

have pointed out that in the 9 States, if you added all the cases together, over the period of the last 5 years, you would be lucky if there are 15 cases, in the last 4 to 5 years.

In fact, when the people of California faced a referendum in 1978 to exclude gay people from teaching or mentoring, that referendum was defeated with the help of Ronald Reagan, who did television spots in opposition. He understands, and I think most understand, that we should not be stereotyping individuals. But stereotypes have been used against gay men and lesbians in the past and in this debate, as well.

This is what former President Reagan said in 1978:

As to the role model argument, a woman writing to the editor of a Southern California newspaper said it all: "If teachers had such power over children, I would have been a nun years ago." Whatever else it is, homosexuality is not a contagious disease like the measles. Prevailing scientific opinion is that a child's teachers do not really influence this.

Although I have not always agreed with former President Reagan, in this case, I think he is right on target, just as Senator Barry Goldwater.

This legislation deals with the unfair stereotypes. Homosexuals are not strangers, or pedophiles, or child molesters. They are people we know, respect, and care about. They are people of integrity. They have a sense of right and wrong, an understanding of justice and fair play, and a willingness to work hard. They are American citizens, and they don't deserve to be subjected to discrimination on the job.

We have fought against similar stereotypes regarding women, minorities, the disabled, the elderly, and religious believers.

In the past, we thought women were too weak to compete in the board room or on the playing field. Today, we celebrate their business acumen and gold medal-winning athletic achievements. In the past, people in this Chamber have questioned the intelligence and tenacity of minorities. We still fight some of those battles, but we are not where we used to be. In the past, the Nation questioned whether a Catholic should be President. I remember when our country pushed bigotry aside and put such a man in the White House.

We have become a better country because we rose above the discrimination that divides us and nurtures bigotry.

Mr. President, I yield the floor.

Mr. LEVIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. LEVIN. I am pleased that the Senate, tomorrow, will be voting on the Employment Nondiscrimination Act. Every worker in this country should be judged solely on the basis of valid work-related criteria: The worker's job performance and his or her ability to perform the job. People who work hard and perform well should not be kept from leading productive and responsible lives because of sexual orientation any more than they should be

kept from employment or discriminated against because of race, religion, gender, national origin, age, or disability.

Unfortunately, workplace discrimination on the basis of sexual orientation remains a real problem in many communities. In case after documented case, highly qualified individuals have been dismissed, or otherwise discriminated against in their jobs for no other reason than their sexual orientation.

Such discrimination is intolerable in America. We are better than that. A recent poll in Newsweek indicates that this measure is supported by over 80 percent of the American people. It has been endorsed by a wide array of religious organizations, including the United Methodist Church, the Presbyterian Church (USA), the Episcopal Church, the Evangelical Lutheran Church in America, the American Jewish Congress, the National Council of the Churches of Christ in the U.S.A., the Religious Action Center of Reform Judaism, and the United Church of Christ, to mention some.

As the presiding bishop of the Episcopal Church, Edmund L. BROWNING, wrote in a letter, dated July 30, 1996:

Since 1967, the Episcopal church has been committed publicly to the notion of guaranteeing equal protection for all citizens, including the homosexual persons, under the law. In that year, the General Convention of the Episcopal Church, the Church's highest policymaking body, expressed its conviction that homosexual persons are entitled to equal protection of the laws with all other citizens and called upon society to ensure that such protection is provided in actuality. The Employment Nondiscrimination Act explicitly fulfills that mandate. . . .

My warm embrace of this legislation, of course, reflects more than my standing as Presiding Bishop of the Episcopal Church. It represents my deep, personal belief in the intrinsic dignity of all God's children. That dignity demands that all citizens have a full and equal claim upon the promise of the American ideal, which includes equal civil rights protection against unfair employment discrimination. For far too long, our civil rights laws look the other way with respect to discrimination based on race, gender, religion, national origin, age, or disability. Fighting to right those wrongs taught us that the cause of civil rights protection for one is the cause of such protection for all. Today, so long as some of us remain subject to employment discrimination on the basis of sexual orientation, our system of civil rights protection for all Americans remains an unfulfilled ideal. The long overdue protection embodied in this legislation brings that ideal one significant step closer to reality.

