

It might be argued, of course, that a test could be conducted for a purpose entirely unrelated to those stated in the Treaty—for example, to make sure an existing weapon won't explode accidentally. But the Treaty negotiators concluded, in part at our insistence, that even nuclear explosions confirmed as entirely peaceful are precluded, because they can't be distinguished from tests with weapons value. Some of you may have heard me refer to so-called "peaceful nuclear explosions" as the atomic equivalent of a friendly punch in the nose. Whether or not it accepted the characterization, the CD agreed with the conclusion and outlawed PNEs.

In short, because a test cannot be undone, and the resultant data will not disappear, it is reasonable to conclude that any further testing would defeat the CTBT's object and purpose, and thus is precluded by any signatory state—that if a country signs the CTBT, it is legally bound not to test, whether or not it has ratified, and whether or not the Treaty is in force.

#### THE U.S. IS PROTECTED PENDING ENTRY INTO FORCE

Does this mean the U.S. has signed on to a bad security bargain, because we cannot test while others, who haven't signed, can press ahead?

First, it is important, of course, that all the declared nuclear weapon states, having signed, are bound to the same extent we are.

Moreover, note that the obligation not to frustrate the object and purpose of the Treaty does not usurp the Senate's constitutional role of advice and consent to ratification. So if we decide based on international developments that restraint is no longer in our interest, we simply have to provide an authoritative national signal that we no longer intend to ratify the Treaty, and we will no longer be constrained. This is considerably simpler than invoking the "supreme national interest" clause after ratification to withdraw from the CTBT according to its terms.

Meanwhile, we can do a great deal to assess whether other countries are holding to the bargain. Even before entry into force, we have excellent and improving capabilities to monitor compliance.

This baseline confidence derives from our National Technical Means for detecting nuclear explosions—seismic techniques we've been working on for more than 35 years, our satellite nuclear burst detection system, and other assets. Over the years, our seismologists and other scientists have made great strides in event detection, location, and identification—giving us truly sensitive seismic arrays and other forensic techniques of extraordinary utility. Recent strides in computer modeling and data integration are further improving our capabilities. Such efforts have been spurred by the President's call last year to heighten confidence even at very low yields. So even pending the Treaty's entry into force, our national abilities to monitor nuclear testing will stand us in good stead.

#### WE WILL NOT REST UNTIL THE TREATY ENTERS INTO FORCE

Does all this mean our diplomatic job is done? Obviously not. Formal entry into force remains indispensable. For only this will bring into being the CTBT's full apparatus for verifying compliance, including the International Monitoring System with four different kinds of sensors, and its International Data Center, where data from these sensors will be compiled, analyzed, integrated and shared. And the Treaty's provision for on-site inspections is an important means of detecting and deterring cheaters—especially in light of recent and emerging advances in detecting the slightest traces of

radioactivity that linger for weeks in the vicinity of even a small and well-hidden nuclear explosion.

This is no time to break strike in the hard climb toward entry into force. For we know that a state violating a treaty commitment is even more of a pariah than one violating a powerful international norm . . . that evidence of any violation is all the more credible when every nation has a state and a voice in its discovery . . . that any would-be testing state is less likely to proceed if it has made a conscious decision not to, instead of chafing against an international opinion it does not share.

It is deeply in our interest for the CTBT to be a binding legal commitment on every country—and for every country to participate in its enforcement. So we are determined to bring it into force.

#### CONCLUSION

More than 30 years ago, John F. Kennedy said of a CTBT, "The conclusion of such a treaty, so near and yet so far, would check the spiraling arms race in one of its most dangerous areas. And it would place the nuclear posers in a position to deal more effectively with . . . the further spread of nuclear arms." President Kennedy was right on all counts. And his vision is now being realized—a truth to celebrate and savor.

Nuclear weapons have been explored twice in war—and more than 2,000 times in contemplation of war, at more than 20 locations around the globe. And all the while, the world's store of knowledge about how the work has continued to mushroom.

Now, after five decades of testing and four decades of calls to end it, the world has said, "enough." At long last we have erected a powerful barrier to further testing.

Let us do our utmost to buttress it, bring it into force—and then enforce it for all nations, for all time.

For as we do, we will ensure that nuclear explosions were known to our century alone—and as the President said at the UN, enter "a century in which the roles and risks of nuclear weapons can be further reduced, and ultimately eliminated."

With the era of nuclear testing at an end, we are a giant step closer to that ultimate goal.

#### TRIBUTE TO PROVIDENCE POLICE DEPARTMENT'S TOP COPS—DETECTIVES FRANK DELLAVENTURA AND FREDDY ROCHA

#### HON. JACK REED

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1996

Mr. REED. Mr. Speaker, it gives me great pleasure to recognize and pay tribute to two distinguished individuals who have dedicated their lives to protecting Rhode Islanders against crime and violence.

