

amendment. I believe it is clear that one consequence of Senate Joint Resolution 1 would be the Medicare program, which provides health services to 38 million senior citizens, will be cut in excess of what is required to protect seniors and beyond the dictates of good health policy.

I am committed to charting a positive course for our Nation in the 21st century, and I believe that we are moving in the right direction. Some of us have worked very hard in the recent years to do the job of digging out from the exploding deficits of the 1980's, by reducing the deficit, and changing the priorities of the Federal budget in order to cut waste and increase investment in America's future. I have cast many votes in recent years for actual cuts, for detailed changes in policy, and for specific budget plans. These are the kinds of real votes that have cut the deficit.

By working out a balance between what must be done to invest in our people, and using their hard-earned tax dollars more wisely, we have a course that is far less reckless and dangerous than strapping this amendment onto the U.S. Constitution. I truly believe we can achieve the real goal of a balanced budget amendment—fiscal responsibility—if we are brave enough to tackle the real challenges that confront us. For the sake of real fiscal responsibility and the sake of West Virginia's future, I cast my vote against the constitutional amendment to balance the budget.

#### MR. COKER ADDS TO THE FIGHT AGAINST DRUGS

Mr. BIDEN. Mr. President, last fall, I had the opportunity to participate in a ribbon cutting ceremony commemorating renovations to the Queen Manor low-income senior citizen complex in Dover, DE. One of the highlights of the ceremony was a poem written and read by Mr. James B. Coker that reminds us that drug abuse is not the answer.

Mr. President, I ask that the text of the poem be printed in the RECORD.

The poem follows:

The high I need doesn't come in a bottle  
Or in an auto's throttle  
Just give me some hugs  
Not someone's drugs

Mr. BIDEN. Last week, President Clinton announced a new addition to our strategy in the fight against drug abuse by young people in America. I applaud the President's effort to focus on teen drug abuse, and believe that it is a good response to a disturbing trend that we cannot ignore. We must harness a moral condemnation of drug use by all segments of our population.

I commend Mr. Coker for making a difference, and am grateful for his contribution in the fight against drug abuse.●

#### DIVERSIFIED

#### INTERGENERATIONAL CARE, INC.

● Mr. LIEBERMAN. Mr. President, I rise today to honor Diversified Inter-

generational Care, Inc., in recognition of the grand opening of their facility at the West Haven Medical Center on March 21, 1997. This facility, which is the first of its kind in the Nation, will provide child care services and care for the mentally ill and elderly.

The sole principals of the company, Scott L. Shafer and Bernard L. Ginsberg, were able to make this facility a reality through a lease they were awarded by the Department of Veterans Affairs. They were selected for the Department's enhanced-use lease through a highly competitive process involving companies nationwide.

Diversified Intergenerational Care, Inc. considers it an honor to work with the Department of Veterans Affairs. They intend to continue their partnership by developing other intergenerational facilities. Their goal is to satisfy the unmet need for care for children, the elderly, and the mentally ill at VA medical centers across the country.

I congratulate Diversified Intergenerational Care, Inc. and the Department of Veterans Affairs for creating this very worthwhile facility, and thank them for working to make these vital services available to those in need.●

#### ANOTHER MILESTONE FOR THE NPT

● Mr. GLENN. Mr. President, I rise to remind my fellow colleagues that today marks the 27th anniversary of the entering into force of the Treaty on the Non-Proliferation of Nuclear Weapons, or NPT. All too often, the contributions to U.S. security made by multilateral arrangements like the NPT go unrecognized.

I will speak today of a treaty that—with the accession by Oman last January—now has 185 members. That is more than any international security treaty in history. Though it is true that the NPT has not eradicated the global threat of nuclear weapons proliferation—and that it faces some daunting challenges ahead—the treaty has undoubtedly served U.S. interests well and deserves the respect and support of all Members of Congress and indeed all Americans.

#### SOME HIGHLIGHTS

Mr. President, I ask to have printed in the RECORD at the end of my remarks a list supplied by the Arms Control and Disarmament Agency of all current signatories and parties to the NPT. The only major nonmembers are India, Pakistan, Israel, Brazil, and Cuba.

The NPT was negotiated throughout the 1960's and was signed by Secretary of State Dean Rusk on July 1, 1968. The treaty commits the United States, Britain, France, Russia, and China—the treaty's so-called nuclear-weapon states, defined as countries that detonated a nuclear explosive device before January 1, 1967—not to transfer, directly or indirectly, any nuclear explosive device or control over such a de-

vice to any other country, and “not in any way to assist, encourage, or induce” any non-nuclear-weapon state to acquire such a device. (Article I.)

As for the latter states, the treaty obligates them to forswear the bomb and to agree to full-scope safeguards of the International Atomic Energy Agency [IAEA] over all of their nuclear materials. (Articles II and III.)

The treaty also obligates all of its parties to pursue negotiations toward nuclear disarmament, indeed to pursue the eventual goal of a “treaty on general and complete disarmament under strict and effective international control.” (Article VI.)

These respective obligations form the heart of the security obligations of members of the NPT. Though the treaty also encourages peaceful uses of atomic energy (Article IV), this encouragement obviously does not extend to help in making bombs or the fissile materials for use in such bombs. The “NP” in “NPT” continues to stand for nonproliferation—not “Nuclear Proliferation” or “Nuclear Profiteering.”

#### NEW CHALLENGES AHEAD

Now, many published critiques have already established that the NPT is far from a perfect treaty. Typically these include observations about the limits of safeguards, the treaty's lack of complete universality, the lack of mandatory sanctions for violations, the inclusion of anachronistic language about “peaceful nuclear explosions,” the lack of an explicit ban on nonnuclear-weapon states helping other nonnuclear-weapon states to acquire the bomb, and allegations about the treaty's discriminatory division of the world into nuclear have's and have not's.

Though many of these specific criticisms are well-founded, I would like to identify some broader challenges that could someday jeopardize not just this treaty, but the very existence of nonproliferation as a basic norm of the international community.

Ironically, the first major challenge may well come from the disarmers. Though the United States and Russia have recently made substantial reductions in their strategic arsenals, it is possible that, someday, dozens of non-nuclear-weapon states may reconsider their membership or abandon the treaty due to what they may believe is inadequate progress toward the goal of total nuclear disarmament. What a hypocritical step that would be: it would amount not just to a form of extortion, but one based on some rather peculiar logic—“either you disarm, right now, in the interests of world peace, or we will arm.” How this will serve the interests of either peace or nonproliferation is beyond me.

I agree that America and all the other nuclear-weapon states should reaffirm their obligation under the NPT to negotiate in good faith toward the ultimate goal of nuclear disarmament. But I do not read the NPT itself as

compelling the United States to disarm as a precondition for other countries to abide by the treaty. The START process has already shown the world that America and Russia are serious about deep cuts in nuclear arms. And the world community will rightfully expect Britain, France, and China to make deep cuts of their own, toward the eventual goal of eliminating all such weapons, as the treaty provides. I believe it is crucial that the nuclear-weapon states fulfill their end of the NPT bargain, but I do not believe that the complex and time-consuming process of nuclear arms reductions should serve as any pretext for further proliferation.

The second major challenge to the NPT will come from advocates of commercial uses of plutonium or highly enriched uranium around the world. I would hate to see countries use the NPT as a pretext for new demands for access to sensitive technology relating to the manufacture of nuclear weapons. If, for example, the acceptance of full-scope safeguards is interpreted by some countries as constituting some form of entitlement to produce highly enriched uranium or to separate plutonium, then the world would be a more dangerous place indeed. We need less of such materials in world commerce, not more of them.

I have no doubt that IAEA safeguards are good and that they are getting better, especially thanks to the agency's Programme 93+2 plan to improve safeguards, but the agency is already too under-funded and overworked to be taking on the new jobs of safeguarding a global plutonium economy, not to mention promoting one. And I continue to question the basic safeguardability of dangerous fuel cycle operations like reprocessing and enrichment, given the difficulty of preventing or even detecting diversions which, though small in size, would be quite sufficient to make bombs.

Since no technical fix will ever eliminate all proliferation and terrorist threats from commercial uses of such materials, I would urge all supporters of nonproliferation to pursue a global moratorium or outright prohibition on all production of highly enriched uranium and the separation of all bomb-usable plutonium for any purpose. Our goal should not be the production by all or some countries of bomb-usable nuclear materials under safeguards—our goal should be a ban on the production of such materials, period.

The key point to keep in mind about safeguards is that they serve as an important instrument in America's diplomatic tool kit for fighting proliferation. By themselves, safeguards do not in any way constitute a solution to the problem of proliferation. To the extent that they complement other U.S. nonproliferation initiatives, however, they thereby deserve our full support.

A third major challenge facing the NPT is that the nuclear-weapon states will, for various reasons, compromise

their not in any way to assist obligation under article I of the NPT. I have already seen signs of some erosion of this key duty, which on its face tolerates no forms of assistance.

Various current and proposed export control reforms would, if fully implemented, undoubtedly open up new strains in the NPT's no assistance taboo. I have in mind here such proposals as the following: to relax controls over sensitive dual-use items going to friendly countries or members of multilateral regimes; to drop controls over goods that are no longer state-of-the-art—as though obsolete hydrogen bombs would be any less of a proliferation threat; to regulate or prohibit only significant forms of assistance; to authorize sensitive dual-use transfers so long as there is evidence that some other country is selling similar goods—this is the old “foreign availability” loophole; and to eliminate licensing requirements for many dual-use goods, and other such dubious schemes.

Some of these themes were reflected in recent speech by a senior U.S. export control official, who said the following:

We no longer have a clearly defined single adversary. Instead, we aim to restrict a narrow range of transactions that could assist in the development of weapons of mass destruction in irresponsible countries like Iran and Iraq. In attempting to do that, we have refocused our control system on a smaller group of truly critical goods and technologies and on specific problem end uses and end users in addition to the so-called pariah countries. [Source: Under Secretary of Commerce William Reinsch, speech before the National Security Industrial Association, February 25, 1997.]

This quote illustrates the extent to which America's NPT's duty “not in any way to assist” is already being interpreted as meaning, in effect, “\* \* \* not to provide a narrow range of truly critical goods and technologies that could assist rogue nations to acquire nuclear explosive devices.” The NPT, however, makes no distinction between so-called critical items and any other items—it rules out any and all assistance to any nonnuclear-weapon state.

The irony of such reform proposals can be seen even more when one considers that export controls affect only a tiny fraction of U.S. trade. According to Commerce Department data for 1995, \$99.20 out of every \$100 in U.S. exports did not even require an export license. Not only that—of those exports that did require a license in that year, only one license out of a hundred was denied. In 1991, the Commerce Department received 30,537 export license applications—by 1995 this number had plummeted to only 9,845, and only 121 of these were ultimately denied.

So the evidence is pretty slim, to say the least, to support any claim that rolling back on export controls will substantially boost America's competitiveness, except perhaps in the sense of increasing America's competitiveness as a proliferator of weapons of mass destruction. Yes indeed, America cannot

only afford to comply in full with the NPT's “not in any way to assist” prohibition—from a security standpoint, it cannot afford not to comply with this obligation.

Unfortunately, the dubious claim of commercial need is not the only factor eroding this prohibition under the NPT. The other threat appears in the form of well-meaning pleas coming from two strange bedfellows—certain nongovernmental experts on nonproliferation, and various defense hawks and strategic theorists inside countries that are working on the bomb or keeping their bomb options wide open.

I am referring specifically to proposals to substitute the “management” for the “prevention” of proliferation as a goal of U.S. policy. America, they argue, should help other countries to make to proliferation safe, to ensure that new regional balances of nuclear terror remain stable, and to take steps to ensure that new nuclear arsenals around the world will remain reliable and guarantee secure second strike capabilities. In other words—they appear to believe that America should now help to convert the old cold war doctrine of “mutual assured destruction” into an export commodity.

Even highly esteemed organizations like the Council on Foreign Relations seem to be leaning in this direction. In a recent study released last January on U.S. nuclear nonproliferation policy in South Asia and sponsored by the Council, the authors not only recommended this basic approach, but also called for new U.S. arms transfers and nuclear cooperation with both India and Pakistan with no nonproliferation strings attached, specifically no requirement for full-scope IAEA safeguards. [Source: Council on Foreign Relations, “A New US Policy Toward India and Pakistan,” Richard N. Haass, Chairman, January 1997.]

Russia, meanwhile, seems intent on selling two nuclear reactors to India without full-scope safeguards, while China—which has never accepted such safeguards as a nuclear supply condition—continues to engage in nuclear cooperation with Pakistan.

Unless the United States and other members of the world community rally in defense of the NPT and the heart of its verification scheme—full-scope safeguards—I fear that more and more countries will be tempted to reassess their continued membership in that treaty. After all, why agree to safeguards restraints when the benefits of membership in the treaty can be obtained without such restraints? Nobody should take the future of this treaty for granted. By their nuclear supply practices in South Asia, Russia and China are simply making proliferation pay.

#### CONCLUSION

Mr. President, I would like to conclude by saying that if export controls remain a valuable instrument of nonproliferation, if the inertia toward the eventual goal of nuclear disarmament

is sustained, if the inertia in some countries to make large-scale commercial uses of bomb materials can be broken, and if the zealots of regional nuclear deterrence can be kept in check, then I truly believe that the NPT will be with us for quite a while and the world will be better off as a result.

If these conditions are not satisfied, I fear not just for the future of this treaty, but for the future of world peace.

