

within the Baruch Institute's 17,000-acre coastal preserve has ranged from studies of ocean tides, to tracking sea turtle nesting sites, to collecting data on the effects of Hurricane Hugo on the ecosystem. For John's part in these and other efforts, he has been named South Carolina Conservationist of the Year by South Carolina Wildlife and was honored with the Waddell Lifetime Achievement Award by Friends of the Coast. John and Winona often publish joint research projects, and Winona's environmental leadership was recognized through the Water Conservationist of the Year award by the South Carolina Wildlife Federation.

Mr. President, the Vernbergs are a couple we will continue to admire and cherish in South Carolina, and we will watch for their continued accomplishments as professors emeritus at the university. The institutions they have led and built up will continue to be a force for the good in our State and the Nation. I commend their work to my colleagues interested in public health and the environment, and wish the Vernberg family my best in the years ahead.●

COAST GUARD AUTHORIZATION ACT FOR 1996

● Mr. WYDEN. Mr. President, passage of a Coast Guard reauthorization bill is a matter of vital importance to Oregon, particularly to smaller communities on the Oregon coast. A strong Coast Guard presence is essential to safeguard the lives of fishermen, recreational boaters, and all others who venture out into the frigid Northwest waters.

Because of the cold temperature of Pacific Northwest waters, a delay in Coast Guard response time by even a few minutes could mean a matter of life and death to capsized boaters. For that reason, I worked with a bipartisan group of coastal State Senators to ensure Coast Guard stations would not be closed unless there are strong safeguards in place to ensure maritime safety will not be diminished.

Specifically, under section 309 of the conference report, the Secretary of Transportation is prohibited from closing any Coast Guard multimission small boat station unless the Secretary determines that closure of a station will not diminish maritime safety in the area of the station, taking into account water temperature and other local conditions.

This section also provides an opportunity for affected communities to have a voice in any decision on a proposed station closure. The Secretary must provide an opportunity for public comment and hold public meetings before closing any small boat station.

The Coast Guard stations in Oregon covered by section 309 are: Coos Bay, Depoe Bay, Siuslaw River, Tillamook Bay, Chetco River, Yaquina Bay, and Umpqua River.

Section 309 also contains a provision I authored to ensure that all small

boat stations will have available at least one vessel capable of performing ocean rescues. This provision was included to address a situation that arose last summer when the Rogue River Sardet station near Gold Beach was assigned a 20-foot vessel that was useless for performing ocean rescues. Under my provision, all small boat stations, including seasonally operated facilities like the Rogue River Sardet, will be guaranteed to have at least one vessel capable of performing ocean rescues.

By including these provisions in the conference report, we are giving the Coast Guard the tools needed to protect our citizens' lives and enhancing safety in the waters off Oregon's coast.●

IN RECOGNITION OF MARIAN MCPARTLAND'S "PIANO JAZZ"

● Mr. HOLLINGS. Mr. President, I rise today to recognize Marian McPartland's Piano Jazz, produced by the South Carolina Educational Radio Network. This Peabody Award-winning show has earned recognition for its educational value and importance in promoting and preserving a distinctly American art form—jazz.

Piano Jazz is National Public Radio's [NPR] longest running music series and airs on over 250 NPR member stations nationwide. The series was conceived in 1979 by the South Carolina Educational Radio Network. South Carolina Educational Radio took a considerable risk by launching one of the first station-based, locally produced public radio programs to air across America.

The risk paid off. Serving South Carolinians for 17 years, the program is a showcase for many of jazz's greatest performances and artists, including Bobby Short, Mary Lou Williams, Dizzy Gillespie and Wynton Marsalis, and has helped launch the careers of some lesser known musicians as well.

The programs are hosted by Marian McPartland who blends informal but information packed conversation with improvisational performances. McPartland has been honored by special performances of Piano Jazz at the Lincoln Center's Avery Fisher Hall. In 1986, she also was inducted into the International Association of Jazz Educators Hall of Fame.

The program has been recognized with many major awards for broadcasting excellence, including the Peabody, Gabriel, Armstrong, Ohio State and several New York International Radio Festival awards. In fact, the show's recordings are so valuable that both the Library of Congress and the Rogers & Hammerstein Archive of Recorded Sound of the New York Public Library at Lincoln Center are preserving complete collections of the series.

I hope this innovative and award-winning show is able to continue serving its broad and varied audience which includes older, established jazz aficionados, as well as listeners 25

years old and under. From senior citizens to seniors in high school, this program provides the best of South Carolina Educational Radio network. Piano Jazz has been such a success because of the public's longstanding support. I hope the public continues in this support so the show remains strong and prosperous.

In recognition of Piano Jazz, I ask my colleagues to join me in paying tribute to Marian McPartland, Henry Cauthen, president and founder of the South Carolina Educational Radio Network, and Shari Hutchison, the program's producer, for this tremendous and valuable cultural jewel.●

CHEMICAL WEAPONS CONVENTION

● Mr. KYL. Mr. President, on September 12, Secretary of State Warren Christopher personally asked the Senate majority leader to withdraw the Chemical Weapons Convention [CWC] from consideration by the Senate. The majority leader had scheduled a vote on the treaty on that day. Obviously the administration did not believe the Senate would ratify the agreement. As a result, we were not able to have the public debate that, I believe, would have shown why the treaty was in such trouble. Since the treaty could be re-submitted for consideration by the Senate, I believe it is important to submit for the RECORD a sampling of articles, editorials, and opinion editorials which outline the basis for the case against the CWC.

The material follows:

[From the New York Times, Sept. 13, 1996]

A TREATY THAT DESERVED TO DIE

(By Jon Kyl)

An extraordinary thing happened in the Senate yesterday. The proponents of the Chemical Weapons Convention surprisingly pulled the plug on their effort to obtain immediate Senate approval of the treaty's ratification.

Last June, the advocates thought this treaty was all but ratified. They had won a commitment for it to be brought up for a vote in the last few weeks before the November elections. They assumed, not unreasonably, that the treaty would be seen as a motherhood and apple-pie proposition—aiming as it does to ban these horrible weapons worldwide.

By any political analysis, this calculation should have been right. But substantive analysis of the treaty's flaws proved to be more powerful than superficial political considerations.

That such serious deliberation could occur reflects great credit on both the treaty's proponents and its opponents. In particular, its champions largely refrained from portraying themselves as the champions of the abolition of these weapons and casting the other side as "pro-poison gas."

The opponents, however, made clear that they too are in favor of the elimination of chemical weapons, including the American stockpile. By law, the destruction will take place with or without this convention. But they fear that under present circumstances the treaty will not accomplish its purpose and that it will do more harm than good.

First, the convention will not include many dangerous chemical-weapons states,

notably Iraq, North Korea, Libya and Syria, which will not become parties. Worse yet, American intelligence could not reliably detect militarily significant cheating in countries like Iran, Cuba, China and Russia that are likely to become parties to the treaty.

Second, the convention would impose significant costs on the American taxpayer and new, substantial burdens on industries. It would, moreover, actually aggravate the current, serious problem of chemical weapons proliferation. This is true for several reasons.

The treaty prohibits restrictions on trade in chemicals among its parties. It even requires them to transfer chemical technologies to other treaty members. In other words, if the United States and Iran were to ratify the convention, Teheran would have a powerful claim, under the treaty's Article XI, against American-led trade restrictions in the chemical field.

This arrangement repeats the mistake made in the Nuclear Nonproliferation Treaty—the so-called Atoms for Peace initiative—under which ostensibly peaceful technology is provided to nations determined to divert it to proscribed military purposes.

The treaty would also create a false sense of security, probably increasing the dangers from these weapons. And it will harm arms control and international law to enter into a convention that everyone knows is going to be unverifiable and ineffective. For all these reasons, the United States is better off having no treaty than a seriously defective one.

This critique was sufficiently compelling that a number of leading proponents acknowledged the serious flaws. Although these advocates nonetheless content that the treaty was still worth having, more than a third of the Senate concluded that the convention was, at best, deeply flawed. At worst, it would exacerbate the problem it was trying to fix.

As a result, the treaty's proponents realized that they were going to lose. Let us hope that the serious discussions we have had leading up to that decision will lead to bipartisan support for constructive, sensible arms control approaches for dealing with this scourge in the future.

[From the Washington Times, Sept. 12, 1996]

REJECT THE CWC

Opposition is mounting to the Chemical Weapons Convention (CWC), which the Senate is expected to vote on today. While most people—terrorists and lunatic dictators excepted—regard chemical weapons with abhorrence and indeed would like to see them banished from the face of the earth, the unfortunate fact is that the CWC will do little to inhibit their production and use by those who are sufficiently unscrupulous. What will happen instead is that law-abiding American businesses, both those who manufacture chemicals and those who merely use them, will be subjected to an intrusive, expensive and possibly unconstitutional international regulatory regime.

For anyone interested in what the reporting procedures will look like for users of chemicals covered under CWC—and that includes companies from Starbuck's to Revlon—the chart on the opposite page should give an indication. Some might find that it bears a more than passing resemblance to the chart depicting Hillary Clinton's health care reform plan in all its infinite variety.

An estimated 3,000 to 8,000 U.S. companies will be affected by the CWC. That means they will be subject to warrantless inspections with only 48 hours notice for an international U.N.-style bureaucracy. Those most likely to be affected are users of what the

treaty calls Discrete Organic Chemicals (DOCs). That includes not just the members of the Chemical Manufacturers Association, but also companies in such industries as automotive, food processing, biotech, distillers, brewers, electronics, soap and detergents, perfume—even manufacturers of ball point pens! While it may seem a little far-fetched that international inspectors might descend on the Bic factory forthwith, the burden of reporting the use of chemicals will be severe. And this from the administration that calls for "smaller, less intrusive government."

And, of course, inspections, when they do occur, will be golden opportunities for countries that engage in industrial espionage against the United States—just as they will be for those eager to learn because they harbor the notion of developing their own chemical weapons industry. (Remember the Iraqi scientist who boasted to representatives of the International Atomic Energy Agency how the Iraqis had gained invaluable information on nuclear technology this way?)

Senators who plan to vote to ratify the treaty must ask themselves whether they are ready to impose this kind of burden on domestic companies for the sake of an elusive and unrealistic goal. The list of distinguished experts in the fields of defense and foreign policy who have denounced the CWC as ineffectual, unverifiable and certainly not global, since numerous outlaw nations like Libya and Iraq will not sign, ought to give serious pause. A letter dated Sept. 9 to Senate Majority Leader Trent Lott, urging him to "reject ratification of the CWC unless and until it is made genuinely global, effective and verifiable," is signed among many others by former Secretary of Defense Dick Cheney, former National Security Advisor William Clark, former Secretary of State Alexander Haig, former Secretary of Energy James Herrington, former U.N. Ambassador Jeane Kirkpatrick, former Attorney General Edwin Meese III, former Secretary of Defense Donald Rumsfeld and former Secretary of Defense Casper Weinberger. Weigh that list against the Clinton administration, and it really shouldn't be a difficult decision.

[From the Washington Post, Sept. 12, 1996]

CHEMICAL WEAPONS FRAUD

(By Lally Weymouth)

If the Clinton administration succeeds in persuading the Senate to ratify the Chemical Weapons Convention, the mere fact of a new treaty will not help the United States combat the spread of this weapon of mass destruction. Indeed, this particular treaty may do the reverse: Some of the treaty's opponents argue convincingly that it would actually increase the trade in chemical agents with military application. Certainly, it would facilitate the establishment of an unnecessary international regulatory agency with unlimited police powers over thousands of U.S. companies that produce chemicals that could be used to make weapons.

Sen. Jon Kyl (R-Ariz.) agrees with the majority staff of the Senate Committee on Foreign Relations: Of course a verifiable treaty that achieved real reductions in chemical weapons would serve U.S. national security interests. But, argues Kyl, this treaty isn't verifiable. Nor would it reduce the chemical arsenals in countries U.S. officials deem most likely to use such war tools against America and its allies: Libya, Syria, North Korea and Iraq. Not surprisingly, these rogue states have refused to sign on to the regime.

In fact, not one country of concern to the United States on the chemical weapons front has ratified this convention: not the People's Republic of China, Iran, Cuba or even Russia, which has signed but not ratified and is said

to possess one of the most sophisticated chemical arsenals in the world.

When President Bush signed the chemical weapons treaty, he did so with the understanding that Moscow would implement a 1990 U.S.-Russian bilateral agreement that called for both countries to destroy their chemical weapons stockpiles. Thus far, however, Moscow has refused to implement this accord, thus undermining the larger international convention.

One of the treaty's most dangerous features is that it undercuts the work of the Australia Group, a collection of Western countries that have an informal agreement banning the transfer of potentially dangerous dual-use chemicals to non-members. If ratified, the convention will end restrictions on trade in deadly chemicals and chemical technology. Treaty-signers, in fact, will have a right to demand both the chemicals and the relevant technical information they need from other signatories, who will have an obligation to fulfill the requests.

This raises the issue of dual-use chemicals—those that, while intended for peaceful use, can be used to make weapons. If Cuba and Iran sign and then ratify the convention, they can break out of the embargoes on chemicals the United States has imposed on them.

Treaty proponents argue that the convention would enable the United States to gather intelligence on other countries' chemical weapons programs. But Sen. Kyl calls such benefits "marginal" and says, "It's not worth the price."

If the treaty is ratified, moreover, the United States will have to pick up a considerable part of the setup costs of a massive new international regulatory body in the Hague. This superagency would be empowered to subject U.S. businesses to routine or "challenge" inspections of sites that allegedly might contain chemical weaponry or its key ingredients.

A challenge inspection would be undertaken merely upon the request of a member. The CWC gives any ratifier the right to ask for an arbitrary inspection of a private facility—anytime, anywhere; the ratifier merely has to allege that deadly chemicals might be on the premises. The treaty requires that "the inspected . . . party shall be under the obligation to allow the greatest degree of access." According to the implementing legislation for CWC, it would be "unlawful for any person to fail or refuse to permit entry or inspection."

The inspection teams that will enter U.S. plants if this convention is ratified could have representatives from states such as France and Japan, for example, that practice industrial espionage. Ironically, Washington also will have to foot some of the bills for these inspections, which experts believe may violate the constitutional rights of U.S. companies and citizens.

Lt. Gen. James A. Williams, a former director of the Defense Intelligence Agency, has written to Majority Leader Trent Lott warning that "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."

American companies also would have to provide continuing, time consuming reports. While arms control officials told the Senate Foreign Relations Committee that at least 3,000 U.S. firms that use, process or consume chemicals would have to make so-called "data declarations" under CWC, the majority staff of the committee contends that as many as 8,000 companies—firms that manufacture anything from dyes to pigments to insecticides—could be forced to contend with this burdensome load of paperwork.

Negotiations on the treaty began under President Reagan; the accord was seen then as a verifiable, global ban on chemical weapons. As time passed, the purposes changed. Arms control experts concluded that constitutional rights clashed with the need to verify. There would have to be a compromise. The balance that was struck, according to Kyl, adversely affects the United States: While the convention doesn't catch and punish many countries that have secret chemical weapons programs, it ends up imposing heavy costs and constitutional burdens on the United States.

[From the Washington Post, Sept. 12, 1996]

PEACE THROUGH PAPER
(By Charles Krauthammer)

The Senate is about to vote on ratification of the Chemical Weapons Convention. Senate Democrats maneuvered—by threatening to filibuster the defense authorization bill—to have the vote just before the election. The timing fits the political strategy. And the strategy is emotional black-mail: Who is going to vote against a treaty whose lofty goal is to eradicate chemical weapons from the face of the earth?

Who? Every senator should. The goal is indeed lofty, but the treaty that purports to bring it about is a fraud.

The fatal problem with the chemical weapons treaty is that it is unverifiable. Sure, it has elaborate inspection procedures. And an even more elaborate U.N. bureaucracy to oversee them. No treaty is complete without that nowadays. As a result, the treaty will be perfectly able to detect the development of chemical weapons by free, open governments (like ours) that have never used and have no intention of using chemical weapons. (Indeed, the United States now is actively destroying its Cold War stockpile.)

And the treaty will be perfectly useless at preventing development of chemical weapons by closed societies such as Iran, Iraq (which in 1988 blatantly violated the current treaty banning the use of chemical weapons), Libya, Syria and North Korea. These are precisely the places where chemical weapons are being made today for potential use against the United States or its allies.

How can anyone seriously defend this treaty as verifiable when, even as the Senate votes, Iraq—subject to a far more intrusive inspection regime than anything contemplated under the CWC—nonetheless is going ahead with its chemical (and nuclear and biological) weapons programs right under our noses? When North Korea, signatory and subject to all the fancy inspection provisions of the Nuclear Nonproliferation Treaty, went blithely ahead and with impunity made nuclear bombs?

And these are violations by countries that had submitted to intrusive international inspection. Yet we already know that Libya, North Korea and Syria have not agreed to sign the CWC and thus will be subject to no chemical weapons inspection at all! Not to worry. The treaty will definitively banish the threat of chemical attack by Australia.

All arms control treaties have problems with verification. But with chemical weapons, the problem is inherently insoluble. Consider the (nuclear) START treaties with Russia: hard to verify, but at least they involve fixed numbers of large objects—missiles—with no other use and not that hard to find. Chemical weapons, on the other hand, involve small quantities of everyday stuff that is impossible to find.

How small? The sarin nerve gas use for the Tokyo subway attack was manufactured by the Aum Supreme Truth cult in a single room.

How everyday? As Jeane Kirkpatrick and Dick Cheney and many others pointed out in

a letter to the Senate majority leader opposing the CWC, the treaty does not even prohibit the two chemical agents that were employed to such catastrophic effect in World War I and that are the backbone of Iran's current chemical arsenal—phosgene and hydrogen cyanide. Why? Because they are too widely used for commercial purposes.

All right, you say (and many senators up for reelection are privately thinking): So the CWC is useless. What harm can it do? The harm it—like all panaceas—does is induce a false sense of security.

Treaties are not feel-good devices. They are not expressions of hope. They are means of advancing peace by putting real constraints on the countries that pose threats.

Syria has put chemical weapons on the tips of its Scud missiles. Iraq is rebuilding its arsenal. Libya is constructing the largest underground chemical weapons plant on the planet. And what are we doing? Passing a treaty that will allow international agents to inspect up to 8,000 American businesses, searching and seizing without warrant.

The logic is more than comical. It is dangerous. The chemical weapons treaty is part of a larger administration scheme to build a new post-Cold War structure of peace through the proliferation of paper. Yesterday, a test ban treaty. Today, chemical weapons. Tomorrow, a biological weapons convention and strengthening the ban on anti-ballistic missiles.

The conceit of this administration is that it is following in the footsteps of Truman and Marshall in the 1940s, building a structure of peace after victory in a great war. In fact, they are following in the footsteps of Harding and Coolidge, who spent the 1920s squandering the gains of World War I on the false assurances of naval disarmament treaties and such exercises in high-mindedness as the Kellogg-Briand Pact.

The Clinton administration calls the chemical weapons treaty "the most ambitious arms control regime ever negotiated." Its ambition is matched only by that of the Kellogg-Briand Pact, also an American brainchild, also promulgated to great international applause. (Frank Kellogg, Coolidge's secretary of state, won the Nobel Peace Prize for it.) All parties to that piece of paper pledged the renunciation of war forever. The year was 1928. Germany and Japan were signatories. ●

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 104-36

Mr. DOMENICI. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the Convention on International Maritime Organization, Treaty Document No. 104-36, transmitted to the Senate by the President on October 1, 1996; and I ask that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

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

The message of the President is as follows:

To the Senate of the United States:

I transmit herewith, for the advice and consent of the Senate to accept, amendments to the Convention on the International Maritime Organization,

signed at Geneva, March 6, 1948 (the IMO Convention). The amendments were adopted on November 7, 1991, and November 4, 1993, by the Assembly of the International Maritime Organization (IMO) at its seventeenth and eighteenth sessions. I also transmit, for the information of the Senate, the report of the Department of State describing the amendments, their purpose and effect.

The United States is the world's largest user of international shipping. These amendments strengthen the International Maritime Organization's capability to facilitate international maritime traffic to carry out its activities in developing strong maritime safety and environmental protection standards and regulations. The IMO's policies and maritime standards largely reflect our own. The United States pays less than 5 percent of the assessed contributions to the IMO.

The 1991 amendments institutionalize the Facilitation Committee as one of the IMO's standing committees. The Facilitation Committee was created to streamline the procedures for the arrival, stay and departure of ships, cargo and persons in international ports. This committee effectively contributes to greater efficiencies and profits for the U.S. maritime sector, while assisting U.S. law enforcement agencies' efforts to combat narcotics trafficking and the threat of maritime terrorism.

The 1993 amendments increase the size of the IMO governing Council from 32 to 40 members. The United States has always been a member of the IMO governing Council. Increasing the Council from 32 to 40 Member States will ensure a more adequate representation of the interests of the more than 150 Member States in vital IMO maritime safety and environment protection efforts worldwide.

The 1991 amendments institutionalize the Facilitation Committee as one of the IMO's main committees. The 1993 amendments increase the size of the Council from 32 to 40 members, thereby affording a broader representation of the increased membership in the IMO's continuing administrative body.

Support for these amendments will contribute to the demonstrated interest of the United States in facilitating cooperation among maritime nations. To that end, I urge that the Senate give early and favorable consideration to these amendments and give its advice and consent to their acceptance.

WILLIAM J. CLINTON.

THE WHITE HOUSE, October 1, 1996.

ORDERS FOR WEDNESDAY, OCTOBER 2, 1996

Mr. DOMENICI. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until the hour of 12 noon on Wednesday, October 2; further, immediately following the prayer, the Journal of proceedings be