Mr. President, the opponents of this legislation have argued that the Employment Nondiscrimination Act will cause practical problems in the workplace. But we know that this is not true, because similar legislation is already in place, as the Senator from Massachusetts pointed out, in nine States. As Michael P. Morely, the president of Eastman Kodak Co., testified on July 17 of this year:

It is our belief that ENDA is good for American business, large or small. The bill is in step with trends in the Nation's most successful businesses, and is in tune with the

fundamental sense of fairness valued by Americans. If we at Kodak felt that this bill were intrusive, expensive, or otherwise inappropriate for American business, we would not support it. But after a thorough analysis of its provisions, we are convinced that the Employment Nondiscrimination Act will have a positive impact on our country's ability to compete.

Mr. President, this legislation is carefully drafted to prohibit any preferential treatment, including quotas, and to prohibit disparate impact suits based on sexual orientation, as the Senator from Massachusetts has pointed out. It exempts small businesses with fewer than 15 employees, and it exempts religious organizations, including educational institutions substantially controlled or supported by religious organizations.

Mr. President, for too long, many Americans have suffered employment discrimination. In recent decades, we have done much to eliminate this blot on our history. It is time for us to enact this legislation and extend the principle of fairness embodied in the Nation's civil rights laws to all Americans, regardless of sexual orientation.

I thank the Chair and yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### CHEMICAL WEAPONS CONVENTION

Mr. LOTT. Mr. President, under a previous unanimous-consent agreement entered on June 28, 1996, the Senate is scheduled to consider the Chemical Weapons Convention by the end of this week. There has been much written and much said about the convention, whether it is the right thing to do or not; is it verifiable?

On the other side, there are those who say it would affect the overall atmosphere with regard to these chemical weapons. There is very legitimate debate about whether or not this convention should be ratified or not. It is my intention to go forward with the consideration of this Chemical Weapons Convention beginning probably on Thursday. We are scheduled to have votes on Friday.

But as we near consideration of that convention, I wanted to share with my colleagues some of the correspondence that I have recently received. Late on Friday of last week, I received a letter of opposition to the convention signed by more than 50 defense and foreign policy experts, including two former Secretaries of Defense, former members of the Joint Chiefs of Staff, and many others. The letter made four fundamental points: The Chemical Weapons Convention is not global, it is not effective, and is not verifiable, but it will have significant costs to American security.

Their letter concludes by stating that "The national security benefits of the Chemical Weapons Convention clearly do not outweigh its considerable costs. Consequently, we respectfully urge you to reject ratification of the CWC unless and until it is made genuinely global, effective, and verifiable."

This is not my judgment. It is the judgment, however, of Caspar Weinberger, William Clark, Dr. Jeane Kirkpatrick, Ed Meese, Dick Cheney, and many others who served with distinction under Presidents Reagan and Bush. I think their views deserve serious consideration from every Member.

As you will note, two of those names that I read are former Secretaries of Defense and certainly highly respected. Our colleague from the House of Representatives, Dick Cheney, is one that I really had not known exactly what his position was, so it was of great interest to me to see what his thoughts might be.

I have two other letters that I encourage Members to review. First, the National Federation of Independent Business wrote to me today expressing serious concern about the impact of the CWC on the more than 600,000 members of the NFIB. The letter notes that under the CWC, for the first time small businesses would be subject to a foreign entity inspecting their businesses. The concerns that are expressed concerning increased regulatory burden of the Chemical Weapons Convention on American small business I think should be weighed very carefully before coming to a decision about his or her attitude and what the position would be of that Senator on the convention. I know my colleagues do not want to vote first and ask questions later when it comes to small business, which already bears a disproportionate share of the regulatory burden from the Federal Government.

I also received a letter today from retired Gen. James A. Williams, former head of the Defense Intelligence Agency with almost four decades of experience in intelligence. General Williams raises very serious concerns over the potential of CWC being used to gain proprietary information from American business.

He concludes that "there is potential for the loss of untold billions of dollars of trade secrets which can be used to gain competitive advantage, to shorten R&D cycles, and to steal U.S. market share."

Many businesses have contacted my office and the offices of other Senators expressing these and similar concerns about Senate action on this convention.

