we cease testing nuclear weapons and have a test ban on nuclear weapons, there were some who stood up and said we cannot do that because it will weaken our country. Yet we had a ban on testing nuclear weapons, and it was the right thing to do. History tells us it was the right thing to do.

This is the right thing to do as well. It is very important that we understand this must be part of the Senate's business this month. If we do not take the opportunity to provide leadership in banning the use of chemical weapons, a weapon of mass destruction in our society, if we do not take the opportunity to establish that leadership, we will have made a very grave error.

This is not a case of one side of a debate being soft headed and fuzzy and the other side being the real prodefense folks. The people who support this—former National Security Adviser Brent Scowcroft, former Secretaries of State James Baker, Larry Eagleburger, former Arms Control and Disarmament Agency head Ron Lehman—all urge the Senate to ratify the chemical weapons treaty, none of whom can be alleged to have been soft on defense issues. These are people very prodefense, people who are very concerned about making certain that we do not lose advantage, that we are a strong country, that we can defend ourselves. But these are people who also believe, as did President Bush, that this treaty makes sense for our country, to provide leadership on the abolition of chemical weapons. Leadership on the abolition of poison gas as a weapon in war makes great sense for our country and great sense for humanity.

The reason I raise the question today is this. We have a limited time, and a deadline of April 29, to ratify this treaty in order for us to be part of the regime that begins to develop the methods by which this treaty is enforced. Yet, we have no agreement even to bring the treaty to the floor of the Senate for a vote or discussion. Some of us believe very strongly that, with the exception of the emergency supplemental appropriations bill, for example, or with the exception, perhaps, of a budget bill to balance the Federal budget—which we should do—with the exception of those things we ought to make sure this is first in line. Until we have assurance this is first in line, we ought not be doing other business. This ought to be brought to the floor of the Senate, and we ought to have agreement to do that soon.

I hope we will have an aggressive and significant discussion about this treaty. My understanding is the distinguished Senator from Oklahoma may intend to speak some about this treaty and some of his concerns about it. But my hope is, perhaps this afternoon—I intend to come back to the floor—some of us can have a discussion back and forth. I have great respect for people who take an opposite view on this and on other issues. We do not have to call each other names because we disagree with each other. Debate ought to be to evaluate what are the merits of a position, what are the facts, and what conclusions can one develop from those facts.

My position is to say I think we ought to do this. It is an easier position, I must say, to oppose it. It is an easier position. That is not to say opposing it is necessarily wrong, and there are cases where the opposition might be the right position on some issues. But Mark Twain once said, when he was asked to debate, ''Of course, but I need to take the opposing side.'' They said, ''But we have not even told you what the topic is.'' He said, ''That doesn't mean anything to me. That doesn't matter. I only need to take the opposing side because that doesn't require any preparation.''

The point he was making is it is always easier to take the opposing side. I say to my friend from Oklahoma, that doesn't mean the opposing side in every debate is wrong. But in this case, the need to ratify the chemical weapons treaty, the affirmative side is the right side for this country. It is urgent and has a time deadline, and we ought to do it. I hope this afternoon, perhaps, we can have some thoughtful discussion about what are the merits of this, why do we have such a large group of Republicans and Democrats from the Bush administration and the Clinton administration and many others who believe this is a priority for this country and believe it is something that this country ought to take a lead on.

My hope is that at end of the day today, or this week, we will have an agreement by which we can at least bring this to the floor, even though some might want to vote against it. I think those who want to do that should give us the opportunity to have a debate and a vote on the chemical weapons treaty. We very much owe that to this country. If and when we get to the decision to give us a debate and a vote on the chemical weapons treaty, I will be happy with that. We have to make our best case and we have to make an affirmative case for this treaty. We have that responsibility. But we cannot do that if we are prevented from seeing it brought to the floor of the Senate for a debate and a vote.

Mr. President, with that I yield the floor.

Does the Senator from Oklahoma intend to speak?

Mr. INHOFE. Yes.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I ask unanimous consent that I may speak as in morning business.

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

CHEMICAL WEAPONS CONVENTION

Mr. INHOFE. Mr. President, I have the utmost respect for my distinguished colleague from North Dakota, Senator DORGAN. I have to admit, however, I seem to disagree with him more than agree with him. Let me just cover a couple of things that he said that I feel quite strongly—I am sure he believes them, but they are certainly not true.

