

shaky ground indeed. A careful review of the record of this press interview with Secretary Acheson on March 18, 1949 reveals that his comments did not imply a global NATO beyond the careful scope of the treaty.

Acheson states that Article 4 is broader than Article 5, which it is. Article 4 gives NATO the flexibility to respond to threats related to collective defense, but which may not be precipitated by an armed attack.

When asked if there "was no provision [in the treaty] which looked toward these Parties acting as a unit in regard to some matter not covered by the Treaty," Secretary Acheson, as paraphrased, said, and rightly so, that the allies "might act as a unit or they might not, but that there was nothing in the Treaty which required them to do so." Secretary Acheson reiterated in this very interview what he had said in his letter to the President transmitting the NATO treaty: that NATO only had authority to deal with matters under the purview of the treaty.

This is essentially what I have said all along. The countries that make up NATO can act together on any security matter they desire. But NATO itself is designed for a specific mission. When asked if "there was no provision for anything except consultation, except actual armed attack on one of the signatories, the Secretary replied that there were Articles one, two, three, and four."

These articles certainly identified some of the political and economic goals of NATO's collective defense mission. After looking at the careful language of articles 5 and 6 of the Treaty, however, it is preposterous to argue that NATO can turn itself into a global policeman based on the general language of article 1.

When Secretary Acheson says that there is no limiting clause, the transcript seems to indicate he is referring to article 4, which is not necessarily limited by geography. Acheson did not mean that the treaty had no limits. In the letter transmitting the treaty to President Truman, Acheson stated flatly that the North Atlantic Council will have ". . . no powers other than to consider matters within the purview of the treaty. . . ." (Letter to President Truman transmitting the NATO treaty, April 7, 1949). The articles of the treaty speak for themselves and don't imply in the slightest a military mission unrelated to collective defense.

Second, some would try to portray a vote on this amendment as a vote on Bosnia. Let me state clearly that this amendment is not intended to be another vote on the Bosnia mission. The NATO mission in Bosnia is related to the out of area debate we are having today, but this vote is more about avoiding the Somalia's of NATO's future than rehashing the debate over Bosnia.

The amendment I am offering explicitly refers to future NATO military missions. Making this another vote on

Bosnia would miss the purpose: to keep NATO on a sound course for the future.

One could argue that if you supported the Bosnia mission, you would not offer this amendment. I disagree. You may support Bosnia, but you may support NATO more and recognize the threats a Somalia experience poses to NATO. I doubt there is anyone in the Senate who has not grown more concerned with each missed deadline for the withdrawal of U.S. troops from Bosnia.

There is nothing in this amendment that stops the U.S., unilaterally or with other countries, from engaging in ethnic conflicts like Bosnia. If we want to send our soldiers to the flashpoints of Europe and Asia, then let's have that debate. Don't cloak these missions in the banner of a successful military alliance not intended for such purposes. Don't entangle the U.S. in the brushfires of Europe, Asia, and Africa through NATO.

Third, and on a somewhat related note, some would argue this amendment constrains the President as commander in chief. My amendment has nothing to do with the President's authority as Commander in Chief. Nothing in this amendment limits the President's ability to deploy U.S. forces unilaterally and in concert with other nations to defend the United States.

This amendment has to do with the question of what the President can do through the North Atlantic Treaty. In that treaty, to which the Senate gave its advice and consent based on a shared understanding borne out by 40 years of alliance practice, the U.S. was making a security commitment limited by the mission of collective defense within a carefully defined geographical area.

The Senate should give its advice and consent if NATO is to expand its mission.

To conclude, these and other issues deserve extensive debate. The risks of an ill-defined NATO are real. The Senate should not allow this alliance to shift from collective defense to fitful multilateralism. This Administration is stretching NATO's scope to cover the globe. The Ashcroft amendment is the right answer to "Treaty Creep."

The statements and policies of Administration officials belie a failure to grasp the purpose of a military alliance. There is no long-term vision of where the expansion process will stop. The U.S. is slashing defense while increasing security obligations abroad. Beware the Administration strong on NATO expansion, but weak on defense.

The resistance of Administration officials to define where the expansion of NATO's mission and membership will stop indicates how far Article 5 has diminished in importance. Secretary Albright has stated that ". . . no European democracy will be excluded because of where it sits on the map." The Administration's dismissal of the logistical and strategic constraints of

war may work for Foggy Bottom. In the real world, real soldiers die in defense of real borders.

Treaty creep will cost American lives, harm U.S. interests, and undermine NATO. The drift in this Administration's foreign policy is threatening the future of a focused NATO which serves American interests. The Senate should not be complacent with fifty years of NATO success. This body has a role to play in the scope of U.S. treaty commitments.

Changing NATO into a mini-UN with a standing army is not something the American people will support. We have been lucky in Bosnia. The first time NATO has a Somalia experience in pursuit of an expanded mission, U.S. support for the alliance will be undermined. Voting for the Ashcroft amendment is the best way to be clear about NATO's mission—the territorial defense of Western Europe. This amendment is the best way to advance U.S. interests through NATO.

TRIBUTE TO MAJOR GENERAL MARION CARL

Mr. SMITH of Oregon. Mr. President, when General George Marshall was asked during World War II if America had a secret weapon, he said, "Yes. Our secret weapon is the best darned kids in the world."

This morning, Mr. President, I traveled to Arlington Cemetery to attend the funeral service of one of those best darned kids. I speak of Major General Marion Carl, who was acknowledged as one of America's greatest military aviators, and who was tragically murdered in his Oregon home last week during an attempted robbery.

I did not have the privilege of knowing General Carl. But one cannot read the words of those who did know him or the summaries of his long and courageous service to our country, which included stints as a World War II fighter ace, a military test pilot, and a squadron commander in Vietnam, without concluding that General Carl was a true American hero.

I join with all Oregonians in expressing my condolences to General Carl's wife, Edna, and to their two children and grandchildren. I also ask that an article from the Oregonian summarizing the memorial service held for General Carl in Roseburg be printed in the RECORD following my remarks.

More than any words I can offer, this article summarizes the life and career of a man who will always be remembered for his humility, his loyalty, his bravery, and his service to his country.

The article follows:

MOURNERS PAY FINAL RESPECTS TO SLAIN OREGON WAR HERO

(By Janet Filips)

ROSEBURG.—In a dignified funeral that offered a quiet but stirring mix of the patriotic and the private, grieving family, friends and admirers bid a sad farewell to one of America's greatest pilots Monday morning—a man who lived with an uncommon combination of

heroics, humility and humor until he was slain during a bungled burglary June 28.

No hourlong funeral can capture the fullness of a long and distinguished life such as that of Maj. Gen. Marion E. Carl, 82. But it can give telling glimpses, starting with slides depicting the tall, lean Carl with airplanes and his smiling, handsome family.

A Marine Corps brass quintet played "Ruffles and Flourishes," "Danny Boy" and the "Marine Corps Hymn." Vocalists movingly sang "America the Beautiful" and "A Wing and a Prayer." A pair of white-gloved Marines in dress blue uniforms guarded the flag-draped casket, spotlighted on the shadowed stage.

In it, the fallen general wore the same style of dress blues, with ribbons discreetly signifying his medals. And in the pocket over his heart, his wife, Edna Carl, had tucked his favorite photos of her, their two children and two grandchildren.

Most revealing of all, longtime military buddies spoke of the incomparable Marion Carl before a diverse crowd of about 750 who came to Umpqua Community College's Jacoby Auditorium to pay their final respects to Carl, a native Oregonian drawn to studying aircraft and pushing boundaries on behalf of his country in wartime and peace.

"Marion was a real hero. I'm not talking about purple-haired ballplayers," said eulogist Joseph R. Rees, a friend of Carl for 53 years. "He set a benchmark for youth, for all of us."

Despite a career of record-setting accomplishments, said Rees, humility was Carl's byword, integrity his daily password and loyalty the way of his friendship. Carl had the attributes people hope to find in their sons and daughters and political leaders, said Rees, who turns 76 today.

Carl could rapidly assess situations, then take decisive action without being hobbled by politics or fear.

Those traits are not to be mistaken for recklessness, added Rees, who lives about seven miles up North Bank Road from the Carl home.

"Marion knew where fear belonged," Rees said. "He just didn't let it get in the way when he knew something had to be done. Now, we saw that, just a few nights ago."

A week ago, Carl, who was in the middle stages of Alzheimer's had been awakened by shouting in his living room and stumbled into the middle of a burglary. He was fatally shot after lunging at a young man who had just fired a shot at his wife. Sunday afternoon, the suspected killer was apprehended in Pasadena, Calif.

A second eulogist, Brigadier Gen. Joseph H. Foss, is a Congressional Medal of Honor holder and the Marine's top ace of all time, and 26 enemy planes to his credit. But Foss, 83, of Scottsdale, Ariz., lauded Carl as the top aviator.

Foss recalled his first ride, as a cadet in 1940, with Carl as an instructor in Pensacola, Florida. "He did everything with that airplane that an airplane could possibly do for 1½ hours. I was green," Foss said. "From that day on, I respected him as the No. 1 pilot in the World. If young folks would set their eyes on people like that, we wouldn't have punks like the one who ended his life."

Amid occasional sobs and snuffle from the mourners, Foss drew applause when he blasted current school studies of history that replace the study of pivotal American battles with "a dumb thing called political correctness."

Col. Hap Langstaff, 77, of Sacramento, described Carl's "astounding" knowledge of aircraft, his uncanny ability to track animals in the wild and his willingness to bend the rules to sneak in hunting trips in Eastern Oregon while stationed in Washington,

D.C., in 1959. He shared stories of climbing into a T-28 aircraft on Fridays after work, flying all night to Mitchell, buzzing a narrow dirt road to clear the cattle off, then landing on a ranch.

"We always got deer," Langstaff said. "Back in Washington, D.C., Marion had difficulty explaining how cow manure got on the landing gear."

After the laughter, Langstaff's voice broke as he said, with a salute: "I'm going to miss you, Marion."

At the service's end, the crowd stepped outside for a stirring farewell: The sharp rat-a-tat of a 21-gun salute, taps played by two buglers, and a fly-by—against warm blue skies—of a pair of vintage planes from the Tillamook Air Museum: the F4U Corsair and the F4F Wildcat.

The funeral drew top military men and former co-workers from around the country, including one of Carl's former aides in Vietnam.

"I'm so damn angry, and I'm sad, but I'm so grateful for all the time we spent together," said Lyle Prouse, 59, now a pilot for Northwest Airlines and an Atlanta resident. "He was not a typical general. We were always out there in the middle of things. He stepped in and did whatever needed to be done, no matter the consequences."

Prouse and his wife rearranged their schedules to be at the funeral, he said, "just because I loved him so much."

Whenever Maj. Gen. Ken Houghton of La Jolla, Calif., hears the famed saying from Iwo Jima, "Uncommon valor is a common virtue," he is reminded of Carl. "This," he said, "epitomizes Gen. Carl."

After a gathering at the Roseburg Country Club, Carl's casket was escorted to the Eugene Airport later Monday afternoon, where it was flown to Washington, DC, for interment Thursday, with full military honors, in Arlington National Cemetery in Virginia.

RECOGNITION OF HEIDELBERG COLLEGE

•Mr. GLENN. Mr. President, I rise today to recognize and congratulate Heidelberg College in Tiffin, Ohio, as it celebrates the 40th Anniversary of its educational exchange program with Heidelberg University of Heidelberg, Germany. The program between the two schools is the longest standing exchange program between an American and a German university in the post-World War II period.

When Heidelberg College was founded in 1850 by members of the German Reformed Church, it was named after the Heidelberg Catechism which was written at Heidelberg University in 1563. In 1958, cooperative relations were established between Heidelberg College and Heidelberg University and a student exchange program, the American Junior Year at Heidelberg University, was initiated. In 1973, the exchange became reciprocal with German students also studying at Heidelberg College. Over the course of the 40 years of cooperation, more than 1,400 German and American students have been able to participate in an academic exchange under the auspices of the Junior Year program.

Heidelberg College has a rich tradition of global education dating from the second half of the 19th century when missionaries were trained for

service in Japan. Over the past two years, the College has revitalized its commitment to global education through the establishment of the Heidelberg College Center for Global Education. The Center for Global Education is the cornerstone of Heidelberg's effort to place an international focus on its curriculum, its majors, and its programs. Through its Advisory Council for Global Education, composed of local, regional, national, and international leaders, a number of priorities and future directions for global education at Heidelberg College have been identified in order to make it a worthwhile initiative that will influence the lives of thousands of young people for years to come.

I have been a long-standing advocate of increased exposure to global education for American students of all ages. I believe that it is fundamental for American students to have the opportunities to experience different cultures, languages, and individuals in order to compete in a world which is increasingly interdependent. I extend my best wishes to Heidelberg College for continued success in providing students from Ohio, and around the world, access to quality global education.●

CORRECTION TO THE RECORD

An error occurred in the printing of Daschle amendment No. 3063 in the RECORD of July 7, 1998. The amendment should read as follows:

DASCHLE AMENDMENT NO. 3063

Mr. DASCHLE proposed an amendment to the bill, S. 2168, supra; as follows:

At the appropriate place, insert the following:

TITLE ___—PATIENTS' BILL OF RIGHTS

SEC. ___001. SHORT TITLE.

This title may be cited as the "Patients' Bill of Rights Act of 1998".

Subtitle A—Health Insurance Bill of Rights CHAPTER 1—ACCESS TO CARE

SEC. ___101. ACCESS TO EMERGENCY CARE.

(a) COVERAGE OF EMERGENCY SERVICES.—

(1) IN GENERAL.—If a group health plan, or health insurance coverage offered by a health insurance issuer, provides any benefits with respect to emergency services (as defined in paragraph (2)(B)), the plan or issuer shall cover emergency services furnished under the plan or coverage—

(A) without the need for any prior authorization determination;

(B) whether or not the health care provider furnishing such services is a participating provider with respect to such services;

(C) in a manner so that, if such services are provided to a participant, beneficiary, or enrollee by a nonparticipating health care provider—

(i) the participant, beneficiary, or enrollee is not liable for amounts that exceed the amounts of liability that would be incurred if the services were provided by a participating health care provider, and

(ii) the plan or issuer pays an amount that is not less than the amount paid to a participating health care provider for the same services; and