Today, Detectives Frank DellaVentura and Freddy Rocha of the Police Department in Providence, RI, will receive Top Cops Awards for their outstanding service in protecting our Nation's communities. The Top Cops Award is the only national award for officers nominated by their peers in law enforcement.

Across our country, drug abuse is a root cause of the crime and violence that plague our neighborhoods. In recent years, we have made important strides to stop drug-related crime. Law enforcement has been a vital part

of this effort, and Detectives Rocha and DellaVentura have been instrumental in this fight.

For example, in 1994, Detective Rocha went undercover to investigate a group of criminals who were identifying themselves as law enforcement agents and stealing drugs and money from drug dealers. Risking his life by posing as a major cocaine dealer, Detective Rocha gathered evidence against this group, which was also linked to organized crime. Winning the group's confidence, he arranged a meeting at which its members expected to receive drugs and money, but instead were apprehended by the Providence SWAT team. The criminals are now serving prison sentences.

Detective DellaVentura has also played a critical role in Rhode Island's fight against drugs. He organized several of the undercover operations in which Detective Rocha has served. In addition, Detective DellaVentura's detailed research, careful surveillance, and thorough knowledge of the requirements of federal law have been essential to these operations' success.

The work of Detectives DellaVentura and Rocha has been nothing short of exceptional. I respectfully ask my colleagues to join me in saluting these Top Cops for their efforts to make the streets of Rhode Island safer for law-abiding citizens.

#### ILLEGAL IMMIGRATION REFORM AND IMMIGRANT RESPONSIBILITY ACT OF 1996

#### HON. ENI F. H. FALEOMAVEAGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 3, 1996

Mr. FALEOMAVEAGA. Mr. Speaker, I rise today to clarify the treatment of American Samoans who are nationals but not citizens of the United States under the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 contained in H.R. 3610. It is my understanding that the new act does not alter the status or rights of noncitizen nationals.

I am advised that the intent of the new act is to apply the existing statutory definition of alien as set forth in the Immigration and Nationality Act [INA]. 8 U.S.C. §1101(a)(3). Under the INA, noncitizen nationals of the United States are not considered aliens, and I am advised that they are not considered aliens under the new act. In some instances, the new act expressly incorporates and applies the existing statutory definition of alien contained in the INA. In other instances, the new act amends existing law in a manner which automatically invokes the existing INA definition of alien.

Title I of the new act provides for improvement of border control, facilitation of legal entry, and interior enforcement. For purposes of title I, the INA definition of alien is specifically incorporated. §1(c).

Title II of the new act covers alien smuggling and document fraud, and it amends both the INA and the criminal statutes contained in title 18 of the United States Code. The amendments of the INA are automatically subject to the existing INA definition of alien. I am advised that criminal provisions in title 18 of the Code involving immigration offenses are

normally interpreted to follow the INA definition of alien.

Title III of the new act covers inspection, apprehension, adjudication, and removal of inadmissible and deportable aliens. This title amends the INA and is therefore automatically subject to the existing INA definition of alien.

Title IV of the new act provides for the enforcement of employment restrictions, including use of citizen attestation programs. The title specifically provides that "United States citizenship" includes "United States nationality." § 401(d)(6).

Title V of the new act places restrictions on benefits for aliens. The title expressly incorporates the INA definition of alien. § 594(1). Thus, the benefits of noncitizen nationals are not affected.

Title VI of the new act contains miscellaneous provisions, some of which amend the INA and are thus automatically subject to the INA definition of alien. For those provisions of title VI which do not amend the INA, the new act specifically incorporates the INA definition of alien. § 1(c).

### GEORGE COBBS HELPS BAY AREA WORKERS

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 3, 1996*

Mr. STARK. Mr. Speaker, I rise today to recognize the achievements of Mr. George E. Cobbs, Jr., president of the International Employee Assistance Professional Association [IEAPA] and a member of the San Francisco Bay Area Chapter of the Employee Assistance Professional Association [EAPA]. On October 12, 1996, the San Francisco Bay Area Chapter of the EAPA will celebrate its 25th anniversary at the IAMW Union Hall in Burlingame, CA, where Mr. Cobbs will be honored for his many years of dedicated service to the association.

The San Francisco Bay Area Chapter of the Employee Assistance Professional Association is recognizing Mr. Cobbs for his distinguished leadership in the IEAPA and for his 30 years of service in the International Longshoremen's and Warehousemen's Union. As president of the IEAPA, Mr. Cobbs has tried to foster a work ethic that promotes the idea that, recovery in the workplace is good business.

The many programs offered through the Employee Assistance Program provide assistance to employees with alcohol and drug related programs as well as with issues dealing with grief, divorce, parental matters, and emotional distress. The Employee Assistance Program provide confidential assessments and referrals, management consulting, and many other services to our country's work force.

Mr. Speaker, I would like to ask that you and my colleagues join me in recognizing Mr. George E. Cobbs, Jr., for his distinguished service to the Employee Assistance Program and for making the Employee Assistance Program such an exceptional program that benefits so many in today's work force.