Last week I wrote to the President expressing my concern that the Clinton administration was less than fully forthcoming in responding to the Senate's request for information and documents. I requested specific documents previously requested by other Senators. Senator HELMS, the chairman of

the committee with jurisdiction, has been very active in trying to have questions answered, to get information provided, to get intelligence information available to Senators, and in many instances that information was late in coming or has not been provided at all. As a matter of fact, much of it has been described as being classified; therefore, it could not be provided.

In view of that, I am very seriously considering and probably will seek a closed session to consider this matter so that Senators can be made aware of intelligence information that is classified, if that is necessary. In order to avoid that, I have asked that some of this documentation be declassified by the administration so that all Senators can have access to it without our having to go into closed session.

I wanted to call to the Senate's attention this correspondence that I have outlined because it is very important that a range of views be made available to all Senators. The administration has been making its case for quite some time, but opponents of the convention have just begun the serious examination the convention really deserves.

There were some Members who have been involved in this issue—I believe Senator STEVENS arranged for a briefing this very afternoon that was sponsored by the Arms Control Observer Group. We did have some people testifying, stating they had opposition to the convention, others that were supportive of it. We are trying to get a balance in what is presented to the Senators, both privately and publicly.

My own personal greatest concern is the question of verification. What do we do about Iraq? If we pass a convention like this, that would be applicable to us, sort of the law-abiding citizens of the world, how do we make sure what is happening in Iraq, North Korea, and Libya, the renegade countries of the world? Is this going to be a situation where we go forward with this convention, this Chemical Weapons Convention, yet those who are the real threat do not participate, or deny that they are involved, or we are not in a position where we can verify what they are actually doing?

So, I ask unanimous consent the three letters I received and the letter I wrote to the President last week be printed in the RECORD so all Senators will have access to these letters and to this information, much of which had not been made available prior to tonight.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

NATIONAL FEDERATION OF  
INDEPENDENT BUSINESS,  
Washington, DC, September 9, 1996.

Hon. TRENT LOTT,  
Majority Leader, U.S. Senate, Washington, DC.

DEAR MR. LEADER, On behalf of the more than 600,000 members of the National Federation of Independent Business (NFIB), I want to express serious concern regarding the regulatory requirements and burdens that would be placed on small businesses who

"produce, process, consume, export or import" certain regulated chemicals with ratification of the Chemical Weapons Convention Treaty (CWC) and its implementing legislation.

This Congress has begun to address the serious problems of paperwork burdens and red tape which are strangling small businesses in this country. The passage of the Paperwork Reduction Act and the Small Business Regulatory Enforcement Fairness Act were positive first steps in reducing the excessive regulatory burden which consistently ranks in the top five problems small business face in NFIB surveys.

The CWC reverses the trend of reducing the growing regulatory burden on small business. According to the Congressional Office of Technology Inspections of businesses required under CWC will cost small business \$10,000–\$20,000. The typical small business owner takes home only \$40,000 per year. The Department of Commerce has estimated that a business will spend from 2.5–9 hours on paperwork for each chemical used depending on its classification.

There is a great deal of disagreement on the number of businesses which would be affected by the CWC. Numbers have ranged from 3,000 to 10,000. The regulatory burden of the CWC will hit small businesses harder than big business. A 1995 Small Business Administration study stated that while small business employs 53 percent of the workforce, they bear 67 percent of business' total regulatory expense. Even if the number of small businesses in the initial list of affected companies is limited to a specific list, the fact that additional businesses might be regulated by CWC without approval by the U.S. Congress will leave small business powerless to have any input as it does under the U.S. regulatory system. For the first time, small businesses would be subject to a foreign entity inspecting their business.

The CWC will continue to bury small businesses in paperwork and regulations. Therefore, NFIB urges your serious consideration of the affect of this Treaty on the small businesses in this country.

Sincerely,

DAN DANNER,  
Vice President,  
Federal Government Relations.

SEPTEMBER 9, 1996.

Hon. TRENT LOTT,  
Majority Leader,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR LOTT: As you weigh the benefits and costs of the Chemical Weapons Convention (CWC) I would like to offer some insight gained during my 28 years at every level of Military Intelligence and my subsequent ten years in competitive intelligence and counterintelligence for some of the premier companies in this country. The need for international mechanisms to control or eliminate the potential use of chemical weapons cannot be denied but the mechanisms must not be adopted in haste or under pressure. I ask only that you delay consideration long enough for an informed debate to take place, and I stress informed.

My foremost concern is that the CWC adds little to the ability of this country, or any other for that matter, to be assured that chemical weapons are not being manufactured by specific nations. Experience in Iraq has amply demonstrated the ease with which inspections can be thwarted and sanctions evaded. With all of the effort put into the inspection program the United States is still unable to say whether Iraq retains a capability to manufacture chemical weapons. We are unable to state publicly the chemical weapons production capabilities of nations

such as Libya, Iran, Syria, China or Korea. Many nations possess a production capability or are thought to possess such capabilities. Nations that are likely to produce chemical weapons for use by terrorists or for limited battlefield deployment can produce sufficient quantities in laboratories small enough that they can be temporarily closed or relocated to avoid inspections. The existing treaty on chemical weapons is already so weak on this point that no effort has been made to enforce it and provisions of the CWC are even weaker. Let's discuss objectively what information is required to verify such a treaty, the capabilities required to collect the information, the cost of doing so, and the likelihood of making such collection.

Furthermore, the opportunity for unfettered access to virtually every industrial facility in this country, not merely the pharmaceutical and chemical plants, would make most foreign intelligence organizations very happy, even gleeful. It is likely to cause the counterintelligence sections of the FBI and the Defense Investigative Service major problems for the foreseeable future. The inspection procedures which apply to ALL industries constitute unprecedented access to our manufacturing base, not just those thought likely to be engaged in proscribed activities! My experience in protecting patents and intellectual property over the past ten years leads me to conclude that there is the potential for the loss of untold billions of dollars in trade secrets which can be used to gain competitive advantage, to shorten R&D cycles, and to steal US market share. To allow the invasion of private property without probable cause or a search warrant could undermine every industrial security standard established under government regulations or by private firms seeking to protect industrial processes or other proprietary information. Under the inspection and reporting practices specified in the CWC I see no prohibition against the exchanging of lucrative information among the nations conducting a given inspection. This country, for valid reasons, does not permit its intelligence agencies to conduct industrial espionage but we may be the only nation in the world to hold to such a standard.

The CWC constitutes a significant departure from the way this country conducts business and the way our society has elected to protect its very fabric. It seems to me that the CWC has been put together as a placebo measure to make people feel good but without considering the overall long term impact on our industry, our society and our legal system. The Congress bears the responsibility of assuring our citizenry that the advantages and disadvantages have been carefully considered and balanced.

We look to you to insure that those safeguards are built into the process.

Sincerely,

JAMES A. WILLIAMS,  
LTJG U.S. Army (Ret.)

SEPTEMBER 6, 1996.

Hon. TRENT LOTT,  
Majority Leader, U.S. Senate,  
Washington, DC.

DEAR SENATOR LOTT: As you know, the Senate is currently scheduled to take final action on the Chemical Weapons Convention (CWC) on or before September 14th. This treaty has been presented as a global, effective and verifiable ban on chemical weapons. As individuals with considerable experience in national security matters, we would all support such a ban. We have, however, concluded that the present Convention is seriously deficient on each of these scores, among others.

The CWC is not global since many dangerous nations (for example, Iran, Syria,

North Korea, and Libya) have not agreed to join the treaty regime. Russia is among those who have signed the Convention but is unlikely to ratify—especially without a commitment of billions in U.S. aid to pay for the destruction of Russia's vast arsenal. Even then, given our experience with the Kremlin's treaty violations and its repeated refusal to implement the 1990 Bilateral Destruction Agreement on chemical weapons, future CWC violations must be expected.

The CWC is not effective because it does not ban or control possession of all chemicals that could be used for lethal weapons purposes. For example, it does not prohibit two chemical agents that were employed with deadly effect in World War I—phosgene and hydrogen cyanide. The reason speaks volumes about this treaty's impractical nature: they are too widely used for commercial purposes to be banned.

The CWC is not verifiable as the U.S. intelligence community has repeatedly acknowledged in congressional testimony. Authoritarian regimes can be confident that their violations will be undetectable. Now, some argue that the treaty's intrusive inspections regime will help us know more than we would otherwise. The relevant test, however, is whether any additional information thus gleaned will translate into convincing evidence of cheating and result in the collective imposition of sanctions or other enforcement measures. In practice, this test is unlikely to be satisfied since governments tend to look the other way at evidence of non-compliance rather than jeopardize a treaty regime.

What the CWC will do, however, is quite troubling: It will create a massive new, U.S.-style international inspection bureaucracy (which will help the total cost of this treaty to U.S. taxpayers amount to as much as \$200 million per year). It will jeopardize U.S. citizens' constitutional rights by requiring the U.S. government to permit searches without either warrants or probable cause. It will impose a costly and complex regulatory burden on U.S. industry. As many as 8,000 companies across the country may be subjected to new reporting requirements entailing uncompensated annual costs of between thousands to hundreds-of-thousands of dollars per year to comply. Most of these American companies have no idea that they will be affected. And perhaps worst of all, the CWC will determine the standard of verifiability that has been a key national security principle for the United States.

Under these circumstances, the national security benefits of the Chemical Weapons Convention clearly do not outweigh its considerable costs. Consequently, we respectfully urge you to reject ratification of the CWC unless and until it is made genuinely global, effective and verifiable.

WILLIAM P. CLARK.  
DICK CHENEY.  
CAP WEINBERGER.  
JEANE KIRKPATRICK.  
EDWIN MEESE III.

SIGNATORIES ON LETTER TO SENATOR TRENT LOTT REGARDING THE CHEMICAL WEAPONS CONVENTION

(As of September 9, 1996; 9:30 a.m.)

Signatories on letter:

William P. Clark, former National Security Advisor to the President.

Casper Weinberger, former Secretary of Defense.

Richard B. Cheney, former Secretary of Defense.

Jeane J. Kirkpatrick, former U.S. Ambassador to the United Nations.

Edwin Meese III, former U.S. Attorney General.

Additional Signatories (retired military):  
General John W. Foss, U.S. Army (Retired), former Commanding General, Training and Doctrine Command.

Vice Admiral William Houser, U.S. Navy (Retired), former Deputy Chief of Naval Operations for Aviation.

Admiral Wesley McDonald, U.S. Navy (Retired), former Supreme Allied Commander, Atlantic.

Admiral Kinnaird McKee, U.S. Navy (Retired), former Director, Naval Nuclear Propulsion.

General Merrill A. McPeak, U.S. Air Force (Retired), former Chief of Staff, U.S. Air Force.

Lieutenant General T.H. Miller, U.S. Marine Corps (Retired), former Fleet Marine Force, Commander/Head, Marine Aviation.

General John L. Piotrowski, U.S. Air Force (Retired), former Member of the Joint Chiefs of Staff as Vice Chief, U.S. Air Force.

General Bernard Schriever, U.S. Air Force (Retired), former Commander, Air Research and Development and Air Force Systems Command.

Lieutenant General James Williams, U.S. Army (Retired), former Director, Defense Intelligence Agency.

Additional Signatories (non-military):

Mark Albrecht, former Executive Secretary, National Space Council.

Kathleen Bailey, former Assistant Director of the Arms Control and Disarmament Agency.

Robert B. Barker, former Assistant to the Secretary of Defense for Nuclear and Chemical Weapon Matters.

Henry Cooper, former Director, Strategic Defense Initiative Organization.

J.D. Crouch, former Principal Deputy Assistant Secretary of Defense.

Midge Dexter, former President, Committee for Free World.

Kenneth deGraffenreid, former Senior Director of Intelligence Programs, National Security Council.

Diana Denman, former Co-Chair, U.S. Peace Corps Advisory Council.

Elaine Donnelly, former Commissioner, Presidential Commission on the Assignment of Women in the Armed Services.

David M. Evans, former Senior Advisor to the Congressional Commission on Security and Cooperation in Europe.

Charles Fairbanks, former Deputy Assistant Secretary of State.

Douglas J. Feith, former Deputy Assistant Secretary of Defense.

Rand H. Fishbein, former Professional Staff member, Senate Defense Appropriations Subcommittee.

Frank J. Gaffney, Jr., former Acting Assistant Secretary of Defense.

William R. Graham, former Science Advisor to the President.

James T. Hackett, former Acting Director of the Arms Control and Disarmament Agency.

Charles A. Hamilton, former Deputy Director, Strategic Trade Policy, U.S. Department of Defense.

Amoretta M. Hoeber, former Deputy Under Secretary, U.S. Army.

Charles Horner, former Deputy Assistant Secretary of State for Science and Technology.

Fred Ikle, former Under Secretary of Defense for Policy.

Sven F. Kraemer, former Director for Arms Control, National Security Council.

Charles M. Kupperman, former Special Assistant to the President.

John Lenczowski, former Director for Soviet Affairs, National Security Council.

Bruce Merrifield, former Assistant Secretary for Technology Policy, Department of Commerce.

Taffy Gould McCallum, columnist and freelance writer.

Laurie Mylroie, best-selling author and Mideast expert specializing in Iraqi affairs.

Richard Perle, former Assistant Secretary of Defense.

Norman Podhoretz, former editor, Commentary Magazine.

Roger W. Robinson, Jr., former Chief Executive Economist, National Security Council.

Peter W. Rodman, former Deputy Assistant to the President for National Security Affairs and former Director of the Policy Planning Staff, Department of State.

Edward Rowny, former Advisor to the President and Secretary of State for Arms Control.

Jacqueline Tillman, former Staff member, National Security Council.

Michelle Van Cleave, former Associate Director, Office of Science and Technology.

William Van Cleave, former Senior Defense Advisor and Defense Policy Coordinator to the President.

Malcolm Wallop, former United States Senator.

Deborah L. Wince-Smith, former Assistant Secretary for Technology Policy, Department of Commerce.

Curtin Winsor, Jr., former U.S. Ambassador to Costa Rica.

Dov S. Zakheim, former Deputy Under Secretary of Defense.

U.S. SENATE,  
OFFICE OF THE MAJORITY LEADER,  
Washington, DC, September 6, 1996.

President WILLIAM JEFFERSON CLINTON,  
The White House,  
Washington, DC.

DEAR MR. PRESIDENT: I am writing to ask your cooperation and support for Senate efforts to obtain information and documents directly relevant to our consideration of the Chemical Weapons Convention.

As you know, the Senate is currently scheduled to consider the Convention on or before September 14, 1996 under a unanimous consent agreement reached on June 28, 1996. Immediately prior to the Senate agreement on the Convention, I stated, "With respect to the Chemical Weapons Convention, the Majority Leader and the Democratic Leader will make every effort to obtain from the administration such facts and documents as requested by the Chairman and ranking member of the Foreign Relations Committee, in order to pursue its work and hearings needed to develop a complete record for the Senate . . ."

I regret to inform you that your administration has not been fully cooperative in Senate efforts to obtain critical information. Chairman Helms wrote to you on June 21, 1996—prior to the Senate setting a date for a vote on the Convention—and asked eight specific questions. Chairman Helms also requested the provision and declassification of documents and a cable relating to critical issues of Russian compliance with existing chemical weapons arms control agreements and with the Chemical Weapons Convention.

On July 26, 1996, having received no response to his earlier letter, Chairman Helms reiterated his earlier request and asked additional questions concerning the apparent Russian decision to unilaterally end implementation of the 1990 U.S.-Russian Bilateral Destruction Agreement on chemical weapons. Chairman Helms also asked for specific information and documents concerning Russian conditions for ratification of the Chemical Weapons Convention, as well as other information important to our consideration of the Convention. While Chairman Helms did receive responses to his letters on July 31 and on August 13, his request for declassification of documents was refused and the answers to many of his questions were incomplete.

During a Senate Select Committee on Intelligence hearing on June 17, 1996, Senator

Kyl asked for a specific document—a cable written in Bonn, Germany by Arms Control and Disarmament Agency (ACDA) Director Holum concerning current Russian government positions on the Bilateral Destruction Agreement, ratification of the Chemical Weapons Convention and on U.S. assistance for the destruction of Russian chemical weapons. On numerous occasions, Senator Kyl was told the document did not exist. Finally, on July 26, Senator Kyl was able to see a redacted version of the document under tightly controlled circumstances but the document has not been made available to Chairman Helms or other Senators.

Mr. President, the unanimous consent agreement of June 28, 1996, was entered into in good faith, and based on our understanding that the administration could and would be fully forthcoming in the provision of information and documents to enable the Senate to fulfill its constitutional responsibilities. Numerous judgments of the United States intelligence community deserve as wide a circulation as possible—particularly since they are distinctly different than some public statements made by officials of your Administration concerning the Convention.

Accordingly, I respectfully request that you reconsider your refusal to declassify critical documents and consider the declassification of important intelligence community judgments—consistent with the need to protect intelligence sources and methods. Specifically, I request that you act immediately to declassify the May 21, 1996, cable written by ACDA Director Holum and the July 8, 1996, letter from Russian Prime Minister Chernomyrdin to Vice-President Gore, and consider immediate declassification of the paragraphs from which the attached statements are excerpted—all drawn from documents produced by the Central Intelligence Agency and the Defense Intelligence Agency on the Russian chemical weapons program, the verifiability of the Chemical Weapons Convention, the effect of the Convention on the chemical weapons arsenals of rogue states, and the relevance of the Convention to acts of terrorism committed with chemical weapons.

I make these requests to enable the Senate to fully prepare for its consideration of the Chemical Weapons Convention. I am certain you would agree it is necessary for the Senate to have complete and usable information in order to fulfill our constitutional obligations and to responsibly meet the terms of the current unanimous consent agreement. Because the unanimous consent agreement calls for the Senate to vote on the Chemical Weapons Convention by September 14, 1996, I respectfully request that you respond to my declassification requests no later than the close of business on Tuesday, September 10, 1996. With best wishes, I am

Sincerely,

TRENT LOTT.

## MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

## MESSAGES FROM THE HOUSE

At 12:32 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House agrees to the amendments of the Senate to the bill (H.R. 2428) to encourage the donation of food and grocery products to non-profit organizations for distribution to needy individuals by giving the Model Good Samaritan Food Donation Act the full force and effect of law.

## EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-3919. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, two rules including a rule entitled "Airworthiness Directives," (RIN2120-A64, 2120-AF36) received on September 3, 1996; to the Committee on Commerce, Science, and Transportation.

EC-3920. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, three rules including a rule entitled "Safety Zone," (RIN2115-AA97, 2115-AE46) received on September 3, 1996; to the Committee on Commerce, Science, and Transportation.

EC-3921. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, four rules including a rule entitled "Pilot State Highway Program," (RIN2127-AF94, 2127-AF17, 2115-AE94, 2115-AA97) received on September 5, 1996; to the Committee on Commerce, Science, and Transportation.

EC-3922. A communication from the General Counsel of the Department of Transportation, transmitting, pursuant to law, twenty-two rules including a rule entitled "Airworthiness Directives," (RIN2120-AA64, 2120-AA65, 2120-AA66) received on September 5, 1996; to the Committee on Commerce, Science, and Transportation.

EC-3923. A communication from the Managing Director of the Federal Communications Commission, transmitting, pursuant to law, a report entitled "Table of Allotments, FM Broadcast Stations" (received on September 4, 1996); to the Committee on Commerce, Science, and Transportation.

EC-3924. A communication from the Managing Director of the Federal Communications Commission, transmitting, pursuant to law, a report entitled "Table of Allotments, FM Broadcast Stations" (received on September 4, 1996); to the Committee on Commerce, Science, and Transportation.

EC-3925. A communication from the Managing Director of the Federal Communications Commission, transmitting, pursuant to law, a report entitled "Table of Allotments, FM Broadcast Stations" (received on September 4, 1996); to the Committee on Commerce, Science, and Transportation.

EC-3926. A communication from the Managing Director of the Federal Communications Commission, transmitting, pursuant to law, a report entitled "Table of Allotments, FM Broadcast Stations" (received on September 4, 1996); to the Committee on Commerce, Science, and Transportation.

EC-3927. A communication from the Managing Director of the Federal Communications Commission, transmitting, pursuant to law, a report of a rule under the Telecommunications Act of 1996 (received on August 29, 1996); to the Committee on Commerce, Science, and Transportation.