First of all, as far as the deadline is concerned, it seems like every time you want to get something done you impose a deadline and say we have to do it by—in this case, the 29th of April. There is no deadline on this. Once this thing goes, the vote takes place, we can become a part of it if we want to wait until June or July or August. There is no deadline.

I am reminded a little bit of the deadline they had when we had, I believe it was, the GATT Treaty. We had a special session of the U.S. Senate that was held in November, before the new Senate came in—this was in 1994—that would allow those individuals who were defeated or who retired to vote on something and not the new person who was elected. My daddy taught me a long time ago if the train is coming fast, slow it down. That is what we need to do with the Chemical Weapons Convention. We had a debate on this last fall. I think the debate was a very fruitful one, and a lot of things came out. So let us not talk about a deadline of the 29th. I look forward to debating this and discussing this with the Senator from North Dakota this afternoon.

The next thing that he said that I take issue with is the idea that it is easier to oppose than to support the Chemical Weapons Convention. He is saying it is easier. Maybe it was easier for Mark Twain. This is not easier, because I will tell you I have been very outspoken in opposition to this Chemical Weapons Convention, and all I hear from people is, ''You mean you are for chemical weapons?'' That is not the issue at all. It is a lot easier to demagog this thing and say, ''Let's sign this and do away with chemical weapons.'' We are not going to do away with chemical weapons, and we all know that.

As far as this is not a matter, as he stated, between the fuzzies and those in favor of a strong national defense, let us wait until the vote takes place and make that determination. I will wager that when the vote takes place, we will find out that those individuals with the highest American security ratings would be the ones who will oppose the Chemical Weapons Convention. That is a very easy thing to do. Just take the ratings and look and see how the vote comes out. Those individuals who consistently vote against such things as the National Missile Defense System, Theater Missile Defense System, vote for all of these disarmaments. A lot of the motive there is to put that money into social programs. I think we all know that.

Let me just cover a couple of things in this brief period of time. First of all, this is not global. The Senator from North Dakota talked about Spain and about France and about all these countries. We don't have a problem with

these countries. Let us look and see who is not a part of this. Iraq is not a part of this.

North Korea is not a part of this. Libya is not a part of this. Syria is not a part of this. If you ask any ''in'' person, in a logical manner, ''Who do you think would be the greatest threat to the United States,'' and you name the top 15, those countries would be there. It is not global. Those countries that involve themselves in terrorist activities are countries that are not a part of this. Of course, I think we all understand it does not cover terrorist activities anyway.

Let's look at the countries that are a part. Iran is now a signatory here, and yet Iran, if anyone here believes that they will keep their word in destroying all of their chemical arsenal, then I have a bridge I would like to sell them, because that is not going to happen. We know it is not verifiable, and there is no better evidence of that than after the Persian Gulf war when the United Nations was given incredible power to go out and examine and inspect and try to determine whether or not Iraq, who we had just defeated, had chemical weapons, then we find out through our intelligence community, that even with those very stringent inspection abilities that the United Nations had, that Iraq, still, was developing various weapons of mass destruction, including chemical weapons.

I think it is important to show that it is not effective, that it will not banish poison gas or shield our soldiers, as Clinton claims. Jane's Defense Weekly came out last week and reported that Russia has developed three new nerve agents without using any of the precursor chemicals banned by the Chemical Weapons Convention. What does that mean, Mr. President? It means that they are already out there trying to figure out and trying to develop chemical weapons that can be used that are not using the precursor chemicals that would be banned. In other words, let's assume everybody is honest and everybody is complying, it is all verifiable, and all the countries belong to it. When it gets down to it, the bottom line is, you can still come out with chemicals that do not use these precursor chemicals. So, it would not be effective in that respect.

I think we should also look at the constitutionality of this. I know a lot of times things are passed around here over the fact that it is a violation of the Constitution. I happen to be the chairman of the Clean Air and Private Property and Wetlands Subcommittee of the Environment and Public Works Committee. It is almost a daily thing that the Government takes land away from people without due compensation. So we know that there are things happening that violate constitutional rights. But in this case, it would permit searches and seizures without warrants or probable cause. I think this is a very serious thing.

And as far as trade secrets, we would be giving up something here. We all hear we are going to all destroy our chemical weapons. We have not stopped to realize what we are giving up in order to have this utopia that we seem to think is going to appear. One is, we have to open up and allow countries, like Iran, to inspect our chemical companies and our fertilizer companies and our cosmetic companies to see if there is anything in there that they are using and they would be able to get a lot of technology from this. This is something with which we have to be concerned.

Then we have more regulations on American business. This is something that we deal with. I have often said there are three reasons we are not globally competitive in this country. One is we are overtaxed; the other is our tort laws; and the other is we are overregulated. How can we compete with other countries when we are overregulated? This is one more regulation, one more set of forms that all these companies—cosmetic companies and others—will have to fill out.

Then, of course, we have the thing that is talked about quite often, and that is, this is going to make us much more comfortable in terms of our defense against any type of chemical weapons.

I have an editorial, that I will be asking in a minute to be printed in the RECORD at the conclusion of my remarks, from the Wall Street Journal. I hope my friend from North Dakota, the distinguished Senator who spoke before me, will listen to this. I will read the last couple of sentences in this editorial from the Wall Street Journal, which is dated February 19, 1997:

> The biggest danger of ratification is that it would similarly lull the U.S. and other responsible nations into the false belief that they are taking effective action against the threat of chemical weapons. The case for this treaty strains belief too far.

Lastly, let me suggest that a lot of the people, who are very fine people, who have signed on and said, ''Yes, we want the United States to be a part of the Chemical Weapons Convention,'' have not really taken the time to study and see what we are giving up. I will share with you just a couple of things that came from a meeting of February 27, 1997, when General Schwarzkopf, who is supportive of ratification of the Chemical Weapons Convention, was before our Senate Armed Services Committee, and I asked him a few questions.

I asked him questions concerning how it would affect terrorists. Of course, he agreed it would not have any effect.

Then I said:

> Do you think it wise to share with countries like Iran our most advanced chemical defensive equipment and technologies?
>
> General SCHWARZKOPF. Our defensive capabilities?
>
> Senator INHOFE. Yes.
>
> General SCHWARZKOPF. Absolutely not.
>
> Senator INHOFE. Well, I'm talking about sharing our advanced chemical defensive equipment and technologies, which I believe under Article X [they] would be allow[ed] . . . Do you disagree?

Then he said:

> I'm not familiar with all the details . . ..

One of the problems we have is, so many people who are supporting the ratification of this Chemical Weapons Convention have not read all the details, have not read what we are giving up, I say to the distinguished Senator from North Dakota, and we are giving up many things that would normally be considered private.

Lastly, I will say, in conclusion, that there are a lot of people who are opposed to this. They are very prominent in the defense community. Certainly, four of our past Secretaries of Defense are opposed to the ratification of the Chemical Weapons Convention. Rumsfeld, Schlesinger, who, incidentally was in a Democrat administration, Weinberger, and Dick Cheney have all taken positions and said this is not in the best interest of the United States.

So, I hope we will have a lengthy debate on this, and I am hoping, quite frankly, that we are not going to be able to bring this up until we have had a chance for a thorough debate.

Mr. President, I ask unanimous consent that the testimony from the Senate Armed Services Committee hearing of February 27, 1997, be printed in the RECORD, and immediately following that, the Wall Street Journal editorial dated February 19, 1997, be printed in the RECORD, in that order.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

EXCERPT FROM THE SENATE ARMED SERVICES COMMITTEE HEARING, FEBRUARY 27, 1997

Senator INHOFE. If the Chemical Weapons Convention were in effect, would we still face a danger of chemical attack from such places as Iraq [which has not signed the CWC]—or Iran [which] actually signed onto it?

General SCHWARZKOPF. Senator, I think that the answer is probably yes. But, I think the chances of that happening could be diminished by the treaty only because it would then be these people clearly standing up and thumbing their noses at international law—and it would also help us build coalitions against them if that were to happen.

Senator INHOFE. Aren't they still thumbing their noses right now in Iraq?

General SCHWARZKOPF. There's no question about it, Senator—I mean the fact that they used it in the first place against their own people but, I still feel—we have renounced the use of them and I am very uncomfortable placing ourselves in the company with Iraq and Libya and countries such as North Korea that have refused to sign that Convention. The problem with those kinds of things is that verification is very difficult and enforcement is very difficult. . . .

Senator INHOFE. General Shali[kashvili] I think in August of 1994 said that ''even one ton of chemical agent may have a military impact.'' I would ask the question: Do you believe that an intrusive, on-site inspection—as would be allowed by the Chemical Weapons convention—would be able to detect a single ton or could tell us conclusively that there isn't a single ton?

General SCHWARZKOPF. No, no as I said earlier, we can't possibly know what's happening on every single inch of every single territory out there where this would apply.

Senator INHOFE. And as far as terrorists are concerned, they would not be under this?

General SCHWARZKOPF. Of course not.

Senator INHOFE. Like any treaty, we have to give some things up, and in this case, of course we do and there are a couple of things that I'd like to [explore]—the interpretation from the White House changed—they said that if the Chemical Weapons Convention were agreed to, that it would affect such things as riot control agents like tear gas in search-and-rescue operations and circumstances like we faced on Somalia—where they were using women and children at that time as shields. Do you agree that we should be restricted from using such things as tear gas?

General SCHWARZKOPF. I don't believe that is the case but I will confess to you that I have not read every single detail of that Convention so, therefore, I really can't give you an expert opinion. I think you could get a better opinion here.

Secretary WHITE. I am going to hesitate to give a definitive answer because there has been, in the administration, a very precise and careful discussion about what exactly, and in what situations, this would apply and when this wouldn't apply. . . .

Senator INHOFE. Do you think it wise to share with countries like Iran our most advanced chemical defensive equipment and technologies?

General SCHWARZKOPF. Our defensive capabilities?

Senator INHOFE. Yes.

General SCHWARZKOPF. Absolutely not.

Senator INHOFE. Well, I'm talking about sharing our advanced chemical defensive equipment and technologies, which I believe under Article X [they] would be allow[ed] to [get]. Do you disagree?

General SCHWARZKOPF. As I said Senator, I'm not familiar with all the details—I—you know, a country, particularly like Iran, I think we should share as little as possible with them in the way of our military capabilities.

[From the Wall Street Journal, Feb. 19, 1997]

A DANGEROUS TREATY

Among the many good reasons why the Senate should not ratify the Chemical Weapons Convetion is a substance known as A–232. This highly lethal nerve agent was concocted by a Russian scientific team precisely for the purpose of circumventing the terms of the CWC, which both the U.S. and Russia have signed but not yet ratified. A–232 would escape scrutiny under the treaty because it is made from agricultural and industrial chemicals that aren't deadly until they are mixed and therefore don't appear on the CWC's schedule of banned chemicals.

The world has known about A–232 since the May 1994 publication on this page of an article by a Russian scientist, who warned how his colleagues were attempting to camouflage their true mission. It is now the subject of a classified Pentagon paper, reported in the Washington Times earlier this month, on the eve of what is shaping up to be an escalation of the battle joined in September over ratification of the Chemical Weapons Convention.

The Administration was forced to sound the retreat then, pulling the treaty from consideration when it became clear that the Senate was preparing to vote it down. Now it's trying again, this time in full cry about the urgency for U.S. ratification before April 29, the date it goes into effect. For now, Senator Jesse Helms has kept the treaty tied up in the Foreign Relations Committee, making the sensible argument that the new Senate ought first to focus on matters of higher priority then ramroding through a controversial treaty that merits careful deliberation.

The Administration, meanwhile, is mounting a full-court press, with the President offering a plea for ratification in his State of the Union address ''so that at last we can begin to outlaw poison gas from the earth.'' This is an admirable sentiment—who isn't against marking the world safe from the horrors of poison gas?—but it's far from the reality. In fact, ratification would more likely bring the opposite results.

Article XI is one of the key danger areas. It would obligate U.S. companies to provide fellow signatories with full access to their latest chemical technologies, notwithstanding American trade or foreign policy. One country delighted at the prospect of upgrading its chemical industry is China, which, upon signing the CWC, issued a declaration saying, ''All export controls inconsistent with the Convention should be abolished.'' No doubt Cuba and Iran, to name two other signatories, share the same sentiment. That Russian team that came up with A–232 no doubt could accomplish much more with the help of the most up-to-date technology from the U.S.

Verification is an insurmountable problem, and no one—not even the treaty's most ardent supporters—will promise that the treaty can be enforced. In the Administration's obfuscating phrase, the CWC can be ''effectively verified.'' Yet if chemical weapons are easy to hide, as A–232 proves, they are also easy to make. The sarin used in the poison-gas attack on the Tokyo subway was created not in a fancy lab but in a small, ordinary room used by Aum Shinri Kyo's amateur chemists. The treaty provides for snap inspections of companies that make chemicals, not of religious cults that decide to cook up some sarin in the back office. The CWC wouldn't make a whit of difference.

Those snap inspections, by the way, could turn into a huge burden on American businesses, which would have to fork out millions of dollars in compliance costs (through the biggest companies no doubt would watch the heaviest burden fall on their smaller competitors).

More than 65 countries have already ratified the CWC, including most U.S. allies. But somehow we don't think the world is more secure with Australia and Hungary committed to ridding the world of chemical weapons when such real threats as Libya, Iraq, Syria and North Korea won't have anything to do with the CWC. How can a treaty that professes to address the problem of chemical weapons be credible unless it addresses the threat from the very countries, such as Syria and Iraq, that have actually deployed these weapons?

With or without the CWC, the U.S. is already committed to destroying its chemical weapons by 2004. That doesn't mean the rest of the world shares any such commitment; what possible peaceful purpose does Russia have in the clandestine production of A–232? Instead of pushing a treaty that can't accomplish its impossible goals, the Administration would be better advised to use its clout, rather than that of some planned U.N.-style bureaucracy, in getting the Russians to stop making nerve gas.

It's hard to find a wholehearted advocate of the treaty. The gist of the messages from most of its so-called champions is that it's a poor deal, but it's the best on offer. But their cases have acknowledged so many caveats that it's hard to see how they've reached such optimistic conclusions. The biggest danger of ratification is that it would similarly lull the U.S. and other responsible nations into the false belief that they are taking effective action against the threat of chemical weapons. The case for this treaty strains belief too far.

Mr. INHOFE. I yield the floor.

Mr. BINGAMAN addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, I ask unanimous consent that I be allowed to speak as in morning business for 10 minutes.

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

CHEMICAL WEAPONS CONVENTION

Mr. BINGAMAN. Mr. President, I want to add my voice to the statement that the Senator from North Dakota made a little earlier in the proceedings about the importance of us getting on to a vote on the Chemical Weapons Convention. I believe very firmly that this is an issue which has been hanging around the Senate for too long. We have had many—in fact, years of consideration. We have had, I believe, 14 hearings now on the Chemical Weapons Convention.

The convention was supported, of course, by the previous administration. President Bush signed the agreement. We need now in this administration, the second Clinton administration, to go ahead and ratify it. There is an important date coming up which is the 29th of April, which is the date by which we need to take action. Let me address that issue first, because I know the Senator from Oklahoma did speak to the fact that, in his opinion, April 29 was not a date of any consequence and it did not matter whether we did anything this month or not on the treaty. This is sort of a recent argument that has been made and one I think needs to be responded to.

A failure to ratify by April 29 will have significant adverse consequences for our security and for U.S. businesses as well. Our ability to oversee the first critical days and months of implementation of the treaty will be lost. We now have Americans who are heading up the various divisions that monitor the treaty's budget and security measures and industry inspections, and those individuals, those Americans who now are involved in that will be replaced by individuals from countries that have ratified the treaty if we do not take action by the 29th of April.

Moreover, Americans will not be able to be hired as inspectors with these international teams if we do not ratify the treaty. Hundreds of millions of dollars in sales of American chemical companies and many jobs in many of our States will be at risk as a result of mandatory trade restrictions which were originally designed to pressure rogue states to join in the treaty. Those will be applied to us, Mr. President, if we do not go ahead and vote and ratify this treaty.

Failure to ratify, of course, relegates us to the so-called international pariahs that we give a lot of speeches about here on the Senate floor, countries like Libya and North Korea. We would be squandering U.S. international leadership in the fight against chemical