

HELMS. I thank my colleagues Senator HELMS, Senator KYL, and Senator BIDEN for their hard work over the last several days and their leadership in bringing the Chemical Weapons Treaty debate to the floor.

I also wish to thank Senator DICK LUGAR for his support as we prepared for this debate. Senator LUGAR's detailed analysis of the many complicated issues of the treaty have been invaluable. Without doubt this treaty is better than when we started.

Mr. President, though new to this body, I am fully aware of the seriousness of the task before us and I appreciate the thorough quality of the debate.

I have studied this treaty and its components. I have reviewed a tremendous amount of associated materials provided me from all quarters.

I, like so many of my colleagues, even at this late moment in the debate, still have outstanding concerns with certain provisions of the Chemical Weapons Convention, most notably the effects articles X and XI will have on our country. Yesterday, the President, in a letter to the majority leader, basically stated that,

In the event that a state party or states parties to the convention act contrary to the obligations under Article I . . . I would, consistent with Article XVI of the CWC, and in consultation with the Congress, be prepared to withdraw from the treaty.

Mr. President, I am still not sure that the President will act, or at least act decisively, when the situation warrants because our current track record of taking strong action when other nations violate treaties and agreements with us is not good. Let me cite a few examples of what I mean.

The 1972 AMB Treaty. Recently, the President reaffirmed his commitment to the outmoded ABM treaty in Helsinki. This agreement will limit the ability of this Nation to deploy even a limited national missile defense. Is this wise, given the way the Soviets responded to the initial treaty by continuing to work on a new generation of ICBM's and associated warheads? Was not this treaty ironclad? Apparently not. What did we really do in the face of the violations? Nothing.

The Iran-Iraq war. Iraq, according to a conversation I had with former Secretary of Defense under President Carter Jim Schlesinger, Iraq has been and is a signatory to the Geneva Convention which since after World War I has prohibited the use of chemical weapons, yet in the Iran-Iraq war of the eighties, Iraq used poison gas as a way of stemming the human wave attacks of the Iranians. What was the reaction of the United States and of other Western Powers to this blatant violation of the Geneva Convention? "To avert our gaze" might be a way to put it. Stated another way, we stood by and did nothing even though the war was not one of international proportions.

There are other examples as well: Saddam Hussein chose not to employ

his chemical weapons against American troops for one reason only. It was because of the reminder that President Bush provided him, rather than our reliance on a treaty.

Oh yes, that reminder was, according to Secretary Baker, that the United States made it very clear that if Iraq used chemical weapons against United States forces, that the American people will demand vengeance, and that we had the means to achieve it. This is an example of where we were finally willing to do what was necessary.

Mr. President that is my point this evening. We are a superpower. We have the means to achieve the ends required by our national interests should it be required. The question then is whether this treaty achieves those ends, or whether this treaty will create a false sense of security; a phantom security that is provided by others whose interests more often than not conflict with our own. I find it difficult to believe that a rogue state with little means at its disposal would be willing to divest itself of such weapons.

Mr. President, in 1987, former Senator Malcolm Wallop explained in his book how arms control can be a delusion. We might stop and consider this point before we vote because former Senator Wallop also reminds us that Arms control presents four dangers: the falsehood that security is to be found in the promises of adversaries rather than in one's own prudence and preparedness; the falsehood that one should fear inanimate things—weapons—rather than the evil men and regimes who would use them for bad purposes; the falsehood that armaments are militarily valuable only as bargaining chips in the arms control process; and finally, the falsehood that U.S. strategic superiority is both useless and destabilizing to the world. Mr. President, I believe strongly in this Nation. I believe strongly that our strength lies where it has always been, both in the hearts of Americans, and in our own industry. I am not ashamed to admit I would rather be self-reliant because that means our confidence will be placed in Americans, not in some inspector from an international bureaucracy.

