

calamity sure to occur in America if and when foreign producers shut off our supply, or double the already enormous cost of imported oil flowing into the United States, now 6,700,000 barrels a day.

THE CHEMICAL WEAPONS CONVENTION

Mr. PELL. Mr. President, under a previous unanimous consent agreement, the Senate is scheduled to consider and complete action before the end of next week on the Chemical Weapons Convention.

The Convention bans the production, stockpiling, and use of chemical weapons. It includes detailed verification provisions. It was negotiated in the Reagan and Bush administrations and was based largely on a text personally presented to the Conference on Disarmament in Geneva by then Vice President Bush. The convention represents a significant advance beyond the only existing constraint on chemical weapons, the 1929 Geneva Protocol, which only bans the use of such weapons in war.

Earlier today, several Members expressed concern with regard to the convention. I am sure that those concerns and any others that Members may have will be raised and addressed in detail next week during the total of 12 hours agreed upon for consideration of the treaty.

I personally favor very much ratification of the treaty. I reached that judgment following extensive hearings I chaired in 1994 while chairman of the Senate Committee on Foreign Relations. Additional hearings have been held this year under the chairmanship of the Senator from North Carolina [Mr. HELMS], and, as a result, the Committee has been able to consider a broad range of issues and, in my view, resolve them quite satisfactorily.

The Clinton administration strongly supports the treaty as settled upon during the Bush administration. In its efforts to inform the Senate, I am told that the administration has responded to over 300 Senate questions on the treaty and has responded in detail to inquiries made by members of the Committee on Foreign Relations and others. The administration's responses include over 1,500 pages of information on the Chemical Weapons Convention—over 300 pages of testimony, over 500 pages of answers to Senate letters and reports, over 400 pages of answers to Senate questions for the treaty record, and over 300 pages of additional documentation. During the August recess the White House held a series of briefings for Senate staffers.

This coming Monday at 4 p.m. in S-407 senior administration officials will meet with all Senators in S-407 to discuss the treaty. This will allow all Members an opportunity to assess first-hand the arguments for the treaty and to raise any questions they have. I hope that any Senator with the slightest concern will avail him or herself of

the chance to have concerns addressed directly.

As we prepare for formal consideration I thought it would be helpful to my fellow Members to consider a letter I received this afternoon from the President's Assistant for National Security Affairs, Anthony Lake, addressing in detail some of the questions that have been raised regarding the treaty. The letter included an enclosure, a portion of which is classified, which is available in committee offices for interested Members. I ask unanimous consent that Mr. Lake's letter be printed in the RECORD following my remarks.

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

(See exhibit 1.)

Mr. PELL. Mr. President, there is no question that this convention enjoys the overwhelming support of the Nation's chemical industries. On August 29, I and other Senators received a letter strongly endorsing the convention and arguing for Senate consent to ratification. This letter was authored by senior officials of a number of significant corporations. I ask unanimous consent that the text of that letter also be printed in the RECORD following my remarks.

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

(See exhibit 2.)

Mr. PELL. Mr. President, I look forward to the debate on the convention when it comes before the Senate next week.

EXHIBIT 1

THE WHITE HOUSE,
Washington, September 5, 1996.

DEAR SENATOR PELL: As we continue to prepare for the Senate's floor debate on the Chemical Weapons Convention (CWC) two weeks from now, I want to share with you the basic points we have made recently in responding to certain concerns that have been raised by the Chairman of the Foreign Relations Committee.

Senator Helms has questioned whether Russia will ever ratify the CWC. As you are aware, the Russian Government has formally stated its commitment to become a party to the CWC, as recently as July 22 of this year at the Plenary meeting of the CWC Preparatory Commission (PrepCom) in The Hague. In this same statement, the Russian Government announced that it is seeking the speedy submission of the Convention to the Russian parliament for ratification.

In my view, the recent Russian statement in The Hague, which mentioned the issue of entry into force, does not reflect an intention to distance Russia from the CWC, but rather a concern about being left behind. In these circumstances, I believe that the best way to promote Russian ratification is to proceed with our own ratification, as has been done by all of our major NATO allies and many others, and to bring the CWC into force as soon as possible while, at the same time, trying to address Russian concerns in a manner consistent with our own interests.

We have forthrightly told the Russians that we believe that prompt entry into force of the Convention is crucial to the fight against the spread of weapons of mass destruction and the fight against terrorism. Consequently, we have informed them that we are moving forward with our own ratifi-

cation and have urged that they continue to proceed ahead with their effort as well.

The Russians have clearly stated that the central problem they face regarding the CWC is financing the cost of their CW destruction program. While requesting international assistance, the Russians have also made it clear, most recently in their Plenary Statement in The Hague, that the program will be financed primarily by Russia itself. We and other countries have indicated our willingness to address this outstanding concern on an expedited basis, but we have continued to underscore to the Russians that CW destruction is primarily their responsibility and that any U.S. assistance is contingent upon approval by the U.S. Congress.

Senator Helms has also raised concerns with regard to the 1990 Bilateral Destruction Agreement (BDA). The Russian Federation, as you know, has long expressed concerns about certain aspects of this agreement and has not agreed to detailed implementing procedures and updated provisions to finalize the BDA. We continue to press the Russians at the highest levels on the need to resolve the outstanding CW issues, and they agreed to a meeting with ACDA Director Holm, which was held on August 10. They also agreed to host a visit to Volgograd later this fall to address specifically the issue of conversion of production facilities. While the Russians have stated that they believe that the bilateral agreements between Russia and the United States have fulfilled their useful role, they have also stated that they will not renege on the agreements they have made.

As for the Chairman's specific concerns about the possible consequences of Russian withdrawal from the BDA, I would point out that if the BDA is not in force when the CWC is implemented, Russian chemical weapons elimination will still be subject to systematic verification under the CWC, although that would be performed by the Organization for the Prohibition of Chemical Weapons (OPCW), instead of the United States. It is important to remember that, in contrast to the CWC, the BDA does not require total destruction of CW stocks nor does it provide a multilateral framework including challenge inspections for addressing compliance concerns. As you may recall, the President informed the Senate in 1993 in transmittal of the CWC that, while the BDA was an important agreement in its own right, it has become less relevant than it was in 1990 because the CWC has been completed and that final agreement on the BDA should not delay submission of the CWC to the Senate.

Some have the impression that Russia is "withdrawing" from the 1989 Wyoming Memorandum of Understanding. This agreement has been implemented in two phases. During the first phase, the two sides exchanged general information on their chemical weapons stockpiles and production and storage facilities and carried out reciprocal visits to relevant military and civilian facilities. During the second phase, the two sides exchanged the detailed information on their stockpiles and chemical weapons facilities and carried out a number of inspections at declared chemical weapons production, storage and development facilities, including challenge inspections of such facilities.

While Russia has met its obligations to participate in implementation activities under the Memorandum of Understanding, questions remain regarding certain aspects of the Russian data. We are continuing to press the Russians at the highest levels on the need to resolve these outstanding CW issues.

In any case, I have stressed to Senator Helms that the Administration is prepared to actively pursue concerns regarding the veracity of any State Party's reporting under

the CWC, since the provision of accurate declaration information is a fundamental obligation essential to the effective implementation of the Convention. The Administration also continues to believe that prompt entry into force of the CWC will provide the necessary tools to deal effectively with these issues, including a basis for punitive measures or sanctions in response to noncompliance.

Finally, we have carefully considered the Chairman's request for declassification of any documents and cables pertaining to bilateral discussions with Russia. As you know, it is our standard practice to make relevant classified information available to the Senate through classified briefings and reports. The Administration has provided the Senate with numerous briefings and reports of this sort since November 23, 1993, when the President submitted the CWC with a request for its prompt consideration. I informed Senator Helms that I regretted that we cannot declassify the requested documents, because they have been properly classified pursuant to E.O. 12958 and because disclosure of the information they contain could seriously undermine ongoing diplomatic activities. The Administration is eager, however, to assist the Senate in developing a complete record for its consideration prior to floor action on the Chemical Weapons Convention, as stated in the June 28, 1996 unanimous consent agreement pertaining to the Convention. Therefore, I made clear to the Chairman that we are prepared to make appropriate officials available to Senators and cleared staff to brief on those documents under appropriate classification at the earliest date.

