

the H. Hertz Pasackow Award to Robert Miller of Miller's Landmark, one of downtown's newest businesses.

The award, for architectural excellence, was one of two presented by the Downtown Burlington Development Association to downtown leaders.

The audience of 200 gave a standing ovation to Paul Bruhn, who received the Nate Harris Award as the downtown businessperson of the year.

Bruhn, executive director of the Preservation Trust of Vermont, was recognized for 20 years of behind-the-scenes work in helping to create the Church Street Marketplace and to keep it strong.

"I'm proud to have been part of this Marketplace," Jay Pasackow said as he presented the Pasackow award to Miller.

Pasackow said Miller's \$3.5 million renovation of the former J.C. Penny building meant that "what was potential urban decay became a jewel for downtown."

Miller said he was sad the Pasackow family is closing their business but that he is excited about the Marketplace's future.

Bruhn's work has been less visible than Miller's.

As an aide to Sen. Patrick J. Leahy in the 1970s, Bruhn helped obtain the seven federal grants that helped finance creation of the Church Street pedestrian mall.

Mayor Peter Clavelle praised Bruhn for more recent work, organizing opposition to suburban mega-developments like Wal-Mart and Pyramid mall.

"Paul has been the most persistent and effective organizer of opposition to Pyramid and Wal-Mart . . . and downtown Burlington would not be what it is today if Pyramid or Wal-Mart had been built," the mayor said.●

NATO EXPANSION

● Mr. WARNER. Mr. President, one of the critical national security issues that the Senate, and indeed the Nation, is currently facing is the future of the North Atlantic Alliance. NATO, which has been the bedrock of European peace and stability for almost 50 years, is in a period of transition—adjusting to the realities of the post-cold war world. Key among the issues confronting NATO is its possible expansion to include the nations of Central and Eastern Europe, and, possibly, the states of the former Soviet Union.

Last Thursday, June 22, Senator NUNN addressed this issue in a speech to the Supreme Allied Command Atlantic [SACLANT] conference in my State at Norfolk, VA. I have enormous respect for the views of Senator NUNN, my friend and colleague for 17 years in the Senate. We have traveled together extensively and jointly worked on projects such as the Nunn-Warner Nuclear Risk Reduction Centers, currently located in Washington, DC and Moscow.

He is recognized around the world as an expert on national security issues, and in particular on issues related to NATO. While I might not agree with all of the points made in Senator NUNN's speech on NATO expansion, it is a very thoughtful contribution to this important international dialog. I commend it to the attention of my colleagues, and I ask that the text of Senator NUNN's speech be printed in the RECORD.

The text of the speech follows:

THE FUTURE OF NATO IN AN UNCERTAIN WORLD

(By Senator Sam Nunn)

1. INTRODUCTION: THE IMPORTANCE OF NATO ENLARGEMENT

Thank you, General Sheehan, for your kind introduction. Secretary General Claes, NATO Military Committee Chairman Field Marshal Vincent, distinguished NATO ambassadors, distinguished military commanders, distinguished guests, I am honored to be with you this morning to discuss the role of NATO in the post Cold War period.

The pivotal issue of NATO expansion deserves thorough and careful consideration, because it has important ramifications: for the future of NATO; for the countries of central and eastern Europe; for the future of Russia and the other countries of the former Soviet Union; and for the future security and order throughout Europe, east and west.

II. NEW SECURITY SITUATION

NATO was established primarily to protect the Western democracies from an expansionist Soviet Union that seemed determined to spread its influence through subversion, political intimidation and the threat of military force.

When NATO was formed in the late 1940's, Europe was faced with postwar devastation and the emergence of Soviet aggression and confrontation. Western consensus developed around two critical concepts that were decisive in winning the Cold War and in winning the peace: First, Germany and Japan should not be isolated but should be integrated into the community of democratic nations. Second, the western democracies should pursue together a policy of containment, and unite in NATO to carry out this policy.