I, Mr. President, am not ashamed to admit that I am proud of the military superiority our Nation enjoys, paid for by American taxpayers, and manifested in the men and women of our Armed Forces. They deserve the best equipment, training, and protection this Nation can provide. It troubles me that while we sit here ready to hand over the security for chemical defense that rightfully belongs here, we are allowing the Department of Defense to reduce its chemical defense program. Finally, Mr. President, I am not ashamed to admit that when our adversaries consider chemical weapons we need to send a message just as strong as the message that America sent to Saddam Hussein—we will respond, and we will do so in an overwhelming and dev-

astating manner. That is a message all state parties can understand. We shouldn't wobble, nor shy away from the responsibility to our citizens. People are responsible for the proliferation of chemical weapons, not pieces of paper, and to this end we are woefully overconfident if we think a simple piece of paper will stop the proliferation of chemical weapons.

Mr. President, the question is truly one of vigilance. Are we better off taking care of ourselves, using our own resources, empowering our own intelligence services to keep abreast of the threats abroad? I think so.

I cannot agree with the proposition, that I read in the Washington Post recently, "That standards and values violated are better than no standards or values at all." America has standards and it certainly has values. We are eliminating our chemical weapons and we must not rely unverifiable and unenforced international norms, which according to former Secretary of Defense Jim Schlesinger "will induce a false sense of security in law-abiding societies."

Mr. President, in closing I want to leave my colleagues with the words of Senator Wallop: "Unverifiable, unenforceable accords do not promote valuable international norms. The difference is that the former threaten to make arms control a sham—an outcome that can translate into incalculable harm to our Nation and its people." We should not enter into a treaty which we know at the start will not be honored. This demeans the treaty process and only increases the likelihood that we will fail in our duty to protect the security of this Nation. I thank the chair. ●

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#### VOLUNTEER PROTECTION ACT OF 1997—MOTION TO PROCEED

Mr. SMITH of New Hampshire. Mr. President, I ask unanimous consent that the Senate now turn to the consideration of S. 543 regarding protections to volunteers.

The PRESIDING OFFICER. Is there objection?

Mr. SMITH of New Hampshire. Mr. President, I object on behalf of my colleagues on the Democratic side.

The PRESIDING OFFICER. Objection is heard.

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#### CLOTURE MOTION

Mr. SMITH of New Hampshire. Mr. President, I now move to proceed to S. 543 and send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the

Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to S. 543, a bill to provide certain protections to volunteers, nonprofit organizations, and governmental entities in lawsuits based on the activities of volunteers:

Trent Lott, Paul Coverdell, Connie Mack, Slade Gorton, Don Nickles, Spencer Abraham, Larry Craig, Michael Enzi, Craig Thomas, Phil Gramm, Dan Coats, Rick Santorum, Mitch McConnell, Orrin Hatch, Robert Bennett, Mike DeWine.

Mr. SMITH of New Hampshire. Mr. President, the leader has asked me to announce for the information of all Senators that this cloture vote on the motion to proceed will occur on Tuesday, April 29.

I now ask unanimous consent that the mandatory quorum under rule XXII be waived and the vote occur at 2:15 on Tuesday, April 29.

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

Mr. SMITH of New Hampshire. I now withdraw the motion to proceed.

The PRESIDING OFFICER. The motion is withdrawn.

Mr. SMITH of New Hampshire. I further ask unanimous consent that if cloture is invoked on Tuesday, immediately following the cloture vote there be 1 hour of debate equally divided between the chairman and ranking member, or their designees, with the vote occurring on the motion to proceed following the conclusion or yielding back of time.

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

ORDERS FOR MONDAY, APRIL 28

Mr. SMITH of New Hampshire. Mr. President, I now ask unanimous consent that when the Senate completes its business today, it stand in adjournment until the hour of 2 p.m. on Monday, April 28.

I further ask unanimous consent that on Monday, immediately following the prayer, the routine requests through the morning hour be granted, and there then be a period of morning business until the hour of 3:30 p.m., with Senators to speak for up to 5 minutes each, and further, immediately following morning business, the Senate resume consideration of the motion to proceed to S. 543, the Volunteer Protection Act.

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

PROGRAM

Mr. SMITH of New Hampshire. Mr. President, for the information of all Senators, following the period of morning business on Monday, the Senate will resume consideration of the motion to proceed to S. 543, the Volunteer Protection Act. Under the order previously agreed to, there will be a cloture vote on the motion to proceed to S. 543 at 2:15 p.m. on Tuesday, April 29. There will be no rollcall votes on Monday, April 28. However, the Senate will continue to debate the motion to pro-

ceed to the volunteer protection legislation.

ORDER FOR ADJOURNMENT

Mr. SMITH of New Hampshire. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order following the remarks of Senator DASCHLE, the minority leader.

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

Mr. SMITH of New Hampshire. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GORTON). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DASCHLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. DASCHLE. I thank the Chair.

(The remarks of Mr. DASCHLE pertaining to the introduction of S. 657 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. DASCHLE. Mr. President, I yield the floor.

ADJOURNMENT UNTIL MONDAY, APRIL 28, 1997, AT 2 P.M.

The PRESIDING OFFICER. Under the previous order, the Senate stands in adjournment until 2 p.m., Monday, April 28, 1997.

Thereupon, the Senate, at 2:27 p.m., adjourned until Monday, April 28, 1997, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate April 25, 1997:

DEPARTMENT OF COMMERCE

ANDREW J. PINCUS, OF NEW YORK, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF COMMERCE, VICE GINGER EHN LEW.

FOREIGN SERVICE

THE FOLLOWING-NAMED PERSONS OF THE AGENCIES INDICATED FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED, AND ALSO FOR THE OTHER APPOINTMENTS INDICATED HEREWITH:

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS ONE, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

AGENCY FOR INTERNATIONAL DEVELOPMENT

JOHN R. SWALLOW, OF INDIANA

DEPARTMENT OF COMMERCE

JOHN A. HARRIS, OF TEXAS

FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS TWO, CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF COMMERCE

ROBERT L. FARRIS, OF VIRGINIA  
TIMOTHY J. SMITH, OF NEW YORK  
EDWARD L. YAGI, OF OREGON  
WILLIAM ZARIT, OF FLORIDA

FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS THREE, CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

AGENCY FOR INTERNATIONAL DEVELOPMENT

BEVERLY ANN BUSA, OF CALIFORNIA

ANTHONY S. CHAN, OF NEW YORK  
MARY ELLEEN DEVITT, OF ILLINOIS  
MARK STEVEN NORMAN, OF VIRGINIA  
JAMES WALTER RORIE, SR., OF FLORIDA  
CAROL SUE SNOWDEN, OF OHIO  
KENNETH R. STRANGE, JR., OF VIRGINIA

DEPARTMENT OF AGRICULTURE

SHARYNNE G. NENON, OF VIRGINIA  
KATHERINE C. NISHIURA, OF CALIFORNIA  
CATHERINE S. OTTE, OF INDIANA  
ERIC A. WENBERG, OF WYOMING

DEPARTMENT OF COMMERCE

MARGARET A. HANSON-MUSE, OF MARYLAND  
DAVID W. HUNTER, OF FLORIDA  
JAMES KOLODITCH, OF NEW JERSEY  
MICHAEL A. LALLY, OF THE DISTRICT OF COLUMBIA  
ALAN A. LONG, OF VIRGINIA  
WILLIAM B. SMITH, JR., OF FLORIDA  
RICHARD STEFFENS, OF MARYLAND

UNITED STATES INFORMATION AGENCY

BRUCE A. LOHOF, OF MONTANA

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS THREE, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA, EFFECTIVE JULY 12, 1994:

UNITED STATES INFORMATION AGENCY

SUSAN ZIADEH, OF WASHINGTON,

FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS FOUR, CONSULAR OFFICER AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF COMMERCE

MICHAEL J. RICHARDSON, OF FLORIDA

UNITED STATES INFORMATION AGENCY

RUTHANN A. AMIRTHANAYAGAM, OF ILLINOIS  
TANYA CECELIA ANDERSON, OF PENNSYLVANIA  
GRACE MORSE BRUNTON, OF NEVADA  
ANGELA BARBANO EMERSON, OF FLORIDA  
BONNIE SUE GUTMAN, OF CALIFORNIA  
LISA MIRIAM HELLBRONN, OF PENNSYLVANIA  
SHEILA M. HOBAN, OF CALIFORNIA  
BRUCE PHILLIPP KLEINER, OF IDAHO  
MARY ELLEN NOONAN KOENIG, OF MISSOURI  
CAROL JEAN LOCKE, OF FLORIDA  
ROBIN LYNN YEAGER, OF NEW JERSEY

