this year. They passed a resolution saying:

> Given the weakening of Russia's defense capacity, NATO enlargement means the appearance of the most serious military threat to our country since 1954.

And here is Yuli Vorontsov, Ambassador to the United States:

> I would say that movement of NATO forces close to the Russian borders is generally being considered by all political forces in Russia as a threat. You can ask anybody there. Do not just ask Communists; we know what they will say. Ask liberals, ask democrats, ask young and ask old. Nobody in Russia is applauding this move, because everybody is afraid it is going to be a military threat.

That is what our friends in Russia say. What they say is, ''You're cutting our legs off right under us. We want to be friends. We want Russia to move into the 21th century, and we want peace on the Eurasian continent. So what in the name of God are you doing threatening us with this expansion?''

Bill Clinton made one of the most poignant statements he has ever made in his life back in 1992 when he was running for President. April 1992—listen to this beautiful statement:

> What does a democratic Russia mean to Americans? Lower defense spending, a reduced nuclear threat, a diminished risk of environmental disasters, fewer arms exports and less proliferation, access to Russia's vast resources through peaceful commerce, and the creation of a major new market for American goods and services.

That is what President Clinton said in a beautiful statement in 1992 when he was candidate Clinton.

What does Admiral Bill Crowe say? And Admiral Crowe, incidentally, favors the expansion of NATO, but he wrote some beautiful words about it. Listen to it. I think everybody in this body and everybody whoever knew him has a profound respect for Bill Crowe, Chairman of the Joint Chiefs of Staff, recently Ambassador to the Court of St. James. He said:

> Put bluntly, the outcome of events in Russia can directly affect the future of the free world. The epic journey of that great nation is far from over . . . If the Russian people ultimately return to some form of autocracy, it would be a genuine disaster, not only for them but for us as well. In essence, I would judge that Russia is our number one foreign policy challenge, and it would be folly to treat it otherwise.

Yet we are engaging in precisely what he said—folly. What did Jack Matlock, who was our Ambassador to the Soviet Union at the time, say?

> In making a major effort to bring more members into NATO when countries who wish to join face no military threat, the administration undermines its ability to protect the United States and its allies from potential nuclear leakage from Russia.

He goes on to say:

> Russia may have no choice other than to accept an enlarged NATO, but in the ensuing atmosphere of political estrangement, close cooperation in nuclear matters, never easy, will become even more difficult. It will also be much harder to maintain the momentum of weapons destruction if it appears to Russian military planners that they must maintain a nuclear option in order to balance an expanding NATO.

Mr. President, did you know that we have spent billions of dollars in Russia helping them dismantle their nuclear weapons? That is what we call Nunn-Lugar money around here. It is the best money we have ever spent. I promise you, Mr. President, I promise you that the Russians are going to ultimately say, ''Get out. We thought you were serious about dismantling our nuclear weapons and dismantling yours, but if you are going to treat us this way and show this kind of bad faith toward our good faith in dismantling our nuclear weapons and letting you do it, it is over.''

Our former colleague Sam Nunn who was the most revered person on military matters I ever served with—and believe you me, Sam Nunn and I had plenty of disagreements—is opposed to NATO expansion. Here is what Sam Nunn said:

> I believe it is essential for the Clinton administration and our allies to start laying the groundwork now for a ''soft landing'' for U.S.-Russian relations in the wake of NATO enlargement. Unless this is accomplished soon, there will be a significant deterioration in U.S.-Russian and allied-Russian relations, and a political climate may emerge in Russia which erodes the ability and the willingness of Russian leaders to make rational decisions on critical foreign policy matters.
>
> Even those Russians who are most inclined to seek compromise and who see no military threat in the admission of Poland, Hungary and the Czech Republic into NATO would find the expansion of NATO into the geopolitical space claimed by the former Soviet Union intolerable.

Of course they find it intolerable.

Mr. President, I do not speak out of fear of Russia. I do not speak out of denigration of my colleagues who think this is absolutely the right thing to do. It is no secret that President Clinton and I have been close friends for 25 years, and I have, I think, the best record in the Senate of supporting his legislation. Maybe one other Senator has a better record than I have. But I think he would be the first person to understand my strong feelings that this is a mistake.

When I about this subject, I think of all throughout history, from Napoleon to Hitler, who have underestimated Russia. And I can tell you we are underestimating Russia, we are assuming that she is always going to be an economic basket case, that she will never be able to build her conventional forces and that she will always accept our soothing assurances that our intentions are defensive and not offensive.

One of the best books I ever read in my life, Mr. President, is called ''The March of Folly: From Troy to Vietnam,'' by Barbara Tuchman. No young person should be allowed to graduate from high school and certainly not from college without reading Barbara Tuchman's ''The March of Folly.''

Bill Lind, who most of the people in this body know, an expert on military affairs of some note, widely respected, wrote an article about NATO enlargement not long ago, and he refers to this magnificent book, ''The March of Folly.'' He said:

> It is folly to humiliate a Great Power during an historical moment of weakness. It is folly to reignite a cold war within the West—and Russia is rightfully part of the West—as the world moves into an era of conflicts among cultures. It is folly to risk pushing a weak Russian government further toward loss of legitimacy, when its replacement may be a variety of non-state entities ranging from mafias through religious groupings, some of which would inevitably possess remnants of the Soviet nuclear arsenal.

Bill Lind goes on to say:

> In her glorious book, ''The March of Folly,'' Barbara Tuchman writes: ''A phenomenon noticeable throughout history regardless of place or period is the pursuit by governments of policies contrary to their own interests. Mankind, it seems, makes a poorer performance of government than of almost any other human activity. In this sphere, wisdom, which may be defined as the exercise of judgment acting on experience, common sense and available information, is less operative and more frustrated than it should be. Why do holders of high office so often act contrary to the way reason points and enlightened self-interest suggests?''

Mr. President, Barbara Tuchman's definition of ''the march of folly'' was

when nations take action, and there is a small minority of people saying, ''If you do this, you're going to be sorry,'' and it turns out the warning was not heeded. Nations went ahead headlong, and the march of folly continued to the considerable detriment of the nation that did not listen.

Admiral Yamamoto told the Japanese warlords, ''I've been to the United States. I will participate in the attack on Pearl Harbor. I will serve my Emperor and do the best I can. But you are foolish if you think you're going to conquer the United States. I've been there. I've seen their industrial might.''

In World War I, the commander of all the German U-boats said, ''I cannot sink the amount of shipping you tell me I have to sink in order to defeat the United States.'' Yet they went headlong and paid no attention to him.

Even when the Greeks attacked the Trojan fortress, and placed the Trojan horse outside the gates, one person, Laocoon said, ''Don't let that horse in here. What have the Greeks ever done for us? It is a trick'' But he was a solitary voice, so the Trojans brought the wooden horse into the city. The rest is history. Fifty-five of the best Greek soldiers piled out of the horse and took the Trojan fortress.

There are not too many dissenters in this debate. I am one of them and I hope to God I am wrong. I can tell you that in my opinion we are going against our enlightened self-interest and continuing the march of folly.

Mr. President, I yield the floor.

Mr. COATS addressed the Chair.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, there has been significant, considerable debate on this issue over the past several days, and then several days before that before the Easter recess. Many of the arguments have been made, discussions have been had, and debate has been engaged in regarding the merits and demerits of NATO expansion.

I think it is important to put a little bit of historical perspective to this and then I would also like to bring a little bit of perspective as a member of the Senate Armed Services Committee, because, after all, NATO is a military alliance. It is designed for military purposes primarily. And it is important that we look at the military capacity and capability of the three nations that are being discussed as potential members of NATO.

So I would like to bring that portion of the discussion to the debate so that Members are aware of some of the facts and considerations relative to that portion of the NATO debate.

First, the historical perspective.

This June will mark the 50th anniversary of the start of the Berlin Blockade. Fifty years ago, the United States had passed the Vandenberg Resolution which laid the groundwork for U.S. participation in regional and other cooperative defense alliances. This resolution served to show American support for the commitment European nations had undertaken in the Brussels treaty the previous year to defend against external threats. The resolution marked a formal recognition that the United States had to become constructively engaged in European and world affairs if it were to be successful in influencing and supporting the broader adoption of democratic principles in the world-market economy.

We had, with tragic consequences, retreated from world affairs earlier in this century, only to pay considerable costs in terms of not only monetary costs but, more importantly, in terms of lives because we were drawn into those affairs as a matter of necessity.

Two successive World Wars demonstrated unequivocally Europe's importance to our own national interests, and the Members of this body, in 1948, were determined that the United States not be forced to catch up to world events again.

Growing concern at the time about the intentions of the Soviet Union were, of course, pivotal to the debate regarding the formation of the alliance. After World War II, Soviet troops remained in Germany and the other Central/Eastern European countries that the Soviets occupied during the war.

During the course of the Berlin Blockade, in the midst of that not inconsiderable crisis, the United States engaged Canada and the Brussels treaty powers in discussions that culminated in the establishment of NATO in 1949. Interestingly enough, Mr. President, the reaction then in this body, and in other corridors that were discussing the feasibility of this reaction to both the Vandenberg Resolution and the North Atlantic talks, was decidedly vociferous.

Eminent scholars and statesmen—George Kennan among them—decried the U.S. decision to pursue this alliance with Britain, Canada, France, and other nations. Kennan, who was the original advocate of containment, described the proposed alliance as provocative and potentially destabilizing. Interestingly enough, that is what much of the debate about the addition of three formerly Soviet Warsaw Pact nations, now Central European nations that have gained independence—much of the debate is centered on that very issue.

Then, as now, the debate covered a broad spectrum of other issues, including policy, proposed missions, membership, political as well as military aims, and U.S. military aid to Europe. The resultant treaty signed in Washington, DC, on April 4, 1949, committed the parties to: peaceful resolution of disputes; the active promotion of stability and well-being; continuous military vigilance; joint consultation; and devotion to the common defense.

During the Senate consideration of the treaty, two major issues were discussed: The meaning of the article V commitment, that is, the mutual assistance portion of the treaty; and specific military aid proposed by the administration to assist Europe.

It is interesting to note that treaty mentions no specific external threat which the alliance was being formed to counter, just as this resolution mentions no specific external threat.

In testimony before the Senate Foreign Relations Committee, Secretary of State, Dean Acheson affirmed that the treaty was not aimed at any country but was proposed to prevent aggression. ''If we want peace,'' he said, ''we must be prepared to wage peace, with all of our thought, energy, and courage.'' At the time, the Senate Foreign Relations Committee was careful to assert that the treaty's article V commitment would not remove the constitutional power of Congress to declare war. The Senate subsequently approved the Washington treaty by a vote of 87–8.

It is interesting to note, that while some say, ''All right. That was fine for the time being, but why expand?'' there have been three membership extensions to four other nations over subsequent years—in 1952 to Greece and Turkey, in 1955 to Germany, and in 1982 to Spain.

Today, after nearly 50 years of outstanding success, NATO no longer seems controversial in and of itself. It is widely viewed as the most successful military alliance in history. It was successful in its goal of deterring aggression in Europe. And through a robust commitment to military strength, NATO's existence also brought enhanced stability to Europe, enabling its members to prosper economically.

Today's debate centers on the addition of three former Eastern bloc nations to NATO and whether somehow this will dilute NATO and its collective commitment to the principles outlined in the treaty. It also talks about whether or not such inclusion and addition of nations will be provocative to Russia and will be destabilizing.

There are many issues that have and need to be discussed before we vote on NATO and its future. But we must keep in mind that while this debate over what type of missions NATO undertakes in the future is important, it is not, in my opinion, the central consideration of adding new members.

Poland, the Czech Republic, and Hungary were on the forefront of Soviet hegemony during the cold war. For almost 50 years, their people lived under the totalitarianism of a Communist regime. With the fall of the Soviet Union, freedom came at last. They moved forward quickly to transform their economies to the free-market system, to hold democratic elections, and establish the rule of law. There is a compelling reason, moral reason I would submit, to extend NATO membership to these countries. But it is more than that. Because we must remember that NATO is first and foremost a military alliance.

These nations are able and willing to contribute to the common defense of Europe as they desire the security link of being a part of NATO. That is essential to our consideration— the answer to that question, Are these nations able, are they willing, to contribute to the common defense of Europe, and do they desire to be part of a 50-year established security link? The 1949 European nations themselves must answer this question.

Though an expansion of the Soviet Union played a key role in NATO's origins, it was the history of warfare in Europe which spurred the North Atlantic nations to action. Again, as Dean Acheson testified in 1949, ''NATO is not to counter any particular threat but rather all aggression. The treaty itself states its purpose as safeguarding freedom, common heritage, and civilization of their people, founded on the principles of democracy, individual liberty, and rule of law. NATO is designed and said to promote stability and well-being in the North Atlantic area, and a collective defense allowance to preserve peace and security.''

''The treaty itself,'' he said, ''invites any other European states in a position to further the principles of this treaty and contribute to the security of the North Atlantic area to accede to the treaty.'' Let me repeat that: ''The treaty itself invites any other European states in a position to further the principles of this treaty and contribute to the security of the North Atlantic area''—invites them to become part of the alliance.

These nations, which have been under the suppression and oppression of communism nearly 50 years now, are simply asking us to comply with the terms of the treaty by allowing them, since they are now capable of becoming part of this mutual security alliance and this stabilizing future. It is, in effect, an open-door policy to other nations of Europe who share the goal of defense and are willing to contribute to the security environment.

Poland, Hungary, and the Czech Republic, for 50 years under the domination of the Soviet Union, have made the long journey to freedom and the beginnings of prosperity. These nations, always a part of Europe, have been artificially separated from their historic and cultural roots behind an Iron Curtain that had no place in Europe yet divided European nations for nearly 50 years. They now have an opportunity to once again become an integral part of Europe. How can we now deny them the right to belong to a European security alliance? It seems to me a fairly strong imperative that the nations that were previously divided from the rest of Europe now be invited to become a part of an organization dedicated to the survival of Europe.

Why these three countries? They each have a clear case to demonstrate their commitment to the goals of NATO. In addition, their recent history shows the strength of their new democracies and the openness which generally follows free elections, civilian oversight of the military intelligence, rule of law, market economies—most important, since NATO was never intended to be a free ride. These nations are willing and able to contribute to their own self-defense. Already they have begun the restructuring required to make their militaries compatible with NATO's.

Continued commitment to this goal will be needed, obviously, over the next decade or more, but for now they are moving substantially in the right direction. The principle of immediate changes—reducing the size of their armies, modernizing their forces, achieving interoperability as it relates to NATO command, control, and communications—is well under way. Poland has already presented a 15-year plan to reduce its forces overhauling the officer corps structure and introducing professional noncommissioned officers. Airfields, ports, and depots are being readied to conduct operations with NATO, and they have conducted many joint operations under the Partnership for Peace program and other programs.

Poland has established a national military center for language education. It spends, interestingly enough, 2.4 percent of its gross domestic product on defense and intends to maintain this level or increase this level of support. Interestingly enough, Mr. President, that is more than half what the current NATO nations spend as a percentage of GDP. Belgium spends 1.7 percent; Britain, 3.1; Germany, 2.0; the United States, 3.1; as examples of the commitment of nations that spend either less than, equal to, or substantially more than Poland, but clearly they are in the top 50 percent.

The Czech Republic has begun modernizing its forces. They plan to increase their defense spending by one-tenth of 1 percent of GDP a year for 3 years, bringing spending to $1.2 billion for defense in 2001.

Hungary is committed to increase defense spending by one-tenth of 1 percent of GDP over 5 years, a substantial amount of money, bringing it from the current 1.4 to 1.8 percent. They have already succeeded in reducing the number of troops from 100,000 to 489,000 and set up a joint peacekeeping battalion in Romania.

I recently was made aware of testimony given by Assistant Secretary of Defense for International Security Affairs Franklin Kramer before the Senate Committee on Foreign Relations. Some of his testimony has been classified, some of it unclassified. I am going to quote from the unclassified portion of his testimony in which he concludes, ''I am fully confident that with the reforms and strategies currently being implemented in all three countries, Poland, Hungary and the Czech Republic will both be reliable allies and net producers of security to the North Atlantic alliance.'' Net producers.

In analyzing their contributions, Mr. Kramer details a whole number of categories in which these commitments have been made. He talks about the interoperability through Partnership for Peace and cites in 1997 alone Poland participated in 22 Partnership for Peace exercises in which the United States also took part. The highlight of these events was ''Brave Eagle,'' one of the most complex exercises to date, which Poland hosted. Poland also participated in hundreds of bilateral and multilateral exercises, seminars, and other activities with other partners and NATO allies, all of which have contributed to increase their interoperability. The Poles have emphasized military training and tactical exercises in their Partnership for Peace participation.

I met with members of the Defense Establishment and the Intelligence Establishment recently in my office. Much of what was presented was classified. I can confidently speak to the fact that very significant activity has taken place within these three nations. Poland, in particular, has very significant contributions to make to the NATO alliance on an immediate basis, and Hungary and the Czech Republic also have significant contributions to make. Hungary has participated in 17 multilateral Partnership for Peace exercises just in the last year. The Czechs have participated in 18 of those exercises.

In addition to that, all three countries have participated in the Partnership for Peace planning and review process in which NATO has established 41 specific interoperability objectives. These include C3/SAR, ground refuelings of aircraft, commonality of airfield procedures, use of NATO communications procedures and terminology, aircraft IFF systems, logistic support, interoperability of communications equipment and of air navigation aids. Poland committed to obtain all 41 of these interoperabilities by 1999, Hungary pledged to reach 38, and the Czech Republic promised to meet 31—a very significant commitment.

A number of other areas were analyzed, including military reforms and modernization. Each of these nations has ambitious plans in place to bring about reforms in command, control, communications, air defense, traffic control, logistics, infrastructure, personnel reform, reduction in forces, increase in quality of training. I could detail those, but those were provided and I think they are significant.

Their core capabilities and increase operability plans for personnel, for training and NATO doctrine, and for interoperability have all been significant.

Mr. President, there is good reason to believe that the three countries that we are discussing, in terms of inclusion in NATO, have already made substantial progress and have committed to further substantial progress in the necessary areas of bringing together the fit that will make their inclusion in NATO significant.

Mr. President, let me examine some of the issues that have been raised in opposition to adding new members to NATO.

Several academicians and former diplomats have raised the specter of the United States and its NATO allies bogged down in some internal or ethnic dispute involving one or more of the new members. In doing so, they ignore the experience of 50 years in which NATO members, some of whom have experienced their own civil unrest, and some of whom have experienced conflicts with their own NATO partners, have ignored the fact these relations have improved their respective democratic institutions, and that they have grown steadily more stable and more productive. NATO, rather than fostering instability, has provided a forum for the resolution of conflicts among its members. Turkey and Greece are probably the prime example. The prospect of NATO membership has hastened the resolution of disputes between Hungary and Romania and the Czech Republic and Germany. There are numerous examples of reconciliations and resolutions of conflict that have taken place just in the anticipation of becoming part of NATO.

A second objection has been directed toward the NATO directive to collectively and individually develop and maintain the capacity to resist an armed attack; that is, that the costs connected with admitting new members are uncertain and could be substantially more than NATO's estimate of $1.5 billion over 10 years as the U.S. share. Detractors using this argument tend to follow it in virtually the same breath with the statement that the principal threat has gone away. On the one hand, they say the threat has gone away, and they are saying, therefore, we don't need to be concerned about future security arrangements; and on the other hand, they say they are concerned about the potential of future conflict, and, therefore, that will drive the costs up.

Well, let's accept the premise for a moment that there is no specific threat. The NATO common costs of accepting these new members is dependent upon that threat—if the threat is substantial, then the costs will likely be substantial as well. In contrast, a reduced threat will almost certainly mean a minimal expenditure. Current plans call for the latter. Prospective members are expected to obtain compatible command and control systems, maintain air defense and ground forces appropriate to their nation's security needs, and maintain one squadron of modern tactical aircraft. In addition, they are to provide sufficient facilities infrastructure to support the rapid deployment of NATO forces into their respective nations in the event of a crisis. Obviously, if a substantive threat should arise, then the number and mix of required forces could increase, and maybe substantially. But just as clear is that we would want to meet those increased requirements to counter the increased threat, and we would want to be ahead of the game by having built the communications and air defense infrastructures during a time of relative peace and stability.

Having said that, the anticipation is that the threat will be decreased, that more stability will result and, therefore, lower costs.

I am also troubled by those who raise the specter of the article V commitment. We have all heard this said in many different ways, most unfortunately as, ''Who wants to die for Poland?'' ''Who wants to die for Hungary or the Czech Republic?'' This is particularly offensive when you consider Hitler's and Stalin's largely unopposed subjugation of Central Europe—including Czechoslovakia, Poland, and Hungary—particularly Czechoslovakia—in the early days of World War II. The fact is that I have no doubt of the resolve of America and her NATO allies to take appropriate steps if any NATO member is under attack; nor do I doubt the serious and earnest intent of the three nations seeking to join us in NATO to do the same.

As for the supposed difficulty in obtaining consensus, it is hard to see that this could be the case. How can U.S. leadership be sufficient to acquire consensus on vital issues when the members total 16 but not sufficient when the members total 19? From my perspective, the difficulty will vary according to the circumstance, not the absolute number of members. I think an agreement that gives one nation—who is not a member of NATO—the opportunity to bully and threaten NATO members in NATO headquarters ought to be of far greater concern.

Finally, there is the consideration of others' attitudes about NATO expansion and the potential influence upon other matters of importance to the United States. As many of my colleagues are aware, many well-regarded scholars and celebrities have raised concerns over Russia's reaction to expansion. They insist that Russia's good will is imperative and should come before other considerations, particularly the expansion of NATO membership. An oft-cited example is the Russian Duma's failure to ratify START II, allegedly because of NATO expansion. Frankly, the Duma has been dragging its feet on START II for 3 years, not because of the NATO expansion question, but primarily due to the cost of implementing the treaty rather than NATO itself. The same argument, used in relation to the Chemical Weapons Convention, was put to rest when the Duma moved forward and ratified it, after individuals said, ''If we ratify this treaty, the Russians will walk away.'' That does not seem to support a clear connection between the decision on NATO expansion and START II ratification.

Let's be frank, Mr. President, Russia is going to pursue activities that benefit her national interest as she perceives them, just as the United States pursues those interests that benefit our national interest as we perceive them, and this treaty is not going to change that fact.

Fifty years ago a similar debate was taking place as it relates to Russia and the creation of NATO. Stalin blockaded Berlin both to express displeasure at an attempt to roll back the Marshall Plan and related initiatives, as well as to convince the United States that its role in Europe was ill-advised. The United States and its allies held to their position and signed the Washington treaty in April of 1949. One month later, the Soviet Union lifted the blockade. We must do what we think is right, independent of what the debate is in the Russian Duma. That is not to say that we are uninterested in Russia and what Russian leaders think and its citizens think. Quite the contrary. It is essential that we remain engaged with Russia—politically, economically, and in relation to security concerns. We must work to achieve our mutual interests but continue to support the transformation of this nation to a strong and healthy democratic system. Our relationship with Russia, however, does not mean ignoring the desires of Central and Eastern European nations simply because we find some Russian resistance. NATO is a defensive alliance, not an offensive alliance. We must state that. That is its history. Russia knows that. We know that. NATO knows that. This has been reaffirmed—this fundamental aspect of the treaty. Russia has nothing to fear from NATO as it currently exists, nor from NATO with its new members. We must continue to reassure them, to work with them and bring them fully into the West's orbit. It is important that both the United States and Russia realize that both can benefit from this new relationship.

NATO remains in America's strategic interests as long as Europe remains in our interest. Likewise, the addition of new members to this treaty is also in our interest. When we expand membership to like-minded nations, we extend the security of Europe and the stabilizing influence of the alliance itself. We may not have any one single threat at this time, but the world remains an insecure and unstable place. The continuity of an expanded NATO will assure that this successful military alliance will continue to play a stabilizing role in Europe and help ensure our preparedness to take on future threats. I believe that the American people are deserving of a temperate and deliberate debate on the merits of the accession of the Czech Republic, Hungary, and Poland. This has been a worthwhile discussion, a necessary debate, one of the critical functions of the U.S. Senate.

As many of you now know, I have supported these countries' accession to NATO, not out of an interest of righting wrongs but in recognition of their geopolitical importance and their

progress as democratic states determined to join with other NATO members in preserving the peace that NATO has won in Europe. This debate, this vote, will affirm the importance of these nations to NATO's continued mission.

Mr. President, I look forward to a successful vote and to a formal accession in Washington next spring.

MORNING BUSINESS

Mr. COATS. Mr. President, I ask unanimous consent that there now be a period of morning business for 5 minutes to allow the Senate to consider a few items that have been cleared by both sides. I further ask that following my closing remarks, the Senate then resume consideration of the NATO treaty to allow Senator CONRAD to offer an amendment.

The PRESIDING OFFICER (Mr. GRAMS). Without objection, it is so ordered.

FIRST ANNIVERSARY OF THE ENTRY INTO FORCE OF THE CHEMICAL WEAPONS CONVENTION

Mr. BIDEN. Mr. President, today marks the first anniversary of the entry into force of the Chemical Weapons Convention, which bans the development, production, stockpiling, and use of poison gas. The achievement of that Convention and of U.S. ratification were signal accomplishments of the Bush and Clinton Administrations.

I am pleased to report that, after a year in force, the Chemical Weapons Convention has begun to pay significant dividends for our national security. Those dividends would be even greater if both Houses of Congress would pass legislation to implement the Convention, so that the United States could come into compliance with it.

When the United States finally ratified the Chemical Weapons Convention, just days before it entered into force, we joined roughly 90 other states. In the days and months that followed, several important countries followed our lead. Among the 107 countries that now have joined the Convention are Russia, China, India, Pakistan, and Iran. Over 60 more nations have signed the Convention, and some of those are in the final stages of ratification.

I want to emphasize those five particular countries that have ratified the Chemical Weapons Convention since we did. Many opponents of ratification said that Russia and China would never join, that we would be limiting our own options while other major powers refrained from the obligation to do without chemical weapons. Both Russia and China have joined, however, and China has admitted—for the first time—that it has had a chemical weapons program.

India and Pakistan have also ratified the Chemical Weapons Convention, and that is something of a triumph. South Asia is probably the area where the risk of nuclear war is highest today. Both countries are generally assessed as nuclear-capable. Pakistan recently tested a missile that could target nearly any site in India, and India is talking about reviving a missile that could strike all of Pakistan. Yet both those countries ratified the Chemical Weapons Convention, and India admitted—again, for the first time—to having a chemical weapons program.

Before the Convention entered into force, the United States and Russia were the only two admitted chemical weapons possessors. To date, however, six more countries—including South Korea, as well as China and India—have complied with the Convention's requirements to declare their chemical weapons and existing or former chemical weapons facilities.

The chemical weapons that India has declared will be destroyed. The chemical weapons facilities that China, South Korea and other countries have declared will be destroyed, unless the Council of States Parties approves conversion of those facilities under stringent safeguards. These are achievements that we could not guarantee a year and four days ago, when Senate consent to ratification was debated and approved. But we have them today, and I hope there will be more such admissions, declarations, and destruction of chemical weapons and chemical weapons facilities in the years to come.

In the past year, the Technical Secretariat of the Organization for the Prevention of Chemical Warfare (the international inspectorate for the Convention) has conducted nearly 200 inspections. Roughly three-fourths of those inspections—including 25 in Russia—have been at chemical weapons production, storage, and destruction facilities.

About a third of the inspections have been in the United States—with no problems in protecting sensitive U.S. information. The United States is the only country currently destroying its chemical weapons, and the Technical Secretariat must monitor these facilities continually during destruction operations. As other countries begin to destroy their chemical weapons stocks, their inspection numbers will increase accordingly.

Few among the treaty's critics or proponents expected this much progress so soon. There is still a long way to go. But in just one year, the Convention has clearly begun to prove its utility as a tool to reduce the threat of chemical weapons.

What remains to be done? One crucial step is for the United States to come into compliance with the Convention. We have yet to enact implementing legislation pursuant to the Convention. Until we do so, our country will remain a violator of the Convention.

Why is that? The Convention requires us to make violations of it a crime; we have yet to do that. The Convention also requires declarations regarding certain chemical production. We have submitted that declaration only regarding government facilities, because we lack legislation to require commercial reporting and to protect the confidential information in those reports from disclosure through the Freedom of Information Act. Finally, we still need a regime to govern international inspections of private U.S. facilities.

Aside from the dishonor that we bring upon ourselves by failing to comply with a treaty that we have ratified, why should we care? We should care because our failure to enact implementing legislation harms the national security. It makes it difficult to encourage compliance by other countries, or to request a challenge inspection if another country's declarations omit a suspected chemical weapons facility.

In addition, other countries are using our delay to draw attention away from their own misdeeds. Last month, a Russian general was interviewed by Izvestiya. The general made an utterly specious claim that the Sverdlovsk anthrax disaster was due to natural causes—a claim that even Russian officials have long since abandoned—and he even recycled the old lie that the United States invented AIDS. But how did the article end? Why, with a recital of the U.S. failure to enact implementing legislation! That's truly outrageous, but that will continue until we come into compliance.

The fault does not lie with this body, Mr. President. The Senate passed S. 610 on May 23 of last year. It then languished in the House for six months, before being attached to an unrelated measure. One way or another, we must enact this legislation.

The implementing legislation is not perfect. I noted last year that it harms U.S. interests if we bar the analysis of U.S. samples outside this country or give the President the right to invoke a national security exemption from inspections. The immediate need, however, is to enact a bill and bring our country into compliance with this important and useful Convention.

We have come far with the Chemical Weapons Convention. It is already proving its worth. But there is still this overdue work to accomplish—not for the sake of others, but to further our own national security. We can do it, and we should do it now.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Tuesday, April 28, 1998, the federal debt stood at $5,512,793,625,127.26 (Five trillion, five hundred twelve billion, seven hundred ninety-three million, six hundred twenty-five thousand, one hundred twenty-seven dollars and twenty-six cents).

One year ago, April 28, 1997, the federal debt stood at $5,347,125,000,000 (Five trillion, three hundred forty-seven billion, one hundred twenty-five million).

Five years ago, April 28, 1993, the federal debt stood at $4,238,574,000,000 (Four trillion, two hundred thirty-eight billion, five hundred seventy-four million).

Ten years ago, April 28, 1988, the federal debt stood at $2,499,676,000,000 (Two trillion, four hundred ninety-nine billion, six hundred seventy-six million).

Fifteen years ago, April 28, 1983, the federal debt stood at $1,246,126,000,000 (One trillion, two hundred forty-six billion, one hundred twenty-six million) which reflects a debt increase of more than $4 trillion—$4,266,667,625,127.26 (Four trillion, two hundred sixty-six billion, six hundred sixty-seven million, six hundred twenty-five thousand, one hundred twenty-seven dollars and twenty-six cents) during the past 15 years.

MESSAGES FROM THE HOUSE

At 2:02 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the House has passed the following bill and joint resolution, in which it requests the concurrence of the Senate:

H.R. 2807. An act to amend the Rhinoceros and Tiger Conservation Act of 1994 to prohibit the sale, importation, and exportation of products labeled as containing substances derived from rhinoceros or tiger.

H.J. Res. 102. Joint resolution expressing the sense of the Congress on the occasion of the 50th anniversary of the founding of the modern State of Israel and reaffirming the bonds of friendship and cooperation between the United States and Israel.

The message also announced that the House agrees to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 215. Concurrent resolution congratulating the people of the Co-operative Republic of Guyana for holding multiparty elections.

H. Con. Res. 218. Concurrent resolution concerning the urgent need to establish a cease fire in Afghanistan and begin the transition toward a broad-based multiethnic government that observes international norms of behavior.

H. Con. Res. 222. Concurrent resolution expressing the sense of Congress, congratulating the former International Support and Verification Commission of the Organization of American States (OAS–CIAV) for successfully aiding in the transition of Nicaragua from war-ridden state into a newly formed democracy and providing continued support through the recently created Technical Cooperation Mission (OAS–TCM) which responsible for helping to stabilize Nicaraguan democracy by supplementing institution building.

The message further announced that the House had agreed to the following concurrent resolution, without amendment:

S. Con. Res. 37. Concurrent resolution expressing the sense of Congress that the Little League Baseball Incorporated was established to support and develop Little League baseball worldwide and that its international character and activities should be recognized.

MEASURES REFERRED

The following concurrent resolutions were read and referred as indicated:

H. Con. Res. 215. Concurrent resolution congratulating the people of the Co-operative Republic of Guyana for holding multiparty elections; to the Committee on Foreign Relations.

H. Con. Res. 218. Concurrent resolution concerning the urgent need to establish a cease fire in Afghanistan and begin the transition toward a broad-based multiethnic government that observes international norms of behavior; to the Committee on Foreign Relations.

H. Con. Res. 222. Concurrent resolution expressing the sense of Congress, congratulating the former International Support and Verification Commission of the Organization of American States (OAS–CIAV) for successfully aiding in the transition of Nicaragua from war-ridden state into a newly formed democracy and providing continued support through the recently created Technical Cooperation Mission (OAS–TCM) which responsible for helping to stabilize Nicaraguan democracy by supplementing institution building; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 633. A bill to amend the Petroglyph National Monument Establishment Act of 1990 to adjust the boundary of the monument, and for other purposes (Rept. No. 105–176).

S. 1069. A bill entitled the ''National Discovery Trails Act of 1997.'' (Rept. No. 105–177).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with amendments:

S. 1132. A bill to modify the boundaries of the Bandelier National Monument to include the lands within the headwaters of the Upper Alamo Watershed which drain into the Monument and which are not currently within the jurisdiction of a federal land management agency, to authorize purchase or donation of those lands, and for other purposes (Rept. No. 105–178).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. D'AMATO, from the Committee on Banking, Housing, and Urban Affairs:

Donna Tanoue, of Hawaii, to be .Cchairperson of the Board of Directors of the Federal Deposit Insurance Corporation for a term of five years.

Donna Tanoue, of Hawaii, to be a Member of the Board of Directors of the Federal Deposit Insurance Corporation for the remainder of the term expiring October 3, 2000.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. BENNETT:

S. 2000. A bill to ensure that businesses, financial markets, and the Federal Government are taking adequate steps to resolve the year 2000 computer problem; to the Committee on Governmental Affairs.

By Mr. MURKOWSKI (for himself, Mr. LOTT, and Mr. BAUCUS):

S. 2001. A bill to amend the Indian Health Care Improvement Act to make permanent the demonstration program that allows for direct billing of medicare, medicaid, and other third party payors, and to expand the eligibility under such program to other tribes and tribal organizations; to the Committee on Indian Affairs.

By Mr. BREAUX (by request):

S. 2002. A bill to modify the marking of certain silk products and their containers; to the Committee on Finance.

By Mr. REID:

S. 2003. A bill to amend title II of the Social Security Act to allow workers who attain age 65 after 1981 and before 1992 to choose either lump sum payments over four years totalling $5,000 or an improved benefit computation formula under a new 10-year rule governing the transition to the changes in benefit computation rules enacted in the Social Security Amendments of 1977, and for other purposes; to the Committee on Finance.

By Mr. GRAMS (for himself, Mr. COVERDELL, Mr. FRIST, Mr. MCCAIN, Mr. HUTCHINSON, Mr. SMITH of Oregon, Mr. GRAHAM, and Mr. D'AMATO):

S. 2004. A bill to amend the Internal Revenue Code of 1986 to authorize the Secretary of the Treasury to abate the accrual of interest on income tax underpayments by taxpayers located in Presidentially declared disaster areas if the Secretary extends the time for filing returns and payment of tax for such taxpayers; to the Committee on Finance.

By Mr. MCCONNELL:

S. 2005. A bill to amend the Federal Power Act to ensure that certain Federal power customers are provided protection by the Federal Energy Regulatory Commission, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. ABRAHAM (by request):

S. 2006. A bill to amend the Act establishing the Keweenaw National Historical Park, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. COCHRAN (for himself and Mr. HOLLINGS):

S. 2007. A bill to amend the false claims provisions of chapter 37 of title 31, United States Code; to the Committee on the Judiciary.

By Mr. COVERDELL (for himself, Mr. ASHCROFT, Mr. SHELBY, Mr. FRIST, Mr. COCHRAN, Mr. HAGEL, Mr. INHOFE, and Mr. MCCAIN):

S. 2008. A bill to amend the Internal Revenue Code of 1986 to prohibit the use of random audits, and for other purposes; to the Committee on Finance.

By Mr. LOTT (for himself, Mr. DASCHLE, Mr. MCCONNELL, Mr. LIEBERMAN, Mr. HELMS, Mr. BIDEN, Mr. BROWNBACK, Mr. ROBB, Mr. MACK, Mr. AKAKA, Mr. D'AMATO, Mr. BAUCUS, Mr. MCCAIN, Mr. SMITH of Oregon, Mr. BINGAMAN, Mr. WARNER, Mrs. BOXER, Mr. ALLARD, Mr. BREAUX, Mr. COVERDELL, Mr. BRYAN, Mr. CAMPBELL, Mr. BUMPERS, Mr. HATCH, Mr. BURNS, Mr. BYRD, Mr. JEFFORDS, Mr. CLELAND, Mr. COATS, Mr. CONRAD, Mr. DEWINE, Mr. DODD,

Mrs. HUTCHISON, Mr. DORGAN, Mr. KYL, Mr. DURBIN, Mr. THOMPSON, Mr. FEINGOLD, Mr. HAGEL, Mrs. FEINSTEIN, Mr. CHAFEE, Mr. GLENN, Ms. COLLINS, Mr. GRAHAM, Mr. FRIST, Mr. HARKIN, Ms. SNOWE, Mr. ABRAHAM, Mr. INOUYE, Mr. ASHCROFT, Mr. JOHNSON, Mr. BENNETT, Mr. KENNEDY, Mr. BOND, Mr. KERREY, Mr. CRAIG, Mr. KERRY, Mr. DOMENICI, Mr. KOHL, Mr. ENZI, Ms. LANDRIEU, Mr. FAIRCLOTH, Mr. FORD, Mr. GORTON, Mr. LAUTENBERG, Mr. GRAMM, Mr. LEAHY, Mr. GRAMS, Mr. LEVIN, Mr. GRASSLEY, Mr. GREGG, Mr. HOLLINGS, Mr. HUTCHINSON, Ms. MIKULSKI, Mr. INHOFE, Ms. MOSELEY-BRAUN, Mr. KEMPTHORNE, Mr. MOYNIHAN, Mr. LUGAR, Mrs. MURRAY, Mr. MURKOWSKI, Mr. REED, Mr. NICKLES, Mr. REID, Mr. ROBERTS, Mr. ROTH, Mr. ROCKEFELLER, Mr. SANTORUM, Mr. SARBANES, Mr. SESSIONS, Mr. TORRICELLI, Mr. SHELBY, Mr. SMITH of New Hampshire, Mr. WELLSTONE, Mr. SPECTER, Mr. WYDEN, Mr. STEVENS, Mr. THOMAS, and Mr. THURMOND):

S.J. Res. 46. A joint resolution expressing the sense of the Congress on the occasion of the 50th anniversary of the founding of the modern State of Israel and reaffirming the bonds of friendship and cooperation between the United States and Israel; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MACK (for himself and Mr. DASCHLE):

S. Res. 219. A resolution to authorize printing of the minutes of the Senate Republican and Democratic Party Conferences; considered and agreed to.

By Mr. TORRICELLI (for himself and Mr. D'AMATO):

S. Con. Res. 92. A concurrent resolution expressing the sense of Congrss with respect to the collection of demographic, social, and economic data as part of the 2000 decennial census of population; to the Committee on Governmental Affairs.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BENNETT:

S. 2000. A bill to ensure that businesses, financial markets, and the Federal Government are taking adequate steps to resolve the year 2000 computer problem; to the Committee on Governmental Affairs.

YEAR 2000 COMPUTER PROBLEM LEGISLATION

Mr. BENNETT. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2000

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FIDUCIARIES OF EMPLOYEE BENEFIT PLANS MUST CONSIDER YEAR 2000 COMPUTER PROBLEMS IN MAKING INVESTMENT DECISIONS.

(a) IN GENERAL.—Section 404(a) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1104(a)) is amended by adding at the end the following new paragraph:

''(3) A fiduciary shall not be treated as meeting the requirements of paragraph (1)(B) unless—

''(A) the fiduciary determines that—

''(i) the issuer of any security in which the fiduciary seeks to invest the assets of the plan has, or is taking, steps to substantially eliminate any year 2000 computer problem faced by the issuer, and

''(ii) such security is traded on a market that is prepared to operate without any interruption due to the year 2000 computer problem, or

''(B) in any case where such assets are invested by an insurance carrier, bank, or similar institution, the fiduciary determines that such institution makes the determinations described in subparagraph (A) with respect to the investment of such assets.''

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to investments made by a fiduciary, and contracts to invest plan assets entered into with insurance carriers, banks, and similar institutions, on or after the date of the enactment of this Act.

SEC. 2. STEPS TO ENSURE THE FEDERAL GOVERNMENT ADDRESSES YEAR 2000 COMPUTER PROBLEM.

(a) PRESIDENT'S COUNCIL ON YEAR 2000 CONVERSION.—

(1) IN GENERAL.—The President shall establish the President's Council on Year 2000 Conversion (the ''Council'') which shall be chaired, at the President's discretion, by an Assistant to the President.

(2) MEMBERSHIP.—

(A) IN GENERAL.—The Council shall be composed of 1 representative from each of the executive departments and from such other Federal agencies as the Chair shall designate.

(B) VICE CHAIR; OTHER PERSONNEL.—The Chair shall appoint a Vice Chair and shall assign other responsibilities to members of the Council as the Chair determines necessary.

(3) FUNCTIONS.—The Chair shall—

(A) oversee the activities of executive departments and other Federal agencies to assure that their computer systems operate smoothly through the year 2000,

(B) provide policy direction to, and receive reports and data from, executive departments and other Federal agencies, as is necessary to ensure progress and compliance with Federal standards for remediation of the year 2000 computer problem,

(C) allocate resources for correcting critical year 2000 computer problems among executive departments and other Federal agencies in order to meet critical deadlines, and

(D) utilize any existing authorities granted to the executive branch, or recommend to the Congress other appropriate plans, for the retention of critical personnel needed to address the Federal Government's year 2000 computer problem in a timely manner.

(4) COOPERATION.—The head of each executive department and any other Federal agency shall cooperate to the fullest extent with the Council.

(b) REPORT.—The Director of the Office of Management and Budget shall report quarterly to the Congress on the progress made by the Federal Government—

(1) in achieving year 2000 compliance, and

(2) in obtaining and retaining the resources and personnel necessary to achieve an orderly conversion to year 2000 compliance.

By Mr. MURKOWSKI (for himself, Mr. LOTT, and Mr. BAUCUS):

S. 2001. A bill to amend the Indian Health Care Improvement Act to make permanent the demonstration program that allows for direct billing of medicare, medicaid, and other third party payors, and to expand the eligibility under such program to other tribes and tribal organizations; to the Committee on Indian Affairs.

THE ALASKA NATIVE AND AMERICAN INDIAN DIRECT REIMBURSEMENT ACT OF 1998

Mr. MURKOWSKI. Mr. President, today I rise on behalf of myself and Majority Leader LOTT, Senator BAUCUS, and Senator CAMPBELL, to introduce legislation which would permanently authorize and expand the Medicare and Medicaid direct collections demonstration program under section 405 of the Indian Health Care Improvement Act.

This act will end much of the redtape and bureaucracy for IHS facilities involved with Medicare and Medicaid reimbursement, and will mean more Medicaid and Medicare dollars to Native health facilities to use for improving health care.

Our bill will allow Native hospitals to collect Medicare and Medicaid funds directly from the Health Care Financing Administration instead of having to go through the maze of regulations mandated by HIS.

This bill is an expansion of a current demonstration project that includes Bristol Bay Health Corporation of Dillingham, Alaska; the Southeast Alaska Regional Health Corporation of Sitka, Alaska; the Mississippi Choctaw Health Center of Philadelphia, Mississippi; and the Choctaw Tribe of Durant, Oklahoma. All of the participants in the demonstration program—as well as the Department of Health and Human Service and the Indian Health Services—report that the program is a great success. In fact, the program has:

Dramatically increased collections for Medicare and Medicaid services, which in turn has provided badly-needed revenues for Indian and Alaska Native health care; significantly reduced the turn-around time between billing and the receipt of payment for Medicare and Medicaid services; and increased the administrative efficiency of the participating facilities by empowering them to track their own Medicare and Medicaid billings and collections.

In 1996, when the demonstration program was about to expire, Congress extended it through FY 1998. This extension has allowed the participants to continue their direct billing and collection efforts and has provided Congress with additional time to consider whether to permanently authorize the program.

Because the demonstration program is again set to expire at the end of FY 98, it is time to recognize the benefits of the demonstration program by enacting legislation that would permanently authorize it and expand it to other eligible tribal participants.

I hope that my colleagues will support this important legislation.

By Mr. REID:

S. 2003. A bill to amend title II of the Social Security Act to allow workers who attain age 65 after 1981 and before 1992 to choose either lump sum payments over four years totalling $5,000 or an improved benefit computation formula under a new 10-year rule governing the transition to the changes in benefit computation rules enacted in the Social Security Amendments of 1977, and for other purposes; to the Committee on Finance.

NOTCH FAIRNESS ACT OF 1998

Mr. REID. Mr. President, I rise today to introduce legislation that would correct a problem which plagues a special group of older Americans. I am speaking on behalf of those affected by the Social Security notch.

For my colleagues who may not be aware, the Social Security notch causes 11 million Americans born between the years 1917–1926 to receive less in Social Security benefits than Americans born outside the notch years due to changes made in the 1977 Social Security benefit formula.

I have felt compelled over the years to speak out about this issue and the injustice it imposes on millions of Americans. The notch issue has been debated and debated, studied and studied, yet to date, no solution to it has been found. Because of this, many older Americans born during this period must scrimp to afford the most basic of necessities.

Mr. President, I am the first to acknowledge that with any projected budget surplus we must save Social Security. In many ways, my legislation does just this. It restores confidence to the many notch victims around the country and will show them that we in Congress will accept responsibility for any error that was made. We should not ask them to accept less as a result of our mistake. While we must save Social Security for the future, we have an obligation to those, who through no fault of their own, receive less than those that were fortunate enough to be born just days before or after the notch period.

I believe we owe a debt to notch babies. Like any American family, we must first pay the bills before we invest in the future. With a surplus projected for this fiscal year, we have the resources to make good on our debt to notch babies. We should come forward and honor our commitment.

Mr. President, the ''notch'' situation had its origins in 1972, when Congress decided to create automatic cost-of-living adjustments to help Social Security benefits keep pace with inflation. Previously, each adjustment had to await legislation, causing beneficiaries' monthly payments to lag behind inflation. When Congress took this action, it was acting under the best of intentions.

Unfortunately, this new benefit adjustment method was flawed. To function properly, it required that the economy behave in much the same fashion that it had in the 1950s and 1960s, with annual wage increases outpacing prices, and inflation remaining relatively low. As we all know, that did not happen. The rapid inflation and high unemployment of the 1970s generated increases in benefits. In an effort to end this problem, in 1977 Congress revised the way that benefits were computed. In making its revisions, Congress decided that it was not proper to reduce benefits for persons already receiving them; it did, however, decide that benefits for all future retirees should be reduced. As a result, those born after January 1, 1917 would, by design, receive benefits that were, in many cases, far less. In an attempt to ease the transition to the new, lower benefit levels, Congress designed a special ''transitional computation method'' for use by beneficiaries born between 1917 and 1921.

Mr. President, we have an obligation to convey to our constituents that Social Security is a fair system. In town hall meetings back home in Nevada, I have a hard time trying to tell that to a notch victim. They feel slighted by their government and if I were in their situation I would too. Through no fault of their own, they receive less, sometimes as much as $200 less, than their neighbors.

The legislation I am offering today is my proposal to right the wrong. I propose using any projected budget surplus to pay the lump sum benefit to notch babies. While we have a surplus, let's fix the notch problem once and for all and restore the confidence of the ten million notch babies across this land.

Government has an obligation to be fair. I don't think we have been in the case of notch babies. My support of notch babies is longstanding. I introduced the only notch amendment in April 1991 that ever passed in Congress as part of the fiscal year 1992 Budget Resolution. Unfortunately, it did not become the law of the land as it was dropped in Conference with the House of Representatives. I have cosponsored numerous pieces of legislation over the years to address this issue. With this legislation, my effort continues.

Mr. President, it is unfortunate that these measures have not seen the light of day. Many who have written to me think Congress is waiting for notch babies to die rather than honor this debt. I must tell you it concerns me when our constituents have this perception of their elected representatives. Unfortunately, the truth is that today a number of notch babies will die. We will not have to worry about those notch babies, or honor our debt to them. This is the wrong approach.

Each day a grave injustice is perpetrated when these people pass away. We have to do something to make sure Americans believe that Social Security is a fair system. Passage of my legislation provides us that chance. I invite members to join me in cosponsoring this important legislation.

I acknowledge that the battle for notch reform suffered a major setback when on December 31, 1994, the Commission on the Social Security ''Notch'' issue released its final report. It concluded that the ''benefits paid to those in the 'Notch' years are equitable, and no remedial legislation is in order.'' The National Committee to Preserve Social Security and Medicare strongly disagreed with the Committee's methodology and conclusions. Although they have stopped advocating for this issue due to the political and fiscal climate, their disagreement with the outcome is nonetheless significant.

The Commission's report also stated ''in retrospect'' Congress ''Probably should have'' limited the benefits of those who were grandfathered, but that it is too late now to do so given their advanced age. Since we did not do the right thing then, I propose that we do the right thing now. Let's show we have the courage to correct a mistake when we have made one. The Commission report provided political cover for those who were opposed to notch reform legislation. I have long opposed ''political'' solutions to problems such as this.

My legislation is intended to make good on what this government should have done long ago. I propose that workers who attain the age of 65 after 1981 and before 1992 be allowed to choose either lump sum payment over four years totaling $5,000 or an improved benefit computation formula under a new 10-year rule governing the transition to the changes in benefit computation rules enacted in the Social Security Amendments of 1977.

As of December 1996, there were 11,637,390 recipients born between 1917 and 1926 who were receiving Social Security retirement benefits. By providing each with a $5,000 lump sum payment or an improved benefit computation formula, maximum costs would be $60 billion spread over four years or $15 billion annually.

There are some who would say there are ''bigger fish to fry'' such as Social Security solvency and Medicare's long term solvency. While I am in full agreement that these are very important issues that I intend to work on, we should include in our discussion concerning uses of any budget surplus, to repair the damage that has been done as a result of notch. Living on a fixed income is not easy. Many notch babies have difficulty making ends meet. This one time lump sum payment would provide much needed financial support for some of this nation's most needy citizens.

Mr. President, it is time to return these dollars to the hands of those who earned them. It is time to show our support for notch reform. All of our offices have staff to help us answer the mail. We tell our constituents what bills have been offered and that we will lend our support if their issue comes to a vote.

Well, here is our change. I am introducing this legislation because actions speak louder than words. The ''Notch

Fairness Act of 1998'' that I am introducing on behalf of notch victims today, is intended to put my words into action. I ask all my colleagues to join me in support of this important and long overdue legislation.

By Mr. McCONNELL:

S. 2005. A bill to amend the Federal Power Act to ensure that certain Federal power customers are provided protection by the Federal Energy Regulatory Commission, and for other purposes; to the Committee on Energy and Natural Resources.

TVA CUSTOMER PROTECTION ACT OF 1998

Mr. McCONNELL. Mr. President, I have come to the Senate floor today to introduce a bill that is long overdue. Known as the TVA Customer Protection Act, this legislation will implement a number of consumer reforms to make TVA accountable to ratepayers and better prepare TVA to compete in a restructured electricity market.

The bill I am introducing provides Tennessee Valley ratepayers a number of consumer protections against unchecked and unjustified increases in their power rates. This bill will put an end to TVA's ability to compete unfairly with its regional distributors. This bill will prohibit TVA from sticking ratepayers with the bill for TVA's international forays that have no relevance to TVA's responsibility to provide low cost power to the Tennessee Valley. Finally, this bill also codifies an agreement between TVA and several industry associations to limit TVA's authority as a government entity to compete with small businesses in nonelectric services.

Mr. President, TVA is a federal corporation that was first formed in 1933, to tame the Tennessee River, our nation's fifth largest river, and to bring economic development to this once poverty stricken region. Over the years as the Valley has developed, TVA has evolved in their role as a river steward to become the largest power producer in the nation. Today, TVA provides power to all of Tennessee and to parts of six other states covering over 80,000 square miles and serving eight million consumers. The bulk of TVA's power sales are made through municipal and cooperative distributors, which in turn are responsible for delivering that power to every home, office and farm in the Valley. TVA has exclusive power contracts with its distributors and the three member TVA board sets the retail rates offered by distributors. TVA also has the authority to compete directly with distributors to make retail sales to large industrial customers.

Mr. President, over the past 65 years, TVA has accumulated an enormous debt of nearly $28 billion, despite being a monopoly power provider. TVA is also carrying $6.3 billion in deferred assets that will eventually force electricity rates higher in the future. By deferring these charges, TVA's financing costs will continue to mount. I have real concerns about how this debt load will affect rates as well as the overall economic health of the region.

In 1997, GAO found that TVA paid over 35 percent of its power revenue to servicing its debt. In other words, TVA pays an astronomical 35 cents of every $1 earned to interest. Compare that to a public utility which paid a mere 7 percent in finance costs. In a 1994 study, GAO found that 69 percent of TVA's total debt is tied to the nuclear facilities, yet they generated only 14 percent of TVA's total power production in 1994. This study concluded that TVA's financial condition ''threatens its long-term viability and places the federal government at risk.''

Only through years of unaccountability and fiscal irresponsibility could a power company have ever reached this level of debt despite the fact that TVA is a monopoly provider of electricity. Therefore, I have come to the conclusion that TVA needs to be made more accountable for their actions. Not more accountable to Congress or the President, but the people they were charged to serve—the TVA customers.

Mr. President, it is my desire to provide TVA customers with a clear picture of TVA's financial situation including TVA's rates, charges and costs. The Federal Energy Regulatory Commission (FERC) is authorized under the Federal Power Act with regulating electric utilities.

FERC provides regulatory oversight to over 200 utilities for wholesale and transmission power rates to ensure that their electric rates and charges are ''just and reasonable and not unduly discriminatory or preferential.'' At present, TVA is entirely exempt from these necessary regulations allowing it to operate as a self-regulating monopoly, with no such mandate for openness fairness or oversight.

Requiring TVA to comply with FERC regulations will serve two purposes. First, it will allow customers to accurately evaluate TVA's wholesale and transmission pricing and terms to ensure the rates charged are ''just and reasonable'' and to provide customers with a forum for challenging future rate increases just as every other regulated utility does.

Second, this information will provide FERC with a better understanding of the stranded costs TVA has accumulated. Understanding the full scope of these costs will be critical in an open transmission and wholesale market. It will also have a significant impact in determining how competitive TVA will be in the future.

Last year, former FERC Chair Elizabeth Moler testified before the Senate Energy Committee regarding nationwide open access in the transmission and wholesale markets. She stated that, ''like Swiss cheese, nationwide open access has some holes. Federal legislation is necessary to fill in these holes.'' It was her belief that TVA's large transmission system must be included within FERC's open access program.

Recently, I read an article written by Carlos Smith, the General Counsel to TVPPA, an association which represents TVA distributors. Mr. Smith made the case that investor-owned utilities should be regulated, ''because only in this way can the captive ratepayers learn the underlying basis for the retail utility rates and require justification for the charges made for services.''

Mr. President, I wholeheartedly concur with Mr. Smith's conclusion that ratepayers, including the distributors Mr. Smith represents, should know what their rates are based on and have a justification for such rates. Further, ratepayers should be able to challenge, through FERC, any rate increase they find unreasonable.

Mr. President, let me point out one very important provision in this legislation. I have included a provision that makes it explicitly clear that nothing in this bill would change the law applying to TVA distributors. Unlike TVA, distributors are directly accountable to the customers they serve. Cooperatives, for example, are operated by a board elected by the customers to represent their own member interests. I don't believe we need to change this policy, except to make TVA more accountable to the people they serve.

Mr. President, I expect TVA to complain that this legislation somehow treats them unfairly. They will attempt to blame me for unfairly burdening them with new accountability standards and claim that a rate increase will be a direct result.

Mr. President, I don't believe Valley residents will be fooled by TVA's rhetoric when they recall TVA's track record. It's hard to argue that the TVA Board has kept ratepayers' interests foremost in mind as they ran up $28 billion in debt, while serving a captive customer base. It's hard to argue it was in the ratepayers' interest to try to hide million dollar bonuses to a select cadre of high level staff. It is hard to argue that it was in the ratepayers' interest to zero out all federal appropriations, which could add millions to TVA's annual operating costs.

Mr. President, I have carefully compared the rates of regulated utilities in Kentucky against TVA's rates to determine if applying these regulations would drive rates higher. Much to my surprise, I have found that not only are regulated utilities rates very competitive, but lower than rates offered by TVA. This confirms my assumption that the underlying financial health of TVA—and its $28 billion debt—has a far greater impact on its electric rates than any other factor.

Mr. President, since 1988, wholesale power rates of regulated utilities in Kentucky have steadily fallen, while TVA has maintained the same level, until last year when TVA raised rates by 7 percent. It is appearent to me that due to TVA's past financial mismanagement, thousands of Kentucky resident are not able to take advantage

of the declining rates. Mr. President, I ask that this chart be printed in the record at this point.

Mr. President, in addition to applying FERC regulation to TVA I have included a number of other important customer reforms. As I mentioned earlier, this bill prohibits TVA from continuing to subsidize their foreign endeavors at ratepayers expense. Quarter million dollar conferences in China and other points on the globe are not consistent with either TVA's deficit reduction goals or its mission to be a low cost power provider to the valley.

Another provision that I have included is a measure proposed by the TVA distributors. Section Five in the bill protects distributors from unfair competition by ending TVA's ability to directly serve large industrial customers. In the past, TVA has been able to directly serve some of the valley's largest industrial customers. Through this loophole, TVA is able to use it considerable market power to unfairly compete with distributors. This provision also facilitates the transition from TVA to FERC regulation. To protect the sanctity of the existing contracts, FERC is directed to accept the terms and conditions of those contracts without initial review.

Section Seven of this bill will increase TVA's level of accountability by applying all federal antitrust laws and penalties. I have included this provision in response to heavy-handed tactics used by TVA to punish the City of Bristol, Virginia for signing a contract with another energy provider. Last year, Bristol Virginia Utilities Board signed an agreement with Cinergy Corporation to provide its wholesale power, which yielded a savings of $70 million for Bristol after fulfilling the terms of the contract with TVA. What Bristol didn't expect was the backlash from TVA and effort to punish Bristol for leaving the TVA family.

In testimony before the Senate Energy Committee, the Chairman of the Bristol Utility Board, David Fletcher, outlined the anti-competitive practices employed by TVA to undermine Bristol's new contract. TVA applied scare tactics by predicting unreliable electricity services as a discouragement to leaving. TVA also sought to recover tens of millions invested by TVA to provide power to Bristol, despite the fact that Bristol had fulfilled the terms of their contract. Finally, TVA attempted to steal Bristol's industrial customers by offering direct-serve power contracts at 2 percent below any rate offered by Bristol. I find these predatory practices to be entirely unacceptable, especially for an entity of the federal government. It is my belief that since TVA's activities were performed in a commercial endeavor, they should be held to the same standards as any other corporation under the antitrust laws.

Recently, I was informed that TVA willing to subject themselves to the federal antitrust laws, so long as they weren't subject to any penalties.

Mr. President, I have some advice for TVA. If you can't pay the fine, don't do the crime.

My bill's final provision regards TVA's ability to branch out into other businesses beyond power generation and transmission. TVA's has attempted to diversify into equipment leasing as well as engineering and other contracting services in direct competition with other valley businesses.

Mr. President, I hope these reforms will offer TVA customers—both distributors and individuals alike—the means to make TVA more accountable. I am very concerned, however, that these reforms may be too late to avert a gradual increase in power rates within the TVA region. Last year, for the first time in 10 years, TVA raised rates on households and business by over 7 percent in order to prepare for a more open electricity market. This can be contrasted with a 15 percent decline in rates over the past ten years in Kentucky—outside the TVA fence.

I remain hopeful that with these reforms, TVA's Board will be more accountable to ratepayers and will help ensure that the economic potential of the Tennessee Valley, which was mortgaged by years of fiscal unaccountability, will not be diminished.

Mr. President, I ask unanimous consent that the full text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2005

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''TVA Customer Protection Act of 1998''.

SEC. 2. INCLUSION IN DEFINITION OF PUBLIC UTILITY.

(a) IN GENERAL.—Section 201(e) of the Federal Power Act (16 U.S.C. 824(e)) is amended by inserting before the period at the end the following: '', and includes the Tennessee Valley Authority''.

(b) CONFORMING AMENDMENT.—Section 201(f) of the Federal Power Act (16 U.S.C. 824(f)) is amended by striking ''foregoing, or any corporation'' and inserting ''foregoing (other than the Tennessee Valley Authority) or any corporation''.

SEC. 3. DISPOSITION OF PROPERTY.

Section 203 of the Federal Power Act (16 U.S.C. 824b) is amended by adding at the end the following:

''(c) TVA EXCEPTION.—This section does not apply to a disposition of the whole or any part of the facilities of the Tennessee Valley Authority if—

''(1) the Tennessee Valley Authority discloses to the Commission (on a form, and to the extent, that the Commission shall prescribe by regulation) the sale, lease, or other disposition of any part of its facilities that—

''(A) is subject to the jurisdiction of the Commission under this Part; and

''(B) has a value of more than $50,000; and

''(2) all proceeds of the sale, lease, or other disposition under paragraph (1) are applied by the Tennessee Valley Authority to the reduction of debt of the Tennessee Valley Authority.''.

SEC. 4. FOREIGN OPERATIONS; PROTECTIONS.

Section 208 of the Federal Power Act (16 U.S.C. 824g) is amended by adding at the end the following:

''(c) TENNESSEE VALLEY AUTHORITY.—

''(1) LIMIT ON CHARGES.—

''(A) NO AUTHORIZATION OR PERMIT.—The Commission shall issue no order under this Act that has the effect of authorizing or permitting the Tennessee Valley Authority to make, demand, or receive any rate or charge, or impose any rule or regulation pertaining to a rate or charge, that includes any costs incurred by or for the Tennessee Valley Authority in the conduct of any activities or operations outside the United States.

''(B) UNLAWFUL RATE.—

''(i) IN GENERAL.—Any rate, charge, rule, or regulation described in subparagraph (A) shall be deemed for the purposes of this Act to be unjust, unreasonable, and unlawful.

''(ii) NO LIMITATION ON AUTHORITY.—Clause (i) does not limit the authority of the Commission under any other provision of law to regulate and establish just and reasonable rates and charges for the Tennessee Valley Authority.

''(2) ANNUAL REPORT.—The Tennessee Valley Authority shall annually—

''(A) prepare and file with the Commission, in a form that the Commission shall prescribe by regulation, a report setting forth in detail any activities or operations engaged in outside the United States by or on behalf of the Tennessee Valley Authority; and

''(B) certify to the Commission that the Tennessee Valley Authority has neither recovered nor sought to recover the costs of activities or operations engaged in outside the United States by or on behalf of the Tennessee Valley Authority in any rate, charge, rule, or regulation on file with the Commission.''.

SEC. 5. TVA POWER SALES.

(a) IN GENERAL.—Part II of the Federal Power Act (16 U.S.C. 824 et seq.) is amended by adding at the end the following:

''SEC. 215. TVA POWER SALES.

''(a) IN GENERAL.—The Tennessee Valley Authority shall not sell electric power to a retail customer that will consume the power within the area that, on the date of enactment of this section, is assigned by law as the distributor service area, unless—

''(1) the customer (or predecessor in interest to the customer) was purchasing electric power directly from the Tennessee Valley Authority as a retail customer on that date;

''(2) the distributor is purchasing firm power from the Tennessee Valley Authority in an amount that is equal to not more than 50 percent of the total retail sales of the distributor; or

''(3) the distributor agrees that the Tennessee Valley Authority may sell power to the customer.

''(b) RETAIL SALES.—Notwithstanding any other provision of law, the rates, terms, and conditions of retail sales of electric power by the Tennessee Valley Authority that are not prohibited by this section shall be subject to regulation under State law applicable to public utilities in the manner and to the extent that a State commission or other regulatory authority determines appropriate.''.

(b) TRANSITION.—

(1) FILING REQUIREMENT.—Not later than 180 days after the date of enactment of this Act, the Tennessee Valley Authority shall file all rates and charges for the transmission or sale of electric energy and the classifications, practices, and regulations affecting those rates and charges, together with all contracts that in any manner affect or relate to contracts that are required to be filed under Part II of the Federal Power Act

(16 U.S.C. 824 et seq.), as amended by subsection (a), and that are in effect as of the date of enactment of this Act.

(2) NO INITIAL REVIEW.—A filing under this section that is timely made under subsection (a) shall be accepted for filing without initial review by the Federal Energy Regulatory Commission.

SEC. 6. FILING AND FULL DISCLOSURE OF TVA DOCUMENTS.

Part III of the Federal Power Act (16 U.S.C. 825 et seq.) is amended—

(1) by redesignating sections 319 through 321 as sections 320 through 322, respectively; and

(2) by inserting after section 318 the following:

"SEC. 319. FILING AND FULL DISCLOSURE OF TVA DOCUMENTS.

''(a) IN GENERAL.—The Tennessee Valley Authority shall file and disclose the same documents and other information that other public utilities are required to file under this Act, as the Commission shall require by regulation.

''(b) REGULATION.—

''(1) TIMING.—The regulation under subsection (a) shall be promulgated not later than 1 year after the date of enactment of this section.

''(2) CONSIDERATIONS.—In promulgating the regulation under subsection (a), the Commission shall take into consideration the practices of the Commission with respect to public utilities other than the Tennessee Valley Authority.''.

SEC. 7. APPLICABILITY OF THE ANTITRUST LAWS.

The Tennessee Valley Authority Act of 1933 (16 U.S.C. 831 et seq.) is amended by inserting after section 16 the following:

"SEC. 17. APPLICABILITY OF THE ANTITRUST LAWS.

''(a) DEFINITION OF ANTITRUST LAWS.—In this section, the term 'antitrust laws' means—

''(1) an antitrust law (within the meaning of section (1) of the Clayton Act (15 U.S.C. 12));

''(2) the Act of June 19, 1936 (commonly known as the 'Robinson Patman Act') (49 Stat. 1526, chapter 323; 15 U.S.C. 13 et seq.); and

''(3) section 5 of the Federal Trade Commission Act (15 U.S.C. 45), to the extent that the section relates to unfair methods of competition.

''(b) APPLICABILITY.—Nothing in this Act modifies, impairs, or supersedes the antitrust laws.

''(c) ANTITRUST LAWS.—

''(1) TVA DEEMED A PERSON.—The Tennessee Valley Authority shall be deemed to be a person, and not government, for purposes of the antitrust laws.

''(2) APPLICABILITY.—Notwithstanding any other provision of law, the antitrust laws (including the availability of any remedy for a violation of an antitrust law) shall apply to the Tennessee Valley Authority notwithstanding any determination that the Tennessee Valley Authority is a corporate agency or instrumentality of the United States or is otherwise engaged in governmental functions.''.

SEC. 8. SAVINGS PROVISION.

(a) DEFINITION OF TVA DISTRIBUTOR.—In this section, the term ''TVA distributor'' means a cooperative organization or publicly owned electric power system that, on January 2, 1998, purchased electric power at wholesale from the Tennessee Valley Authority under an all-requirements power contract.

(b) EFFECT OF ACT.—Nothing in this Act or any amendment made by this Act—

(1) subjects any TVA distributor to regulation by the Federal Energy Regulatory Commission; or

(2) abrogates or affects any law in effect on the date of enactment of this Act that applies to a TVA distributor.

SEC. 9. PROVISION OF CONSTRUCTION EQUIPMENT, CONTRACTING, AND ENGINEERING SERVICES.

Section 4 of the Tennessee Valley Authority Act of 1933 (16 U.S.C. 831c) is amended by adding at the end the following:

''(m) PROVISION OF CONSTRUCTION EQUIPMENT, CONTRACTING, AND ENGINEERING SERVICES.—

''(1) IN GENERAL.—Notwithstanding any other provision of this Act, except as provided in this subsection, the Corporation shall not have power to—

''(A) rent or sell construction equipment;

''(B) provide a construction equipment maintenance or repair service;

''(C) perform contract construction work; or

''(D) provide a construction engineering service;

to any private or public entity.

''(2) ELECTRICAL CONTRACTORS.—The Corporation may provide equipment or a service described in subparagraph (1) to a private contractor that is engaged in electrical utility work on an electrical utility project of the Corporation.

''(3) CUSTOMERS, DISTRIBUTORS, AND GOVERNMENTAL ENTITIES.—The Corporation may provide equipment or a service described in subparagraph (1) to—

''(A) a power customer served directly by the Corporation;

''(B) a distributor of Corporation power; or

''(C) a Federal, State, or local government entity;

that is engaged in work specifically related to an electrical utility project of the Corporation.

''(4) USED CONSTRUCTION EQUIPMENT.—

''(A) DEFINITION OF USED CONSTRUCTION EQUIPMENT.—In this paragraph, the term 'used construction equipment' means construction equipment that has been in service for more than 2,500 hours.

''(B) IN GENERAL.—The Corporation may dispose of used construction equipment by means of a public auction conducted by a private entity that is independent of the Corporation.

''(C) DEBT REDUCTION.—The Corporation shall apply all proceeds of a disposition of used construction equipment under subparagraph (B) to the reduction of debt of the Corporation.''.

By Mr. GRAMS (for himself, Mr. COVERDELL, Mr. FRIST, Mr. MCCAIN, Mr. HUTCHINSON, Mr. SMITH of Oregon, Mr. GRAHAM, and Mr. D'AMATO):

S. 2004. A bill to amend the Internal Revenue Code of 1986 to authorize the Secretary of the Treasury to abate the accrual of interest on income tax underpayments by taxpayers located in Presidentially declared disaster areas if the Secretary extends the time for filing returns and payment of tax for such taxpayers; to the Committee on Finance.

THE DISASTER VICTIM TAX EXTENSION ACT

Mr. GRAMS. Mr. President, I rise today to introduce legislation that would permanently exempt the interest payments owed by disaster victims to the Internal Revenue Service.

Each year, our country is hit by a variety of natural disasters such as hurricanes, tornadoes, earthquakes, floods, and ice storms, all causing extreme hardship for hundreds of thousands of Americans.

This year, 15 States have already been hit by deadly disasters.

Starting on March 7, severe storms and flooding struck the State of Alabama, damaging nearly 1,200 homes, and the city of Elba in Coffee County was evacuated as a result of a levee failure. Three deaths were attributed to the floods and one person was reported missing.

On February 9, 27 California counties were wracked by severe storms.

During the period of January 28 through February 6, a series of severe winter storms hit communities in Sussex County of Delaware.

Also in February, three southern Florida counties were victimized by tornadoes and other violent weather.

In February, six counties in Georgia were struck by tornadoes. On March 20, amid flood recovery efforts, tornadoes and windstorms tore through northeast Georgia, adding to the overall devastation. Tornadoes again touched down in west Georgia, metro Atlanta, and southeast Georgia on April 9.

In February, Atlantic and Cape May counties in southern New Jersey were hit by the coastal storm that lashed the area.

On April 16, six Tennessee counties were ravaged by deadly tornadoes and other violent weather.

And, Mr. President, on March 29, seven counties in my own State of Minnesota were hit by the deadly tornadoes, damaging thousands of homes and businesses along a 62-mile path carved through the communities of St. Peter, Comfrey, and Le Center. The storms claimed two lives.

The estimated total dollar value of insured losses caused by the south-central Minnesota tornadoes has reached $175 million, exceeding insured losses incurred in my state during the floods of one year ago.

The list goes on and on. But my point is: deadly natural disasters occur every year. Lives are lost, homes are demolished, property is destroyed, businesses are ruined, and crops are wiped out. The survivors of these disasters need our help to get their feet back on the ground.

Federal disaster assistance has been effective. In fact, almost all of the major disaster sites have been subsequently designated as Presidentially declared disaster areas and are eligible to receive federal disaster assistance.

However, there is one hurdle Congress still must remove. Residents in Presidentially declared disaster areas can often get an extension to file their income tax returns.

However, interest owed cannot be exempted by the IRS. That requires Congressional action.

In other words, we give them time, an extension to file their taxes, but at the same time we are saying, because you cannot because of circumstances beyond your control file, we are going to charge you interest on it. That is adding insult to injury.

So many States, like Minnesota, immediately have granted exemptions for interest payments on State taxes when disaster areas are declared.

Although Congress has granted such Federal waivers in the past, they must be done legislatively each time a disaster occurs, and appropriate vehicles are not always available. This creates one more uncertainty for victims of disaster.

The legislation I am here to introduce today along with Senators COVERDELL, FRIST, MCCAIN, HUTCHINSON, and SMITH of Oregon, the bill called the Disaster Victim Tax Extension Act, would once and for all remove this barrier and it would give residents of Presidentially declared disaster areas an interest payment exemption on any Federal taxes owed.

By the way, Mr. President, our legislation would be effective retroactively to tax year 1997.

Mr. President, this may seem like a small matter, but for disaster survivors, every dollar counts. I urge my colleagues to support this legislation.

By Mr. ABRAHAM (by request):

S. 2006. A bill to amend the Act establishing the Keweenaw National Historical Park, and for other purposes; to the Committee on Energy and Natural Resources.

KEWEENAW NATIONAL HISTORICAL PARK

Mr. ABRAHAM. Mr. President, on behalf of the administration, I rise today to introduce legislation to amend the Act establishing the Keweenaw National Historical Park, and for other purposes. I ask unanimous consent that the administration's letter of transmittal, the bill, and a section-by-section analysis of the legislation be printed in the RECORD for the information of my colleagues.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

S. 2006

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

That section 9(c) of the Act to establish the Keweenaw National Historical Park (Public Law 102–543, approved October 27, 1992), is amended as follows:

(1) In paragraph (A), by striking ''from nominees'' and inserting ''after consideration of nominees''.

(2) In paragraph (B), by striking ''from nominees'' and inserting ''after consideration of nominees''.

(3) In paragraph (C), by striking ''from nominees'' and inserting ''after consideration of nominees''.

(4) In paragraph (D), by striking ''from nominees'' and inserting ''after consideration of nominees''.

SECTION-BY-SECTION ANALYSIS—KEWEENAW NATIONAL HISTORICAL PARK AMENDMENTS

This bill would amend the enabling legislation for the Keweenaw National Historical Park in Michigan to correct the language of the membership section for the Keweenaw National Historical Park Advisory Commission. The new language will alleviate constitutional concerns about the appointment process for the commission.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, DC, February 23, 1998.

Hon. ALBERT GORE, JR.,
President of the Senate,
Washington, DC.

DEAR MR. PRESIDENT: Enclosed is a draft bill, ''To amend the Act establishing the Keweenaw National Historical Park, and for other purposes.''

We recommend the bill be introduced, referred to the appropriate committee for consideration, and enacted.

This bill will facilitate the appointment of the Keweenaw National Historical Park Advisory Commission for this Michigan park. The existing statute raises constitutional concerns by directing the Secretary of the Interior to appoint to the Commission persons nominated by state and local officials. The Department of Justice has opined that this procedure does not satisfy the requirements imposed by the Appointments Clause (U.S. Const. Art. II, Sec. 2, cl. 2) for appointments of federal officers. Accordingly, former President Bush signed the existing law on the express understanding that the commission would serve only in an advisory capacity and would not exercise executive authority. The proposed amendments will eliminate the need for this limiting construction of the commission's duties.

The Office of Management and Budget has advised that there is no objection to the enactment of the enclosed draft legislation from the standpoint of the Administration's program.

Sincerely,

DONALD BARRY,
Acting Assistant Secretary for Fish and Wildlife and Parks.

Enclosures.

By Mr. COCHRAN (for himself and Mr. HOLLINGS):

S. 2007. A bill to amend the false claims provisions of chapter 37 of title 31, United States Code; to the Committee on the Judiciary.

THE HEALTH CARE CLAIMS GUIDANCE ACT

Mr. COCHRAN. Mr. President, today I am introducing the Health Care Claims Guidance Act. I am pleased to have the distinguished Senator from South Carolina (Mr. HOLLINGS), join with me as an original co-sponsor of the bill. This measure addresses a very serious concern: the government's misuse of the False Claims Act and the need to distinguish Medicare fraud from unavoidable billing errors.

Health care fraud has no place in health care practice. Health care fraud costs taxpayers many millions of dollars that should be spent on patient care. In addition, government agencies must be able to use all of the tools at their disposal to prosecute aggressively those who willfully engage in fraudulent practices.

It is equally important, however, that government resources be used to go after genuine wrongdoers, rather than health care providers who may have overbilled the government for Medicare services through innocent clerical errors or interpretive mistakes.

Recently, the Department of Justice has embarked on a program to utilize the False Claims Act to prosecute provider billing errors. Until 1994, government agencies, hospitals, and physicians acted together, cooperating in most instances, to make sure all parties were treated fairly in Medicare billing disputes. Sometimes providers were underpaid, sometimes they were overpaid. Either way, they and the government would review and settle claims at the end of each quarter or each year. But, the government has abandoned this practice with doctors and hospitals and has begun a campaign to coerce and extract money improperly from the providers.

In the State of Mississippi, and across the Nation, health car providers have received ''demand'' letters from U.S. Attorneys' offices, many not even from their own State, asserting that the doctors and hospitals may be guilty of fraudulent billing. These letters threaten the imposition of treble damages plus fines of $5,000 to $10,000 per claim unless a quick settlement is reached, often within fourteen days of the letter. In some cases, the demand letters have been sent based on alleged overbilling of minuscule amounts.

Providers should certainly do all they can to minimize errors, and when discrepancies are discovered, the correct amounts should be paid to the Government with interest.

But, with the filing of large numbers of claims each year, and the volume of Government rules, regulations, and directives—some of which are conflicting—that providers must follow, it is impossible to be error-free. Hospitals and health systems submit nearly 200,000 Medicare claims a day. To ensure the accuracy of those claims, they must comply with the 1,800 pages of law, 1,300 pages of regulations interpreting the law and thousands of additional pages of instructions. In addition, they are required to work with 41 intermediaries—mostly insurance companies—that have their own procedures that hospitals must follow as part of the billing process. The same level of law, procedures, and instructions also apply to physicians.

The current practice of the Department of Justice, using the False Claims Act, assumes that hospitals, health systems, and doctors are guilty of intentionally filing erroneous claims when errors are made. This, in my view, is simply not right.

The Health Care Claims Guidance Act we are introducing would amend the False Claims Act to distinguish between fraud and mere mistakes. It would apply only to claims under federally funded health care programs, and would have no effect on other False Claims Act prosecutions.

The legislation does not change the criminal portions of the False Claims Act. Neither does it change the *qui tam*, or ''whistle blower'' provisions of the law. And it in no way would impede the Department of Justice or any other Government agency from zeroing in on true fraud and prosecuting those who commit fraud. No other Federal laws would be affected, including changes made by Congress in 1996 in the Health

Insurance Portability and Accountability Act. The changes would apply only to health care claims for Federally funded programs such as Medicare and CHAMPUS. This legislation would not prevent the Government from receiving any money that is rightfully due. In all cases, overpayments would be reimbursed with interest.

What this legislation does is to distinguish Medicare billing fraud from honest billing mistakes. The bill does these four things:

It imposes a ''de minimis'' standard. Under the standard, as defined by the American Institute of Certified Public Accountants, Medicare overpayments to providers of less than a specified percentage would result in penalties of no more than the amount of the claim plus interest.

It establishes a ''safe harbor'' for health care providers that submit a claim based on advice given by fiscal intermediaries and carriers. Such hospitals would be subject to fines limited to actual damages and interest, not treble damages plus $5,000 to $10,000 per claim.

It raises the burden of proof required under the act from a ''preponderance of the evidence'' standard to a ''clear and convincing evidence'' standard.

And lastly, it establishes a ''safe harbor'' for health care providers that have adopted effective, good-faith compliance plans in which they are, if found to be in violation of the False Claims Act, subject only to actual damages plus interest, rather than treble damages plus $5,000 to $10,000 per claim.

Mr. President, although Congress 2 years ago gave Federal agencies additional tools to go after health care fraud—such as expanded authority under the Health Insurance Portability and Accountability Act—the Department of Justice has nonetheless decided that the use of the False Claims Act guarantees ''easy money.''

The Health Care Claims Guidance Act stops this abuse of the law and provides a clear and simple way of distinguishing between those claims that are fraudulent and those claims that result from human error. I urge Senators to support this bill.

I ask unanimous consent that a copy of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2007

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Health Care Claims Guidance Act''.

SEC. 2. RULES FOR ACTIONS UNDER FALSE CLAIMS PROVISIONS BASED ON CLAIMS SUBMITTED UNDER CERTAIN HEALTH CARE PROGRAMS.

(a) IN GENERAL.—Subchapter III of chapter 37 of title 31, United States Code, is amended by adding at the end the following:

''§ 3734. Rules for certain actions based on health care claims

''(a) IN GENERAL.—In the case of any action that is brought under this subchapter based on a claim submitted with respect to a federally funded health care program, the preceding provisions of this subchapter shall apply only to the extent that such provisions are consistent with the provisions of this section.

''(b) ACTIONS IF AMOUNT OF DAMAGES ARE MATERIAL AMOUNT.—Notwithstanding the preceding sections of this subchapter, no action may be brought under this subchapter based on a claim that is submitted under a federally funded health care program unless the amount of damages alleged to have been sustained by the United States Government with respect to such claim is a material amount.

''(c) ACTIONS FOR CLAIMS SUBMITTED IN RELIANCE ON OFFICIAL GUIDANCE.—Notwithstanding the preceding sections of this subchapter, no action may be brought under this subchapter based on a claim submitted—

''(1) in reliance on (and correctly using) erroneous information supplied by a Federal agency (or an agent thereof) about matters of fact at issue; or

''(2) in reliance on (and correctly applying) written statements of Federal policy which affects such claim provided by a Federal agency (or an agent thereof).

''(d) ACTION FOR CLAIMS SUBMITTED BY PERSONS IN SUBSTANTIAL COMPLIANCE WITH MODEL COMPLIANCE PLAN.—Notwithstanding the preceding sections of this subchapter, no action may be brought under this subchapter based on a claim submitted by a person that is in substantial compliance with a model compliance plan issued by the Secretary of Health and Human Services (in consultation with the Secretary of Defense).

''(e) STANDARD OF PROOF.—In any action brought under this subchapter with respect to a claim submitted to a federally funded health care program, section 3731(c) shall be applied by substituting 'clear and convincing evidence' for 'a preponderance of the evidence'.

''(f) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as limiting the authority of the Government of the United States to recoup or otherwise recover damages with respect to a claim submitted to a federally funded health care program under provisions of law other than this subchapter.

''(g) DEFINITIONS; RELATED RULES.—For purposes of this section—

''(1) the term 'claim' means a claim (as defined in section 3729(c)) made with respect to a federally funded health care program;

''(2) the term 'damages' means the amount of any overpayment made by the United States Government with respect to a claim;

''(3) the term 'federally funded health care program' means a program that provides health benefits, whether directly, through the purchase of insurance, or otherwise, that is established under—

''(A) title XVIII, XIX, or XXI of the Social Security Act, or

''(B) title 10, United States Code;

''(4) the amount of damages alleged to have been sustained by the United States Government with respect to a claim submitted by (or on behalf of) a person shall be treated as a 'material amount' only if such amount exceeds a proportion (specified in regulations promulgated by the Secretary of Health and Human Services in consultation with the Secretary of Defense) of the total of the amounts for which claims were submitted by (or on behalf of) such person—

''(A) to the same federally funded health care program, and

''(B) for the same calendar year,

as the claim upon which an action under this subchapter is based;

''(5) the regulations specifying the proportion referred to in paragraph (4) shall be based on the definition of the term 'material' used by the American Institute of Certified Public Accountants as of the date of the enactment of this section; and

''(6) in determining whether an amount of damages is a 'material amount' under paragraph (4), with respect to a person—

''(A) the amount of damages for more than 1 claim may be aggregated only if the acts or omissions resulting in such damages were part of a pattern of related acts or omissions by such person, and

''(B) if damages for more than 1 claim are aggregated in accordance with subparagraph (A), the proportion referred to in such paragraph shall be determined by comparing the amount of such aggregate damages to the total of the amounts for which claims were submitted by (or on behalf of) such person to the same federally funded health care program for each of the calendar years for which any claim upon which such aggregate damages were based was submitted.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 37 of title 31, United States Code, is amended by adding after the item relating to section 3733 the following:

''3734. Rules for certain actions based on health care claims.''.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to actions brought under subchapter III of chapter 37 of title 31, United States Code, with respect to claims submitted before, on, and after the date of the enactment of this Act.

Mr. HOLLINGS. Mr. President, I am delighted to join my colleague Senator COCHRAN in introducing legislation that helps define the rules of the game for health care providers and allows investigators to focus on ferreting out and prosecuting real fraud in Federal health programs.

The Health Care Claims Guidance Act of 1998 that we introduce today is made necessary by conflicting, extremely complex regulations covering Medicare, Medicaid, CHAMPS and other Federally funded programs. Ironically, most of these exist as a result of Congressional efforts to reduce fraud and abuse—to establish a system for billing and claims processing that assures these programs are paying reasonable costs for medically necessary services actually provided to eligible individuals. Not achieving our goal of ending fraud, we just stack on more rules that require honest providers to take more and more time from patient care to do paperwork while the crooks ignore us or accept as a challenge getting around the rules. There is no end in sight. This is a classic example of the road to hell being paved with good intentions. We have created a nightmare, and we have a responsibility to begin straightening out some of the confusion so honest health care providers can take care of patients and we can concentrate on prosecuting those who willfully violate the law.

It is absolutely imperative that we accept nothing less than zero tolerance for real fraud and that the Government use all the tools at its disposal to prosecute willful violations of the law. It is equally imperative that we play fair with our partners who provide the health care we pay for with Federal

funds. When a participating hospital receives directions from its fiscal intermediary, the hospital should know it can follow those directions without fear of being accused of fraud. Using the False Claims Act, the Justice Department is notifying hospitals that they are under investigation for alleged billing fraud, offering minimal time to respond or face prosecution. Hospitals are capitulating to these demands even when they know no fraud has been committed simply because they cannot afford to pay the accountants and lawyers to take on the Department of Justice. Others believe diverting these funds from patient care would be an irresponsible waste of tax dollars and not in the best interests of Medicare beneficiaries. I certainly agree.

Respected physicians in my State, some personal friends of forty years, have received letters recently from the ''Medicare Fraud Unit'' demanding that they pay up immediately or face prosecution. They are confused and annoyed about the complexity of Medicare rules and coding, but they are outraged that they are being accused of fraud with no basis whatsoever. I submit, Mr. President, that they deserve to be enraged. And it doesn't get any better once they enter negotiations and are virtually unable to practice medicine because of the auditors consume most of the work day and office space. Then they wait for months to see if the ax will fall.

The Health Care Claims Guidance Act of 1998 would take a small but important step in the right direction. It would amend the False Claims Act to create special rules for claims in all Federally funded health care programs. No criminal provisions are amended. The bill's provisions apply only to health care claims limited to civil actions.

First, no action can be brought if the provider has relied on and correctly applied information supplied by a Federal agency or an agent thereof. Second, no action may be brought unless the amount of damages is material. Third, it establishes a safe harbor for hospitals with an effective compliance plan under the General Hospital Compliance Guidelines. And, fourth, it raises the burden of proof from a ''preponderance of the evidence'' to a ''clear and convincing evidence'' standard.

Mr. President, let me make it clear once again, this bill in no way limits the authority of the Government to recoup or otherwise recover damages with respect to claims under any other provisions of law and does not apply to criminal provisions. It allows us to begin restoring the partnership between the Federal Government and those who provide health care under Federal programs and encourages the Government to use its resources to prosecute those who violate that partnership. I urge my colleagues to assist us in its early passage.

By Mr. COVERDELL (for himself, Mr. ASHCROFT, Mr. SHELBY, Mr. FRIST, Mr. HAGEL, Mr. INHOFE, and Mr. MCCAIN):

S. 2008. A bill to amend the Internal Revenue Code of 1986 to prohibit the use of random audits, and for other purposes; to the Committee on Finance.

THE INTERNAL REVENUE SERVICE RANDOM AUDIT PROHIBITION ACT

Mr. COVERDELL. Mr. President, I rise today to introduce the Internal Revenue Service Random Audit Prohibition Act. I wanted to take this opportunity to alert my colleagues of the Senate that the IRS has identified a new enemy: innocent taxpayers.

Over the past several years, all of us have seen news accounts of regular, average citizens who have become the targets of grueling IRS audits. These individuals were neither wealthy nor powerful; in fact, they were most often ordinary, law-abiding taxpayers who earned a modest wage, ran a small business, or operated a family farm. Some struggled just to make ends meet, and many were understandably confused about what they had committed to justify the scrutiny of the IRS.

The truth is they committed no wrong. They were simply unfortunate victims of an IRS practice called ''random audits,'' where the IRS simply picks people out of a hat in the hope it can uncover some wrongdoing.

A recent report produced by the General Accounting Office (GAO) at my request confirms that the IRS has been targeting thousands of poor taxpayers and small businesses for random audits. In fact, almost 95 percent of all random audits of individual taxpayers performed between 1994 and 1996 were conducted on taxpayers who earned less than $25,000 each year.

Last Fall, hearings held by the Senate Finance Committee brought the IRS's abuse of taxpayers to the attention of the entire Nation. One witness, Jennifer Long, who is a current field agent with the IRS, remarked, ''As of late, we seem to be auditing only the poor people. The current IRS Management does not believe anyone in this country can possibly live on less than $20,000 per year, insisting anyone below that level must be cheating by understating their true income.'' The IRS' belief that low-income families are more likely to cheat than others services as a disturbing sign of how far it has strayed from the principles of American justice.

The GAO report also indicates that the IRS has been specifically targeting my home state of Georgia for random audits. Nearly twice as many random audits took place in Georgia between 1994 and 1996 than in all the New England states combined and Georgians are three-times more likely to be randomly audited than their California counterparts. Furthermore, the GAO warns that we can expect that number of rise dramatically in Georgia over the next several years because the IRS believes small businesses in Georgia are more likely than other so-called ''subpopulations'' to engage in tax fraud. I do not understand why the IRS believes that Georgia small business are more likely to cheat than their counterparts elsewhere in the Nation. I still have not received an adequate reply from the IRS regarding any of these developments.

Most of us understand the need to ensure tax code compliance through reasonable mechanisms. Where there is some indication that wrongdoing has occurred, an audit may be appropriate. But Americans will not accept the IRS's assertion that enforcement requires them to go after innocent, low-income taxpayers by using random audits that make no distinction between the guilty and the innocent. Honest citizens deserve better.

The legislation I introduce today, along with a number of my colleagues, would remove random audits as a tool available to the IRS in its examination process. Victims of random audits would be entitled to damages of $5,000 after filing civil action, and the cost of litigation would also be recoverable. In addition, my proposal would require the IRS to identify the basis for audit in any notice to the affected taxpayer of such an examination. Finally, the effective date for these changes are set to the date of introduction. This puts the IRS on notice that Congress is deadly serious about the need to end random audits.

I hope my colleagues will support my effort to stop the IRS from targeting innocent taxpayers. With passage of the IRS Random Audit Prohibition Act, honest, hardworking taxpayers can be assured they will be protected from unwarranted audits. They deserve no less.

ADDITIONAL COSPONSORS

S. 89

At the request of Ms. SNOWE, the name of the Senator from New Jersey (Mr. TORRICELLI) was added as a cosponsor of S. 89, a bill to prohibit discrimination against individuals and their family members on the basis of genetic information, or a request for genetic services.

S. 659

At the request of Mr. GLENN, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 659, a bill to amend the Great Lakes Fish and Wildlife Restoration Act of 1990 to provide for implementation of recommendations of the United States Fish and Wildlife Service contained in the Great Lakes Fishery Restoration Study Report.

S. 852

At the request of Mr. LOTT, the name of the Senator from Alaska (Mr. MURKOWSKI) was added as a cosponsor of S. 852, a bill to establish nationally uniform requirements regarding the titling and registration of salvage, nonrepairable, and rebuilt vehicles.

S. 981

At the request of Mr. THOMPSON, the name of the Senator from Washington (Mr. GORTON) was added as a cosponsor of S. 981, a bill to provide for analysis of major rules.

S. 1089

At the request of Mr. SPECTER, the names of the Senator from South Dakota (Mr. DASCHLE), and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 1089, a bill to terminate the effectiveness of certain amendments to the foreign repair station rules of the Federal Aviation Administration, and for other purposes.

S. 1145

At the request of Mr. GRAMS, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 1145, a bill to amend the Social Security Act to provide simplified and accurate information on the social security trust funds, and personal earnings and benefit estimates to eligible individuals.

S. 1325

At the request of Mr. FRIST, the name of the Senator from New York (Mr. D'AMATO) was added as a cosponsor of S. 1325, a bill to authorize appropriations for the Technology Administration of the Department of Commerce for fiscal years 1998 and 1999, and for other purposes.

S. 1365

At the request of Ms. MIKULSKI, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1365, a bill to amend title II of the Social Security Act to provide that the reductions in social security benefits which are required in the case of spouses and surviving spouses who are also receiving certain Government pensions shall be equal to the amount by which two-thirds of the total amount of the combined monthly benefit (before reduction) and monthly pension exceeds $1,200, adjusted for inflation.

S. 1392

At the request of Mr. BROWNBACK, the names of the Senator from Minnesota (Mr. GRAMS), and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. 1392, a bill to provide for offsetting tax cuts whenever there is an elimination of a discretionary spending program.

S. 1649

At the request of Mr. FORD, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 1649, a bill to exempt disabled individuals from being required to enroll with a managed care entity under the medicaid program.

S. 1862

At the request of Mr. DEWINE, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 1862, a bill to provide assistance for poison prevention and to stabilize the funding of regional poison control centers.

S. 1879

At the request of Mr. BURNS, the names of the Senator from Nebraska (Mr. HAGEL), the Senator from Georgia (Mr. COVERDELL), the Senator from North Dakota (Mr. CONRAD), the Senator from Iowa (Mr. GRASSLEY), the Senator from Missouri (Mr. BOND), the Senator from California (Mrs. FEINSTEIN), the Senator from Idaho (Mr. CRAIG), the Senator from Minnesota (Mr. GRAMS), the Senator from South Dakota (Mr. DASCHLE), and the Senator from Illinois (Ms. MOSELEY-BRAUN) were added as cosponsors of S. 1879, a bill to provide for the permanent extension of income averaging for farmers.

S. 1882

At the request of Mr. JEFFORDS, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S. 1882, a bill to reauthorize the Higher Education Act of 1965, and for other purposes.

S. 1900

At the request of Mr. D'AMATO, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 1900, a bill to establish a commission to examine issues pertaining to the disposition of Holocaust-era assets in the United States before, during, and after World War II, and to make recommendations to the President on further action, and for other purposes.

S. 1919

At the request of Mr. MURKOWSKI, the name of the Senator from Mississippi (Mr. LOTT) was added as a cosponsor of S. 1919, a bill to provide for the energy security of the Nation through encouraging the production of domestic oil and gas resources from stripper wells on federal lands, and for other purposes.

S. 1920

At the request of Mr. MURKOWSKI, the name of the Senator from Mississippi (Mr. LOTT) was added as a cosponsor of S. 1920, a bill to improve the administration of oil and gas leases on Federal lands, and for other purposes.

S. 1930

At the request of Mr. NICKLES, the name of the Senator from Wyoming (Mr. THOMAS) was added as a cosponsor of S. 1930, a bill to provide certainty for, reduce administrative and compliance burdens associated with, and streamline and improve the collection of royalties from Federal and outer continental shelf oil and gas leases, and for other purposes.

S. 1985

At the request of Mr. HATCH, the name of the Senator from Michigan (Mr. ABRAHAM) was added as a cosponsor of S. 1985, a bill to amend Part L of the Omnibus Crime Control and Safe Streets Act of 1968.

S. 1992

At the request of Mrs. HUTCHISON, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1992, A bill to amend the Internal Revenue Code of 1986 to provide that the $500,000 exclusion of a gain on the sale of a principal residence shall apply to certain sales by a surviving spouse.

S. 1995

At the request of Mr. ABRAHAM, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1995, A bill to amend the Internal Revenue Code of 1986 to allow the designation of renewal communities, and for other purposes.

SENATE RESOLUTION 175

At the request of Mr. ROBB, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of Senate Resolution 175, a bill to designate the week of May 3, 1998 as ''National Correctional Officers and Employees Week.''

SENATE RESOLUTION 201

At the request of Mr. KEMPTHORNE, the name of the Senator from West Virginia (Mr. BYRD) was added as a cosponsor of Senate Resolution 201, A resolution to commemorate and acknowledge the dedication and sacrifice made by the men and women who have lost their lives while serving as law enforcement officers.

SENATE CONCURRENT RESOLUTION 92—EXPRESSING THE SENSE OF CONGRESS WITH RESPECT TO THE COLLECTION OF DATA AS A PART OF THE 2000 DECENNIAL CENSUS

Mr. TORRICELLI (for himself and Mr. D'AMATO) submitted the following concurrent resolution; which was referred to the Committee on Governmental Affairs:

S. CON. RES. 92

Whereas the decennial census of population is the only source of accurate, reliable, and comparable information on the demographic, social, and economic characteristics of the people of the United States and the communities in which they live, for all geographic levels, including rural areas and census tracts;

Whereas the Bureau of the Census, in response to a mandate from Congress to reduce the reporting burden on the residents of the United States, has proposed to include on the long-form census questionnaire only those subjects that have specific Federal legislative justification;

Whereas the demographic and socioeconomic data collected in the decennial census helps policymakers assess population changes, housing conditions, ancestry, and other patterns of mobility and achievement for different regions and governmental jurisdictions, as well as for different population subgroups;

Whereas independent analysis by a panel convened by the National Academy of Sciences determined that there are essential public needs for information gathered by the long form and that the extra cost of the census long form, once the census has been designed to collect limited data for every resident, is relatively low;

Whereas the National Academy of Sciences has concluded that the long form does not significantly affect the overall mail response rate to the census;

Whereas independent analyses of the decennial census have found that the long form does not increase the undercount in the census or the differential undercount of racial,

ethnic, and low-income populations to any significant extent;

Whereas administering a traditional long form at a later point in time, instead of as part of the 2000 decennial census of population, would substantially increase the cost of collecting the data, place the quality of the data at risk, and jeopardize the availability of reliable and timely data for rural and small geographic areas;

Whereas the General Accounting Office has found that over $170,000,000,000 in Federal program funds are distributed each year to State and local governments on the basis of data collected in the census, including data available only from the long form; and

Whereas the collection of demographic, socioeconomic, housing, and transportation data on the long form in the 2000 decennial census of population is supported by Federal, State, and local government officials and agencies, service providers, researchers, and other social scientists who help chart the direction of the United States, private sector decisionmakers, and many other census stakeholders, as well as by a panel convened by the National Academy of Sciences at the direction of Congress: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. SENSE OF CONGRESS.

It is the sense of Congress that the Secretary of Commerce should ensure that—

(1) the 2000 decennial census of population include the administration of a long-form census questionnaire;

(2) the content of the long-form census questionnaire include, at a minimum, the subjects sent to Congress by the Bureau of the Census on March 31, 1997, in accordance with section 141(f)(1) of title 13, United States Code; and

(3) a sufficient number of households received the long-form census questionnaire to ensure the availability of reliable data for small geographic areas, including rural communities.

SEC. 2. TRANSMISSION TO THE SECRETARY OF COMMERCE.

The Secretary of the Senate shall transmit a copy of this concurrent resolution to the Secretary of Commerce.

SENATE RESOLUTION 219—AUTHORIZING PRINTING OF THE MINUTES OF THE SENATE REPUBLICAN AND DEMOCRATIC PARTY CONFERENCES

Mr. MACK (for himself and Mr. DASCHLE) submitted the following resolution; which was considered and agreed to.

S. RES. 219

Whereas the Senate Republican and Democratic Conferences have maintained minutes of their meetings since the earliest years of this century;

Whereas the Advisory Committee on the Records of Congress recommends that the portions of those minutes at least 30 years old be published; and

Whereas the minutes of the Senate Party Conferences offer rich documentation of the Senate's institutional development during the first two-thirds of the 20th century: Now, therefore, be it

Resolved,

SECTION 1. PRINTING OF THE MINUTES OF THE REPUBLICAN CONFERENCE, 1911–1964.

(a) IN GENERAL.—There shall be printed as a Senate document the book entitled ''Minutes of the Senate Republican Conference, 1911–1964'', prepared by the Senate Historical Office under the supervision of the Secretary of the Senate, with the concurrence of the United States Senate Republican Conference.

(b) SPECIFICATIONS.—The Senate document described in subsection (a) shall include illustrations and shall be in the style, form, manner, and binding as directed by the Joint Committee on Printing after consultation with the Secretary of the Senate.

(c) NUMBER OF COPIES.—In addition to the usual number of copies, there shall be printed with suitable binding the lesser of—

(1) 1,000 copies for use of the Senate, to be allocated as determined by the Secretary of the Senate; or

(2) a number of copies that does not have a total production and printing cost of more than $1,200.

SEC. 2. PRINTING OF THE MINUTES OF THE DEMOCRATIC CONFERENCE, 1903–1964.

(a) IN GENERAL.—There shall be printed as a Senate document the book entitled ''Minutes of the Senate Democratic Conference, 1903–1964'', prepared by the Senate Historical Office under the supervision of the Secretary of the Senate, with the concurrence of the United States Senate Democratic Conference.

(b) SPECIFICATIONS.—The Senate document described in subsection (a) shall include illustrations and shall be in the style, form, manner, and binding as directed by the Joint Committee On Printing after consultation with the Secretary of the Senate.

(c) NUMBER OF COPIES.—In addition to the usual number of copies, there shall be printed with suitable binding the lesser of—

(1) 1,000 copies for the use of the Senate, to be allocated as determined by the Secretary of the Senate; or

(2) a number of copies that does not have a total production and printing cost of more than $1,200.

AMENDMENTS SUBMITTED

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

CRAIG (AND OTHERS) EXECUTIVE AMENDMENT NO. 2316

Mr. CRAIG (for himself, Mrs. HUTCHISON, and Mr. SMITH of New Hampshire) proposed an amendment to the resolution of ratification for the treaty (Treaty Doc. No. 105–36) protocols to the North Atlantic Treaty of 1949 on the accession of Poland, Hungary, and the Czech Republic. These protocols 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 follows:

At the appropriate place, insert the following:

( ) STATUTORY AUTHORIZATION FOR DEPLOYMENTS IN BOSNIA AND HERZEGOVINA.—Prior to the deposit of the United States instrument of ratification, there must be enacted a law containing specific authorization for the continued deployment of the United States Armed Forces in Bosnia and Herzegovina as part of the NATO mission in that country.

HUTCHISON EXECUTIVE AMENDMENT NO. 2317

Mrs. HUTCHISON proposed an amendment to the resolution of ratification for the treaty (Treaty Doc. No. 105–36) protocols to the North Atlantic Treaty of 1949 on the accession of Poland, Hungary, and the Czech Republic. These protocols 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 follows:

At the appropriate place in the resolution, insert the following:

NEGOTIATION WITH ALLIES REGARDING THE ESTABLISHMENT OF A PROCESS TO RESOLVE DISPUTES AMONG OR BETWEEN ALLIES.

(A) Prior to the first deposit of any of the United States instruments of ratification of any of the Protocols, the United States representative at the North Atlantic Council will introduce at the NAC a proposal for consideration by all allies and aimed at establishing a process for dispute resolution among allies. The proposal shall be limited to addressing those disputes—

(i) between or among allies that are within the collective security purview of the NATO alliance and address territorial or other such disputes within the alliance's area of operations and responsibility, and;

(ii) in response to which at least one disputant has credibly threatened the use of military force.

ASHCROFT (AND OTHERS) EXECUTIVE AMENDMENT NO. 2318

Mr. ASHCROFT (for himself, Mr. ROBERTS, Mr. HELMS, Mr. WARNER, Mr. HUTCHINSON, Mr. FAIRCLOTH, Mr. BOND, and Mr. GRAMS) proposed an amendment to the resolution of ratification for the treaty (Treaty Doc. No. 105–36) protocols to the North Atlantic Treaty of 1949 on the accession of Poland, Hungary, and the Czech Republic. These protocols 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 follows:

In section 3(1), strike ''(A) THE FUNDAMENTAL IMPORTANCE OF COLLECTIVE DEFENSE.—'' and all that follows through ''interests of NATO members.'' at the end of paragraph (1)(A) and insert in lieu thereof the following new condition:

(2) THE FUNDAMENTAL IMPORTANCE OF COLLECTIVE SELF-DEFENSE.—

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

(i) NATO is and will remain a defensive military alliance, and that Article 5 of the North Atlantic Treaty, which provides for the collective self-defense of NATO members against armed attack, continues to constitute the heart of that treaty; and

(ii) the United States will only support a military operation under the North Atlantic Treaty that is commenced on or after the date of adoption of this resolution of ratification—

(I) if the operation is intended for the purpose of collective self-defense in response to an armed attack on the territory of a NATO member; or

(II) in response to a threat to the territorial integrity, political independence, or security of a NATO member.

(B) CONSTRUCTION.—The Senate declares that nothing in the North Atlantic Treaty, the Strategic Concept of NATO, or any other document setting forth the fundamental purposes, objectives, or missions of NATO shall

be construed as altering the constitutional authority of the Congress or the President.

(C) EXCLUSIONS FROM MEANING OF ''NATO MILITARY OPERATION''.—The term ''NATO military operation'' does not include any NATO training mission or exercise.

(3) ADDITIONAL REQUIREMENTS REGARDING THE STRATEGIC CONCEPT OF NATO.—

HELMS (AND BIDEN) EXECUTIVE AMENDMENT NO. 2319

Mr. SMITH of Oregon (for Mr. HELMS, for himself and Mr. BIDEN) proposed an amendment to the resolution of ratification for the treaty (Treaty Doc. No. 105–36) protocols to the North Atlantic Treaty of 1949 on the accession of Poland, Hungary, and the Czech Republic. These protocols 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 follows:

In section 1, insert ''(as defined in section 4(7))'' after ''Czech Republic''.

In section 1, strike ''as defined in section 4(6),''.

In section 2(1)(D), strike ''evenly'' and insert ''equitably''.

In section 2(2)(A), strike ''including—'' and all that follows through ''members;'' and insert ''including those common threats described in section 3(1)(A)(v);''.

In section 2(7)(A)(iii), insert '', or committed to invite,'' after ''consented to invite''.

In section 2(7)(A)(iv), strike ''admission of, or the invitation for admission of, any new NATO member'' and insert ''accession to the North Atlantic Treaty of, or the invitation to begin accession talks with, any European state (other than Poland, Hungary, or the Czech Republic),''.

At the end of section 2, add the following new paragraphs:

(8) PARTNERSHIP FOR PEACE.—The Senate declares that—

(i) the Partnership for Peace between NATO members and the Partnership for Peace countries is an important and enduring complement to NATO in maintaining and enhancing regional security;

(ii) the Partnership for Peace serves a critical role in promoting common objectives of NATO members and the Partnership for Peace countries, including—

(I) increased transparency in the national defense planning and budgeting processes;

(II) ensuring democratic control of defense forces;

(III) maintaining the capability and readiness of Partnership for Peace countries to contribute to operations of the United Nations and the Organization for Security and Cooperation in Europe;

(IV) developing cooperative military relations with NATO; and

(V) enhancing the interoperability between forces of the Partnership for Peace countries and forces of NATO members;

(iii) NATO has undertaken new initiatives to further strengthen the Partnership for Peace with the objectives of—

(I) strengthening the political consultation mechanism in the Partnership for Peace through the Euro-Atlantic Partnership Council;

(II) enhancing the operational role of the Partnership for Peace; and

(III) providing for expanded involvement of members of the Partnership for Peace in decision-making and planning within the Partnership;

(iv) enhancement of the Partnership for Peace promotes the security of the United States by strengthening stability and security throughout the North Atlantic area;

(v) the accession to the North Atlantic Treaty of new NATO members in the future must not undermine the ability of NATO and the Partnership for Peace countries to achieve the objectives of the Partnership for Peace; and

(vi) membership in the Partnership for Peace does not in any way prejudice application or consideration for accession to the North Atlantic Treaty.

(9) REGARDING PAYMENTS OWED BY EUROPEAN COUNTRIES TO VICTIMS OF THE NAZIS

(A) DECLARATION.—The Senate declares that in future meetings and correspondence with European governments, the Secretary of State should—

(i) raise the issue of insurance benefits owed to victims of the Nazis (and their beneficiaries and heirs) by these countries as a result of the actions taken by any communist predecessor regimes in nationalizing foreign insurance companies and confiscating their assets in the aftermath of World War II;

(ii) seek to secure a commitment from the governments of these countries to provide a full accounting of the total value of insurance company assets that were seized by any communist predecessors and to share all documents relevant to unpaid insurance claims that are in their possession; and

(iii) seek to secure a commitment from the governments of these countries to contribute to the payment of these unpaid insurance claims in an amount that reflects the present value of the assets seized by any communist governments (and for which no compensation had previously been paid).

(B) DEFINITION.—As used in this paragraph, the term ''victims of the Nazis'' means persons persecuted during the period beginning on March 23, 1933 and ending on May 8, 1945, by, under the direction of, on behalf of, or under authority granted by the Nazi government of Germany or any country allied with that government.

In section 3(1)(C)(i), before the semicolon at the end thereof, insert the following: '', including the broader strategic rationale of NATO''.

In section 3(1)(D), strike ''Committee on Foreign Relations'' and insert ''appropriate congressional committees''.

In section 3(2)(B), strike

''ANNUAL REPORTS.—

(i) REQUIREMENTS.—''

and insert

''ANNUAL REPORTS.—''.

In section 3(2)(B), redesignate subclauses (I), (II), (III), and (IV) as clauses (i), (ii), (iii), and (iv), respectively.

At the end of section 3(2)(B), add the following new clause:

(v) The status of discussions concerning NATO membership for countries participating in the Partnership for Peace.

Strike clause (ii) of section 3(2)(B).

At the end of section 3(2), insert the following new subparagraphs:

(C) REPORTS ON FUTURE ENLARGEMENT OF NATO.—

(i) REPORTS PRIOR TO COMMENCEMENT OF ACCESSION TALKS.—Prior to any decision by the North Atlantic Council to invite any country (other than Poland, Hungary, or the Czech Republic) to begin accession talks with NATO, the President shall submit to the appropriate congressional committees a detailed report regarding each country being actively considered for NATO membership, including—

(I) an evaluation of how that country will further the principles of the North Atlantic Treaty and contribute to the security of the North Atlantic area;

(II) an evaluation of the eligibility of that country for membership based on the principles and criteria identified by NATO and the United States, including the military readiness of that country;

(III) an explanation of how an invitation to that country would affect the national security interests of the United States;

(IV) an up-to-date United States Government analysis of the common-funded military requirements and costs associated with integrating that country, and an analysis of the shares of those costs to be borne by NATO members, including the United States; and

(V) a preliminary analysis of the implications for the United States defense budget and other United States budgets of integrating that country into NATO.

(ii) UPDATED REPORTS PRIOR TO SIGNING PROTOCOLS OF ACCESSION.—Prior to the signing of any protocol to the North Atlantic Treaty on the accession of any country, the President shall submit to the appropriate congressional committees a report, in classified and unclassified forms—

(I) updating the information contained in the report required under clause (i) with respect to that country; and

(II) including an analysis of that country's ability to meet the full range of the financial burdens of NATO membership, and the likely impact upon the military effectiveness of NATO of the country invited for accession talks, if the country were to be admitted to NATO.

(D) REVIEW AND REPORTS BY THE GENERAL ACCOUNTING OFFICE.—The Comptroller General of the United States shall conduct a review and assessment of the evaluations and analyses contained in all reports submitted under subparagraph (C) and, not later than 90 days after the date of submission of any report under subparagraph (C)(ii), shall submit a report to the appropriate congressional committees setting forth the assessment resulting from that review.

In section 3, redesignate paragraph (4) as paragraph (5).

In section 3, insert after paragraph (3) the following new paragraph:

(4) REPORTS ON INTELLIGENCE MATTERS.—

(A) PROGRESS REPORT.—Not later than January 1, 1999, the President shall submit a report to the congressional intelligence committees on the progress of Poland, Hungary, and the Czech Republic in satisfying the security requirements for membership in NATO.

(B) REPORTS REGARDING PROTECTION OF INTELLIGENCE SOURCES AND METHODS.—Not later than January 1, 1999, and again not later than the date that is 90 days after the date of accession to the North Atlantic Treaty by Poland, Hungary, and the Czech Republic, the Director of Central Intelligence shall submit a detailed report to the congressional intelligence committees—

(i) identifying the latest procedures and requirements established by Poland, Hungary, and the Czech Republic for the protection of intelligence sources and methods; and

(ii) including an assessment of how the overall procedures and requirements of Poland, Hungary, and the Czech Republic for the protection of intelligence sources and methods compare with the procedures and requirements of other NATO members for the protection of intelligence sources and methods.

(C) DEFINITIONS.—In this paragraph:

(i) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term ''congressional intelligence committees'' means the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.

(ii) DATE OF ACCESSION TO THE NORTH ATLANTIC TREATY BY POLAND, HUNGARY, AND THE CZECH REPUBLIC.—The term ''date of accession to the North Atlantic Treaty by Poland,

Hungary, and the Czech Republic'' means the latest of the following dates:

(I) The date on which Poland accedes to the North Atlantic Treaty.

(II) The date on which Hungary accedes to the North Atlantic Treaty,

(III) The date on which the Czech Republic accedes to the North Atlantic Treaty.

In section 4, redesignate paragraphs (1) through (7) as paragraphs (2) through (8), respectively.

In section 4, insert after ''In this resolution:'' the following new paragraph:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—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.

CONRAD (AND BINGAMAN) EXECUTIVE AMENDMENT NO. 2320

Mr. CONRAD (for himself and Mr. BINGAMAN) proposed an amendment to the resolution of ratification for the treaty (Treaty Doc. No. 105–36) protocols to the North Atlantic Treaty of 1949 on the accession of Poland, Hungary, and the Czech Republic. These protocols 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 follows:

At the appropriate place in section 3 of the resolution, insert the following:

( ) NON-STRATEGIC NUCLEAR WEAPONS.—

(A) FINDINGS.—The Senate finds that—

(i) the United States Strategic Command has estimated that the Russian Federation has between 7,000 and 12,000 non-strategic nuclear warheads, weapons that—unlike strategic systems—are not covered by any arms control accord;

(ii) the thousands of tactical nuclear warheads inside Russia present the greatest threat of sale or theft of a nuclear weapon in the world today;

(iii) with the number of deployed strategic warheads in the Russian and United States arsenals likely to be reduced to around 2,250 warheads under a START III accord, Russia's vast superiority in tactical nuclear warheads becomes a strategic concern;

(iv) the Commander in Chief of the United States Strategic Command has stated that future nuclear arms control agreements should address tactical nuclear weapons;

(v) statements from Russian officials that NATO enlargement would force Russia to rely more heavily on its nuclear arsenal have caused concern that NATO expansion could be an impediment to progress on tactical nuclear arms control; and,

(vi) the danger of theft or sale of a tactical nuclear warhead, and the destabilizing strategic implications of Russia's enormous lead in tactical nuclear weapons creates an urgent need for progress on increasing the security of Russia's tactical nuclear arsenal and working toward conclusion of a US-Russian agreement on tactical nuclear arms in Europe.

(B) SENSE OF THE SENATE.—It is the Sense of the Senate that—

(i) it would be advisable for future nuclear arms control agreements with the Russian Federation to address non-strategic nuclear weapons in Europe; and,

(ii) the Administration should work with the Russian Federation to increase transparency, exchange data, increase warhead security, and facilitate weapon dismantlement.

(C) CERTIFICATION.—Prior to the deposit of the instruments of ratification, the Administration shall certify to the Senate that with regard to non-strategic nuclear weapons—

(i) it is the policy of the United States to work with the Russian Federation to increase transparency, exchange data, increase warhead security, and facilitate weapon dismantlement; and

(ii) that discussions toward these ends have been initiated with the Russian Federation.

(D) REPORT.—Not later than 180 days after the deposit of the instruments of ratification, the President shall submit a report to the Senate on the Russian Federation's non-strategic nuclear arsenal. This report shall include—

(i) current data and estimates regarding the current numbers, types, yields, and locations of Russia's non-strategic nuclear weapons;

(ii) an assessment of the extent of the current threat of theft, sale, or unauthorized use of such warheads;

(iii) a plan to work with the Russian Federation to increase transparency, exchange data, increase warhead security, and facilitate weapon dismantlement; and,

(iv) an assessment of the strategic implications of the Russian Federation's non-strategic arsenal.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. SMITH of Oregon. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet in executive session during the session of the Senate on Wednesday, April 29, 1998, to conduct a mark-up of S. 1260, the ''Securities Litigation Uniform Standards Act of 1997,'' and of the nomination of Donna Tanoue, of Hawaii, to be a member and chairperson of the board of directors of the Federal Deposit Insurance Corporation.

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

COMMITTEE ON FINANCE

Mr. SMITH of Oregon. Mr. President, the Finance Committee requests unanimous consent to conduct a hearing on Wednesday, April 29, 1988 beginning at 9:00 a.m. in room 215 Dirksen.

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

COMMITTEE ON THE JUDICIARY

Mr. SMITH of Oregon. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on 'Wednesday, April 29, 1998 at 2:00 p.m. in room 215 of the Senate Dirksen Office Building to hold a hearing on ''Judicial Nominations.''

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

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. SMITH of Oregon. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet for a hearing on Assistive Technology Act during the session of the Senate on Wednesday, April 29, 1998, at 10:00 a.m.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. SMITH of Oregon. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, April 29 and Thursday, April 30, 1998 at 2:30 p.m. to hold closed hearings on intelligence matters.

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

SUBCOMMITTEE ON COMMUNICATIONS

Mr. SMITH of Oregon. Mr. President, I ask unanimous consent that the Communications Subcommittee of the Senate Committee on Commerce, Science, and Transportation be authorized to meet on Wednesday, April 29, 1998, at 10:00 a.m. on Satellite Reform.

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

ADDITIONAL STATEMENTS

CONGRATULATING CENTRAL FALLS HIGH SCHOOL FOR ITS FIRST PLACE FINISH IN THE ''WE THE PEOPLE . . . THE CITIZEN AND THE CONSTITUTION'' STATE COMPETITION

• Mr. CHAFEE. Mr. President, on May 2nd, twenty outstanding students from Central Falls High School in Rhode Island will visit Washington to compete in the national finals of the ''We The People . . . The Citizen And The Constitution'' program. In fact, this is the second time that the Central Falls High School team has won the statewide competition!

For those of my colleagues who are not familiar with it, the ''We The People . . . The Citizen And The Constitution'' program is among the most extensive educational programs in the country focusing on citizenship. The program was developed specifically to ensure that young people understand the history and philosophy of the Constitution and the Bill of Rights. The three-day national competition simulates a congressional hearing in which students are given the opportunity to demonstrate their knowledge while they evaluate, take, and defend positions on historical and contemporary constitutional issues.

Administered by the Center for Civic Education, the ''We The People . . . The Citizen And The Constitution'' program provides an excellent opportunity for students to gain an informed perspective on the significance of the U.S. Constitution and its place in our history. It is heartwarming to see young Rhode Islanders taking such an active and participatory interest in public affairs.

I am very proud of Rodolfo Alvarez, Paula Arango, Viviana Blandon, Liana Breton, Angela Cano, Elizabeth

Carmona, Jessica Carmona, Nicole Duguay, Arabella Garzon, Jennifer Kelley, Suzanne Krupka, Kathleen Lopes, Gina Matuszek, Nicole Mercado, Richard Oliveira, Patricia Pina, Shelly Rua, Amanda Ryfa, Giovann Restrepo, Melisa Sylvestre, and Melissa Weber for making it to the national finals. I applaud this terrific group of young men and women for their hard work and perseverance. Also, Mr, President, I want to congratulate Bert Brousseau, a fine teacher who deserves so much credit for guiding the Central Falls High School team to the national finals.

On Tuesday, April 7th I was pleased to visit the Central Falls winners. I couldn't resist giving them a spontaneous oral quiz. I am happy to report that they responded to my questions superbly! Congratulations to Mr. Brousseau and his students for what they have already achieved, and best of luck in the final competition. These students, with the guidance of Mr. Brousseau, have learned what our nation is all about and what countless men and women have fought and died to protect. No matter what the outcome of the contest is, they have each earned the greatest prize of all: Knowledge.●

ST. ANTHONY'S PARISH CELEBRATES THE BEGINNING OF ITS SEVENTY-FIFTH YEAR IN SERVICE TO GOD AND COMMUNITY

● Mr. BIDEN. Mr. President, on a hill in the western section of my hometown of Wilmington, Delaware, stands St. Anthony's Roman Catholic Church, a beautiful and imposing masterpiece of architecture and a testimonial to the power of faith that dominates the skyline. Founded in 1924, St. Anthony's Parish has been a major force in the religious, social, and cultural life in Wilmington for four generations. In addition to the magnificent church, the parish has built St. Anthony's Grade School, an elementary school, and Padua Academy, a fine high school for young women. In addition, there is Fournier Hall, a center for the social and recreational needs of the community; The Antonian—an apartment complex built to ensure that the neighborhood's senior citizens have access to quality, affordable housing; and the Father Roberto Balducelli Community Center, which provides day care for the community's children and daily activities for their grandparents and great-grandparents. And every June, St. Anthony's Festival draws tens of thousands of Delawareans and people from across the country for a week of good food, good fun, and a celebration of God's blessings. For three-quarters of a century, the good people of St. Anthony's Parish—both clergy and parishioners—have looked to the needs of the entire community, and joined together to meet those needs. The entire Greater Wilmington area has benefitted from their efforts. They truly have earned a special place in our lives and the life of our city.

As St. Anthony's Parish begins the year-long celebration of its seventy-fifth year, they have chosen to kick off that celebration Thursday evening, April 30, with a dinner and Mass of Thanksgiving, in which they will honor three of the pillars of the parish, three individuals who have labored long and hard over many years to build St. Anthony's into the vital part of community life that it has become; Father Mario Bugliosi, Brother Michael Rosenello, and Father Roberto Balducelli.

Father Mario came to Wilmington for the first time in 1954, as a teacher at Salesianum High School, a premier Catholic high school. After spending five years at Salesianum and a year at a high school in Philadelphia, Father Mario returned to Wilmington in 1960 as an Associate Pastor at St. Anthony's and, except for a two-year hiatus in his native Italy, has been doing the Lord's work among us ever since. His kind, gentle manner and complete decency—always there with a supportive word for everyone—has made him the parish's chief ''Confessor''—the man you go to in times of crisis (spiritual or otherwise), at times when you are in need of advice and counsel, and at times when you simply need someone to listen. He personifies the notion that ''to minister'' need not refer only to great and glorious words from the pulpit, but to a quiet moment over a cup of coffee, a shared walk along the street, or to a visit to the home of someone in spiritual need.

Brother Mike—there are folks in the parish who refer to him as ''Mr. Padua'' for his yeoman like work at the school—also first came to St. Anthony's in 1954 as a Pastoral Assistant and the Director of Youth Ministry. After a short absence in the 1960's, he returned to the parish in 1966 as the Director of Parish Maintenance, where he has overseen virtually every aspect of life at the school, starting with the construction of the new school building beginning in 1967. He developed the girls' athletic programs at the school and coached basketball himself for many years. He has organized and directed many of St. Anthony's most successful social events over the years and decorated the church for all of its major feasts and celebrations. And perhaps most importantly to the students at Padua, he has overseen the operations of the school's cafeteria, ensuring that lunch time is both delicious and nutritious as well as a time for catching up with friends. He is one of those fellows who is always there when the parish or the parishioners need a fresh idea, an organizer, or a pair of hands used to hard work.

For fifty-two years, first as a teacher and Associate Pastor, then for twenty-nine years as pastor, and for the past ten years as the parish's ''Senior Statesman'', Father Roberto Balducelli—''Father Robert'' to everyone in Wilmington—has been the man who makes things happen. He is responsible for the building of St. Anthony's Grammar School, the Parish House and Rectory, the Padua Academy, and the Antonian. He was the founder of the community center which now bears his name, and initiated the St. Anthony's festival, which has become one of the premier social events for families of all faiths in the Wilmington area. He is a living legend, known and respected by Delawareans who have never set foot in his church but who share his love for our city and its people, and yet for all of his success in working with the leaders of Delaware industry, commerce, and government, he has never left the working-class community to which he came from Italy a half-century ago. Twenty years ago, he was chosen by Delaware's largest newspaper, The News Journal as one of ten outstanding Delawareans—and he has been building upon that legacy for two decades since. Since his ''retirement'' in 1988, he has continued his efforts to develop recreational facilities for young people bringing youngsters from the city out into the country to enjoy the outdoors and share in the spirituality and enjoyment of God's natural creations. Those efforts would tax the energy of a dozen people half his age, but for Father Robert, it is simply a continuation of his tireless energy on behalf of his flock. He is truly one of Delaware's living treasures.

These three individuals, plus the thousands of parishioners and staff who have worked so hard with them over the years, epitomize the old idea that a church is a vital part of the community, not just on Sundays, but every day in many ways to everyone in the community. Their spirit is the spirit that has sustained St. Anthony's parish for seventy-five years, and hopefully will sustain the parish and its parishioners for many years to come.

I am honored to have the opportunity to salute that spirit and commend St. Anthony's Parish as they embark upon their seventy-fifth year doing God's work in Wilmington.●

POISON CONTROL CENTERS

● Mr. ABRAHAM. Mr. President, I rise today in support of S. 1862, the ''Poison Control Center Enhancement and Awareness Act.'' I believe this legislation is crucial to our effort to protect Americans, and American children in particular, from the tragic effects of accidental poisoning, and I commend my colleague, Senator DEWINE, for his leadership on this issue.

Mr. President, more than 2 million times a year, poison control centers in the United States receive a report of a poisoning. On average that's almost 5,500 every day, over 225 every hour, and about 4 calls each and every minute. More than 90 percent of these poisonings happen in homes in Michigan and around the country, and over

half of the poisoning victims are children under the age of 6.

The conveniences most of us take for granted can be dangerous for our children. The household cleaner we use to keep our counters and floors clean, the fertilizer that keeps our lawns green, the products we use to keep our yards and homes free of vermin, all can bring tragedy if they fall into the hands of an innocent child.

People in my own state Michigan are lucky to have a regional poison control center conveniently located in Grand Rapids. There clearly is a need for this office, which handles approximately 50,000 calls a year and has taken over 800,000 calls since opening its doors in 1977. Like other poison control centers, the one in Grand Rapids deals mostly with accidents involving children under age 6.

As the parents of three children, all of them under age 6, my wife Jane and I have become deeply disturbed about these sky-high poisoning statistics. Because of this concern, we have gotten involved in an effort to strengthen existing and future poison control centers and to set up a 1-800 toll-free hotline. We also want to help establish a national media campaign to make people aware of the availability of poison control resources in their communities.

That is why I am proud to be cosponsoring the ''Poison Control Center Enhancement and Awareness Act.'' This legislation would: establish a toll-free number to make sure that all Americans have access to poison control services; implement a nationwide media campaign to educate the public and health care providers about poison prevention and to advertise the new, nationwide toll-free number; and establish a grant program to help certified poison control centers prevent and provide treatment recommendations for poisonings. The total amount of grant funds available will be $25 million each year from 1999 to 2001. These funds can be used to supplement other Federal, State, local or private funds.

Mr. President, too many of our children stumble across dangerous chemicals right in their own homes. Too many of them suffer often tragic consequences when they unknowingly ingest these poisons. I believe we should do everything we can to see to it that our children do not suffer in this way. At very small cost, the ''Poison Control Center Enhancement and Awareness Act'' will provide increased access to poison control centers and help people who are trying to prevent and treat poisoning.

I urge my colleagues to support this important legislation.●

THE DAIRY REFORM ACT OF 1998

● Mr. FEINGOLD. Mr. President, today I rise in support of S. 1982, the Dairy Reform Act of 1998, introduced by my colleague from Minnesota, Senator ROD GRAMS. The Federal Dairy Program was developed in the 1930's, when the Upper Midwest was seen as the primary reserve for additional supplies of milk. The idea was to encourage the development of local supplies of fluid milk in areas of the country that had not produced enough to meet local needs. Six decades ago, the poor condition of the American transportation infrastructure and the lack of portable refrigeration technology prevented Upper Midwest producers from shipping fresh fluid milk to other parts of the country. Therefore, the only way to ensure consumers a fresh local supply of fluid milk was to provide dairy farmers in those distant regions with a boost in milk price large enough to encourage local production—that higher price referred to as the Class I differential. Mr. President, the system worked well—too well. Wisconsin is no longer this country's largest milk producer. This program has outlived its necessity and is now working only to shortchange the Upper Midwest, and in particular, Wisconsin dairy farmers.

The Dairy Reform Act of 1998 is very simple. It establishes that the minimum Class I price differential will be the same, $1.80/hundredweight, for each marketing order. As many of you know, the price for fluid milk increases at a rate of approximately 21 cents per 100 miles from Eau Claire, WI. Fluid milk prices, as a result, are nearly $3 higher in Florida than in Wisconsin, more than $2 higher in New England, and more than $1 higher in Texas. This bill ensures that the Class I differentials will no longer vary according to an arbitrary geographic measure—like the distance from Eau Claire Wisconsin. No longer will the system penalize producers in the Upper Midwest with an archaic program that outlived its purpose years ago. This legislation identifies one of the most unfair and unjustly punitive provisions in the current system, and corrects it. There is no substantive, equitable justification to support non-uniform Class I differentials in present day policy.

USDA's Federal Milk Marketing Order reform proposal is currently being considered. It is long past the time to set aside regional bickering and address the problems in both options presented under the proposed rule. The Dairy Reform Act of 1998 will not adversely affect the modest reform of Option 1B as offered by Secretary Glickman. It will take Option 1B a step further and lead the dairy industry into a more market oriented program. Also producers will still be able to receive payment for transportation costs and over-order premiums. This measure would finally bring fairness to an unfair system. With this bill we will send a clear message to USDA and to Congress that Upper-Midwest dairy farmers will never stop fighting this patently unfair federal milk marketing order system. After over 60 years of struggling under this burden of inequality, Wisconsin's dairy industry deserves more; it deserves a fair price.●

TRIBUTE TO ROBERT T. STAFFORD ON HIS WORK FOR THE VERMONT RED CROSS

● Mr. JEFFORDS. Mr. President, I rise today to pay tribute to retired U.S. Senator Bob T. Stafford. The Central Vermont-New Hampshire Valley Chapter of the American Red Cross is honoring Bob with its most prestigious award at a dinner to be held at the Capitol Plaza Hotel in Montpelier, Vermont on May 7, 1998. He will receive the Chapter's Volunteer of the Year Award, in recognition for his six years of service on the Board of Directors and his sterling leadership of the its capital campaign, ''Building for the 21st Century.''

Bob was elected to the Board of Directors in 1992, and has served on a number of committees, including financial development and the executive committees, as well as chair of the capital campaign committee. He led the last committee by identifying and acquiring major lead gift pledges for the $1 million campaign, initiated in 1997.

Before joining the Red Cross Chapter's Board, he provided leadership for several significant disaster fund-raising campaigns, including the effort to raise funds to support recovery operations during the 1992 flood that ravaged downtown Montpelier. He was also honorary chair of several special events to raise funds to support the operating expenses of the Chapter.

In addition to these honors, the Chapter is hosting the dinner as a celebration and recognition of the longtime service of the state of Vermont. Bob has served the state of Vermont as Attorney General, Lieutenant Governor, Governor, U.S. Representative and U.S. Senator. His name is now revered by college students throughout the country for his development and support of legislation creating student loans and his leadership in efforts to preserve the environment. His support of vocational education is memorialized in his home town of Rutland, where the Stafford Technical Center serves the needs of hundreds of Rutland County students.

His name is also affixed to the Robert T. Stafford Disaster Relief Act, which allows various federal agencies to make preliminary advance preparations in response to disasters before their official declarations.

I am pleased that my friend and former colleague is being recognized for this longstanding efforts in support of the community. Bob represents the best of Vermont and has set the example we should all strive to emulate.●

APPOINTMENTS BY THE VICE PRESIDENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to 10 U.S.C. 4355(a), appoints the Senator from Rhode Island (Mr. REED), At Large, to the Board of Visitors of the U.S. Military Academy.

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to 10 U.S.C. 6968(a), appoints the following Senators to the Board of Visitors of the U.S. Naval Academy:

The Senator from Maryland (Ms. MIKULSKI), from the Committee on Appropriations, and the Senator from Maryland (Mr. SARBANES), At Large.

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to 10 U.S.C. 9355(a), appoints the following Senators to the Board of Visitors of the U.S. Air Force Academy:

The Senator from South Carolina (Mr. HOLLINGS), from the Committee on Appropriations, and the Senator from Georgia (Mr. CLELAND), At Large.

AUTHORIZING THE PRINTING OF MINUTES OF PARTY CONFERENCES

Mr. COATS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Senate Resolution 219, submitted earlier today by Senators MACK and DASCHLE.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

A resolution (S. Res. 219) authorizing the printing of the minutes of the Senate Republican and Democratic Party conferences.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. COATS. Mr. President, I ask unanimous consent that the resolution be agreed to, that the preamble be agreed to, and that the motion to reconsider be laid on the table.

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

The resolution (S. Res. 219) was agreed to.

The preamble was agreed to.

The resolution (S. Res. 219), with its preamble, reads as follows:

S. RES. 219

Whereas the Senate Republican and Democratic Conferences have maintained minutes of their meetings since the earliest years of this century;

Whereas the Advisory Committee on the Records of Congress recommends that the portions of those minutes at least 30 years old be published; and

Whereas the minutes of the Senate Party Conferences offer rich documentation of the Senate's institutional development during the first two-thirds of the 20th century: Now, therefore, be it

Resolved,

SECTION 1. PRINTING OF THE MINUTES OF THE REPUBLICAN CONFERENCE, 1911–1964.

(a) IN GENERAL.—There shall be printed as a Senate document the book entitled ''Minutes of the Senate Republican Conference, 1911–1964'', prepared by the Senate Historical Office under the supervision of the Secretary of the Senate, with the concurrence of the United States Senate Republican Conference.

(b) SPECIFICATIONS.—The Senate document described in subsection (a) shall include illustrations and shall be in the style, form, manner, and binding as directed by the Joint Committee on Printing after consultation with the Secretary of the Senate.

(c) NUMBER OF COPIES.—In addition to the usual number of copies, there shall be printed with suitable binding the lesser of—

(1) 1,000 copies for use of the Senate, to be allocated as determined by the Secretary of the Senate; or

(2) a number of copies that does not have a total production and printing cost of more than $1,200.

SEC. 2. PRINTING OF THE MINUTES OF THE DEMOCRATIC CONFERENCE, 1903–1964.

(a) IN GENERAL.—There shall be printed as a Senate document the book entitled ''Minutes of the Senate Democratic Conference, 1903–1964'', prepared by the Senate Historical Office under the supervision of the Secretary of the Senate, with the concurrence of the United States Senate Democratic Conference.

(b) SPECIFICATIONS.—The Senate document described in subsection (a) shall include illustrations and shall be in the style, form, manner, and binding as directed by the Joint Committee On Printing after consultation with the Secretary of the Senate.

(c) NUMBER OF COPIES.—In addition to the usual number of copies, there shall be printed with suitable binding the lesser of—

(1) 1,000 copies for the use of the Senate, to be allocated as determined by the Secretary of the Senate; or

(2) a number of copies that does not have a total production and printing cost of more than $1,200.

THE 50TH ANNIVERSARY OF THE FOUNDING OF ISRAEL

Mr. COATS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of House Joint Resolution 102, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

A joint resolution (H. J. Res. 102) expressing the sense of the Congress on the occasion of the 50th anniversary of the founding of the modern State of Israel and reaffirming the bonds of friendship and cooperation between the U.S. and Israel.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. BIDEN. Mr. President, I would like to recount a little history—a history I'm sure many are familiar with. One hundred years ago last August, the first World Zionist Congress convened in the Swiss city of Basel. Although the gathering attracted little attention at the time, what transpired then would forever change the course of Jewish history, and indeed world history.

What later came to be known as the Basel Program stated quite simply that the aim of Zionism was ''To create for the Jewish people a home in Palestine secured by public law.''

With that simple proposition, the delegates at the first Congress formally set into motion the Jewish national liberation movement. It would mean the fulfillment of a spiritual yearning that had remained unrealized for over two millennia.

At the conclusion of the conference, Theodor Herzl recorded a prescient entry in his diary:

In Basel, I founded the Jewish state. If I were to say this aloud I would meet with laughter; but in another five years, and certainly in another fifty years, everyone will be convinced of this.

From the distance of a hundred years, I can say we are convinced.

Of course, it took fifty years of sacrifice—and a world shamed by the Holocaust—before Herzl's dream of a Jewish homeland became a reality. But it happened, and tomorrow we celebrate fifty years of Israeli independence.

In that short span of time, Israel has become the beacon of hope for Jews the world over. It has successfully absorbed wave after wave of immigrants from every corner of the globe. It has built a thriving economy larger than the economies of all its immediate neighbors combined. It is the sole democracy in a region where dictatorships and monarchies are the norm. It excels in science, technology, and culture far out of proportion to its small population.

In short, the Jewish people have, after long tribulation, taken their rightful place among nations. And Israel has become a symbol to all of us.

The very fact that Israel exists means that Jews will never again be at someone else's mercy. They are masters of their destiny. Israel is the tangible expression of the solemn vow we made after the Holocaust—''Never Again.''

Never again will Jews be powerless. Never again will they have to rely upon the mercy and goodwill of an overlord. Never again will they have to watch helplessly as nearly half of their people is exterminated. Put simply, Israel symbolizes the restoration of Jewish independence and dignity.

Nearly a quarter century ago as a junior Senator on the Foreign Relations Committee, in my first official trip overseas, I made a formative journey to Israel. It was just after the Yom Kippur war—a war that vividly brought home Israel's vulnerability as well as the absolute necessity of an intimate U.S.-Israel relationship.

The lessons I learned on that journey have remained with me ever since. In the past twenty-five years, I have worked with six different Israeli Prime Ministers and six different American Presidents. I have been twice in the majority party in the Senate and I am now in the minority for the second time.

But through it all, the United States relationship with Israel has remained a constant feature. It transcends individual leaders and political parties. It is not subject to the vagaries of international events. The bond between Israel and the United States is unbreakable.

This strategic and moral partnership between Israel and the United States

has made possible the peace agreements between Israel and three former adversaries.

As Israel's enemies have seen that they cannot drive a wedge between our two countries, so they have come to recognize slowly but surely that Israel is here to stay.

I know that I speak for many of my colleagues when I say that the American commitment to Israel over the next 50 years will be just as reliable as it has been in Israel's first 50 years.

I urge my colleagues to support this joint resolution and I yield the floor.

Mr. DASCHLE. Mr. President, I am very pleased to join with Senator LOTT in sponsoring this resolution honoring the 50th anniversary of Israel's founding.

I had the privilege of speaking last week at the U.S. Holocaust Memorial Founders Reunion in Washington. In my remarks, I quoted from one of the sages of the Torah, who told us more than 200 years ago that God could have created plants that would grow into loaves of bread. Instead, He created wheat for us to grow and mill and transform into bread.

Why?

Because He wanted us to be able to take part in the miracle of creation.

And, just as the founders of the Holocaust Museum can take pride in their contribution to the creation of that memorial, so too can Israelis take great pride in their contributions to the creation of the modern State of Israel.

In my remarks to the Holocaust Museum founders, I also cited Elie Wiesel's view that: ''Survivors are understood by survivors only. They speak in code. All outsiders could do was come close to the gates.''

That is what the Holocaust Memorial Museum allows us to do: to come close to the gates; to see; to grieve; and, finally, to learn, so that we can pass the knowledge on, from generation to generation, about what can happen when intolerance and hatred are allowed to spread unchecked.

One of the greatest benefits of the Holocaust Museum is that it helps its millions of visitors understand why there must be an Israel. The Holocaust Museum is evidence of the fact that out of the unspeakable horror of the Holocaust has come the miracle of the creation of the State of Israel to provide a homeland for Jews around the world. Out of this tragedy has come the modern-day State of Israel, the 20th century version of the 3,000-year old historic Kingdom of Israel.

We are introducing this resolution today to celebrate and commemorate the 50th anniversary of Israel's founding and to offer the Senate's congratulations on reaching this important landmark.

Mr. President, fifty years is not considered long relative to the lifespan of an England, a China or an India. In the case of Israel, however, it is an eternity when we factor in the obstacles it has faced during these fifty years.

Throughout its existence, Israel has faced an array of enemies dedicated to its destruction. It has been forced to fight six wars, battle against countless terrorist acts, survive economically in the face of widespread economic boycotts, and make its way in the world despite international criticism against it.

This resolution commemorates not only Israel's ability to survive these odds, but also its ability to thrive and prosper in the face of these constraints and to maintain its adherence to democracy and the rule of law. Israel today is a dynamic, vibrant society committed to the same values and principles as the United States.

Another important reason we are offering this resolution is to reiterate the strength of the partnership between the U.S. and Israel—a partnership based on shared values, interests and goals. Israel is a trusted ally and an important strategic partner.

I would like to make the resolution's four resolved clauses part of my statement offering my best wishes to Israel on this important occasion.

The measure resolves that the United States recognizes the historic significance of the fiftieth anniversary of the re-establishment of the sovereign and independent modern State of Israel.

It commends the people of Israel for their remarkable achievements in building a new state and a pluralistic democratic society in the Middle East in the face of terrorism, hostility and belligerence by many of her neighbors.

It reaffirms the bonds of friendship and cooperation which have existed between the United States and Israel for the past half-century and which have been significant for both countries.

And it extends the warmest congratulations and best wishes to the State of Israel and her people for a peaceful and prosperous and successful future.

Mr. President, I urge all Senators to join me in sending our congratulations to Israel on this noteworthy day.

Mr. KERREY. Mr. President, I rise today to offer my congratulations on the upcoming 50th Anniversary of the founding of the state of Israel. Throughout Israel and the United States, people will gather together to commemorate this anniversary, to reflect upon the accomplishments of the Israeli people, and to look forward to the new millennium.

Not unlike the founding of our own nation, a small group of leaders gathered in the Tel Aviv Museum at 4:00 on May 14, 1948 to realize a dream by formally declaring the creation of the state of Israel. Few Americans may be aware that within 11 minutes of that declaration, President Harry Truman had taken the necessary steps to offer formal diplomatic recognition to this new nation, making the United States the first nation to recognize Israel as a sovereign state. From that point, the United States and Israel cemented a friendship based on our common bonds: from cultural and religious ties to a mutual belief in the power of democracy to the assurance of a peaceful, prosperous future.

Each time I have visited Israel, I have been impressed with the hope for the future expressed by her people. This hope exists despite the challenges Israel has faced from the moment of its creation. In many ways, I believe these challenges have helped the Israeli people create a society that serves as an example to all nations.

It is a society based on democracy. In a region where the seeds of democracy have not fully taken root, Israel has a vibrant democracy with strong public participation. It is a prosperous society. Despite a wide variety of economic challenges, Israel's economy has grown to the point where per capita income rivals that of most Western nations. Finally, it is a society based on opportunity. Like our own country, Israel is a nation of immigrants. It is a nation that has gathered people from around the world with the promise of political and religious freedom.

Today, Israel continues to face challenges as it prepares to move into the 21st Century. As the people of Israel seek to achieve economic independence, ensure their security, and create a lasting peace with their neighbors, they do so with the assurance of the continued strong relationship with the United States.

Mr. President, the words Prime Minister David Ben-Gurion delivered in his address to a new nation still ring true today:

> Whatever we have achieved is the result of the efforts of earlier generations no less than our own. It is also the result of unwavering fidelity to our precious heritage, the heritage of a small nation that has suffered much, but at the same time has won for itself a special place in the history of mankind because of its spirit, faith, and vision.

Mr. President, again, I offer my congratulations to the people of Israel on this 50th Anniversary. We share with them the bond of democracy and the hope of a peaceful and prosperous future.

Mr. COATS. Mr. President, I ask unanimous consent that the joint resolution be considered as read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the resolution appear at this point in the RECORD.

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

The preamble was agreed to.

The joint resolution (H.J. Res. 102) was passed.

ORDERS FOR THURSDAY, APRIL 30, 1998

Mr. COATS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 11 a.m. on Thursday, April 30. I further ask that on Thursday, immediately following

the prayer, the routine requests through the morning hour be granted and the Senate then resume consideration of the Craig amendment numbered 2316 to the NATO enlargement treatment.

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

Mr. COATS. Mr. President, I further ask that the time following the prayer until 12 noon be equally divided for debate on the Craig amendment; further, that at 12 noon the Craig amendment be temporarily set aside and the votes on or in relation to the amendment follow the two stacked rollcall votes previously ordered to occur at approximately 3 p.m.

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

PROGRAM

Mr. COATS. Mr. President, for the information of all Senators, tomorrow morning at 11 a.m. the Senate will resume consideration of the Craig amendment numbered 2316 to the NATO enlargement treaty.

Under the previous order, at noon Senator MOYNIHAN will be recognized to offer an amendment under a 1-hour time agreement.

Following the debate on the Moynihan amendment, Senator WARNER will be recognized to offer an amendment under a 2-hour time agreement.

Following the debate on the Warner amendment, at approximately 3 p.m., at the conclusion of that debate, the Senate will proceed to three stacked rollcall votes.

The first vote will be on or in relation to the Moynihan amendment, followed by a vote on or in relation to the Warner amendment, followed then by a vote on or in relation to the Craig amendment.

As a reminder, a unanimous consent agreement was reached which limits the amendments to the NATO treaty. It is hoped that any Senator still intending to offer an amendment under the consent agreement will do so early tomorrow to allow the Senate to complete action on this important document by early tomorrow evening.

Also, if available, the Senate may consider the conference report to accompany the supplemental appropriations bill.

Therefore, Senators should expect rollcall votes throughout the Thursday session of the Senate.

Mr. President, that is an ambitious schedule. Senators are urged to be timely. Senators are urged, those who may have additional amendments to the NATO enlargement treaty, to make those amendments known to leadership, and hopefully reasonable time requests can be entered into. A number of Senators are making very important official business commitments for the weekend, and the more definite the plans can be about the schedule tomorrow, the more expeditiously those commitments can be undertaken.

ORDER FOR ADJOURNMENT

Mr. COATS. Mr. President, if there is no further business to come before the Senate, I now ask that the Senate stand in adjournment under the previous order, following the remarks of Senator CONRAD.

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

The Senator from North Dakota.

Mr. CONRAD. I thank the Chair. I thank my colleague from Indiana as well.

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.

Mr. CONRAD. Mr. President, I rise in opposition to the resolution of ratification for NATO enlargement.

In my view, there are four questions that must be answered in the affirmative in order to support NATO expansion.

No. 1, are the risks to relations with Russia and arms control acceptable?

No. 2, are we sure what NATO expansion will cost and who will pay for it?

No. 3, has a compelling argument been made as to why expansion is necessary?

No. 4, are we certain that enlargement will not have perverse consequences, fostering instability in Eastern Europe and perpetuating the danger from Russia's tactical nuclear arsenal?

I am convinced, after thorough review, that the answers to these questions are all no.

I start with the observation of Mr. George Kennan, perhaps the foremost observer of U.S.-Russian relations. Mr. Kennan, who was, after all, the architect of the containment policy that proved so effective, said in a Newsday editorial on March 15 that, ''Expanding NATO would be the most fateful error of American policy in the entire post-world war era.''

Mr. President and colleagues, let me repeat. George Kennan, the architect of containment, said as recently as March 15 that, ''Expanding NATO would be the most fateful error of American policy in the entire post-world war era.''

That is a pretty serious statement by someone who has great credibility based on his record. He is not alone in that assessment. Former Senator Nunn, who enjoyed enormous respect on both sides of the aisle in this Chamber, has discussed a dangerous contradiction at the center of the argument for expansion, saying that while enlargement is intended to protect former Soviet satellites, nothing else is as likely to remilitarize Russia and endanger those very countries as NATO enlargement.

Senator Nunn is not alone. We are hearing from leaders in Russia their warnings to us not to proceed. I recently met—with a group of Senators and Members of the House of Representatives—with Alexi Arbatov, who is deputy chairman of the Duma's defense committee. He told us, ''If you proceed with NATO enlargement, you are handing a powerful issue to the radicals in Russia. You are energizing the extreme nationalists in Russia, and you are weakening the forces for democracy.''

Mr. President, we should not lightly dismiss the warnings of committed democrats in Russia like Alexi Arbatov and others who have given us similar warnings. I think it says a great deal that the primary architects of American strategy during the cold war, George Kennan and Paul Nitze, have cautioned the Senate against ratification and NATO expansion.

Nearly 50 years ago, as successive heads of the State Department's policy planning staff during the Truman Administration, Kennan and Nitze understood that containment of the Soviet Union was critically important to the free world. Today, they have told us that NATO expansion is a mistake.

I believe the stakes are very high. Remilitarization in Russia is a serious threat. Avoiding this outcome should be our priority, not enlarging NATO.

The first casualty of our expansion of NATO may very well be progress on arms control. I know that many of my colleagues do not like to be in a position where it seems the Senate's decisions about foreign policy are dependent on reaction in Russia. It smacks of blackmail. The problem with this thinking is that it assumes that something we need is being held hostage.

As I have discussed, there simply is no compelling argument for why we must expand NATO. Therefore, to risk relations with Russia and arms control are not acceptable. The Duma's expeditious ratification of START II should be our priority. In pursuing our national interest we are in no way giving in to Russian blackmail.

I might add it is not just a question of START II ratification, but it is also clearly in our national interest to make a priority of reducing the threat from the tactical nuclear weapons that are in the Russian arsenal.

By rejecting NATO enlargement, we would simply be choosing not to embark on a dangerous and unjustified course of enlarging NATO and would avoid making a terrible mistake in the course of U.S.-Russian relations.

The second point I think needs to be made is that NATO enlargement brings unknown costs. The case for enlargement becomes increasingly suspect when we look at questions related to the costs and who will bear them.

I direct the attention of my colleagues to a chart on the various estimates that have been issued with respect to the cost of NATO enlargement. The Congressional Budget Office issued an estimate of $21 billion to $125 billion. The Rand Corporation said the

cost would be $10 billion to $110 billion. The first Clinton administration estimate was $27 billion to $35 billion. NATO itself has put a price tag of $1.5 billion on expansion. And the second Clinton administration estimate was $1.5 billion.

You talk about a wide-ranging estimate. We have anywhere from $1.5 billion to $125 billion. I do not know where the truth lies. I am a member of the Budget Committee, as is the distinguished occupant of the Chair. I think it is fair to say that none of us has a truly credible estimate with respect to the cost of NATO enlargement.

This takes me to another key question. Who is going to pay this tab? I think all of us know these estimates are probably far off the mark. They probably understate in a very serious way the potential costs of NATO enlargement.

The third main point that must be made with regard to NATO enlargement is that no compelling argument for expansion has been made. What is the military threat that we are encountering? After all, NATO is a military alliance. What threat are we defending against by expanding NATO? I see no immediate Russian threat to the Czech Republic, Hungary, or Poland.

We must remember that article V of the North Atlantic Charter states clearly that an attack on any one member nation is to be considered an attack on all. The test for extension of such a guarantee ought to be simple and clear. We must be convinced that the safety of the American people is directly tied to the security of the country in question, and therefore we must defend that country as we would our own. That must be the test.

Clearly, Western Europe's freedom from Soviet domination was central to the survival of our country and of the free world. Article V deterred Moscow by sending an unmistakable message that a Soviet move against Bonn, West Germany, would have been resisted as would an attack on Bismarck, North Dakota. But nearly 10 years after the fall of the Berlin Wall, the Russian army weakened and greatly reduced, and warning times dramatically expanded, I fail to understand why it is immediately imperative that we provide that same guarantee to Budapest, Hungary.

Mr. President, what is our national interest? That is the question before this body. I believe the overarching priority is to further reduce nuclear weapons that are in the Russian arsenal. And the question before the Senate is whether NATO enlargement will slow down the progress towards arms control or will speed it up.

I don't think there is any question that there exists in expanding NATO a clear risk to this true priority. The overwhelming likelihood is that the U.S. vital interest, which is in reducing the threat from the Russian nuclear arsenal, will be harmed. Expanding NATO is not in our interest.

Mr. President, concern about possible instability in Eastern Europe does not justify expansion of NATO. NATO is not the only vehicle for stability in Europe. Other options that deserve review include expansion of the European Union, or reworking the Partnership for Peace or the Organization for Security and Cooperation in Europe. Expansion of a military alliance is not our only option. In fact, it appears to this Senator that it is the worst option. I think the New York Times put it very well when it stated in a recent editorial: ''There is simply no compelling security justification for NATO enlargement.''

Fourth point: NATO expansion may have perverse consequences, increasing instability in Eastern Europe and perpetuating the danger from Russia's tactical nuclear arsenal. The impact of expansion on Eastern Europe and proliferation are perhaps the least studied of all aspects of this issue. But these are some of the most important concerns. After all, stability in Eastern Europe and the safety of our country is why we are debating NATO enlargement on the Senate floor tonight.

I am very concerned that NATO enlargement could actually increase the danger in Eastern Europe. As former Senator Nunn has indicated, expansion could create the very danger from Russia that it is intended to prevent. Expanding NATO to foster stability could have the perverse result of increasing the danger to the former Soviet satellites that we decide not to include. By not including some countries while welcoming others, Russia might well conclude that some countries in Eastern Europe are less important to us than others, and therefore easier to intimidate. Let us not draw new lines in Eastern Europe without serious thought about their consequences.

NATO expansion may additionally drive remilitarization and arms buildups. We are asking Poland, Hungary and the Czech Republic to significantly increase their defense budgets. How can we expect their neighbors to respond? How can we expect Russia to respond? Just as the Russian extreme nationalists are predicting, it would appear that NATO expansion would have the effect of tipping the conventional balance in Europe even further against Russia.

This is what the Russian forces for democracy are warning us against. They are saying: ''Don't you understand that if you proceed with NATO enlargement, those who are the most radical elements in Russia, those who are the extreme nationalists, will seize on this and they will look to the capability of this expanded military alliance and they will say the capability of NATO is to put tanks on our border?''

We will answer, in the United States: ''But NATO is not an offensive military alliance; it is defensive in nature.''

And those who are the extreme nationalists and the radicals in Russia will respond: ''NATO says it is a defensive alliance, but why are they putting tanks on our border? We don't know what the long-term intentions of NATO are,'' they will argue, ''but we do know NATO's capability—and that capability is to put tanks on our border.''

How will that be used politically in Russia? How will that be used in a post-Yeltsin era? Will it strengthen the hardliners and those who argue for remilitarization? Or will it strengthen the forces for democracy and a market economy? I do not think it takes any great analysis to figure out the result in Russia or how it will be used politically. Those in Russia who argue for democracy, who argue for arms control and arms reductions, who argue for a market economy, they are warning us that we are weakening them, and that we are strengthening the forces for remilitarization.

Mr. President, I also believe NATO enlargement could perpetuate the danger from Russia's tactical nuclear arsenal. According to General Habiger, the Commander of U.S. Strategic Command, Russia has 7,000 to 12,000 tactical nuclear weapons. That bears repeating: Russia has 7,000 to 12,000 tactical nuclear weapons. The United States today has approximately 1,600. What is going to happen with Russia's tactical nuclear stockpile if NATO expansion goes forward? What will Russia's decisionmaking be about their huge advantage in tactical nuclear weapons?

I am concerned that NATO expansion will hurt the prospect of an agreement on tactical nuclear arms because it will increase Russia's reliance on those very weapons. Russia already sees itself conventionally outmatched by NATO. It has abandoned its nuclear policy of no first use. NATO enlargement will simply increase their insecurity, making them less willing to part with their tactical nuclear weapons. This will mean it will be harder to reduce the threat of theft, sale, or unauthorized use of these weapons.

I will be addressing this issue with an amendment. But first, let me conclude on the question of NATO enlargement.

Mr. President, NATO expansion fails on the four tests that I outlined at the outset of my remarks, leading me to the following conclusions. First, the risks to relations with Russia and arms control are unacceptable. Second, we are not certain what NATO expansion will cost or who will pay for it. Third, there is no compelling argument for why expanding NATO is necessary, especially when there are other alternatives. And, fourth, there is ample reason to conclude that enlargement will have perverse consequences, increasing instability in Eastern Europe and perpetuating the danger from the Russian tactical nuclear arsenal.

Fortunately, it is not too late. Columnist Jim Hoagland in a column in the Washington Post last month said: ''The Senate needs an extended debate, not an immediate vote.''

Jim Hoagland has it right. We do need an extended debate. There should

not be a rush to judgment. There are serious questions that should be answered.

The Senate, in my judgment, should not give in to the Cold War argument about American credibility being on the line. How many times have we seen that argument called up in this Chamber? When the arguments are weak on behalf of a decision that is already moving forward, we have colleagues who rush to the floor and say, ''Oh, it might not be such a good idea, but America's credibility is on the line. Our President has made this commitment, and therefore we must go along to maintain American credibility.''

I remember that argument being made in the Vietnam era. It wasn't a good argument then, and it is not a good argument now.

The better course, rather than moving to expand NATO, is to tell the administration we should, first, investigate alternatives to NATO enlargement, such as expansion of the European Union. Second, we should have a new round of hearings when the results of the studies that are required by this resolution are available. That, after all, was the recommendation of former Senators Sam Nunn and Howard Baker. And third, we ought to pursue arms control as our top priority.

As Professor Michael Mandelbaum of Johns Hopkins University has advised us: NATO expansion is at best a distraction from, and at worst a hindrance to, making progress on these issues.

Mr. President, I believe we ought to take Professor Mandelbaum's sound advice. Before we rush headlong into expanding NATO, we ought to think carefully about what is truly in our country's interests.

EXECUTIVE AMENDMENT NO. 2320

(Purpose: To encourage progress on reducing the threat posed by Russia's non-strategic nuclear arsenal)

Mr. CONRAD. Mr. President, on a related matter, I would like to at this point lay down my amendment, as provided for in the unanimous consent agreement.

Mr. President, as I have considered NATO enlargement, it seems to me to be clear we need to put the Senate on record during the NATO debate supporting cooperative efforts with the Russians to reduce the threat from Russia's tactical nuclear arsenal.

At the outset, allow me to emphasize that recent years have seen important progress on arms control. Reduced tensions with Moscow have allowed important treaties to be negotiated that have made the world a far safer place. One of the great successes has been the Intermediate-range Nuclear Forces Treaty. That agreement has eliminated an entire class of nuclear weapons, including the Pershing missiles that this body debated so intensely. The Conventional Forces in Europe treaty has markedly reduced tanks and artillery and armored vehicles in Europe. Two START accords have been negotiated, deeply cutting strategic nuclear forces.

Unfortunately, there have been no arms control treaties on tactical nuclear weapons.

Mr. President, this chart demonstrates the record on arms control. On conventional forces, the red bar shows eastern forces, which during the Cold War were part of the Warsaw Pact. The blue bar shows NATO forces. We can see on conventional forces sharp reductions in the treaty limited equipment of both the old Warsaw Pact and NATO. The same is true under the START accords—dramatic reductions on both sides in strategic systems.

But on tactical forces there has been no treaty. We don't know with any precision what has happened in the former Soviet Union. We don't know what their inventory is.

In 1991 the United States had more than 3,500 tactical weapons in Europe. The U.S.S.R. is estimated to have had around 15,000. In 1991, Presidents Bush and Gorbachev unilaterally pledged to withdraw most tactical nuclear weapons from Europe and begin dismantlement.

Since that time, this country has withdrawn all but around 400 tactical nuclear weapons from Europe, and dismantled all but about 1,600 of our tactical nuclear weapons in total.

The story on the Russian side has been very different. With the collapse of the Soviet empire and a 70 percent reduction in military spending, weapon dismantlement has slowed to a crawl. All former Soviet tactical nuclear weapons have been withdrawn to Russia and placed in storage, but today we don't know how many of those weapons Russia has.

The excellent Nunn-Lugar Program has helped the Russians round up and account for many of these weapons. The fact is, however, we don't know how many they retain.

That arsenal of tactical nuclear weapons is clearly a threat. Because there is not any arms control regime covering tactical nuclear weapons, we are not allowed to inspect, to assess the security of those tactical warheads, and determine their number.

Let's go to the second chart to highlight this point.

In 1991, it is estimated that the U.S.S.R. had 15,000 tactical nuclear weapons—15,000. We had in the range of 3,500 deployed in Europe. Today, we have just over 400 in Europe. But the Russians retain, according to the head of the U.S. Strategic Command, General Habiger, 7,000 to 12,000 tactical nuclear weapons. And yet, arms control agreements do not cover this category of weapons.

On strategic systems, we have come down on both sides, and have come down sharply. The same is true with regard to conventional forces in Europe. But regarding tactical nuclear weapons, there is an enormous disparity. Russia has in the range of 7,000 to 12,000 tactical nuclear weapons. We are down in the range of 400 tactical warheads in Europe, and approximately 1,600 in all.

The lack of a treaty means we have no guarantee that Russia's numbers will come down. The 7,000 to 12,000 tactical nuclear warheads inside Russia present the greatest threat of theft or sale of nuclear warheads in the world today. These constitute the greatest so-called ''loose nuke'' threat. We have reason to believe that the danger with those tactical warheads is greater than with strategic warheads because tactical weapons are not subject to the START accords. They are largely in storage, not deployed on missiles, bombers, and submarines where they are likely to be better protected.

A recent story in the Jerusalem Post indicated that Iran may have been able to purchase up to four former Soviet nuclear warheads earlier this decade. This report highlights an important danger. Terrorist use of one of these weapons would be devastating. A nuclear blast would make the Oklahoma City fertilizer bomb look like a firecracker. Today, many tactical nuclear warheads have yields that dwarf the device that destroyed Hiroshima in 1945.

Mr. President, this chart tells us something about terrorist use of a tactical nuclear warhead. It tells us how devastating it would be. The fertilizer bomb detonated in Oklahoma City two years ago had a destructive yield in the range of two one-thousandths of a kiloton. The so-called ''fat man'' atomic bomb that was dropped on Hiroshima, 13 kilotons. Smaller tactical weapons of today can be in the range of 10 kilotons. Some tactical nuclear weapons have been reported to be as small as a suitcase. Some larger tactical nuclear weapons can have a yield of more than 300 kilotons. And remember—Russia has 7,000 to 12,000 tactical nuclear warheads, devices that are not included in any arms control regime. We don't have an accounting. We don't have the accountability that comes with a formal inspection regime.

The threat from Russia's tactical nuclear arsenal is where we ought to be directing our attention. This is what ought to be our top priority. We endanger progress by moving to enlarge NATO at this time.

The other threat is one that has been highlighted by the United States Strategic Command. Strategic warhead levels would likely decline to around 2,250 under a START III accord. An 8-to-1 Russian advantage in tactical warheads becomes a major strategic concern in this environment. Let me direct the Senate's attention to this chart.

The strategic breakout danger has been referenced by some of our top military leaders. The United States, under a START III accord, would likely have 2,250 deployed strategic nuclear warheads. Russia would presumably have the same number. But look what happens on the tactical side. With tactical nuclear weapons, our arsenal would stand at around 1,500. Russia could still be at 7,000 to 12,000 tactical

warheads, an enormous disparity. And that leads to a concern about strategic instability.

This is especially true in light of the fact that the distinction between tactical and strategic weapons has been disappearing. During the early years of the Cold War, large nuclear weapons with yields in the tens of megatons were needed. At that time, our ICBMs and other delivery systems were inaccurate enough that a massive bomb was needed to destroy a target. But as the accuracy of missiles increased, many large multimegaton bombs were replaced with strategic weapons with much smaller yields. Today, for example, the warheads on the MX—or Peacekeeper—have a yield of 350 kilotons.

As the next chart notes, this is in the range of many tactical nuclear weapons today.

During the cold war, many strategic weapons were in the range of 500 kilotons to 10 megatons. Today, tactical weapons can range from 10 kilotons to around 400 kilotons or more. Many of today's strategic weapons are in the range of 300 kilotons to 1 megaton.

So the difference in yield between strategic systems and tactical nuclear systems has been altered dramatically over time. There is much less of a distinction between the yield of strategic warheads and tactical warheads than in the past.

The implication is clear and disturbing. The 7,000 to 12,000 tactical warheads that General Habiger has said the Russians could have are taking on a strategic relevance. I think my colleagues would agree that a massive Russian superiority could be destabilizing.

My amendment would send a clear signal of Senate support for progress on reducing the threat from Russia's tactical nuclear arsenal. It supports the recommendation of General Habiger, the general charged with America's nuclear security, that future arms control initiatives should include tactical warheads.

Let's listen to America's nuclear commander. He says: ''The Russians have anywhere from 7,000 to more than 12,000 of these nonstrategic nuclear weapons, and we need to bring them into the equation.'' This from General Eugene Habiger, Commander of the U.S. Strategic Command.

My amendment is simple and deserves the support of every Senator. Its purpose is to put the Senate on record in the context of the NATO debate as being concerned about the danger of ''loose nukes.'' The strategic implications of Russia's arsenal are also critically important. We should continue to work cooperatively with the Russians to reduce this threat. I believe the dangers in this area require an increased emphasis if we are to be serious about arms control.

I am pleased to be joined by Senator BINGAMAN, the ranking member on the Strategic Forces Subcommittee of the Armed Services Committee, in offering this amendment.

Briefly, my amendment expresses the sense of the Senate that it would be advisable for future nuclear arms control agreements with the Russian Federation to address tactical nuclear weapons in Europe.

And second, the administration should work with the Russian Federation to increase transparency, exchange data, increase warhead security and facilitate weapons dismantlement.

My amendment contains a simple but important certification. Prior to deposit of the instruments of ratification, the administration shall certify to the Senate that, one, with regard to tactical nuclear weapons it is the policy of the United States to work with the Russian Federation to increase transparency, exchange data, increase warhead security and facilitate weapons dismantlement; and that two, discussions toward this end are underway with the Russian Federation.

The administration should be able to meet this certification with little difficulty based on current staff level discussions. Nevertheless, this provision puts the Senate on record and the administration on notice that the Senate is interested and concerned.

Finally, my amendment requires a report within 180 days after deposit of the instruments of ratification on the status of the Russian tactical nuclear arsenal, the threats associated with it, and plans to continue to work cooperatively with the Russian Federation on increasing transparency, exchanging data, increasing warhead security and facilitating weapons dismantlement.

These, Mr. President, ought to be our clear goals.

I also believe this amendment is timely and we need this statement now.

As Senator MOYNIHAN has discussed, Russian officials have said that in the face of an expanding NATO and dwindling Russian conventional forces, they will have to place greater reliance on nuclear weapons. That is a valid concern. Rushing to enlarge NATO could reduce Russia's willingness to cooperate on tactical nuclear arms. NATO expansion could perpetuate the risk of sale or theft of a ''loose nuke'' and Russia's massive lead over the United States in tactical warheads.

Even if the Senate approves NATO enlargement, we need to keep our eye on the ball. That ball is arms control. My amendment sends a clear and compelling signal to Moscow that we want to continue to work with them to reduce the threat in this area.

Mr. President, I believe there is nothing in this amendment that is a hazard to NATO enlargement. Although I personally oppose enlargement, I believe it would be a serious mistake for the Senate not to pass this amendment. I believe it should be approved.

Mr. President, I thank the Chair and I thank the staff for their patience. I thank my colleagues for this opportunity, and I hope they will support this amendment.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from North Dakota [Mr. CONRAD], for himself and Mr. BINGAMAN, proposes an executive amendment numbered 2320.

Mr. CONRAD. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the appropriate place in section 3 of the resolution, insert the following:

( ) NON-STRATEGIC NUCLEAR WEAPONS—

(A) FINDINGS.—The Senate finds that

(i) the United States Strategic Command has estimated that the Russian Federation has between 7,000 and 12,000 non-strategic nuclear warheads, weapons that—unlike strategic systems—are not covered by any arms control accord;

(ii) the thousands of tactical nuclear warheads inside Russia present the greatest threat of sale or theft of a nuclear weapon in the world today;

(iii) with the number of deployed strategic warheads in the Russian and United States arsenals likely to be reduced to around 2,250 warheads under a START III accord, Russia's vast superiority in tactical nuclear warheads becomes a strategic concern;

(iv) the Commander in Chief of the United States Strategic Command has stated that future nuclear arms control agreements should address tactical nuclear weapons;

(v) statements from Russian officials that NATO enlargement would force Russia to rely more heavily on its nuclear arsenal have caused concern that NATO expansion could be an impediment to progress on tactical nuclear arms control; and,

(vi) the danger of theft or sale of a tactical nuclear warhead, and the destabilizing strategic implications of Russia's enormous lead in tactical nuclear weapons creates an urgent need for progress on increasing the security of Russia's tactical nuclear arsenal and working toward conclusion of a US-Russian agreement on tactical nuclear arms in Europe.

(B) SENSE OF THE SENATE.—It is the Sense of the Senate that

(i) it would be advisable for future nuclear arms control agreements with the Russian Federation to address non-strategic nuclear weapons in Europe; and,

(ii) the Administration should work with the Russian Federation to increase transparency, exchange data, increase warhead security, and facilitate weapon dismantlement.

(C) CERTIFICATION.—Prior to the deposit of the instruments of ratification, the Administration shall certify to the Senate that with regard to non-strategic nuclear weapons

(i) it is the policy of the United States to work with the Russian Federation to increase transparency, exchange data, increase warhead security, and facilitate weapon dismantlement; and,

(ii) that discussions toward these ends have been initiated with the Russian Federation.

(D) REPORT.—Not later than 180 days after the deposit of the instruments of ratification, the President shall submit a report to the Senate on the Russian Federation's nonstrategic nuclear arsenal. This report shall include

(i) current data and estimates regarding the current numbers, types, yields, and locations of Russia's nonstrategic nuclear weapons;

(ii) an assessment of the extent of the current threat of theft, sale, or unauthorized use of such warheads;

(iii) a plan to work with the Russian Federation to increase transparency, exchange data, increase warhead security, and facilitate weapon dismantlement; and,

(iv) an assessment of the strategic implications of the Russian Federation's non-strategic arsenal.

Mr. CONRAD. I yield the floor.

ADJOURNMENT UNTIL 11 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate will now stand in adjournment until 11 a.m., Thursday, April 30, 1998.

Thereupon, the Senate, at 7:52 p.m., adjourned until Thursday, April 30, 1998, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate April 29, 1998:

DEPARTMENT OF STATE

MICHAEL CRAIG LEMMON, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ARMENIA.

RUDOLF VILEM PERINA, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MOLDOVA.

THE JUDICIARY

LYNETTE NORTON, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF PENNSYLVANIA VICE MAURICE B. COHILL, JR., RETIRED.

JEFFREY G. STARK, OF NEW YORK, TO BE A JUDGE OF THE UNITED STATES COURT OF INTERNATIONAL TRADE, VICE R. KENTON MUSGRAVE, RETIRED.

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. ARCHIE J. BERBERIAN, II, 0000

THE FOLLOWING NAMED RESERVE OFFICER FOR APPOINTMENT AS CHIEF OF THE AIR FORCE RESERVE UNDER TITLE 10, U.S.C., SECTION 8038:

To be chief of the Air Force Reserve, United States Air Force

MAJ. GEN. JAMES E. SHERRARD, III, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be admiral

VICE ADM. RICHARD W. MIES, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS CHIEF OF CHAPLAINS AND FOR APPOINTMENT TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 5142:

To be rear admiral

REAR ADM. (LH) ANDERSON B. HOLDERBY, JR., 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICERS, FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AND FOR REGULAR APPOINTMENT IN THE ARMY NURSE CORPS, MEDICAL SERVICE CORPS, ARMY MEDICAL SPECIALIST CORPS, AND VETERINARY CORPS (IDENTIFIED BY AN ASTERISK (*)) UNDER TITLE 10, U.S.C. SECTION 624, 531 AND 3064:

To be Lieutenant Colonel

EUGENE N. ACOSTA, 0000
*JULIA A. ADAMS, 0000
JAMES R. ALARCON, 0000
DONALD T ALBEE, JR., 0000
WANDA K. ALLENHUBERT, 0000
FRIDA G. ATWOOD, 0000
PAUL T. BARTONE, 0000
TIMOTHY E. BATEMAN, 0000
GASTON P. BATHALON, 0000
MICHAEL K. BAYLES, 0000
STEPHEN G. BEARDSLEY III, 0000
EDWARD B. BERNARD, 0000
JOHN A. BIRRER, 0000
DOUGLAS A. BOOM, 0000
CYNTHIA F. BROWN, 0000
MARK R. BRUINS, 0000
SCOTT A. BURGESS, 0000
JOYCE W. BURNS, 0000
HOWARD L. BURTNETT, 0000
VICKY CAMPBELLHEMMING, 0000
JAMES W. CARTWRIGHT, JR., 0000
PATRICE E. CHANDLER, 0000
*CATHY J. CHESS, 0000
MARK A. CHIN, 0000
MICHAEL S. CHURCH, 0000
ALLISON P. CLARK III, 0000
WAYNE W. CLARK, 0000
BRENDA C. CONWAY, 0000
KAYLENE M. CURTIS, 0000
*MARK K. DAVIS, 0000
PATRICK O. DEAN, 0000
JOHN B. DEVITA, 0000
BRIAN J. DICIANCIA, 0000
*HAROLD C. DICKENS, 0000
DENNIS D. DOYLE, 0000
THEODORE ECKERT, III, 0000
JENNIFER M. ECTOR, 0000
CAROLYN A. EDDINGS, 0000
*CAROL L. EISENHAUER, 0000
ELEANOR M. FENNELL, 0000
HUBERT M. FISCHER, 0000
JOHN B. FOLEY, 0000
ELLEN E. FORSTER, 0000
DAVID E. FULBRIGHT, 0000
JOHN A. GIDDENS, 0000
PATRICIA L. GOGGINS, 0000
*DONALD L. GOODE, 0000
*PATRICIA A. GUSTAFSON, 0000
HOGSTON S. HAGA, 0000
*JIMAL B. HALES, 0000
JAMES R. HALLIBURTON, 0000
RONALD A. HAMILTON, 0000
DAN E. HARMS, 0000
CHRISTOPHER J. HARRINGTON, 0000
PATRICIA A. HARRINGTON, 0000
MARGARET A. HAWTHORNE, 0000
MARK W. HEGERLE, 0000
TERRENCE J. HEIDENREITER, 0000
JAMES R. HICKEY, 0000
ELIZABETH J. HIGGINS, 0000
MARK D. HINES, 0000
SHEILA A. HOBBS, 0000
ANN K. HOCHHAUSEN, 0000
*JOYCE A. HOHNER, 0000
RAY E. HORN, JR., 0000
STEVEN D. HUNTE, 0000
JEREMY P. HUTTON, 0000
NICHOLAS H. INMAN, 0000
ANNA R. IUNGERICH, 0000
LILLIAN L. JENNINGS, 0000
CAROLYN J. JOHNSON, 0000
ELIZABETH A. JOHNSON, 0000
ALAN E. JONES, 0000
TEMPSIE L. JONES, 0000
HYACINTH J. JOSEPH, 0000
RONALD S. KEEN, 0000
*DEBORAH J. KENNY, 0000
JULIA M. KIRK, 0000
CORNEL L. KITTELL, 0000
CAROL A. KORODY, 0000
TIMOTHY E. LAMB, 0000
VERGEL C. LAYAO, 0000
FRANCINE M. LEDOUX, 0000
*ROBERT J. LEE, 0000
CASSANDRA L. LEWIS, 0000
VASEAL M. LEWIS, 0000
STEPHEN W. LOMAX, 0000
ANGEL L. LUGO, 0000
GEORGE J. MAGNON, 0000
ROGER B. MARCIL, 0000
PAMLEA J. MARTIN, 0000
WENDY L. MARTINSON, 0000
MARK R. MASON, 0000
JILL E. MCCOY, 0000
*CLEM D. MC DUFFIE, 0000
JOANNE E. MC GOVERN, 0000
GREGORY A. MC KEE, 0000
FUJIO MC PHERSON, 0000
AWILDA MEEKS, 0000
ZIA A. MEHR, 0000
MARK G. MENSE, 0000
WILLIAM J. MIKLOSEY, JR., 0000
JAMES T. MILLER, 0000
SHIRLEY M. MILLER, 0000
CONSTANCE J. MOORE, 0000
MICHAEL L. MOORE, 0000
JOHN H. MORSE, 0000
OPHELIA MUNN, 0000
ULMONT C. NANTON, JR., 0000
WILLIAM F. NAUSCHUETZ, 0000
TIMOTHY A. NEWCOMER, 0000
DEBORAH M. NEWSOME, 0000
RICHARD A. NICHOLS, 0000
*RONNIE L. NYE, 0000
JEREMY L. OLSON, 0000
MARILYN E. OSBORNE, 0000
MARILOU D. OVERLA, 0000
*PATTI L. PALMER, 0000
WILLIAM R. PARLETT, JR., 0000
*ROSS H. PASTEL, 0000
ANGELA PEREIRA, 0000
MARK J. PERRY, 0000
DOUGLAS S. PHELPS, 0000
PEARL R. POPE, 0000
MARSHA A. PRINCE, 0000
PRISCILLA E. QUACKENBUSH, 0000
ANTONIO F. REYES, 0000
JAMES S. RICE, 0000
SALLY ROBERTSON, 0000
FRANKLIN D. ROWLAND, JR., 0000
RODGER J. RUDOLPH, 0000
*MICHAEL L. RUSSELL, 0000
PAULA J. RUTAN, 0000
DIANA L. RUZICKA, 0000
*PAUL W. SCHMIDT, 0000
*DEBRA D. SCHNELLE, 0000
EDWARD R. SCHOWALTER III, 0000
SUSAN M. SCHRETENTHALER, 0000
PETER J. SCHULTHEISS, 0000
*PATRICK G. SESTO, 0000
LAWRENCE E. SHAW, 0000
KEITH E. SICKAFOOSE II, 0000
ARLENE SIMMONS, 0000
JOHN C. SLATTERY, 0000
MARY E. SMITH, 0000
MICHAEL L. SMITH, 0000
STANLEY E. SMITH, 0000
*JAIME E. SORIA, 0000
*JEFFERY C. SPRINGER, 0000
FATEMEH T. STRITMATTER, 0000
VICKY L. THOMAS, 0000
SHERYL A. TOYER, 0000
DALE G. VANDERHAMM, 0000
DEBBIE J. VASUT, 0000
*MINNIE R. WALLER, 0000
ROBERT V. WARD, 0000
MARY A. WARREN, 0000
DIANE M. WEINBAUM, 0000
RANDY W. WEISHAAR, 0000
DAVID F. WEST, 0000
ANDREW C. WHELEN, 0000
JONI L. WILLIAMS, 0000
PATRICK O. WILSON, 0000
*JAMES E. YAFFE, 0000
CURTIS L. YEAGER, 0000

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

GARY F. BAUMANN, 0000

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

MICHAEL L. ANDREWS, 0000
EVERETT J. BOUDREAU, 0000
ARNOLD J. COPOSKY, 0000
ROY V. DANIELS, 0000
RONALD W. ELLINGER, 0000
GARY E. ENGELKING, 0000
JAMES B. EUSSE, 0000
GEORGE E. FOLTA, 0000
WILLIAM H. HAGUE, 0000
WILLIAM L. HENSLEE, 0000
SCOTTY W. MONTAGUE, 0000
STEPHEN H. NEGAHNQUET, 0000
MILTON L. PETERSON, 0000
RAYMOND O. THOMAS, 0000
ROBERT C. WITTENBERG, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JAMES N. ADAMS, 0000
BRIAN T. ALEXANDER, 0000
KELLY P. ALEXANDER, 0000
JEFFREY S. ALLEN, 0000
CHRISTOPHER J. ALPERT, 0000
GINO P. AMOROSO, 0000
WALTER T. ANDERSON, 0000
BRIAN P. ANNICHIARICO, 0000
PAUL E. ANSLOW, 0000
CHRISTOPHER A. ARANTZ, 0000
JAMES L. ARMSTRONG, 0000
THOMAS E. ARNOLD, JR., 0000
SOREN P. ASHMALL, 0000
FINLEY M. ASMUS, 0000
WALTER W. AUDSLEY, 0000
EUGENE M. AUGUSTINE, JR., 0000
MARY A. AUGUSTITUS, 0000
CURTIS D. AVERY, 0000
DAVID D. BADGER, 0000
BRIAN F. BAKER, 0000
FRANCISCO M. BALL, 0000
CRAIG P. BARDEN, 0000
BRUCE W. BARNHILL, 0000
MICHAEL R. BARRETT, 0000
BRIAN S. BARTHOLF, 0000
JAMES G. BARTOLOTTO, 0000
MATTHEW C. BAUGHER, 0000
PETER B. BAUMGARTEN, 0000
TERRANCE A. BEATTY, 0000
JAMES D. BELSON, 0000
JESSE C. BENTON, 0000
MICHAEL J. BERGERUD, 0000
PAUL F. BERTHOLF, 0000
LLOYD J. BIGGS, 0000
JOHN A. BINGER, JR., 0000
MICHAEL W. BINNEY, 0000
ELIZABETH S. BIRCH, 0000
DAVID J. BLIGH, 0000
ROY M. BLIZZARD III, 0000
KERRY J. BLOCK, 0000
HAROLD W BLOT, JR., 0000

THURMAN L. BOBBETT, 0000
MICHAEL S. BODKIN, 0000
KARL J. BOHN, 0000
RICHARD L. BOMHOLD, JR., 0000
CRAIG D. BOURASSA, 0000
EDMUND J. BOWEN, 0000
RICHARD T. BOYER, 0000
MICHAEL L. BRAMBLE, 0000
GREGORY A. BRANIGAN, 0000
JAMES C. BRENNAN, 0000
KEVIN A. BROOKS, 0000
ALLEN D. BROUGHTON, 0000
DANIEL A. BROWN, 0000
GREGORY R. BROWN, 0000
KEVIN W. BROWN, 0000
MICHAEL H. BROWN, 0000
WILLIAM M. BROWN, JR., 0000
ERIC F. BUER, 0000
KIMBALL S. BULLARD, III, 0000
TIMOTHY P. BULMAN, 0000
SCOTT A. BURK, 0000
DAN E. BURTON, 0000
DAVE W. BURTON, 0000
THOMAS L. BURTON, JR., 0000
MARK A. BUTLER, 0000
RAYMOND D. BUTLER, 0000
DWAYNE K. CANNION, 0000
RICHARD L. CAPUTO, JR., 0000
JAMES K. CARBERRY, 0000
CHRISTOPHER C. CAROLAN, 0000
MICHAEL L. CARTER, 0000
AUGUSTO G. CATA, 0000
ROBERT A. CECCHINI, 0000
STEVEN E. CEDRUN, 0000
JOHN H. CELIGOY, 0000
JOHN M. CHADWICK, 0000
PHILLIP W. CHANDLER, 0000
BYRON V. CHAPMAN, 0000
ALEXANDER A. CHATMAN, JR., 0000
KEVIN M. CHENAIL, 0000
JEFFREY R. CHESSANI, 0000
JEFFREY W. CHLEBOWSKI, 0000
ALAN B. CLARK, 0000
DAVID H. CLEARY, 0000
THOMAS M. CLEARY, 0000
BRADLEY C. CLOSE, 0000
CHRISTINE A. COETZEE, 0000
DAVID L. COGGINS, 0000
CHRISTOPHER P. COKE, 0000
STEVEN K. COKER, 0000
STEVEN J. COLCOMBE, 0000
MICHAEL G. COLEMAN, 0000
ANTONIO COLMENARES, 0000
COET D. CONLEY, 0000
DANIEL B. CONLEY, 0000
SEAN P. CONLEY, 0000
JAMES S. CONNELLY, 0000
KEVIN M. CONSOLE, 0000
NATHAN S. COOK, 0000
MICHAEL A. COOLICAN, 0000
ROBERT W. COOPER, 0000
BENJAMIN W. COPELAND, 0000
MICHAEL E. CORDERO, 0000
ROBERT L. COULOMBE, 0000
JAMES L. COX, 0000
DEAN E. CRAFT, 0000
GREGORY K. CRAMER, 0000
ANTHONY C. CRUZ, 0000
ROBERT E. CURRAN, 0000
TRACY A. DALY, 0000
THOMAS A. DAMISCH, 0000
JOHN M. DANTIC, 0000
JOEL J. DAVIS, 0000
DAVID J. DEEP, 0000
STEVE A. DELACRUZ, 0000
JAMES M. DELANI, JR., 0000
MATTHEW C. DENNEY, 0000
DARRIN DENNY, 0000
JAMES F. DESY, 0000
KENNETH M. DETREUX, 0000
PETER J. DEVINE, 0000
TIMOTHY J. DEVLIN, 0000
ANTHONY P. DIBENEDETTO, JR., 0000
THOMAS D. DICKEN, III, 0000
DAVID G. DIEUGENIO, JR., 0000
MICHAEL W. DINARDO, 0000
ANDREW J. DINGEE, 0000
ANTONIO R. DOMINGUEZ, 0000
JAMES E. DONNELLAN, 0000
FRANCIS L. DONOVAN, 0000
FRITZ V. DORAN, 0000
JONATHAN S. DORANTICH, 0000
CHRISTOPHER S. DOWLING, 0000
STEVE M. DUNKIN, 0000
WILLIAM R. DUNN, II, 0000
JOHN E. EANS, 0000
MICHAEL W. EATON, 0000
CHARLES C. EGERTON, 0000
ROBERT M. EHNOW, 0000
AARON W. ELSHAUG, 0000
TODD R. EMO, 0000
KENNETH E. ENNEY, JR., 0000
RUSSELL E. ETHERIDGE, JR., 0000
CURTIS J. EVERETT, 0000
DAVID C. FADDEN, SR., 0000
BRIAN FAGAN, 0000
JOHN K. FAIRCLOTH, JR., 0000
MICHAEL FARACE III, 0000
MICHAEL FARRELL, 0000
LY T. FECTEAU, 0000
STEPHEN A. FEGARD, 0000
STEPHAN J. FERNANDEZ, 0000
WILLIAM H. FERRELL III, 0000
DAMON E. FIELDS, 0000
MICHAEL FINLEY, 0000
DONALD R. FINN, 0000
STEPHEN J. FLYNN, 0000
JEFFREY E. FORTE, 0000
PAUL A. FORTUNATO, 0000
SCOTT G. FOSDAL, 0000
KEVIN R. FOSTER, 0000
BENJAMIN C. FULCHER III, 0000
JONATHAN O. GACKLE, 0000
JOHN C. GALE, 0000
MAX A. GALEAI, 0000
ROBIN A. GALLANT, 0000
WILLIAM K. GEISSLER, 0000
DOUGLAS K. GELBACH, 0000
MICHAEL W. GEORGE, 0000
PATRICK G. GIBBONS, 0000
CHRIS A. GIBSON, 0000
ERIC P. GIFFORD, 0000
ANDREW J. GILMORE, 0000
JOHN M. GIRNIUS, 0000
DAVID S. GLASSMAN, 0000
JONATHAN C. GOFF, 0000
JOHN A. GONZALES, 0000
MICHAEL W. GRADY, 0000
HAROLD W. GRAEF, 0000
JOSEPH M. GRANT, 0000
DOMINIC A. GRASSO, 0000
MATTHEW H. GREEN, 0000
STEPHEN J. GREENE, 0000
ALAN M. GREENWOOD, 0000
RONALD A. GRIDLEY, 0000
SEAN D. GRIFFIN, 0000
MARTIN T. GRIFFITH, 0000
MARK L. GRISSOM, 0000
CHRIS M. GROOMS, 0000
JESSE L. GRUTER, 0000
CHARLES J. GUMMOW, 0000
DANIEL J. HAAS, 0000
KARL J. HACKBARTH, 0000
JEFFREY A. HAGAN, 0000
BRADLEY R. HALL, 0000
RICHARD D. HALL, 0000
WILLIAM D. HALLAHAN, 0000
CHRISTOPHER N. HAMILTON, 0000
KYLE E. HARDMAN, 0000
SCOTT W. HARRIS, 0000
DAWN L. HARRISON, 0000
LYLE M. HARRISON, 0000
ERIC C. HASTINGS, 0000
JAMES D. HAWKINS, II 0000
KEVIN A. HAWLEY, 0000
SHAWN D. HEALY, 0000
THOMAS W. HEASLEY, 0000
KARSTEN S. HECKL, 0000
ROBERT D. HEIN, 0000
ANDREW J. HEINO, 0000
STUART B. HELGESON, 0000
KONSTANTIN D. HEMMERLY, 0000
CHARLES R. HENDERSON, 0000
DIMITRI HENRY, 0000
JOHN M. HENRY, 0000
JAMES A. HERZBERG, 0000
JOHN P. HESFORD, JR., 0000
RICHARD K. HILBERER, 0000
DAVID M. HITCHCOCK, 0000
WILLIAM R. HITTINGER, 0000
FRANK L. HODGES, 0000
JOHN S. HOGAN, 0000
MARK R. HOLLAHAN, 0000
CHARLES M. HOLLER, 0000
MICHAEL J. HOOD, 0000
BRIAN C. HORMBERG, 0000
MICHAEL A. HUNTER, 0000
DOUGLAS G. HURLEY, 0000
VINCENT M. HUTCHERSON, 0000
MARK J. HUTNAN, 0000
HENRY M. HYAMS III, 0000
THOMAS D. IGNELZI, 0000
JAY A. INGWELL, 0000
CHRISTIA A. ISHAM, 0000
NANCY L. ISNER, 0000
BRIAN L. JACKSON, 0000
JOSEPH R. JAMES, JR., 0000
MARK K. JAMISON, 0000
RUDOLPH M. JANICZEK, 0000
TIMOTHY L. JARDINE, 0000
OLIVER G. JENKINS, 0000
KARLA M. JESSUP, 0000
RICHARD G. JETHON, 0000
BRANDON F. JOHNSON, 0000
CLAXTON R. JOHNSON, JR., 0000
JAMES C. JOHNSON, JR., 0000
MARK D. JOHNSON, 0000
MARK T. JOHNSON, 0000
THOMAS V. JOHNSON, 0000
GARY S. JOHNSTON, 0000
DAVID M. JONES, 0000
JOHN H. JUDY, 0000
WILLIAM M. JURNEY, 0000
JOHN M. KASUDA, 0000
TIMOTHY P. KEEFE, 0000
JEROME T. KEENEY, III, 0000
WILLIAM H. KEIRNAN, 0000
DAVIN M. KEITH, 0000
PATRICK N. KELLEHER, 0000
MICHAEL W. KELLY, 0000
SCOTT A. KERR, 0000
TRACY W. KING, 0000
JOSEPH J. KLOCEK, JR, 0000
GROVER B. KNOWLES, 0000
MARK D. KNUTH, 0000
JEFFREY G. KOFFEL, 0000
EDWARD W. KOSTRZEBSKI, 0000
CRAIG S. KOZENIESKY, 0000
DANIEL G. KREILEY, 0000
DAVID P. KRIZOV, 0000
MICHEL W. KUDSIN, 0000
JOSEPH P. KUGEL, 0000
MICHAEL L. KUHN, 0000
CHRIS K. KYLER, 0000
WILLIAM K. LACEY, 0000
MARK A. LAMCZYK, 0000
LANCE K. LANDECHE, 0000
CHRIS D. LANDRY, 0000
PAUL C. LANDRY, 0000
KENNETH M. LASURE, 0000
GREGORY L. LEMONS, 0000
FREDERICK H. LENGERKE, 0000
STEPHEN B. LEWALLEN, JR, 0000
COLT W. LEWIS, 0000
JAMES P. LIBERACE, 0000
JOSEPH P. LISIECKI, III, 0000
ERIC L. LITCHFIELD, 0000
JORGE E. LIZARRALDE, 0000
CHARLES W. LOCHARD, JR, 0000
GREGORY C. LOFTESNES, 0000
ROD LONG, 0000
CURTIS L. LOVINS, 0000
JAMES D. LUNDQUIST, 0000
BRIAN R. LYNCH, 0000
LOUIS J. MAIDA, 0000
KENNETH P. MANEY, 0000
JEFFREY L. MANNING, 0000
JOHN F. MARCHILDON, 0000
JOHN M. MARES, 0000
DAREN K. MARGOLIN, 0000
DANIEL R. MARQUISE, 0000
JEFFERY D. MARSH, 0000
RENE C. MARTINEZ, 0000
REY Q. MASINSIN, 0000
DAVID W. MAXWELL, 0000
TIMOTHY A. MAXWELL, 0000
THOMAS O. MAYBERRY, 0000
MICHAEL A. MC CARTHY, 0000
THOMAS R. MC CARTHY, JR, 0000
MICHAEL G. MC COY, 0000
KEVIN F. MC CRAY, 0000
RALPH V. MC CREARY, II, 0000
THOMAS A. MC DANIELS, 0000
JAMES F. MC GRATH, 0000
TIMOTHY P. MC GUIRE, 0000
DAVID W. MC MORRIES, 0000
BRIAN F. MC NAMARA, 0000
DANIEL J. MEDRANO, 0000
BRENT E. MEEKER, 0000
MARY K. MERASHOFF, 0000
LUIS A. MERCADO, 0000
REID K. MERRILL, 0000
CHRISTOPHER J. MICHELSEN, 0000
EDWIN E. MIDDLEBROOK, 0000
CRAIG M. MILLER, 0000
MICHAEL S. MILLER, 0000
BONNIE J. MITCHELL, 0000
HARRY MONROE, IV, 0000
EDWARD M. MONTGOMERY, 0000
JAY B. MONTGOMERY, 0000
JAMES D. MOORE, 0000
SEAN T. MOORE, 0000
PAUL H. MORGAN, 0000
ROBERT C. MORRIS, III, 0000
RONALD M. MORRIS, 0000
ADRIAEN M. MORSE, JR., 0000
LOUIS J. MORSE, JR., 0000
PAUL L. MULLER, 0000
DAVID J. MURPHY, 0000
MICHAEL J. MURPHY, 0000
STEPHEN M. MURRAY, 0000
RICHARD J. MUSSER, 0000
RICHARD E. MYRICK, 0000
RANDY A. NASH, 0000
JACQUES C. NAVIAUX, II, 0000
STEPHEN M. NEARY, 0000
TROY L. NELSON, 0000
STEPHEN C. NEWMAN, 0000
VAN Q. NGUYEN, 0000
JOHN H. NOLAN, 0000
CHARLES A. NORFLEET, 0000
DAVID E. O'BRIEN, 0000
TERRENCE A. O'CONNELL, 0000
JOHN F. O'CONNOR, JR., 0000
KEVIN S. O'CONNOR, 0000
JACK E. O'DONNEL, JR., 0000
ROBERT E. OGLE, 0000
MICHAEL J. ONDA, 0000
CARL L. OROS, 0000
MICHAEL R. ORR, 0000
JOSEPH T. PARDUE, 0000
RANDEL W. PARKER, 0000
JOSEPH F. PASCHALL, 0000
DOUGLAS W. PASNIK, 0000
PAUL D. PATTERSON, JR., 0000
ROY D. PAUL, 0000
BRIAN J. PAYNE, 0000
THOMAS R. PECK, JR., 0000
JOSEPH R. PERLAK, 0000
ROBERT A. PESCATORE, 0000
ROBERT B. PETERMAN, 0000
SCOTT T. PETERSON, 0000
DAVID P. PFISTERER, 0000
WILLIAM B. PITMAN, 0000
DAVID L. POHLMAN, 0000
CHRISTOPHER R. POLLARD, 0000
MICHAEL P. POMATTO, 0000
PETER D. PONTE, 0000
ERIC V. PORTER, 0000
SERGIO POSADAS, 0000
PAUL G. POWER, 0000
MARK PRICE, 0000
ROBERT D. PRIDGEN, 0000
JOHN M. PUSKAR, 0000
WARD V. QUINN, III, 0000
EDWARD F. RAMSEY, 0000
WILLIAM C. RANDALL, 0000
HENRY A. RATLIFF, 0000
DAVID A. RATTE, 0000
LINDSEY B. READING, 0000
JEFFREY M. REAGAN, 0000

GAVIN J. REARDON, 0000
JAMES E. RECTOR, 0000
GERALD R. REID, 0000
PHILLIP J. REIMAN, 0000
AUSTIN E. RENFORTH, 0000
JAMES P. RETHWISCH, 0000
MICHAEL B. RICHARDSON, 0000
GEORGE W. RIGGS, 0000
PATRICIA S. RIM, 0000
ROD D. ROBISON, 0000
PAUL J. ROCK, JR., 0000
ERIC C. ROSA, 0000
GREGORY W. ROUILLARD, 0000
ROBERT A. ROWLETTE, 0000
STANLEY K. RUSSELL, 0000
JAIME M. RUVALCABA, 0000
TIMOTHY M. SALMON, 0000
NOEL B. SANDLIN, 0000
MICHAEL L. SCALISE, 0000
CRAIG W. SCHEIDEGGER, 0000
DAVID A. SCHLICHTING, 0000
DWIGHT C. SCHMIDT, 0000
PATRICK H. SCHOLES, 0000
DOUGLAS R. SCHUELER, 0000
MARK E. SEILHAMER, 0000
CHRISTOPHER C. SEYMOUR, 0000
JOHN R. SHAFER, 0000
DEREK W. SHAFFER, 0000
THOMAS E. SHARP, 0000
ANDREW L. SHAW, 0000
JON E. SHEARER, 0000
MICHAEL C. SHENBERGER, 0000
PHILIP G. SHEVIS, 0000
SUZETTE A. SHIJE, 0000
GREGORY R. SHIMP, 0000
ANDREW G. SHORTER, 0000
SCOTT C. SHUSTER, 0000
JAMES L. SIGMON, III, 0000
DENNIS S. SIMMONS, 0000
KENT D. SIMON, 0000
WAYNE A. SINCLAIR, 0000
JOHN A. SISSON, 0000
BRUCE K. SIZEMORE, 0000
SCOTT R. SIZEMORE, 0000
ROBERT B. SKANKEY, 0000
STEPHEN D. SKLENKA, 0000
WILLIAM N. SLAVIK, 0000
HORACE W. SMITH, 0000
LARRY E. SMITH, II, 0000
STEPHANIE C. SMITH, 0000
CHRISTOPHER B. SNYDER, 0000
FRANK A. SNYDER, 0000
BRUCE W. SODERBERG, 0000
MARIO C. SOLIS, 0000
THOMAS A. SPARKS, 0000
GREGORY K. STANKEWICZ, 0000
CHRISTOPHER C. STARLING, 0000
RONALD F. STARTZEL, JR., 0000
CRAIG E. STEPHENS, 0000
DENNIS R. STEPHENS, 0000
ROSS L. STEPHENSON, JR., 0000
DONALD G. STERLING, 0000
JAMES C. STEWART, 0000
RICHARDO C. STEWART, 0000
CHARLES D. STOUT, 0000
CURTIS A. STRADER, 0000
BLAISE R. STRANDQUIST, 0000
ROBERT W. STRONG, 0000
SAMUEL T. STUDDARD, 0000
MARK A. SUHRIE, 0000
JACQUELINE R. SUTTON, 0000
MICHAEL M. SWEENEY, 0000
TRACY J. TAFOLLA, 0000
JOHN .P TALNAGI IV, 0000
JONATHAN C. TAYLOR, 0000
TRAVIS A. TEBBE, 0000
ROBERT J. TERSELIC, 0000
JOHN J. THOMAS, 0000
BRUCE J. THOMSEN, 0000
BRIAN E. TIEFERT, 0000
THOMAS B. TIMBERLAKE, 0000
ROBERT T. TOBIN III, 0000
PHILIP A. TORETTI, 0000
PATRICK J. TOWEY, 0000
MATTHEW E. TRAVIS, 0000
KEITH H. TREADWAY, 0000
JOHN D. TROUTMAN, 0000
THOMAS E. TURNER, 0000
GREGORY P. UTLEY, 0000
DARIO W. VALLI, 0000
WILLIAM T. VAN ATTEN, 0000
RICHARD J. VANDAMME, JR., 0000
SCOTT W. VANZANDBERGEN, 0000
ERIC M. VEIT, 0000
DALE S. VESELY, 0000
DAVID E. VILLARREAL, 0000
WILLIAM C. VINYARD, 0000
WILLIAM A. VISTED, 0000
JAMES A. VOHR, 0000
THOMAS F. WALSH III, 0000
HOWARD S. WALTON, 0000
JOHN J. WANAT, 0000
KENNETH M. WARBURTON, 0000
ANDREW J. WAREHAM, 0000
VINCENT P. WAWRZYNSKI, 0000
MICHAEL E. WEAVER, 0000
BRADLEY E. WEISZ, 0000
DAVID P. WELLS, 0000
JAMES F. WERTH, 0000
SCOTT C. WERTZ, 0000
JOSEPH S. WHITAKER, 0000
KENNETH S. WHITE, 0000
ROBERT E. WHITE, JR., 0000
JAMES W. WIECKING, 0000
RONALD J. WIELSMA, 0000
ANDREW G. WILCOX, 0000
LUCINDA B. WILKS, 0000
ANTHONY C. WILLIAMS, 0000
DELANEY C. WILLIAMS, 0000
JOHN .P WILLIAMS, 0000
STEVEN R. WILLIAMS, 0000
BLAKE M. WILSON, 0000
DANIEL H. WILSON, 0000
STEPHEN M. WILSON, 0000
MARK E. WINN, 0000
WILLIAM P. WITZIG, 0000
KENNETH P. WOLF, JR., 0000
EDWIN A. WOLFE, 0000
RICHARD T. WOLFE, JR., 0000
STEVEN J. WOOD, 0000
PATRICIA L. WOODS, 0000
JOHN R. WOODWORTH, 0000
PHILLIP W. WOODY, 0000
ANTHONE R. WRIGHT, 0000
ROBERT A. WUNDERLICH, JR., 0000
JOHN T. YANVARY, 0000
MICHAEL H. YAROMA, JR., 0000
NICKEY F. YATES, 0000
SCOTT E. YOST, 0000
BERNARD J. YOSTEN, 0000
ROBERT C. YOUNG, 0000
WILLIAM J. ZALMAN, 0000
KENNETH ZIELECK, 0000
THOMAS J. ZOHLEN, 0000

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

LOUIS R. ABRAHAM, 0000
SCOTT R. ADAMS, 0000
MARTIN S. ALMQUIST, 0000
PAUL M. ANDRUS, 0000
LYLE O. ARMEL III, 0000
LAURENT O. BAKER, 0000
STEPHEN C. BAKER, 0000
STEVE J. BAKER, 0000
JEFFREY J. BARE, 0000
DAVID H. BERGER, 0000
MICHAEL A. BERMUDEZ, 0000
DAVID A. BETHEL, 0000
KENNETH L. BEUTEL, 0000
WILLIAM D. BEYDLER, 0000
MARK C. BLAYDES, 0000
MICHAEL S. BOHN, 0000
TERRY P. BOSTON, 0000
CHRISTOPHER M. BOURNE, 0000
JOHN H. BOWER, JR., 0000
JAMES R. BRADEN, 0000
THOMAS C. BRADEN, 0000
DONALD S. BRUCE, 0000
RONALD J. BUIKEMA, 0000
ROBERT S. BURAN, 0000
NEIL K. CADWALLADER, 0000
JAMES E. CALLAWAY, 0000
STEPHEN J. CAMERON, 0000
BOYD W. CAMPBELL, 0000
MARK E. CANTRELL, 0000
JEREMIAH D. CANTY, 0000
THOMAS P. CARMODY, 0000
ROBERT H. CHASE, JR., 0000
DANIEL J. CHOIKE, 0000
MARK G. CIANCIOLO, 0000
MARK A. CLARK, 0000
FRANCIS C. COBLE, 0000
JAMES M. CODDING, 0000
RAYMOND E. COIA, 0000
TODD COKER, 0000
PETER B. COLLINS, 0000
THOMAS N. COLLINS, 0000
JAMES T. CONKLIN, 0000
MARSHALL I. CONSIDINE, 0000
SCOTT C. COTTRELL, 0000
ANN L. CRITTENDEN, 0000
KENNETH E. CROSBY, JR., 0000
WILLIAM B. CROWE, 0000
MARK R. CYR, 0000
MICHAEL G. DANA, 0000
JAMES T. DAULTON, JR., 0000
JOSEPH D. DAUPLAISE, 0000
NORMAN C. DAVIS, 0000
ENRICO G. DEGUXMAN, 0000
PETER H. DEVLIN, 0000
JOHN P. DIFFLEY, 0000
JAMES A. DIXON, 0000
RICHARD E. DOBBINS, JR., 0000
DEREK J. DONOVAN, 0000
MICHAEL J. DONOVAN, 0000
SUSAN G. DOOLEY, 0000
STEVEN W. DOWLING, 0000
GARY C. DOWNEY, 0000
MARK A. DUNGAN, 0000
CHRISTOPHER M. EKMAN, 0000
ANTHONY C. ELLIOTT, 0000
OWEN W. ENGLANDER, 0000
LEO A. FALCAM, JR., 0000
DOUGLAS O. FEGENBUSH, JR., 0000
PETER J. FERRARO, 0000
JOHN J. FITZGERALD, JR., 0000
JAMES N. FLOWERS, 0000
STEPHEN A. FOGLIO, 0000
STEVEN A. FOLSOM, 0000
CARL J. FOSNAUGH, III, 0000
PIERRE C. GARANT, 0000
GERALD H. GASKINS, 0000
STEVEN L. GAUDREAU, 0000
GLENN E. GEARHARD, 0000
BART R. GENTRY, 0000
GREGG L. GEORGE, 0000
STEVEN J. GOTTLIEB, 0000
WILLIAM R. GRACE, 0000
JACOB L. GRAHAM, 0000
SCOTT A. GRAHAM, 0000
DAVID S. GREENBURG, 0000
PATRICK J. GREENE, 0000
CURTIS E. HABERBOSCH, 0000
KEVIN J. HAGENBUCH, 0000
CHARLES M. HAMILTON, 0000
SCOTT P. HANEY, 0000
DONALD K. HANSEN, 0000
STEPHEN G. HARRIS, 0000
KATHLEEN V. HARRISON, 0000
KIP J. HASKELL, 0000
JEFFREY W. HAWLEY, 0000
DALE B. HAYWARD, 0000
DAVID J. HEAD, 0000
BRIAN J. HEARNSBERGER, 0000
STEPHEN K. HEYWOOD, 0000
RANDALL A. HODGE, 0000
ADELE E. HODGES, 0000
EVERETT S. HOFFMAN, 0000
DEBRA L. HOFSTETTER, 0000
JOLENE L. HOLLINGSHEAD, 0000
STEVEN E. HOLMES, 0000
DAVID K. HOUGH, 0000
JERRY D. HOWELL, 0000
TIMOTHY H. HUETE, 0000
DAVID W. HUNT, 0000
KEVIN A. JACKSON, 0000
OSAMAH A. JAMMAL, 0000
MITCHELL A. JAURENA, 0000
WILLIAM S. JESSON, 0000
TIMOTHY P. JONAS, 0000
CAROL K. JOYCE, 0000
FRANCIS P. JOYCE III, 0000
STANLEY J. JOZWIAK, 0000
PATRICK J. KANEWSKE, 0000
BILLY D. KASNEY, 0000
JAMES R. KASSELMANN, 0000
JONATHAN L. KATZ, 0000
JAMES A. KAZIN, 0000
MICHAEL R. KENNEDY, 0000
TIMOTHY J. KIBBEN, 0000
DOUGLAS M. KING, 0000
DAVID M. KLUEGEL, 0000
RICHARD W. KOENEKE, 0000
JOHN A. KOENIG, 0000
GARY A. LAMBERTSEN, 0000
BRUCE D. LANDRUM, 0000
JOHN B. LANG, 0000
JAMES K. LAVINE, 0000
RAYMOND J. LEACH, 0000
STEPHEN G. LEBLANC, 0000
DANIEL E. LIDDELL, 0000
BRADLEY C. LINBERG, 0000
STEPHEN J. LINDER, 0000
GREGORY E. LOCKE, 0000
PETER J. LOUGHLIN, 0000
BRUCE D. MACLACHLAN, 0000
MICHAEL J. MANUCHE, 0000
NICHOLAS J. MARSHALL, 0000
ROBERT A. MARTINEZ, 0000
DAVID H. MATTHEWS, 0000
JAMES C. MATTIE, 0000
CAROL A. MC BRIDE, 0000
FRANKLIN F. MC CALLISTER, 0000
RONALD S. MC CLAIN, 0000
MICHAEL J. MC CUSKER, 0000
MICHAEL W. MC ERLEAN, 0000
JEFFREY T. MC FARLAND, 0000
RONALD E. MC GEE, 0000
ROBERT H. MC KENZIE III, 0000
PETER B. MC MURRAN, 0000
JEFFREY G. MEEKS, 0000
RICK J. MESSER, 0000
PATRICK E. MILLER, 0000
TIMOTHY L. MILLER, 0000
DAVID L. MITCHELL, 0000
JAMES G. MITCHELL, JR., 0000
JOHN E. MITCHELL, JR., 0000
MARK L. MOLITOR, 0000
JOSEPH MOLOFSKY, 0000
ARCHIBALD MORRISON VI, 0000
DENIS P. MULLER, 0000
KELLY B. MULLINS, 0000
MARK S. MURPHY, 0000
DAVID C. MYERS, 0000
MICHAEL G. NAYLOR, 0000
WALTER L. NIBLOCK, 0000
JAMES D. ODWYER, 0000
JAMES A. OGERSHOK, 0000
ALLEN S. OLSON, 0000
ISMAEL ORTIZ, JR., 0000
JOSEPH L. OSTERMAN, 0000
JOHN M. OWENS, 0000
KURT S. OWERMOHLE, 0000
CALVIN D. PETERS, 0000
STEVEN R. PETERS, 0000
ILDEFONSO PILLOTOLIVE, 0000
JAMES J. POLETO, JR., 0000
RICHARD S. POMARICO, 0000
ALBERT F. POTWIN, 0000
CHRISTOPHER N. PROUDFOOT, 0000
JOSEPH D. PROVENZANO III, 0000
TIMOTHY E. QUAGGE, 0000
JOHN P. RAYDER, 0000
JON W. REBHOLZ, 0000
TIMOTHY J. REEVES, 0000
RAYMOND G. REGNER, JR., 0000
SHAUGNESSY A. REYNOLDS, 0000
JEFFREY S. RINGHOFFER, 0000
HERBERT M. ROBBINS, 0000
DAVID M. ROBINSON, 0000
MICHAEL J. RODERICK, 0000
DANIEL S. ROGERS, 0000
MARTIN G. ROLLINGER, 0000
ROBERT G. SALESSES, 0000
DAVID W. SAMPLES, 0000

JAMES T. SANNY, SR., 0000
RICHARD W. SCHMIDT, JR., 0000
ALAN D. SCHROEDER, 0000
DANIEL J. SCHUSTER, 0000
MARK E. SCHWAN, 0000
MARK C. SEMPF, 0000
JOE M. SHEHAN, 0000
JOHN E. SHOOK, 0000
MICHAEL A. SHUPP, 0000
GREGORY P. SIESEL, 0000
PAUL D. SIMONEAU, 0000
MARK A. SINGLETON, 0000
JAMES R. SINNOTT, 0000
PAUL F. SKOPOWSKI, 0000
GARY E. SLYMAN, 0000
JAMES C. SMITH, 0000
DENNIS A. SPIDAL, 0000
GLEN T. STARNES, 0000
THOMAS N. STENT, 0000
MICHAEL K. STEPHENS, 0000
VINCENT R. STEWART, 0000
JOHN P. STIMSON, 0000
ARNOLD E. STOCKHAM, 0000
JAY A. STOUT, 0000
CALVIN F. SWAIN, JR., 0000
ELIZABETH A. SWEATT, 0000
DAVID L. SYKES, 0000
JAMES J. TABAK, 0000
NATHAN C. TABBERT, 0000
LLOYD G. TETRAULT, 0000
MICHAEL D. THYRRING, 0000
PHILLIP C. TISSUE, 0000
JAMES R. TRAHAN, 0000
GREGORY S. TYSON, 0000
ANDREW L. VONADA, 0000
DONALD A. WALTER, 0000
ERIC M. WALTERS, 0000
JOHN R. WASSINK, 0000
LEAH B. WATSON, 0000
NATHAN O. WEBSTER, 0000
DAVID H. WESSNER, 0000
JOHN R. WEST, 0000
MARK A. WESTERBECK, 0000
GARY D. WIEST, 0000
JOHN N. WILLIAMS, JR., 0000
JOHN C. WRIGHT, 0000
KEN YOKOSE, 0000
PAUL R. YORIO, 0000
FRANCIS S. ZABOROWSKI, 0000
DONALD W. ZAUTCKE, 0000
PAUL C. ZIEGENFUSS, JR., 0000
MARK G. ZIMMERMAN, 0000

IN THE MARINE CORPS

THE FOLLOWING NAMED LIMITED DUTY OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

RUBEN BERNAL, 0000
JOHN T. BROWER, 0000
GREGORY D. BUTLER, 0000
JOHN J. CAMPBELL, 0000
MARK A. CLESTER, 0000
SAMUEL L. COLEMAN, 0000
RONALD C. CONSTANCE, 0000
JEROME CORE, 0000
ROGER N. CROSS, 0000
SCOTT E. DAVIS, 0000
MICHAEL W. DONHAM, 0000
RONALD R. DUGAS, 0000
DONALD L. ERICKSON, 0000
LESTER H. EVANS, JR., 0000
JOHN J. FAHEY, 0000
GREGORY G. FRICH, 0000
MICHAEL H. GAMBLE, 0000
TIBURTIUS GERHART, JR., 0000
RANDY L. GIEDT, 0000
LEONARD HALIK III, 0000
TIMOTHY M. HATHAWAY, 0000
BRIAN K. HERBERT, 0000
JAMES G. HERRING, 0000
DOUGLAS J. HIBBARD, 0000
ERNEST R. HINES, 0000
LEONARD L. HOFFMAN, 0000
JAMES R. JOHNSON, 0000
A.D. KING, JR., 0000
JOHNATHAN D. LAWSON, 0000
PETER M. LAWSON, 0000
MICHAEL F. LEWIS, 0000
TIMOTHY S. LOVE, 0000
ROBERT J. MAGERS, 0000
ARTHUR D. MARTIN, 0000
FRANKLIN MC LAIN, 0000
GEORGE C. MC LAIN, 0000
MARK O. MEEHAN, 0000
EUGENE C. MENDIOLA, 0000
RUSSELL E. MILLER, JR., 0000
PAUL J. MINER, 0000
CLENNON W. MURRAY, 0000
KEVIN C. O'HERAN, 0000
ROBERT J. OSBORN II, 0000
DANIEL J. PETERLICK, 0000
SANFORD P. PIKE, 0000
RICHARD A. RATLIFF, 0000
LIGE ROSS, JR., 0000
DONALD C. SCOTT, 0000
WILLIAM S. SEINER, 0000
ROBERT E. SEVERSON, 0000
GARY M. SNYDER, 0000
RANDELL TACKETT, 0000
ROBERT P. VENEMA, 0000
JAMES WERDANN, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVAL RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

DANIEL A. ACTION, 0000
KEITH F. AMACKER, 0000
JAMES C. ANDERSEN, 0000
DAVID O. ANDERSON, 0000
DOUGLAS J. ANDERSON, 0000
STEVEN M. ANDY, 0000
STEPHEN B. ANTLE, 0000
APRAHAMIAN, GEORGE 0000
EDWARD D. ARMBRUSTER, 0000
HOWARD B. ASCHWASLD, JR., 0000
BRETT D. AYOTTE, 0000
JOSEPH R. BADICK, 0000
THOMAS E. BARTON, 0000
DEAN H. BAUDER, 0000
MOLLY R. BAUMGARDNER, 0000
LARRY L. BAXA, 0000
GEORGE T. BEATTIE, JR., 0000
VINCENT A. BELLEZZA, 0000
ROBERT D. BELLING, 0000
JOE C. BLAKE, 0000
THOMAS H. BLAKE, 0000
EUGENE BOJARSKI, 0000
JAMES R. BOMA, 0000
GERALD L. BONNETT, 0000
BOSARGE, MORRIS R. 0000
MICHAEL F. BOYER, 0000
TERRY A. BRAGG, 0000
MICHAEL B. BRANDS, 0000
ROBERT C. BRANTLEY, 0000
MARK K. BRAZIER, 0000
THOMAS P. BREYER, 0000
ERIC D. BRIES, 0000
CLAYTON J. BRYSON, 0000
KENNARD M. BUDDENBOHN, 0000
BARTON BUECHNER, 0000
JEFFREY D. BUEHRLE, 0000
FREDERICK M. BUESSER, 0000
CYNTHIA K. BURGUNDER, 0000
MARTIN E. BUSHIKA, 0000
WILLIAM C. BUSKIRK, 0000
JAMES L. BUTLER, 0000
SUSAN H. BUTLER, 0000
JULIUS S. CAESAR, 0000
GARY W. CAILLE, 0000
ERIC R. CALDWELL, 0000
KENNETH W. CAMPBELL, 0000
NICHOLAS J. CAPRON, 0000
WENDI B. CARPENTER, 0000
BARBARA J. CARTER, 0000
CHARLES H. CHASSOT, JR., 0000
JOHN P. COFFEY, 0000
ROBERT D. CONWAY, 0000
DANIEL M. CORPMAN, 0000
CHRISTOPHER M. CORRIGAN, 0000
SUSAN A. COTTEY, 0000
PETER E. COVELL, 0000
RICHARD S. CRAMER, 0000
ROBERT K. CRIM, 0000
ANDREW J. CUCA, 0000
GERALD R. DAVIS, 0000
WILLIAM R. DAZE, 0000
JAY A. DELOACH, 0000
JAMES DEUSER, 0000
KEVIN DONAHUE, 0000
THOMAS P. DONNELLY, 0000
LESLIE A. DOTSON, 0000
LINDA L. B. DUBOIS, 0000
JOSEPH M. EAGAN, 0000
ANGELIKA M. EVANGELIST, 0000
ROBIN FELIX, 0000
MARY E. FETHERSTON, 0000
KEVIN W. FLEMING, 0000
DENIS W. FLOOD, 0000
JOSEPH M. FOSTER, 0000
ROBERT E. GALBRAITH II, 0000
STEPHEN M. GANN, 0000
LEE A. GARD, 0000
STEPHEN GATES, JR., 0000
JOHN E. GAULT, 0000
PETER F. GAZDA, 0000
JAMES H. GENTILE, 0000
ANTHONY W. GILES, 0000
ROBERT M. GILL, 0000
JAMES I. GILLESPIE, 0000
MARY F. GLEASON, 0000
EUGENE M. GOLDA, 0000
ROBERT A. GOODRUM, 0000
TIMOTHY E. GOODWIN, 0000
ROBERT L. GOULD, 0000
RICHARD F. GOWARD, JR., 0000
JOHN C. GRACE, 0000
MARK, D. GRAY, 0000
KENNETH E. GREEN, 0000
DAVID E. GUZA, 0000
SEBASTIAN C. HAFER, 0000
PAUL R. HALEY, 0000
JUERGEN G. HALF, 0000
DON P. HAMBLEN, 0000
MELINDA O. HASEN, 0000
KEITH E. HARDMAN, 0000
JOHN W. HARDY, 0000
JAMES A. HARNAR, 0000
JOSEPH D. HARRINGTON, 0000
WILLIAM E. HART, 0000
LARRY E. HAYES, 0000
JEFFREY A. HEDGES, 0000
ROBERT J. HEISTER, JR., 0000
CHARLES L. HEWELL, 0000
GORDON J. HILL, 0000
JAMES D. HOFFMAN, JR., 0000
ROBERT L. HOGAN, 0000
ROBERT L. HOWARD, 0000
RICHARD P. HUBBARD, 0000
ROBERT K. HUDGENS, 0000
RICHARD J. HUMENUCK, 0000
JOHN M. HURST, 0000
JOHN E. JAYNES, 0000
JAMES J. JEFFERIES, 0000
CHRISTOPHER H. JENSEN, 0000
DIANNE H. JOHNSON, 0000
GREGORY C. JOHNSON, 0000
BRADLEY W. JONES, 0000
MICHAEL P. JONES, 0000
JAMES L. KANTNER, 0000
JOHN J. KEARNEY, 0000
RICHARD P. KELLY, 0000
MARVIN E. KING, 0000
LAWRENCE P. KIRWAN, 0000
JOHN L. KITTLER, 0000
PATRICIA A. KLUAER, 0000
ROBERT M. KNIGHT, 0000
BRIAN E. KONSUGAR, 0000
CHRIS R. KOURY, 0000
CRAIG E. KRAUSS, 0000
FRANCIS J.J. KULICK, 0000
THEODORE F. LAGERGREN, 0000
DEAN B. LAHREN, 0000
EDWIN G. LANDAUER, 0000
RHONDA S. LANDERS, 0000
CHARLES R. LASKO, 0000
GRANVILLE D. LASSETER, II, 0000
KENNETH M. LAW, 0000
CHARLES H. LEACH, III, 0000
CAROLYN D. LEEF, 0000
GEORGE E. LEWIS III, 0000
STEPHEN A. LEWIS, 0000
WILLIAM T. LILES, 0000
WALTER B. LINCOLN, JR., 0000
RONALD E. LIS, 0000
TIMOTHY J. LOCKHART, 0000
LAWRENCE E. LUCK, 0000
STENVEN J. LUCKS, 0000
MARIANNE M. LYNCH, 0000
MICHAEL J. MAKOWICZ, 0000
WILLIAM A. MALEHORN, 0000
JOHN E. MANIGO, 0000
GREGORY A. MANKEY, 0000
LARRY K. MARSKE, 0000
BRUCE C. MARTIN, 0000
ANN L. MATHEWS, 0000
ROBERT A. MCANINCH, 0000
ROBERT L. MC CABE, 0000
JOHN J. MC GARRY, 0000
ROBERTA L. MC INTYRE, 0000
JOHN W. MELEAR, 0000
PETER MENIO, JR., 0000
ARCHIE MITCHELL, JR., 0000
COREY S. MOORE, 0000
JOHN L. MORRIS, 0000
DAVID A. MORSE, 0000
MARK A. MUNSON, 0000
JOHN S. MURDOCK, 0000
EDWARD J. NANARTOWICH, 0000
JEFFERY A. NAUS, 0000
JOHN J. NEEDHAM, 0000
SCOTT T. NEIDHOLD, 0000
ELMER J. NELSON, 0000
MICHAEL E. NERUDA, 0000
GREGORY F. NEUSCHAFER, 0000
KENNETH R. NEWTON, 0000
SHERRY R. NEWTON, 0000
BRENT J. O'BENOUR, 0000
KEVIN B. O'CONNELL, 0000
JOHN H. O'DONNELL II, 0000
HENRY J. OLDFIELD, 0000
WILLIAM A. OTT, 0000
TIMOTHY J. PARMENTIER, 0000
MICHAEL J. PELLOTH, 0000
SHELLEY PENNINGTON, 0000
JOHN R. PHIPPS, JR., 0000
RENALDO P. PILI, 0000
RANDALL L. PINETTI, 0000
PAUL D. PITZER, 0000
THOMAS M. PLANTENBERG, 0000
LOREN R. PLISCO, 0000
ROBERT H. PORTER, 0000
CAROL M. POTTENGER, 0000
ANDREW N. POULOS, 0000
JAMES H. PUCKETT, 0000
MICHAEL C. PURCELL, 0000
JOHN R. PYRON, JR., 0000
BRUCE A. RASMUSSEN, 0000
STEVEN M. REYNOLDS, 0000
MICHAEL T. RIBBLE, 0000
JOHN S. ROBERTSON, 0000
RICHARD E. ROBEY, 0000
MARGARET J. RONZIO, 0000
THOMAS K. ROSE, 0000
PAUL P. ROSS, 0000
MICHAEL L. RUNALS, 0000
CHRISTOPHER J. RYAN, 0000
DOUGLAS J. SAHRBECK, 0000
KATHERINE L. SANFORD, 0000
RICHARD S. SAUNDERS, 0000
MARK D. SAVIGNAC, 0000
MICHAEL A. SCHALL, 0000
RICHARD E. SCHIEFEN, 0000
RUSSELL C. SCHLOTE, JR., 0000
ROBERT J. SCHOLES, 0000
RONALD R. SCHOWE, 0000
RONALD H. SCHWARTZ, 0000
JOHN D. SCOTT, 0000
MICHAEL L. SCOTT, 0000
ROBBIE D. SCRUGGS, 0000
CONSTANCE M. SENKOWSKI, 0000
KARL R. SETTE, 0000
THOMAS P. SHARKEY, 0000
KENNETH W. SHEETS, JR., 0000
ROBERT SHEPPARD, 0000
MICHAEL SHINEGO, 0000
KEVIN R. SKJEI, 0000
RICHARD P. SKRZAT, 0000

DAVID L. SMITH, 0000
JAMES F. SMITH, 0000
STANLEY A. SOWINSKI, 0000
KENNETH G. SPENCER, 0000
CHARLES J. STEINBAUGH, 0000
ARTHUR L. STEPHENS, 0000
JOHN R. STEPHENS, 0000
MICHELE V. STICKNEY, 0000
LAURA D. STUBBS, 0000
KEVIN J. SULLIVAN, 0000
WILLIAM J. SUMNER, 0000
STEPHEN D. SWAZEE, 0000
SHEILA S. SWEETSER, 0000
CHARLES C. SWENSEN, JR., 0000
DAVID A. SWINGLE, 0000
JOHN M. THOMPSON, 0000
KENNETH N. THOMPSON, 0000
STEVEN M. THRAILKILL, 0000
WILLIAM E. TILLERSON, JR., 0000
LEE A. TIMRECK, 0000
MICHAEL D. TSCHILTZ, 0000
DIANNA M. TURMAN, 0000
PATRICK A. TUZZOLO, 0000
JAMES R. UNDERWOOD, 0000
RICHARD R. VANTHOF, 0000
JOHN R. VERBRYCKE, 0000
DAVID C. WAGNER, 0000
DALE W. WAINWRIGHT, 0000
CHARLES D. WALTERS, 0000
ALAN F. WARE, 0000
DONALD C. WARREN, JR., 0000
STEWART T. WARREN, 0000
JOSEPH WASEK, JR., 0000
MICHAEL N. WATSON, 0000
JOHN S. WEBB, 0000
MILTON B. WHITFIELD, 0000
THOMAS H. WILLIAMS, 0000
ELDON J. WILSON, 0000
ARNETT J. WISE, 0000
TERRAY E. WOOD, 0000
GARLAND P. WRIGHT, 0000
THOMAS A. YEAGER, 0000
MICHAEL J. YURINA, 0000
JAMES M. ZAHORNACKY, 0000
CAROL J. ZINK, 0000
ERIC R. ZUMWALT, 0000