

We are right now in the middle of filibusters against two highly qualified, exceptional people, and the arguments used against them are almost unreal. The only argument I keep hearing about Miguel Estrada is he just hasn't answered all the questions. We have had very few circuit court nominees who have even come close to answering the number of questions that have been asked of Mr. Estrada. We hear arguments against Priscilla Owen, about the only thing left that has not been totally obliterated by the facts: that she joined in dissent—in a few of the better than 800 cases—of a young girl who asked for a judicial bypass so her parents would not have to be notified about her upcoming abortion.

Polls indicate that more than 70 percent of the American people support parental notification. It has nothing really to do with *Roe v. Wade*. It has to do with whether parents have a right to assist or consult with their young daughter who may be going through the most momentous medical procedure in her lifetime. But the finder of fact in these few cases found that these young women—these young girls—should consult with their parents. That is being held against Priscilla Owen as though she is against *Roe v. Wade*, when she clearly and unequivocally said she will support the decision in *Roe v. Wade* as a circuit court of appeals judge. You couldn't ask anything more of her, but they are asking more.

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

The PRESIDING OFFICER (Mr. COLEMAN). The clerk will call the roll. The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

EXECUTIVE SESSION

NATO EXPANSION TREATY

The PRESIDING OFFICER. Under the previous order, the hour of 12 noon having arrived, the Senate will proceed to executive session to consider Executive Calendar No. 6, which the clerk will report.

The legislative clerk read as follows:

Resolution of Ratification to Accompany Treaty Document No. 108-4, Protocols to the North Atlantic Treaty of 1949 on Accession of Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia.

The PRESIDING OFFICER. Under the previous order, there are 4 hours of debate on the treaty.

The Senator from Indiana.

Mr. LUGAR. Mr. President, we now commence a very important debate on the NATO treaty.

On behalf of the Committee on Foreign Relations, I am pleased to bring the protocols of accession to the North Atlantic Treaty of 1949 to the floor for

the Senate's consideration and ratification. The protocols extending membership to Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia and Slovenia were signed on March 26, 2003, and were transmitted by President Bush to the Senate on April 10, 2003. The accession of these countries to the NATO Alliance is a tremendous accomplishment. It deserves the full support of the Senate and the governments of the other 18 NATO members.

The Foreign Relations Committee has held 10 hearings on NATO since 1999. Five of these hearings were held during the last 2 months, as we prepared for this debate on the Senate floor. The Senate Foreign Relations Committee gave its unanimous approval to the resolution of ratification.

I especially thank Senator JOSEPH BIDEN for his assistance in moving NATO expansion forward and for his insightful participation in the wider debate on NATO policy. The resolution of ratification before us today reflects our mutual efforts to construct a bipartisan resolution that could be broadly supported by the Senate.

During the course of the committee's consideration of the Protocols of Accession for these seven nations to join NATO, we received testimony from Secretary of State Colin Powell, Under Secretary of State Marc Grossman, Under Secretary of Defense Doug Feith, and United States Ambassador to NATO Nick Burns. Each expressed strong support for NATO expansion. In addition to efforts undertaken in the Foreign Relations Committee, Senators LEVIN and WARNER and the Committee on Armed Services conducted two hearings examining the military implications of the treaty and shared an analysis of their findings with us. This letter has been made a part of the RECORD and our committee report.

When NATO was founded in 1949, its purpose was to defend Western democracies against the Soviet Union. But the demise of the Soviet Union diminished the significance of NATO's mission. We began to debate where NATO should go and what NATO should do. In early 1993, I delivered a speech calling for NATO not only to enlarge, but also to prepare to go "out of area." At that time, many people were skeptical about enlarging NATO's size and mission. Those of us who believed in NATO enlargement prevailed in that debate. And I believe that events have proven us right.

As we consider this new enlargement, it is clear that the last round has been highly beneficial. Hungary, Poland, and the Czech Republic are among the most dynamic countries in Europe. They are deeply interested in alliance matters, and they have sought to maximize their contribution to collective security. The prospect of NATO membership gave these countries the incentive to accelerate reforms, to settle disputes, and cooperate with their neighbors. Their success, in turn, has been a strong incentive for democra-

tization and peace among Europe's other aspiring countries.

Many observers will point to the split over Iraq as a sign that NATO is failing or irrelevant. I disagree. Any alliance requires constant maintenance and adjustment, and NATO is no exception. The United States has more at stake and more in common with Europe than with any other part of the world. These common interests and shared values will sustain the alliance if governments realize the incredible resource that NATO represents. As the leader of NATO, we have no intention of shirking our commitment to Europe.

But as we attempt to mend the alliance's political divisions over Iraq, we must go one step further and ask, if NATO had been united on Iraq, could it have provided an effective command structure for the military operation that is underway now? And would allies, beyond those currently engaged in Iraq, have been willing and able to field forces that would have been significant to the outcome of the war? In other words, achieving political unity within the alliance, while important to international opinion, does not guarantee that NATO will be meaningful as a fighting alliance in the war on terror.

In the coming years, NATO will have to decide if it wants to participate in the security challenge of our time. If we do not prevent major terrorist attacks involving weapons of mass destruction, the alliance will have failed in the most fundamental sense of defending our nations and our way of life.

This reality demands that as we depend NATO, we also retool NATO, so that it can be a mechanism of burden sharing and mutual security in the war on terrorism. America is at war, and we feel more vulnerable than at any time since the end of the cold war and perhaps since World War II. We need allies to confront this threat effectively, and those alliances cannot be circumscribed by geographic boundaries.

In our committee hearings on NATO, we have heard encouraging testimony that our allies are taking promised steps to strengthen their capabilities in such areas as heavy airlift and sea-lift and precision-guided munitions. We also have heard that the seven candidates for membership are developing niche military capabilities that would be useful in meeting NATO's new military demands. But clearly, much work is left to be done to transform NATO into a bulwark against terrorism. An early test will be NATO's contribution to peacekeeping and humanitarian duties in the aftermath of combat in Iraq. A strong commitment by NATO nations to this role would be an important step in healing the alliance divisions and reaffirming its relevance for the long run.

The Resolution of Ratification we are considering today includes nine declarations and three conditions. I will review each of these provisions for the benefit of the Senate:

Declaration 1 reaffirms that membership in NATO remains a vital national security interest of the United States.

Declaration 2 lays out the strategic rationale for NATO enlargement.

Declaration 3 emphasizes that upon completion of the accession process, Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia will have all the rights, privileges, obligations, responsibilities, and protections of full NATO members.

Declaration 4 emphasizes the importance of European integration.

Declaration 5 reiterates NATO's "open door" policy, and declares that the seven new countries will not be the last invited to join the alliance.

Declaration 6 expresses the Senate's support for the Partnership for Peace.

Declaration 7 expresses support for the NATO-Russia Council established at the Prague Summit, but reinforces the Senate's view that Russia does not have a veto or vote on NATO policy.

Declaration 8 declares that the seven candidate countries have implemented mechanisms for the compensation of victims of the Holocaust and of Communism.

Declaration 9 states that the committee has maintained the constitutional role of the U.S. Senate in the treaty-making process.

Condition 1 requires the President to reaffirm understandings on the costs, benefits, and military implications of NATO enlargement.

Condition 2 requires the President to submit a report to the Congressional Intelligence Committees on the progress of Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia in meeting NATO security sector and security vetting standards.

Finally, Condition 3 requires the President to certify to Congress that each of the governments of the seven candidate countries is fully cooperating with the U.S. efforts to obtain the fullest accounting of captured and missing U.S. personnel from previous conflicts and the Cold War.

When President Bush made his first trip to Europe 2 years ago, he strongly voiced the U.S. commitment to Europe generally and to NATO in particular. Now at a moment when relations with some of our European allies are strained, a clear showing of bipartisan support for NATO enlargement takes on added importance. The affirming message of the first round of enlargement led to improved capabilities and strengthened transatlantic ties. I am confident that this second round will do the same. I ask my colleagues to join me in voting for this resolution of ratification.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. BIDEN. Mr. President, I will proceed with an opening statement relative to the matter before us, and that is expansion of NATO.

Mr. President, today we begin consideration of an amendment to the North Atlantic Treaty of 1949 to admit to NATO seven new members—Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia.

If we approve this legislation, as I hope we will, it will mark an important step in the strategic transformation of the Alliance to respond to a new security environment.

I would like to discuss the history of this strategic transformation and then to examine the qualifications of each of the seven candidate countries.

The process of transforming the Alliance actually began shortly after the collapse of communism in Europe in 1989.

The first major change in the post-Cold War NATO was an absolutely critical event that is all-but-forgotten today: the accession to NATO, without fanfare, of the former East Germany when it reunited with the Federal Republic of Germany on October 3, 1990.

We talk about the expansion of NATO and we never really mention that. Again, the first significant thing that happened in transforming the alliance in the new security environment was that East Germany, a former Warsaw Pact member, was accepted and subsumed into and became part of Germany again, but also became part of NATO as a consequence of that.

The following year, in June 1991, the Warsaw Pact disbanded, and in December 1991, the Soviet Union dissolved.

At the Madrid Summit in July 1997, NATO invited three countries from the former Warsaw Pact—Poland, the Czech Republic, and Hungary—to enter into final accession negotiations with the Alliance.

I might say a word about the care with which this body scrutinized that round of NATO enlargement.

The Committee on Foreign Relations alone held a dozen detailed hearings and published a 550-page book containing hearing transcripts, policy analyses, a detailed trip report, and other documents. Other committees also held hearings on enlargement.

Then, during March and April of 1998, came seven full days of intense debate on ratification here on the floor. I had the privilege of being floor manager for the ratification, which was approved by a 80-19 vote on the evening of April 30, 1998.

Poland, Hungary, and the Czech Republic formally joined NATO on March 12, 1999. Less than 2 weeks later, the Allied air war was launched against Serbian aggression in Kosovo.

The events of the 1990s, and the increasing instability in the Middle East and Central Asia, led my farsighted colleagues—Senator LUGAR and former Senator Nunn, to the memorable con-

clusion that the NATO Alliance had to "go out of area, or out of business."

Still, most analysts remained skeptical. The terrorist attacks of September 11, 2001, dispatched any remaining doubts about the nature of the threats we now face. The unanimous decision on the following day by the NATO Allies to invoke Article 5 for the first time in NATO's history confirmed the vitality of NATO's collective defense principle.

At the NATO Ministerial Meeting in Reykjavik in May 2002, the Allies agreed that in order to meet security threats, NATO needed forces that could be deployed quickly to wherever they are needed and sustained over time to complete their mission. This agreement effectively settled, at least conceptually, the "out-of-area" debate.

Meanwhile, in Brussels and among NATO members a discussion had begun on the merits of a so-called "Big Bang" next round of enlargement to give meaning and force to the new missions ahead.

Recognizing that potential members in Central and Eastern Europe would individually require years to reach all of the military standards of NATO, members began to view their entrance as a regional grouping as politically and geographically strategic.

Initially, I personally had some skepticism of this perspective and was concerned about the abilities of these countries to contribute to the alliance. But the determined response of these countries to the war against terrorism, their participation in SFOR and KFOR peacekeeping in the Balkans, their participation in Operation Enduring Freedom in Afghanistan, and the progress they have made on their NATO membership action plans, so-called MAPs, convinced me all seven of these countries would serve us well as formal allies. I declared my support for all seven of these countries in an article I wrote for the Los Angeles Times of September 1, 2002.

The critical turning point in defining new tasks for NATO occurred at Prague in November 2002, at NATO's so-called "Transformation Summit."

Prague crystallized the debate over NATO's new missions, new capabilities, and new members, and it afforded members opportunity to set forth a strategic agenda for a revitalized NATO.

Among the accomplishments at Prague, the alliance agreed to the Prague Capabilities Commitment. NATO, because it is a military organization—I think it is beyond that and is a political organization as well—loves all these acronyms. It takes a while; I apologize for my colleagues who do not follow this closely. The PCC, the Prague Capabilities Commitment, replaced the overly ambitious and broad Defense Capabilities Initiative of 1999 with a more concrete framework for force modernization and adaptation, including acquisition of equipment and technology through consortia of members and the development by individual

countries of so-called niche capabilities, which I will describe later. That is a new term that is formally being used.

NATO also adopted an American proposal to develop a NATO response force, NRF, a high-readiness, mobile combat unit that would allow NATO to go out of area to meet threats where they arise.

Finally, the alliance invited the seven countries whose qualifications we are considering today to begin final negotiations with the alliance on joining as full members.

NATO issued the invitation knowing that the militaries in most of the seven countries would not greatly enhance the war-fighting ability of the alliance, at least in the short term. Taken together, however, they will measurably increase NATO's potential.

The seven invited countries will add 220,000 active-duty troops to the alliance immediately, or about 175,000 by the end of the decade, once current reform and restructuring of forces are completed in Bulgaria, Romania, Slovakia, and Slovenia. This represents a 6 percent overall increase in NATO military forces.

This round of enlargement will also yield strategic infrastructure benefits. The membership of the seven countries will increase the number of airfields with long runways available to the alliance by 6 percent and the number available in Europe by 13 percent.

Airfields and ports in these countries also factor in to the Pentagon's initial plans to reshuffle its forces in Europe, including the possibility of building U.S. bases and airfields in Bulgaria and the nearby Black Sea port of Burgas, as well as at a Romania airbase and a Black Sea port of Constanta.

In addition, Romania has unmanned aerial vehicles and a C-130 lift capability, while Slovakia has air-to-ground training ranges.

Moreover, the enlargement will add so-called niche capabilities to NATO's array of professional forces, several of which could be directly applicable to future out-of-area missions. These specialized capabilities include Bulgarian and Slovak antinuclear, biological, and chemical weapons teams; Slovenian demining units; Romanian elite force and mountain troops; Lithuanian special forces and medics; Estonian explosive detection teams; Latvian explosive ordnance destruction specialists, including underwater demolition teams; and a joint Baltic Sea air surveillance network.

While their forces may be small in number, the seven invited countries have shown no hesitancy in deploying their uniformed men and women in the Balkans, Afghanistan, and, in some cases, in the Middle East, as coalition operations have required.

In February of this year, Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia joined NATO candidates Albania, Croatia, and the former Yugoslav Republic of Macedonia as the so-called Vilnius Ten in

bravely standing with the United States and its coalition partners.

They declared the importance of the transatlantic alliance and called for action by the international community in response to the clear and growing danger posed by Saddam Hussein in Iraq.

Mr. President, a short excerpt from their declaration demonstrates the vigorous spirit these nations I believe will bring to NATO:

Our countries understand the dangers posed by tyranny and the special responsibility of democracies to defend our shared values. The trans-Atlantic community, of which we are a part, must stand together to face the threats posed by the nexus of terrorism and dictators with weapons of mass destruction.

In word and in deed, these countries have already demonstrated their value as partners and de facto allies, and it is in the interest of the United States, in my view, to see this partnership be made formal by their acceptance into NATO.

The governments of the seven involved countries have also taken tremendous steps and, in some cases, faced considerable political risk to align their institutions and policies in accordance with NATO's standards and values. Let me summarize their individual qualifications for NATO membership.

Bulgaria: Bulgaria has committed to spend around 2.8 percent of GDP on defense in 2003, a higher percentage than that of several of our current allies, and to continue to downsize its armed forces by the thousands. On October 31, 2002, Bulgaria announced that it had destroyed all of its FROG, SCUD and SS-23 missiles, remnants of the old Soviet arsenal.

To shut down any further proliferation of gray arms, Sofia has adopted a supplemental export control legislation, drafted a new border security act, and adopted new regulations on border checkpoints.

Moreover, it took immediate and decisive action against those involved in the illegal shipment that occurred last year from the Terem military complex.

Bulgaria, a rare country that protected its Jewish citizens during World War II, has generally been tolerant of all its religious, ethnic, and political minorities. An exception was the anti-Turkish campaign in the late eighties, the dying spasms of a discredited Communist regime. Today a largely ethnic Turkish party is a member of the governing coalition. Bulgaria is now moving to complete the process of property restitution to its Jewish community with only one property still under legal procedure.

Estonia: Estonia leads the Baltic region in free market reforms, increased defense spending last year of 2 percent of GDP, and is developing a light infantry brigade, the first battalion of which should be equipped and trained by the end of this month. The organization, Transparency International, has rated

Estonia the least corrupt country in central and Eastern Europe.

Building on an already good record, last year, they adopted an action plan to improve the administration and judicial capacity in their country.

Estonia has amended minimum language requirements in its laws on citizenship and employment to address needs particularly of its large Russian ethnic community. As a result, in the most recent national elections, the ethnic Russian parties failed to clear the 5 percent hurdle necessary to enter Parliament. In other words, the majority of Estonia's ethnic Russian citizens cast their vote for multinational parties on the basis of substantive issues, not ethnicity. I think that is remarkable.

In August 2002, overcoming a few voices of intolerance, the Estonian Parliament voted to recognize January 27 as a day of remembrance for the Holocaust.

I know the Presiding Officer is a student of that era, as well as my colleague from Indiana, the chairman.

That is also a fairly remarkable undertaking. People in this country think it would be automatic, but that is a pretty big deal.

Latvia has enacted a law to require 2 percent of its GDP to be spent on defense beginning this year. By the end of 2003, Latvia's first professional infantry battalion will be ready to participate in NATO-led operations, with three additional mobile reserve battalions ready in 2004.

Riga's economic reform efforts have been well funded and generally successful, and Latvia is now assisting other post-Communist countries such as Georgia and Ukraine with their own reform efforts.

After a somewhat contentious start in the early 1990s, Latvia has had considerable success in integrating its large Russian-speaking minority by dismantling citizenship and bureaucratic restrictions to full social and political participation within Latvia.

Lithuania has increased its spending on defense to 2 percent of GDP in 2002. By the end of 2004, Lithuania will be able to deploy and sustain a mobile, professional infantry battalion, and by 2006 a rapid reaction brigade.

A small, elite unit of Lithuanian special operations forces is currently serving in Operation Enduring Freedom in Afghanistan. Recently, this unit was involved in ground combat against al-Qaida forces during a strategic reconnaissance mission and together, with allied reinforcements, captured several of the enemy.

Lithuania signed a border treaty with Russia in 1997, which the Russian Duma is expected to ratify later this month, and has reached an agreement to permit Russian military traffic to transit Lithuania on its way to Kaliningrad.

In 2002, Vilnius launched a Program for Control and Prevention of Trafficking in Human Beings and Prostitution. The Government has established

a public center for the Roma in Vilnius, launched a program to integrate Roma into Lithuanian society, and developed information campaigns to promote this tolerance.

Conscripts in Lithuania's armed forces have a unit in their training on the history of World War II and the Holocaust in Lithuania, and the Government is working with international nongovernment organizations to establish legal procedures for Jewish communal property restitution.

Quite frankly, in a sense, as I go through this, if we did nothing other than accomplish these changes in the countries I have mentioned so far, unrelated to the military, in order to get them to move toward NATO—not to get them to make it clear what they had to accommodate to move toward NATO—I would argue it would be a significant success, a singular success, but the story goes on.

Romania, by far the largest of the seven candidate countries, spends \$1 billion, or 2.38 percent of its GDP, on defense. Moreover, Romania is committed to being a net contributor to NATO and is upgrading its 21 MiG-29 fighter aircraft, its navy ships, and its missile launching systems.

An elite Romanian infantry battalion, the Red Scorpions, served in Afghanistan—that is how they are referred to, the “Red Scorpions”—and was replaced by the Carpathian Hawks that are currently there. I love these names. It is sort of part of the history of Romania, which is another question.

I might add that Romania flew these units to Afghanistan on their own C-130s, a feat which many of our current NATO allies are unable to duplicate.

The Romanian economy has grown substantially over the past 3 years, by 4 percent in 2002, and inflation, although it remains high, has been brought under the IMF target rate of 22 percent.

Romania opened a National Anticorruption Prosecutor's Office in September 2002 and has begun a judicial reform effort that includes prosecuting judges for bribery and corruption, an act called “unprecedented in the region.” Romania's relations with Hungary have improved following the 2001 agreement on Hungarian “status law” for ethnic Hungarians outside Hungary's border. I might add, one of the major changes that took place when Hungary wished to come in was Hungary made similar reforms.

These changes are consequential. As a student of European history, some of this is centuries in coming. The animosities and antagonisms have been real. This is a big deal. The reason I bother to point that out is that it all has a ripple effect, in my view.

Hungary's admission to NATO began Hungary forming their policies that related to ethnicity. That, in turn, I believe, has made it easier for Romania—and necessary, by the way, to become part of NATO—to act in a similar way.

Slovakia has made great progress in democratic reforms and is the first

country to reelect a center-right reform government in Central and Eastern Europe since the end of the cold war.

Under Prime Minister Dzurinda, Bratislava committed to raise its defense spending and maintain it at 2 percent of GDP in 2003 and beyond. A sweeping defense reform plan, known as the Slovak Republic Force 2010, will establish by 2010 a small, well-equipped interoperable armed force integrated into NATO military structures.

In February 2003, Slovakia opened a new department to fight corruption, which is overseen by the Deputy Prime Minister and the Minister of Justice. Bratislava is preparing new laws to create an Office of the Special Prosecutor and to prevent corruption in public administration and the judiciary.

I remember, after the Prague Spring was crushed back several decades ago, I went to Bratislava to meet the fellow who was responsible for the Prague Spring.

To think that today this is all happening is, to me, amazing, just within the time that I have been in the Senate.

Alone among the seven candidates, Slovenia comes out of a tradition of nonalignment as a part of the former Yugoslavia. It is the exception. Also alone among the candidates, it won its independence by force of arms in a short, successful war against the Federal Yugoslav forces in June of 1991.

I might add, I pushed very hard in the first round for Slovenia to be added. I thought they were qualified then.

Moreover, Slovenia has won widespread acclaim for aspects of peacekeeping activities. Its International Trust for Demining and War Victims Assistance is currently responsible for two-thirds of all the demining operations in southeastern Europe.

Although the wealthiest in per capita terms of the candidate countries, Slovenia has lagged behind the other six in terms of defense spending as a percentage of GDP. Ljubljana has committed to reach 2 percent GDP by 2008. Slovenia has focused on creating two battalions of rapid reaction forces for combat and peacekeeping operations.

Freedom House gave Slovenia the highest rating of all the candidate countries with respect to rule of law and preventing and combating corruption. Slovenia is the only country among the seven candidates to have held a referendum on NATO membership. On March 23 of this year, 66 percent of those participating voted in favor of membership, a considerable achievement during the first week of the highly televised military operations in Iraq, which I need not tell my colleagues was not particularly politic or popular among most European voters.

No society anywhere is perfect, and despite their outstanding record of accomplishment, significant challenges

remain for each of the seven candidate countries. They include: permanently curtailing all gray arms sales in Bulgaria; implementing strict control over classified information in Bulgaria and Latvia; eliminating discrimination against ethnic minorities, especially Roma, in Bulgaria, Romania and Slovakia; abolishing the remaining restrictions on the freedom of the news media in Romania; completing the restitution of religious and communal properties that had been seized by the Communists or by the Fascists during the Holocaust in all of the seven countries; educating the publics of all of these countries about the Holocaust and the poison of anti-Semitism; and fully implementing legislation designed to eradicate corruption in all seven countries.

Membership in NATO, however, in my view, will reinforce the process of democratic and economic reforms ongoing in these countries.

That is why I mentioned Hungary before. I think this is a process. I think they have all met the minimum standards required, both in terms of their militaries, at this point, and in terms of reforms necessary.

I truly believe were we unwilling—and I don't believe we will be—to admit them, we would turn this progress in the wrong direction. As a member of NATO, what we have seen is that these countries will get better and better and better. At least that is my hope and expectation.

Each country has worked with NATO under the Membership Action Plan process and has developed a subsequent Timetable for the Completion of Reforms to identify strategies to conclude and build on the steps necessary to assume the full responsibilities and obligations of NATO membership.

As Ambassador Nick Burns, the United States Permanent Representative to the North Atlantic Council, recently told the Foreign Relations Committee, “We have pushed these countries hard to be ready,” and “they will be among our most committed allies when they walk through NATO's doors as full members.”

The Resolution of Ratification before the Senate today is similar to the resolution approved during the last round of NATO enlargement. Let me briefly summarize it.

The text reflects bipartisan agreement, in accord with the view of the administration, that U.S. membership in NATO remains a vital national security interest of the United States.

The Resolution of Ratification makes clear that any threat to the stability of Europe would jeopardize vital U.S. interests.

It reaffirms that the security and prosperity of the United States is enhanced by NATO's collective defense against aggression that may threaten the territory of NATO members.

It affirms that all seven countries have democratic governments, have demonstrated a willingness to meet all

requirements of membership, and are in a position to further the principles of the North Atlantic Treaty and to contribute to the security of the North Atlantic area.

The resolution underscores the importance of European integration, mentioning the Organization for Security and Cooperation in Europe—OSCE—and the European Union in that regard.

The resolution also contains positive declarations on the alliance's "Open Door" policy toward potential future members, on the alliance's successful Partnership for Peace program, on the NATO-Russia Council created last year, and on compensation for victims of the Holocaust and of communism.

The resolution contains three substantive and sensible conditions relating to costs and burden-sharing, on intelligence matters, and on full cooperation with efforts to obtain full accounting of captured and missing U.S. personnel from past military conflicts or cold war incidents.

In summary, I believe the Resolution of Ratification accomplishes the objective of providing the strategic rationale for the accession of these seven new members and preserving U.S. interests with respect to future enlargement.

This round of enlargement isn't the end of the road. Rather, it is a historic milestone in a process that began with the end of the cold war.

Thus, it is essential that the door to membership remain open for candidates states Albania, Croatia, and the former Yugoslav Republic of Macedonia, as well as down the road for potential candidates like Bosnia and Herzegovina, Serbia and Montenegro, Ukraine, and perhaps other countries.

By endorsing NATO enlargement, we recognize the soundness and relevance of the vision of a Europe whole, free and at peace.

We acknowledge that a larger, stronger transatlantic relationship anchored in NATO will better serve us in confronting the transnational terrorist threats of the twenty-first century.

We affirm that the United States will continue to play a leadership role in the security of the North Atlantic area, which I think is critical for us to reaffirm.

I urge my Senate colleagues to vote in favor of the Resolution of Ratification and endorse the accession of Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia as full members of the NATO Alliance.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. LUGAR. We are pleased to yield time to the distinguished Senator from Kansas, as much as he would require.

Mr. ROBERTS. Mr. President, I rise today to express my support for admitting Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia into the North Atlantic Treaty Organization. As NATO's focus evolves to include transnational threats, it is important to have as many like-minded nations abroad as possible.

At the same time Congress and the President must ensure NATO as a military alliance can act efficiently and with precision in the post 9/11 world.

These days I hear some pundits talk about rebuilding the alliance as if it is in the same shape as post-war Iraq or post-war Afghanistan. NATO is in no such condition. The inability to achieve North Atlantic Council approval for assistance to Turkey was damaging but not catastrophic. NATO is in good shape.

Nonetheless, it would be productive for NATO to consider improvements that would streamline its decision-making process, increase operational planning for contingencies, and more appropriately respond to a member nation who refuses to uphold basic alliance mandates such as Article IV.

Toward that end, I am pleased to join Chairman WARNER and Senator LEVIN in offering an amendment to the Resolution of Ratification that adds a declaration concerning potential reforms to NATO internal processes.

Specifically, the declaration includes a Sense of the Senate that the President should place on the agenda for discussion at the North Atlantic Council the consensus rule as well as a process for suspending a member nation that acts contrary to the provisions of the North Atlantic Treaty.

Further, the Warner-Levin-Roberts amendment requires a report from the President regarding Alliance dialogue on these issues as well as methods to provide more flexibility to NATO's military leadership for operational planning prior to formal alliance approval.

My primary focus is on the process of consensus and planning for new contingencies.

The decision-making process of consensus within the NATO alliance served the organization and its purpose well in the 20th Century. While the bipolar security environment of the previous century shaped our command, and defined our mission, the 21st Century requires that we depart from the clearly defined role of territorial defense.

NATO must recognize the need to change from the traditional terrain-based military of a defensive alliance to an effects-based alliance in order to prepare for a new set of security challenges. Our adversaries do not recognize international law, sovereignty or accepted norms of or behavior.

As we recognize the growing need to conduct operations outside the alliance's boundaries as we do in Afghanistan in order to protect our interests and enhance our security, we also need to acknowledge the inherent limitations of consensus voting by 26 nations.

Issues of security and the need to take military action will likely not be perceived uniformly in an organization that spans a wide geographic area, encompassing different interests. Recognizing this reality and the need to adopt a different modality for decision

making within the alliance is imperative.

I would argue NATO needs to consider adopting—I emphasize needs to consider—a decision-making model that doesn't require a consensus vote to act. Nations that choose not to take military action would not be compelled to participate. However, they would not block the alliance and those nations that decide to act from carrying out military operations.

That brings me to contingency planning. Currently, NATO's military leadership is forbidden to even conduct prudent planning for contingency operations until the matter is voted on in the North Atlantic Council.

The difficulty in crafting viable plans to often complex military operations amongst nineteen separate nations is a daunting task. The measure of difficulty to conduct planning will be exacerbated with the addition of seven new members.

Current planning processes may even prevent the full realization of the NATO Response Force, something that could be stood up at the June principal meeting. This capability is central to NATO's appropriate effort to develop an agile and responsive force that will enable the alliance to respond to terrorism and instability.

To transform the military capability into a viable, very responsive force without the means to rapidly employ it, is counterproductive. It is time for NATO to consider developing a methodology by which the military leadership is permitted to conduct prudent planning for contingency operations.

These are my concerns, as we vote—and I will vote—to approve further expansion of the alliance. I commend my colleagues, the chair and ranking member of the Committee on Armed Services, for sharing these concerns and for crafting a worthy amendment.

I am a cosponsor, and I urge support for Warner-Levin-Roberts amendment.

I yield the floor.

The PRESIDING OFFICER (Mr. HAGEL). Who yields time?

Mr. LUGAR. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. LUGAR. 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. LUGAR. Mr. President, I yield 20 minutes to the distinguished Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. VOINOVICH. Mr. President, I am so proud to stand on the floor of the Senate today as we consider the candidacy of seven new European democracies—Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia and Slovenia—for membership in the NATO Alliance.

The question of NATO enlargement is one that has long been close to my heart. As Mayor of Cleveland and Governor of the State of Ohio, I worked closely with constituents in my State with ties to countries that were once subject to life behind the Iron Curtain.

It is amazing to me to see how far many of these countries have come in such a short time, rising to embrace democratic reforms after so many years under communist rule. The fact that seven countries that were once part of the former Soviet Union, the Warsaw Pact or Tito's Yugoslavia have been invited to join the NATO alliance is testament to how much has been achieved since the collapse of the Soviet Empire more than a decade ago.

We owe so much to Pope John Paul II, President Reagan, President George H.W. Bush, and now President George W. Bush. As I said to the President in a letter prior to his trip to Poland in June 2001, when he clearly articulated his support for enlargement of the Alliance:

During my entire life I have supported the Captive Nations and yearned that someday they would have freedom, but I doubted that would happen during my lifetime. However, it did happen because of your dad and President Reagan, who said "Mr. Gorbachev, tear down this wall."

I also said:

You, Mr. President, have the opportunity to guarantee the freedom and security of those once subjected to life under Communist control by making it clear that you will support the expansion of NATO to include former territories of the Soviet Union, Tito's Yugoslavia and the Warsaw Pact regardless of Russia's opposition.

And he did it.

President Bush outlined his vision for enlargement in a landmark speech to the students and faculty at the University of Warsaw on June 15, 2001, when he remarked that as we approach the NATO Summit in Prague:

We should not calculate how little we can get away with, but how much we can do to advance the cause of freedom.

That speech was very strategic because at the time there were many people who were wondering whether or not the President would move away from the expansion of NATO in consideration of compromising with at that time President Putin in regard to the ABM Treaty—the ABM Treaty at the time looking like it would stand in the way of moving forward with the President's National Missile Defense Initiative.

The President was true to his word, and it was extremely gratifying to see this vision begin to turn to reality when President Bush joined other NATO heads of state in Prague last November. I remain grateful to the President for inviting me to join him as a member of the Congressional delegation to the NATO Summit, along with Senator BILL FRIST, Congressman TOM LANTOS, Congressman ELTON GALLEGLY and Congressman DOUG BEREUTER. The thrill of being in the room when NATO Secretary General Lord Robertson an-

nounced the decision to invite the three Baltic nations, as well as Bulgaria, Romania, Slovakia and Slovenia, to join the Alliance, is something that I will always remember.

On that historic day, I listened as heads of state from our allied nations including the Czech Republic, France, Spain, Great Britain, Poland, Canada, Turkey, and many others praised the work done by the seven candidate countries and expressed their strong support for enlargement to include these new European democracies.

While there are disagreements within NATO that must be addressed, there is general consensus among the current members of the Alliance on the question of enlargement. It is acknowledged that in addition to shared values, the seven candidate countries bring defense capabilities that will enhance the overall security and stability of the NATO Alliance. President Bush, Secretary of Defense Donald Rumsfeld, Secretary of State Colin Powell, and the highest-ranking member of the U.S. military, Chairman of the Joint Chiefs of Staff General Richard Myers, have all expressed this view. America's top leaders believe that in addition to niche military capabilities, these seven countries bring energy, freshness and enthusiasm to the Alliance.

As Secretary Powell remarked in testimony before the Senate Foreign Relations Committee last week, enlargement of the NATO Alliance to include Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia and Slovenia is in the national security interest of the United States. It will, he said:

Help to strengthen NATO's partnerships to promote democracy, the rule of law, free markets and peace throughout Eurasia. Moreover, it will better equip the Alliance to respond collectively to the new dangers we face.

NATO Secretary General Lord Robertson, after working with the NATO aspirant countries on comprehensive domestic reforms in preparation for membership in the Alliance, has also concluded that this round of enlargement will enhance the strength and vitality of NATO a view which he expressed at the Prague Summit and reiterated earlier this week during a meeting with members of the Foreign Relations Committee.

I share this view, and I believe it is appropriate and timely that we now consider these candidates for membership in NATO. They have provided crucial support in the aftermath of the terrorist attacks against our country on 9/11, and continue to make significant contributions to the ongoing campaign against international terrorism. They have shown their solidarity in our efforts to disarm Saddam Hussein and liberate the Iraqi people, and have pledged to work with the international community to promote security and reconstruction in Iraq following the end of military action.

The candidate countries have also moved forward with democratic re-

forms to promote the rule of law and respect for human rights. I am strongly concerned about the disturbing rise in anti-Semitic violence in Europe and other parts of the world. Several of the candidate countries, including Latvia, Bulgaria, and Romania, have joined with the United States, Poland and other countries to actively encourage the chair-in-office of the Organization for Security and Cooperation in Europe—OSCE—to mount a serious and credible OSCE conference on anti-Semitism. Due in part to their efforts, the OSCE has agreed to conduct such a conference, and it is scheduled to take place in June. This is just one example, but it is indicative of important action that is taking place.

As was highlighted during a series of hearings on NATO enlargement conducted by the Foreign Relations Committee, the seven candidate countries bring nearly 200,000 new troops to the alliance. They have also pledged to commit significant resources to national defense, with Bulgaria, Romania, Estonia, and Lithuania all at or above 2 percent of the gross domestic product mark in 2002. Slovakia and Latvia were just under 2 percent, and Slovenia at 1.6 percent in 2002, and they have pledged and committed to reach the 2-percent mark by 2008.

The average defense spending among candidate countries was 2.1 percent for 2002, which is equal to the average spent by the current NATO members for the same period. It is interesting to note that 11 of the 19 members of the alliance did not reach the 2-percent mark for defense spending in 2002, which we should all be concerned about. Clearly, there is room for improvement in this regard for current members of the alliance.

On March 27, 2003, Under Secretary of State for Political Affairs Marc Grossman testified before the Armed Services Committee regarding the future of NATO. When asked about the benefits of enlargement, he said:

I believe, Senators, that the accession of these countries are about the future of NATO, and will be good and directly benefit U.S. interests. Why? They're strong Atlanticists. They're allies in the war on terror. They've already contributed to Operation Enduring Freedom and the International Security Assistance Force in Kabul.

The list goes on. I agree with Secretary Grossman's assessment. These countries already make significant contributions that strengthen the transatlantic relationship.

They have acted as de facto Allies. In fact, they have acted as better Allies than some of the members that are currently in NATO. And I believe they will make important contributions, as members, to the NATO alliance.

While much has been achieved, there is still work to be done as the candidate countries continue to work on their membership action plans. As was said in Prague, Prague should be viewed as the starting line, not the finishing line. There is still a lot more that has to be done on those maps.

Efforts have continued since the Prague summit. I was very pleased to learn that the people of Slovenia—who have been engaged in a discussion about NATO membership for many years now—voted overwhelmingly in support of Slovenia's membership in NATO during a national referendum on March 23, with roughly two-thirds of the voters favoring accession to the alliance. This was a crucial step for the country that was the birthplace of my maternal grandparents. Hooray for Slovenia. I am glad they understood.

It is imperative that the candidates continue to address the outstanding issues that require attention, including military reform, respect for human rights, and efforts to combat organized crime and corruption. It is this last piece, perhaps, that concerns me the most. These problems have the potential to undermine democratic reforms, respect for the rule of law, and other core NATO values, and I believe they could be very dangerous if left unchecked.

I was glad to hear from Secretary Powell, during his testimony before the Foreign Relations Committee last week, that there are, in fact—this is wonderful—significant steps that have taken place on behalf of the NATO aspirants to combat corruption and organized crime. With regard to Bulgaria, for example, the Secretary of State remarked that the Bulgarian Government recently created an interagency anticorruption commission to be led by the Minister of Justice. The Bulgarian Parliament also passed anticorruption legislation and antibribery legislation.

Secretary Powell noted that the Romanian Government is now working on legislation to reform its judiciary, civil service, and political party financing activities. I am also hopeful that Romania will move forward with steps to ensure progress on outstanding property restitution issues, including those of significance to Hungarian and other minority groups in Romania.

So while I still think there is work to be done, I am satisfied that things are moving in the right direction.

After meeting with leaders from these seven countries and spending time in each country that has been invited to join NATO—I have been in all of them and have met with all of their leaders—I am confident that reforms will continue. I sincerely believe reforms will be swifter and more complete as these countries are brought into the alliance rather than left out. History tells us this has been the case with other countries that have been part of the alliance. NATO has a way of asserting pressure and, as General Lord Robertson said during our meeting Monday, squeezing those who need to shape up.

As we consider enlargement today, it is clear that the world is a different place than it was when Poland, Hungary, and the Czech Republic were brought into NATO. The world's democracies and multilateral institu-

tions, including the NATO alliance, face new threats to freedom, marked not by Communist aggression but, instead, by the dangerous nexus between weapons of mass destruction, rogue nations, and terrorists who have shown their willingness to use chemical, biological, or nuclear weapons against those who value freedom and democracy, if given the chance.

NATO's decision to invoke article 5 in the aftermath of the tragic events of September 11 signifies that an attack on one is an attack on all, and that sent a strong message of solidarity to the people of the United States and the world at large. I suspect that when the resolution was put together in regard to article 5, we were very careful to make sure we did not get ourselves in entangling alliances. Never did we ever believe we would be calling on the other nations in NATO to come to our assistance as they did.

NATO's mission to transform to meet these growing threats does not make the alliance irrelevant; rather, it means we need the shared commitment to freedom, democracy, and security embodied by the NATO alliance now more than ever before. A NATO alliance enlarged to include seven new democracies that have embraced these values will enhance our ability to meet new challenges for peace in the world.

At the Prague summit, NATO heads of state embarked upon a course to identify the capabilities needed to confront new challenges to international security. They agreed that new challenges would require the alliance to operate beyond Europe's borders. The Prague Declaration noted:

In order to carry out the full range of its missions, NATO must be able to field forces that can move quickly to wherever they are needed, upon decision by the North Atlantic Council, to sustain operations over distance and time, including in an environment where they might be faced with nuclear, biological and chemical threats, and to achieve their objectives.

As Secretary General Lord Robertson has said, NATO must either go out of area, or go out of business.

This will become crucial as NATO prepares to assume new responsibilities in Afghanistan this August, moving forward on the North Atlantic Council's decision on April 16 to provide enhanced support to the International Security Assistance Force in Kabul. NATO's new ISAF role is perhaps indicative of the types of missions the alliance could take on in years to come. As Secretary Powell indicated last week, this is the largest step to date that the alliance has taken outside its traditional area of responsibility. And, as you know, Mr. President, they are now talking about the possibility of NATO being involved in security forces in Iraq.

As the alliance prepares for its role in Afghanistan, it does so at a time when current members of NATO and other countries in Europe have considerable experience working together, due to operations in Kosovo, Bosnia,

and Macedonia. As former Supreme Allied Commander Joe Ralston noted in remarks before the Atlantic Council on Monday evening, this is in stark contrast to the past, when members of the alliance depended on annual training exercises.

I think that is really something we should emphasize, that these nations have been working militarily together since Bosnia. They are in Kosovo today. They will be in Afghanistan. It is amazing how well the NATO command has worked in Kosovo. And I am confident it will work as well in Afghanistan.

But new missions will demand that NATO step up efforts to improve its military capabilities. This was a major theme at the Prague summit last November, where NATO heads of state approved the creation of a NATO response force, which is envisioned to consist of approximately 25,000 troops who are ready and able to deploy anywhere in the world within 30 days. The goal is to have the force operational by 2006. While work has been ongoing to flesh out the details of the NATO response force, this is still a paper concept, and we look forward to learning more about efforts to turn this into a viable force at the June ministerial meeting in Madrid.

The NATO response force goes hand in glove with the Prague Capabilities Commitment, which replaces the Defense Capabilities Initiative, or DCI, that was initiated at the 1999 Washington summit. As many of us know, very little progress was made on that 1999 Defense Capabilities Initiative.

The Prague Capabilities Commitment, though, calls on Allies to improve and develop military capabilities, focusing on defense against weapons of mass destruction, intelligence, command, control and communications, and strategic air and sea lift, among other things.

This initiative focuses on pooling resources and identifying niche capabilities that certain countries can bring to the table in order to strengthen NATO's military reach. I have been pleased to hear from Secretary Powell, Lord Robertson, and General Ralston that the alliance has begun to identify niche contributions that the seven candidates can make to future operations.

They are willing and able. They have, in fact, already demonstrated their willingness to use them in NATO operations in the Balkans as well as military efforts to combat international terrorism.

For example, Bulgaria contributes troops to NATO operations in the Balkans, with military personnel in both Bosnia and Kosovo. Bulgaria has also contributed to Operation Enduring Freedom, allowing for coalition aircraft to refuel at Burgas, and sending a nuclear, biological and chemical decontamination unit to Afghanistan. Bulgaria has also deployed a NBC unit to the Iraqi theater of operations at the request of U.S. Central Command.

Estonia also supports NATO missions in southeast Europe, and has approved the deployment of troops to assist in the reconstruction of Iraq.

Latvia has deployed medical teams to Afghanistan, and in April the Latvian Parliament approved the deployment of troops to Iraq for peace enforcement and humanitarian operations.

Lithuania has deployed a medical team and a Special Operations Unit to Afghanistan. Lithuania has also deployed troops to support Operation Iraqi Freedom.

Romania sent a military police platoon to support the International Security Assistance Force in Afghanistan. Romania has also provided an NBC unit in support of Operation Iraqi Freedom.

Slovakia has deployed an engineering unit to Afghanistan, and was the first NATO candidate country to deploy troops—an NBC unit—in support of Operation Iraqi Freedom.

Slovenia provides troops and equipment to NATO operations in the Balkans, and has also provided crucial assistance in de-mining and mine victims assistance, running the International Trust Fund for De-mining. Additionally, Slovenia has provided humanitarian and de-mining assistance to Afghanistan.

They are all doing a job right now and will do more once they are brought into NATO formally.

While there is still work to be done, these contributions are encouraging. If NATO is to meet future challenges, it is imperative that the capabilities gap between the U.S. and our European allies be addressed. The Prague Capabilities Commitment highlights critical needs within the alliance. This is a good place to start, and I am hopeful that it will succeed in producing tangible results. Without adequate capabilities, NATO's ability to respond to future security challenges will be seriously undermined.

As NATO looks to the future, there will be other challenges. Bringing in seven members will, I believe, strengthen the alliance; at the same time, there will be adjustments as NATO adapts to membership at 26 rather than the current 19. I share the sentiments expressed by Secretary of State Colin Powell and NATO Secretary General Lord Robertson that the alliance will adapt, as it always have.

I disagree with some of my colleagues, who may argue that significant changes should be made to the NATO decision-making process. The alliance has always been based on consensus, protecting the view of each member. As Secretary Powell remarked in testimony before the Foreign Relations Committee last week, NATO is not a committee or a council. It is an Alliance that has traditionally—and successfully—been based on the rule of consensus.

I was interested when Lord Robinson spoke to us on Monday. We were talk-

ing about this issue. He said somehow we worked it out. We had the problem with Turkey, and there was a question of how that would all be worked out. The alliance had the flexibility to move forward and take care of that problem.

He specifically said that they need the flexibility, that somehow they will work it out. If we come in with some specific way of how we will do this, it will tie their hands and won't give them the flexibility to do what they have to do when the time comes. I am confident they will do that.

It is my sincere belief that the European democracies of Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia and Slovenia will, as they have already demonstrated, contribute to NATO's proud tradition and serve to strengthen the alliance. I strongly support enlargement of the alliance to include these countries, and look forward to further expansion in the future to those countries who have demonstrated the ability to accept the responsibilities that come with membership in the NATO alliance. I never thought I would be here today on the Senate floor able to recommend this to my colleagues. It is a wonderful day.

I rise today in strong support of the Resolution on Ratification before us today, which will extend U.S. support to make NATO membership a reality for these new European democracies.

I suggest the absence of a quorum.
The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. LUGAR. 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. LUGAR. I ask unanimous consent that the time be charged equally to both sides during the quorum call.

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

Mr. LUGAR. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. DURBIN. 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. DURBIN. Mr. President, since the end of the cold war, the mission of the North Atlantic Treaty Organization has changed from one of confronting the Soviet Union to one of securing democracy and stability in one undivided, free Europe.

By passing the resolution of ratification of the Protocols to the North Atlantic Treaty of 1949 on the Accession of Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia, the Senate supports a giant step toward realizing that goal.

I want to speak just for a moment about the recent disagreements among

NATO countries regarding Iraq. After many years of supporting NATO enlargement, and my particular interest in Baltic membership in NATO—which I will speak about—I confess that I am concerned that now that my dream is on the cusp of reality, NATO is divided and torn.

I was one who thought the United States should have taken a longer diplomatic path before resorting to war with Iraq and I am particularly concerned about the impression expressed by many of our allies that there is no room for disagreement with US policy.

I believe that our relations with our NATO allies can and must be repaired. But I also want to remind my colleagues that NATO is an alliance of democratic countries whose populations were overwhelmingly opposed to the US going to war with Iraq.

If our goal is to support an undivided, democratic, and free Europe, we must accept and welcome debate within the NATO alliance and work harder to hear and accommodate the views of our allies. It would be the height of irony if the organization originally formed to confront totalitarian communism would disintegrate because of a lack of tolerance for disagreements with United States policy.

I want to focus my remarks today on this resolution on the Baltic states, not because I oppose the membership of Bulgaria, Romania, Slovakia and Slovenia. On the contrary, I supported the policy of seeking the largest possible enlargement of NATO in this round. I always confess my prejudice when I speak about the Baltic states. My mother was born in Lithuania. So when I speak of the Baltic countries, it is with particular personal feeling.

I could not have predicted a few years ago that we could not have to fight, and fight hard, to get Lithuania, Latvia, and Estonia into NATO.

Even as recently as three years ago, Russian President Vladimir Putin claimed the NATO membership for the Baltic States would be a "reckless act" that removed a key buffer zone and posed a major strategic challenge to Moscow that could "destabilize" Europe.

Russian objections to Baltic membership in NATO had no credibility. Russia has nothing to fear from NATO and nothing to fear from Baltic membership in NATO. The tiny Baltic States are no military challenge to Russia, and certainly a democratic Russia does not threaten Europe.

I give credit where it is due, and I believe President Bush's strong leadership in supporting NATO enlargement and his firm rejection of Russian objections to Baltic membership were key to securing broad support, both here and in Europe, for this round of NATO enlargement.

A quick review of history is called for to help appreciate just how remarkable it is that Lithuania, Latvia, and Estonia are on the verge of membership.

In June 1940, the Soviet Union occupied the Baltic countries of Estonia,

Latvia, and Lithuania and forcibly incorporated them into the Union of Soviet Socialist Republics.

Throughout the occupation, the United States maintained that the acquisition of Baltic territory by force was not permissible under international law and was unjust. We refused to recognize Soviet sovereignty over these Baltic States.

On July 15, 1940, President Franklin Roosevelt issued an Executive order freezing Baltic assets in the United States to prevent them from falling into Soviet hands. On July 23, 1940, Secretary of State Sumner Welles issued the first public statement of such policy of nonrecognition of the Soviet takeover of the Baltic countries. The United States took steps to allow the diplomatic representatives of those countries to continue to represent them in Washington despite the Soviet occupation.

In 1959, Congress designated the third week in July as "Captive Nations Week," and time after time, year after year, I would gather in Daley Plaza in Chicago with those from Baltic States and other occupied countries to wonder and pray if there would ever be freedom in those countries again.

The good news about Latvia, Lithuania, and Estonia's membership in NATO is it did not come about by accident. The people of the Baltics never let go of their dreams of freedom. They never let our Government forget that they were going to live by those dreams. The official U.S. policy of nonrecognition of Soviet takeover of the Baltics gave them hope.

I went to Lithuania a few years ago with my late brother, Bill. We went to the tiny town where my mother was born, Jurbarkas. When we were there, we found we had relatives, cousins, that we never knew we had, family separated by the Iron Curtain.

I did not believe in my lifetime that I would see the changes come to pass in the Baltic States. When I visited Lithuania the first time in 1979, it was under Soviet domination. Freedom was at a premium, and the poor people of that country slogged by day after day wondering if they would ever have another chance at self-governance.

Lithuania, Latvia, and Estonia asserted their independence from the domination of the Soviet Union, but at a great cost. Soviet paratroopers stormed the Press House in Vilnius, injuring four people. Barricades were set up in front of the Lithuania Parliament, the Seimas. On January 13, 1991, Soviet forces attacked the television station and tower in Vilnius, killing 14 Lithuanians. I was there shortly thereafter. Today, one can see how it is a standing memorial to those who died in the latest fight for freedom in the Baltics.

Images of crowds of unarmed civilians facing down Soviet tanks in the Baltics to protect their parliaments were a powerful message of resistance. It created hope across the world.

The Baltic countries have nurtured their relations with the West, but they have also worked to have a good relationship with Russia. Despite the bitter experience of years of Soviet occupation, each Baltic country has tried to establish a good working relationship so that citizenship and language laws conform to European standards, taking care not to discriminate against ethnic Russians still living in their borders. As a result of these steps, and because of U.S. and NATO's efforts to engage Russia in a positive relationship, Russia's opposition to Baltic membership has disappeared.

The Baltic countries, I wish to add, have also taken an extraordinary and historic step to face up to the bitter legacy of the Holocaust, when hundreds of thousands of Lithuanian, Estonian, and Latvian Jews perished, by setting up a Holocaust museum, teaching about the history of the Holocaust in school, returning the Torah scrolls taken from synagogues and destroyed during that sad period, and working to restore Jewish property rights.

Some people question whether these tiny countries bring anything to NATO. NATO is not a country club; it is a military alliance. When the Soviet troops finally left the Baltic countries, they took almost everything, and these tiny countries started to rebuild their economy and rebuild their power to defend themselves.

The old Soviet ways disappeared, and new thinking, new leaders appeared. Western ways of thinking about military organization, whether civilian control of the military, took their place. To be sure, these are small countries, but they have been helpful countries. They will make a positive contribution to NATO. They already have in Bosnia, Kosovo, Kyrgyzstan, Afghanistan, and Iraq.

When we ratified the membership of Poland, Hungary, and the Czech Republic, some in the Senate doubted their contributions and worried about the cost burdens. I think they realize today that those worries have not materialized into anything serious. Poland, Hungary, and the Czech Republic have been great allies of NATO.

Let me conclude by saying this. Today, Lithuania, Latvia, and Estonia have worked hard to become market economies, to watch their democracies flourish. The fact they want so much to be part of NATO is an affirmation of great hope and great optimism for Europe. I am glad we stood by these countries during the dark hours of Soviet occupation.

I am sorry my mother did not live long enough to see this day, but she did live long enough for two of her three sons to return to the tiny village of Lithuania that she never saw after leaving in 1911. Our return trip to Lithuania was part of closing a loop in our own family history, but it also established a bond, a uniting, a tie between the United States and a small Baltic nation.

By the action of the Senate today in expanding NATO for these new countries, and particularly to expand them to include all of the Baltic countries and my mother's home nation of Lithuania, I believe we are completing the job which was started in 1999: to expand NATO and cement a stable democratic and free Europe.

I yield the floor.

Mr. HAGEL. Mr. President, I rise today to support the resolution ratifying the expansion of the North Atlantic Treaty Organization, NATO, to include Estonia, Latvia, Lithuania, Slovenia, Slovakia, Romania, and Bulgaria.

NATO has been the bedrock of international security since its establishment 54 years ago. Although the military dimension of the alliance was instrumental in containing the Soviet Union, NATO was always about more than military security. America's relationship with our NATO allies has symbolized the common values, as well as the common interests, of democracies united against those international actors who represent tyranny and aggression.

We live at a time of danger, unpredictability, and potential global instability. But we also live in a time of historic opportunity. Alliances are not absolved from the forces of change in world affairs. The ability to adapt to the challenges of this new era in world affairs—challenges from terrorism and weapons of mass destruction—speak to the importance of NATO and other international institutions, including the United Nations, that have played such key roles in promoting and protecting our common interests since World War II.

NATO's decision in November 2002 to expand its current membership of 19 by inviting Estonia, Latvia, Lithuania, Slovenia, Slovakia, Romania, and Bulgaria to begin accession negotiations acknowledges the imperatives of change. I strongly endorse this action. Today, member and candidate countries are expected to do what they can to modernize their forces, including development of niche capabilities and the establishment of a NATO response force. But we know that the contributions of an enlarged NATO will not be defined solely by military capabilities. Expanding NATO also encourages a process of political and economic reform in candidate states.

There is a deep security dimension to an expanded NATO. The threats from terrorism and weapons of mass destruction cannot be handled by the United States or any country alone. Defeating terrorism requires unprecedented international cooperation in the diplomatic, military, law enforcement, intelligence, and economic areas. If our purpose in an expanded NATO is about defeating these threats to our common security, than bringing these seven new members into NATO is critical to our national security.

Although America's military power may be unprecedented in world history,

NATO will continue to play a vital role in American and global security. In Afghanistan, the German proposal for NATO to take charge of the International Security Assistance Force, ISAF, represents a new and significant turn in NATO's mission. NATO may well play a role in maintaining security in postwar Iraq. At some point, when there is an Israeli-Palestinian peace agreement, NATO troops may be called upon to help guarantee that peace.

I believe NATO's next 50 years will be just as important for world peace as its first 50 years.

Mr. HATCH. Mr. President, I rise to urge the ratification of Treaty Document 108-14, allowing for the accession of Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia and Slovenia to the North Atlantic Treaty Organization, NATO.

I wish to commend the chairman of the Senate Foreign Relations Committee, Senator LUGAR, as well as the ranking minority member, Senator BIDEN, for the work their committee has done to prepare for this historic vote. Since the first accession to the original membership of NATO, when Greece and Turkey were admitted, the Senate has preserved its role of advice and consent on amending this treaty. Senators LUGAR and BIDEN, who have made the advancement of the Atlantic alliance a central concern in their respected careers as two of the Senate's most thoughtful members on foreign policy, have maintained the Senate's critical function, and have, through hearings and statements through the years, provided many opportunities to study the policies and the evolution of the U.S. national interest within the Atlantic alliance.

This is the second time we have voted to ratify the North Atlantic treaty since the end of the cold war. President Clinton supported the first group of new entrants in 1998, and at that time I joined 79 of my colleagues in support of membership for Poland, the Czech Republic and Hungary. When I took to this floor to urge ratification, I said: "I hope this is not the last enlargement, although I am confident that future enlargements, if they occur, will occur with the same detailed, painstaking consideration as we have conducted over the past 4 years." Senators LUGAR and BIDEN have given this accession treaty that consideration, and their committee has unanimously recommended passage. In so doing, the committee has concluded its work to achieve a major platform in President Bush's foreign policy: the admittance to this alliance of the latest group of nations willing and capable to advance the mission of the North Atlantic Treaty Organization.

We will all note that the debate today will be shorter than it was in 1998. And I predict that the vote for passage will be at least as strong, although it is worthwhile noting that every vote this Senate has had since

1955 on all of the new entrants to NATO has been with strong majorities. The reason the debate will be shorter today reflects the consensus that has formed on the subject we address today:

The enlargement of NATO, Mr. President, is good foreign policy for the United States.

Of course it is also good for the candidate countries. Working through our detailed membership action plans, these nations have transformed their militaries, improving interoperability and—this is equally important—developing complementarities of missions. They have had to accept goals for defense expenditures, exceeding, in some cases, the percentage of GNPs dedicated to defense by some of NATO's older members.

And the desire to join NATO has forced the applicant nations to promote and meet other conditions of open and democratic societies. These nations have had to resolve all border issues, establish political norms for the protection of minorities, open their historical archives and accept the responsibilities of their captive or totalitarian pasts, including the Holocaust era and the communist era, combat corruption and set standards of transparency, and educate their publics on the nature of the commitment to NATO. Throughout these years of preparation, we have seen, in varying strong and distinct measures, a host of nations enthusiastically embracing our values and earnestly accepting the responsibilities explicit in membership of the North Atlantic Treaty Organization.

The core of that responsibility lies in article V of the North Atlantic treaty. That article states: "The Parties (that is, the member states) agree that an armed attack against one or more of them shall be considered an attack against them all and consequently they agree that, if such an armed attack occurs, each of them, in exercise of the right of individual and collective self-defense recognized by Article 51 of the Charter of the United Nations, will assist the Party or Parties so attacked by taking forthwith, individually and in concert with other Parties, such action as it deems necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area."

This is the commitment at the core of the NATO alliance. It is that commitment that served to deter a Soviet attack against Europe and North America for nearly 50 years. That was a deterrence that was backed up by an explicit understanding that, if deterrence failed, NATO's goal would be to predominate in victory. The deterrence worked, the peace was kept, and that is why NATO is rightly considered the most effective military alliance in modern history.

The end of the cold war brought on a reevaluation of the role of NATO, with a few suggesting that NATO was no longer necessary without a Soviet

threat. That misguided view—that mistook the end of the Soviet threat for an era of unprecedented peace and security—never took hold. More sober minds recognized that security and stability were not to be assumed as the status quo, and that conflict would take new forms, be it ethnic war from the dissolution of Yugoslavia to transnational threats emanating from other parts of the world and threatening the security of Europe and North America.

As has already been mentioned in the debate, NATO has only invoked article V once in its history, and it was not during the cold war when, as I mentioned, the deterrence of the alliance always held. Article V was invoked after September 11, 2001, when the members of the alliance determined that the attacks by al-Qaida on the United States were to be considered an attack against the entire alliance. In the days after September 11, 2001, NATO aircraft flew patrols over U.S. airspace as the U.S. military prepared to deploy to Afghanistan in the first phase of our global war on terrorism.

Under U.S. leadership, NATO has accepted that it will face new missions in the 21st century, and that many of those activities defending the members of the alliance will be out-of-area missions. A quick review of the contributions of the nations seeking membership in this latest treaty accession demonstrates, in my view, that they understand the new missions and are already contributing.

Bulgaria was a member of the President Bush's "coalition of the willing," and granted use of its airspace as well as an airbase for our Iraq operations, and has offered infantry forces for peacekeeping. While Iraq was not a NATO operation, our ability to rely on Bulgaria, as well as other existing NATO members for equipment and support, made our victory in Iraq more easily attainable.

Estonia has been contributing to NATO operations in the Balkans, providing forces to SFOR and KFOR. It was also a member of the "coalition of the willing," and has also offered soldiers for post-conflict peacekeeping in Iraq. Similarly, Latvia has also contributed to SFOR and KFOR in the Balkans, supported U.S. policy in Iraq, and has sent medics to support our operations in Afghanistan. Lithuania has contributed to U.S. operations in the Balkans and Afghanistan, and was a vocal member of the "coalition of the willing" in Iraq.

Romania has made significant contributions to U.S. operations, providing troops and transport aircraft to our mission in Afghanistan, and granting use of their territory during our operations in Iraq. One thousand American troops are currently stationed in Romania.

These are just highlights of ways that these countries have directly contributed to the challenges we face

today, and they do not include the specialties these various countries are developing to confront the challenges of tomorrow.

I raise these highlights because I believe that ratifying this treaty is good foreign policy, Mr. President, in that it strengthens America's position in the world, and enhances our ability to achieve our goals when the defense of our national security requires us to go beyond our borders.

This second wave of nations joining NATO since the end of the cold war brings political stability and expands security to most of Central and Eastern Europe, a geographic zone that brought us calamitous strife and bloodshed in the 20th century. We are referring to a region that Secretary of Defense, Donald Rumsfeld, has felicitously termed the "New Europe." I have nothing against the Old Europe, and note that history shows a common bond with many of the nations of that "Old" Europe, a bond reaffirmed by our coalition partner, Great Britain, and currently and I hope temporarily denied by other members, such as France, Germany and Belgium.

Today we vote for New Europe. In recognizing their contributions, we should not deny their enthusiastic embrace of America's role in the world. They were, after all, the captive nations of the Soviet era, and we were, after all, the leading light in the fight against communism. In their enthusiastic embrace of our values and our missions, I think of the line of Cicero, that "Gratitude is not only the greatest of virtues, but the parent of all others." These nations have shown already that they are willing to defend freedom, and their membership in the Atlantic alliance will advance that defense.

I will repeat again what I said in 1998, and say that I hope this is not the last enlargement. Croatia and Ukraine have indicated that they wish to join some day, and I would welcome them. The mission of NATO is to defend, not exclude.

Today I urge my colleagues to join me in ratifying this latest round of accession to NATO, and in so doing, to add force and depth to an organization that has long served the security of this Nation.

Mr. ALLARD. Mr. President, I rise in support of the proposed North American Treaty Alliance expansion before the Senate today.

When the NATO countries met in Prague last November, they agreed to invite seven new countries to join the Alliance as full members. These seven countries: Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia and Slovenia have submitted their applications and proven their willingness and ability to respect the political and military obligations of NATO membership and to contribute to the Alliance's common-funded budgets and programs.

The NATO Alliance has been enormously successful over the last 50

years and will continue to do so for many to come. Too often some only see NATO as a coalition of nations organized for collective defense. It is so much more. NATO enhances the political and economic stability for all countries in the Euro-Atlantic area. By helping these new members as they strengthen good governance, rule of law, and human rights, NATO will also facilitate a better long-term environment for American trade and investment as well as collective defense and security.

In our war against terrorism, NATO serves a vital role. Strengthening the Alliance for this purpose is a positive development. From the conflicts in the Balkans, the war in Afghanistan or the most recent Operation Iraqi Freedom, the seven invitee nations have contributed, or have committed to contribute, critical support in the form of personnel, overflight or basing rights.

As a matter of fact, in this most recent war with Iraq, we received greater support from these seven countries than some of our more historical European allies. The value of loyal allies committed to democracy and making the world free from tyranny, regardless of any business dealings, cannot be understated.

These seven countries are committed to eliminating and addressing past wrongs. Whether it is the atrocities performed during the Second World War and the Holocaust to the proliferation of military weaponry known as Grey Arms, each of these countries has recognized the issues and is committed to correcting the wrongs done.

Expansion of NATO is not a new or unusual event. Throughout its tenure, NATO has continually added new members. Turkey and Greece were the first new members to join in 1952, followed soon after by Germany, in 1955. Spain entered in 1982 and the first former Warsaw Pact countries, Czech Republic, Hungary and Poland joined in 1999.

It is also likely there will be another round of expansion, inviting such countries as Albania, Croatia and Macedonia. President Bush has espoused an "open door" policy to NATO membership.

Today the door should not be held open for some and kept shut for others. The defined membership criteria encourages all that satisfy these requirements will be welcomed.

NATO expansion will serve U.S. interests by strengthening both NATO and our bilateral ties with these new allies, who have already done a great deal to support our vision for NATO and collective security.

I do have concerns regarding NATO and its future viability. We need to take a long look at the arbitrary and politically motivated, but indefensible use of the "consensus rule" NATO employs, and those nations who try to manipulate the path to peace for less than honorable purposes.

I understand my good friend from Virginia, Senator WARNER, and Senator

LEVIN will offer an amendment related to the "consensus rule." I think the amendment is a good idea and deserves the support of this body.

Finally, the path to peace is broad enough to allow all those who wish to traverse it in good company. We should welcome them with open arms.

Mr. BROWNBACK. Mr. President, I have enjoyed watching this debate with my colleagues on the topic of expanding the North Atlantic Alliance. This new round of expansion is one of the most significant events in the alliance's history and will have a profound impact on Trans-Atlantic relations for a long time. The message I bring and I think my colleagues bring is that the North Atlantic Treaty Organization, NATO, is still vital to our security and expansion will make it all the more stronger. Seven countries, Bulgaria, Estonia, Latvia, Lithuania, Slovakia, and Slovenia, have made bids to join NATO.

This debate has evolved in such a way as to recognize the strengths and weaknesses of the alliance in a sober way. The hyperbolic debate over burden-sharing and the contributions of some our allies, whether material or physical, has gone by the way-side with this new round of expansion. The contributions of alliance members is no less important—in fact, it is a central tenet to the success of the alliance. Rather, by inviting these seven new members, we have focussed more attention on how better to integrate, and give opportunity and prominence to those states that wish to contribute more to the collective security of the alliance.

At a hearing the Foreign Relations Committee held on the first of April, one of the witnesses, Bruce Jackson of the Project on Transitional Democracies made several excellent points about these new candidates, one of which I should emphasize for the sake of my colleagues who were not present.

I will revert to the question of contributions and military power. Many critics have focussed on the current capabilities and potential contributions of these seven countries and questioned whether and what they will bring to the alliance. Mr. Jackson pointed to the fact that when West Germany was invited to join NATO, it had neither an army nor a defense budget.

By contrast, the Baltic states have taken it upon themselves to orchestrate regional security agreements and contribute a rational portion of their budgets to national defense. The Balkan countries joining the alliance, Romania and Bulgaria, have militaries that can be immediately utilized for NATO operations. In fact, all of the seven countries, have themselves contributed to NATO missions in Europe, to Operation Enduring Freedom, OEF, in Afghanistan and Operation Iraqi Freedom, OIF.

Romania pulled together 100 of its personnel for SFOR in Bosnia, contributed 200 to KFOR in Kosovo. Romania

committed itself and contributed substantially to our efforts during Operation Enduring Freedom, OEF, and the International Security Assistance Force, ISAF. For OEF, they sent a 400-person battalion to serve in Kandahar. For ISAF, they sent a military police platoon to Kabul to support securing the Afghan capital. In support for the security and revitalization of a post-conflict Afghanistan, Romania air-lifted arms and munitions to be used by a newly reconstituted Afghan National Army. In Iraq, Romania has sent a WMD unit to assist in force protection and have committed to providing peacekeepers and police to assist in the security of that country.

In 1997, during the debate to enlarge NATO for the Czech Republic, Poland and Hungary, the emphasis was and for President Bush especially, still is a unified and free Europe. Our mission then was to stand beside these democracies and direct them to a bright future of freedom, democracy and prosperity.

The assumption of all the states woven into the North Atlantic Treaty is a common set of values among its members. These values, democracy and free markets, are the values in which this collective security agreement is defending. Ensclosed in the treaty signed on April 4, 1949 were the shared values of democracy, individual liberty, the rule of law, the peaceful resolution of territorial disputes, civilian control of the military, and central to the treaty's purpose, commitment to the stability and well-being of the countries party to the treaty.

I have in my hands a copy of the Atlantic Charter, a document that very much predates the North Atlantic Alliance and was penned during the dark days of World War II by British Prime Minister Winston Churchill and US President Franklin Roosevelt. This document espoused the foundations on which NATO was born—liberty, self-determination, perpetuation of prosperity and collective security.

Though not the axiom which keeps the alliance glued together, it is difficult to ignore that, as much as the territory, it is those principles that the alliance is fighting to protect.

Here in this building we should think proud of our institutions and their triumph on the world's stage. Not for the hubris at the moment of victory, but for the better tomorrow which all our new European friends will enjoy after the half-century of abandonment behind the Berlin Wall.

Our commitment should never waiver and our continuing mission should remain clear in our minds. We should have enough charity in our hearts to realize the world around us that does not enjoy the freedom we do, and be willing to push the borders of liberty beyond the comfortable world in which we occupy. Seven countries are now eagerly awaiting the advice and consent of this body.

I ask unanimous consent to print the following document in the RECORD.

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

THE ATLANTIC CHARTER

The President of the United States of America and the Prime Minister, Mr. Churchill, representing His Majesty's Government in the United Kingdom, being met together, deem it right to make known certain common principles in the national policies of their respective countries on which they base their hopes for a better future for the world.

First, their countries seek no aggrandizement, territorial or other;

Second, they desire to see no territorial changes that do not accord with the freely expressed wishes of the peoples concerned;

Third, they respect the right of all peoples to choose the form of government under which they will live; and they wish to see sovereign rights and self government restored to those who have been forcibly deprived of them;

Fourth, they will endeavor, with due respect for their existing obligations, to further the enjoyment by all States, great or small, victor or vanquished, of access, on equal terms, to the trade and to the raw materials of the world which are needed for their economic prosperity;

Fifth, they desire to bring about the fullest collaboration between all nations in the economic field with the object of securing, for all, improved labor standards, economic advancement and social security;

Sixth, after the final destruction of the Nazi tyranny, they hope to see established a peace which will afford to all nations the means of dwelling in safety within their own boundaries, and which will afford assurance that all the men in all the lands may live out their lives in freedom from fear and want;

Seventh, such a peace should enable all men to traverse the high seas and oceans without hindrance;

Eighth, they believe that all of the nations of the world, for realistic as well as spiritual reasons must come to the abandonment of the use of force. Since no future peace can be maintained if land, sea or air armaments continue to be employed by nations which threaten, or may threaten, aggression outside of their frontiers, they believe, pending the establishment of a wider and permanent system of general security, that the disarmament of such nations is essential. They will likewise aid and encourage all other practicable measures which will lighten for peace-loving peoples the crushing burden of armaments.

Franklin D. Roosevelt

Winston S. Churchill

Source: Samuel Rosenman, ed., *Public Papers and Addresses of Franklin D. Roosevelt*, vol. 10 (1938-1950), 314.

Mr. ROBERTS. Mr. President, I ask unanimous consent that a copy of a letter dated May 7, 2003, be printed in the RECORD in regard to the NATO enlargement protocol.

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

U.S. SENATE,

SELECT COMMITTEE ON INTELLIGENCE,

Washington, DC, May 7, 2003.

Hon. BILL FRIST,

Hon. TOM DASCHLE,

U.S. Senate,

Washington, DC.

DEAR LEADER FRIST AND MINORITY LEADER DASCHLE: As the full Senate prepares to take up consideration for modifications to the North Atlantic Treaty in order to accommodate new members in the North Atlantic Treaty Organization (NATO) Alliance, we feel that it is fitting to make a number of

observations concerning this important step forward in trans-Atlantic relations.

We wish to express our satisfaction with those portions of the draft resolution of ratification now before the Senate which preserve intelligence equities.

Draft Condition (3) has two parts. Subsection (A) would require the President to submit a report, by January 1, 2004, to the Congress intelligence committees on the progress of the indicted accession countries in satisfying the security sector and security vetting requirements for NATO membership. We feel that this report is essential. Fitness for NATO membership is a function not only of adequate general security procedures, but also of the strength of national structures ostensibly in place to ensure effective political control over the activity of security services. We suggest that the indicated report should cover the latter consideration as well as the former.

Subsection (B) of draft Condition (3) would require the President to report, by January 1, 2004, to the Congressional intelligence committees on the protection of intelligence sources and methods by accession countries. The report would identify the latest procedures and requirements established by accession countries to protect intelligence sources and methods. The report would also include an assessment of how these countries' overall procedures and requirements for the protection of intelligence sources and methods compare with the same procedures and requirements of other NATO members.

As the Senate Select Committee on Intelligence observed during the last round of NATO expansion (see, Exec. Rpt. 105-14, 105th Congress, 2d Session, p. 56, 57, March 6, 1998), a number of factors should be taken into account to assess the reliability of accession countries to protect NATO sources and methods, namely: The strength of democratic reforms, with a focus on ministerial and legislative oversight of intelligence services and activities; the degree to which accession countries have succeeded in reforming their civilian and military intelligence services, including the ability of the services to hire and retain qualified Western-oriented officers, and the evolution of political and public support for these services; Russian intelligence objectives directed against these countries, including any disinformation campaigns designed to derail, retard, or taint their integration with the West; counterintelligence and other security activities being pursued by the accession countries and the adequacy of resources devoted to these efforts; and the work underway between the [accession countries] and NATO to ensure that security standards will be met by the time [they] join the Alliance.

The context for cooperation with NATO accession countries has changed drastically since 1998, given Operation Iraqi Freedom, Operation Enduring Freedom, and other events which have underscored the willingness of several accession countries to cooperate with their former adversaries in the West to fight terrorism and other critical threats. It is also apparent that democratic reforms among the NATO accession countries have taken strong root and are irreversible.

It is less clear that there has been similar progress in other areas identified by the Senate Select Committee on Intelligence in 1998 as critical indicators of likely performance, such as counter-intelligence and resistance to Russian attempts to influence policy. In short, security-related concerns about NATO expansion that concerned Senators in 1998 remain valid, although the atmosphere for lasting and positive change is vastly improved. We look forward to the Administration's report on these indicators.

On the whole, we feel that U.S. intelligence equities can be safeguarded with this new round of NATO enlargement. We look forward to continuing our work with the Administration during the accession process.

Sincerely,

PAT ROBERTS,
Chairman.

JOHN D. ROCKEFELLER IV,
Vice Chairman.

Mr. KYL. Mr. President, I rise in strong support of this resolution of ratification for the expansion of the North Atlantic Treaty Organization.

The accession to NATO of these seven new democracies—Estonia, Latvia, Lithuania, Slovakia, Romania, Bulgaria and Slovenia—is an historic event that will have far-reaching and, in my view, very beneficial consequences.

Just a dozen or so years ago, these countries were under the boot of Soviet domination and communist dictatorship. Against their will, they were arrayed against NATO as members of the now defunct Warsaw Pact. Today, they stand ready and willing to join forces with NATO, the organization that played such a major role in bringing freedom to their part of the world.

We are striking a blow for freedom here today. Millions of people in eastern Europe live free today because of the commitment, patience and firmness of America and her allies during the cold war. And through their accession to NATO, those millions will now be able to live in greater security, as well as take part in the noble pursuit of defending the liberty of others.

The expansion of NATO into eastern Europe will serve American interests in several ways. For starters, these seven nations, I believe, will help reinvigorate NATO's sense of purpose; which is, first and foremost, the defense of liberty.

With memories of tyranny so fresh in their minds, the people of these nations no doubt have a deep appreciation for the freedom that is sometimes take for granted in the West. Thus, they are apt to have fewer reservations than some of our other allies about confronting the aggression of those who are hostile to our way of life. This appreciation for freedom—and for those who helped them during the cold war—was unquestionably a factor in the strong support that each of these seven nations gave us in Operation Iraqi Freedom.

Most of the prospective members have very limited military capabilities, and we will certainly expect them to invest properly in their armed forces in the coming years. But many of these countries already possess excellent specialized capabilities, such as the Polish special forces who fought in Iraq or the Slovak WMD defense unit now serving in the Gulf. Over time, I am confident that each of these countries will find its own niche in NATO.

Expansion of the NATO alliance to these countries will also offer us the opportunity to diversify and reorder our basing arrangements—the need for which, I believe, has been dem-

onstrated by 9/11 and the runup to the Iraq War. In the future, it is clear that U.S. forces will need more flexibility—both geographic and political—than ever. It thus behooves us to review our basing structure in Europe with an eye toward relocating some—though certainly not all—of our forces.

NATO expansion serves that end. Many of the prospective members—Romania and Bulgaria in particular—are located closer to where U.S. forces are likely to see action in the future. Their governments are known to be actively interested in hosting U.S. forces. Polls indicate strong pro-American sentiment in these countries.

Mr. President, 65 years ago, Eastern Europe began a horrific descent into darkness with the deal that was struck at Munich. Yalta then solidified what was to be another 45 years of communist tyranny for these nations. Those tragic mistakes are being rectified here today, and we should be proud.

But make no mistake, the expansion of NATO is more than just a rearward-looking act of humanity. It is also a forward-looking act of statemanship that will serve U.S. interests well in the future.

Mr. SMITH. Mr. President, I rise today to express my full support for the Treaty on NATO Expansion. As chairman of the Senate Delegation to the NATO Parliamentary Assembly, I cannot underscore strongly enough the value of including these seven nations in the NATO Alliance. I applaud and support the administration's leadership on bringing NATO enlargement to the Senate.

These seven prospective member nations have made great strides in developing responsible democratic governments, free-market economies, civil society, and transparent and accountable armed forces. As their active support for the Global War on Terrorism and Operation Iraqi Freedom demonstrates, these nations share our values and are willing—and able—to help promote democracy and freedom around the world.

I believe that it is significant that each invitee has provided direct military support for the Global War on Terrorism, having contributed overflight rights, transit and basing privileges, military and police forces, medical units, or transport support to U.S.-led efforts. They have provided noteworthy support to the International Security Assistance Force, ISAF, in Afghanistan and NATO efforts to stabilize the Balkans. And, as has been mentioned many times today, these countries provided resounding support for U.S. policy on Iraq. I believe that these efforts merely herald the beginning of immense, enduring contributions to come from these nations.

As cochair of the Senate Baltic Freedom Caucus, I would be remiss to not express particularly ardent support for the accession of Estonia, Latvia and Lithuania to NATO. Through working

with groups like the Baltic American Freedom League, the U.S.-Baltic Foundation and the Joint Baltic American National Committee, I have first-hand knowledge of the large grassroots public support across the U.S. for inclusion of these noble nations in NATO. These organizations deserve recognition for their decades of work to help liberate and secure the future of the Baltics.

Mr. DODD. Mr. President, as you know, I had originally intended to offer an amendment to the pending resolution adding an additional declaration to the nine that were added during the Foreign Relations Committee's consideration of this matter. My amendment would have dealt with a topic already covered by the Warner-Levin amendment, namely the relevancy of the consensus rule by which the North Atlantic Council has historically carried out its decision making. Now that the Senate has adopted the Warner-Levin amendment by voice vote, I do not see any need to proceed with my amendment.

My amendment would not have answered the question of whether in fact the consensus rule is relevant now that the world has profoundly changed and the membership of the organization has greatly expanded. It would however have appropriately called upon the President to review this matter as we move forward to sign off on the accession of seven additional members to this important organization.

We all know that the latest round of NATO expansion—Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia—will bring NATO membership up to 26 countries. And at least three more remain poised for admission in the coming years: Albania, Croatia, and Macedonia.

Let me be clear. I am all for offering NATO membership to any democracy that wants to join and can contribute to our common security. But I am wondering how all this expansion will affect the decision-making capabilities of NATO as an organization.

For more than 50 years, NATO decisionmaking has been based on consensus—every member state must agree on every important course of action. When 16 NATO countries all faced a common Soviet threat, achieving consensus on major issues was not much of a problem.

We may very soon—within a few years—have 29 members of NATO, from all across Central, Eastern and Southeastern Europe. That is almost double the number we had not too many years ago. The idea that the alliance's decisions will soon be dependent on the unanimous consent of so many diverse nations, seems to me, potentially a recipe for stalemate in NATO decisionmaking.

My personal view is that NATO should consider creating some form of "top-tier administrative council"—similar the U.N. Security Council—to prevent the diminution of NATO's power and effectiveness as a military alliance.

At last year's NATO summit in Prague, President Bush pressed for "the most significant reforms in NATO since 1949." He was mainly referring to the creation of a rapid reaction force to deal swiftly and effectively with new and emerging threats.

Last month, Under Secretary of State Marc Grossman reiterated this idea during his testimony before the Senate Armed Services Committee. He rightly pointed out that NATO needs to be "equipped with new capabilities and organized into highly ready land, air and sea forces able to carry out missions anywhere in the world."

Mr. Grossman was referring to the need for the creation of a "NATO Response Force" to handle serious global challenges, such as proliferation and terrorism. I agree with him that such a force would be beneficial. But I also believe that is only half of the story. It seems to be stating the obvious that each addition to NATO will logically affect in some way the organization, mission, and effectiveness of this proposed rapid response force.

Just as I agree that NATO needs to tailor itself to future global challenges by standing up a NATO Response Force, I can foresee scenarios in which quick and decisive action will be needed in a very short amount of time—perhaps days.

I think it is reasonable to ask whether it will always be necessary or desirable for all 26, or 29, members of NATO to be involved in every aspect of the deployment of this force?

If the answer to that question is no, then shouldn't we at least ask the U.S. administration to study the question of whether NATO should consider a more streamlined decisionmaking structure for NATO to take into account both NATO's new missions, and the alliance's ever-expanding membership. The Levin-Warner amendment should allow a serious review and discussion of that issue.

As I have stated earlier, I am a strong supporter of the pending Protocol approving the new members to NATO. We all want a strong and vibrant NATO. I believe that the resolution of ratification, with the declarations and conditions that have been appended by the Senate will help to make that possible.

The PRESIDING OFFICER. The Senator from Virginia.

AMENDMENT NO. 535

Mr. WARNER. Mr. President, parliamentary inquiry: It is my understanding that it is appropriate at this time to proceed to the Warner-Levin-Roberts-Sessions amendment. I send the amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant bill clerk read as follows:

The Senator from Virginia [Mr. WARNER], for himself, Mr. LEVIN, Mr. ROBERTS, and Mr. SESSIONS, proposes an amendment numbered 535.

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

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

The amendment is as follows:

(Purpose: To propose an additional declaration)

At the end of section 2, add the following new declaration:

(10) CONSIDERATION OF CERTAIN ISSUES WITH RESPECT TO NATO DECISION-MAKING AND MEMBERSHIP.—

(A) SENSE OF THE SENATE.—It is the sense of the Senate that, not later than the date that is eighteen months after the date of the adoption of this resolution, the President should place on the agenda for discussion at the North Atlantic Council—

(i) the NATO "consensus rule"; and

(ii) the merits of establishing a process for suspending the membership in NATO of a member country that no longer complies with the NATO principles of democracy, individual liberty, and the rule of law set forth in the preamble to the North Atlantic Treaty.

(B) REPORT.—Not later than 60 days after the discussion at the North Atlantic Council of each of the issues described in clauses (i) and (ii) of subparagraph (A), the President shall submit to the appropriate congressional committees a report that describes—

(i) the steps the United States has taken to place these issues on the agenda for discussion at the North Atlantic Council;

(ii) the views of the United States on these issues as communicated to the North Atlantic Council by the representatives of the United States to the Council;

(iii) the discussions of these issues at the North Atlantic Council, including any decision that has been reached with respect to the issues;

(iv) methods to provide more flexibility to the Supreme Allied Commander Europe to plan potential contingency operations before the formal approval of such planning by the North Atlantic Council; and

(v) methods to streamline the process by which NATO makes decisions with respect to conducting military campaigns.

Mr. WARNER. Mr. President, I, first, wish to thank the distinguished managers, my two colleagues and friends, with whom my friend and partner for 25 years, Senator LEVIN, and I have had the privilege of working these many years, over a quarter of a century in the Senate. We have, I think, reached a common understanding that I will proceed for several minutes, followed by my colleague from Michigan, and in such time the two managers will address their perspective on this particular amendment. I think they are generally in support; however, I shall let the managers speak for themselves.

Mr. President, I rise today to express my support for the ratification of the Protocols to the North Atlantic Treaty of 1949 on Accession of Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia and Slovenia. The Protocols that we are considering today would allow those seven nations to become full members of the NATO alliance.

My colleagues may recall that, in 1998, I did not vote in favor of the expansion of NATO to include Poland, Hungary and the Czech Republic. My opposition at that time was not di-

rected at those three countries. Rather, I was concerned with the broader question of how the expansion of NATO to include newly democratizing countries of Central and Eastern Europe would affect NATO's future missions and its effectiveness as a military alliance.

NATO's success in integrating the new members admitted in 1999, and NATO's commitment to enhancing its defense capabilities and those of its prospective new members, have helped persuade me to support the enlargement of NATO today. But I remain concerned that NATO's enlargement by seven additional nations—the largest enlargement in Alliance history—could have dramatic implications for NATO's ability to function as an effective military organization.

Today, the threats to NATO member nations come from within and without NATO's periphery. Because of NATO's success, there is no Soviet Union or Warsaw Pact. The threats—such as terrorism and the proliferation of weapons of mass destruction—are transnational in nature, and they emanate from regions outside of Europe. This was recognized in the Strategic Concept NATO adopted 1999, which envisioned NATO "out of area" operations to address new threats. To remain a viable military alliance, NATO must have both the military capability and the political will to respond to the new threats. NATO's recent decision to assume the lead of the International Security Assistance Force in Afghanistan, and its willingness to consider supporting a stabilization force in Iraq, are welcome examples of new NATO missions appropriate to today's threats.

The Senate Armed Services Committee has a long tradition of strong support for the NATO alliance, and has played an important role in the Senate's consideration of the North Atlantic Treaty and its subsequent amendments. In March and April 2003, the committee conducted two hearings on the future of NATO and on NATO enlargement. The Administration witnesses at these hearings unanimously supported ratification of the NATO enlargement Protocols.

One of the issues the committee examined in its NATO hearings was whether the prospective new members would enhance the military effectiveness of the alliance, and how their membership would affect the capabilities gap that currently exists between the United States and many other members of NATO.

The witnesses who appeared before our committee testified that NATO was taking concerted efforts to address the ongoing problem of a capabilities and technology gap. They noted the decisions taken by NATO's leaders at the Prague Summit in November, 2002, to launch the Prague Capabilities Commitment and to create a NATO Response Force. Through the Prague Capabilities Commitment, NATO members agreed to spend smarter, pool

their resources and pursue “niche” specializations such as lift capability, or precision-guided munitions. The NATO response force is envisioned to be a highly ready, rapid reaction force of approximately 25,000 troops with land, sea and air capability, deployable on short notice and able to carry out missions anywhere in the world. The response force will reinforce the need for individual alliance members to develop and contribute unique capabilities to this new force.

Regarding the military capabilities of the prospective new members, I was impressed that each of them is similarly being encouraged to focus on specific “niche” capabilities where they can achieve a high level of expertise and procure high quality equipment to make a substantial contribution to NATO’s military capabilities overall. Some of the invitees already possess specialized capabilities that have served the alliance in the Balkan operations and in the global war on terrorism, including: special forces, nuclear, biological, and chemical defense, mountain fighting, and demining.

Equally persuasive was the testimony of our witnesses regarding the contributions of the nations admitted to NATO in 1989. Poland, Hungary, and the Czech Republic have proved to be steadfast allies and active force contributors to NATO operations in the Balkans, and in the war against terrorism.

Mr. President, historically, I was among those who objected to the last enlargement of NATO. At this time, I very carefully considered the proposal by our distinguished President, President Bush, and other world leaders, that the time has come for new members to be brought in. I commend the Secretary of State and the Secretary of Defense for the careful procedures that led up to the nominations of these new countries to come into the membership of NATO.

I am privileged to be on the floor now and to cast my vote in favor of these protocols which will enable the seven countries to become members of NATO in due course.

I have to say, I still have some of the concerns I had last time because NATO is such a magnificent organization. Over half a century it has proven its worth time and time again. The Warsaw Pact does not exist, the threats from the Soviet Union do not exist, largely because of the wisdom incorporated in this treaty, and the combination of the military commitments and the political will of the North Atlantic Treaty Alliance members over the years to have that alliance stand there as a deterrent. It has worked, and it has worked well.

We cannot foresee the future and, therefore, we must be flexible because worldwide threats have gone through such a major transformation, from major nation-state-sponsored threats to worldwide terrorism, so much of it non-state sponsored. For that reason I

want to support the admission of these new nations.

Further, while so many of these newly democratic nations do not bring a large army, large navy, or a large air force, in due course their “niche” military capabilities will add a very valuable dimension to NATO’s ever expanding responsibilities.

NATO is participating actively in Afghanistan, and contemplating participating actively in Iraq in peacekeeping and support roles. I shall not discuss this in detail. Nevertheless, that is a tribute to Lord Robertson and others who have recognized that the threat to NATO nations comes from beyond their periphery now, but could be brought within their periphery at any time by the threat of worldwide terrorism. Those are the reasons I support NATO’s participation in “out of area” operations in Afghanistan and post-conflict Iraq.

I remember the words of Ben Franklin as he emerged from the Constitutional Convention and a reporter stopped and asked him: Mr. FRANKLIN: What have you wrought? And his reply was very simple: A republic, if you can keep it.

There is a challenge to these NATO nations, soon to be 26 in number. You have the heritage of this great treaty of over half a century, and the challenge is, can we keep it?

I think we can. I think we will. Within the current thinking on NATO, Senator LEVIN, I, and others have identified two issues that dominated our committee’s hearings on NATO: the so-called “consensus rule” by which NATO operates and the question of whether NATO should have a process for suspending the membership of a nation that is no longer committed to upholding NATO’s basic democratic principles.

With respect to the consensus rule, the recent divisive debate over planning for the defense of Turkey in the event of war with Iraq demonstrated that achieving consensus in NATO has become more difficult. How difficult will it be with 26 nations? A different manifestation of this problem occurred with respect to NATO operations in Kosovo when “command by committee” hampered NATO’s leaders’ ability to wage the most effective, rapidly responsive military campaign. Such difficulties in reaching consensus are occurring in part because respective NATO members have different views, as they should, about today’s threats and how best to respond to them. Achieving consensus is likely to become even more complex as NATO enlarges its membership. That is why I believe—and my colleagues join me on this—the consensus rule, and NATO’s operating procedures more generally, should be periodically reexamined to ensure that NATO has procedures that allow it to plan, reach decisions, and act in a timely fashion.

Regarding the issue of a suspension mechanism, some of our committee

members have expressed concern about the lack of a mechanism for suspending a NATO member if that nation no longer complies with the fundamental tenets of NATO—democracy, individual liberty, and the rule of law.

While it may well be true that NATO has ways other than suspension to deal with such a situation, it is prudent for NATO to consider the matter now, as a conceptual problem, and have some options in mind, rather than be confronted with a problem in the future, and be somewhat unprepared should it arise.

Given the tremendous interest of the Armed Services Committee in these two subjects, I, along with Senators LEVIN, ROBERTS, and SESSIONS, am offering an amendment to the resolution of ratification for these protocols that would urge the President—I repeat, urge the President—of the United States to raise these subjects for discussion in the North Atlantic Council at NATO, and request that a report on these subjects be provided to the relevant committees of the Congress.

I have consulted closely with administration officials, and negotiated the language in this amendment with administration officials way into last night, in order to receive their support, and they have no objections today. I hope we can achieve that because we have—Senator LEVIN and I, speaking for our group—have made some concessions in order to have this matter treated in such a way that the whole Senate can be supportive.

I conclude by saying, based on the hearings conducted by the Armed Services Committee and subsequent analysis, I am persuaded that the NATO enlargement protocols we are considering today will advance the national security interests of the United States and deserve the Senate’s support.

Lastly, on the assumption that NATO, I think very wisely, will take a role in Afghanistan, on the assumption again that NATO, again very wisely, will take a role in Iraq, which is a positive thing, I say this with respect to the coalition of forces: We will achieve the end result that is now unfolding in Afghanistan and Iraq. It is yet to be completed, but basically the desired result will have been achieved in Afghanistan and Iraq at some cost—with the bloodshed of Americans and other coalition partners, with enormous tax dollars. These are very significant contributions by the coalition of forces and this great United States of America.

I think it is a minimal suggestion that NATO consider changing its procedures for deciding to undertake such operations in the future to avoid the problems we have recently witnessed.

I urge my colleagues to support the amendment to the resolution of ratification I am proposing today, and to join me in giving our advice and consent to ratification of the protocols to the North Atlantic Treaty of 1949 on Accession of Bulgaria, Estonia, Latvia,

Lithuania, Romania, Slovakia, and Slovenia.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, first let me thank my good friend from Virginia for his great work on this resolution. We have worked together not just in the Senate for all of these years but on this particular issue we have worked together for a long time. I also thank the managers of this bill, not just for working with us on this matter but also for their work generally on a host of issues which they struggle with to try to make our Nation a lot more secure. They work together magnificently. They are both essential for this country's security and strength and wisdom, which we surely need in these complicated days.

Mr. WARNER. Mr. President, if the Senator will yield, I thank him for the reference to our long-term working relationship. The Senator has really taken the lead for over 5 or 6 years. We have worked on this issue for a very long time. It is not something that has just suddenly come to mind.

Mr. LEVIN. I thank my friend from Virginia.

First, I very much support the expansion of NATO to include these seven additional countries, just as I supported the expansion for the three that we approved a few years ago. I believe this expansion, like the last one, could lead to a safer, more united, more cohesive Europe and reduce the possibility that Europe would ever again be divided by war. I very much support the expansion.

I have been troubled by one issue for many years—actually a number of issues relative to NATO—that as we expand NATO, there is a greater likelihood, just statistically, that someday, some country is going to no longer live up to NATO's requirements that it be a democratic country with a free market. We hope that will never happen. We do not expect it to happen. But what happens, after these nations are added hopefully, if one day, one of the now 26 nations departs from the alliance's fundamental principles?

As it now stands, there is no mechanism in the charter to suspend a country that no longer complies with NATO's fundamental principles. It is an unusual alliance in that regard that does not have a suspension mechanism, but it does not. We could actually, theoretically, see a country become a dictatorship and stop 25 democracies from acting in their own self-defense or in defense of a secure world. That is an unusual provision. It is one that was consciously adopted, but it is one that as we add more countries to NATO we have to think about, it seems to me.

Our amendment is aimed at raising this issue. We do not direct that there be a solution to the problem. We simply believe that NATO countries, as NATO expands, should address the issue of a country in the future pos-

sibly departing from the fundamental principles that guide NATO.

What happens, for instance, if one country becomes a dictatorship? That dictatorship could veto a decision that all the other NATO member nations wanted to take, perhaps to come to the aid of a people who were being ethnically cleansed on a scale perhaps approaching what happened in the genocide that occurred in Kosovo, or worse. That issue, as well as the consensus issue Chairman WARNER has raised, should be raised at NATO. They should discuss it. They should decide whether or not they want to proceed on the current course.

Again, I emphasize that our amendment, while expressing the sense of the Senate that the administration raised this issue at the North Atlantic Council, does not in any way indicate what the outcome of that discussion would be, nor, indeed, does it in any way suggest what the position of the United States should be during those deliberations. We simply want the issue of suspension and consensus and the other issues referred to in our resolution discussed at the highest level at NATO—just discussed.

There is a question raised: Is this aimed at any particular country? It is not. It is explicitly not aimed at any one of the 26 countries. We made it clear we amended our language to make it clear this would take effect 18 months after the resolution is adopted. We expect by then all the new countries will have been in long enough so there will be no sensitivity about that issue.

We also make it clear this is not a condition in any way on the ratification of the NATO documents. It is drafted as a declaration of the intent of the Senate rather than as a condition of any type. That is, in essence, what we do.

A final discussion item that is listed in the resolution would be methods to streamline the process by which NATO makes decisions with respect to conducting military campaigns. We believe this is essential because this refers to the actual conduct of military operations—not to the approval to conduct it but it seeks to address the problems that were experienced in the conduct of NATO operations in Kosovo where it was reported that General Wesley Clark, the then NATO commander, was restricted in his actions by a number of NATO countries that wanted to review each day's bombing targets. The planning should be allowed to proceed in advance in the event that the North Atlantic Council approves the operation. This simply would expedite and streamline the planning of military operations.

Our amendment is not intended to interfere with the passage of our resolution of ratification. It would not cause any delay in the ascension of the seven new members into the NATO alliance. Again, it merely seeks to cause the alliance to consider some issues

that could pose problems in the future, if not addressed in a calm, careful, and measured way before a crisis occurs.

Discussion and report is what we are asking the administration to participate in and to initiate—again, not declaring what the position of this administration or any future administration will be and not in any way suggesting the outcome of those deliberations and discussions. It is a matter of prudence that this issue, which would have such huge ramifications down the road as to whether or not NATO can act, should be discussed in advance, whatever the outcome of that discussion.

I thank Senators LUGAR and BIDEN for working with us in a way so we now believe this matter can be resolved and adopted.

I yield the floor.

The PRESIDING OFFICER (Mrs. DOLE). The Senator from Delaware.

Mr. BIDEN. I will respond briefly. Anyone who is a C-SPAN watcher will be a bit confused. We have Senator WARNER talking about his 25-year relationship with Senator LEVIN and I am about to talk about my 28-year relationship with my friend, Senator LUGAR. This is proof there is bipartisanship in this operation. We have a Democrat and a Republican opposing a Democrat and Republican on the principle here but not on whether or not this should be included and considered.

This is basically a procedural judgment we are making. I have a few points notwithstanding the very well intended effort on the part of Senator LEVIN who has, for a number of years, been concerned about this issue and is concerned that, as he said, who knows, maybe some day we will end up with one of these member states no longer being a democracy. It is possible.

What do we do? Let me suggest what Secretary Powell said before our committee when there was consideration, not by Senator LEVIN or Senator WARNER, but there was discussion about having a condition attached to this treaty—which is not the case now. He said:

NATO is not a committee; it's not a council; it is not a group. It is an alliance. When you call something an alliance, I think it means that everybody has to be together for the alliance to take action.

I am skipping ahead to make this short. Secretary-General Lord Robertson told the members of the Foreign Relations Committee:

Even when times have been difficult, NATO has never failed to get consensus or to find a way to work around the problem. No country has ever used its national veto.

As Secretary General Lord Robertson also said, "NATO is an infinitely adaptable organization" and has proven itself equal to all organizational challenges.

Let me be more precise. When France pulled out of NATO's integrated command in 1967, the alliance decided it had a problem. Ordinarily, that would be enough to cripple NATO because it

would effectively veto everything. What did we do? Then NATO came up with a Defense Planning Committee, the so-called DPC, which for years has done the bulk of NATO's work. When France refused to go along on the Turkey article 4 request last winter, saying the decision in the NAC would be counterproductive to diplomatic discussions of the United Nations, what did we do? We went over to the DPC effortlessly. We did not have a great crisis in NATO.

If that had not worked, Lord Robertson could have ordered the SACEUR to make the Patriots and AWACs available to Turkey, or he could have done what former Secretary General Luns once did. He could have simply declared his own decision was final unless there was unanimous opposition.

I will not take more time, although there is much more to say. The reason I bring these things up, we have, in fact, dealt with very difficult crises in NATO, including member states not meeting the criteria of a democratic free market, respecting human rights, et cetera. We have had different countries who have been the odd man out on different occasions. Every time, instead of having to go through the process of a period of expulsion, we were able to weather the storm by dealing with it through other mechanisms.

Here is the larger point I wish to make. I do not want to take too much time, but it is a very important point to make, in my view.

Especially troubling is the opinion of Lord Robertson that alternatives to the consensus principle would create more problems than they are intended to solve.

Majority rule or a UN Security Council-type system would send members scurrying for votes in support of their positions, merely delaying action and reinforcing divisions among allies.

The consensus rule is a fundamental part of NATO, an essential second element in the article 5 defense clause of NATO, requiring that any NATO action taken as a result of an attack on a NATO member be decided by consensus.

My colleagues should note that this Article was crafted back in 1949, on American insistence, to prevent the U.S. from being pulled into wars by European countries.

As Lord Robertson asked us, "does the U.S. now really want to open the door to the possibility of being dragged into a war it does not want to participate in?"

I might quote from a thoughtful letter to Senator LUGAR and myself written by Bruce Jackson, president of the U.S. Committee on NATO:

At present, the United States is the only country that can consistently produce unanimous outcomes at the level of the North Atlantic Council or, failing in that, at the Defense Planning Committee. The process of achieving unanimity is uniquely and, perhaps intentionally, to the advantage of the United States.

The countries whose ratification is before the Senate are aghast that the Senate might consider weakening U.S. leadership in NATO, which is the aspect of NATO they most ad-

mire, just as their democracies reach the threshold of membership. We share their concern.

Five years ago when this was brought up in the last expansion, I said, "Why would we indulge in unilateral disarmament and give up our veto over a NATO decision?"

People wondered later, and asked me: What are you talking about? How is this giving up any veto?

With regard to the mechanism to suspend a member that strays from NATO's principles, that too is unnecessary. Here are two examples: During the authoritarian rule of the Greek colonels from 1967 to 1973, Greece was frozen out of the key NATO decisions. When it appeared Portugal might go Communist in the summer of 1975, it, too, was frozen out.

There would also be the temptation to play domestic politics with a suspension mechanism.

We would not want NATO to be torn apart the way the European Union was three years ago when other countries isolated Austria because Mr. Haider's distasteful party had joined the governing coalition after a free election.

For example one might envision a future scenario in which Turkey were threatened with military attack and some members would argue that Ankara's imperfect human rights record obviated the obligation of the NATO allies to honor their Article 5 commitments.

This isn't far-fetched. In January 1991, Mr. Lambsdorff, then the leader of the Free Democrats in Germany's Bundestag, voiced similar sentiments.

The reality is that once a suspension clause was introduced into the North Atlantic Treaty no country could fully rely upon Article 5.

Lord Robertson's summary judgment on creating a suspension mechanism speaks volumes:

The worst possible thing would be to legislate in advance for all possible occasions and then be locked in.

Our debate will be watched closely in the seven invited countries and throughout the rest of Europe. Attaching this declaration to the Senate's ratification would send an unsettling message through the Alliance.

Lord Robertson gave us his bottom-line on Monday:

Putting these issues on the agenda of the NAC would be "deeply unhelpful" to him and would "open a can of worms."

The bottom line here, Madam President, is that I really think we should understand what is intended. The objective here to get NATO itself to adopt such a rule would be the single most serious thing we could do to U.S. leadership and U.S. de facto control of NATO.

I urge my colleagues to vote down this amendment, which is both unnecessary and potentially disruptive to NATO as it is about to welcome seven new members.

I thank my friend from Michigan and my friend from Virginia for being willing not to go with the original resolution they had, and seek this report from NATO within 18 months after the

request being submitted by the Secretary of State. I think that is a more prudent way to proceed. But I hope when that is done, the NATO membership will uniformly reject any change in the process. But again I thank my colleagues and yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. LUGAR. Madam President, I agree with the analysis of history given by my colleague, the distinguished Senator from Delaware, with regard to the basic exclusion—or rather consensus and exclusion argument we are having today. He states correctly this arose the last time we discussed NATO accession. It is an important argument that has been propounded by the distinguished Senator from Michigan, the distinguished Senator from Virginia, and others. I simply rise to say the substance of the issue is different from the procedure. In this amendment offered by the distinguished Senators, we are discussing an amendment that says:

It is the sense of the Senate that, not later than the date that is eighteen months after the date of the adoption of this resolution, the President should place on the agenda for discussion at the North Atlantic Council—

(i) the NATO "consensus rule"; and

(ii) the merits of establishing a process for suspending the membership in NATO of a member country that no longer complies with NATO's principles of democracy, individual liberty, and the rule of law set forth in the preamble to the North Atlantic Treaty.

The amendment also calls for reports on the points of view raised by our Government and, likewise, its fulfillment, with the gist of this amendment.

At the time we had Secretary Powell before the Foreign Relations Committee in one of the five hearings the committee has conducted on NATO, we requested his view on the subject of consensus and expulsion. In fact, I requested a letter from Secretary Powell, which he sent to me, and made clear as a matter of principle NATO's decision-making process in his judgment works well and serves the United States interests.

The Secretary affirmed that for 50 years, from the cold war to Kosovo and now Afghanistan, NATO has been able to reach consensus on critical decisions. NATO is an alliance, and no NATO member, including the United States, would agree to allow alliance decisions to be made on defense commitments without its agreement.

Regarding the suspension mechanism, the Secretary said NATO has been able to deal successfully with the rare cases in the past of problem countries, and NATO has dealt effectively with Allies that have experienced regimes that did not support NATO's democratic principles by isolating them or excluding them from sensitive discussions—just as the Senator from Delaware has illustrated.

I would add that when, at Senator LEVIN's request, these issues were raised by Ambassador Burns in an informal discussion within the alliance, there was no support from other members for creating a suspension mechanism or for changing the consensus rule.

Essentially, the administration preference, when we asked them with regard to this idea, is that these issues not be addressed in the resolution of ratification and certainly that they not be termed as a condition. The authors of the amendment today have not done so. This is not a condition. Therefore, there is not an argument with the administration.

The Secretary believes the questions are worthy of further study, and so do I. My own view, having listened to the testimony by Secretary Powell and then as Senator BIDEN suggested more recently, a visit in the Foreign Relations Committee with Secretary General Robertson of NATO and with our Ambassador, Nick Burns, is that essentially, as the Secretary's letter has pointed out, the decisionmaking process has worked well, has served the United States interests. As Senator BIDEN pointed out, as you look into the fine print, it might not serve our interests so well if in fact our effective veto was terminated.

Having said all of that, none of us has wisdom that is all encompassing on these issues. Times change. Senator LEVIN in his comments has cited some reasons and these are important to consider.

Therefore, I come out in this discussion on the side of thought that within 18 months the United States ought to think through these arguments, ought to put them on the agenda of the North Atlantic Treaty Council for discussion. In 18 months the world may have changed a lot. Even if a discussion of them in recent months led to apparently universally negative views of our NATO allies, plus apparently a negative viewpoint of our own Secretary of State, it is conceivable that on further study, intensive study in this area, there may be some other constructive results.

I say this because I respect very deeply the distinguished chairman and ranking member of the Armed Services Committee. They, too, held hearings, as I cited in my opening statement, on the NATO accession issue. They are intensely interested, as we are in the Foreign Relations Committee, and as all Members of this body are, in what is in the best interests of our country, in our military alliances, in the prosecution of peace, in those horrible instances, and in the prosecution of war.

These are serious issues, and this is perhaps an appropriate time as the body is focused on NATO to, once again, say these are discussions that have to take place from time to time. We in the United States ought to suggest that our Secretary of State take that initiative.

For these reasons, I am going to support the amendment. I hope that, as a matter of fact, it will receive a unanimous verdict of support today on the procedural issues and issues that are out there, even if all of us have fairly strong views on the substance—and that would include the administration as well as colleagues.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Madam President, I rise in support of the Warner/Levin/Roberts amendment to the resolution of ratification on NATO Enlargement.

Before I talk about our amendment, I want to take a few moments to express my strong support for the enlargement of the NATO Alliance to include Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia.

A significant aspect of any enlargement of the Alliance to the United States, of course, is that it would represent a commitment by the United States to treat an armed attack on any of these seven nations as an armed attack on the United States. In 1998, when the Senate was considering the enlargement of NATO to include Poland, Hungary and the Czech Republic, the attitude of Russia to the inclusion of former members of the Warsaw Pact was a factor which was part of the debate. Such enlargement was not intended to be threatening and, appropriately, it was not perceived as a threat by Russia, which wanted to establish a constructive relationship with the United States and the other members of NATO. As a matter of fact, Russia's decision on that matter was so clear that its position relative to NATO membership for former Soviet Republics Latvia, Lithuania and Estonia is not even an issue today.

One issue that I have wrestled with in 1998 and before was my belief that NATO should have a mechanism to suspend the membership of a NATO member, if that member no longer complies with the Alliance's fundamental principles of democracy, individual liberty and the rule of law. In the Armed Services Committee hearings that preceded the 1998 Senate floor action, I put the issue to former Secretary of State Henry Kissinger who said in part that "I think in situations in which a government emerges incompatible with the common purpose of the Alliance, there ought to be some method, maybe along the lines you put forward." I also raised the issue with former Secretary of Defense William Perry who said in part that "What you are describing is a problem—in fact, I would call it a flaw—in the original NATO structure, the NATO agreements. And, in my judgment, this is a problem which should be addressed."

I had a colloquy with the then Chairman of the Foreign Relations Committee, Senator BIDEN, who said in part that "I agree with the Senator from Michigan that this is an important matter that raises fundamental issues for the United States and our allies. I

believe that this is a matter that merits careful consideration within NATO councils. It would certainly be preferable for NATO to discuss this in a careful and measured way now, rather than be faced with the issue at some future time when an emergency situation exists."

That careful and measured consideration, however, has not been undertaken within NATO councils in the intervening years.

Just as I supported enlargement of the Alliance to a total of nineteen nations in 1998, so I support enlargement of the Alliance today to a total of 26. But I am mindful that the sheer number of nations that will soon make up the alliance increases the chance that one of them may some day depart from the alliance's fundamental principles. Having said that, I want to be perfectly clear—our amendment is not aimed at any of the seven nations whose accession is before us today—it is not aimed at the three most recent NATO member nations—it is not aimed at any of the long-term NATO member nations—and it is not aimed at any potential future NATO member nation—it is not aimed at any nation.

It is aimed at the possibility that a NATO member nation that, for example, was no longer democratic and was ruled by a dictator, would be in a position to veto a decision that all of the other NATO member nations wanted to take—perhaps to come to the aid of a people who were being "ethnically cleansed" on a scale that was approaching genocide such as happened in Kosovo. I believe that the United States should put the issue of whether a process should be established to suspend—suspend, not expel—such a member nation so that it would not endanger NATO's decision making when all but an undemocratic member nation wants to act.

The growth in the number of NATO member nations to 26 also increases, under the laws of mathematics, the potential that one NATO member nation, even a nation that conforms to the alliance's fundamental principles, could prevent the alliance from making a decision where all other countries want to act. The recent experience, wherein France prevented the North Atlantic Council from authorizing planning for the defense of Turkey to proceed and the Alliance had to go to the Defense Planning Council for that authorization, is a real-world example that demonstrates the need for the alliance to reconsider whether the consensus rule for NATO decisions should be changed.

I want to emphasize very strongly at this point that our amendment doesn't mandate a particular outcome to the discussion of these issues by the North Atlantic Council. It doesn't prejudice the result of the discussion and it doesn't require the U.S. representative

to take a particular position in the discussion. It merely seeks to have the issues placed on the North Atlantic Council's agenda, discussed in the council, and the results of that discussion be reported back to the U.S. Senate.

Our amendment would require the President's report to discuss two other matters. The first would be methods to provide more flexibility to NATO's Supreme Allied Commander, Europe, who is presently U.S. General Jim Jones, to plan potential contingency operations before the formal approval of such operations by the North Atlantic Council. In the instance that I mentioned, wherein France blocked the planning for Turkey's defense, it would have been very useful if NATO's military planning staff could have been preparing contingency plans so that they would have been immediately available once the civilian decision-makers had approved the defense of Turkey.

A final discussion item would be methods to streamline the process by which NATO makes decisions with respect to conducting military campaigns. This refers to the actual conduct of the operation—not to the approval to conduct it—and seeks to address the problems that were experienced in the conduct of the NATO operations in Kosovo where it is reported that General Wes Clark, the then-NATO Commander, was restricted in his actions as a number of NATO capitals insisted on reviewing and approving each day's bombing targets.

This amendment does not interfere with the passage of the resolution of ratification. It does not cause any delay in the accession of the seven new members into the NATO Alliance. It merely seeks to cause the Alliance to consider some issues that could pose serious problems in the future if not addressed in a calm, careful and measured way before a crisis occurs.

I ask unanimous consent that the discussion between myself and former Secretary of Defense Perry be printed in the RECORD.

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

COMMITTEE ON ARMED SERVICES, U.S. SENATE
HEARING TO RECEIVE TESTIMONY ON ISSUES RELATED TO NATO ENLARGEMENT—THURSDAY, MARCH 19, 1998, WASHINGTON, DC

We went into Bosnia, I understand, for legitimate reasons, I think. But, still, it is not what NATO was invented for, which was to reassure the Western Europeans that they would not be attacked by the Russians. And if they were attacked by the Russians, the United States would come to their defense.

And I do not think the operation in Bosnia qualifies to that standard. Which does not mean I am against it, but, still, I do not think you can square it with the original Treaty.

Chairman THURMOND. My time is up.

Senator LEVIN.

Senator LEVIN. Thank you, Mr. Chairman.

Ms. Eisenhower, your sensitivity to the impact of this on our relationship with Russia, it seems to me, is correct, in terms of being aware of it. We should worry about it. We should consider it.

I reach a different conclusion than you do, but it is not politically incorrect to factor into the deliberation what the impact on that relationship is. I reach a different conclusion than you do for a number of reasons. And, by the way, I, too, have talked to dozens of parliamentarians in Russia, both here and in Moscow, as well as their leadership, their minister of Defense, their Foreign Minister, and so forth.

And I have heard their words. I have also seen their actions, including the following actions: They entered into a Founding Act with NATO after the decision to expand NATO was made. And they have remained a member of that relationship. And that Founding Act says—and this is between NATO, after the announced expansion, and Russia—that Founding Act reaffirms the determination of the parties, NATO and Russia, to give concrete substance to our shared commitment to a stable, peaceful and undivided Europe.

So one of the actions which they have taken is to both join a Founding Act with NATO after the announced expansion, and to remain a member of that Founding Act. Secondly, recently the Partnership for Peace was expanded. A more active participation was recently agreed to by Russia with NATO. So we have a more active participation in NATO's Partnership for Peace recently, after the actual decision to have three additional countries join NATO.

Next, recently, their Prime Minister, Mr. Chernomyrdin, publicly pledged, after meeting with our Vice President, that the Russian Government will push hard for the Duma's ratification of START II. This came within the last few weeks.

We have heard—and I have heard from parliamentarians—that the expansion of NATO will hurt the chances for ratification. We understand that. But, nonetheless, the action taken by the Prime Minister is that he is going to push hard for that ratification. And that is despite his clear awareness that NATO is, with great likelihood, going to be expanded and that this Senate will ratify that expansion. So we have that action taken on the part of Mr. Chernomyrdin.

We also have a recent—interestingly enough, we talked about public opinion polls in here—we have a recent public opinion poll by the Gallup people in Moscow, released last Saturday, revealing that 57 percent of the people in Moscow support the Czech Republic's bid to join NATO; 54 percent support Hungary's admission; 53 percent said Poland should be allowed to join NATO. And a quarter of those polled had no views on the subject.

Now, I do not know what their sample was and so forth, but, nonetheless, I am not so sure public opinion in Russia is so wholly as one-sided as you indicate. And, again, I have also had similar meetings, as you have had, with their parliamentarians.

On the other hand, it is a very important factor to consider. And I think we should all weigh that. We should not give Russia a veto. That would be a very bad mistake, but we surely should consider the impact of any expansion on our relationship with Russia, and on the effort to bring Russia into the democratic world and to keep them there, and to keep them into the free market world. It is a very important issue.

You have raised another issue, however, which I find—and I join with you in finding troubling. And that is the inability of NATO to suspend a member, to remove a member who no longer comports with NATO's principles of democracy and free market orientation, and a dedication to freedom. This could happen in the future. It could happen. And there is no mechanism inside of NATO to suspend a member. Every member has a

veto. And that could create a problem with your strategic vision. I think all of us hopefully view the world somewhat strategically. That could create a problem down the road.

And so I want to ask, Secretary Perry, about this issue. It is something which has troubled me. I do not want to try to condition the accession of these three new members on a suspension agreement, because that would raise a false implication that it has something to do with them—which it does not. It is a general issue that I think we have to face in NATO at some point, not related to these three particular countries, or any other particular country.

But what happens in the future if a member of NATO no longer comports to the principles of NATO in terms of commitment to democracy, freedom and free markets, and then has a veto on NATO operations? And my question, Mr. Perry, is this: Should we at some point raise within NATO, and satisfy ourselves, on the question of the suspension of a member at some point in the future and a mechanism to accomplish that end? That is my question.

Dr. PERRY. That is a very good question, Senator LEVIN. What you are describing is a problem—in fact, I would call it a few—in the original NATO structure, the NATO agreements. And, in my judgment, that is a problem which should be addressed. It has been a problem for many, many years. And therefore it is important, in addressing that problem, to separate it from the issue of NATO accession. I would not in any way want to tie that issue to the NATO accession issue.

We could have predicted several decades ago that that would cause a problem, that there would be some major issue come up on which we could not reach consensus, and that would bring NATO to a halt, or that some member would depart from the NATO values. Happily, that has not happened. But it is a potential problem, and I think we ought to address it.

Senator LEVIN. My time is up. I would appreciate, however, for the record, if you or any other member here—my time is up and the chairman here, I think, has got to stick to his 5-minute rule—but if you or any other panelist here would submit for the record your ideas on that subject, it would be very helpful to us.

Mr. LEVIN. I thank my friends, the managers of this resolution, for their tremendous work on NATO expansion and other issues.

Mr. SESSIONS. Madam President, since the original North Atlantic Treaty was signed in Washington in April 1949, the organization has expanded far beyond its original 12 members. The amendment to this treaty that I was proud to co-sponsor with my distinguished colleagues Senators WARNER, LEVIN, and ROBERTS acknowledges that we have had recent difficulty with the consensus decision making methodology currently in force within NATO.

Four more European nations later acceded to the Treaty between 1952 and 1982. In 1999, the Czech Republic, Hungary and Poland were welcomed and possibly tomorrow we will add Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, Slovenia bringing the number to 26 members.

The following description of this consensus requirement is taken from the NATO web site, and it says:

In making their joint decision-making process dependent on consensus and common

consent, the members of the Alliance safeguard the role of each country's individual experience and outlook while at the same time availing themselves of the machinery and procedures which allow them jointly to act rapidly and decisively if circumstances require them to do so.

It stands to reason that with the addition of more members, that consensus will be increasingly difficult to achieve.

Our amendment simply asks that the President do two things: to examine the consensus requirement so that we ensure that we preserve our sovereign right to act in our own national interest; and, examine a procedure by which we can take action against a member who fails to comply with the shared values upon which NATO was founded.

Not everyone agrees with this request to have NATO address these two issues. I disagree.

The strength of the NATO Alliance is based upon adaptiveness. Our recent experience with the UN, NATO and other formations clearly shows we must address the changes we perceive in alliances.

Mr. LUGAR. Madam President, I know I speak for all members of the Foreign Relations Committee in commending the Armed Services Committee for this discussion of these issues, and, most importantly, the comity between the committee members and leadership. I think that is demonstrated in our debate today on a serious issue but to one which we have come to a good conclusion.

I know of no further debate. It would be a privilege if the Chair would put the issue to us.

The PRESIDING OFFICER. Is all time yielded?

Mr. LUGAR. All on the amendment.

Mr. LEVIN. I yield our time.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 535) was agreed to.

Mr. LEVIN. Madam President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Who yields time?

Mr. LUGAR. I yield as much time to the Senator from Texas as she may require.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Madam President, I was interested in the previous discussion because I think they were talking about going back to NATO to discuss some contingencies that might occur and how they would be addressed. That is the subject of my view on this issue.

I support the entrance of these new countries, but I think we need to take a step back and make sure NATO is going to remain the greatest defense alliance that the world has ever known.

In 1999, when the Senate voted to ratify the addition of Poland, the Czech

Republic, and Hungary, I said at the time that we needed to reassess the mutual threat to NATO nations to assure the strength of our alliance in that agreement.

Four years later, as we prepared for what became Operation Iraqi Freedom, we were disappointed, to say the least, to watch three NATO countries refuse to support the defense of our ally, Turkey. That was an initial signal that we have reached the point of stretching the alliance.

That Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia are candidates for NATO is both a miracle and a testament to the effectiveness of NATO itself. They survived brutal totalitarian regimes during the cold war. Now they are free to fully join the world community as valued members of NATO.

But what is the state of the alliance they seek to join? The world has seen three NATO members refuse to support disarming Iraq. In the view of the United States, this was the same as the failure to come to the aid of a member country that has been attacked, a renunciation of our mutual agreement.

Now is the time to ask: What is the mission of NATO today? Is NATO going to protect the future or defend the past?

For NATO to remain relevant, we must agree on its fundamental mission. Our alliance should recognize that the concern threats of terrorism and the proliferation of weapons of mass destruction have replaced the common threat of Soviet imperialism. After the most recent break in our bonds, it is essential to establish a new mission to counter a new threat. NATO has always been unified around a common purpose, but if it becomes nothing more than a patchwork quilt, we will be wasting our money and endangering our own national security by continuing to pay its bills and diverting our attention.

Fifty-four years ago this month, the United States pledged to protect Europe from the Warsaw Pact. We were steadfast in our commitment. We based 300,000 troops in Europe continuously throughout the cold war and keep 119,000 troops there now. We have paid a quarter of NATO's costs, even though we are only one of 19 nations belonging to the alliance. Clearly, our commitment played a vital role in NATO's victory in the cold war.

After the cold war ended, we turned our attention to areas of the world that cried out for stability. We went to Somalia, Haiti and the Balkans, with varying degrees of success. We became central to peace negotiations in the Middle East. We focused more on our commitments abroad and less on our own national defense closer to home. All that changed on September 11, 2001, when terrorists and the countries supporting them tried to destroy the icons of democracy, capitalism and American power. Those attacks on our homeland marked the end of our policy of containment.

The global war we are fighting against terrorism and our forceful disarming of Iraq has forged new alliances unthinkable before September 11. Our relationship with Pakistan in the war on terrorism and Operation Enduring Freedom in Afghanistan is one example of this dynamic shift. But the war on terrorism has strained other longstanding, traditional alliances.

Many of our friends in Europe do not comprehend the impact September 11 had on America. They viewed what happened within our borders from arm's length, not acknowledging it as an attack on our country that required a firm response. This disconnect has caused a rift among NATO allies that would have been unthinkable before September 11. That split was manifested in the refusal to help disarm Iraq.

As we prepared for Operation Iraqi Freedom, our long-time allies, France, Germany and Belgium, countries we have been committed to defend from attack for over half a century, opposed us at every turn. Even today, they are thwarting the rebuilding of Iraq by refusing to lift the U.N.-imposed sanctions that would allow oil to be sold to pay for new infrastructure in that country.

A strong alliance cannot maintain its strength under such strain. It is imperative that NATO establishes a new, common mission or risk withering into irrelevance. If our purpose is a common defense, then we must form a consensus in defining our common threats. And those who agree should reconstitute a strong NATO.

During Operation Iraqi Freedom, we created a valuable template for how the world community can bond in this era of reckoning. We now should lead the effort to reconfirm a coalition of the willing to stand together against the common threat of terrorism to our democracies.

The seven invited countries have all demonstrated they are prepared to contribute if they join NATO. Every one of them supported the U.S.-led coalition to disarm Iraq. As the United States develops plans for the reconstruction and administration of postwar Iraq, we are consulting with all seven of these nations to determine how best to proceed in this process and how they can contribute. All have indicated a willingness to consider the requests of the United States or other international organizations to help restore Iraq.

Just this week, Bulgaria pledged to provide combat troops under international command. By doing so, Bulgaria has stepped forward—among the first of the world's nations—to internationalize the U.S.-led occupation. These seven countries are showing they are ready to do what it takes within their means to make the world more secure.

Madam President, I am certainly going to vote to support this round of NATO expansion because I do believe all of these prospective members have

a clear understanding that NATO has new threats and new missions, and they will make a positive contribution to this alliance.

But I do hope we will take the lead in bringing to NATO a clear focus, a clear focus on the common threats that we all face, and the methods for defending against those threats. That is what it will take to assure that this great alliance will be a great alliance in the future and not just something we talk about in the past with great regard.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. LUGAR. Madam President, I yield to the distinguished Senator from Virginia as much time as he might require.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. ALLEN. Thank you, Madam President. I thank the chairman of the Foreign Relations Committee, Senator LUGAR, for his outstanding leadership on this issue. I also very much agree with the remarks made by Senator HUTCHISON of Texas.

As far as an enlarged NATO, we have had hearings on the mending of fences and the moving forward that we will need to have as a country with our Allies with a new sense of realism insofar as NATO and certain alliances—who we can always count on and who we sometimes may not be able to count on in the future.

I rise today to specifically address the issue of the enlargement of NATO. I offer my very strong support for the enlargement of the North Atlantic Treaty Organization alliance. The NATO alliance, over the decades, has had a positive impact on the world.

Since the days I was Governor of Virginia, I have been a long-time advocate of enlarging NATO, with new countries to contribute to security and also to advance individual liberty.

I was an advocate of admitting Poland, the Czech Republic, and Hungary, and they have been good participatory members. You can see how the advancement of liberty has allowed the people of those countries to have greater freedoms and greater prosperity.

I believe that enlarging the alliance will bring even greater peace and security to the world, as well as confirm the value of economic reforms that will offer all people greater individual freedoms and protection of their rights.

The reforms and progress that have been made by Estonia, Latvia, Lithuania, Slovakia, Slovenia, Bulgaria, and Romania have transformed once communist, oppressive states into vibrant democracies that appreciate the newly reborn freedom to control their own destinies.

These nations are ascending into NATO at a serious time for the NATO alliance. As these countries have made a positive transformation, so must NATO transform from the cold war deterrent it has so successfully been over the last 50 years into an alliance that

is able to adapt to meet the new challenges facing the world and the partner nations of NATO.

NATO and its members must now develop the ability to meet the threat of global terrorism wherever it may arise. This will no doubt be challenging, as the structure and strategy of the NATO alliance for decades has been to prepare for traditional conflict against the Soviet Union.

To meet the defense needs of today, all NATO nations will need to make a commitment to the forces and the resources that are necessary to root out and defeat state-sponsored and itinerant terrorism beyond the shores of the United States and Europe.

The seven nations that are poised to join NATO will be asked to take an immediate role in implementing this new mission. While it is unrealistic to ask these countries to meet the defense spending levels of the United States, the alliance should urge these new members to establish an expertise and an unmatched capability in a particular area of combating terrorism. NATO does not particularly need large, traditional forces or armaments. The alliance, rather, needs skilled units that can neutralize the devastating impacts of chemical or biological weapons, as well as seasoned intelligence organizations to ensure that NATO and its members are always able to thwart terrorist conspiracies or attacks before they are executed.

The seven aspirant countries have had to overcome significant political and economic difficulties to reach the precipice of NATO membership. Transforming a socialist-focused economy to one that is market based requires tremendous perseverance and visionary leadership and also an appreciation of liberty on the part of the people of these countries.

Indeed, the people of these nations have made their decisions and their choices. And now the economies of the aspirant countries are growing markets with potential for prosperous growth. These experiences will help these nations as they adjust to the burden of collective defense and make the responsible decisions that come with NATO membership.

I am confident that these countries—whether they are in the Baltics or Central Europe or Southeastern Europe—will continue to meet their responsibilities. You may ask, why are you so confident? Look at what these aspirant countries are already doing, and have been doing, in the current year and recent years. One must look only at the peacekeeping missions currently, and those that have been going on for several years in the Balkans.

You can look at the war in Afghanistan, and also the conflict in Iraq to conclude that not only will these nations be prepared to take the mantle of NATO membership—but are already contributing to the safety and security of all members. Their contributions and support have been substantive and

significant in these current times of need.

NATO will certainly become a stronger alliance, with the capabilities and the vitality these prospective new members bring to the partnership.

I see these seven new members actually revitalizing NATO. There are concerns that have been expressed about the adherence and the unity of NATO. These seven countries will bring a revitalization, an appreciation for the importance of NATO and the freedoms and values we stand for.

When you discuss the expansion of NATO, the benefits of membership are often the focus. However, it is important to understand the tremendous value the alliance, and especially the United States, gains when these seven countries are offered membership.

We have seen the impact of these nations in the positions and actions taken during the recent military conflict in disarming Iraq. When the alliance first addressed the Iraq issue, it was these countries that immediately voiced their support for offering protection to an ally. Once the conflict began, these countries offered staging support as well as troops and chemical weapons teams which ensured Allied Forces were prepared to confront all possible battlefield scenarios. In particular, Bulgaria and Romania were helpful with their bases.

The alliance experienced a disconcerting event earlier this year when a member nation, Turkey, requested defense assistance. Critics again questioned the value and importance of NATO. However, those trying days highlighted the importance of this alliance to the United States. And while there was a small number of members who disagreed with the United States, the vast majority were in agreement with our policy and were extremely helpful in moving the alliance to assist Turkey in their defense needs.

Beyond the military conflict in Iraq, expanding the membership in NATO continues to be in the interest of this country. As the United States continues to confront terrorism on all fronts, we will need the continued support and intelligence assistance to make our efforts successful. Again, I feel confident these nations will take the lead in developing specialized programs that are needed within NATO.

Again, the aspirant countries are being asked to put together quick response forces to deal with chemical or biological attacks, should one occur. These are the invaluable programs that NATO will need as it changes its focus to fighting terrorism.

The United States will always need allies with which to partner to promote democratic values and our principles. By offering NATO membership to these seven countries, our country is gaining valuable allies that are intimately familiar with the value of individual freedom and also the concept of representative government. They appreciate what a blessing that is for the people.

The tremendous reforms and the progress that have been made by these aspirant nations is a testament to their commitment to the core values that have made NATO the strongest military alliance in history.

I strongly urge my colleagues to vote favorably on this resolution of ratification and welcome Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, and Slovenia to our alliance of shared security but, more importantly, to our alliance of shared values, principles, and aspirations for free people.

I yield the floor.

Mr. LUGAR. Madam President, I suggest the absence of a quorum and ask unanimous consent that the time be charged equally to both sides.

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

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. LUGAR. Mr. President, it is a privilege to yield as much time as he requires to the distinguished Senator from Arizona.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCAIN. I thank the Chair. I suggest the absence of a quorum for 1 minute.

The PRESIDING OFFICER. Does the Senator yield for that purpose?

Mr. LUGAR. Yes.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

The Senator from Arizona.

Mr. McCAIN. Mr. President, I thank the Senator from Indiana, the distinguished chairman of the Foreign Relations Committee, for his work on this very important legislation, for his leadership and continued voice of maturity and reason that is often needed in our discussions and debates over issues of national security.

The Senate's ratification of the NATO enlargement protocol before us represents the ultimate victory of freedom over the fear and terror that ruled Central and Eastern Europe from 1945 to 1989. The Berlin Wall came down in 1989. The Soviet Union collapsed in 1991. NATO expanded eastwards in 1999 and will do so again with the Senate's consent in 2003. History will judge NATO's historic move eastwards as a final chapter in a long struggle not simply to roll back oppression but to consolidate a Europe whole and free.

The democracies of Estonia, Latvia, Lithuania, Romania, Bulgaria, Slovakia, and Slovenia add a moral and

strategic dimension to the alliance. The Baltics were captive nations during the cold war. Romania, Bulgaria, and Slovakia were subsumed into the Soviet empire, and Slovenia was a constituent part of Tito's Yugoslavia.

These nations suffered over four decades of effective foreign control and occupation. In 1989 and 1991, we celebrated their independence. Today we celebrate their secure freedom, enshrined in our great Western alliance in defense of our common values.

The Vilnius seven nations, as NATO's newest members are known, lent their moral voice to our campaign to liberate Iraq and end Saddam Hussein's tyranny. A February 5 letter from the V-7 nations, plus Albania, Macedonia, and Croatia, stated:

The trans-Atlantic community, of which we are a part, must stand together to face the threat posed by the nexus of terrorism and dictators with weapons of mass destruction. . . . The clear and present danger posed by Saddam Hussein's regime requires a united response from the community of democracies.

These nations share our values because they understand oppression all too well. Their voices carry special weight.

We received significant political and logistical support from the V-7 nations during the war in Iraq. NATO's new democracies provided their airspace, airfields, ports, and military personnel in support of Operation Iraqi Freedom. Several of these nations deployed troops to the Iraq theater. Many of NATO's newest members more resolutely and more concretely supported the military campaign in Iraq than did some of NATO's founding members. These seven democracies have also served as de facto Allies in NATO operations in Bosnia, Kosovo, and Afghanistan.

NATO's enlargement serves American leadership in Europe, anchoring our commitment to security and freedom there. It welcomes into the alliance a large group of nations that resolutely support American leadership and the principles that guide it in Europe and across the world.

As we saw during the Iraq debate, a majority of Europe's leaders, including NATO's new members, supported America's determination to disarm Iraq. NATO's new members will be solid allies that will expand NATO's reach, amplify its voice, and enhance its moral authority to defend freedom, including against the threat of global terrorism.

I have had the pleasure of traveling to each of the seven new member states to review their preparations to join NATO. Like my colleagues, I have been struck by these democracies' determination to rank among our closest allies, and to see NATO membership not only as a way to guarantee their security, but to contribute to the larger struggle for freedom the West once waged on their behalf.

The success of the Prague Summit demonstrated the new NATO's shared

history, shared values, shared sense of threat, and an agreed way forward in meeting those threats. This new NATO will provide a firmer foundation for peace and a more resolute defense of our values. Prague lent considerable momentum to the construction of an integrated and peaceful Europe and taught us much about our alliance.

The decisions at Prague to invite seven new members to join the alliance, create a NATO rapid reaction force, enhance military modernization and interoperability, and streamline NATO's infrastructure were tangible accomplishments that should make the alliance more capable and flexible. Rather than debating out-of-area operations, NATO forces and assets are supporting the peacekeeping mission in Afghanistan. The NATO-Russia Council provides a forum for security cooperation with Moscow. NATO's peacekeeping missions in the Balkans have been a success. The United States is considering a new military basing concept on the territory of new NATO Allies in southeastern Europe. NATO remains central to American interests in Europe and beyond.

This is not to suggest in any way that everything is going swimmingly within the alliance. NATO has been put at grave risk by hostile French obstructionism that is as dangerous as it is cynical.

Let me be clear: I believe the French government is pursuing a systematic campaign to undermine American leadership in Europe and the world. I believe France would ultimately like to see America's withdrawal from Europe and the replacement of an American-led NATO with an all-European army. France's active opposition to the United States within the North Atlantic Council over a period of many years, and in the daily workings of the NATO bureaucracy, make clear the French agenda to weaken NATO's foundations and make the alliance less capable of effectively meeting challenges to international security.

Officials at many levels of the French government, including President Chirac, boldly assert France's ambition to serve as a "counterweight" to the United States. By definition, a country can be either a counterweight or an ally, but it cannot be both. Official pronouncements by the French government, and the daily actions of France within NATO and at the Security Council, make clear that France is not an ally of the United States.

France's decision in February to block a routine request for Turkey's defense—I emphasize "defense"—in the event of war with Iraq created the most serious internal crisis the alliance has known in a generation. France's open rejection of its commitment to a fellow NATO ally required the decision on Turkey's reinforcement to be taken in the Defense Planning Committee, which excludes France.

The Defense Planning Committee is the logical and appropriate venue for

decisions relating to the defense of NATO members to be made. France does not contribute militarily to an alliance premised on the military defense of member democracies. France has a political voice but not a military stake in NATO decision-making. Decisions relating to the military interests and defense of member states—the core of NATO's mission, and the bulk of its agenda—fall under the authority of the Defense Planning Committee. The French dilute their own influence in NATO by not participating in its military arm, and the alliance should recognize that condition of French membership by making defense decisions in a forum that reflects France's absence from NATO's military mission.

NATO did ultimately achieve a consensus in the DPC that met Turkey's defense requirements. Achieving consensus in an institutionalized forum that excludes France seems to me to have produced a better result than a divisive majority vote in the North Atlantic Council, had we shelved the consensus principle in favor of some other weighted voting mechanism, as some in the Senate have proposed.

While I did not oppose the agreement reached today in the Senate creating a reporting requirement on the issues of consensus and suspension within NATO, I do not support overturning the consensus principle and creating a suspension clause because I believe it could weaken American leadership and interests in NATO while actually improving the position of France within the alliance. Replacing the consensus rule with a majority voting scheme would lead to factionalism and could result in scenarios in which the United States was outvoted, ceding our traditional leadership to others. Adopting a suspension clause would gut the heart of the alliance, the commitment to mutual defense, by introducing a reservation into the Alliance's commitment to defend an embattled democracy.

Putting the issue of the consensus rule on the agenda of the North Atlantic Council would be seen by some of our best allies as divisive. It would create a debate within the Council not about the French fifth column, but about an American proposal that would dilute the influence of other NATO partners by weakening or negating their influence in a majority voting scheme. Replacing the consensus rule with some form of majority vote could threaten the supreme national interests of any NATO member, including the United States, that might at some point find itself dissenting from a majority of NATO members on a matter vital to that country's national security. The United States would never give up its effective veto over NATO military operations, and no country that contributes militarily to the alliance could be expected to do the same by endorsing a majority voting process.

Under consensus, no vote counts more than any other, which is not true

in a weighted majority voting system like that of the Security Council. Consensus helps pull allies together and gives each an equal stake in their outcomes. It prevents factionalism and the development of voting blocs that would only divide allies, not draw us together. Consensus prevents France from leading its own voting bloc in opposition to the United States. Historically, the United States has been the only NATO member whose initiatives regularly achieve consensus. Why throw away such an effective tool for U.S. leadership?

Nor would I support conditioning NATO enlargement on developing a mechanism to suspend any NATO member that fails to uphold alliance principles. Advocating a kick-out clause suggests a lack of confidence in the democratic character and commitment of our new allies. It sends exactly the wrong message to these new members: that we fear they may regress from the democratic values we have certified that they share by inviting them to join NATO, values which NATO itself protects and strengthens. Conditioning their membership with the suggestion that we do not have confidence in the longevity of their democracies seems a strange way to welcome them into our alliance.

A clause threatening any individual NATO member with expulsion would weaken the heart of the Washington Treaty by casting doubt on the commitment of the NATO Allies to come to the defense of any threatened member state. A suspension clause would effectively condition the mutual defense commitment that is at the heart of the alliance in a way that would breed insecurity and mistrust, not security and confidence, among member states. In the words of Bruce Jackson of the Project on Transitional Democracies:

A provision to expel [NATO members] would introduce a corrosive mental reservation into the commitment to defend an embattled democracy and would, therefore, debilitate the most powerful military alliance ever assembled.

NATO works so well for many of the reasons the U.N. Security Council does not: it is a true community of values in which all members are democracies; consensus requires unanimity that gives all members a stake in decision-making and outcomes; the absence of majority voting or weighted voting like the Security Council does not create different classes of membership or hostile factions; and unlike the Security Council, NATO has proven time and again that it is able to effectively resist aggression and use its military and political power to expand freedom. The reason the seven new members of NATO are so keen to join the alliance underscores their clear belief it will protect their security and advance their interests. Can anyone hold the Security Council to the same standard?

NATO's value to American interests and the progress of freedom endures. NATO enlargement serves American

interests by delivering seven committed treaty allies who share our perspective on the world. Enlargement serves our common values by adding to our community of allied democracies the voices and the people of countries that were long denied their free destiny. NATO's expansion moves us decisively in the direction of a Europe whole and free, one that has exorcized the ghosts of a violent past and stands with us in its commitment to human freedom.

As the leaders of Britain, Spain, Italy, Poland, Hungary, the Czech Republic, Denmark, and Portugal have written, "The real bond between the United States and Europe is the values we share. . . . These values crossed the Atlantic with those who sailed from Europe to help create the United States of America. Today they are under greater threat than ever. . . . Today more than ever, the transatlantic bond is a guarantee of our freedom." Let that continue to be our creed in the uncertain years ahead, confident that we are stronger together than apart, that our values ennoble our common defense of them, and that we can, together, make this a safer, freer, better world. It's worth fighting for.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. LUGAR. Mr. President, I know of no Senators who wish to debate. I have consulted with the distinguished ranking member, Senator BIDEN. He knows of no Members on the Democratic side seeking time to debate and I know of no Republicans who seek further time in debate. Therefore, I ask unanimous consent all time be yielded back on both sides.

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

Mr. LUGAR. Mr. President, my understanding, and I ask for guidance from the Chair, is that a vote on final passage of the NATO treaty will occur at 9:30 a.m. tomorrow.

The PRESIDING OFFICER. The Senator is correct.

Mr. LUGAR. I advise all Senators that the next action on the treaty will, in fact, be the final vote at 9:30 tomorrow. I also add as an announcement that the foreign ministers of the countries seeking ascension will be brought to the floor following the vote for presentation to Senators. That will be a prelude for a number of recognition ceremonies involving the President, the White House, and others.

Mr. SARBANES. Will the Senator yield?

Mr. LUGAR. I am happy to yield.

Mr. SARBANES. I simply commend chairman LUGAR and Senator BIDEN, ranking minority member, for their very effective leadership with respect to this NATO enlargement issue. I am pleased to join with them in supporting this very important step forward.

I underscore how quickly the chairman moved with respect to this matter and how carefully it was done in the

committee. Very extended consideration was given to this issue, which of course, comports with its importance. This is a major step we all need to recognize and the fact that it will happen without controversy, at least of any consequence, ought not to make us lose sight of the fact of the historic nature of what is being accomplished here—tomorrow, presumably.

I thank the Senator for his skilled leadership on this issue.

Mr. LUGAR. I thank the distinguished Senator from Maryland for his leadership in our committee throughout the years and, likewise, specifically, on the issue of NATO that has been before the Senate.

MORNING BUSINESS

Mr. LUGAR. I ask unanimous consent the Senate now begin a period of morning business with Senators permitted to speak up to 10 minutes each.

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

Mr. LUGAR. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

FAIRNESS AND RESPONSIBILITY IN POLITICAL LIFE

Mr. CORZINE. Mr. President, I rise today to speak to an issue of fairness and responsibility in our political life that demands our attention.

Let me premise my remarks by saying it is an honor to be a Senator and serve the people of New Jersey. I love my job. I love politics and the debate of ideas it makes possible. But I must say that I am downright disgusted when that debate of ideas degenerates into the politics of personal destruction and moves toward character assassination, especially when it may run afoul of the laws passed by this body, and more especially when the target of a campaign of personal destruction is a good and decent man—TOM DASCHLE, who has spent his entire adult life in service to our Nation.

A little over 1 year ago, the Congress passed—and the President signed—the Bipartisan Campaign Reform Act of 2002.

Even as the courts ponder a challenge and an appeal to this landmark legislation, there are those involved in the political process that have demonstrated their intent to disregard it no matter what the court decides for the sole purpose of destroying a political opponent.

In that regard, there are very disturbing reports in the media this week about an amorphous front group being formed in South Dakota for the pur-

pose, in the words of its organizers, of ending TOM DASCHLE's public career in 2004.

I don't question anyone's right to free speech nor their right to mount a campaign against any candidate for Federal Office, but this effort would apparently violate both Federal tax and election laws.

According to press reports, associates of the presumptive Republican nominee for Senate in South Dakota have begun raising special interest money in Washington for an advertising campaign in South Dakota against Senator DASCHLE, a campaign only marginally distanced from Senator DASCHLE's potential competitor or the opposing political party.

The problem with this effort, leaving aside the elements of personal destruction, is that the organization leading it—the Rushmore Policy Council—is organized as a tax-exempt 501(c)(4) non-profit organization.

According to the IRS, 501(c)(4) organizations "must be operated exclusively for the promotion of social welfare." The IRS also stipulates that, "the promotion of social welfare does not include direct or indirect participation or intervention in political campaigns on behalf of or in opposition to any candidate for public office."

One might say a lot of things about TOM DASCHLE, but his election or defeat is hardly social welfare. It is clear from their own statements that the purpose of the Rushmore Policy Council is to defeat Senator DASCHLE. In short, this is likely a violation of the letter of the law and clearly a violation of its spirit.

The Congress attempted to address these types of advertisements in the campaign finance reform law passed last year. But one of the organizers of the effort against Senator DASCHLE stated simply that, "We're going to operate as if it's not" on the books.

In addition to the personal attacks and legal questions are the implications of a smear campaign that constructs front groups to infiltrate a Senator's home State with reckless disregard for the spirit of the campaign finance laws that this body passed just last year with bipartisan support.

At the very least, this is a mockery of Congress's efforts to clean up electoral politics.

Let me quote from the memo distributed around Washington by the organizers of the Rushmore Council's so-called Daschle Accountability Project: "We propose to destroy Daschle's credibility" and "ultimately end his political career . . ."

Unbelievably, the group funding this covert operation intends to employ South Dakotans who have almost nothing to do with the campaign, but who help to convey the false impression that the campaign is, and I quote, "putatively based in South Dakota—to avoid the dismissive 'outsider' label routinely attached to such efforts in the past."

In other words, the group exists to put a phony local veneer on the GOP's efforts to ruin its number one target—TOM DASCHLE. Or as this particular group puts it, ". . . maybe be rid of [Tom Daschle] once and for all."

This is the work of the Rushmore Policy Council, an organization so small it has no website or local telephone listing. Its offshoot "The Daschle Accountability Project" is a proudly self-described coalition of right wing organizations whose stated purpose, according to its own mission statement, is not to engage in policy debate, but rather to end Daschle's career by running an \$800,000 advertising campaign in South Dakota designed to "destroy DASCHLE's credibility within his home state through humor"—as if a laugh track makes them any less unseemly.

The Rapid City Journal recently cited leaders of campaign finance watchdog groups who have already pointed out that the Rushmore Policy Council is endangering its tax-exempt status by targeting DASCHLE for defeat in 2004. "It's not clear to me how they will remain a 501c4—an organization that must operate exclusively for the promotion of social welfare—as they are going to do what is being reported.

And, Fred Wertheimer, president of the campaign finance reform group Democracy 21 agrees with this assessment. He tells the Journal "The group's activities need to be carefully watched in the coming months to see if, in fact, they are breaking tax laws and campaign-finance laws. It is clear they want to defeat Senator DASCHLE . . . there doesn't seem to be any question they want to use this for this goal and that purpose . . . and that—is not what this group—is supposed to engage in."

Most disturbingly is that this type of attack is hardly new. About a year and a half ago, the White House asked its political allies to turn up the heat on Senator DASCHLE. Most of us know the routine—the orchestrated campaign to tar TOM with the label "obstructionist." Even while under his leadership the Senate approved 100 judicial appointments and rejected only two—some obstructionist.

Where I come from, 100 is hardly obstructionist.

After the White House's directive, the outrageous attacks began. Since then, political opponents have compared Senator DASCHLE to everyone from Saddam Hussein to the devil himself on talk radio.

The problem this "Burn Down Daschle" effort faces is two fold: No. 1, lack of credibility; and, No. 2, lack of legal authority.

On the former, the Sioux Falls Argus Leader accurately points out that the Daschle Accountability project and its efforts to destroy DASCHLE's character through an ad campaign with a ridiculing tone embedded in humor have the potential to backfire in a small State where retail politics holds great sway.