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE OF THE DEPARTMENT OF COMMERCE AND THE DEPARTMENT OF STATE TO BE CONSULAR OFFICERS AND/OR SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA, AS INDICATED:

CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

RAMIN ASGAR, OF NEW JERSEY  
JOHN PAUL ATWELL, OF VIRGINIA  
PATRICIA J. AZLIN, OF VIRGINIA  
WALLACE ROBERT BAIN, OF OREGON  
JAMES A. BAUER, OF NEW YORK  
CHRISTOPHER MAURICE BECKER, OF VIRGINIA  
GEORGE STANDISH BEEBE, OF VIRGINIA  
WILLIAM JOSEPH BISTRANSKY, OF VIRGINIA  
MARTHA L. BLOMSTROM, OF MARYLAND  
BARBARA D. BREBRICK, OF VIRGINIA  
J. GREGORY BRISCOE, OF MARYLAND  
EARL A. BROWN, OF VIRGINIA  
DEBORAH ANN BRUNNER, OF VIRGINIA  
CARLOS RODOLFO BURGOS, OF VIRGINIA  
SCOTT A. CARNAL, OF MARYLAND  
JAMES D. CECH, OF VIRGINIA  
MATTHEW DAVID CHRIST, OF NEW HAMPSHIRE  
JOHN A. CLOUTIER, OF VIRGINIA  
MARC A. COLLINS, OF THE DISTRICT OF COLUMBIA  
MARC A. CULLINANE, OF TEXAS  
THOMAS E. DAVIES, OF VIRGINIA  
DOROTHY V. DAVIS, OF VIRGINIA  
ELIZABETH R. DAVIS, OF VIRGINIA  
MICHEL F. DEFAZIO, OF VIRGINIA  
GREGORY S. D'ELIA, OF NEW YORK  
SHIRLEY J. DENNISON, OF VIRGINIA  
JOSEPH H. DETRANI, OF VIRGINIA  
JENNIFER A. DEWITT, OF WYOMING  
DOUGLAS L. DURGIN, OF VIRGINIA  
JILL R. ECKELS, OF VIRGINIA  
DOUGLAS N. EDGER, OF VIRGINIA  
PIROOZ ENGHETA, OF VIRGINIA  
STEVEN H. FAGIN, OF NEW JERSEY  
SUZANNE M. FLEISCHAUER, OF VIRGINIA  
GALE MOORE FOLDS, OF THE DISTRICT OF COLUMBIA  
CARL B. FOX, OF CALIFORNIA  
MATTHEW L. FREY, OF MARYLAND  
GRATTON JON GILES, OF VIRGINIA  
MURICE F. GLORIOSO, OF ALABAMA  
JULIE CLAIRE GLUCK, OF THE DISTRICT OF COLUMBIA  
MICHAEL J. GOFF, OF VIRGINIA  
DEREK L. HAIRSTON, OF VIRGINIA  
SUSAN ROBERTA HAKALA, OF VIRGINIA  
MARY J. HARBRANT, OF MARYLAND  
SCOTT JAMES HATCH, OF VIRGINIA  
SUSAN L. HATTON, OF THE DISTRICT OF COLUMBIA  
SCOTT EMRIC HOPKINS, OF VIRGINIA  
PATRICK HUGHES, OF THE DISTRICT OF COLUMBIA  
REBECCA K. HUNT, OF FLORIDA  
CHRISTOPHER PATRICK JESTER, OF PENNSYLVANIA  
CLAIRE KANESHIRO, OF CALIFORNIA  
JARED ALLEN KARTCHNER, OF VIRGINIA  
DAVID F. KLINGAMAN, OF VIRGINIA