

clear through its actions that it intends to live up to those responsibilities only when it feels like it. Therein lies the problem.

Intellectual property rights became an issue not as some manufactured attempt to weaken China's economic expansion but because the Chinese were allowing, even encouraging in some cases, widescale piracy in contravention of a series of international and bilateral agreements. Chinese companies were, in effect, stealing from us to the tune of several billion dollars a year. Is it any wonder, then, that we showed an interest in the topic? As for its entry into the WTO, China's position on accession can best be likened to wanting to have its cake and eat it too. It wants to have the benefits of that international agreement, but will not live up to others it has signed such as the Convention on Arbitration. It wants to be treated as a developed country where such treatment suits its needs, but as a developing country in other areas. For example, although the Chinese Minister of Chemical Industry Gu Xiulian has proudly noted that China's soda ash production has "leapt to the front row in the world" and is one of the top three chemicals produced in China—a statement one would logically assume is concomitant with developed status—it has instead demanded developing status for this chemical industry. This would allow it to continue to leave in place artificially high tariffs imposed against United States imports of soda ash. China cannot have it both ways, and our calling them on this and similar attempts is simply a matter of equity and nothing more. It is of some interest to note at this juncture that if we were involved in some overall scheme to hinder China's economy, the President would hardly have recommended renewing that country's MFN status as he did this month. And, as I strongly suspect it will, Congress would have hardly gone along with that renewal.

There are other areas where the PRC appears to see the conspiracy at work: the restriction on sales to that country of United States technology with possible military applications, calls for greater access to Chinese markets, statements of concern about the possibility of regional conflict in the Spratly Island group, et cetera; but I will not belabor my point lest our Chinese friends decide that I protest too much. Let me just state that while the paranoid can manufacture a conspiracy out of any given set of facts, regardless of how unrelated they may be, I hope that the Chinese will reflect on the issues as I have briefly outlined them and see that there is no unified plan to get them.

It is unfortunate that Sino-American relations have taken a downturn over the past few weeks, and that there might be some who view that downturn as evidence of the so-called conspiracy in United States/China policy. I can assure our Chinese friends that such a

downturn was not desired, and should not be allowed to linger. Having said that, let me also state emphatically that it will not behoove some isolated circles in the PRC to exacerbate or overreact to the present situation for ulterior reasons; I have seen some disturbing signs that there may be a growing tendency on the Chinese side for some to do just that. It may be thought that by placing the United States on the defensive, United States officials—"anxious to restore meaningful dialogue with China presumably would be expected to 'prove' their intentions with some gestures designed to show the Chinese that their conspiratorial view of U.S. policy is no longer correct." As proof of our goodwill, the Chinese side might suggest a series of unilateral gestures on the part of the United States.

This is not just hypothesizing on my part; I have already seen a few examples of it. For instance, a June 27 KYODO news agency broadcast reported that Zhou Shijian, deputy head of the Research Institute of International Trade at MOFTEC—the Ministry of Foreign Trade and Economic Cooperation—had said in an interview that the United States should take three steps to sooth the PRC's rancor over the President Lee visit: send a special envoy to Beijing to apologize, support PRC membership in the WTO, and lift restrictions on technology transfers to China.

Mr. President, let me note first that I—and I believe most other Members of Congress—would strongly oppose any move by the administration to make any unilateral concessions of this magnitude under this type of circumstance; it would set a very distasteful precedent. Moreover, Mr. Zhou could not have picked a less likely three areas in which to expect gratuitous action on our part. Let me explain.

First, while we regret the effect of President Lee's visit on the United States-China relationship, and regret that it has upset the Chinese side, sending an envoy to apologize presupposes that the decision to admit Lee was wrong. It was not; and given the votes calling for Lee's visit in both the House and the Senate, I think one would be hardpressed to find more than three of the 535 Members who would agree that was.

Second, we have made clear that our support for the PRC's accession to the WTO is dependent on China's adherence to the provisions of other multilateral economic agreements to which it is a party such as international IPR and arbitration conventions. While the PRC has made strides in the IPR field, its compliance in others has been less than satisfactory. For example, although a signatory to the international arbitration convention, the Chinese have steadfastly refused to honor a \$6 million award against a Shanghai firm in favor of a United States company named Revpower. Until China lives up to commitments such as this one, I and

many others do not believe that our support should be forthcoming, especially on a unilateral basis.

Finally, we come to restrictions on technology transfers. These restrictions were put into place after the Tienanmen massacre, and are designed to keep technology with military applications out of the hands of the PLA. Although there had been some discussion here of loosening the restrictions, that possibility has pretty much evaporated in light of credible information that the Chinese have been involved in transfers of technological and military hardware to rogue countries such as Iran. Given the very real possibility that were we to resume some transfers China might simply transship our materials to these countries, I do not think that the Chinese will see a change in that position anytime soon.

