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House of Representatives

The House was not in session today. Its next meeting will be held on Monday, March 23, 1998, at 2 p.m.

Senate

FRIDAY, MARCH 20, 1998

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. THURMOND).

PRAYER

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

Almighty God, we echo Daniel's gratitude, "I thank You and praise You, O God of my fathers; You have given me wisdom and might"—Daniel 2:23. We need both of these gifts as we come to the end of this week and the challenges of this day. Thank You for the spiritual gift of wisdom that gives us x-ray penetration into the issues before us. Wisdom comes from listening to You and being open to others who have opened their minds to You. Thank You for the divine discernment that comes from talking to You before we talk publicly. Give us Your perspective. Reveal Your will. Then multiply Your gift of wisdom with might, the courage of our convictions, and the boldness to stand for Your truth.

Oh God, give this Senate men and women like Daniel who know they belong to You, who seek Your supernatural wisdom, who base their leadership on Your values, and who have Your character traits of faithfulness, righteousness, and truthfulness. Bless them as You have blessed lodestar leaders in each period of our history. May this be a great day when Your wisdom and might are expressed with undeniable vigor. Through our Lord and Saviour. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able Senator from Texas is recognized. Mrs. HUTCHISON. Thank you, Mr. President.

I am speaking now for the leader to let Members know what the script is today.

SCHEDULE

Mrs. HUTCHISON. Mr. President, this morning the Senate will resume consideration of NATO expansion and its treaty, with amendments to the resolution of ratification being offered throughout the day.

As previously stated, any Senators with amendments are encouraged to contact the managers of the treaty with their amendments. As earlier stated, it is hoped that the Senate will be able to make considerable progress on the treaty today.

In addition, the Senate may consider any other legislative or executive business cleared for Senate action.

As previously announced, no rollcall votes will occur during today's session. The next vote will occur at 5:30 p.m. on Monday, hopefully in relation to an amendment to the NATO treaty. Also, the second cloture vote in connection with the Coverdell A+ bill has been postponed, to occur on Tuesday, March 24, in an effort to work on an agreement towards orderly handling of that bill. Therefore, a second cloture vote will occur on the Coverdell A+ bill on Tuesday, if an agreement cannot be reached in the meantime.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. SMITH of Oregon). Under the previous order, leadership time is reserved.

EXECUTIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now go into executive session to resume consideration of treaty document No. 105-36.

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

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows: Treaty document 105-36, Protocols to the North Atlantic Treaty of 1949 on Accession of Poland, Hungary and the Czech Republic.

The Senate resumed consideration of the treaty.

Mrs. HUTCHISON addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I am going to speak today on the very important responsibility that the U.S. Senate has in ratifying the addition to the NATO treaty.

I am a strong believer in the Senate's constitutional obligation and responsibility to advise and consent on treaties. Generally speaking, I also believe we have an equally strong obligation and responsibility to oversee American foreign policy. In fact, I think too

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



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often in this body we simply acquiesce to the President—regardless of party—when it comes to these responsibilities. Members on both sides of the aisle too often interpret the authority the Constitution gives to the President to conduct foreign policy as somehow superior to the authority the same document gives to us to oversee, advise, and consent.

Because the Framers of our Constitution were concerned about the unchecked power of the executive branch, they placed the responsibility to advise and consent on all treaties in the U.S. Senate. I have read the Federalist Papers. I have studied the Constitution and what went into making the Constitution of the United States. It was clear that the Framers of the Constitution were very concerned about the king they had just left. And they put power in the legislative branch of Government to make sure that a treaty that would obligate the United States would be well thought out and not something that would be easily given by our Chief Executive. Because of that responsibility, I find myself—and the Senate in general—facing a dilemma when it comes to the question of whether or not to expand the North Atlantic Treaty Organization.

On one side we have colleagues who strongly support the resolution of ratification. I respect their views, and I believe they are in the majority in this body. But throughout the course of the past few days of debate, I have heard some of those supporters speak out in an intemperate manner about the reservations other Members have raised. I have heard supporters say, in effect, that any reservation is a bad reservation, that the proposal to add these new members is moral and just and needs no further thought. We have been told that the United States owes these countries membership in NATO, and it has been implied that to question this assumption is to question the very merits of the cold war and NATO's role in winning that war.

I was just a citizen during Desert Storm, and I watched intently the debate in the U.S. Senate on the resolution to approve sending our soldiers to Desert Storm. What struck me about that debate was that it was a wonderful debate, and it was what I thought the Senate would be and should be. It was Members speaking from the heart about what they believed their responsibilities were and how they would exercise those responsibilities in relation to what the President was asking them to do. I never heard one Member in that debate criticize another Member for having a different view. And I think that is what the Senate should be today as we debate NATO expansion.

Many of us who have reservations about this proposal are strong supporters of NATO—I certainly am—and of American leadership within the alliance, because I think NATO is the best defense alliance that has ever been in the history of the world. I want to

make sure that we preserve it. We understand, however, that there are many other places in the world where only the United States can and will lead. We cherish the role that NATO played in winning the cold war, and it is because of that commitment to support NATO that we take this responsibility to consider the ramifications of enlargement so seriously.

Mr. President, many of us with reservations are not isolationists. Neither are we interventionists. We want to see the United States take its fair place in the world and its fair share of the responsibility, but we do not think it should be involved in every regional conflict, dissipating our strengths and endangering our role as a superpower capable of responding where no one else will.

On the other side of the dilemma—in which many of us find ourselves, frankly—is the failure of the President of the United States to lead. While our colleagues who support NATO and support the enlargement vigorously oppose any reservations and conditions we may wish to debate, the fact is it was the President's responsibility as the executor of American foreign policy to negotiate these reservations and conditions.

Instead, he all but promised the three countries under consideration—worthy countries—that their admission into the alliance was assured. He presented this to the Senate as a fait accompli, and now it is being suggested that any opposition or even reservation must be seen as isolationist or, as some colleagues in this body have suggested, as appeasement of the antidemocratic forces of the cold war.

Mr. President, we have seen this approach to difficult foreign policy issues by the President before. In Bosnia, the President negotiated peace accords that required the involvement of tens of thousand of U.S. troops and then dared the Congress to oppose his decision to send those troops. More recently, in Iraq he sent tens of thousands of U.S. forces without having laid out any coherent mission.

So what should the President have done? I think the responsibility of the President of the United States was to sit down with our NATO allies at the end of the cold war and say, "We won the cold war. Now let's talk about what is the biggest threat to our collective body, and let's address that threat."

What is the purpose of NATO? That should have been the first question. Given our victory in the cold war and the consolidation of freedom and democracy in the former Soviet bloc, what should we do that would enhance the security of Europe and look to the security threats to all of us in the future? What is the role of the United States in a revised strategic alliance? Does the United States need to be the glue that holds Europe together? Or is this the time to start encouraging our European allies to take more responsibility for their own continental secu-

rity? I am not saying there is the answer before us, but I say this should be the question.

The second thing the President should have done before we started talking about specific countries is establish the criteria for membership, having negotiated a new post-world-war strategic rationale, as he should have done. Then the President should have organized the allies to start thinking about the criteria for new members. It would have been better to set these qualifications before personalities were involved.

No. 3, having adopted a new strategy on admission and identifying the country that could help NATO execute that strategy, the next step for the President would have been to establish the fair share of the United States of America. He would have made it clear to the allies exactly what it is the United States would bear, mindful ever of the reality that we already pay for 25 percent of NATO's common costs. He would have discussed with the allies the amounts the United States already spends disproportionately to maintain the remainder of power in Asia and in the Middle East. He would have recounted those early debates in the United States about NATO membership 50 years ago when the Senate and President Truman agreed that the United States commitment could not continue at such levels forever if we were to maintain the capability of responding elsewhere in the world.

It was President Truman who was thinking ahead at the time with the Congress of the United States and realized that there were limitations which must be addressed for the long term.

Fourth. With a new strategic rationale, a new mission, new members identified and reasonable cost sharing, the President should then have established some mechanism to ensure that NATO was not importing into the alliance the border, ethnic or religious disputes that have riven Europe for centuries. He would have pointed to the ongoing conflict in the Balkans, the long-standing conflict between Greece and Turkey and seen the opportunity to leverage our allies' desire for NATO enlargement into a formal process of dispute resolution that would be well understood and accepted by all members present and future. Such a process would prevent the United States and other NATO allies from having to honor mutual defense commitments required by the alliance in the event of border or other conflicts that are not worthy of the alliance's involvement.

We all know that this has not happened. Instead, the President has presented to us a proposal to add new members to the alliance—nothing more, nothing less. We know nothing about what it will cost the United States. The administration's own estimates have varied wildly. They are somewhere between \$400 million and \$125 billion. We are not considering an updated, new strategic rationale for

the NATO alliance. We are not considering standard criteria for membership for other countries to have a precedent. We are not considering how the expanded alliance will handle future conflicts among members or between members and nonmembers.

To put it simply, we are today debating who and when, and we should be debating how and why.

That is the crux of my problem with this process. So it is left to the Senate to answer these questions and provide this definition. I commend the chairman of the Foreign Relations Committee, my friend, the senior Senator from North Carolina. He tried to do this work in his committee. He has established some good conditions and reporting requirements that are in the proposal before the Senate today. But because the President put the cart before the horse, we are facing a terrible dilemma. We are trying to put the criteria in place on the Senate floor that should have been negotiated before invitations were issued.

So where are we now? We are considering three wonderful countries, and we are talking about the criteria and the cost and the new mission in the context of whether we would take these wonderful countries into NATO. I do not like to be faced with a dilemma of voting against these countries, the hopes of which have been raised to such high expectations. I am affected by that dilemma because every one of these countries has wonderful people who are trying very hard for democracy and a free economic system. I want to support these countries. I want to support NATO enlargement. The key for me is whether we can set responsible conditions that should have been set before we ever got into invitations for membership.

I hope I will be able to do it because I hope the Senate will act in a responsible manner and do what the President should have done, and that is provide for the mission of a post-cold-war NATO, look at the fair share that America should put into European security, establish a border resolution process for disputes, and make sure that the criteria are set so that we will not raise false hopes or no hopes from other countries that will be seeking membership.

Let us talk about where we are now for our own security interests. Our defense resources are being stretched to the limit. We are leading all over the globe. We have tens of thousands of U.S. forces in Asia. We have thousands in Korea. We have thousands in Bosnia, with thousands more backing them up. I have already mentioned the Middle East where it seems only the United States is able to lead in that vital area.

While these obligations have grown since the cold war, the forces we have to meet them have decreased. In fact, defense spending has declined by 40 percent in real terms since the peak in 1985. Our ability to modernize and prepare those forces for the 21st century

threat has been mortgaged against today's more urgent, though ultimately less important, priorities.

Regardless of the cost, our intention to add security obligations seems to contradict the reality of declining defense budgets and the general post-cold-war retrenchment that is taking place in all of the Western democracies. French President Jacques Chirac has already flatly declared that France does not intend to raise its contribution to NATO because of the cost of enlargement.

It seems fitting that we are discussing these issues even as we are preparing to approve an additional \$1/2 billion to the ongoing U.S. mission in Bosnia. It is a warning about cost estimates and reality. This administration estimated the cost of the operation in Bosnia at less than \$2 billion. Recently, Secretary of Defense Cohen acknowledged that we are approaching \$8 billion, and now our mission has no withdrawal date so there is no limit.

Mr. President, we are drawing \$8 billion out of a shrinking defense budget, and we are having trouble recruiting in the Army, and we are having trouble keeping our F-16's in parts. What are we thinking? Have we looked at the big picture here? So this is why I and other Members are going to try to impose cost containment on the expansion of NATO. It is long past time that we tried to establish somewhat more equity between the amount we spend and the amount our allies spend to defend their countries. Right now, the United States spends nearly 4 percent of our gross national product on defense. Our allies spend an average of 2.5 percent. In NATO, we bear about 25 percent of the common costs. Our next closest ally spends 18 percent. So we will be introducing several amendments to establish equity for our fair share of NATO. We want to pay our fair share, but I am not sure we are there yet.

I am also concerned about the question of collective security. In an era when border and ethnic disputes may be on the rise, we obviously need to look at the example of the Balkans to see what could happen with the United States pledging, as we have in NATO, to consider an attack on an ally as an attack on the United States of America.

I am aware that the President and the Secretary of State have assured us that the very promise of NATO enlargement has served to hasten resolution of many longstanding disputes. Certainly, it seems that Hungary has worked quite hard to reach an agreement with Romania regarding the ethnic minorities and borders, and there are other good examples.

However, NATO is not a stakeholder in that resolution. Should the alliance expand to include Hungary as a member and should Hungary's agreement with Romania break down, for whatever reason, we would face a significant problem of alliance management as we work to resolve the dispute. Frankly,

we have seen the burden imposed on the alliance by the ongoing dispute of Greece and Turkey. It makes little sense to pass up this opportunity to fix this problem.

So I have an amendment that will require the U.S. representative at NATO to enter into discussions with our allies on establishing such a process. My proposal for doing so would be for the North Atlantic Council to establish a formal mechanism for resolving disputes. There are a variety of approaches to do this. I am just going to suggest one to be like that used in American labor disputes. If such a process were adopted by the North Atlantic Council, countries would have the opportunity to resolve the dispute among themselves in this way. If by a certain date the parties cannot resolve the dispute, the North Atlantic Council could implement the dispute resolution mechanism. Each disputant would select a NATO country to represent it. The two representative members would together select a third member. These three NATO members could then form a dispute resolution council to consider the matter and help negotiate a settlement. Once a settlement is established, the disputants would have a specific period to accept or reject it and conduct the bilateral diplomacy needed to ratify it according to each country's laws. If the dispute resolution council's negotiated settlement is rejected, the rejecting disputant would forfeit their article 5 collective security protection.

I have discussed this process, or something similar to it, with the Foreign Ministers of the three prospective allies. Their responses were positive. Their only question was that they wanted to ensure they would not be treated differently from present members of the alliance. That is a fair statement, and I agree with them. It should apply to present and future members. This is an opportunity to help the situation we face now and for any future developments we may not see on the horizon.

There are other ways that we can improve the resolution before us. NATO needs a new strategic rationale. We must ask the question, Why do we have this great alliance in the post-cold-war era? What should be the goal for future alliance in Europe? What is our collective strategic need? And what is our threat? How does expanding the alliance help us with other priorities such as deterring the spread and use of nuclear weapons or other weapons of mass destruction? We are putting the cart before the horse by adding new members to the alliance without first answering the question as to what those members will be asked to do and what purpose the alliance serves for the future.

We have a golden opportunity to recreate this remarkable alliance in ways that were not possible when it was forged in the crucible of the cold war. If we miss this opportunity, we could sow seeds for the eventual demise

of the alliance if it loses its focus and becomes mired in all manner of regional disputes. We should not be debating who and when. We should be debating how and why.

Mr. President, I take very seriously my responsibilities as a Member of the Senate to do what is best for America, what is best for our present troops that are protecting our security and the security of generations to come. How we approach our obligation to European security is a key part of the future security of the United States. We must establish our place in the world, our responsibilities in the world and make sure that we can cover those responsibilities with the strength and integrity that our word as the greatest superpower in the world should have. If we do this on a piecemeal basis, without laying the groundwork for the strength of this alliance, we could risk losing the alliance in the long term and we could risk losing the strength of America. I will not allow that to happen without at least speaking for what I think would maintain the place for America in the world, the strength of our country, and making sure that we have the ability to be the beacon for what is the best of people and that we have the strength to back it up. Our decision on the way we approach this alliance, this treaty, and the future of this alliance is key to the future of America.

I thank the Chair. I yield the floor.

Mr. CRAIG addressed the Chair.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Mr. President, let me associate myself with the remarks of the Senator from Texas. She is always very thoughtful on these issues and spends the time it must take to understand them. I appreciate, not only her concern, but what she is offering as a constructive approach toward what might otherwise be a very frustrating effort to expand NATO without, certainly, the consideration of the impact of that expansion.

Mr. President, this morning I come to the floor not to speak about NATO, so let me, at this time, ask unanimous consent that I be allowed to speak up to 40 minutes as in morning business.

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

THE CASE FOR TAX CUTS

Mr. CRAIG. Mr. President, America always rises to a challenge. We meet challenges readily and directly and would never ignore one knowingly as a country.

Therefore, it is not surprising that the greatest threat facing our Nation today would be the least visible. It is invisible because it originates behind our defenses. It does not come from a foreign country; it comes from our own. While it directly threatens our well-being, it dares not confront us directly. It uses Americans' good will and generosity against them. All of

this serves to make the threat more insidious and more dangerous.

Mr. President, the greatest threat facing America today is excessive taxation and with it a Washington culture that has transformed excessive into acceptable.

By any estimation, America's tax burden is excessive. Washington is projected to take \$1.68 trillion in taxes this year. No government in history has ever collected that much from its citizens. As an overall burden, that \$1.7 trillion amounts to 20.1 percent of the Nation's gross domestic product. One-fifth of everything produced in this country is consumed by this city, this Government, Washington, DC. That one-fifth is the highest overall tax burden since World War II, when America had committed itself to a total effort to win the greatest war in mankind's history.

Even then, under those most serious of circumstances, the tax burden placed on the Nation was only slightly larger than it is today. That burden lasted for just 2 years, 1944 and 1945. When the war was done, then the taxes returned to normal because this Congress made that happen because at that time we had not slipped into the culture of excessive taxation.

In contrast, today's tax burden shows no signs of ever ending, to the point that excessive taxation has come to be accepted as normal. Even after the tax cuts of last year have been fully implemented by the year 2003, the overall Federal tax burden will still amount to 19.5 percent, still one-fifth of everything produced in this country. The burden will still be higher than all but 2 years following World War II: 1969, when America was involved in war, and in 1981, when America was being wracked by runaway inflation.

Today we no longer see the specter of Hitler stalking across Europe; today we no longer are fighting in the jungles of Southeast Asia; today there is no runaway inflation; but today, and even more sadly, tomorrow, America is saddled with the same tax burden that used to be reserved only for calamities of the magnitude I have just spoken of.

Today's calamity is the tax burden itself. What once was effect is now cause. Let me repeat that: What once was effect is now cause. Last year Federal, State and local taxes took 38.2 percent of the income of the median two-earner family. It is bad enough that Washington, DC, takes one-fifth of what America produces. But it is intolerable that we are party to, and the principal cause of, taking two-fifths from America's families.

These are not just abstract numbers, folks. Meaningless? Not at all. They are not just something that someone with a green eyeshade or a calculator came up with. These are real dollars taken from real families who could spend them, save them, invest them in real things. The median dual-earning American family pays \$22,521—that is \$15,400 to Washington alone. That is

more than they pay in food costs, for housing, for clothing, or for medical care—combined. That is more than they have ever paid, and they must now work longer and harder than ever to pay it. It is no wonder that two must work when it takes two-fifths of a couple's earnings just to pay their taxes. In fact, one of those two working parents virtually is working entirely for Washington, DC, every day and every hour that spouse spends working, so that Washington politicians can simply spend and spend and spend.

Americans do not think it is fair, only Washington does. In a recent poll, 89 percent of Americans thought that the total tax burden for a family of four should not be any higher than 25 percent. That would mean Washington would still get a bigger portion of the family's earnings than each member of the family. Again, that's a statement worth repeating. Even with that figure, Washington still gets more of the money earned from the family than each member of the family gets.

Americans are a generous people and they thought it was fair that Washington get only 25 percent. Sadly, Washington, DC, does not. Without any war, any disaster, and with times good, Washington demands more than it ever has. Where will the money come from in the time of disaster then? Washington cannot afford a disaster, because America can now no longer afford Washington.

Somewhere along the way, the Federal Government lost its way. Washington has quietly and insidiously subverted the normal relationship that should exist between a state and a free people. Where excessive tax burdens were once relegated to abnormal circumstances, Washington now sees excessive as normal. Where wealth was once considered the property of those who created it, Washington now sees it as the property of those who tax it. Tax dollars have become Washington's dollars—not the rightful property of those from whom they are excessively taken, but the inalienable property of those to whom they are delivered. Only in Washington, DC, can a tax cut cause indignation, moral outrage that there exist people so selfish that they would dare to think their claim on their own earnings is more just than the claims of the bureaucrats and the politicians who wish to spend it.

It is not Washington's money. It is not Washington's money. Not one cent of it. It belongs to those who make it. We are not entitled to it. We are merely its stewards. Our claim to it does not outweigh that of those who earn it, their spouses, their children, their families.

Nor is it just money. To those who did not work for it, it is not real. They see it as a child might, understanding neither its origin nor its limits. What we diminish by calling it "taxes" is the work, the time, the property, the sacrifice and the very dreams of those who