We look forward to Senate advice and consent to the CWC by September 14. Enclosed please find the detailed answers we provided the Chairman in response to the questions he had recently raised.

Sincerely,

ANTHONY LAKE,
Assistant to the President
for National Security Affairs.

EXHIBIT 2

AUGUST 29, 1996.

Hon. CLAIBORNE PELL,
U.S. Senate,
Washington, DC.

DEAR SENATOR PELL: The undersigned senior executives of chemical companies urge your vote in support of the Chemical Weapons Convention (CWC), and quick Senate action on legislation to implement this important treaty.

The chemical industry has long supported the CWC. Our industry participated in negotiating the agreement, and in U.S. and international implementation efforts. The treaty contains substantial protections for confidential business information (CBI). We know, because industry helped to draft the CBI provisions. Chemical companies also help test the draft CWC reporting system, and we tested the on-site inspection procedures that will help verify compliance with the treaty. In short, our industry has thoroughly examined and tested this Convention. We have concluded that the benefits of the CWC far outweigh the costs.

Indeed, the real price to pay would come from not ratifying the CWC. The treaty calls for strict restrictions on trade with nations which are not party to the Convention. The chemical industry is America's largest export industry, posting \$60 billion in export sales last year. But our industry's status as the world's preferred supplier of chemical products may be jeopardized if the U.S. does not ratify the Convention. If the Senate does not vote in favor of the CWC, we stand to lose hundreds of millions of dollars in overseas sales, putting at risk thousands of good-paying American jobs.

The U.S. chemical industry has spent more than 15 years working on this agreement,

and we long ago decided that ratifying the CWC is the right thing to do.

We urge you to vote in support of the Chemical Weapons Convention.

Sincerely,

J. Lawrence Wilson, Chairman & CEO, Rohm and Has Company, Chairman, Board of Directors, Chemical Manufacturers Association; Alan R. Hirsig, President & CEO, ARCO Chemical Company, Chairman, Executive Committee, Chemical Manufacturers Association; H.A. Wagner, Chairman, President & CEO, Air Products & Chemicals, Inc.; D.J. D'Antoni, President, Ashland Chemical Company; Helge H. Wehmeier, President & CEO, Bayer Corporation; John D. Ong, Chairman & CEO, The BFGoodrich Company; Robert R. Mesel, President, BP Chemicals, Inc.; Charles M. Donohue, Vice President, Akzo Nobel Chemicals, Inc.; J. Dieter Stein, Chairman & CEO, BASF Corporation; W.R. Cook, Chairman, President & CEO, Betz Dearborn, Inc.; Joseph M. Saggese, President & CEO, Borden Chemicals & Plastics, LP; Dr. Aziz I. Asphahani, President & CEO, Carus Chemical Company; Vincent A. Calarco, Chairman, President & CEO, Crompton & Knowles Corporation; Richard A. Hazleton, Chairman & CEO, Dow Corning Corporation; Howard J. Rudge, Senior Vice President & General Counsel, E.I. duPont de Nemours & Company; Richard G. Fanelli, President & CEO, Enthone-OMI Inc.; J.E. Akitt, Executive Vice President, Exxon Chemical Company; William S. Stavropoulos, President & CEO, The Dow Chemical Company; Earnest W. Deavenport, Jr., Chairman of the Board & CEO, Eastman Chemical Company; Bernard Azoulay, President & CEO, Elf Atochem North America; Bruce C. Gottwald, CEO, Ethyl Corporation; Ron W. Haddock, President & CEO, FINA, Inc.; Robert N. Burt, Chairman & CEO, FMC Corporation; Otto Furuta, V.P. Global Logistics & Materials Management, Great Lakes Chemical Corporation; R. Keith Elliott, President & CEO, Hercules, Inc.; Hans C. Noetzli, President & CEO, Lonza, Inc.; Robert G. Potter, Executive Vice President, Monsanto Company; Dr. William L. Orton, Senior Vice President, Chemical Operations, Givaudan-Roure Corporation; Michael R. Boyce, President & COO, Harris Chemical Group; Thomas F. Kennedy, President & CEO, Hoechst Celanese Corporation; Mack G. Nichols, President & COO, Mallinckrodt Group, Inc.; S. Jay Steward, Chairman & CEO, Morton International, Inc.

E.J. Mooney, Chairman & CEO, Nalco Chemical Company; Jeffrey M. Lipton, President, NOVA Corporation; Donald W. Griffin, Chairman, President & CEO, Olin Corporation; Peter R. Heinze, Senior Vice President, Chemicals, PPG Industries, Inc.; Phillip D. Ashkettle, President & CEO, Reichhold Chemicals, Inc.; Ronald L. Spraez, V.P., External Affairs & Quality, National Starch & Chemical Company; J. Roger Hirl, President & CEO, Occidental Chemical Corporation; David Wolf, President, Perstorp Polyols, Inc.; Ronald H. Yocum, Chairman, President & CEO, Quantum Chemical Company; Thomas E. Reilly, Jr., Chairman, Reilly Industries, Inc.; Peter J. Neff, President & CEO, Rhone-Poulenc, Inc.; Nicholas P. Trainer, President, Sartomer Company; J. Virgil Waggoner, President & CEO, Sterling Chemicals, Inc.; W.H. Joyce, Chairman, President & CEO, Union Carbide Corporation; Arthur R.

Sigel, President & CEO, Velsicol Chemical Corporation; Roger K. Price, Senior V.P., Mining & Manufacturing, R.T. Vanderbilt Company, Inc.; F. Quinn Stepan, Chairman & President, Stepan Company; William H. Barlow, Vice President, Business Development, Texas Brine Corporation; Robert J. Mayaika, President, CEO & Chairman, Uniroyal Chemical Company, Inc.; John Wilkinson, Director of Government Affairs, Vulcan Chemicals; Albert J. Costello, Chairman, President & CEO, W.R. Grace & Company.

PROTECTING U.S. BUSINESSES OPERATING ABROAD

Mr. SHELBY. Mr. President, I rise today to inform my colleagues in the Senate of another case where a foreign government is punishing an American company for no legitimate reason. The United States must stand up against such actions by foreign governments and end such unfair and unwarranted treatment of our citizens.

Some years ago, two of my constituents, Bill and Allan MacDonald, respected businessmen in Alabama and the United States, invested in Bermuda's struggling cable television system. The MacDonalds were encouraged to make their initial investment by the Bermudian Government because of the poor state of the cable television system. The MacDonalds devoted not only sizeable amounts of time and energy to this effort, but they also invested sizeable amounts of their own money to upgrade the cable television system.

Contrary to the expectations of some Bermudians, the MacDonalds turned the company around and the company began making money. As soon as the business began to do well, some Bermudians began to try to wrest the business away from the MacDonalds. These Bermudian citizens, with the help of their Government, are determined to take control of the company away from the MacDonalds now that the company is doing well. My question to the Senate today is: Will the U.S. Government let this happen?

Mr. President, the U.S. Government and the State Department in particular must do a better job of protecting U.S. businesses operating abroad. We must make sure that foreign countries know that we will not tolerate unfair trade practices against American companies or citizens.

Mr. President, I do not know if we can get the Bermudian Government to treat the MacDonalds fairly, but one thing we can do is make sure that Bermudian companies do not receive more favorable treatment in the United States than United States companies receive in Bermuda. It is my understanding that a Bermudian company, Telebermuda, has applied for a general landing license to the Federal Communications Commission [FCC]. Under U.S. law the FCC may not grant such a license without the approval of the