Integration and containment succeeded; The Berlin Wall is down and Germany is united. Eastern Europe and the Baltics are free at last. The Soviet Empire has disintegrated and Russia is struggling to try to establish a market economy and some semblance of democracy.

For almost half a century, NATO's military strength was our defensive shield against aggression by the Soviet Union, but our offensive sword was our free societies, our innovative and energetic peoples, our free market systems and our free flow of ideas.

With the end of the Cold War, we have witnessed a heart-pounding, terrain-altering set of earthquakes centered in the former Soviet Union and in Eastern Europe. These seismic events have ended an international era.

The European security environment has changed. We have moved from a world of high risk, but also high stability because of the danger of escalation and balance of terror, to a world of much lower risk but must less stability. In a strange and even tragic sense, the world has been made safer for racial, ethnic, class and religious vengeance, savagery and civil war. Such tragedy has come to the people of Bosnia, Somalia, Haiti, Rwanda, Burundi, Liberia, Sudan, Tajikistan, Georgia, Azerbaijan, and many others.

The dust has not settled. Bosnia continues to erode NATO's credibility and confidence. Yet it is clear that the overall security and freedom of Europe has dramatically improved.

The Eastern European countries, the Baltic countries, and many of the countries of the former Soviet Union have become fully independent, are turning westward, and are anxious to become part of the European community and to join NATO as full members.

We are no longer preoccupied with the crucial Cold War issue of how much warning

time NATO would have in advance of a massive conventional attack westward by the Warsaw Pact.

During the Cold War, we worried about a Soviet invasion deep into Western Europe. As Michael Mandelbaum points out, the current debacle in Chechnya indicates that Russia today has serious trouble invading itself.

Today, our military planners estimate that preparation for a Russian conventional military attack, even against Eastern Europe, would take several years at a minimum—assuming the resources could be found to rebuild the undermanned, underfunded, poorly trained and poorly disciplined Russian military establishment.

Russia itself has gone from being the center of a menacing, totalitarian global empire to an economically-weak, psychologically-troubled country struggling to move toward democracy and a market-based economy.

A multilateral security system is forming across Europe that reduces nuclear and conventional armaments and makes a surprise attack by Russian conventional military forces toward the West increasingly unlikely.

I have in mind the cumulative effect of such agreements as the INF Treaty, the CFE Treaty, the unilateral U.S. and Soviet decisions to reduce tactical nuclear weapons in Europe, the START I and pending START II Treaties, and the pending Chemical Weapons Convention and Open Skies Treaty.

These mechanisms are far from perfect, several await ratification, and they require vigorous verification and full implementation. Yet even at this stage, they significantly enhance warning time that today is measured in years rather than in days or in months.

We are all aware of the dramatic change in the threat environment in Europe resulting from these changes.

The immediate danger is posed by violent terrorist groups; by isolated rogue states, by ethnic, religious, and other types of sub-national passion that can flare into vicious armed conflict. The lethality of any and all of these threats can be greatly magnified by the proliferation of nuclear, chemical and biological weapons, as well as by the spread of destabilizing conventional weapons.

This audience is well aware that Russia currently possesses over 20,000 nuclear weapons, at least 40 thousand tons of chemical weapons, advanced biological warfare capabilities, hundreds of tons of fissile material, huge stores of conventional weapons, plus thousands of scientists and technicians skilled in manufacturing weapons of mass destruction.

This is the first time in history that an empire has disintegrated while possessing such enormous destructive capabilities. Even if these capabilities are greatly reduced, the know-how, the production capability, and the dangers of proliferation will endure for many years. This is the number one security threat for America, for NATO, and for the world.

As we contemplate NATO enlargement, we must carefully measure its effect on this proliferation threat.

In the longer term, we cannot dismiss the possibility of a resurgent and threatening Russia.

Russia not only has inherited the still dangerous remnants of the Soviet war machine. In addition, even in its currently weakened condition, Russia possesses great potential in human and material resources. By virtue of its size and strategic location, Russia exerts considerable weight in Europe, Asia and the Middle East. Meanwhile, Russia has inherited the USSR's veto power in the UN Security Council and therefore has a major voice in multilateral decision making.

Russia will be a major factor, for better or worse, across the entire spectrum of actual and potential threats.

Russia can fuel regional conflicts with high technology conventional weapons, along with political and other material support.

Or Russia can cooperate with us in defusing such conflicts, particularly by preventing the spread of Russian weaponry to irresponsible hands.

Russia can itself emerge as a militarily aggressive power.

Or Russia can assist us in averting new rivalry among major powers that poisons the international security environment.

Russia can pursue a confrontational course that undermines security and cooperation in Europe.

Or it can work with us to broaden and strengthen the emerging system of multilateral security in Europe.

Out of all this background come five fundamental points:

First, preventing or curbing the proliferation of weapons of mass destruction is the most important and most difficult security challenge we face.

Second, Russia is a vast reservoir of weaponry, weapons material and weapons know-how. Thousands of people in Russia and throughout the former Soviet Union have the knowledge, the access, and strong economic incentives to engage in weapons traffic.

Third, increased Russian isolation, paranoia or instability would make this security challenge more difficult and more dangerous.

Fourth, although the West cannot control events in Russia, and probably can assist political and economic reform there only on the margins, as the medical doctors say, our first principle should be DO NO HARM.

Fifth, we must avoid being so preoccupied with NATO enlargement that we ignore the consequences it may have for even more important security priorities.

III. PROBLEMS WITH THE CURRENT APPROACH TO NATO ENLARGEMENT

It is against this background that I offer a few observations on the current approach to NATO enlargement.

NATO's announced position is that the question of enlargement is not whether, but when and how. Somehow I have missed any logical explanation of WHY. I cannot speak of public opinion in other countries, but in America when the enlargement debate focuses on issues of NATO nuclear policy, NATO troop deployments, and formal NATO military commitments—played against the background of repercussions in Russia—somebody had better be able to explain to the American people WHY, or at least WHY NOW.

NATO was founded on a fundamental truth: the vital interests of the countries of NATO were put at risk by the military power and political intimidation of the Soviet Union. As President Harry Truman said in his memoirs: "The [NATO] pact was a shield against aggression and against the fear of aggression. . . ." Because NATO was built on this fundamental truth, and because we discussed it openly and faced it truthfully with our people, the alliance endured and prevailed.

Today, we seem to be saying different things to different people on the subject of NATO enlargement.

To the Partnership for Peace countries, we are saying that you are all theoretically eligible and if you meet NATO's entrance criteria (as yet not fully spelled out), you will move to the top of the list.

To the Russians, we are also saying that NATO enlargement is not threat-based and

not aimed at you. In fact, you too can eventually become a member of NATO. This raises serious questions.

Are we really going to be able to convince the East Europeans that we are protecting them from their historical threats, while we convince the Russians that NATO's enlargement has nothing to do with Russia as a potential military threat?

Are we really going to be able to convince Ukraine and the Baltic countries that they are somehow more secure when NATO expands eastward but draws protective lines short of their borders and places them in what the Russians are bound to perceive as the "buffer zone?"

In short, are we trying to bridge the unbridgeable, to explain the unexplainable? Are we deluding others or are we deluding ourselves?

The advantages of NATO's current course toward enlargement cannot be ignored. If NATO expands in the near term to take in the Visegrad countries, these countries would gain in self-confidence and stability. It is possible that border disputes and major ethnic conflicts presumably would be settled before entry—for instance, the dispute involving the Hungarian minority in Romania.

However, the serious disadvantages must be thought through carefully.

For example, my conversations with Russian government officials, members of the Russian parliament across the political spectrum, and non-official Russian foreign policy specialists convince me that rapid NATO enlargement will be widely misunderstood in Russia and will have a serious negative impact on political and economic reform in that country. There are several reasons for this:

At the moment, Russian nationalism is on the rise and reformers are on the defensive. The Russian military establishment and the still huge military-industrial complex that undergirds it are dispirited and resentful.

The average Russian voter has trouble making ends meet, is unsure what the future may hold, but is well aware that Russia has gone from being the seat of a global empire and the headquarters of a military superpower to a vastly weakened international status.

Russian nationalists feed this sense of loss and uncertainty by proclaiming that rapid NATO enlargement is intended to take advantage of a weakened Russia and will pose a grave security threat to the Russian people. Russian demagogues argue that Russia must establish a new global empire to counter an expansionist west. They smile with glee every time NATO expansion is mentioned.

Russian democrats do not see an immediate military threat from an enlarged NATO but fear the reaction of the Russian people. The democrats worry that alarmist messages, however distorted, will set back democracy by increasing popular tolerance for authoritarianism and renewed military spending within Russia, and by isolating Russia from western democracies.

In short, if NATO enlargement stays on its current course, reaction in Russia is likely to be a sense of isolation by those committed to democracy and economic reform, with varying degrees of paranoia, nationalism and demagoguery emerging from across the current political spectrum.

In the next few years, Russia will have neither the resources nor the wherewithal to respond with a conventional military build-up. If, however, the more nationalist and extreme political forces gain the upper hand, by election or otherwise, we are likely to see other responses that are more achievable and more dangerous to European stability. For example:

While Russia would take years to mount a sustained military threat to eastern Europe, it can within weeks or months exert severe external and internal pressure on its immediate neighbors to the west—including the Baltic countries and Ukraine. This could set in motion a dangerous action-reaction cycle.

Moreover, because a conventional military response from Russia in answer to NATO enlargement is infeasible, a nuclear response, in the form of a higher alert status for Russia's remaining strategic nuclear weapons and conceivably renewed deployment of tactical nuclear weapons, is more likely. The security of NATO, Russia's neighbors, and the countries of eastern Europe will not be enhanced if the Russian military finger moves closer to the nuclear trigger.

By forcing the pace of NATO enlargement at a volatile and unpredictable moment in Russia's history, we could place ourselves in the worst of all security environments: rapidly declining defense budgets, broader responsibilities, and heightened instability. We will also find ourselves with increasingly difficult relations with the most important country in the world in terms of potential for proliferation of weapons of mass destruction.

This is the stuff that self-fulfilling prophecies, and historic tragedies, are made of.

IV. SPECIFIC RECOMMENDATIONS FOR ALLIANCE POLICY

Where do we go from here? I recognize that it is much easier to criticize than to construct, but I do have a few suggestions.

I suggest a two-track approach to NATO enlargement.

The first track would be evolutionary and would depend on political and economic developments within the European countries who aspire to full NATO membership. When a country becomes eligible for European Union membership, it will also be eligible to join the Western European Union and then be prepared for NATO membership, subject to course to NATO approval.

This is a natural process connecting economic and security interests.

We can honestly say to Russia that this process is not aimed at you.

The second track would be threat-based. An accelerated, and if necessary immediate, expansion of NATO would depend on Russian behavior. We should be candid with the Russian leadership, and above all honest with the Russian people, by telling them frankly:

If you respect the sovereignty of your neighbors, carry out your solemn arms control commitments and other international obligations, and if you continue on the path toward democracy and economic reform, your neighbors will not view you as a threat, and neither will NATO.

We will watch, however, and react:

(1) to aggressive moves against other sovereign states;

(2) to militarily significant violations of your arms control and other legally binding obligations pertinent to the security of Europe;

(3) to the emergence of a non-democratic Russian government that impedes fair elections, suppresses domestic freedoms, or institutes a foreign policy incompatible with the existing European security system.

These developments would be threatening to the security of Europe and would require a significant NATO response, including expansion eastward. We would be enlarging NATO based on a real threat. We would not, however, be helping to create the very threat we are trying to guard against.

Finally, Partnership for Peace is a sound framework for this two-track approach. Its role would be to prepare candidate countries and NATO itself for enlargement on either

track. Programs of joint training and exercises, development of a common operational doctrine, and establishment of inter-operable weaponry, technology and communications would continue, based on more realistic contingencies. Tough issues such as nuclear policy and forward stationing of NATO troops would be discussed in a threat-based framework, one which we hope would remain theoretical.

As the Russian leaders and people make their important choices, they should know that Russian behavior will be a key and relevant factor for NATO's future. This straightforward approach is also important for our citizens, who will have to pay the bills and make the sacrifices required by expanded NATO security commitments.

The profound historical contrast between post-World War I Germany and post-World War II Germany should tell us that neo-containmentment of Russia is not the answer at this critical historical juncture. If future developments require the containmentment of Russia, it should be real containmentment, based on real threats.●

CELEBRATING THE CENTENNIAL OF THE CHURCH PUBLIC SCHOOL

● Mr. LEVIN. Mr. President, I am pleased to call the attention of my colleagues to an institution in Michigan that is celebrating their 100th anniversary. On July 9, 100 years ago land for the church school, formally known as Lincoln No. 2, was deeded to the school district by Julius and Sophia Labute for the price of \$49.50. The Huron Tribune posted a notice on June 21, 1895, that requested sealed tenders for the erection of a veneered schoolhouse in District No. 2, Township of Lincoln.

While the complete records of who taught at the school that first year were not preserved, we do know that the school was completed and was most likely in session because of June Nelson who authored the story, *A Long Trek*. The story is one of many in Ms. Nelson's book entitled *"Tales From the Tip of the Thumb."* The story tells of a wagon train leaving from Filion, MI, in October 1895 and the travelers were looking for a map of the United States. One of them remembered that the new Lincoln No. 2 schoolhouse on the corner had such a map in its geography chart and they had no trouble obtaining it in the middle of the night.

For 100 years that schoolhouse on the corner has taught thousands of students the basic building blocks that lead to a life of learning. I congratulate them on a century of success and wish them well as they enter the new millennium with the timeless values that have served them and their students well since the 19th century.●

NATIONAL INFORMATION INFRASTRUCTURE PROTECTION ACT OF 1995

● Mr. KYL. Mr. President, I ask that S. 982, the National Information Infrastructure Protection Act of 1995, be printed in the RECORD.

The text of the bill follows:

S. 982

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Information Infrastructure Protection Act of 1995".

SEC. 2. COMPUTER CRIME.

Section 1030 of title 18, United States Code, is amended—

(1) in subsection (a)—
(A) in paragraph (1)—
(i) by striking "knowingly accesses" and inserting "having knowingly accessed";
(ii) by striking "exceeds" and inserting "exceeding";
(iii) by striking "obtains information" and inserting "having obtained information";
(iv) by striking "the intent or";
(v) by striking "is to be used" and inserting "could be used"; and
(vi) by inserting before the semicolon at the end the following: "willfully communicates, delivers, transmits, or causes to be communicated, delivered, or transmitted, or attempts to communicate, deliver, transmit or cause to be communicated, delivered, or transmitted the same to any person not entitled to receive it, or willfully retains the same and fails to deliver it to the officer or employee of the United States entitled to receive it";
(B) in paragraph (2)—
(i) by striking "obtains information" and inserting "obtains—
"(A) information"; and
(ii) by adding at the end the following:
"(B) information from any department or agency of the United States; or
"(C) information from any protected computer if the conduct involved an interstate or foreign communication";
(C) in paragraph (3)—
(i) by striking "the use of the Government's operation of such computer" and inserting "that use by or for the Government of the United States"; and
(ii) by striking "adversely";
(D) in paragraph (4)—
(i) by striking "Federal interest" and inserting "protected"; and
(ii) by inserting before the semicolon the following: "and the value of such use is not more than \$5,000 in any 1-year period";
(E) by amending paragraph (5) to read as follows:

"(5)(A) knowingly causes the transmission of a program, information, code, or command, and as a result of such conduct, intentionally causes damage without authorization, to a protected computer;
"(B) intentionally accesses a protected computer without authorization, and as a result of such conduct, recklessly causes damage; or
"(C) intentionally accesses a protected computer without authorization, and as a result of such conduct, causes damage"; and
(F) by inserting after paragraph (6) the following new paragraph:
"(7) with intent to extort from any person, firm, association, educational institution, financial institution, government entity, or other legal entity, any money or other thing of value, transmits in interstate or foreign commerce any communication containing any threat to cause damage to a protected computer";
(2) in subsection (c)—
(A) in paragraph (1), by striking "such subsection" each place it appears and inserting "this section";
(B) in paragraph (2)—
(i) in subparagraph (A)—
(I) by inserting " , (a)(5)(C), " after "(a)(3)"; and

(II) by striking "such subsection" and inserting "this section";
(ii) by redesignating subparagraph (B) as subparagraph (C);
(iii) by inserting immediately after subparagraph (A) the following:
"(B) a fine under this title or imprisonment for not more than 5 years, or both, in the case of an offense under subsection (a)(2), if—
"(i) the offense was committed for purposes of commercial advantage or private financial gain;
"(ii) the offense was committed in furtherance of any criminal or tortious act in violation of the Constitution or laws of the United States or of any State; or
"(iii) the value of the information obtained exceeds \$5,000"; and
(iv) in subparagraph (C) (as redesignated), by striking "such subsection" and inserting "this section";
(C) in paragraph (3)—
(i) in subparagraph (A)—
(I) by striking "(a)(4) or (a)(5)(A)" and inserting "(a)(4), (a)(5)(A), (a)(5)(B), or (a)(7)"; and
(II) by striking "such subsection" and inserting "this section"; and
(ii) in subparagraph (B)—
(I) by striking "(a)(4) or (a)(5)" and inserting "(a)(4), (a)(5)(A), (a)(5)(B), (a)(5)(C), or (a)(7)"; and
(II) by striking "such subsection" and inserting "this section"; and
(D) by striking paragraph (4);
(3) in subsection (d), by inserting "subsections (a)(2)(A), (a)(2)(B), (a)(3), (a)(4), (a)(5), and (a)(6) of" before "this section.";
(4) in subsection (e)—
(A) in paragraph (2)—
(i) by striking "Federal interest" and inserting "protected";
(ii) in subparagraph (A), by striking "the use of the financial institution's operation or the Government's operation of such computer" and inserting "that use by or for the financial institution or the Government"; and
(iii) by amending subparagraph (B) to read as follows:
"(B) which is used in interstate or foreign commerce or communication";
(B) in paragraph (6), by striking "and" the last place it appears;
(C) by striking the period at the end of paragraph (7) and inserting "; and"; and
(D) by adding at the end the following new paragraphs:
"(8) the term 'damage' means any impairment to the integrity or availability of data, a program, a system, or information, that—
"(A) causes loss aggregating at least \$5,000 in value during any 1-year period to one or more individuals;
"(B) modifies or impairs, or potentially modifies or impairs, the medical examination, diagnosis, treatment, or care of one or more individuals;
"(C) causes physical injury to any person; or
"(D) threatens public health or safety; and
"(9) the term 'government entity' includes the Government of the United States, any State or political subdivision of the United States, any foreign country, and any state, province, municipality, or other political subdivision of a foreign country."; and
(5) in subsection (g)—
(A) by striking " , other than a violation of subsection (a)(5)(B), "; and
(B) by striking "of any subsection other than subsection (a)(5)(A)(ii)(II)(bb) or (a)(5)(B)(ii)(II)(bb)" and inserting "involving damage as defined in subsection (e)(8)(A)".●