

be supplemented by a classified annex, indicating how the United States National Technical Means, including collection, processing and analytic resources, will be marshalled, together with the Convention's verification provisions, to ensure effective verification of compliance. Such certification and report shall be submitted to the Committee on Foreign Relations, the Committee on Appropriations, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate.

(c) **DECLARATIONS.**—The advice and consent of the Senate to ratification of the Convention is subject to the following declarations, which express the intent of the Senate:

(1) **TREATY INTERPRETATION.**—The Senate affirms the applicability to all treaties of the constitutionally based principles of treaty interpretation set forth in Condition (I) of the Resolution of Ratification with respect to the INF Treaty, approved by the Senate on May 27, 1988. For purposes of this declaration, the term "INF Treaty" refers to the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter Range Missiles, together with the related memorandum of understanding and protocols, approved by the Senate on May 27, 1988.

(2) **FURTHER ARMS REDUCTION OBLIGATIONS.**—The Senate declares its intention to consider for approval international agreements that would obligate the United States to reduce or limit the Armed Forces or armaments of the United States in a militarily significant manner only pursuant to the treaty power set forth in Article II, Section 2, Clause 2 of the Constitution.

(3) **RETIATORY POLICY.**—The Senate declares that the United States should strongly reiterate its retaliatory policy that the use of chemical weapons against United States military forces or civilians would result in an overwhelming and devastating response, which may include the whole range of available weaponry.

(4) **CHEMICAL DEFENSE PROGRAM.**—The Senate declares that ratification of the Convention will not obviate the need for a robust, adequately funded chemical defense program, together with improved national intelligence capabilities in the nonproliferation area, maintenance of an effective deterrent through capable conventional forces, trade-enabling export controls, and other capabilities. In giving its advice and consent to ratification of the Convention, the Senate does so with full appreciation that the entry into force of the Convention enhances the responsibility of the Senate to ensure that the United States continues an effective and adequately funded chemical defense program. The Senate further declares that the United States should continue to develop theater missile defense to intercept ballistic missiles that might carry chemical weapons and should enhance defenses of the United States Armed Forces against the use of chemical weapons in the field.

(5) **ENFORCEMENT POLICY.**—The Senate urges the President to pursue compliance questions under the Convention vigorously and to seek international sanctions if a party to the Convention does not comply with the Convention, including the "obligation to make every reasonable effort to demonstrate its compliance with this Convention", pursuant to paragraph 11 of Article IX. It should not be necessary to prove the noncompliance of a party to the Convention before the United States raises issues bilaterally or in appropriate international fora and takes appropriate actions.

(6) **APPROVAL OF INSPECTORS.**—The Senate expects that the United States will exercise its right to reject a proposed inspector or in-

spection assistant when the facts indicate that this person is likely to seek information to which the inspection team is not entitled or to mishandle information that the team obtains.

(7) **ASSISTANCE TO RUSSIA.**—The Senate declares that, if the United States provides limited financial assistance for the destruction of Russian chemical weapons, the United States should, in exchange for such assistance, require Russia to destroy its chemical weapons stocks at a proportional rate to the destruction of United States chemical weapons stocks, and to take the action before the Convention deadline. In addition, the Senate urges the President to request Russia to allow inspections of former military facilities that have been converted to commercial production, given the possibility that these plants could one day be reconverted to military use, and that any United States assistance for the destruction of the Russian chemical stockpile be apportioned according to Russia's openness to these broad based inspections.

(8) **EXPANDING CHEMICAL ARSENALS IN COUNTRIES NOT PARTY TO THE CHEMICAL WEAPONS CONVENTION.**—It is the sense of the Senate that, if during the time the Convention remains in force the President determines that there has been an expansion of the chemical weapons arsenals of any country not a party to the Convention so as to jeopardize the supreme national interests of the United States, then the President should consult on an urgent basis with the Senate to determine whether adherence to the Convention remains in the national interest of the United States.

(9) **COMPLIANCE.**—Concerned by the clear pattern of Soviet noncompliance with arms control agreements and continued cases of noncompliance by Russia, the Senate declares the following:

(A) The Convention is in the interest of the United States only if the both the United States and Russia, among others, are in strict compliance with the terms of the Convention as submitted to the Senate for its advice and consent to ratification, such compliance being measured by performance and not by efforts, intentions, or commitments to comply.

(B)(i) Given its concern about compliance issues, the Senate expects the President to offer regular briefings, but not less than several times a year, to the Committees on Foreign Relations and Armed Services and the Select Committee on Intelligence of the Senate on compliance issues related to the Convention. Such briefings shall include a description of all United States efforts in diplomatic channels and bilateral as well as the multilateral Organization fora to resolve the compliance issues and shall include, but would not necessarily be limited to a description of—

(I) any compliance issues, other than those requiring challenge inspections, that the United States plans to raise with the Organization; and

(II) any compliance issues raised at the Organization, within 30 days.

(ii) Any Presidential determination that Russia is in noncompliance with the Convention shall be transmitted to the committees specified in clause (i) within 30 days of such a determination, together with a written report, including an unclassified summary, explaining why it is in the national security interests of the United States to continue as a party to the Convention.

(10) **SUBMISSION OF FUTURE AGREEMENTS AS TREATIES.**—The Senate declares that after the Senate gives its advice and consent to ratification of the Convention, any agreement or understanding which in any material way modifies, amends, or reinterprets

United States and Russian obligations, or those of any other country, under the Convention, including the time frame for implementation of the Convention, should be submitted to the Senate for its advice and consent to ratification.

(11) **RIOT CONTROL AGENTS.**—(A) The Senate, recognizing that the Convention's prohibition on the use of riot control agents as a "method of warfare" precludes the use of such agents against combatants, including use for humanitarian purposes where combatants and noncombatants intermingled, urges the President—

(i) to give high priority to continuing efforts to develop effective nonchemical, nonlethal alternatives to riot control agents for use in situations where combatants and noncombatants are intermingled; and

(ii) to ensure that the United States actively participates with other parties to the Convention in any reassessment of the appropriateness of the prohibition as it might apply to such situations as the rescue of downed air crews and passengers and escaping prisoners or in situations in which civilians are being used to mask or screen attacks.

(B) For purposes of this paragraph, the term "riot control agents" is used within the meaning of Article II(4) of the Convention.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. AKAKA:

S. 1717. A bill for the relief of Dona H. Shibata; to the Committee on Armed Services.

By Mr. SPECTER:

S. 1718. An original bill to authorize appropriations for fiscal year 1997 for intelligence and intelligence-related activities of the U.S. Government, the Community Management Account, and for the Central Intelligence Agency Retirement and Disability System, and for other purposes; from the Select Committee on Intelligence; placed on the calendar.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. D'AMATO (for himself, Mr. DOLE, Mr. MCCONNELL, Mr. NICKLES, Mr. MURKOWSKI, and Mr. HATCH):

S. Res. 253. A resolution urging the detention and extradition to the United States by the appropriate foreign government of Mohammed Abbas for the murder of Leon Klinghoffer; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 386

At the request of Mr. MCCONNELL, the name of the Senator from Indiana [Mr. LUGAR] was added as a cosponsor of S. 386, a bill to amend the Internal Revenue Code of 1986 to provide for the tax-free treatment of education savings accounts established through certain State programs, and for other purposes.

S. 491

At the request of Mr. BREAU, the name of the Senator from Vermont

[Mr. LEAHY] was added as a cosponsor of S. 491, a bill to amend title XVIII of the Social Security Act to provide coverage of outpatient self-management training services under part B of the medicare program for individuals with diabetes.

S. 1035

At the request of Mr. DASCHLE, the name of the Senator from Montana [Mr. BAUCUS] was added as a cosponsor of S. 1035, a bill to permit an individual to be treated by a health care practitioner with any method of medical treatment such individual requests, and for other purposes.

S. 1150

At the request of Mr. SANTORUM, the name of the Senator from New Mexico [Mr. BINGAMAN] was added as a cosponsor of S. 1150, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of the Marshall Plan and George Catlett Marshall.

S. 1183

At the request of Mr. HATFIELD, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of S. 1183, a bill to amend the Act of March 3, 1931 (known as the Davis-Bacon Act), to revise the standards for coverage under the Act, and for other purposes.

S. 1271

At the request of Mr. CRAIG, the name of the Senator from Pennsylvania [Mr. SPECTER] was added as a cosponsor of S. 1271, a bill to amend the Nuclear Waste Policy Act of 1982.

S. 1397

At the request of Mr. KYL, the name of the Senator from Indiana [Mr. LUGAR] was added as a cosponsor of S. 1397, a bill to provide for State control over fair housing matters, and for other purposes.

S. 1505

At the request of Mr. LOTT, the name of the Senator from South Dakota [Mr. PRESSLER] was added as a cosponsor of S. 1505, a bill to reduce risk to public safety and the environment associated with pipeline transportation of natural gas and hazardous liquids, and for other purposes.

S. 1610

At the request of Mr. BOND, the name of the Senator from Kansas [Mrs. KASSEBAUM] was added as a cosponsor of S. 1610, a bill to amend the Internal Revenue Code of 1986 to clarify the standards used for determining whether individuals are not employees.

S. 1623

At the request of Mr. WARNER, the names of the Senator from Maryland [Ms. MIKULSKI] and the Senator from Massachusetts [Mr. KENNEDY] were added as cosponsors of S. 1623, a bill to establish a National Tourism Board and a National Tourism Organization, and for other purposes.

S. 1624

At the request of Mr. HATCH, the name of the Senator from Vermont [Mr. LEAHY] was added as a cosponsor

of S. 1624, a bill to reauthorize the Hate Crime Statistics Act, and for other purposes.

S. 1628

At the request of Mr. BROWN, the name of the Senator from Montana [Mr. BURNS] was added as a cosponsor of S. 1628, a bill to amend title 17, United States Code, relating to the copyright interests of certain musical performances, and for other purposes.

AMENDMENT NO. 3738

At the request of Mr. ABRAHAM, the name of the Senator from Delaware [Mr. ROTH] was added as a cosponsor of amendment No. 3738 intended to be proposed to S. 1664, an original bill to amend the Immigration and Nationality Act to increase control over immigration to the United States by increasing border patrol and investigative personnel and detention facilities, improving the system used by employers to verify citizenship or work-authorized alien status, increasing penalties for alien smuggling and document fraud, and reforming asylum, exclusion, and deportation law and procedures; to reduce the use of welfare by aliens; and for other purposes.

AMENDMENT NO. 3760

At the request of Mr. LIEBERMAN, his name was added as a cosponsor of amendment No. 3760 proposed to S. 1664, an original bill to amend the Immigration and Nationality Act to increase control over immigration to the United States by increasing border patrol and investigative personnel and detention facilities, improving the system used by employers to verify citizenship or work-authorized alien status, increasing penalties for alien smuggling and document fraud, and reforming asylum, exclusion, and deportation law and procedures; to reduce the use of welfare by aliens; and for other purposes.

AMENDMENT NO. 3865

At the request of Mr. REID, the names of the Senator from Illinois [Ms. MOSELEY-BRAUN] and the Senator from Illinois [Mr. SIMON] were added as cosponsors of amendment No. 3865 proposed to S. 1664, an original bill to amend the Immigration and Nationality Act to increase control over immigration to the United States by increasing border patrol and investigative personnel and detention facilities, improving the system used by employers to verify citizenship or work-authorized alien status, increasing penalties for alien smuggling and document fraud, and reforming asylum, exclusion, and deportation law and procedures; to reduce the use of welfare by aliens; and for other purposes.

#### SENATE RESOLUTION 253—RELATIVE TO THE MURDER OF LEON KLINGHOFFER

Mr. D'AMATO (for himself, Mr. DOLE, Mr. MCCONNELL, Mr. NICKLES, Mr. MURKOWSKI, and Mr. HATCH) submitted the following resolution; which was considered and agreed to:

S. RES. 253

Whereas, Mohammed Abbas, alias Abu Abbas, was convicted by a Genoan Court in June 1986 and sentenced to life in prison, in absentia, for "kidnapping for terrorist ends that caused the killing of a person" for his role in the death of an American citizen, Leon Klinghoffer;

Whereas, a report from the Italian magistrate who tried the case against Abbas stated that the evidence was "multiple, unequivocal, and overwhelming" and that his actions in training and financing for this operation, and in choosing the target, as well as in planning the escape, made Abbas guilty of the murder;

Whereas, a warrant for Abbas' arrest was unsealed in October 1985 charging him with hijacking, and a bounty of \$250,000 was offered for his arrest;

Whereas, the Justice Department felt that it did not have the evidence to convict him, and citing the conviction, albeit in absentia by the Italian authorities, canceled the warrant for his arrest in January 1988;

Whereas, at an April 1996 meeting of the Palestine National Council in Gaza, Abbas described the killing as "a mistake" and that Mr. Klinghoffer was killed because he "had started to incite the passengers against [the kidnappers]";

Now, Therefore, be it *Resolved*, That it is the sense of the Senate that the Attorney General should seek, from the appropriate foreign government, the detention and extradition to the United States of Mohammed Abbas (also known as Abu Abbas) for the murder of Leon Klinghoffer in October 1985 during the hijacking of the vessel *Achille Lauro*.

#### AMENDMENTS SUBMITTED

#### THE IMMIGRATION CONTROL AND FINANCIAL RESPONSIBILITY ACT OF 1996

##### FEINSTEIN AMENDMENT NO. 3867

(Ordered to lie on the table.)

Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill (S. 1664) to amend the Immigration and Nationality Act to increase control over immigration to the United States by increasing Border Patrol and investigative personnel and detention facilities, improving the system used by employers to verify citizenship or work-authorized alien status, increasing penalties for alien smuggling and document fraud, and reforming, asylum, exclusion, and deportation law and procedures; to reduce the use of welfare by aliens; and for other purposes; as follows:

AMENDMENT NO. 3867

Beginning on page 99, strike line 10 and all that follows through line 13.

##### FEINSTEIN (AND BOXER)

##### AMENDMENT NO. 3868

(Ordered to lie on the table.)

Mrs. FEINSTEIN (for herself and Mrs. BOXER) submitted an amendment intended to be proposed by them to the bill S. 1664, supra; as follows:

AMENDMENT NO. 3868

Beginning on page 10, strike line 18 and all that follows through line 13 on page 11 and insert the following: