

the time in your bank that you put in at time and a half for comp time and you could meet your family needs that way without taking a pay cut. Simply, the Family and Medical Leave Act says you can leave without pay. I think we ought to have the Family Friendly Workplace Act which says you do not have to take a pay cut in order to be a good mom or dad in America.

Well, this is the situation. I believe if you ask people, they will tell you they need this. President Clinton commissioned a study by the Labor Department. The report was entitled "Working Women Count," and that report, headed by the Clinton Labor Department, said the No. 1 thing we want is more ability to harmonize, to accommodate the needs of our families and workers. The President himself has recognized this. There was a small portion of Federal Government workers that have not been covered since 1978, and when he took office in the early nineties, he said, "I'll cover them," and he issued an Executive order which extended the benefits to these workers.

I think it is time for America to prepare for the next century, and perhaps it may be a little scary for some people to just loosen their grip a little bit on the 1930's, but we do not live that way anymore. The truth of the matter is, we need flexibility. As long as we have a framework of protections and we guard against abuse and we make it voluntary for both employers and employees, I think it is time we said to the American people generally, you can have the same benefits that the Federal Government employees have had since 1978, you can work to accommodate these competing needs that tug and pull you, the need to have a good work situation and the need to meet the needs of your family.

When we address these issues on the floor of the Senate, I hope we will have an overwhelming vote that sends the American work force into the next century with a sense of optimism and a sense of being able to accommodate these competing values, values of their families and home place and values of industry and the workplace.

Mr. President, I thank you very much.

Mr. KYL addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, first let me compliment the Senator from Missouri. I have supported his efforts and continue to do so because of the important contribution that his legislation would make for flexibility for working families in this country. It is an important effort that I hope we can succeed in adopting before too long in the Senate of the United States. Again, I compliment him.

CHEMICAL WEAPONS CONVENTION

Mr. KYL. Mr. President, we are working toward developing a unanimous-consent agreement which I hope

will permit us to vote yet today on an important piece of legislation that complements the efforts of the administration to proceed with the consideration of the Chemical Weapons Convention next week.

For those who support the Chemical Weapons Convention, it is a way of reiterating that support. For those who oppose the Chemical Weapons Convention, it is a way of declaring support for a wide range of very realistic and practical and constructive steps that the United States can take to help reduce the proliferation of weapons of mass destruction and, in particular, chemical and biological weapons here in the United States.

It is my hope that we will be able to call that bill up. It is a bill which I have sponsored with cosponsorships, including I believe all of the Members of the leadership of the Senate Republicans, including the distinguished majority leader, Senator LOTT; Senator NICKLES; Senator MACK; Senator COVERDELL; Senator HELMS; Senator SHELBY; Senator HUTCHISON; Senator ALLARD; Senator HUTCHINSON; Senator INHOFE; Senator SMITH; and myself.

It is a bill which would have, under the unanimous consent agreement being proposed, only 2 hours of debate before the vote. There would be a very limited amount of time to describe it, and, therefore, I would like to briefly describe the legislation at this time.

I think it should be noncontroversial, though the Chemical Weapons Convention itself is very controversial; and reasonable people can fall on either side of that debate. I think the legislation before us today should be supported by all Members of the United States Senate.

The title of the bill—or let me actually read the description of the title of the bill to begin this description:

To provide criminal and civil penalties for the unlawful acquisition, transfer, or use of any chemical weapon or biological weapon, and to reduce the threat of acts of terrorism or armed aggression involving the use of any such weapon against the United States, its citizens, or Armed Forces, or those of any allied country . . .

Mr. President, this legislation came about because of the focus on the Chemical Weapons Convention and the determination that there were a lot of things that the United States could and should do whether or not that convention is ratified.

For example, we found that while it is illegal in the United States to possess or manufacture biological weapons, there is no criminal prohibition upon the manufacture or possession of chemical weapons. Therefore, we combine the two sections of the statute which relate to chemical and biological weapons and provide that it is a criminal offense to manufacture them, to use them, to threaten to use them, to possess them. All of these things are criminalized with substantial penalties being provided for them.

We provide for the revocation of export privileges for those companies in

the United States that might violate that law and, incidentally, for the forfeiture of assets to help pay victims of such crime. In effect, say, this was an attack such as in the Tokyo subway about a year ago. We would, under certain circumstances, be able to seize the assets of the criminals responsible for that for the purpose of compensating the victims of that terror.

This legislation provides for sanctions against the use of chemical and biological weapons. Under existing law there are sanctions, but we would provide more flexibility for the President. Under the existing law, the President has a limited range of 10 sanctions that he has to impose in two particular tiers if he makes a finding that there has been a violation of law. These are sanctions against another country.

What we would do is provide the President the flexibility to provide any combination of those sanctions. He is still required to impose five of them, as he is under current law, but this provides him some additional flexibility depending upon the circumstances of how he would impose sanctions against any particular country that has used or possesses or manufactures chemical or biological weapons.

There is also a continuation of the waiver for the President. Although that is strengthened somewhat, he would still be able to waive these provisions in the supreme national interest of the United States.

But importantly, also, this act would call the President to block transactions of any property that is owned by a country found to use chemical or biological weapons. So their property here in the United States should be seized, here again, for paying the victims of such crime.

Another thing this bill does is to call upon the President and the Secretary of State to use their best efforts to maintain the Australia Group in force. That is the group of countries of the world that have agreed among ourselves not to trade in chemicals with countries we do not think should have those chemicals because they might be used to manufacture chemical or biological weapons.

We need to maintain the Australia Group. This provides the sense of the Senate and the policy of the United States to continue that Australia Group in force.

There are currently conditions on assisting Russia in the destruction of and the dismantling of their chemical and biological weapons. They have far and away the largest stocks of chemical and biological weapons in the world. What we have done is to provide assistance to them under what are called Nunn-Lugar funds. This continues the same kind of restrictions that existed in the past with respect to a certification by the President that Russia is in compliance with these requirements.

The four conditions in this legislation closely parallel those in the 1996 Defense Authorization Act in which

both Houses of Congress agreed to fence the so-called Nunn-Lugar funds pending a certification by the President that either Russia was making progress toward achieving these goals or that the President could not so certify.

Mr. President, I ask unanimous consent just to speak for a couple more minutes to conclude my remarks.

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

Mr. KYL. Thank you.

I note the distinguished Senator from Texas is here. I will, therefore, try to stay within this limitation of time.

In any event, this is basically a continuation of previous policy, Mr. President, not something new, but we think it is important to continue.

Our legislation calls for a report on an annual basis on the state of chemical and biological weapons proliferation. It calls for the Secretary of State to work with other nations of the world to try to find ways to put teeth in the 1925 Geneva Protocol. That is the treaty we all signed that bans the use of chemical weapons and, by the way, includes such countries as Iran and Iraq and other countries that really ought to comply with the provisions of that treaty.

We restrict the use of funds until the United States is actually a member of the Organization for the Prohibition of Chemical Weapons.

Next to last, we make it the policy of the United States to continue to enhance our defense capabilities. The GAO came out with a report last year that frankly said our military was going the wrong way in providing defensive capability to our troops, that we need to spend more money and that we need to do a better job in equipping our troops to defend against the use of chemical weapons.

Because of that GAO report, we have included in this legislation instructions to the Secretary of Defense to get on with that job and, very specifically, by the way, to require that the primary facility which engages in this conduct to defend our troops is under the jurisdiction of a general officer of the United States.

We provide a sense of the Senate that the President reevaluate the current policy on negative assurances. And, finally, we provide that the policy begun in the Ford administration on the use of riot control agents be continued in force. This is a policy that says, for example, that notwithstanding any chemical weapons convention, if we have a downed pilot, for example, and there are civilians in the area, we can use riot control agents, tear gas, if you will, so we do not have to fire real bullets to extricate that pilot from that situation.

The bottom line is this act that will be introduced, and we hope voted on today, is an act that continues some very important policies and institutes some new, positive changes in the law, including filling some important gaps

in the law relating to the manufacture and use of chemical weapons here in the United States. It ought to be supported by all Senators in this Chamber whether or not they intend to support the Chemical Weapons Convention. This bill is an important bill to support, and we will be calling on them later today for that support.

Thank you, Mr. President.

Mrs. HUTCHISON addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, are there any time limits on the amount of time that a Senator can speak at this time?

The PRESIDING OFFICER. Five minutes per Senator.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that I be able to speak for up to 15 minutes.

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

Mrs. HUTCHISON. Thank you, Mr. President.

First, I want to commend the distinguished junior Senator from Arizona for all of the efforts that he has made to educate Members of the Senate and members of the American public on the chemical weapons treaty that will be before the Senate at some point in the next week. He has shown so many of the problems with this treaty and some of the consequences that might occur if the treaty is put forward in the form that it is in.

I think his bill would correct some of the real problems, such as the concern over the ability to use tear gas. To unilaterally say we would not use tear gas is unimaginable when we know what an important tool it is to safely extricate a pilot that is down or to safely be able to control a group of prisoners, which was done with Iraqi prisoners of war in Desert Storm. The last thing you want to do is have to shoot with real bullets when you have other options that are not permanently harmful.

So, I thank the Senator from Arizona, and I am proud to be a cosponsor of his bill that I think would correct some of the problems in this treaty so that we would all be able to ratify it very happily and knowing that we have carried our responsibility to do what is right for our country.

THE 50TH ANNIVERSARY OF THE WORST INDUSTRIAL DISASTER IN THE HISTORY OF AMERICA

Mrs. HUTCHISON. Mr. President, I want to say that I had quite an experience yesterday. I went back to my home territory near Texas City, TX, and helped commemorate the 50th anniversary of the worst industrial disaster in the history of America. That was the explosions in Texas City on April 16, 1947.

I remember the incident personally because I was there as a 4-year-old. I remember the tremendous jolt that occurred at that time. I put a statement

in the RECORD yesterday that talks about the incredible impact this had on the people of the area of Texas City.

Just to put it in perspective, this was a town of 17,000 that lost 600 of its citizens in one 24-hour period. It lost the entire fire department that was on duty at the time. It lost people who were trying to help victims. It was an incredible impact. But the impact that I witnessed yesterday on the faces of the residents of Texas City highlighted for me the rejuvenation of this city, now of 50,000 people.

Thanks to the leadership of its mayor, Chuck Doyle, there is a 3-day commemoration of this event, and it is having a strong, positive impact on the city. It is a city that has put itself back together and made itself stronger from the adversity.

I am very proud of Texas City, TX, and the sister city of La Marque where I grew up for healing this devastating event in its history and for emerging stronger than ever. The area is today one of the petrochemical centers of the world and a place that I am proud to have grown up in and to have known the wonderful people who live there and who have made this city what it is.

So I commend Mayor Doyle, the survivors of the Texas City explosion, the residents of Texas City, and the many other people who worked to make the commemoration of that disaster such a positive event for Texas City and for this Nation.

THE FAMILY FRIENDLY WORKPLACE ACT OF 1997

Mrs. HUTCHISON. Mr. President, I rise today to speak on the Family Friendly Workplace Act of 1997.

Mr. President, Senator JOHN ASHCROFT of Missouri is the key sponsor of this legislation. It is the Ashcroft-Hutchison legislation that I think is so important for the working people of our country. Senator ASHCROFT talked about it earlier this morning.

I am pleased to be able to talk about this incredible opportunity we have to bring hourly workers under the same laws that salaried, or exempt workers now have, and that all Federal employees now have.

Mr. President, every hourly Federal employee today is given the benefit of flexible work scheduling—a benefit which is unavailable to their private sector counterparts. Federal hourly employees can today go to their manager and say, “I would like to work 2 extra hours this week and get off at 3 o’clock next Friday to go to my child’s soccer game,” or to take off early on a camping trip, or for whatever reason they choose.

Right now the hourly workers of America are not able to do this because of the inflexibility of the Fair Labor Standards Act. This is unfortunate, because hourly workers, those who punch a time clock, are the most stressed of all American workers. They, more than