Mr. President, let me close by reiterating that there is no grand design to keep China from occupying its proper place in the world. And, as for the present souring in the relationship, I hope that, like the ripples in a pond after a stone is thrown into it, the ripples in the relationship will continue to grow smaller until things are once again smooth.●

IMPORTATION OF SPENT NUCLEAR FUEL FROM FOREIGN RESEARCH REACTORS

● Mrs. MURRAY. Mr. President, I wish to comment this morning on the Department of Energy's proposal to import spent nuclear fuel from foreign research reactors through commercial ports such as Tacoma, WA.

Before I begin, I would like to thank DOE, and in particular Mr. Charles Head, for the outstanding efforts put forward by DOE to ensure that the citizens of Tacoma have had adequate opportunities to review information and make comments on DOE's proposal. The additional public hearing held last week was well received and well attended and the extension of the public comment period until July 20th is appreciated. DOE's efforts have not gone unnoticed.

Mr. President, I fully appreciate the United States nuclear nonproliferation policies and objectives. I also understand the important role that removing spent nuclear fuel from the global marketplace plays in those policy objectives. Nonetheless, I would like to express my serious concerns regarding DOE's proposal. DOE's draft environmental impact statement on the handling of foreign spent nuclear fuel does not adequately assess the potential risks that alternative #1, the importation and interim storage of foreign spent nuclear fuel in the United States, could pose to the citizens of the United States, particularly those who reside in the port communities suggested as points of entry in the DEIS and those near proposed waste storage facilities.

Along with my colleagues from the State of Washington, I recently sent a

letter to Secretary O'Leary outlining the reasons behind our concerns. I ask that a copy of that letter be printed in the RECORD. In summary, we raised concerns over the evaluation of the potential exposure of the general public to radiation, the inadequate training and equipment possessed by Tacoma emergency response units to deal with a radiation emergency, the failure to address the potential for terrorist activities during the importation process, and the proposal to use the Hanford nuclear facility as an interim storage facility. Given these concerns, we asked DOE to no longer consider using commercial ports such as Tacoma, but to limit further consideration of alternative #1 to military ports.

It has recently come to my attention that alternative #2 in the DEIS, facilitating the management of the spent nuclear fuel overseas, may be a better choice. Although the DEIS presents a number of difficulties in implementing alternative #2, it may be more feasible than previously thought. There is a processing facility in Scotland that is apparently both able and willing to take the spent nuclear fuel and reprocess it into more stable, less threatening material. I want to encourage DOE to fully investigate this possibility. It could ensure that we meet our nuclear nonproliferation goals without threatening the health and safety of United States citizens.

I look forward to working with DOE and the administration to ensure that we meet our nuclear nonproliferation objectives while simultaneously protecting the citizens of the United States.

The letter follows:

U.S. SENATE
Washington, DC, June 8, 1995.

HAZEL O'LEARY,
Secretary, U.S. Department of Energy,
Washington, DC.

DEAR SECRETARY O'LEARY. We are writing to express our concerns over the alternatives proposed in the Department of Energy's (DOE) Draft Environmental Impact Statement (DEIS) on the management of spent nuclear fuel (SNF) from foreign research reactors. We are concerned about the proposed option of importing the foreign SNF through commercial ports such as Tacoma, WA.

While the desire to encourage other nation's research reactors to switch to low-enriched uranium (LEU) from highly-enriched uranium (HEU) is an integral component of the United States overall nuclear nonproliferation policy, importing foreign SNF through commercial ports may not be necessary. The DOE DEIS lists two military ports among the ten possible ports of entry for the SNF. We feel that DOE should limit further consideration of importing SNF to these or other appropriate military ports because of the considerable concern amount citizens and city officials about importing SNF through commercial ports.

First, there is significant apprehension about the threats to public health importing this SNF through commercial ports would create. Although DOE has stated that the threats to public health are not significant given the state of the material and the overly cautious design of the storage casks, we are not convinced that no public health threat exists. There is public concern that

longshoremen, sailors, and average citizens could potentially become exposed to significant radiation levels. Whether this risk is real or only perceived is irrelevant. Importing foreign SNF through commercial ports would at best threaten public confidence and citizens' sense of security and at worst pose a significant threat to public health.

Second, the DEIS states: "Primary responsibility for emergency response to a foreign research reactor SNF incident would reside with local authorities." Although the port and city of Tacoma have emergency response plans for hazardous materials, neither the Police and Fire Departments nor the Port workers are properly equipped or trained to contend with a significant radiation emergency. Properly equipping and training these people would add a significant and unnecessary cost to the overall proposal. In addition, it is not clear that Police Officers, Fire Fighters, and port workers would be willing to undergo such training, knowing that it opens them up to potential future radiation exposure. In fact, port workers in Tacoma may declare their unwillingness to handle the material during even routine transport procedures, let alone emergencies.

Third, importing foreign SNF through commercial ports runs contrary to the overall policy objective of reducing the worldwide availability of HEU and other nuclear waste. If lengthy, unnecessary and relatively low-security transportation of SNF occurs through commercial ports, the increased opportunities for theft, hijacks, and sabotage could result in greater accessibility to the SNF than desired. As current events have unfortunately revealed, the United States is not immune to terrorism, either foreign or domestic. Even if this material could not be used in the making of nuclear weapons, and some of it could, the very fact that it is radioactive makes it dangerous. Transporting this material through commercial ports would create an unnecessary threat to national security.

These concerns present a compelling case for DOE to preclude further consideration of commercial ports like Tacoma, WA for the importation of foreign SNF. While removing HEU and other nuclear waste from the global marketplace is an essential aspect of nuclear nonproliferation, importing this material through military ports may prove more reasonable given the increased protection that could be provided to public health and safety and national security.

We are also concerned about the proposal to store the foreign SNF at the Hanford Nuclear Reservation. This idea is unacceptable given the current state of affairs at that facility. The current environmental problems associated with the storage of nuclear waste at the Hanford site have resulted in clean up costs near \$50 billion. In addition, current budget pressures will make it difficult for DOE to meet its legally enforceable clean up schedule. Additional waste management responsibilities could further hamper the Department's efforts at the site.

In summary we would appreciate DOE limiting further consideration of this proposal to military ports and adequate storage facilities.

Thank you for your consideration. We look forward to your response.

Sincerely,

PATTY MURRAY.
JIM MCDERMOTT.
NORM DICKS.●

EBOLA

● Mr. SIMON. Mr. President, one of the Americans who has a great deal of firsthand knowledge of Zaire, the trou-

bled country in Africa, is Dr. William Close, a physician who spent a number of years in Zaire.

He is a remarkable person whose 16 years were not only given to service of the people of Zaire but given to keen observation.

Dr. Close, whose instincts and insights I have come to trust, believes that the United States should be backing Prime Minister Kengo more firmly. It is the peaceful way out for a nation that is now destitute. It is a way out from Mobutu dictatorship.

He has written a novel about the disease that we have heard so much about, ebola. That is also the title of his book. I have not read the book, but I understand it provides real insights into Africa.

I have read the epilog to the book, which is not fiction. The book is fiction but based in large part on facts. The epilog contains insights, not only into Zaire but into international tragedies, as well as domestic tragedies.

For example, when Dr. Close writes: "Devastating diseases breed in the cesspools of poverty," he could be writing about other countries, but he could also be writing about our country.

He prods our consciences when he writes:

When the people of one nation are crushed by destitution, disaster from revolutions or plagues are inevitable. Then, countries such as ours, which with small amounts of timely assistance could have prevented the worst from happening, are forced into more massive involvement. Recent history proves the point.

I ask that Dr. Close's epilog to his book, "Ebola," be printed in the RECORD.

The epilog follows:

EPILOG

After the first explosion of Zaire's Ebola virus in 1976, the country continued on its inexorable decline into economic collapse and political chaos. A different strain of Ebola erupted in south Sudan three years later. As before, it came . . . it killed . . . it disappeared.

Ten years after the tragedies in Yambuku, I had settled into a remote rural medical practice in Wyoming. One morning I opened the newspaper and read that the United States Army intended to build an aerosol lab at Dugway Proving Ground near Salt Lake City to test hemorrhagic fever viruses, including Ebola, for "defensive purposes." With Salt Lake City only a three-and-a-half-hour drive from my Wyoming home, I felt a tightening in my gut: there would be no defense against a laboratory accident. An outcry from the people of Utah delayed the project—for the time being.

Four years ago, Zaire was again on the front pages. Like a coup de grace, a violent mutiny gripped the country by its throat. The troops, backed by a desperate, hungry population, rampaged through the major cities and destroyed what little remained of industry, commerce, and the rotting infrastructure.

In August of 1994, I returned to Zaire at the invitation of the Prime Minister of the transitional government, Mr. Kengo wa Dondo, an old friend. With Zairian and Belgian colleagues, we reviewed the medical crises that continue to overwhelm the country. Sleeping sickness, river blindness, goiters and cretinism, and malaria had been under effective