### CONFERENCE REPORT ON S. 640, WATER RESOURCES DEVELOPMENT ACT OF 1996

SPEECH OF

HON. BUD SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, September 3, 1996*

Mr. SHUSTER. Mr. Speaker, I want to address section 532 of the bill relating to coastal wetlands restoration projects in Louisiana.

The purpose of section 532 is to amend the Coastal Wetlands Planning, Protection, and Restoration Act (16 U.S.C. 3952(f); 104 Stat. 4782-4783) (the "Act") to provide that the Federal share of the cost of certain wetlands restoration projects ("projects") shall be 90 percent as compared to other projects or portions of projects which may have a Federal share of 75 percent or 85 percent as the case may be, as provided in section 303 of the act.

The intended projects are identified in paragraph (5) of section 303(f)—as amended by section 532—as "coastal wetlands projects under this section in the calendar years 1996 and 1997." This phrase is intended to mean those projects added to the priority project list by annual update in the calendar year 1996 pursuant to section 303(a) of the act—fifth priority list—and those projects hereafter added to the priority list in calendar year 1997 pursuant to the same authority—sixth priority list.

The amendment also requires a determination by the Secretary that a reduction in the non-Federal share is warranted. In making this determination, the Secretary should consider whether additional benefits are likely to accrue to the restoration, protection, or conservation of coastal wetlands in the State of Louisiana as a result of a reduction in such non-Federal share and the application of resulting available state funds to implement the conservation plan and other State funded coastal conservation measures.

### PALAU NEEDS U.S. ASSISTANCE

HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 3, 1996*

Mr. UNDERWOOD. Mr. Speaker, last Thursday, September 17, the bridge connecting the islands of Koror and Babeldaob in the Republic of Palau collapsed into the ocean during rush-hour traffic. Two men died in the incident—four others were injured. While the leaders of Palau are thankful that more injuries or deaths did not result it was and is a devastating accident. I rise today to call upon the Federal Government to act quickly in assisting the Republic of Palau.

The Koror-Babeldaob bridge was not just a means of efficient transportation between Palau's two major islands; islands which have no other connection—natural or man-made. The 267-yard structure also brought power and water to Babeldaob, the island with Palau's largest population and industrial base. In addition, the collapsed bridge connected Palau's airport and hospital to many of its villages. Because of this, the impact of the bridge collapsing is far greater than it would have been if it was simply a means of transportation.

One Pacific Daily news report characterized the bridge as the "backbone" of Palau's economy. The analogy is a poignant and accurate one. Many of Palau's residents are still without water or power and it is uncertain when these utilities will function again.

The Government of Palau has organized boats and barges to move people and vehicles across the channel and I applaud those private boat owners and others who acted quickly to help in any way they could. I would also like to commend the people of Guam who have offered their assistance in Palau's time of need including the members of the Guam National Guard.

Assistance from the Federal Government, however, is necessary and must go beyond initial emergency assistance and an assessment of the cause of the collapse. The Federal Government must also help Palau restore power and water supplies to its citizens and assist Palau in its effort to build another, more reliable bridge.

As many of you know, the Republic of Palau commemorated its second year of independence just yesterday. Prior to its independence, the Republic of Palau was part of the United States Trust Territory of the Pacific. Palau, the Northern Mariana Islands, the Marshall Islands, and the Federated States of Micronesia, entered into negotiations with the Federal Government in 1968.

In 1994, Palau became an independent nation in free association with the United States. This is a special relationship that Palau and the United States entered into over the long term. This relationship has also helped build a strong relationship along with a special cultural bond between the People of Guam and the People of Palau.

The Federal Government has an obligation and a duty to assist Palau in this time of crisis. I urge the Federal Emergency Management Agency, the U.S. Army Corps of Engineers, and other appropriate Government agencies to assist Palau in meeting its immediate health and safety needs as well as the long term infrastructure needs resulting from this disaster.

### BEWARE AMERICAN CONTRACTOR! KUWAIT DOES NOT PAY ITS BILLS

HON. RONALD D. COLEMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, October 3, 1996*

Mr. COLEMAN. Mr. Speaker, Saddam Hussein is beating the war drums again and the United States is marching to Kuwait to once again save the Kuwaitis from aggression. Fighting for democracy is an American tradition that we want to keep but there is something going on that the Congress and the American people need to know.

When Johnny came marching home from Kuwait after the gulf war his pockets were empty—some say Johnny's pockets had been picked by Kuwaiti business practices.

Take the example of a small business based in Maryland, Integrated Logistics Support Systems International, Inc. [ILS], that helped the Kuwait security by building a sophisticated air support warehouse at Al Jabar Air Base near the Iraqi border. The Al Jabar Base is now used by the U.S.-supported military operations as the first line of defense against Saddam's aggression.