

America and we have the highest rate of smoking for individuals between the ages of 18 and 30. In fact, a full 38 percent of high school students in Maine currently smoke cigarettes, and 16 percent of high school boys use smokeless tobacco. That is what has happened. Smoking is habit-forming and 35 percent of males between the ages of 18 to 34 reported smoking cigarettes in 1996. That is the result of what we are talking about. That is why we are here in the U.S. Senate debating this comprehensive framework.

If this habit was harmless, we would not be here today. But tobacco is not harmless, and we know it. Furthermore, this harm has been spread by an industry that has marketed to young people, which has resulted in a senseless loss of life. Now, we have the responsibility to take action.

For those who oppose doing anything, regardless of what the content of this legislation is, I say to them: What is the alternative? What else will we do here in the U.S. Senate? The bottom line is that this is our only chance. We only have one opportunity and it is before the U.S. Senate. It is a historic opportunity to bring to an end these past practices and, more importantly, to help young people in America so they don't become addicted to this deadly tobacco product for the rest of their lives. That is what this debate is all about. I hope the essence of this issue doesn't get lost as we look at it from a variety of dimensions, because there is no possibility of ever dealing with this kind of framework ever again. This is our chance once and forever.

So I hope that once we get to the point of having gone through all of the amendments, the debate and discussion, it doesn't defeat the ultimate passage of comprehensive tobacco legislation. Those objections cannot override this one important national interest, which is to change the tobacco culture in America, and to hopefully stop young people from smoking, or help them never to start in the first place.

Thank you, Mr. President. I yield the floor.

Mr. KYL addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

PRIVILEGE OF THE FLOOR

Mr. KYL. Mr. President, I ask unanimous consent that during the pendency of H.R. 2709, and actually beginning now, David Stephens and John Rood of my staff be permitted to be on the floor.

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

The PRESIDING OFFICER (Mr. GORTON). The Senator from Hawaii is recognized.

Mr. AKAKA. I thank the Chair.

(The remarks of Mr. AKAKA pertaining to the submission of S. Res. 235 are located in today's RECORD under "Submission of Concurrent and Senate Resolutions.")

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

Mr. KYL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

IRAN MISSILE PROLIFERATION SANCTIONS ACT OF 1997

Mr. LOTT. Mr. President, pursuant to the consent agreement of April 3, I now call up H.R. 2709, the Iran sanctions legislation.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

A bill (H.R. 2709) to impose certain sanctions on foreign persons who transfer items contributing to Iran's efforts to acquire, develop or produce ballistic missiles, and to implement the obligations of the United States under the Chemical Weapons Convention.

The Senate proceeded to consider the bill.

The PRESIDING OFFICER. There is 90 minutes equally divided under the previous order.

Mr. LOTT. Mr. President, I just want to clarify the procedural situation. As the Chair just said, it is 90 minutes on the underlying measure, and then 90 minutes on the Levin amendment, if need be to use that time. It is the intent that we go forward to completion of this act and that we have a recorded vote at the end of that time.

I am really pleased the Senate is finally completing action on this very important piece of legislation. Senator LIEBERMAN and I introduced the Iran Missile Proliferation Sanctions Act on October 23, 1997. It has 84 cosponsors in the U.S. Senate. This is not really a complicated piece of legislation. It is designed to address one of the most pressing security issues we face in the world, Iran's determined drive to acquire ballistic missile production capability.

This legislation requires specific targeted sanctions against any foreign entities providing direct support to Iran's missile development efforts. The House passed companion legislation on November 12, 1997, without a single dissenting vote. House action modified certain provisions of the legislation to meet concerns of the administration, most notably—and I have made this point to the President in my discussions with him about this legislation—that he is granted a waiver, and that was requested by the administration, and that was included in the bill when the House passed it.

The House also passed legislation adding the Chemical Weapons Conven-

tion to the package. Our legislation addresses a clear and present danger. Iran is a terrorist state under U.S. law. Last year, a German court found Iranian intelligence directly responsible for murder committed on German soil. Earlier this very week, the Government of Argentina found Iran responsible for a terrorist bombing of a Jewish synagogue. The same Iranian Government responsible for terrorist murder around the world is engaged in efforts to acquire nuclear weapons and the means to deliver them. They already have chemical weapons. They are working on biological weapons. This is a very serious matter.

Much of the knowledge that Senators and administration officials have on this issue cannot be talked about here in the Senate because of their very sensitive intelligence issues. But every time I receive a briefing, I become more alarmed about what Iran has and what additional capability they are trying to acquire.

Their missile program has been advanced tremendously by the assistance from a wide range of Russian entities. The details, as I said, are classified, but it is comprehensive and it is ongoing. I urge every Senator to review the intelligence information. A summary is available right now in S-407 for Members' review. The intelligence community will brief any Senator on the extent and impact of Russian cooperation. I have had that briefing and continue to review intelligence information. Let me assure the Senate, Russian cooperation is deeply disturbing. It is widespread. It has made the day Iran is able to target American forces and American allies closer by years. If I went into the details of the capability they have acquired and how soon they could have the ability to use that, everybody in the Senate and the United States would be alarmed.

The basic facts are not in dispute. Iran wants ballistic missile production capability. Russian assistance has materially advanced Iranian efforts. American diplomatic efforts to halt assistance have not succeeded. That assistance continues today. That is why we have H.R. 2709 before us today in the Senate.

We have not rushed to judgment on this issue. Last November, we did not act after the House sent us the legislation, and I received specific calls from the President's National Security Adviser asking that we not act. In the last week we were in session, this legislation could have been passed, probably on a voice vote, immediately. But, in response to the administration's efforts and assurances that they were going to get some cooperation, we said all right, we will see if we get some results by waiting.

In January, the administration asked for a 3-week delay to compare assessments with Israel, our ally most directly threatened by Iranian weapons of mass destruction. In February, the administration asked for delay until

Vice President GORE'S March meeting with then Russian Prime Minister Chernomyrdin. In March, the administration asked us to wait until April. In every instance, I consulted with Senators on both sides of the aisle, talked to Senator LIEBERMAN, checked the intelligence information, listened to the requests from the President's National Security Adviser and the Vice President, and continued to make an effort to give them time to see if we could get some results, get some action. It did not happen. It did not happen again and again and again.

In April, though, we said there had to be an end to this or the Senate's credibility would be in doubt, if we continued to just hold this out there and not act. And, also, if we do not act soon and this continues—the capabilities that they are acquiring are extremely dangerous, to say the least.

So we entered into the unanimous consent agreement in April, the middle of April, to consider this legislation today. We said we would do it by or on May 22. For 6 entire months, we have tried to give more time for this matter to be addressed, for there to be some indication that Russia was in fact able to deal with these companies and these individuals who were involved in this intelligence, scientific, and ballistic missile capability exchange. It did not stop. Again, I cannot go into details, but there were specific instances of things we were concerned about. The overwhelming majority of them did not stop, did not change.

We have had at least five delays that have been requested by the administration and granted by the Senate. President Clinton has had ample time to allow his diplomatic approach to work. I would point out, however, the administration has refused to make sanctions decisions which are required by law, and there clearly have been some instances where those sanctions could have and probably should have been implemented. A number of Russian actions supporting Iran's missile program require U.S. sanctions under the Missile Technology Control Act. In fact, if the administration had acted last year, as called for under that law, this legislation probably would not be necessary.

The administration often asks for bipartisanship regarding foreign policy, and I think that is as it should be. I have tried more than once to be cooperative and to make sure that we proceeded in a bipartisan way. We have done that. I have done it sometimes while coming under heavy criticism from the media or members of my own party. But I thought, and I think, it is the right thing to do. I try to accommodate whenever and however I can. This legislation, though, should not be delayed further. It could not be more bipartisan. I reiterate, 84 Senators on both sides of the aisle are cosponsors of this legislation.

I hope the administration will reconsider its opposition. I think it actually

could be helpful. I think the fact we have had this legislation pending has been helpful. It has given the administration leverage. Unfortunately, the leverage has not produced results.

I fear that the Russian Government does not have sufficient capability to stop this exchange from occurring. They do not have the export control laws that we do. They do not have the ability to go to a company in Russia as easily as we do and say, "Do not be engaged in this very dangerous process." Or if they do, they haven't been able to carry it out so far.

There are those who are going to say, "Well, there have been some changes. We have a new government there. Chernomyrdin has been replaced by a new young Prime Minister. He is talking good."

They have made some recommendations, but some of the things we have been told have happened we do not have the evidence of yet. Again, we are being told that within the last 10 days greater assurances have been given by Russian officials. This has been going on for months, really years, and now all of a sudden they say, "Well, wait, there is a new leader on the block; he is going to make a difference."

If we go forward today and accept the amendment of Senator LEVIN from Michigan and pass this legislation, it still has to go back to the House. It will probably be 10 days or so before the House can act. There will be a little more time to see if, in fact, these new leaders in Russia can begin to make a difference. The President, I reiterate, has waiver authority, and he may decide that this is such a sensitive national security issue at this particular time that he needs to veto it. He can do that. But I think that the Senate should not delay any longer.

There is beginning to be a pattern around the world of some of our friends, supposedly, and allies, or countries that we are trying to work with, contributing to very dangerous weapons proliferation and nuclear activity. Think about it. Do we want Iran to have this ballistic missile capability? Not only chemical and biological weapons, but they would like to have nuclear weapons and the ability to deliver them in the region or in the world. I don't think so.

It is time the Senate delivered a clear message on this—a clear bipartisan message. I really think it will be helpful in getting this process, that Russia and others have been participating in, stopped now before it is too late.

I yield the floor, Mr. President.

The PRESIDING OFFICER. Who yields time?

Mr. LOTT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KYL. 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. KYL. I yield the Senator from Kansas 10 minutes.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. BROWNBACK. Mr. President, thank you very much. I appreciate the Senator from Arizona recognizing me to speak on this very important act.

The Iran Missile Proliferation Sanctions Act is more important now than ever. I chair the subcommittee in the Foreign Relations Committee which deals with Iran. We have had a number of hearings on this particular issue. We just had a hearing last week on what all Iran is doing around the world.

It might be of interest for many people in this body to know that, according to the State Department's last report, Iran is operating in some 21 countries around the world with either terrorist actions taking place or building the base for further expansion of their activities and interests and terrorist actions to happen.

I am sure a number of people have already noted as well the recent finding by the Argentine Government of Iranian-backed terrorists involved with the horrendous bombings that took place in that country earlier this decade. The recent nuclear test by the Indians drives this point home even more. It is more urgent now than it was even 10 days ago to alert the world, and Iran in particular, that the United States will not tolerate an Iranian nuclear program, period.

The administration has already shown lack of resolve in its recent decisions to waive the sanctions on Total and Gazprom under the Iran-Libya Sanctions Act. This, in my estimation, was a grave mistake, as the world has now received the message that it is once again free to fill the Iranian coffers and help it pay for the development of its nuclear capability, as well as fund its terrorism activities overseas.

In the most recent State Department report that was out less than a month ago, Iran is the leading nation around the world sponsoring terrorism as a state. In the State Department's most recent report, Iran is the leader in this most ignoble category.

We need to make the world understand that Iranian development of an indigenous missile capability, combined with nuclear capability, is dangerous to everyone. While Iran has been quite open in its calls to annihilate Israel, a nuclear-capable Iran will threaten countries far beyond its borders. The very countries which are now planning to refill Iran's coffers are the countries which will be at risk in the future.

The Iran Missile Proliferation Sanctions Act is not a country-wide sanction. What we are proposing here is intended to sanction specific entities known to be providing Iran with missile technology. This bill is an effort to stem this dangerous flow to Iran and is

designed to impose certain sanctions on foreign persons who transfer items contributing to Iran's efforts to acquire, develop, or produce ballistic missiles.

There is good intelligence about which Russian entities are involved. Some of them are involved in joint space cooperation with the United States. These companies should know that there will be costs if they engage in behavior which so obviously threatens our security interests, the security interests of the region, and the security interests of the entire world, from the leading sponsor of terrorism around the world, which is the Iranian regime.

The administration claims it is making progress with the Russian Government on this matter, that we need to give them time to implement the relatively new decree tightening the export of dual-use technology.

We keep hearing about the progress we are making with the Russians, but we do not see it. I might note as well, there were recent bills passed in the House of Representatives going at the administration in this country about the sharing of dual-use technology with China and saying that this was wrong what the administration has been supporting.

How can we believe them that they are going to be able to stop the Russians when they are providing some of this in a questionable dual-use area to the Chinese?

Mr. President, we do not undervalue what the Russian Government is trying to do. We are all encouraged by the progress that is being made. But the fact remains that the transfers continue.

Just 2 weeks ago—2 weeks ago—the Government of Azerbaijan intercepted a transfer of materials going from Russia to Iran which would have significantly enhanced Iran's ability to produce missiles indigenously.

If the Russians are working so diligently on this program, this bill poses no threats and in fact really would help them in these efforts. The bill would not sanction the Russian Government. That is a very important point to make. It does not sanction the Russian Government.

In fact, if the Russian Government is serious about stemming the flow of this technology, this bill only helps them. After all, it is going after companies which are now breaking Russian laws.

Mr. President, there is no reason why the U.S. taxpayer should be providing any taxpayer dollars to companies that are colluding with Iran to make that country an even greater danger to the United States, the leading country sponsoring terrorism around the world that is seeking to get this technology.

We cannot allow this river of technology and assistance without doing everything possible to stop it. This bill works towards that goal. I encourage my colleagues to vote for it. I encour-

age the administration to sign it and to help us stop the flow of this technology to the leading terrorist regime around the world that seeks to get these weapons that can strike at U.S. interests. This bill is clearly in the United States' best interests.

Thank you, Mr. President.

I thank the Senator from Arizona for yielding time to me.

The PRESIDING OFFICER. Who yields time?

Mr. KYL addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, if others do not wish to speak at this time, I will. And at any time that a Member of the minority would like to make a presentation, that will certainly be all right.

I ask unanimous consent to have printed in the RECORD two letters that pertain to the chemical weapons treaty implementation portion of this legislation, a letter from the Chemical Manufacturers Association and a letter from the American Forest & Paper Association.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

CHEMICAL MANUFACTURERS
ASSOCIATION,
Arlington, VA, May 7, 1998.

HON. JESSE HELMS,
Chairman, Senate Committee on Foreign Relations,
Dirksen Senate Office Building,
Washington, DC.

DEAR MR. CHAIRMAN: As you know, the Senate is scheduled to take up H.R. 2709 later this month. This legislation contains provisions necessary to assure full implementation of the Chemical Weapons Convention (CWC) in the United States. The Chemical Manufacturers Association (CMA) is committed to timely implementation of the CWC, and urges you and your colleagues to pass the CWC implementing provisions as quickly as possible.

CMA and its member companies strongly support the Convention. We have a long history of involvement in the CWC, from the early stages of negotiation, to Senate debate on ratification to international implementation. Throughout the CWC's history, we have held the view that it should be implemented as quickly and efficiently as possible.

The CWC imposes on the U.S. government an obligation to make a full declaration of affected government and commercial facilities. Absent the implementing legislation, however, there is no statutory basis to compel commercial facilities to declare their CWC-related activities. CMA believes that the CWC-related provisions of H.R. 2709 is the only route available for the orderly implementation of the Convention.

The CWC-related provisions of H.R. 2709 are identical to S. 610, which passed the Senate on May 23, 1997. Thus, both Houses of Congress have already approved these provisions. CMA supported S. 610 as a reasonable approach to meet U.S. obligations under the CWC and protect industry's interests. We continue to support the CWC implementing provisions contained in H.R. 2709.

If CMA can provide any additional information on its position regarding implementation of the Chemical Weapons Convention, please have your staff contact Claude Boudrias, CMA's Associate Director of Federal Legislative Affairs, at 703/741-5915, or

Marybeth Kelliher, Senior Manager for International Trade, at 703/741-5923.

Sincerely,

FREDERICK L. WEBBER,
President and CEO.

AMERICAN FOREST &
PAPER ASSOCIATION,
Washington, DC, May 21, 1997.

HON. ORRIN G. HATCH,
U.S. Senate,
Washington, DC.

DEAR SENATOR HATCH: I am writing with regard to the upcoming mark-up of S. 610, the Chemical Weapons Convention Implementation Act of 1997. Upon review of bill, the American Forest & Paper Association (AF&PA) would like to offer its support, in general, of many of the bill's provisions. While we believe it is unfortunate that the scope of the Chemical Weapons Convention ("CWC" or "treaty") is overly broad, S. 610 contains a number of provisions that the forest products industry believes are crucial to ensuring that implementation of the CWC is reasonable and meets the stated purposes of the treaty.

Among some of the provisions of importance to the forest products industry are the following.

Section 403. We strongly support the prohibition of requirements under the treaty for chemical byproducts that are coincidentally manufactured. Due to the broad nature of the category of "discrete organic chemicals," as defined by the treaty, it is critical to recognize that inclusion of coincidental byproducts of manufacturing processes that are not captured or isolated for use or sale would exceed the stated purposes of the CWC.

Section 3(11), (12) and (13). We strongly support the listing of covered "chemical agents" in the bill. It is our understanding that additions or deletions from the list would only be permitted by legislative amendment, and not through the administrative regulatory process. We believe maintaining congressional authority for any list modifications is necessary to ensure that any such modifications adhere strictly to the intent and purposes of the treaty, as ratified.

Section 303(b)(2)(B). We also support the provision prohibiting employees of the U.S. Environmental Protection Agency and the U.S. Occupational Safety and Health Administration from participating on inspections conducted under the treaty. The treaty should not be used as an omnibus vehicle for regulatory inspections unrelated to its intended purpose. We believe that it would be inappropriate to include such government officials on an international inspection team formed for the purposes set out in the CWC, and would merely serve to detract from the intent of the inspection.

I would be happy to discuss these points with you further, and appreciate the opportunity to provide this information on behalf of AF&PA's members.

Sincerely,

JOSEPHINE S. COOPER,
Vice President, Regulatory Affairs.