The list follows:

SIGNATORIES AND PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS—JANUARY 23, 1997

[Source: Arms Control and Disarmament Agency]

Afghanistan.  
Albania.  
Algeria.  
Antigua and Barbuda.  
Andorra.  
Angola.  
Argentina.  
Armenia.  
Australia.  
Austria.  
Azerbaijan.  
Bahamas, The.  
Bahrain.  
Bangladesh.  
Barbados.  
Belarus.  
Belgium.  
Belize.  
Benin.  
Bhutan.  
Bolivia.  
Bosnia & Herzegovina.  
Botswana.  
Brunei.  
Bulgaria.  
Burkina Faso.  
Burundi.  
Cambodia.  
Cameroon.  
Canada.  
Cape Verde.  
Central African Republic.  
Chad.  
Chile.  
China.  
Colombia.  
Comoros.  
Congo, People's Republic of (Brazzaville).  
Costa Rica.  
Cote d'Ivoire.  
Croatia.  
Cyprus.  
Czech Republic.  
Denmark.  
Djibouti.  
Dominica.  
Dominican Republic.  
Ecuador.  
Egypt.  
El Salvador.  
Equatorial Guinea.  
Eritrea.  
Estonia.  
Ethiopia.  
Fiji.  
Finland.  
Former Yugoslav Republic of Macedonia.  
France.  
Gabon.  
Gambia, The.  
Georgia.  
Germany, Fed. Republic of.  
Ghana.  
Greece.  
Grenada.  
Guatemala.  
Guinea.  
Guinea-Bissau.  
Guyana.  
Haiti.  
Holy See.  
Honduras.  
Hungary, Republic of.  
Iceland.  
Indonesia.  
Iran.  
Iraq.  
Ireland.  
Italy.  
Jamaica.  
Japan.  
Jordan.  
Kazakhstan.  
Kenya.  
Kiribati.  
Korea, Democratic People's Republic of.  
Korea, Republic of.  
Kuwait.  
Kyrgyzstan.  
Laos.  
Latvia.  
Lebanon.  
Lesotho.  
Liberia.  
Libya.  
Liechtenstein.  
Lithuania.  
Luxembourg.  
Madagascar.  
Malawi.  
Malaysia.  
Maldives Islands.  
Mali.  
Malta.  
Marshall Islands.  
Mauritania.  
Mauritius.  
Mexico.  
Micronesia.  
Moldova.  
Monaco.  
Mongolia.  
Morocco.  
Mozambique.  
Myanmar (Burma).  
Namibia.  
Nauru.  
Nepal.  
Netherlands.  
New Zealand.  
Nicaragua.  
Niger.  
Nigeria.  
Norway.  
Oman.  
Palau.  
Panama.  
Papua New Guinea.  
Paraguay.  
Peru.  
Philippines.  
Poland.  
Portugal.  
Qatar.  
Romania.  
Russia.  
Rwanda.  
St. Kitts and Nevis.  
St. Lucia.  
St. Vincent and the Grenadines.  
San Marino.  
Sao Tome and Principe.  
Saudi Arabia.  
Senegal.  
Seychelles.  
Sierra Leone.  
Singapore.  
Slovakia.  
Slovenia.  
Solomon Islands.  
Somalia.  
South Africa.  
Spain.  
Sri Lanka.  
Sudan.

Suriname.  
Swaziland.  
Sweden.  
Switzerland.  
Syrian Arab Republic.  
Taiwan.  
Tajikistan.  
Tanzania.  
Thailand.  
Togo.  
Tonga.  
Trinidad and Tobago.  
Tunisia.  
Turkey.  
Tuvalu.  
Turkmenistan.  
Uganda.  
Ukraine.  
United Arab Emirates.  
United Kingdom.  
United States.  
Uruguay.  
Uzbekistan.  
Vanuatu.  
Venezuela.  
Vietnam, Socialist Republic of.  
Western Samoa.  
Yemen.  
Yugoslavia, Socialist Federal Republic of.  
Zaire.  
Zambia.  
Zimbabwe.  
Total: 185 (Total does not include Taiwan or SFR Yugoslavia, which has dissolved.)●

ORDERS FOR THURSDAY, MARCH 6, 1997

Mr. SHELBY. 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 Thursday, March 6. I ask unanimous consent that on Thursday, immediately following the prayer, the routine requests through the morning hour be granted, and that there be a period of morning business until the hour of 1:30 p.m. with Senators to speak for up to 5 minutes each except for the following: Senator DEWINE, 20 minutes; Senator GRAHAM, 15 minutes; Senator TORRICELLI, 15 minutes; Senator COATS, 10 minutes.

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

PROGRAM

Mr. SHELBY. For the information of all Senators, following morning business tomorrow, the majority leader has indicated that various nominations may be available for consideration on Thursday. Therefore, rollcall votes are possible during Thursday's session.

ADJOURNMENT UNTIL TOMORROW

Mr. SHELBY. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:47 p.m. adjourned until Thursday, March 6, 1997, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate March 5, 1997: