With that, Mr. President, I wish our departing colleagues well during our adjournment and I yield the floor.

WORLD AFFAIRS

Mr. DEWINE. Mr. President, in a few short minutes the curtain will fall on this Congress. Today we complete our legislative business. Yet the business of global peace and national security will continue. Issues such as our global economy, regional stability, nuclear proliferation, proliferation of biological and chemical weapons—just to name a few—determine the condition of this business. It is a business that requires the daily attention of our world leaders, including the President of the United States, including his advisors, and including, yes, this Senate.

Yet today it is claimed that our national attention is not focused on the kinds of affairs that have a huge impact on our national security. It is claimed that our focus is not made on foreign affairs. Even our President, we are told, is not able to devote to foreign policy the level of commitment and leadership our country needs. We are told he is distracted. Some say he was distracted first by a lengthy independent counsel investigation, and now distracted by a congressional impeachment process. We are told he is distracted needlessly from doing the job at hand.

Distracted. That is a word that has gotten quite a bit of mileage lately. It has found its way into our editorial pages and into our Sunday morning talk shows. We are told by the political columnists and TV pundits that all of us were distracted in this country—all of us—by the Starr investigation and the Starr report.

Soon it will be the House impeachment process that draws our attention. We are told that all of us are distracted—the American people, the Congress, and first of all, the President—by all of this. We are told that that distraction is dangerous—dangerous because it could send the wrong signal to a rogue nation or a terrorist group or further complicate an already complex global economic slowdown.

The conclusion that seems to be reached by a number of people is that it is in our best interest, perhaps even our national security interest, to achieve an expedited resolution of the impeachment process, and to do it quickly. Some argue that what we need is an alternative to the impeachment process itself. Some have used the term ''censure'' or ''reprimand.'' I am deeply concerned that the upcoming impeachment process is perceived as a distraction, one that inhibits the kind of vision and strategic planning that we must expect from the leader of the world's sole superpower.

This perception is not lost on those around the globe who have a stake in American leadership. And who doesn't have a stake in American leadership? One European Finance Minister here in Washington for the annual IMF World Bank talks was quoted in the New York Times with the following:

> You might find that the leader of the world's biggest economy could spend more time figuring out ways to save the world economy if he was not trying to save his job.

There is no reason for the President of the United States to be distracted to the point of even remote danger to our national security. In other words, we must not let the perception of distraction dictate the reality. We can and must address our interests here and abroad in the midst of this constitutional impeachment process.

For that reason, we cannot let this perceived distraction in any way undermine our constitutional duties as Members of Congress. Perhaps most important, we cannot let this argument of distraction serve as an excuse to avoid the kind of long-range planning and decisionmaking, the strategic thinking, that we need, and should expect, from our President in regard to the American foreign policy during these very difficult times.

These are difficult times, perhaps the most difficult and the most challenging period in the post-cold-war era. Since the end of the cold war we have experienced a combined period of peace and prosperity probably not seen in this country since the 1920s. However, ours has not been a tranquil peace. The President had to send ground troops to Somalia, Haiti, and most recently to Bosnia. We have taken to the air with swift military action in Iran, Sudan and the hills of Afghanistan. We made a show of force in Iraq, the Taiwan Straits, and recently in Serbia. If the last 7 years have proven one lesson, it is clear that the challenges of peace do not end with its achievement. It must be protected, enforced and advanced with the same vigilance and determination we used in the past to arrive at this point in history. As Henry Kissinger reminded our young allies more than 10 years ago:

> History knows no resting places. What does not advance must sooner or later decline.

The world has not been resting. Indeed, this has been a time of increasing restlessness. At no time since the fall of the Soviet Union has the world needed either individual or collective leadership more than it does today. We are in need of leadership that strives not just for quick fixes but solutions that look beyond the short term. When the world looks for leadership, it can only look one place, and that is to the United States. If the United States does not lead, there is no one else who can lead, no one else who will lead. We must lead.

The issues we face are numerous, complex, interrelated and potentially self-destructive. As we near a new millennium, we find ourselves at a virtual crossroad in so many different areas. We stand on the brink of a nuclear arms race in Asia and the Middle East. Nationalism raised the prospect of war in several regions, from Central Europe to Asia, and most ominous, we face a worldwide economic dislocation, and perhaps a global recession, a global recession that threatens to undermine, if not overwhelm, the progress of the democracies that we have seen springing up in virtually every corner of the world. Each one of these challenges has serious economic and security consequences for our own country. Each one of these issues requires leadership from the United States.

Let me expand briefly on each of these challenges. First, the threat of a nuclear arm race in Asia and the Middle East raises serious questions about the effectiveness of our own unilateral and our multilateral efforts to control the flow of materials, to control the flow of technology and information that is needed to build a nuclear weapon and the means to deliver. In May of this year, as we all recall, India and Pakistan both reinforced their status as nuclear powers. China, as we all know, has gone to great length to advance its own ballistic missile capability. And 3 years after an agreement with the Clinton administration to cease its nuclear weapons program, North Korea may still be moving forward to acquire nuclear weapons. In August, North Korea tested a two-stage ballistic missile that demonstrated its capability to deliver a nuclear payload.

When the Persian Gulf war ended in 1991, both sides agreed to a U.N. Security Council resolution that required the destruction and banned future possession and development of nuclear, chemical and biological weapons in Iraq. But time and time again, Iraq has demonstrated its clear resolve never to abide by this resolution. The United Nations demonstrated it has no resolve to insist on compliance.

Iran continues to actively pursue a nuclear weapons program. The capability, if obtained, could fuel a nuclear arms race throughout Asia and the Middle East. Perhaps of greatest concern, nuclear proliferation in this region raises the risk that a nuclear device could end up in the hands of terrorist organizations or other elements hostile to the United States or hostile to the free world.

While these nations have challenged international nuclear nonproliferation policies and agreements, others are asserting nationalism as well as ethnic prerogatives, prerogatives which have tested the United Nations and our NATO allies.

Certainly we can point to the success of the stabilization forces to sustain the Dayton peace accords in Bosnia. However, when will the ultimate end game be in sight? At what point can our troops return home? At what point can real peace sustained by the Bosnians themselves ever be achieved?

While we struggle to find the end game of peace in Bosnia, we are just beginning to make the opening moves and struggle to restore peace in the neighboring Serbian province of

Kosovo. Milosevic has pledged to abide by U.N. demand, but only after the United States and our NATO allies started speaking with force, showing that they are ready. Bosnia has taught us hard lessons. We cannot rest on a commitment made by a war criminal, and the actions or inactions over the last week clearly reinforce that, as well.

To the east, Turkey finds itself in military buildup against two adversaries, Syria and Greece. This administration now has been in a week-long struggle to revive, once again, the single issue that has kept peace and democracy bottled on the eastern shore of the Mediterranean, the peace talks between Israel and the Palestinians.

The regional tensions I have just described are fueled by ethnic and historic tensions that clearly go back for generations, go back centuries. It is safe to say that to achieve stability all sides have to defy the history of violence and bloodshed that preceded. While these nations attempt to reinforce their place in history, other nations are trying to save or achieve the economic and democratic success stories of recent history. Currency downturns across all of Asia now threaten the economic vitality in Latin America, particularly in Brazil. International drug trafficking from South America to the U.S.-Mexico border also undermines legitimate economic development efforts by countries in the production and transit zones. Our own efforts have to look to the larger global economic picture. For example, forcing a drop in the U.S. currency relative to the yen may make Japanese products less expensive, but it effectively makes products made by their Asian competitors more expensive, which could stall economic growth in places like Thailand or Singapore.

Mr. President, I have outlined a series of challenges. Each of these challenges offers no simple solutions. Let's be very clear and honest about that. Each has long-term consequences, though, for U.S. national security. All of them are really interrelated. For example, the harder it is for Russia to right herself economically and politically, the harder it will be for Russia to avoid marketing its own destructive assets—those assets, of course, being nuclear technology.

Mr. President, President Clinton is looking to leave a legacy; surely, he must be. The challenge to leave such a legacy to advance global peace and prosperity into the next century is there for the taking. Mr. President, the American people should not accept the upcoming impeachment process, or investigation—however we want to phrase it—as an identified impediment to achieving that legacy. What it would reveal instead is an administration that is lacking in the creative administrative capacity to articulate and advance a long-term foreign policy agenda. It is that failure to articulate and then stand by that agenda that poses the real risk to U.S. interests around the world.

Mr. President, it is important that we put the impeachment process launched by the House of Representatives in its proper perspective. We are not faced today with a constitutional crisis. Instead, we are beginning a constitutional process. We don't know the ultimate outcome of that. It is a constitutional process designed by our Founding Fathers, designed to be a check on the potentially abusive power of a President. It is up to us in Congress to ultimately determine what ''high crimes and misdemeanors'' mean, and to ultimately determine what the facts are. It is up to us to follow that constitutional process that was laid out over 200 years ago by the founders of this country.

Mr. President, for impeachment, the Constitution provides Congress a way to preserve the integrity of the President and, more to the point, to define this process and the kinds of practices that would fall into the category of high crimes and misdemeanors. Certainly a President faced with this constitutional process will have to devote time and effort to overcome the possible removal from office. We know that. But should we seek to limit or alter this process arbitrarily because it takes him away from other perhaps more pressing duties? Certainly not.

Mr. President, impeachment is not the only process in our Constitution that can result in removal of a President. The Constitution provides a regular formal check on the President's powers known as ''elections''—the electoral process itself. As we all know, a President who is subjected to this constitutional process has to devote a great deal of time and attention to prevent his removal from office by the people. It is called running for election and running for reelection. Campaigns have become longer and more expensive. They demand more and more of a President's time and energy. This has taken place in the midst of challenging times. Not one time was this normal election process altered because of its potentially adverse affects on a President's ability to lead in times of difficulty, or even in times of crisis. Abraham Lincoln fought both a military war to save the union and a political war to save his Presidency in 1864. Franklin Roosevelt battled economic depression, and then Nazi and Japanese aggression, through three reelection campaigns. All of his successors, except one, from Harry Truman to George Bush had to wage and win a cold war, stop and dismantle communism, run a campaign and, at the same time, remain in office.

I cite these examples because we expect our Presidents to exercise leadership even when they are being subjected to a political process that could result in their removal from office. Although the impeachment process raises very serious issues, it is no more a constitutional crisis than the very electoral process itself. Even today, in the days when Presidents are actively involved in reelection campaigns that begin almost immediately after being sworn into office, we expect our President to not let the campaign distract him from exercising leadership on the larger issues that are vital to this country. Nor have we ever postponed an election because of any fear that it would disrupt or threaten our Nation's security —not even when our Nation was at war, not even when our Nation was bitterly divided.

Mr. President, with that in mind, we should not allow the current impeachment proceedings to be used as an excuse for not confronting the more important challenges we face in the world today. As I said in the beginning of my remarks, the business of national security and global peace is never-ending. This makes Presidential leadership a full time job, no matter what constitutional processes are utilized to remove the President from office by those who elected him or those tasked to protect the integrity of that office, whether it is what we consider to be the normal every-four-year reelection process or this extraordinary, unusual process that is clearly prescribed in the Constitution—the impeachment process that we are about today.

Therefore, Mr. President, any process to address the charges raised by the independent counsel, short of that provided for in the Constitution, would be a grave mistake. I am confident that the chairman of the House Judiciary Committee, Congressman HENRY HYDE, will conduct a thorough and fair hearing. Congressman HYDE will not let the process last a day longer than is needed. It is a process that will consume the time of many members of the legislative and executive branch of Government. However, it is a process put in place by the founders of this country to preserve the integrity of representative government. We have a duty to follow that process. It is not in anyone's interest to cheapen or weaken this process in a way that compromises our system of Government.

With that said, the process must continue. I am confident that the House and the Senate will conduct themselves in a way that will give confidence to the American people that we are following the Constitution and that we are doing what we think is right—whatever the outcome.

Mr. President, I urge the President of the United States to demonstrate that we are a country capable of following our Constitution and maintaining our position of leadership in the world. That could only occur if the President brushes aside the talk of distraction and takes on the numerous challenges before us. Ultimately, Mr. President, the truest sign of weakness is not a President focused on the constitutional process at hand, but an entire administration that is not prepared to exercise the leadership needed to work with our

allies, develop sound policies, and then abide by them.

Mr. President, I thank the Chair.

EXECUTIVE SESSION

TREATIES

Mr. DEWINE. Mr. President, on behalf of the majority leader of the Senate, I ask unanimous consent that the Senate proceed to executive session to consider the following treaties on today's executive calendar: Numbers 24 through 54.

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

Mr. DEWINE. Mr. President, I further ask unanimous consent that the treaties be considered as having passed through their various parliamentary stages up to and including the presentation of the resolution of ratification, that all committee provisos, reservations, understandings, and declarations be considered agreed to.

I further ask that two technical amendments that are at the desk to treaty documents 105–34 and 104–40 be considered as agreed to, that any statements be inserted in the CONGRESSIONAL RECORD as if read.

I further ask that there be one vote to count as individual votes on each of the treaties, and further, when the resolutions of ratification are voted upon, the motions to reconsider be laid upon the table, that the President then be notified of the Senate's action, and following the disposition of the treaties, the Senate return to legislative session.

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

The amendments read as follows:

AMENDMENT NO. 3840

(Purpose: To Make a Technical Correction to the Resolution of Ratification of the Treaty Between the United States of America and the Republic of Latvia on Mutual Legal Assistance in Criminal Matters (Treaty Doc. 105–34)

On lines 5 and 6 of the Resolution of Ratification of the Treaty Between the United States of America and the Republic of Latvia on Mutual Legal Assistance in Criminal Matters (Exec. Rpt. 105–22), strike ''and an exchange of notes signed on the same date''.

AMENDMENT NO. 3841

(Purpose: To Make a Technical Correction to the Resolution of Ratification of the Treaty Between the Government of the United States of America and the Government of the State of Israel on Mutual Legal Assistance in Criminal Matters (Treaty Doc. 105–40)

On line 5 of the Resolution of Ratification of the Treaty Between the Government of the United States of America and the Government of the State of Israel on Mutual Legal Assistance in Criminal Matters (Exec. Rpt. 105–22), strike ''Tel Aviv'' and insert ''Jerusalem''.

(The resolutions of ratification will be printed in a future edition of the RECORD.)

WIPO TREATIES

Mr. DEWINE. Mr. President, I am pleased to rise in support of the resolution of ratification of two treaties that are of unsurpassed importance to America's prospects in the global economy of the 21st century.

The World Intellectual Property Organization (WIPO) treaties are hardly the topics of everyday conversation in my home state of Ohio, or in any of my colleagues' home states. But they are critically important treaties. Every country that ratifies these treaties is required to update its laws against the piracy of copyrighted materials, and to extend those laws to the electronic commerce marketplace epitomized by the Internet. That outcome will be great news for Ohioans, and for all Americans.

American creativity is the envy of the world today. Our music, movies, computer software, video games and published materials are in great demand in almost every country in the world. In fact, taken as a whole, the industries dependent on copyrighted are our country's single biggest export earner, with an estimated $60 billion in exports and foreign sales in 1996. No wonder studies show that the creative industries are one of most dynamic sectors of our economy, accounting for some 3.5 million U.S. jobs.

The greatest single threat to this economic success story is piracy. New technology heightens this threat. The Internet and other digital media offer great potential for bringing the fruits of American creativity to new markets; but they also make it easier than ever before for pirates to make unlimited numbers of perfect copies of our creative works, and distribute them around the world—literally at the touch of a button.

That's where these two new treaties come in. By requiring countries to upgrade their copyright laws, and to update them for the digital age, the WIPO Copyright Treaty and the WIPO Performances and Phonograms Treaty, provide critical new legal tools in the fight against piracy worldwide. That will help make overseas markets safer for the export of U.S. music, movies, software and books—and encourage the further growth of this key sector of our economy.

Ratification of the WIPO treaties advances another important goal—one that does not simply translate to dollars and cents. It helps to underscore the need for responsible conduct on the Internet. People who would never even consider shoplifting a CD or a videocassette from a store sometimes think the same rules about respecting private property should not apply in cyberspace. Ratifying these two treaties helps to dispel that illusion. That's good news, not only for the creative community—songwriters, performers, software designers, authors—but also for all our families as they explore the exciting new territory of the Internet.

Mr. President, as a member of the Judiciary Committee, I worked with my colleagues to hammer out the legislation needed to implement the standards of the WIPO treaties in U.S. law. Since our copyright law is already strong, only a few provisions had to be added—but, some provisions were contentious, and I am pleased that we were able to achieve a balanced, compromise solution that commanded almost unanimous support. That legislation, which also made other important improvements to our copyright law, is on its way to the President's desk, and I urge him to sign it.

Today's action complete the job, by authorizing the Administration to formally ratify the two treaties. It will also send a powerful message to our trading partners—some of whom must make many more extensive changes to their copyright laws in order to meet the standards of these treaties—that now is the time to move forward on this critical task.

I commend my colleagues in the Foreign Relations Committee for moving this measure to the Senate floor so promptly after the Senate's adoption of the implementing legislation, and I urge my colleagues to support the resolution of ratification.

Mr. HAGEL. Mr. President, on September 10, 1998, in my role as Chairman of the Subcommittee on International Economic Policy, Export and Trade Promotion, I chaired the Foreign Relations Committee hearing on two important treaties that the Senate will ratify today. I refer to the World Intellectual Property Organization Copyright Treaty (WCT) and the World Intellectual Property Organization Performances and Phonograms Treaty (WPPT), collectively known as the WIPO Treaties, done at Geneva on December 20, 1996, and signed by the United States on April 12, 1997. These treaties will play a key role in assuring U.S. global competitiveness in the electronic commerce marketplace of the 21st century.

The purpose of the WIPO Treaties is to respond to the challenges of protecting copyrighted works, performances and sound recordings in the realm of digital technology. The adoption of these treaties represents a major step toward achieving adequate protection of intellectual property in the growing global economy. Bringing these treaties into effect will greatly facilitate global electronic commerce, and will facilitate exports and foreign sales of U.S. copyrighted materials in markets around the world.

In the hearing I chaired regarding the WIPO Treaties, the Foreign Relations Committee heard testimony from representatives of the Administration and from the information technology, telecommunications, and motion picture industries, including Jack Valenti, President and CEO of the Motion Picture Association of America, as well as from a coalition of educational and library interests. All the witnesses gave their overwhelming support for U.S. ratification of the WIPO Treaties. However, the main message that came from the hearing was that the WIPO Treaties needed to pass in conjunction