Mr. KYL. Mr. President, as I just noted, there are actually two parts of this legislation. One of them has to do with the implementation of the chemical weapons treaty which was ratified in the Senate last year.

The legislation passed about a year ago. It was finally dealt with by the House, and comes back to us. I do not know of any objection to it. And I will not take the time to summarize it except to say that in general terms it

makes it a crime for Americans to produce or use or manufacture these chemical weapons.

It provides protections for American citizens and businesses in terms of search and seizure and takings, so that with respect to the inspection regime that is established under the treaty, there is protection of American citizens' constitutional rights, and if anyone has a question about that legislation, I am prepared to try to answer that today.

But by far and away the issue that is before us today of most interest to Members is, of course, the Russian missile assistance to Iran. The majority leader spoke eloquently on the patience that the Senate has exercised in withholding action on this important legislation until this time.

But there does come a time when, as the majority leader said, the Senate does have to finally act here. We believe that by passing this legislation, it will actually have a positive impact on the leadership of Russia which has had a very difficult time ensuring that the assistance provided to Iran is stopped.

Now, one might say, "Well, that doesn't make a lot of sense if it is the policy of the Russian Government that this assistance not be transferred to Iran." But the fact of the matter is, it is difficult for the Russian Government, as the majority leader said, to ensure that there is no transfer of technology or material to the Iranian missile program.

When confronted with evidence that this has occurred, in some cases the Russian Government appears to have tried to take action against it; in other cases, as the majority leader said, that has not happened. So this legislation should provide a basis not only for the United States to specifically direct attention to the matter, but also for the Russian Government to have a very specific basis for enforcing its laws and policies against the providing of such technology to Iran.

Mr. President, let me just outline in very brief terms some of the open-source information about the kind of technology and other assistance that has been provided by Russian firms, individuals, and other entities to the Iranian program.

One of the Russian ICBM missiles—or at least intermediate-range missile—is called an SS-4 in our terminology. And important missile components and instructions of how to build that missile have been sent to the Iranians.

This is important because this missile has a much greater capability than the one that is most likely to be produced soon. This missile, in the Iranian term, is called the Shahab-4. It would have the capability of reaching cities in Europe, Mr. President. So it is not just a regional weapon, but a weapon that will challenge countries in Europe as well as in the Middle East. That weapon, according to open-source material, could be deployable within as little as 3 years.

In addition to that, construction of a wind tunnel for missile design and manufacture of missile models, and even the sale of missile design software has occurred.

Moreover, missile guidance and propulsion components, as well as the necessary advice and equipment to produce these components in Iran has been provided. In that sense, Mr. President, let me note that it is not Russians who are actually building these missiles for the Iranians, it is Russians who are providing much of the material and the assistance and the technology for the Iranians to do it themselves. So they will have an indigenous capability.

In addition, more than one special metal alloy which Iran can shape into missile casings and even alloy foil in thin sheets used to shield guidance equipment had been provided, in one case, according to open-source material, was stopped in another country after it left Russia.

Training of Iranian technicians at Russian institutes and the recruitment of top Russian missile specialists to work with Iran has all occurred within the most recent months or years.

As I said, the Iranians are using this technology to produce two missiles: One we call the Shahab-3, the other the Shahab-4. The Shahab-3 has a 1,300-kilometer range roughly, depending upon what kind of warhead is included on it, and is capable of targeting Israel, as well as other targets in the Middle East. According to open-source material, development of this missile could be completed in 12 to 18 months.

I mentioned the Shahab-4, which is capable of reaching Central Europe, and the fact that development could be completed in 3 years.

Mr. President, since the Senator from Connecticut, I think, is preparing to speak, let me just summarize one other aspect of this assistance; that is the Russian nuclear assistance to Iran, not specifically the target of this legislation, but of equal concern to us.

Russia has assisted Iran in a number of ways, including a contract to construct a nuclear reactor and a deal to provide nuclear fuel for the reactor for 20 years, and to take back spent fuel for reprocessing. It has agreed to train Iranian nuclear technicians to operate the plant, to construct three additional reactors when the first contract is complete.

In 1995, in response to U.S. pressure, Russia agreed to limit the scope of nuclear cooperation with Iran and canceled plans to sell gas centrifuge enrichment technology, and heavy water moderated reactors.

However, Russia has exceeded the limits it agreed to place on its nuclear cooperation with Iran. According to an article in July 1997 by The Washington Post, the United States intelligence reports "document[ed] a series of high-level technical exchanges between Russia and Iranian engineers," which covered matters beyond the Bushehr reac-

tor, including advice on how to mine and process uranium.

Finally, Mr. President, just this month, The Washington Times disclosed that U.S. intelligence reports indicate that Iranian nuclear officials were negotiating to purchase tritium from Russia and were slated to view a demonstration of gas centrifuge technology used to enrich uranium for nuclear weapons during a visit to Moscow later this month.

At a meeting just last week, we specifically asked the Russian Ambassador if he would try to see to it that that demonstration project was not held because its only purpose is to assist the uranium nuclear program. He indicated personally a desire not to see that meeting go forward, but we will see whether it does.

Tritium, which I mentioned, is, of course, important for the boosting of nuclear weapons and would be an important way for the Iranians to make a nuclear technology more robust than it might be otherwise. These are serious matters.

The Russian Government, whether complicity or simply negligence, has not been able to stop the transfer of these materials and this technology. The United States cannot simply sit by and hope for diplomatic actions to work. In the Senate and the House, we recently passed money for a supplemental appropriations bill which will be applied to both Israeli theater missile defense systems and the U.S. theater missile defense systems so we may at an earlier day be able to meet the threat that the Iranian missiles might pose.

There may be a window of vulnerability. That is why it is important for us to try to slow down and stop the assistance that Russia is providing to Iran. This is very important legislation. I hope our colleagues will support it strongly, sending a strong signal to Russia that it should not be providing or allowing to be provided this important technology to Iran.

I yield whatever time the Senator from Connecticut desires.

Mr. LIEBERMAN. I thank the Chair and I thank my friend and colleague from Arizona not only for yielding but for his principal support of this legislation and for his outstanding statement.

I rise to support the Iran Missile Proliferation Sanctions Act and to thank all of those in the Senate who have cosponsored it, principally the distinguished majority leader of the Senate for his strong leadership in this effort. It has been purposeful. It has been balanced. I think it has been quite realistic.

I think we have before the Senate a measured response to a real problem. The real problem is the development by Iran of ballistic missile capacity, longer-range ballistic missile capacity, which, when combined with attempts within Iran to develop weapons of mass destruction, holds the potential to change the balance of power within the Middle East.

It is destabilizing. It is threatening to our troops and forces on the waters within the Middle East region. It is threatening to our allies within the Arab world, moderate Arab nations. And it is threatening to our ally, Israel. That is in the short run.

In the longer run, the development of longer-range ballistic missile capacity by Iran could threaten our allies in Europe in a wider circle around Iran and, eventually, of course, could threaten us directly here in the United States of America. We are dealing here with a very, very serious and concrete challenge to world order and America's national security.

This measure has been introduced and principally led by the majority leader. I am privileged to have joined with him in that. It is cosponsored by more than 80 Members of the U.S. Senate—84 is the total, I believe. It is in that sense a profoundly bipartisan response to this genuine national security problem.

I think one of the reasons this measure has gained the broad support that it has is not only because the problem is real, the threat to security from Iran having long-range ballistic missile capacity being real, but because the approach taken in the bill is targeted.

I will go directly to the language of the bill. "Sanctions shall be applied to every foreign person with respect to whom there is credible information indicating that person"—and of course "person" is given a broad definition of a natural person—"is an alien or a corporation, business, association, partnership, society, trust, or any other nongovernmental entity, organization, or group that is organized under the laws of a foreign country or has its presence, people, or place of business, in a foreign country or any foreign governmental entity operating as a business enterprise in any successor or subsidiary of any entity."

So this applies to any entity that comes within that category, that first transferred items on the MTCR, the missile technology control regime annex, or items that the United States opposed for addition to that annex that contributed to Iran's efforts to acquire, develop, or produce ballistic missiles.

We are talking here about entities that are helping Iran gain the capacity that I have described, as the Senator from Arizona and the Senate majority leader have all described, "to develop ballistic missile capacity or provide technical assistance or facilities which the President deems to be of concern, because of their direct contribution to Iran's efforts." Again, to acquire or develop ballistic missiles or attempt to transfer such items or attempted to provide technical assistance or facilities.

That is very direct. Apply sanctions to entities that have actually done something wrong, done something wrong in the judgment of the President of the United States as reported to Congress every year regarding any

credible information that occurrences by these entities have transpired to help Iran gain the capacity that we do not want them to gain.

That applies a series of sanctions in response to that evidence, and gives the President, incidentally, the authority to waive those sanctions if he either obtains additional information that diminishes the content of the original finding or the President determines that the waiver is required, is essential, to the national security of the United States.

So, it is very targeted and not the broad based, "don't do any business with this country or that country." But on a finding of credible evidence by the President of the United States that a person, a company, a governmental agency or institute has been assisting Iran in obtaining ballistic missile capacity, then these sanctions are applied and the President may use a waiver.

What are the sanctions? I will describe them generally: stopping arms sales under the Arms Export Control Act to these entities; stopping the transfer or sale of dual-use items under the Export Administration Act; and the cessation of any U.S. grants or loans or other benefits to these entities.

Why should we be helping companies or governmental agencies abroad that are contributing to the development of this Iranian ballistic missile capacity which will so threaten our security?

So it is a very measured approach which, again, I think is at the heart of why this bill before us has over 80 percent of the Senators supporting it, a truly bipartisan measure.

Mr. President, there are those who will say that things are changing in Iran. So why pass this legislation? Well, from the best that I can determine, there are the beginnings of some changes in Iran. The changes, certainly, have not gone far enough to alter the essential character of the center of that regime, which is still fundamentally hostile and threatening to the United States and threatening to our security. It is still the major sponsor, state sponsor of terrorism in the world which, to the best of our knowledge, has resulted in the deaths of many Americans and many citizens of other countries that are allies of America. Just the finding by the Argentinian security, law enforcement forces earlier this week announced—these are tough cases to investigate—they have traced two attacks, two bombings on Jewish institutions in Argentina directly back, by their judgment, just repeating what I have read in the newspapers, back to Iran. And so it goes.

So the election of the new President, President Khatami, of Iran, who has been making statements that are more moderate, more open, both in terms of Iran's domestic policy and even international, who gave the important interview to CNN in which he suggested the possibility of opening infor-

mal contacts with the United States of America, he still made some statements that are extremely hostile and negative toward us and some of our allies. But, nonetheless, I take these to be encouraging signs. But what remains the fact, as best any of us can determine, is that the much more radical elements within the Iranian Government are still in control of the apparatus of that government—the military, the intelligence, the foreign policy—and, in fact, there is no indication that any of the sponsorship of terrorism has stopped.

In the meantime, the Senator from Arizona has suggested, as we have heard in classified briefings which cannot be discussed in detail here, the Iranians get ever closer to developing, in a headlong thrust, full force, full-throttle thrust, to developing long-range ballistic missiles. Maybe it is going to be hard to stop him from doing this. But the intention of this bill, it seems to me, is an exercise in common sense, the exercise of traditional principles of self-defense. This legislation will help us to delay the date on which Iran will achieve long-range ballistic missile capacity with which it can deliver weapons of mass destruction on those it chooses as enemies, as targets.

Let's think about it optimistically. Perhaps in that period of time, we will see a fruition of some of the obvious interests, obvious concerns of the people of Iran as expressed in the election of Mr. Khatami for a change. I hope so.

The people of Iran have no inherent reason—let me put it another way, Mr. President. There is no inherent conflict of interest, strategic interest between the people of Iran and the people of the United States. Unfortunately, since the revolution that occurred in Iran in the late 1970s, we have been set on a confrontational course which threatens the stability of the region and the world and does nothing good for the people of Iran—a gifted people with a proud history.

So I am hopeful about the changes that are possible within Iran, but, by any reasoned judgment, we have a long way to go yet. These missiles are being developed rapidly and they are going to be aimed at us and our allies. Therefore, this proposal still seems to me to be extremely important and, as I say, very measured and targeted.

Mr. President, there are those who say, well, OK, you are right, there is a threat from Iran. But this measure is really targeted at Russia. Not only is there hope of change within Iran, but there is even, of course, more substantial change that has occurred, and the hope of change, within the Russian Government, particularly on this issue. So why provoke the Russians? It is the threat of these sanctions from Congress that matters, not the realization of it.

Let me say first, Mr. President, that on the face of the bill, there is no mention of Russia. This is a piece of legislation that is targeted at any people,

any entities, any government, anywhere on the globe that the President has reason to believe is contributing to Iran's development and acquisition of ballistic missile capacity. It could apply to, and might in the past have applied to, companies in allied countries of ours in Western Europe who, in one way or another, may have attempted to sell or sold items to the Iranians, which they have now used or are using in the development of a ballistic missile capacity, or even in the development of weapons of mass destruction.

Certainly, some evidence suggests that there may be entities within the People's Republic of China who have transferred items, sold items to the Iranians that are used in the development of these threatening programs. North Korea, our relations with them are much more limited; nonetheless, that is another possibility. But it is true, to the best of our knowledge today and in recent years—

The PRESIDING OFFICER. All time controlled by the Senator from Arizona has expired.

Mr. BIDEN. Mr. President, how much time do I have?

The PRESIDING OFFICER. Forty-five minutes remain to the Senator from Delaware and an additional 90 minutes on any amendment proposed by the Senator from Michigan.

Mr. BIDEN. Mr. President, how much time does my friend need?

Mr. LIEBERMAN. I thought we had more time available. I am glad to finish up within 5 minutes.

Mr. BIDEN. Mr. President, I will yield 5 minutes to the Senator, who disagrees with my position, as well as I will yield time at the appropriate time from our time to my friend from North Carolina as well.

The PRESIDING OFFICER. The Senator is recognized for 5 more minutes.

Mr. LIEBERMAN. I thank the Senator for his extraordinary graciousness, since we are in disagreement on this particular question. Let me summarize the remainder of my argument.

We know from intelligence sources, some of which had been reported in the press and referred to by the Senator from Arizona, that in recent years, as best we can determine, a number of companies, institutes, and subdivisions within Russia have been involved in transactions, usually for business purposes, with Iran, which are of material technical assistance to Iran, to help in their ballistic missile development program. So, yes, this legislation will apply to Russia.

We know this has been raised from the highest level of our Government—the Vice President, the National Security Adviser, and others, like Ambassador Frank Wisner and Mr. Gallucci, with the Russians to end this cooperation with Iran. Progress is being made.

On January 22, which I believe is the exact date, former Prime Minister Chernomyrdin issued an Executive order in which he stated the intention

of the government to begin to set some policies for trying to control this activity. Within the last week, although I don't believe we have seen the details of it in this country, the Russian Government has promulgated a detailed series of regulations to carry out Chernomyrdin's order of January of this year. So there is a good-faith effort being made at the governmental level.

Yet, our intelligence sources—to speak as broadly as I must in these cases—tell us there is still evidence that there are entities within Russia that are continuing to cooperate with Iran in the development of ballistic missile capacity. That is why I think we have to go ahead with this legislation today. But why? I think it is very important to say that it is not directed at the Russian Government. In fact, unless there is clear evidence of complicity by the Russian Government in one of these transfers, sanctions will not go to the Russian Government. They will go to companies, institutes, or subdivisions. I hope our friends, in return—particularly the new government of Mr. Kiriyenko, the National Security Adviser—to give him a title he may not officially have—and the deputy defense minister, Mr. Kokoshin—will clearly understand that this is not directed at them. In fact, when we adopt the amendment to be offered by the Senator from Michigan, which will put the effective date of the gathering of relevant evidence to the date of the Chernomyrdin order in January, then, I think, we will have a law that basically says that America will sanction entities within Russia that are not complying with the clear policy of the Russian Government.

In that sense, I think this is a very important measure, one that will contribute to our security, one that should not affect our bilateral relations with Russia, and one that could be the basis, I hope in fact, for us going forward to build a bilateral policy with Russia that understands that the strategic reality of the world has changed after the cold war, and that we are no longer in a situation of a bipolar world where each of the great powers, the Soviet Union and United States, are facing each other with intercontinental ballistic missiles and nuclear warheads, and that we are working well together to build down in our weapons through the nuclear weapons, START I and START II; but that each of us, Russia and the United States, faces threats from the proliferation of the possession of weapons of mass destruction and the world-changing capacity to deliver those weapons with ballistic missiles.

So we ought to work together to try to limit the spread of that technology and the danger it will represent not only to the United States and their allies but to Russia and their allies.

I thank my colleagues for their support of this bill and for giving me the opportunity to speak to it today. I hope that we will adopt it unani-

mously. I look forward to seeing its implementation and the increase in our security in one of those areas that we know will represent the greatest threat in the generation ahead.

Mr. President, I ask unanimous consent that an article from the January 1998 Reader's Digest be printed in the RECORD.

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

[From Reader's Digest, June 1998]

MISSILE THREAT FROM IRAN

(By Kenneth R. Timmerman)

Last August an American spy satellite spotted a scar of fire on the out-skirts of Iran's capital, Teheran. It was the unmistakable signature of a rocket-engine test. On the ground, engineers and technicians watched a powerful liquid-fueled missile engine bolted to a test stand shoot a plume of fire.

The engine firing, conducted at the secrecy-shrouded Shahid Hemat Industrial Group research facility, sent tremors through Western intelligence agencies:

First, the successful test marked an ominous advance for the anti-Western Islamic government of Iran. New-generation ballistic missiles could give the regime a decisive military edge in the Middle East and Central Asia.

Second, the new missile program bears the fingerprints of an old adversary that is now supposed to be an American ally—Russia. Iran's rocket engines, originally acquired from North Korea, were upgraded in Russia. Technicians at Iran's test facility included engineers from NP. Trud, a prestigious Russian rocket-motor plant that helped develop the missiles that targeted the West during the Cold War. And Iran's new missiles are based in part on Soviet SS-4 strategic rockets.

Iran, whose leaders have chanted "Death to America," is believed to be less than a year away from test-firing a ballistic missile, the Shahab-3, and is developing more powerful versions. "The deployment of these missiles, using just conventional warheads with modern guidance, adds a giant measure to Iran's ability to blackmail allies of the United States," says former CIA director R. James Woolsey.

But the threat goes even further. The CIA states that Iran is also developing chemical, biological and even nuclear weapons. This, from a regime that the State Department has labeled a terrorist threat.

A GROWING PARTNERSHIP

After Islamic radicals overthrew the Shah of Iran and seized the U.S. embassy in 1979, Washington slapped an arms embargo on Iran. Undaunted, Iran conducted an international campaign of assassinations and terrorism, pursued a clandestine nuclear-weapons program and waged a bitter war with neighboring Iraq (1980-88).

In that war, Iran launched missiles bought from North Korea or assembled from parts made in China. When the U.S.S.R. collapsed, Teheran began shopping in the huge arms supermarket of the fledgling Russian Federation.

In a confidential meeting in Germany, Reader's Digest interviewed an Iranian former intelligence officer who confirmed Western intelligence reports that Russians began working on Iran's long-range-missile projects in 1994. At that time, Russian technicians visited the top-secret Iranian Defense Technology and Science Research Center near Karaj, 50 miles northwest of Teheran, Iran subsequently began receiving assistance from Russia's state-run missile

plants and technical universities. Russian advisers worked at Iran's missile plants in Esfahan and Semnan, as well as at design centers in Sultanabad, Lavizan and Kuh-e Bagh-e-Melli on the outskirts of the capital.

"After that, Iran's missile program jelled," says Patrick Clawson, an Iran analyst at the National Defense University in Washington, D.C.

THE UNITED STATES IN RANGE

With Russian help, Iran is working to field two families of missiles in the near future. The Shahab-3 is the closest to deployment. It will carry 1,650 pounds of explosives at least 800 miles—allowing Iran, for the first time, to hit every major city in Israel, including Jerusalem. It would also reach vital Persian Gulf oil fields—and the bases in Saudi Arabia and Turkey where American forces are serving. A Shahab-3 carrying the anthrax germ could kill millions.

Intelligence sources say that a number of engine tests for the Shahab-3 have been observed, and that development will be completed in early 1999, with production soon after. A senior White House official told *Reader's Digest* that the United States now believes Iran has most of what it needs to mass-produce the Shahab-3. "It may already be too late to stop them," he said.

An even more powerful missile in development, the Shahab-4, will carry a one-ton warhead 1,250 miles—making it capable of devastating cities in countries as distant as Egypt. The Russians are also helping a solid-fuel design team at the Shahid Bagheri Industrial Group in Teheran develop a 2,800-mile missile, capable of reaching London and Paris, and a 6,300-mile missile that could strike cities in the eastern United States.

DIPLOMATIC STONEWALL

At high-level meetings with Russian officials, including President Yeltsin himself, the United States has repeatedly expressed concern over Russian arms sales to rogue nations such as Iran. But when Vice President Al Gore pressed Russian Premier Viktor Chernomyrdin on February 6, 1997, Gore received a categorical denial.

Two months later, in April, Iran tested a new missile engine. After analyzing the evidence, U.S. officials concluded that the Russians had transferred technology from SS-4 rockets to Iran—a clear violation of the Missile Technology Control Regime that Russia signed in 1995. It also violates the 1987 Intermediate-Range Nuclear Forces Treaty, in which the United States and the Soviet Union agreed to destroy all such missiles, including the SS-4.

Yet each time the United States presented new evidence of Russian assistance to Iran's long-range-missile program, Russian Foreign Minister Yevgeny Primakov and other officials denied that this was Russia's policy. "While we appreciate such assurances," State Department official Robert Einhorn told the Senate last June, "we remain disturbed by the discrepancy between them and what reportedly is occurring."

In fact, U.S. and Western intelligence sources have confirmed that several hundred Russian engineers and technicians travel regularly to missile facilities outside Teheran helping the Iranians draw up missile-production blueprints. Russia may have transferred to Iran a supercomputer made by a U.S. company to complete the work. And when the Iranians run into technical snags, they fly to top-secret military institutes in Russia to see how the Russians solved similar problems.

"This is not a private operation by some crazy engineers," an Israeli official told *Reader's Digest* in an interview in Tel Aviv. "The contracts [to assist Iran's missile program] have been signed by companies that

are at least partially owned by the Russian government."

Last July President Clinton assigned veteran diplomat Frank Wisner to conduct a joint investigation with the Russians into the missile allegations. His Russian counterpart was Yuri Koptev, head of the Russian Space Agency, which intelligence sources say is aiding in Iran's missile program. (Koptev denies such involvement.)

Talks on Russian-technology transfers to Iran continue. Meanwhile, Russian technicians still travel to Iran, and shipments of missile components continue to reach Iran.

"It must be made clear that doing business with our enemies will cost them if they want to do business with us," former U.S. Under Secretary of Defense Paul Wolfowitz says of the Russians.

U.S. laws require the President to impose sanctions on countries that assist certain nations in building ballistic missiles and nuclear weapons. But the Administration has refused to invoke sanctions, including those in a law co-authored in 1992 by then-Senator Gore and Sen. John McCain (R., Ariz.). Now Sens. Joseph Lieberman (D., Conn.) and Trent Lott (R., Miss.) have introduced new legislation with sanctions that could involve:

Russia's space program. The United States is pumping \$140 million a year and invaluable expertise into Russia's space program. This aid could be stopped.

U.S. contracts. Russian companies working in Iran have some \$2.5 billion in contracts with the U.S. government and U.S. defense contractors. The United States could bar them from American business.

High-tech exports. Russian firms in Iran have been buying advanced U.S. technology. Such high-tech exports could be barred.

In addition to these sanctions, the United States could step up assistance to Israel's Arrow antimissile program to ensure that Israel will have adequate defenses by the time the Iranian missile goes into production, possibly in 1999.

The United States could also increase pressure on Teheran. Instead, the Clinton Administration has been seeking to open a "dialogue" with the Iranians, a gesture interpreted by some of Teheran's ruling clerics as a sign of American weakness.

Some American leaders are determined to send a different, stronger message, not only to Teheran but to Moscow as well. "Russia's transfer of missile technology to Iran is an issue of enormous national security importance to the United States and its allies," warns Senator McCain. "It threatens to further destabilize the region—and risks undercutting U.S.-Russian relations."

Mr. LIEBERMAN. I thank the Chair. I yield the floor.

Mr. BIDEN. Mr. President, my friend from Michigan has 90 minutes on his amendment. I wonder, in order that we can—we have been able to allocate time and I want to make sure that everyone who speaks to our position gets a chance to—whether or not he would be willing to yield off the 90 minutes 4 minutes to our friend from North Carolina.

Mr. LEVIN. The Senator from North Carolina requested 6 minutes. I would be happy to yield 6 minutes to my friend from North Carolina.

The PRESIDING OFFICER (Mrs. HUTCHISON). The Senator from North Carolina is recognized.

Mr. FAIRCLOTH. I thank the Chair. I thank the Senators from Michigan and Delaware. I will stay within the 6 minutes.

Madam President, I strongly support H.R. 2709. I come to the floor, however, rather worried about the administration's decision last week to waive sanctions against a French energy company that is doing a massive billion-dollar oil deal with Iran. The President's decision to waive imposed sanctions on the French energy company was done under the guise of national security. I have to wonder, and we all wonder, whose national security is he referring to when he chooses to waive the sanctions? Certainly, it is not the national security interests of the United States for Iran to improve its oil-exporting capability so that it can turn around and then use the same money to fund missile development. I certainly can't believe it is in the best interests of the State of Israel to have Iran improving its foreign cash reserves for the very same reasons.

Iran is improving its cash reserves, and they are improving their missile technology. Just in January of this year, the CIA told the Senate that Iran would be able to target ballistic missiles at Israel much sooner than the 10 years that we had previously been led to believe. So, therefore, I have to conclude that he made this decision in the national interest of France and Russia. I think that is a very poor reason to make a decision of this magnitude.

Here we go again. We are passing a good bill to impose sanctions on individuals who transfer missile technology to Iran. But section 105 of the bill permits a waiver based on the national security interests of the United States. The part that concerns me is the waiver. I am concerned about how the President has interpreted this in the other Iranian sanction bills. I think there should be no waiver. I do not trust the President's decision on waivers. Given that Israel was the only sovereign state, outside Kuwait, that was attacked by Iraq during the Gulf war as they were attacked by missiles, I think there should be language in this bill and in the Iranian-Libyan section that mandates consultation with Israel before we choose to waive any sanctions for missile production or oil production. I think we owe it to our friends—the true friends in the Middle East—the Israelis.

I hope that such legislation wouldn't be necessary and that the President would be more frugal in his actions.

So I plan to introduce this as free-standing legislation. I hope we could consider this sometime in the very near future. We should be consulting with Israel before making decisions affecting their interests, just as much so, and more so, than we should be with Russia and France. Israel is a country that is most threatened by missile production by rogue states like Iran and Libya.

I know there are some who think the Iranian regime is moderating itself. I personally don't think they are. But even if they are, I don't think that we should be lulled into a sense that we

have turned the corner in our relations with Iran. They only respect the United States for its power. They simply laugh at us when we are weak. They take the President's waiver as a sign of weakness—not as a gesture of improved relations.

The Mideast is still an extremely volatile area. The United States is at its best when we stand behind our true ally, the Israelis, as they have been our true ally. They have been our sea anchor in a turbulent part of the world. We should negotiate from a position of strength—not when we accommodate murderers and terrorists who pretend to be government figures. We should be supporting our true ally in the Mideast. Again, I strongly support the legislation.

I yield the remainder of the time, and I thank the Senator from Delaware.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. Madam President, I yield myself such time as I may consume, up to the time I have allotted to me.

I was asked by someone yesterday after a meeting at the White House on this issue, What did I think about this sanctions act? And I said: "Good act, bad timing." Good act, bad timing.

The extent to which this act that we are about to vote on, this sanctions bill, is of value is a little like nuclear weapons: Their value is in their non-use; their value is in their threat of use.

The administration has made significant progress over the 6 months we gave them with the threat of this bill in place. It has had the best of all worlds. It has allowed those in Russia who very desperately want to cut off this program and this relationship with Iran the ability to say, "we must do this or we will lose much more than we will gain," without having to put themselves in a position politically in their own country in which they appear to be publicly buckling to the pressure applied by the United States.

So, although I have no disagreement with the principle of H.R. 2709, the Iran Missile Proliferation Sanctions Act of 1997, and I have no doubt that it addresses an urgent concern we cannot ignore, I have a great deal of doubt about whether we should be voting for it now and sending it to the President now.

Madam President, to state the obvious, the cold war is over. One of the great wonders of it is that the world was spared any use of nuclear weapons during that cold war, and almost—almost—any use of chemical or biological weapons. The proliferation of weapons of mass destruction and the means to deliver them, however, could bring about the very holocaust that we have managed to avoid over the past 50 years.

So, everyone here is united in one objective: to stop, inhibit, curtail the proliferation of weapons or the means of delivering those weapons. How do we best do that? Is the best way to do

that, relative to Iran's missile program, to impose these sanctions now? Will this bill, by its passage, finally turn off the last few drops of water coming out of that spigot? Or will it enhance the prospect that the cooperation with Iran—which began years ago and has continued in diminishing amounts up to now—will be increased, reversing the momentum of the last 6 months?

It seems to me, as rational persons—and we all are, obviously, on this—we have to examine that question. For me, the instinct to punish Russia for what they did in the past is overtaken by my fear that the proliferation will increase. To the extent that I have a disagreement with my friend from Connecticut or my friend from Arizona, two of the brightest people in this body, it relates to how I come down on that question.

One or another country may think it needs these weapons to protect it from its neighbors or gain the attention of the great powers. The fact is, however, that weapons of mass destruction threaten us all, especially when the countries that seek them are ruled by murderous despots or inflamed by ethnic or ideological causes.

Today, two sets of neighboring countries—India and Pakistan, and Iran and Iraq—pose the greatest threat that weapons of mass destruction might actually be used. India and Pakistan have to be restrained from using such weapons against each other. I was reminded by someone today, we are talking about a response time of 3 minutes—3 minutes; a pretty short leash, quite a hair trigger—when we are talking about Pakistan and India. The same would apply to Iraq and Iran, who have managed over the last decades to kill hundreds of thousands of each other's citizens. So these two sets of neighbors—India and Pakistan, Iran and Iraq—it seems to me, are most likely to get the world in trouble. Iran and Iraq have to be prevented from obtaining such weapons and from using them, not only against each other but also against the whole Middle East region, if not the world.

Some foreign entities, notably Russia, have continued to assist Iran's ballistic missile program intended to give Iran long-range ability to deliver weapons of mass destruction. This assistance must stop, and it must stop now.

Since early last year, U.S. officials from the Clinton administration, including the President and the Vice President, have raised the matter with their Russian counterparts, Yeltsin, Chernomyrdin, and Kiriyenko. They have all agreed it is hardly in Russia's interests to give Iran the capacity to fire long-range missiles with weapons of mass destruction. Special envoys Frank Wisner and Robert Gallucci have worked with Russian Space Agency chief Yuri Koptev to help Russia determine what it must do to stem this assistance.

Let us get a little background here, because we all kind of mentioned it.

Here you have a former empire that has crumbled around the ears of Russian leaders. They are left with a number of the old apparatchiks in charge of huge, bureaucratic entities, departments, who have, off and on for the last 9 years, been free agents to some degree or another.

The idea that Yeltsin has his finger on, and knowledge about, and the ability to control every one of his disparate agencies out there is, I think we would all acknowledge, not nearly, nearly a reality. So, since early last year, American officials have been working very hard, pressuring, cajoling, and educating the Russian leadership as to why this is against the Russian leaders' own interests and how to gain control, how to gain control of their own entities.

There is an irony here. If we said to our constituents that there is this outfit in Russia that doesn't control what is happening in a department in one of the six nuclear cities in Russia, or doesn't have control over a department in Moscow, they would say: "Wait a minute, isn't this the same outfit that ruled with the iron fist, so that they would be able to not only have a command economy, but to command everything?" But the fact is, the Russian leaders do not have that ability any more. And they do not know how to gain it.

So I start off with the proposition that this is a very different circumstance than if we were dealing with the U.S.S.R. and this program were going on. If I were to have turned to even Gorbachev, or any of his predecessors, and said, "you are transferring this technology to Iran," and had them say, "we didn't know that, or were unaware of the extent of it," having been here 25 years and dealt with them on that issue for 15 years, I would have said unequivocally on this floor, "that is flatout a lie; they cannot not know that."

But it is clear that, although much was known in some quarters, a lot was not known. So you actually have the Russian leadership saying, "How do we set up export controls? How do we gain control? You have been doing this. How do you all do it?"—we have not done it perfectly, by the way, but—"How do you do it?"

The fact is that troubling aspects of the Russian assistance to Iran program continue to this very day. I know that. All of us on this floor have gotten a briefing. We know that. And with each passing day, Iran comes closer to obtaining the ability to have long-range missiles that can rain down chemical or biological destruction on Israel, Saudi Arabia, and U.S. Armed Forces in the region, and, obviously, to understate it, that is a real problem.

So, what do you do about this? The executive branch, in my view, has made real progress, important progress, that this bill before us, I believe, will sacrifice. Let me give you a few examples.

Last year, Russia expelled an Iranian Embassy employee who was involved in seeking assistance for Iran's missile program. Russia's Federal Security Service, the FSB, says that Russia also deported a member of an Iranian military delegation.

The FSB adds, in a statement of May 15, that two officials at a Russian research center were arrested, convicted, and sentenced to prison for trying to "enter into an agreement with a foreign firm to design homing electronic devices for missiles."

They also foiled an effort by Iran's SANAM industry group, to get missile parts from a Russian firm, NPO Trud. The FSB statement also adds that, "All the activities of the SANAM group on the territory of Russia have been terminated and prohibited."

On January 22, Russia issued Order No. 57 establishing what are called "catch-all controls" over the export of any material or technology that might contribute to Iran's programs to develop weapons of mass destruction or long-range missiles.

Last week, Russia promulgated implementing directives for that order requiring that each entity involved in high-tech material or technology exports set up a review committee to screen proposals and specifying "red flags" that would require referral of proposals to high-level officials for approval. Those "red flags" are precisely the sort of criteria that we would want Russia to use. For example, they name certain Iranian entities that are automatically suspect no matter what they want to buy. That is a take-no-chances approach that suggests the seriousness on the part of Russia.

The pace of diplomacy is slow, Madam President, and so is the pace of Russian bureaucracy, and so is the pace of putting together a Russian Government that can control Russia. I understand and share the frustration that my colleagues feel in this regard. But, as the kids say, let's get real. When was the last time we turned Russian policy completely around, and how long did it take?

When we didn't like the Soviet Union deploying SS-20 intermediate-range missiles in the European theater, we had to build and deploy Pershing missiles in response before they would sign the Intermediate Nuclear Forces Treaty. The process took 10 years. It took a similar period of time for the Soviet Union, later Russia, to admit it was violating the ABM Treaty in building a large phased-array radar near Krasnoyarsk. And there are a lot of other examples of how long this takes.

My colleagues will say the assistance continues, that these institutions and firms are just looking for ways to get around Order No. 57, and that there are still bureaucracies that oppose Yeltsin and Kiriyenko on this issue; and I will reply, "Yup, you're right, that's exactly what has happened."

What on Earth does anybody expect? Do my colleagues expect Russian offi-

cials to be grateful when we catch them doing something stupid and call them on it? Do they expect the institutes, that cannot pay for their personnel, or their factories that pay their workers in goods to barter on the market, to be happy when we tell them that they have to turn down hard currency from Iran?

Look, we have a satellite industry that is apoplectic today—an American satellite industry that is apoplectic today—because the House took action and the Senate may take action curtailing their ability to launch these satellites into space from other launch systems around the world. Why? They are going to lose billions of dollars. Mark my word, you are going to start hearing from their employees saying, "What have you done to my job?" Right? We all know that. We shouldn't yield to the company or the employee if it is against the national interest, but we are going to hear it.

What would happen, do you think, if all of a sudden we were to say, "By the way, stop doing" such and such, which is the only thing that allows you to make any money at all, to even be given goods you can barter on the street to keep your apartment? I don't say this by way of justifying anything Russia is doing, but there is a report from an organization I have great respect for, the American Jewish Committee. The American Jewish Committee had a report written called "The Russian Connection: Russia, Iran, the Proliferation of Weapons of Mass Destruction." It is a very good report. I recommend it to everyone.

They point to an article that was written in Russia about missile specialists who worked in Iran during the past few years. It says that specialists were recruited by Iranians in collaboration with the Federal Security Service—which is now going to be part of stopping this.

Then the article goes on to say that the policy of assisting the missile program began in 1994, when the then-chief of Yeltsin's bodyguard service was involved in export policymaking, and that it was done—for what? For hard currency, for money.

Now we have convinced Yeltsin and a new government in Russia—which is probably the most pro-American government that has existed in the last 90 years in Russia, maybe in Russian history—we have them taking all these steps to cut this off. OK? So far, so good.

The American Jewish Committee report points out that the reason they did this was for money. Now we go ahead and we cut off any money that we are going to send these Russian entities in existing bilateral arrangements we have. What do we think Russian leaders are going to do? Are they going to say, "You know, we now lost the American support that we, the new Government in Russia, want, and we don't want to be selling this missile technology anyway because it is

against our interest, so at least we could have told the folks in those departments that there was something coming, but the Americans are going to cut off that money, we're not going to get that, but, by the way, still don't follow through on this Iranian program?"

It is lose-lose. They not only lose the money that encouraged them to enter into these arrangements in 1994, because of our efforts to stop it and because they were not quick enough and thorough enough in stopping it, they have now lost any other aid they have.

Again, I am not approaching this from an ideological point of view. I am not approaching this from a point of view of who is right or who is wrong, whether they did the right thing or the wrong thing. I am trying to approach this from a practical point of view: How do we assure that what was going on doesn't continue? How do we stop proliferation?

This same report published by the American Jewish Committee makes a very, very important point in a section entitled "American Policy Options."

It says:

The United States faces tough choices in addressing the issue of Russian-Iranian missile cooperation. Both the Clinton administration and its critics confront the fact that American leverage is probably limited.

Then it goes on to say:

However, the threat of sanctions will not in itself be sufficient. The threat of missile proliferation is serious enough to warrant offering improved carrots.

Let's get this straight. Everybody has kind of figured this out—let's review the bidding.

The Russians were bad guys. They sold technologies to people who were even worse guys. The combination of that is against the interests of the United States, and particularly against the interests of Israel. We have to turn it around and stop it.

We went ahead, and after the last couple years—with great pressure during this year, thanks to congressional leadership having the sanctions sitting out on the table—convinced Yeltsin, and now the friendliest government that ever existed in Russian history toward the United States, the two new young guys in positions of power, not only that it is against their interests, but also that they better stop. And there is some evidence they are stopping it.

They are finding where at least some of the technology leaks are and they are turning them off. And now here we are after they had begun the process saying, "Aha, but you did do it." Of course they did it. And what we're going to do is to say, "we're going to cut your water off from this end of the spigot. We're going to cut it off."

And if the objective is America's interest and indirectly Israel's interest, which is an American interest, how does that make sense? Let me add one other dimension here.

I said: "This is a good act, bad timing." Let us review the bidding and

what is going on in the Asian subcontinent right now. Regarding India and Pakistan, we are breaking our neck, some of us on this floor personally, the President, Democrats, Republicans, pleading, cajoling, doing everything we can with Pakistan not to up the ante. We are doing everything we can to take an Indian Government that has overstepped its bounds against its good judgment, in my view, and say, "Tone down what you're doing." We are trying to put a lid on this.

So what are we doing? Some of us, as well as the administration, are doing everything from picking up the phone and calling Sharif in Pakistan, to saying, through the administration, to Yeltsin, "You, Yeltsin, have a relationship with India. Call them. Tell them. Cooperate with us."

Every Republican and Democrat who has any contact in China is trying to get China to put pressure on Pakistan. And in the middle of this gigantic effort, that is literally worldwide, at a moment when every nation in the world, particularly the nuclear powers, fully understands the potential consequence of Pakistan's nuclear testing now and India's heated rhetoric—now, when all this is going on—what are we doing?

In fairness to the leader, this was under a unanimous consent agreement, and put off from back in November, but what are we doing? We are coming along invoking a sanction potentially that is going to make it more difficult by anybody's standard to get worldwide cooperation.

Who are the nations that can most influence Pakistan or most influence India right now, beyond the United States? I will bet that if we ask all the staff in the back who are experts on this—whether they are for these sanctions or against them—I bet that if we asked everybody in this Chamber, and I put a list on the board saying, "Which are the most likely countries to be able to influence Pakistan," and put Russia, France, Germany, England and China—I bet you would all pass the test and say, "China." And why would you say that? Because China has been selling them missile technology.

Now, I wonder who would have the most influence on India. The answer is Russia, for similar reasons. So thus it seems to me, Madam President, that this is a good idea at a very bad moment.

We also have a new government in Russia. We have two young people—and every analyst to whom I have spoken, conservative or liberal, Democrat or Republican, or who has testified before the committee or spoken to my staff has said, "These two new guys are keepers. They're the best shot we have." They are the best shot we have. Now they have gone out and put their new, fragile reputations on the line in that new government, and said, with regard to assistance to Iran's missile program, "Shut it down." And the first bit of reward we are going to give them

is sanctions against entities in their country.

Now, look, some former President, whom I will not name, once said, "Life is not fair." I am not suggesting to anybody that it would not be fair to impose these sanctions. By any measure, it is fair, because they did not play by the rules. They broke the agreements. So it is fair; but is it smart? Is it in our interests? Is it a good idea? In my humble opinion, the answer is no, it is not smart, it is not a good idea, it is not in our interest. The sanctions we mandate will be resisted and they will be resisted and, in my sincere view, they will fail where diplomacy is succeeding.

Some aspects of this bill seem calculated to anger Russia rather than to secure compliance. One is the "credible evidence" standard for sanctions. According to the report on this bill, the standard is meant to require sanctions when information is merely "sufficiently believable as to raise a serious question * * * as to whether a foreign person may have transferred or attempted to transfer" sanctionable items of technology.

This is kind of the "shoot first, ask questions later" approach to international relations. This is cold-war posturing in a warmer environment, with the friendliest government we have ever had an opportunity to work with, and it will likely fail.

Fortunately, our action today is not the end of the process. The President is very likely—very likely—to veto this bill. And if we have the amendment of the Senator from Michigan accepted, which I expect it to be, we will have to go back to conference.

And I say to you, Madam President, and to my colleagues, that I hope Russian officials and firms that follow this debate will hear the message my colleagues are sending. If Russian assistance to the Iranian missile program does not cease within a matter of weeks, I truly believe that this body will override the President's veto and set in stone this counterproductive sanctions bill.

I also say to my friends who believe that this sanctions bill is warranted on the merits, if you just do it based on weighing the scales, that you are giving up nothing by delaying here. Can anyone show me that there has not been real progress over the last 6 months?

So if in 2 weeks or 6 weeks or 8 weeks this progress has not continued, this sanctions bill can be brought back up. But to pass it now, I honestly believe, will be counterproductive.

Russia's legal and administrative actions so far, while insufficient, show their good intent. There is also a strong foundation on which to build. But the edifice of enforcement must be built quickly. Only speedy Russian action is likely to avert the sanctions regime mandated in this bill.

In closing, let me note my deep objection to the other body's insistence

upon attaching the Chemical Weapons Convention Implementation Act to this measure. This is a practice that has to stop. It is irresponsible, absolutely irresponsible, in my view. Combining the two bills, the Chemical Weapons Convention Implementation Act and the Iran Missile Proliferation Sanctions Act, both of which should be sent over here—I am not suggesting that they shouldn't do that—to tie them together in the hope that it will force the President to sign the bill is holding hostages that relate to our national interest as Americans.

They did the same thing with the IMF. They did the same thing with the United Nations arrearages by attaching abortion language. Each of these issues warrants debate, but not tied to one another. Attaching the Chemical Weapons Convention Implementation Act to this bill serves merely to delay for many months and to put at risk a bill that is important to our national interests. That was an irresponsible action, in my view, that ill-befits a co-equal branch of government, the House of Representatives.

CHEMICAL WEAPONS CONVENTION IMPLEMENTATION—AT LAST

Mr. President, title two of the measure that we are passing today—the Chemical Weapons Convention Implementation Act of 1997—deserves some attention. Final passage of this bill is long overdue. Its enactment, despite its flaws, will serve the national interest in very real ways.

U.S. ratification of the Chemical Weapons Convention last year was not easily achieved. In the end, however, all the Democrats in this body and most of our Republican colleagues joined to fashion a 74-26 majority for ratification. Nearly one year ago, this body passed the implementation bill that is once again before us.

Final passage of that act will serve our national interest in several ways. First, it will enable the U.S. Government to require industry to comply with the data declaration provisions of the convention. In addition, this law will provide protection to confidential business information that U.S. firms may be required to submit.

The filing of a complete national data declaration will finally put our country in compliance with this convention. That is no small matter. Until then, the United States cannot exercise effective leadership in the organization for the prevention of chemical weapons—the implementing body for the convention. And make no mistake: It will be U.S. leadership that guides the organization toward effective verification and enforcement of compliance with this convention.

The United States has a tremendous stake in enforcement of the Chemical Weapons Convention. Our interests are world-wide, and U.S. troops are often stationed in far-flung locations. Whenever U.S. forces go, they will be far safer if chemical weapons are removed as a military threat.

In its first half year since entering into force, the Chemical Weapons Convention has already had some successes. China, India, and several other countries have admitted for the first time to having chemical weapons programs. The weapons and weapons facilities that they declared have been inspected and will eventually be destroyed. The information that they have provided will enhance our ability, moreover, to monitor their chemical establishments and to search out any suspicious activities.

The Chemical Weapons Convention has also taken some important steps toward universality. Both India and Pakistan have joined; China has joined; Russia has joined; and even Iran has joined.

The Chemical Weapons Convention Implementation Act embodies compromises between treaty supporters and treaty opponents. I supported this compromise bill last year because it was important then—as it is now—to facilitate U.S. compliance with the convention. I support it today for that reason and because the administration has assured us that it is more important to enact this measure than to spend more time correcting the faults in it.

Let me make clear, however, that I still have very serious concerns about the impact of some of this bill's provisions on implementation of the convention.

In particular, I do not believe we should be granting the President discretionary authority to deny an inspection based on national security grounds, as would be done by section 237. By signing and ratifying this treaty, the United States—with the advice and consent of 74 members of this body—agreed to allow certain inspections, subject to our constitutional requirements. With few exceptions, denial of a duly authorized inspection would violate the convention.

Even if the President never exercises this authority, the mere inclusion of this provision in the legislation will encourage other countries to deny inspections on national security grounds. If we should enact the so-called "national security exception," we can be sure that China, Iran, and other countries will seize upon the precedent we set and use it to undermine the effectiveness of the verification regime.

I have similar concerns regarding section 253, which would exempt from reporting and routine inspection requirements unscheduled discrete organic chemicals that are coincidental byproducts and are not isolated or captured for use or sale. While waste streams are not, in themselves, a threat to the object and purpose of the chemical weapons convention regime, monitoring of such streams does afford one of the most convenient and non-intrusive means of determining whether a facility is worthy of concern in the first place.

I am also troubled by:

The broad compensation scheme in section 213 that does not even require a plaintiff to prove its case by a preponderance of the evidence in order to receive taxpayer funded compensation for the loss of trade secrets; and the limitation in sections 212 and 238 on the Government's power to require contractors to submit to inspections.

Finally, I regret that this legislation does not undo the damage to our national security that I fear will be caused by condition 18 to the resolution of ratification for the convention. That condition provides that no chemical sample taken by the international inspectors may be removed from the United States for analysis. While it may offer some further protection to U.S. manufacturers against possible industrial espionage, it also opens a huge loophole for countries that may violate this convention.

I firmly believe that the convention's provisions and the other conditions to our resolution of ratification provide sufficient protection for the confidential business information of U.S. firms. Indeed, insistence upon U.S.-based analysis of U.S. samples will actually make it easier for foreign spies to obtain that information, by effectively specifying the laboratories for them to target. And I dread the stain upon our collective conscience if a future violator of this treaty should ever make use of the exemption we are carving out, and then use those illegal chemical weapons against U.S. forces or innocent civilians.

Opponents of the convention insisted upon condition 18, arguing that no good would ever come from on-site inspections anyway. I hope and believe that they will come to realize the error of their ways and will accept the need to make this treaty as effective an instrument as possible. Strict verification is crucial to making sure that Iran, China, and other countries with undeclared or formerly undeclared chemical weapons programs are given as little an opportunity as possible to hide illegal weapons stocks or production.

That said, however, final passage of this act is still an important accomplishment. By facilitating U.S. compliance and leadership, it opens the door to further success in the campaign to rid the world of one of its most heinous inventions.

Mr. President, I now close with a statement that addresses the "carrots" that the American Jewish Committee report calls for and that sets forth some proposals in that area.

NON-PROLIFERATION: AN OUNCE OF PREVENTION
IS NOT ENOUGH

As we near the end of the 1990's, there can be no doubt that future historians will highlight this time as the decade in which the Cold War was ended and the Soviet Union was dissolved. Even so far-reaching an action as the enlargement of NATO, to which this body recently gave its consent, will be seen largely as an outgrowth of the cata-

clysmic changes in Moscow that upended the bipolar structure of post-World War II international relations.

How else will historians characterize this decade? Will we be seen as having turned to peace? Or will historians say that we turned merely to further war in a new context?

The Good Friday Agreement offers hope for peace in Northern Ireland. The Oslo Agreement and related efforts in the Middle East offer hope for peace in that region as well, despite the many obstacles that still litter that path. The Dayton Accords offer similar hope for Bosnia and, indeed, for the Balkans as a whole.

The wars and massacres in Africa are another matter. We are trying to create new structures to prevent or control such conflict, but our failure to avert millions of deaths in central Africa will lead future generations to remark on how poorly we had learned the lessons of the first holocaust.

THE THREAT OF WEAPONS OF MASS DESTRUCTION

The final judgment on this decade may well hinge, however, on how we handle the threat of other holocausts—those made possible by weapons of mass destruction. The potential for such horrific acts may well have been increased by the end of the Cold War. And a failure to contain that risk could radically alter the judgment of history, assuming that anyone survives to write it.

Weapons of mass destruction pre-date the Cold War. In the 1760's, England used primitive biological warfare to kill American Indians in Pontiac's Rebellion. Chemical weapons were used in World War I. And the two atomic bombs that helped to end World War II demonstrated mankind's ability to bring about the apocalypse in the blink of an eye.

During the Cold War, the United States and the Soviet Union amassed by far the largest stockpiles of weapons of mass destruction ever seen. Experts will argue over whether the use of all those weapons would have caused a "nuclear winter" that would end all human existence. There is little doubt, however, that the resulting human, economic and environmental devastation would have destroyed our modern civilization.

The great irony of the Cold War, however, was that the tight leadership of two blocs by the United States and the Soviet Union kept nearly all of this Armageddon arsenal under their firm control. There were a few cases in which chemical weapons were used. By and large, however, the terror of "Mutually Assured Destruction" kept the nations of the world inline and prevented any descent into the abyss of all-out war.

The end of the Cold War has reduced dramatically the risk of a nuclear holocaust sparked by war between the United States and Russia. Strategic arms reductions under the START Treaty have begun the process of stepping back from the brink. Russia will

eventually ratify START II, and I think we can look forward, in the coming years, at least to START III as well. The CFE Treaty continues to regulate conventional weapons in Europe, moreover, so as to limit the risk of hostilities that could spark a larger conflict.

There has also been progress on chemical and biological weapons. Russia has joined us as a State Party to the Chemical Weapons Convention and will destroy at least 40,000 metric tons of chemical agent. President Yeltsin admitted that Russia had violated the Biological Weapons Convention and ordered an end to Russia's offensive biological weapons program. We still lack confidence that Russia is not hiding some illegal chemical or biological weapons or weapons capabilities, but the trend is toward a day in which no massive capability of that sort will remain.

The greatest risk that is not yet contained is that some other country, or even a terrorist group, might use these horrendous weapons. While such countries and groups are unlikely to unleash a holocaust, the scale of destruction they could cause would still be astounding—and our own cities or bases could well be their targets.

Rogue states and criminals have tried to get Russian and former Soviet nuclear weapons material and technology during this decade, although with little success. Countries such as Iraq, Iran and Syria have had better success gaining Russian and/or Chinese chemical weapons technology and material (including equipment and precursor chemicals), biological weapons material (including production equipment), and ballistic missiles or missile technology.

These transfers of weapons and technology have taken a toll on regional stability. India and Pakistan now threaten each other with ballistic missiles, and India's recent nuclear tests could lead Pakistan to test as well. It was hard enough to maintain the "balance of terror" between the United States and the Soviet Union. Can India and Pakistan maintain that balance without descending into war, with their history of border wars and bloody terrorist incidents? I hope they can avoid a regional holocaust; but clearly, the risk of that is real.

Russia, China, North Korea, and various Western companies have contributed to India and Pakistan's missile and nuclear weapon programs. There has been a profit motive in those deals, as well as supposed security interests on the part of China and Russia.

But how valuable are company profits, or foreign exchange for North Korea, if the result is nuclear war? Where is the security for China if radioactive clouds should pass over its territory as its neighbors descend into chaos?

The same questions apply to those who would assist Iran or Iraq to develop weapons of mass destruction.

Will the paltry profits in assisting Iran's ballistic missile programs really matter if Iran can attack Russia and its neighbors with chemical weapons? Do the Russians really think that Saddam Hussein can be trusted with fermenters that could be used to produce biological weapons? Will China really benefit if its assistance to Iran should put weapons of mass destruction in the hands of a regime that sympathizes less with Beijing than with Islamic ethnic groups in western China?

Russia and China are both great powers. But you have to wonder, sometimes, what they are thinking. And you really have to wonder when North Korea will realize that ballistic missile exports to unstable countries won't do much for a people already reduced to eating tree bark.

AN OUNCE OF PREVENTION IS NOT ENOUGH

What should the United States be doing to stop the spread of long-range missiles and weapons of mass destruction? The short answer is: a lot more than we're doing now.

I don't say that to denigrate current U.S. programs or the U.S. commitment to non-proliferation. No great power is as active as we in trying to prevent proliferation. Nobody has as many programs as we do to detect proliferation activities, to stop them, to pressure illegal buyers and sellers, to develop military weapons and tactics for operations against sites with weapons of mass destruction, and to assist the former Soviet states, in particular, in safeguarding and destroying dangerous material and in reorienting their military industry to the civilian economy. We spend over \$600 million a year on the assistance programs alone.

But the fact is, my friends, that we are failing to do all that we can to stop proliferation. Some of our failures are understandable. No intelligence system can detect everything, and we risk the loss of sensitive sources whenever we *démarche* a supplier country or let classified information leak to the press. U.S. diplomacy cannot move every supplier to stop every unwise shipment, and economic sanctions are a tool that succeeds only occasionally. India's recent nuclear tests, in the face of U.S. law that forced the President to impose multiple sanctions, underscore the difficulty of stopping a state once it has substantial indigenous capabilities.

What ought to embarrass us, however, is that we are failing also to take actions that we know are workable. Thus, we combined the threat of sanctions with a promise of economic incentives to freeze North Korea's nuclear weapons program. Can we not offer similar multi-national incentives to North Korea to stop exporting ballistic missile equipment and technology? Won't that be cheaper than battling No Dong missiles around the world?

Similarly, we are failing to reach most of the highly-trained scientists and technicians who developed weapons

of mass destruction and ballistic missiles for the former Soviet Union. And that is no small problem! There are well over a hundred thousand such skilled personnel who served the Soviet death machine at its peak. Anywhere from ten to fifty thousand personnel still have skills that a rogue state or terrorist group would like to obtain, and are underpaid or unemployed today. That is not just a problem for those personnel. That is a powderkeg just waiting to explode!

What should we be doing about this? We should plug the holes in our current non-proliferation assistance programs. We should endorse and build on the "nuclear cities" initiative that Vice President GORE and then-Prime Minister Chernomyrdin began in March. We should make a special effort to assist Russia's biological warfare specialists who want to cease working with dangerous pathogens. And we should consider outright subsidies to keep Russian arms experts busy on socially useful projects.

IMPROVING EXISTING PROGRAMS

What are the holes in our current non-proliferation assistance programs? Several non-proliferation assistance programs are managed by the Departments of State, Defense and Energy. They provide vital assistance to help safeguard Russian nuclear weapons material, to dismantle Ukrainian long-range bombers, to support projects that could provide commercial job opportunities for former weapons specialists, and occasionally for a one-time operation like purchasing Kazakhstan's nuclear material or Moldova's bombers.

One program that supports commercial initiatives in the former Soviet Union is the Department of Energy's Initiatives for Proliferation Prevention (or IPP). The President's proposed Fiscal Year 1999 budget would reduce that program's budget from \$30 million to only \$15 million. This is a short-sighted step at precisely the wrong time. Under its new program manager, IPP is finally bringing projects to the point of commercialization. Fifteen projects have achieved completely commercial funding and 77 now have major private co-funding.

If the IPP budget for FY 1999 is reduced by \$15 million, IPP will have to cut back its new projects to find socially useful employment for Russian chemical and biological weapons experts. Those weapons are well within the reach of rogue states, as UNSCOM has documented in Iraq. Do we really want to leave hundreds or thousands of Russian experts underemployed, and thus vulnerable to offers from the likes of Iran, Iraq, or Libya?

We must not cut back one of the few programs to combat the risk that Russian experts will sell critical material or expertise to those states. Given its important objective and the increasing success of the IPP program, restoring the \$15 million cut is truly the least we can do.

Another important non-proliferation tool is the Nonproliferation and Disarmament Fund, which is managed by the State Department. This fund has been used for several urgent and sensitive non-proliferation operations over the years, including the purchase of unsecured highly enriched uranium from Kazakhstan. The flexibility that it affords policy makers to take advantage of non-proliferation opportunities is a vital resource.

Recent operations have taken their toll, however, on the Nonproliferation and Disarmament Fund's reserve. The Fund had a \$12 million reserve at the beginning of Fiscal Year 1997, but only about \$4 million by the beginning of FY 1998. Annual appropriations of \$15 million, while welcome, give the Fund insufficient flexibility to truly fulfill its mission.

We need to increase our investment in the Nonproliferation and Disarmament Fund, either by establishing a higher annual funding level or at least by replenishing the Fund's reserve. Our nation has received good value from the Fund in the past, and we should do what it takes to keep the Fund healthy.

A third important program is the Energy Department's Material Protection, Control and Accounting (or MPC & A) program, which has been upgrading security at Russia's nuclear sites. This program uses a lab-to-lab approach that builds trust and cooperation. It has forged ties with every single Russian nuclear facility of concern. This program not only improves security, but also encourages transparency regarding Russian operations and helps to build ties that can lead to projects under other non-proliferation assistance programs.

The time is ripe to apply the same lab-to-lab approach to Russia's chemical weapons sites. Russia has declared some 40,000 metric tons of chemical weapons stocks that must be destroyed under the Chemical Weapons Convention. Physical security for those toxic chemicals is only rudimentary: guards, fences, and single-key padlocks that are sometimes falling apart. While a rogue state might have to steal and transport a ton of this material to gain a militarily useful amount, a terrorist group could wreak havoc with much smaller quantities.

We should encourage the MPC & A program to help Russia slam the door on that risk. A \$10 million start in Fiscal Year 1999 would be money well invested.

I have written to the Armed Services Committee and the relevant appropriations subcommittees regarding these programs, which I hope will be addressed in their bills. If they are not, I will work with other concerned colleagues to raise these issues on the floor.

WEANING RUSSIANS AWAY FROM BIOLOGICAL WEAPONS

Revelations regarding Iraq's biological weapons, along with defector ac-

counts of Russia's massive biological weapons program, are making their mark on our psyche. We are beginning to accept that, whether U.S. military planners wanted biological weapons or not, other countries and terrorist groups might be all too happy to try them out. Thousands of Russian scientists and technicians have biological weapons experience, and a rogue state assisted by such personnel could cause unspeakable harm.

The National Academy of Sciences, using Nunn-Lugar money from the Department of Defense, is working with the International Science and Technology Center in Moscow—a multi-country program managed by the State Department—to support cooperative research projects with Russia's civilian biological weapons experts. This is an interesting program which encourages those experts to find socially useful outlets for their biological weapons expertise.

But the National Academy's program also keeps these experts working with dangerous pathogens, rather than applying their skills in less dangerous areas of work. So if you're a Russian biological weapons expert who wants to get out of that nasty business, you may find yourself unemployed—or recruited by rogues. But if you want to stay on the fringes of it, the United States will help you.

Does that make sense? I don't think so, although it's true that this program will give us useful windows into the work of these personnel—and perhaps some lines into Russia's Ministry of Defense labs that we fear may be engaged in illegal biological weapons work—for about \$8 million per year.

Don't blame the National Academy of Sciences, however, or even the Department of Defense. The original 1996 contract between those organizations called for the Nunn-Lugar money to be used "to support the conversion of former Soviet BW research personnel to work on international public health issues."

But that changed after we passed a law to prevent Nunn-Lugar money from being used for defense conversion. That law is section 1503 of the National Defense Authorization Act for Fiscal Year 1997. I suppose it was adopted because defense conversion is difficult and costly. That's true. But here we are, with a law that lets us keep several hundred experts working with diseases that Russia developed as weapons. But it won't let us help those experts—or a few thousand others who used to work on those weapons—to move into really useful work on the many other diseases that afflict mankind.

We can understand why that law was adopted. But as Mr. Bumble says (in Charles Dickens's "The Pickwick Papers"), sometimes "the law is a ass, an idiot." That law needs to be changed, to allow the National Academy's original concept to go forward. We need a much larger program to encourage

Russia's biological weapons experts to apply their knowledge in safer areas of research and development, as well as the small program for those Russian experts who continue to work with dangerous pathogens. I will introduce legislation to remove any legal roadblock and create that larger program.

THE "NUCLEAR CITIES" INITIATIVE

On April 27, the Russian Ministry of Atomic Energy announced plans to sharply reduce the number of institutions involved in nuclear weapons research and production. The cuts will begin this year, and in five to seven years Russia may close a dozen nuclear weapons research and production facilities.

This is big news. The Russian Federation is finally admitting—publicly—that its nuclear establishment is far too large. From the standpoint of our strategic arms relationship with Russia, downsizing of the "nuclear cities" is a welcome step.

But what will become of the scientists and technicians who do not stay in the downsized Russian nuclear establishment? There are over 100,000 personnel in those "nuclear cities." Let's say that 25,000 stay with the consolidated Russian labs, and that only a quarter of the rest have skills that a rogue state or terrorist group would like to buy. That would still leave 20,000 underpaid or unemployed experts on the market. What will be done to reduce the risks posed by that large pool of desperate people?

One answer is the Nuclear Cities Initiative. In March, Vice President GORE and then-Prime Minister Chernomyrdin agreed to develop a new initiative for Russia's vast complex of "nuclear cities," each the equivalent of our Los Alamos or Oak Ridge National Laboratories. Last month, Energy Secretary Peña and Russia's new Minister of Atomic Energy, Yevgeny Adamov, signed an agreement to begin this initiative.

The "Nuclear Cities Initiative" is a major step that deserves our wholehearted support. It would include business training for Russian personnel and a major effort to find commercially viable projects to provide jobs for former nuclear weapons experts. Fiscal Year 1999 funding of \$30 million, say, would get that initiative off to a good start and might be matched by some of the money that Russia receives for its weapons-grade material sold to the United States.

But I doubt that even this initiative will be enough. For one thing, the obstacles to finding commercial funding for viable civilian projects are really substantial. Personnel in the "nuclear cities" were isolated for decades from even the Soviet Russian economy, to say nothing of market economics. Russian legal and political structures are still unresponsive, moreover, to the needs of foreign investors.

Russian officials often ask for an "investment conference" to put them directly in touch with prospective investors. I propose a more useful jump-

start of the commercialization process: a presidential commission with substantial representation from U.S. industry. Most U.S. firms will not yet risk real money on new technology from Russia's isolated laboratories. But 50 years ago, an automobile company president showed Western Europe how to recover from World War II. Our high-tech industrialists might best be able to get Russia to create an inviting business climate.

BEYOND COMMERCIALIZATION

Finally, we must ask ourselves whether our current non-proliferation programs are "penny wise and pound foolish." Does it really make sense to bar funding for defense conversion, except in programs that find commercial sponsors? Maybe there will never be enough commercial sponsors to employ Russia's experts in ballistic missiles or weapons of mass destruction. That is a real possibility. So, do we just walk away? Do we tell them to pack their bags and move to Iraq, Iran, or Libya?

The law also bars using Nunn-Lugar funds for environmental clean-up efforts in the former Soviet Union. Such funds should not be used simply for environmental objectives. But what if that's the safest way to use the talents of nuclear, chemical or biological arms experts? Why isn't any socially useful employment of those personnel worth subsidizing, in order to keep them inside their own countries and away from their original areas of expertise?

The key to this puzzle is the word "subsidizing." Is that what we want to do? Not ideally. But is it a reasonable approach when others do not suffice? Or is it our primary objective to make Russia's weapons experts adapt to a capitalist economy, even if the result is to leave some of them poverty-stricken and prey to offers from less squeamish countries?

I am not afraid to subsidize Russian arms experts, if that's what it takes to keep them out of their old trades. We spend billions of dollars on defense. We're already looking at over \$700 million in non-proliferation assistance requested for next year. That may employ 10,000 or 12,000 people. (Much of the money goes for equipment used in weapons security or dismantlement.) Why not add another \$250 million per year—with Russia putting up some funds as well—to employ another 20,000 or more Russian specialists on unrelated projects, so long as they help their country and stay away from weapons work?

Does that sound too much like welfare? Call it welfare, if you wish. But ten years of that welfare will purchase a lot of security for us. Those will be ten years of dramatically reduced risk that the fallout from the collapse of the Soviet Union will be radioactive. They will be ten years in which many Russian experts will retire and no longer be of concern, ten years for the Russian economy to recover and employ the rest of its skilled scientists and technicians, ten years for dip-

lomats to solve some of the conflicts that tempt countries to amass and use weapons of mass destruction.

Increased investment in non-proliferation assistance will not solve all our proliferation worries. But it will help—at a cost that we can afford. I plan to introduce legislation to do this.

Let me make clear that the deficiencies in our non-proliferation programs do not reflect a lack of vision on the part of Congress or the executive branch. Rather, they stem from the daunting and multi-faceted nature of the challenge we face.

Helping Russia to reduce and reorient its vast defense complex is an unprecedented activity. The task requires multiple efforts; what works for missile dismantlement under the START Treaty may not be appropriate to chemical weapons destruction or to offering new careers to biological weapons experts.

We have had to start with small steps, moreover, and for good reasons. First, each program can succeed only once it gains the trust and cooperation of former Soviet experts and bureaucracies. Second, a massive effort could become unbearably costly. And third, we must make sure that our programs support reorientation of defense facilities, rather than unwittingly underwriting the development or export of weapons of mass destruction. So we must see what works, adapt, and build upon the successes.

To truly succeed, however, we must not be afraid of building something big. We should seek international participation and financing. But even the most expensive programs, if well conceived and executed, will be bargains compared to the cost of even a single war in which weapons of mass destruction were used against our troops or our cities.

Let me return, then, to the question I posed at the beginning: How will historians characterize this decade? Indeed, how will historians characterize the efforts of this body? Will we be seen as having seized the opportunity of this decade? Or will historians say that we were still too enamored with weapons, too cheap to pay the price of peace? In the coming weeks and months, we will have a chance to put our money where our hopes are. I call on my colleagues to join together in taking at least the little steps, and perhaps some big ones as well, toward a more comprehensive program of non-proliferation assistance. We will not only feel good doing that, we will do some good, as well.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Madam President, I have been authorized by the Senator from Michigan to use up to 8 minutes of the time that he still has reserved. I ask unanimous consent to speak for 8 minutes.

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

Mr. BINGAMAN. Madam President, I speak about the other part of this bill.

The Senator from Delaware just made the point that this bill we are intending to vote on today contains two very different pieces of legislation in it. Title I is of the Iran missile proliferation sanctions. That goes on for twelve pages. Title II is the Chemical Weapons Convention Implementation Act. That goes on for 82 pages.

I will speak about the Chemical Weapons Convention Implementation Act for just a few minutes. Much of what I want to say is good news. Implementation of the treaty is making important and significant progress. It has been just over a year since the treaty entered into force. As of May 14, 1998, 168 nations signed this historic treaty; 108 nations have ratified the treaty.

This is a landmark treaty that provides us with the means to rid the planet of an entire type of lethal weapon that could threaten every one of our nations.

The threat has already been effective in identifying nations with chemical weapons capabilities. Among the Chemical Weapons Convention states possessing chemical weapons capabilities are some of the countries we have been talking about extensively here in the rest of this debate: Russia, China, India, Pakistan, Iran. I point out that China and India were among the states that previously denied having chemical weapons. So by opening their facilities to inspections required by this convention, those states were forced to demonstrate their ability to provide chemical weapons.

There is a lot of good news that I want to allude to here, but let me point out three concerns that I have that people need to be aware of as we go forward with this debate and the vote that is intended here.

The first of these concerns relates to the fact that the treaty requires an initial declaration of capabilities of both government and commercial entities for all states that are party to the treaty. So far, there are 28 countries, including Iran, that have failed to submit their initial declarations. The Technical Secretariat for this convention must ensure that those declarations are forthcoming, and other states' parties should take measures to ensure their compliance.

One of the unfortunate facts I want to point out is that the United States is one of the states that is not in compliance. The U.S. Government has declared government-owned facilities related to its chemical weapons program, but we have yet to declare commercial industrial facilities required for the treaty. This is an important matter to which I hope the administration is devoting priority attention. If the treaty is to be an effective vehicle as we intend it to be, our leadership in implementation efforts will be critical to its ultimate success.

There are two other matters I want to mention here. The first concerns

section 234(f) of this treaty, of this implementing language in H.R. 2709 regarding the analysis of chemical samples that may be taken during an inspection. The provision contained in the legislation before the Senate, though perhaps desirable for our purposes, our limited purposes, could result in a circumstance that we would not want to see happen.

Let me explain. Provisions in the treaty regarding permissible equipment to be brought in by an inspector restrict their qualitative analytical capabilities. These restrictions could quite feasibly lead to ambiguities in analysis. It could require that a sample receive additional examination. Under the treaty's provisions, the analysis should be conducted at three laboratories designated by the Technical Secretariat. Only one of those laboratories is located in the United States and the other two lie outside our borders.

Section 234(f) in this implementing legislation would require that no sample taken in the United States is allowed to be examined out of our borders. So clearly we are putting in law here a provision which contravenes the terms of the treaty. It is evident to me this is a problem that needs to be addressed at some stage in some way.

The second matter that I want to bring to people's attention is the right to refuse challenge inspections. During the early days of negotiating the Chemical Weapons Convention, members of President Reagan's team insisted that all countries must allow challenge inspections to occur at any time in any place. They did so in order to ensure that this very difficult treaty could have some real teeth in it. Unfortunately, the legislation that we have before the Senate today would give the President the power to deny a request for a challenge inspection if he determines that the inspection could pose a threat to national security interests of the United States.

The problem with this provision is that assigning ourselves the right to refuse a challenge inspection obviously raises the prospect that others may also choose to refuse a challenge inspection, and that guts a key provision of the treaty that we intended to see enforced.

I hope that these are matters that can be corrected. I think it is unfortunate that this legislation has come to us on the floor with these particular two provisions in it. I hope very much that we can find some solution to this either in future legislation or in some action by the administration.

The Chemical Weapons Convention is a very important treaty that we have entered into. We have every reason to want to see it be effective. These two provisions that I have pointed to undermine the effectiveness of it and also undermine our credibility in trying to urge other states to comply with the treaty.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. WYDEN. Madam President, I ask unanimous consent to speak up to 8 minutes on the Iran Missile Proliferation Act and have that time charged to Senator LEVIN who will be offering an amendment. That is pursuant to Senator LEVIN's desire, as well.

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

Mr. WYDEN. Madam President, it is hard to imagine a greater threat to international stability than the rogue nation of Iran coming into possession of weapons of mass destruction.

There are three important reasons why the Iran missile proliferation act should be passed at this time.

First and foremost, the Iran missile proliferation act is, above all else, a nonproliferation measure. It is intended to halt the spread of missile technology to Iran. With the alarming news that India has tested nuclear weapons and, in reaction to this, Pakistan is now considering testing its own weapons, we see the prospect of a dangerous spread of nuclear technology that only underscores the need for further U.S. resolve in combating the proliferation of weapons of mass destruction.

The second reason this legislation is important now is because of the lack of cooperation on the part of the Russians. Generally, the United States and the Russians have a clear, common interest in halting the spread of advanced weapons technology, including missiles. Although there has been some movement within Russia to halt the spread of missile technology to Iran, there is clearly not enough being done. Coupled with reports that Iran may be actively acquiring biological, chemical, and even nuclear weapons, the case for this legislation is clear.

Finally, this legislation is needed to bolster our Iran policy and to send a clear signal that the United States will not tolerate the spread of missile technology to Iran. Earlier this week, President Clinton decided to grant a waiver from the Iran and Libya Sanctions Act to a huge energy project by a French firm and others. Many of my colleagues and I urged the President not to grant this waiver; yet, a decision was made to do so. I believe that this sends the wrong signal to the international community with respect to investment in Iran.

Foreign investment could enable Iran to rebuild its energy sector and vastly increase its economic strength, allowing it to acquire vast assets that it could use to re-arm and acquire terrible weapons of mass destruction. While I disagree with the President's decision to grant the waiver for the French and Russian energy project, I feel even more strongly about the transfer of missile technology to Iran.

Let us make no mistake about it, Iran has become the most serious threat to stability in the Middle East. Israeli and American intelligence have recently discovered that, due largely to technology obtained from Russia, Iran

may soon have the capability to begin assembling and testing ballistic missiles capable of reaching Israel and other vital targets in the Middle East.

Russian companies are providing Iran with crucial technologies, including wind tunnels for the design of missiles, lasers, and special materials for missile construction. There are even reports of over 9,000 Russian advisers working in Iran on a variety of military projects, and Iran tested a Soviet-designed rocket engine last year.

Iran, one of America's foremost self-proclaimed enemies, has been linked to numerous terrorist attacks, ranging from taking hostages and hijacking airlines to carrying out assassinations and bombings.

Now is the time to send a clear signal to the world community that selling missile technology to Iran is totally unacceptable. I urge my colleagues to support this vital measure, which takes concrete steps to halt the spread of ballistic missile technology to Iran and will act to support the preservation of peace and stability in the Middle East.

Madam President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. KYL. Madam President, I am informed the yeas and nays have not been requested.

At this time, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. KYL. Madam President, Senator LEVIN has time, and he is prepared to proceed.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. LEVIN. How much time do I have?

The PRESIDING OFFICER. The Senator has 25 minutes 40 seconds.

Mr. LEVIN. Madam President, the amendment that I will be sending to the desk will change the trigger date for sanctionable activity from August 8, 1995, which is currently in the bill, to January 22, 1998. I will explain why I am seeking to do that in the next few minutes.

The bill the Senate is debating requires the President to submit periodic reports on foreign persons who, on or after August 8, 1995, have provided or attempted to provide material, technology, technical assistance, or facilities that contributed to Iran's efforts to acquire, develop or produce ballistic missiles. Those who are identified as assisting Iran's ballistic missile effort will be subject to sanctions for at least two years, preventing them from buying military equipment and technology, and controlled dual-use goods and technology, and from receiving U.S. economic aid.

The bill includes two waiver provisions, one in case the President learns of new information that shows that a foreign person did not provide assistance initially included in one of the required reports, and one in case the

President determines that imposing sanctions would not be in our national security interest.

I am a cosponsor of this legislation, and I strongly support the legislation's goal, Mr. President—to stop assistance to Iran's ballistic missile program by foreign entities.

I am concerned, however, about the bill's use of August 8, 1995 as the trigger date for determining behavior to be sanctioned.

My amendment would change the trigger date in the bill for determining behavior to be sanctioned from August 8, 1995 to January 22, 1998. This is the date on which the then-Prime Minister of Russia, Viktor Chernomyrdin, signed a government decree to strengthen Russian export controls on dual-use items that could be used either for weapons of mass destruction or for missiles to deliver such weapons.

Madam President, we need to strengthen the President's ability to apply sanctions to foreign entities—whether individuals, companies or educational institutions—that provide assistance of any kind to the current efforts of Iran to develop ballistic missiles that could threaten their neighbors.

But I believe that the more appropriate trigger date for the behavior subject to sanctions is January 22, 1998 rather than August 8, 1995 for the following reasons:

The United States Government has been working with the Russian Government intensely for the last few years to encourage them to stop all assistance by any entity in Russia to Iran's efforts to develop a ballistic missile. Our government has engaged the Russian Government at the highest levels—President Clinton directly to President Yeltsin—and at numerous levels below the Presidents. Vice President GORE made this a crucial and central issue in the Gore-Chernomyrdin Commission, and put this on then-Prime Minister Chernomyrdin's agenda for immediate attention. In addition, the Administration appointed Ambassador Frank Wisner to work with his specially appointed Russian counterpart, Yuri Koptev, the head of the Russian Space Agency, to seek progress in stopping assistance from Russian entities to Iran's ballistic missile program.

Ambassador Wisner was recently succeeded by Ambassador Robert Gallucci, the diplomat who negotiated the North Korean Agreed Framework and led UNSCOM inspection teams in ferreting out Iraqi weapons of mass destruction after the Gulf War. So our government has been highly energized and motivated and they deserve credit for their efforts, which are continuing still.

These efforts have met with mixed success. In some cases, the activities have stopped. In other cases, the activities have continued. And in other cases, the information is inconclusive as to whether or not the activities that the Russian Government has said they are trying to stop and which we surely

want stopped, and which the world needs stopped, in fact have stopped.

However, in January of this year, the Russian Government took an important step that we had been encouraging them to take for some time. On January 22, then-Prime Minister of Russia, Viktor Chernomyrdin, issued a broad decree, known as the "catch-all" decree, to strengthen export controls over all dual-use goods and services that could be used to proliferate either weapons of mass destruction or the missiles to deliver them.

This decree states that Russian entities engaged in foreign trade "shall refrain from export transactions involving any dual-use goods or services not subject to Russian Federation export control regulations should such entities be aware that such goods and services will be used to develop or employ nuclear, chemical or biological weapons or missile means of delivery . . .". The decree goes on to state that "Should Russian entities engaged in foreign trade have reason to believe that such goods and services may be used for the aforesaid purposes, they shall submit the pertinent application to the Russian Federation Governmental Commission on Export control."

Madam President, this Russian decree is a broad and sweeping prohibition on the export of any goods and services, if there is reason to believe that those goods or services could be used to develop or employ a weapon of mass destruction or the missiles to deliver them.

Our Government strongly encouraged the Russian Government to issue that decree.

And of great significance, the January 22 decree is broader and stronger than the Missile Technology Control Regime. The Missile Technology Control Regime deals only with the proliferation of missile technology for certain classes of missiles. The January 22 decree is an effort by the Russian Government to strengthen controls over the export of technology, goods, and services that can lead to the proliferation of all weapons of mass destruction as well as the missiles to deliver them.

So this decree covers the weapons of mass destruction and their components and the materials that go into them. It is much broader than the Missile Control Technology Regime, which just relates to missiles. The Missile Technology Control Regime, to state it more correctly, covers just missiles, whereas the Chernomyrdin decree of January 22 covers the weapons of mass destruction that we are trying to preserve and protect the world from, as well as the missiles that could deliver them.

This is an important step by the Russian Government. That decree, which we pleaded with them to adopt and to publish, deserves to be supported and deserves to be encouraged.

My amendment uses their decree as the basis for our action—their decree—

and that reinforces its effectiveness instead of ignoring its issuance.

Madam President, it is not clear to me that all the activities of the Russian entities that have or could contribute to Iran's ballistic missile program would even be proscribed by the Missile Technology Control Regime that the Russians signed in August of 1995. But the January 22 decree, being much broader, would prohibit those activities because they fit under the decree's broad category of "export transactions involving any dual use goods or services" that "may" be used to develop or employ nuclear, chemical, or biological weapons or the missiles to deliver them.

So, summarizing the amendment, the amendment strengthens the original intent of the bill. It recognizes the efforts of the Russian Government to address the problem of assistance to Iran's ballistic missile program through the January 22, 1998, decree. By using that decree as the trigger date for behavior that is sanctioned, the bill reinforces that decree, both recognizing the action that the Russians took at our request and using the restrictions in that decree which are more comprehensive than those entailed by the Missile Technology Control Regime.

Our Nation shares a common goal with Russia of trying to stop all assistance from Russian entities to Iran's missile program. Russia has taken some steps, but more steps and more cooperation are needed. I believe that if we acknowledge the efforts they have taken and encourage them to continue, we can avoid a counterproductive result. That result could make it harder for Russia to succeed in its efforts to stop such assistance. And our goal should be just that—to do what works, to do what leads to a better result.

In all likelihood, if this legislation becomes law with my amendment, it will still require sanctions to be applied, because there is evidence that some Russian entities have provided assistance to Iran's ballistic missile program since January 22, 1998.

Finally, I note that the bill before the Senate contains two Presidential waivers. They are there for important reasons. The more significant of the two waivers is a national security waiver which the President can use to waive the imposition of sanctions if doing so "is essential to the national security of the United States."

This legislation is not intended to force the President to impose a sanction if doing so would harm U.S. national security. If the President determines that it is necessary for him to waive the imposition of sanctions in the interest of national security, then under this bill he may do so. That is in the bill itself. That is not touched by my amendment. But that is why the waiver is included in the bill before us.

Madam President, I believe that the sponsors of the bill have indicated support for my amendment. Senator KYL

is on the floor. I will let him speak for himself in that regard.

I yield the floor. I appreciate their support.

Mr. KYL. Madam President, the amendment is acceptable to everyone on this side that I know of. Therefore, we can move the process along and have it accepted formally and conclude the debate. I think our colleagues would appreciate having the opportunity to vote.

AMENDMENT NO. 2444

(Purpose: To change the date of behavior subject to sanctions relating to Iran missile proliferation)

Mr. LEVIN. Madam President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Michigan (Mr. LEVIN) proposes an amendment numbered 2444.

Mr. LEVIN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER (Mr. ROBERTS). Without objection, it is so ordered.

The amendment is as follows:

On page 2, beginning on line 15, strike out "August 8, 1995—", and insert in lieu thereof "January 22, 1998—".

On page 6, beginning on line 24, strike out "August 8, 1995—", and insert in lieu thereof "January 22, 1998—".

Mr. KYL. Mr. President, there is a reason why this bill picks August 8, 1995, as the date after which Russian companies should be sanctioned for their proliferation behavior. The reason for this is very simple: August 8, 1995, was the date upon which Russia joined the Missile Technology Control Regime (MTCR). In so doing, the Russian Government undertook an international obligation to curtail its proliferation behavior. Unfortunately, as we have seen, the Government has not lived up to that pledge.

At the time that the United States favored Russian membership in the MTCR, the Senate was assured by the Clinton Administration that Russia had all of the necessary, effective export controls in place. Well, we see just how accurate that claim proved to be. Two years later the United States began uncovering evidence of the degree to which Russian assistance has sped up Iran's missile program.

In retrospect, clearly the United States should have waited until an effective, Russian export control regime had been established before favoring Russian membership in the MTCR. As an aside, I hope the Clinton Administration will learn from this experience. There has been a great deal of talk lately about encouraging China to join the MTCR. I would hope that the United States would wait an appropriate period of time to see whether China's export controls are truly effective enough to warrant membership in the MTCR.

Finally, I have reservations about the Levin amendment, because it

seeks—at a minimum—to "grandfather" Russian missile proliferation activities before January 22, 1998. But I will not oppose this amendment because, among other things, proliferation on the part of these companies has been so rampant even since January 22, 1998 that few companies in Russia, if any, will benefit from this shift in dates.

Mr. LEVIN. Mr. President, I yield the remainder of my time so we can, hopefully, adopt this amendment.

The PRESIDING OFFICER. All time is yielded. The question is on agreeing to the amendment of the Senator from Michigan.

The amendment (No. 2444) was agreed to.

Mr. LEVIN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. KYL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SHELBY. I rise in support of the Iran Missile Sanctions Act, H.R. 2709.

Mr. President, I would like to make three important points regarding this legislation.

First, the Administration's efforts to get Russia to stop assisting Iran's ballistic missile program have been an abysmal failure.

Second, there is a broader failure of United States proliferation policy—a failure of monumental and potentially deadly proportions.

Finally, the Senate must now take a greater role in addressing the proliferation crisis. Passage of the Iran Missile Sanctions Act is a first step.

Since the fall of the Soviet Union, many in the United States have been greatly concerned that Russian entities were providing assistance to other state's ballistic missile programs. As evidence mounted, the Clinton Administration responded with diplomatic efforts from the working level up through the high level Commission chaired by Vice President GORE. Diplomatic efforts were supplemented with economic incentives.

When additional reports of new and ongoing assistance emerged, including transfers to Iran in probable violation of the Missile Technology Control Regime, Congress waited for the Administration to impose the sanctions required. When sanctions were not imposed, some in Congress sought additional legislation to "encourage" the Administration to impose sanctions.

The Administration again urged the Congress to wait—to give the diplomatic process more time, to give the Russians time to get an enforcement mechanism in place. Administration officials have repeatedly assured us that they have the problem under control.

They are wrong.

The Congressional Research Service summarizes the situation aptly when it reports that:

Despite official denials from Moscow through 1997, evidence is growing of a pat-

tern of missile technology transfers to Iran by Russian enterprises, institutes, and individuals, with direct and indirect Russian Government involvement, in violation of Russian commitments under the Missile Technology Control Regime (MTCR). Russian assistance could significantly accelerate Iran's indigenous missile program . . .

There is ample intelligence information that supports this assessment, and I believe it is important for Senators to have the opportunity to review this information. Therefore, Senator KERREY and I directed the Select Committee on Intelligence staff to prepare a compendium of the classified intelligence reporting on this subject and it is available for Senators to review in S-407.

My second point is that the Administration's failure to stop Russia from providing assistance to Iran's missile program is only part of the broader failure of the Administration's non-proliferation policy.

There is an ongoing pattern of assistance by Russia, China, and North Korea to rogue states and to other states such as India and Pakistan. There is also a pattern of weak Clinton Administration response to this proliferation. There is a connection. The Indians cited the weak Clinton Administration response to China's proliferation of missiles and nuclear assistance to Pakistan as one of the reasons they decided to test nuclear weapons.

Some states seek weapons of mass destruction for prestige or in an attempt to enhance their global role. Countries like India and Pakistan justify their efforts by citing regional security concerns.

Others like Iraq, Iran, and North Korea seek these weapons to threaten and intimidate their neighbors, in particular U.S. friends and allies, to threaten forward-deployed U.S. forces, and ultimately to threaten the United States itself.

Such states do not wish to confront U.S. conventional military forces—the best in the world—with conventional weapons alone. They prefer to threaten our forces, or our cities, with asymmetric weapons of mass destruction to deter us from carrying out policies to protect our global interests.

If states believe they can change the calculation of risks and benefits, they have a strong strategic incentive to acquire these missiles. Our near-total vulnerability to the ballistic missile threat only furthers their incentives.

Without stronger disincentives, other states will continue to seek the financial, political, and strategic advantages that may be gained through proliferation, and through taking advantage of our patience and vulnerabilities.

They have repeatedly offered carrots without wielding or credibly threatening the stick.

Indeed, in many disturbing ways, the Administration's policies toward Russia and China may have enabled or

even encouraged proliferation. By failing to respond to dangerous proliferation activities to the maximum extent possible under domestic and international law, they have led others to question the will and ability of the United States to take strong measures to punish proliferators.

Unfortunately, the Executive Branch has not yet come to this realization.

It appears to be difficult to get this Administration to act with resolve, either by adding backbone to its proliferation policies or by responding to existing and future threats by developing additional means of deterrence and defense. It is difficult to persuade them to make diplomacy and arms control agreements tools of policy rather than policy objectives in-and-of themselves.

However, the Congress can not simply stand back and point our fingers at the White House. We must do all that we can do to demonstrate that America has the will and the ability to respond.

We must provide adequate funding to the Intelligence Community and to our military forces to detect and deter, and to prevail when deterrence fails. We must put in place the legislative mechanisms to enforce a robust counter-proliferation policy. We must continue to force the Administration to disclose dangerous proliferation activities. And we must make sanctions mandatory.

Challenging, deterring, and defending against proliferation won't be easy or cost free. But it is the right thing to do.

Mr. President, American lives are at stake.

The Senate must act. Mr. President, I urge the adoption of the bill before us.

Mr. DASCHLE. Mr. President, I come before the Senate today to indicate my support for H.R. 2709, the Iran Missile Proliferation Sanctions Act.

The message this bill sends to the international community is clear. The patience of the American people and their elected representatives is not infinite. If diplomacy fails to produce satisfactory results, the United States is prepared to take decisive action to protect our security and that of our allies by imposing sanctions on those who violate international agreements restricting the transfer of ballistic missile technology.

In my judgment, it is time for Congress to send this message. And it is long past time for those who violate international agreements to heed the message.

I appreciate that diplomacy has produced some positive results in this area and may ultimately yield more progress. Nonetheless, these efforts fall short of what is needed to halt the illegal transfers. In the absence of immediate and conclusive evidence of a dramatic reversal of Russian behavior, stronger measures are needed, and H.R. 2709 is an appropriate vehicle.

The end of the Cold War has affected our national security policies in many

ways. It has reduced the likelihood of a large-scale conventional conflict on the European continent. It has made it much less likely that either the United States or Russia will intentionally use nuclear weapons against the other. And it has allowed us to meet the remaining threats to our security with slightly smaller defense budgets. These are obviously positive developments.

On the other hand, the post-Cold War period has been marked by the emergence of a new threat—the spread of weapons of mass destruction and the means to deliver them. Let me run down the current state of affairs with regard to weapons of mass destruction.

First, at the end of the Cold War, five countries—the United States, Russia, China, Great Britain, and France—had declared themselves nuclear weapons states. Unfortunately, as proven by India's actions just last week, the true number in the nuclear club is much larger.

Second, the Pentagon suspects that as many as 20 countries have chemical weapons programs, and that a slightly smaller number have biological weapons.

Third, the Defense Department believes that about 15 countries currently possess ballistic missiles, and that the number could grow to more than 20 by 2000.

It is these disturbing trends that the United States and many other nations in the international community are trying to combat.

Reversing these trends is a daunting challenge. If there is to be any chance of even slowing the spread of this threatening technology, the United States must act decisively and firmly when confronted with actions that violate existing agreements designed to proscribe this type of behavior. It is in this context that we must view efforts by several Russian entities and individuals to assist the Iranian ballistic missile program.

The status of the Iranian missile program should be of particular concern to U.S. security officials. Iran is located in a critical region of the world. Vital U.S. economic, political and military interests are at stake.

Tens of thousands of U.S. troops are within easy reach of the Iranian missiles speeding through their development stage.

The entire state of Israel, a staunch ally and friend, would be well within range of the Iranian missiles.

Concern about Iran's intentions are further heightened by the fact that many intelligence analysts believe the Iranian government has repeatedly supported and sponsored terrorist activities.

Both supporters and opponents of H.R. 2709 agree on one fact: Russian entities and individuals have played an important, if not crucial, role in the Iranian ballistic missile program. Even Russian officials acknowledge the involvement of Russian companies in these illegal activities. It has been pub-

licly estimated that, largely as a result of this assistance, Iran could soon field missiles with sufficient range to threaten the entire Middle East.

Where people differ is over what to do about this assistance.

Opponents of H.R. 2709 argue the bill's sanctions are a blunt instrument that will not achieve the intended result of stopping Russian assistance. They prefer to allow more time for the Administration's diplomatic efforts to bear fruit.

Mr. President, I take a back seat to no one in my appreciation for the negotiations the President and his advisers have conducted with their Russian counterparts on this complex issue. These negotiations have produced positive tangible results. Russian cooperation with Iran has ended in a few specific cases. In addition, the Russian government has issued and agreed to enforce decrees intended to stop the missile trade.

Yet, despite the Administration's best efforts and the progress they have engendered, and notwithstanding a score of Russian promises, the fact remains that Russian assistance to the Iranian missile program continues. After months of negotiation, it appears that talk alone is not going to be sufficient to end Russia's involvement with Iran's ballistic missile program.

If we are to convince Russia and the world that we intend to protect ourselves and our allies, the time has come for more than talk. If we are to enforce international law prohibiting transfer of ballistic missile technology, it is time for action.

Mr. President, passage of H.R. 2709 is the appropriate action to take at this time. However, Senate passage of H.R. 2709 need not be the final word on this critical issue. If we adopt the Levin amendment, the bill will go back to conference with the House. There is still a very limited amount of time for the Russian Government to convince this Congress that it has heard our concerns and moved to end cooperation with the Iranian missile program. Failing an immediate and dramatic reversal in Russian behavior, it is time to redefine the playing field for those currently violating these laws and those contemplating future transgressions.

To those parties, enactment of the Iran Missile Proliferation Sanctions Act will underscore that the United States stands ready to defend its own security interests and those of our close allies; that the United States will do all it can to stem illegal efforts to spread ballistic missile technology; and that the United States will ensure that violations of international law will not go unpunished.

I ask my colleagues to join with me in voting for H.R. 2709.

Mr. ALLARD. Mr. President, I rise as a strong supporter and a cosponsor of the Iran Missile Proliferation Sanctions Act of 1997. This bill addresses the very serious concern of proliferation of ballistic missiles. While this bill is directed at Iran, the problem of

proliferation is one of the United States' most serious problems. The problem must be addressed.

Iran has been actively pursuing better and more sophisticated ballistic missiles. If the Iranians acquire more long range missiles with a range of at least 1300 miles, then many of our troops and allies in the Gulf region will be seriously threatened. While we know that Iran has already received some of the missile components, we must stop them from receiving the critical support and know-how to move forward.

There have been many reports of technology transfers between Russia and Iran. Russia has been actively assisting the Iranians in their efforts in not only technology, but also in their research and development programs. While Russia has promised the Administration that they are not doing this, even the Administration states that there is a real disconnect between their words and their actions.

I believe that this bill is important to stop this disconnect and let the world know that this activity can and should not be tolerated. If we do nothing, then who will. I believe nobody will. And, if we do nothing, within a year Iran could be capable of being able to deploy missiles that could deliver nuclear or chemical warheads about 850 miles. These missiles could reach Tel Aviv Israel, Turkey, Saudi Arabia and many of the air bases where our Armed Forces are located.

But let me also address a problem that is not being discussed concerning serious military activity between Russia and Iran, with the assistance of the United States. Last year, the Overseas Private Investment Corporation became involved in an office complex project in St. Petersburg, Russia, the Nevsky 25. This project is jointly owned by a main U.S. investor in Golub & Company from Chicago with 10 percent ownership, the St. Petersburg Property Fund with 10 percent, European Bank for Reconstruction and Development with 40 percent, and the Rubin Central Design Bureau for Marine Engineering with 40 percent.

My concern is that the Rubin Central Design Bureau is a Russian state-controlled military company whose main product line is military submarines. Rubin is the builder of the Russian Kilo-class submarine and has sold 4 Kilo submarines to Iran, 4 Kilo submarines and 2 Project 636 Kilo submarines to China, and counts Algeria as one of its customers.

Rubin got involved in commercial activities to supplement their submarine production. They have become active in the field of oil and gas, high-speed rolling stock, power generation, and marine ecology.

Igor Spassky, the Rubin Bureau head, is quoted as saying,

The main reason for these commercial ventures is to help us survive. There is a major responsibility for the company to preserve its intellectual potential and capability for the design and development of submarines. (Janes Navy International 11/1/96)

Even with these commercial interests, defense work still accounts for 60-65 percent of Rubin's work.

OPIC has tried to assure me that Rubin does not have access to assets of the property until the OPIC loan is paid in full and that they are monitoring the situation. The problem is even after the loan is paid, OPIC will have assisted in providing a flow of income for Rubin to continue to build its Kilo class and nuclear ballistic missile submarines. Also, knowing Russia's record in proliferation and this legislation addresses this problem, I am afraid that this project can only help Rubin in providing future funding for these submarines.

Also, OPIC has said that they are assured that only commercial activity is taking place in this office complex. Again, while this may be the case, the activity of concern is being used with the funds becoming available to the company to engage in their military activities.

OPIC did say that this is a concern and that they are monitoring it but that this is not a high priority. I believe if this bill to stop missile proliferation is important enough to vote on then sales of submarines which can deliver ballistic missiles, which may be assisted with U.S. funds is just as important.

Mr. President, before I end I want to encourage all my colleagues to vote in favor of the Iran Missile Proliferation Sanctions Act of 1997 and to take serious the problems of proliferation and the problems of being involved with state controlled military complexes who are engaging in commercial activity in order to supplement their military activity and sales.

Ms. MIKULSKI. Mr. President: I rise in strong support of the Iran Missile Proliferation Sanctions Act. I am proud to be a cosponsor of this legislation.

This legislation is very simple. It says you can have normal economic and political relations with the United States—or you can join America's enemies in building weapons of mass destruction. You cannot do both.

This bill applies sanctions to organizations that transfer missile hardware or technology to Iran. It would ban U.S. economic assistance and the export of technology to anyone who is helping Iran develop the means of using weapons of mass destruction.

Iran has a robust chemical and biological weapons program. As we debate this legislation, Iran is building the Shihab 3 missile. This ballistic missile could carry conventional, biological or chemical weapons to Israel, to the Gulf states or to American interests within 800 miles of Iran.

Imagine these weapons in the hands of a country that is our sworn enemy. A country that supports the most radical, anti-American terrorist organizations on earth. A country that does everything it can to derail the Middle East peace process.

These missiles could destroy Tel Aviv. They could reach our NATO allies. They could threaten the thousands of American troops in the Gulf.

Russia has played a central role in helping Iran to develop these weapons. Despite past assurances, Russian scientists and engineers are using their skills to threaten America's national security.

The United States has done a lot to help Russia build a prosperous democracy. Since 1991, we have given Russia over four billion dollars in assistance. We have done a great deal to build a cooperative partnership with Russia.

As the ranking member of the VA-HUD subcommittee that funds the space program, I have been a strong supporter of US-Russian cooperation with the space station.

I supported Russia's participation in the space program for three reasons:

1. Their technical expertise
2. To build stronger links between the United States and Russia
3. To ensure that Russian scientists and engineers had civilian work—so they would not sell their skills to rogue governments

Russia has failed to live up to their promises on the space station. I have no question of their technical competence. But I have strong concerns about their failure to meet their end of the bargain. They have not adequately funded their share of the space station, resulting in delays and a cloud of uncertainty that hovers over the entire program.

Even more troubling is Russia's role in the proliferation of weapons of mass destruction. Russia has exported technology, material and expertise to help Iran develop ballistic missiles. They can't do this—and expect to have business as usual with America on the space program.

Mr. President; our foreign policy must reflect our values. We cannot stand by while any country threatens our national security, or the very existence of our closest allies. I urge my colleagues to join me in supporting this legislation.

Ms. SNOWE. Mr. President, I rise in support of the Iran Missile Proliferation Sanctions Act of 1997.

Last week, our nation's intelligence apparatus was surprised by the Indian government's decision to test a hydrogen bomb. Pakistan may follow suit with a retaliatory test. The fact that last week's test caught our intelligence community by surprise raises serious questions about our ability to monitor such developments. However, while the prospect of a nuclear arms race on the Asian subcontinent could threaten our long-term security interests, the United States enjoys productive relations with the two regional adversaries.

Iran, however, is neither a democracy nor a friend. While the new President, Mohammed Khatemi, is seen by some as a "moderate," his government continues a twenty year tradition of bitter

hostility towards the United States. Iran remains opposed to the peace process, its role in the bombing of the Khobar Towers in Saudi Arabia in 1996 is still not known, and it is still vigorously pursuing efforts to acquire weapons of mass destruction, including a nuclear capability. We must not be caught off guard with Iran as we have been with India and Pakistan.

When this measure was introduced last fall, I had hoped that events would prove it unnecessary. I furthermore remained optimistic that the meetings of the Vice President with then Russian Prime Minister Viktor Chernomyrdin would have convinced Russia of the seriousness of the issue of Iran's efforts to develop weapons of mass destruction.

I had hoped the Administration would have done a better job of convincing the Russians of the seriousness of this matter. I had hoped that the Russian government would have realized that whatever financial benefits they get from such help to Iran are far outweighed by the loss of investment from the United States. Even more importantly, I had hoped that Russia would realize that such assistance to Iran does not contribute to political stability in such a turbulent part of the world. Unfortunately, none of these developments have come to pass.

I was disturbed to learn that Iranian nuclear officials just visited Moscow to view a demonstration of gas centrifuge technology—which if successfully mastered will provide Iran the easiest type of material to use in a nuclear weapon. If such a sale occurs it would be a gross violation of a promise made by President Yeltsin to the President in May 1995 when the Russians agreed not to sell centrifuges to Iran. This follows the sale of a radioactive gas called tritium which can be used to increase the size of nuclear warheads and that a second sale is being discussed.

In addition to this development, I was disturbed to learn how close Iran came to obtaining some 22 tons of missile-grade stainless steel from Russia as reported in the April 25th edition of the New York Times. While I do not believe Russia supports the further development of weapons of mass destruction, I am concerned about the Yeltsin government's ability to stem the proliferation of dangerous weapons technology and equipment. When this shipment of steel can be halted by customs officers in Azerbaijan but not in Russia, we are entitled to ask serious questions about Russia's ability to cooperate in limiting the global spread of weapons components.

Mr. President, I understand that Iran has begun a program to build a missile called the Shahab 3 which has an 800 mile range. This range is double the capacity of a SCUD missile and is long enough to reach Israel and Saudi Arabia. This type of missile would give Iran more power with which to threaten the West's strategic interests in the Middle East only seven years after we

fought a war with Iraq—another state that may still be trying to acquire weapons of mass destruction. We cannot allow Iran, just as President Bush did not allow Iraq, to assert control over the majority of the world's oil supply.

Mr. President, we should not view this bill as an anti-Russian statement. This bill does not detract from our support for Russian democracy or Moscow's efforts to build a strong free-market economy. However, it does reflect our concern over the actions of many firms in Russia that have an interest in trading with either rogue states or nations that are inclined to develop the ability to deploy weapons of mass destruction. Under this legislation, Russian firms will have to choose with whom they want to do business—the United States or an Iranian regime that has yet to show the moderation promised by the election of President Khatemi. Since persuasion and shared intelligence with Russia may not be sufficient to stop Iran from acquiring dangerous weaponry, this bill has become regrettable but necessary. I urge my colleagues to support it today before this menacing military threat from Iran grows even larger tomorrow.

Thank you and I yield the floor.

Mrs. BOXER. Mr. President, as an original cosponsor of the Iran Missile Proliferation Sanctions Act, I cannot stress enough the importance of this legislation and I am grateful that it is now being considered before the full Senate.

Iran's desire to obtain ballistic missiles is a direct threat to peace and security in the Middle East, and therefore, a clear threat to U.S. national security. Limiting the spread of weapons of mass destruction and ensuring stability in this strategic region must remain among the highest priorities for the U.S. and our allies.

Iran is a leading sponsor of international terrorism and has been linked to numerous bombings, hijackings, and assassinations. This rogue nation provides financial support and political training for terrorist groups such as the Islamic Jihad, Hamas, and Hezbollah. Just this week, the Argentine government announced they have proof that Iran was behind the 1992 bombing of the Israeli Embassy and the 1994 bombing of the Jewish Community Center in Buenos Aires.

According to news reports, Iran is months away from developing missiles that can reach Israel, Saudi Arabia, or the frontiers of the NATO alliance. Considering that Iran is already suspected of possessing chemical and biological weapons and is trying to acquire nuclear weapons capability, the threat of Iran possessing missiles capable of reaching U.S. forces in the Middle East is truly frightening.

This legislation would require the President to report periodically on individuals, companies, and research facilities who have provided material, technology, or technical assistance

that could help Iran develop ballistic missiles. Once these suppliers have been identified, they would be subject to sanctions making them ineligible for export licenses and U.S. aid.

I believe this legislation will be a valuable tool in slowing Iran's program to develop ballistic missiles. I hope that the Senate overwhelmingly passes this legislation, and I want to thank the Majority Leader, Senator LOTT, for all his hard work on this important issue.

Mr. LAUTENBERG. Mr. President, I rise to support the Iran Missile Sanctions Act. I am a cosponsor of this legislation, and I hope the Senate will approve it without delay.

This legislation will impose sanctions against entities—individuals, companies, and research facilities—that have provided Iran with the technology and materials required to develop ballistic missiles. Those identified as assisting Iran—or as attempting to do so at least once—will be subject to sanctions for two years. These entities will be ineligible for export licenses for arms or controlled goods and technology. Additionally, they will not be eligible to receive U.S. assistance. The President would be authorized to waive sanctions if he determines that it would be in the U.S. national security interest to do so or if additional information which demonstrates that the alleged acts were not committed by the sanctioned person is available.

The need for this legislation is clear. There is growing evidence that Russian companies and research facilities continue to provide Iran with the technological assistance and the materials necessary to develop ballistic missiles capable of reaching U.S. forces in the Middle East and our stalwart ally Israel. According to public reports, with the help of Russian entities, U.S. officials estimate that Iran could deploy the medium range Shahab 3 missile within 12 to 18 months. That missile is capable of targeting Israel, other Arab countries in the Middle East, and U.S. troops in the region. According to public sources, Iran could also deploy the Shahab 4 missile within three years. That missile reportedly would be able to reach targets in Europe.

The Russians are not building these missiles for the Iranians. Rather, Mr. President, they are providing the material and training necessary for the Iranians to develop an indigenous capability. Make no mistake about it. The development of these Iranian missiles will be very destabilizing in the Middle East.

Mr. President, to its credit, the Administration has made the transfer of missile technology a very high priority in dealings with Russian officials, including the recent talks between Vice President Gore and former Prime Minister Viktor Chernomyrdin. Special Envoy Wisner has worked on this issue aggressively, and the State Department's Robert Gallucci has been doing the same. I commend them for the attention they have focused on this very

sensitive matter and the effort they have made to persuade Russia to clamp down on exporters.

Clearly, some progress has been made. On January 22, Prime Minister Chernomyrdin issued an Executive Order stating the Russian government's intention to set policies that will more effectively control the exports of technology to Iran. Nonetheless, public reports indicate that the cooperation is ongoing and that the transfers continue.

Because the stakes are so high, we don't have the luxury of time. And while I hope the Administration's efforts will succeed in persuading the Russians to clamp down on these technology transfers, this Senator believes time is running out. The missiles being developed by the Iranians are capable of delivering chemical weapons throughout the Middle East. They are lethal. They threaten U.S. troops. They threaten our ally Israel. And in the long run, they will threaten our European allies. America needs to use every appropriate tool in its arsenal to prevent the Iranians from developing these missiles which will threaten our interests in the region. And we need to use those tools now.

Mr. President, the sanctions in this legislation provide another tool. They are appropriately targeted against the entities—the companies, individuals, and institutes—that are cooperating with the Iranians. They are not targeted at the Russian government. If used effectively, these sanctions—or the threat of these sanctions—can help the Administration in its efforts to clamp down on those entities that are cooperating with the Iranian government.

For the stake of promoting stability in the Middle East, I urge my colleagues to approve this legislation.

Mr. DOMENICI. Mr. President, I rise in strong support of Iran Missile Proliferation Sanctions Act before us today. At the same time, I am uncomfortable about the implementing legislation for the Chemical Weapons Convention attached to it.

Proliferation of weapons of mass destruction poses the gravest risk to domestic and international security in the post-Cold War era. Based on this assessment of U.S. security concerns, it makes sense for the Senate to pass legislation designed to prevent or, at a minimum, curb proliferation threats in every possible instance.

The Iran Missile Proliferation Sanctions Act will help to attain our non-proliferation objectives. A very important national security objective is to prevent Iran from obtaining and improving its weapons of mass destruction. A critical concern is Iranian acquisition of ballistic missiles, especially those with a range of 1,300 kilometers or more. Such capability would pose an unacceptable threat to U.S. forces in that area, not to mention our allies throughout the region.

This Sanctions legislation is a careful and sound approach to non-pro-

liferation. The legislation should offer the Administration additional leverage in curtailing Russian assistance to Iran's missile programs, and I applaud those objectives.

Ideally, the implementing legislation for the Chemical Weapons Convention would have similar objectives—stemming the threat of proliferation. The goal of the Chemical Weapons Convention is to create a sufficient web of deterrence and detection capabilities so as to minimize the potential threat that chemical weapons pose to U.S. and global security. In order to attain this objective, the CWC relies on the most stringent verification regime ever before codified in an international arms control instrument.

The verification measures set forth in the CWC were carefully crafted over many years to ensure that the attained transparency in no way impedes private industry's ability to protect proprietary information.

In addition, measures for "challenge inspections"—a verification measure initially proposed by the Reagan Administration in negotiations over a decade ago—allow for inspection at any time and in any place. Otherwise, the CWC is rendered incapable of ferreting out undeclared activities. I remind you that this was a weakness of the nuclear nonproliferation regime that Iraq successfully exploited to hide a covert weapons program.

The proposed CWC implementation legislation, attached to H.R. 2709 "Iran Missile Proliferation Sanctions Act of 1997," seriously weaken the Chemical Weapons Convention in such a manner as to pave the way for rogue nations to capitalize on U.S. short-sightedness.

There are several aspects of the proposed legislation that are problematic. First, however, the following is clear: if the U.S. Senate ratified an international ban on poisonous gases, it makes no sense for the Administration to have negotiated legislation that renders the Convention impotent. Secondly, the U.S. Senate cannot ratify a treaty and then renege on its own commitment to provide effective and reasonable measures for implementation.

Mr. President, this legislation includes three provisions that are of concern:

(1) First, there is a measure that allows for the President to refuse a challenge inspection on the grounds that it "may pose a threat" to U.S. security interests. Presumably, Hussein did not want UNSCOM in his Presidential palaces for similar reasons. Other countries would no doubt follow suit. The White House is claiming that this is "harmless," because they do not intend to invoke it. If there is no intention to use it, then including this provision merely opens the door for other nations to follow our lead and diminishes our capacity to catch cheaters.

The CWC provisions on challenge inspections preclude abuse of the challenge inspection option. The treaty incorporates stringent measures to en-

sure that confidential or classified information remains secure. Moreover, the CWC provides penalties for any state that might opt to invoke a frivolous challenge inspection.

(2) Another dangerous aspect of the legislation is found in the provisions on routine inspections and sampling. Again, the verification measures and procedures of the CWC were painstakingly crafted to ensure privacy and confidentiality. Also, the ability to detect cheating at both declared and undeclared facilities is critical to the viability of the regime.

The proposed implementing legislation before the Senate allows for only one inspection per year at industrial plants. The treaty allows for two. This is a critical point. Given the number of facilities worldwide that will require inspection by a relatively small, highly qualified cadre of inspectors, most facilities will only be inspected once a year. However, the treaty allows for two routine inspections in case something suspicious or inexplicable is unearthed in the results from the first inspection.

The persons drafting this legislation may have assumed that they would be sparing U.S. chemical facilities from the tedious drill of coping with more inspections than necessary. However, this view is short-sighted and will hinder the inspectorate's ability to identify cheaters. Again, other countries will follow the U.S. lead.

Should inspectors come across suspicious evidence in another country and desire more information to clarify the activities at a foreign facility, the only option at that point would be to wait a year OR invoke a challenge inspection. A lot of deadly chemicals can be produced in a year.

In addition, challenge inspections were thought to be necessary to unearth undeclared clandestine activities. In all likelihood, invoking a challenge inspection will be fraught with tension. Do we want to escalate every unclear circumstance at any facility in any country to the level of a challenge inspection, when the original provisions of the CWC provide the means necessary to avoid this?

(3) One last provision within this legislation requires adjustment. I remind you, once again, CWC was carefully crafted to provide measures for stringent and comprehensive verification. The redefinition found in the implementing legislation would undoubtedly narrow the number of U.S. facilities required to make declarations. Please bear in mind, the U.S. cannot hold other countries to standards that we ourselves are not willing to meet.

Most commercial products have a mixture of chemicals in them. For example, a ballpoint pen contains a chemical that could be extracted and used to make poison mustard gas. Under CWC provisions, chemical manufacturers are required to include in their initial and annual declarations the production of mixtures with a low

concentration in so-called Schedule 3 chemicals. U.S. chemical industry representatives and U.S. government officials agreed that 30% or less of a Schedule 3 chemical in a mixture constitutes a low concentration.

The U.S. implementing legislation changes that figure to 80%. In other words, substantially fewer U.S. facilities will be subject to completing annual declarations or inspections. The same will hold true for other countries that follow our example of assuming that 80% is a low concentration. We thereby increase the likelihood that proliferators will use industrial facilities to mask chemical weapons activities, averting detection.

The Chemical Manufacturers Association was extensively involved in designing the CWC verification measures. Chemical Manufacturers in this country were a strong and vocal group in support of this treaty. They consistently urged that stringent and comprehensive verification provisions be included in the treaty. The U.S. chemical industry did not ask for these provisions to protect their interests so who, then, do these provisions protect? The answer is simple: The provisions in the U.S. implementing legislation protect those who want to cheat on this treaty.

These restrictions on routine and challenge inspections will inevitably backfire on U.S. security interests. Keeping in mind that the U.S. is setting an example with its implementation of the treaty's provisions, these restrictions provide a great deal more latitude within which a rogue nation can maneuver to hide a chemical weapons program.

Intelligence sources repeatedly identify over two dozen states that either already have or are attempting to attain chemical weapons capability. In its first year, the CWC has begun to reverse that trend. In view of our most recent experience in Iraq, there is little reason to assume that lax verification measures for detecting or deterring weapons of mass destruction designs or capabilities will serve U.S. interests.

At this time, the U.S. itself is already in violation of the CWC, because it has failed to pass implementing legislation and commence with declarations and inspections. The U.S. Administration has come under intense pressure from Japan, China, Australia and the European Union to proceed.

The U.S. chemical industry is confronting pressures from their trading partners overseas, because it has not yet been subject to inspection. States that are complying fully with the CWC's reporting and inspection requirements are threatening to stop inspections on their territory if the United States, which has the world's largest chemical industry, does not soon allow inspections of that industry to proceed.

Due to these pressures, the U.S. chemical industry and the Administration want action now. However, we

cannot allow these pressures to distract us from the fundamental problems with this implementing legislation. Short-sightedness on issues of U.S. and international security can be very dangerous over the long haul.

Proliferation of weapons of mass destruction and the means to deliver them are the most serious threat to U.S. security today. The aims of the Iran Missile Proliferation Sanctions Act are laudable and I fully support them. I supported the Chemical Weapons Convention last year, and I would wholeheartedly support passage of reasonable and effective implementing legislation for that treaty. Due to the pressures that our chemical industry is confronting and our current violation of the Convention, I will also support this legislation.

However, I will not do so without pointing to the hypocrisy of sanctioning entities who proliferate missile technology to Iran, and, at the same time, passing implementing legislation that opens the door for chemical weapons proliferators.

It is essential that we impede the flow of missile technologies to Iran. It is also critical that we pass implementing legislation and join the international community in eliminating chemical weapons and detecting defectors. However, it is critical that we do it right. This CWC legislation is all wrong. I would like to work with my colleagues to improve this implementation regime in the near future. Otherwise, our overzealous desire to shield ourselves will ultimately be used by those we would like to protect ourselves against.

Mr. KYL. Mr. President, I inquire, if all time has been yielded back, the amendment has been accepted, are we not ready to proceed to the vote on final passage?

The PRESIDING OFFICER. If all time on the bill is also yielded back, we are prepared to do exactly that.

Mr. KYL. There is no time on this side. I do not know about the other side.

The PRESIDING OFFICER. The Chair will observe the Senator from Delaware has 8 minutes remaining on the bill.

Mr. BIDEN. Mr. President, I will, in a moment, yield back the time I have left.

Mr. President, I will conclude by suggesting, again, I think this is the wrong time to do this. I think it has its greatest value held in abeyance, as long as significant progress is being made. I am fearful if this is signed into law by the President, in the near term it is going to have the exact opposite impact. But in the interests of accommodating people's schedules—although I am not sure how much we are going to accommodate because I am told there will be insistence there be a vote on the highway bill, and if that is true, we are not being able to accommodate anybody's time. But I am delighted to yield the remainder of my time.

Actually, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BIDEN. 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. BIDEN. Mr. President, I yield the remainder of my time. We are prepared to vote.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read a third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Arizona (Mr. MCCAIN) and the Senator from Alaska (Mr. MURKOWSKI) are necessarily absent.

Mr. BREAU. I announce that the Senator from Arkansas (Mr. BUMPERS), the Senator from Kentucky (Mr. FORD), the Senator from Hawaii (Mr. INOUE), the Senator from Massachusetts (Mr. KENNEDY) are necessarily absent.

I further announce that, if present and voting the Senator from Massachusetts (Mr. KENNEDY), would vote "yea."

The result was announced—yeas 90, nays 4, as follows:

[Rollcall Vote No. 146 Leg.]

YEAS—90

Abraham	Faircloth	Lieberman
Akaka	Feingold	Lott
Allard	Feinstein	Mack
Ashcroft	Frist	McConnell
Baucus	Glenn	Mikulski
Bennett	Gorton	Moseley-Braun
Bingaman	Graham	Moynihan
Bond	Gramm	Murray
Boxer	Grams	Nickles
Breaux	Grassley	Reed
Brownback	Gregg	Reid
Bryan	Hagel	Robb
Burns	Harkin	Roberts
Byrd	Hatch	Roth
Campbell	Helms	Santorum
Cleland	Hollings	Sarbanes
Coats	Hutchinson	Sessions
Cochran	Hutchison	Shelby
Collins	Inhofe	Smith (NH)
Conrad	Jeffords	Smith (OR)
Coverdell	Johnson	Snowe
Craig	Kempthorne	Specter
D'Amato	Kerrey	Stevens
Daschle	Kerry	Thomas
DeWine	Kohl	Thompson
Dodd	Kyl	Thurmond
Domenici	Landrieu	Torricelli
Dorgan	Lautenberg	Warner
Durbin	Leahy	Wellstone
Enzi	Levin	Wyden

NAYS—4

Biden	Lugar
Chafee	Rockefeller

NOT VOTING—6

Bumpers	Inouye	McCain
Ford	Kennedy	Murkowski

The bill, (H.R. 2709), as amended, was passed.

MORNING BUSINESS

Mr. LOTT. Mr. President, I ask unanimous consent there now be a period for the transaction of routine morning business with Senators permitted to speak for up to 10 minutes each.

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

THE HIGHWAY BILL

Mr. STEVENS. Mr. President, I want to announce that the Appropriations Committee will hold a meeting at 2 o'clock to discuss ISTEA, and until that meeting is over, I will object to any proceedings on ISTEA.

Mr. LOTT. Let me say, because I know everyone is interested in this, this is a critical moment on a very important bill. The managers of the ISTEA II legislation have labored late into the night and all morning trying to make sure Members are aware of what is in the bill. I think they have done a good job. It might not be perfect in anybody's eyes, but we need to get it done. We need to get it done this afternoon.

There will be an opportunity for Members to express themselves, but I believe for all concerned the wise thing to do is to go to this bill as soon as we can, have a limited debate, and vote. It won't be easier on Sunday afternoon at 4 o'clock. It won't be easier in a week or a month.

I think we need to complete this legislation. We will work on both sides, as we have all along, to make sure that Members are satisfied with what we try to do.

Mr. DASCHLE. Mr. President, I concur with the remarks just made by the majority leader. We have 20 or 25 Senators, all of whom have planes to catch this afternoon, who don't want to miss this vote. I certainly hope that we wouldn't inconvenience a third to half of the Senate as we get to this crucial time.

I hope everybody will cooperate and work with us. We have to get this legislation done. My hope is that we won't leave until we get it done. I hope we could seek cooperation on both sides.

Mr. STEVENS. Will the Senator yield?

Mr. LOTT. I am happy to yield.

Mr. STEVENS. Where is the report?

Mr. LOTT. Mr. President, we have the managers here on the floor that have worked on this legislation who are prepared to begin to discuss the legislation, to answer questions, and be prepared to go to a vote when the Senators are ready to do that.

I don't know the physical location. I presume that will be available.

Mr. STEVENS. As I understand, no one lives further from the Senate than I do and I have a wife waiting for me halfway home.

However, I am also a conferee. I have not seen the conference report. I was not given even the privilege of deciding whether I should sign the conference

report. I do not know for sure what is in the bill as far as the jurisdiction of the committee I happened to chair at the time. I have not waited almost 30 years to be the chairman of this committee to see it emasculated in 5 minutes because people have to get a plane home.

Mr. LOTT. In response to the Senator from Alaska, I understand that he wants to see what is in it. I think he will like what he sees in it, both for him and his constituency and the country as a whole.

This is over a \$200 billion bill that is needed in this country for safe, decent roads, bridges, and mass transit. We have drug it out for weeks and months and it is time to act.

Now, does every Senator deserve a right and an opportunity to see the formula and see how each State does and look at what it means for the Appropriations Committee and every committee? Yes, let's do it. Let's do it now. You will have an opportunity to look at this, and others should. But it is time that we get serious and get it done in a reasonable time in the best interest of America.

My father died on a narrow, two-lane road that wasn't safe and I am not going to stand any longer for us having inadequate roads and bridges in this country and for money to be sometimes spent in other places.

I am bending a little bit here, but I think everybody in this Chamber knows I tried to listen to everybody's needs, concerns on both sides, on tough legislation this week and this year. I am sympathetic. I wanted to look at the numbers. I have. I haven't seen the report. I don't know whether it is perfect. But it has been a laborious, tough, involvement and it is time that we bring it to a conclusion. Help me do that.

Mr. STEVENS. Mr. Leader, I regret deeply the death of your father. I have similar feelings when cancer comes before the Senate because my grandfather, father and brother all died from cancer. I understand those feelings.

However, I also understand that our committee has responsibility for the controllable expenses. This bill reduces controllable expenses, if I am told right, by at least 2½ to 3 percent. It further will require, if I am informed right, that if there is an increase in the highway tax revenues, we must spend them, even if it means changing the budgets for other subcommittees. If there is a decrease and the estimates are not met, I am told we will take the money from controllable accounts and put it in this account to pay for highways at the cost of all the other functions that are controllable.

Now, I think that is something that I have a right to look at and Senators have a right to debate if they want to do that. I regret deeply being in a position of apparently opposing my leader who I do support and am committed to, but I feel this process needs to be understood.

Again, I am only reporting what I have been told because I have not been privileged to have a copy of this yet, despite the fact that I am on that conference committee. Now, I have been here almost 30 years, and I have never seen this happen before. Never.

Mr. LOTT. If I could respond.

Mr. STEVENS. And it is not going to happen now without me seeing that report.

Mr. LOTT. I have been here 25 years as a Member of the House and Senate and 4 years before that as a staff member. I have never seen a highway bill that was done any differently than this. Maybe this one is even a little better.

I was getting calls at my home last night until 11:30. Senators were involved, Congressmen—negotiations going on right downstairs. There have been staff members and Senators and Congressmen coming in and out of there.

I know the Senator from Alaska, as chairman of the Appropriations Committee, has seen the computer runs previously.

Mr. STEVENS. Not one. You had my staff's estimate of that run. I asked repeatedly for a copy of it and the Senator from Rhode Island will tell you, he told me the other day they were not available yet. We had an estimate of the run, and it was run on our own computers.

Mr. LOTT. I would like you to meet Senator CHAFEE.

Mr. STEVENS. I met him at Harvard Law School in 1947.

Mr. LOTT. And Senator WARNER. We would like you to get together and look at the numbers and the language and I believe you will be happy.

Mr. STEVENS. Respectfully, Mr. Leader, there have been meetings all over this Congress for the last 2 weeks and I have tried to get into them and I was not allowed in. Now, we are going to have a meeting of our committee to find out how this affects the appropriations process. Until we know how it does, I hope you will understand, I respectfully object to proceeding with this bill until we have seen a copy of the report.

Mr. LOTT. I think the easiest thing to do to resolve this problem is for you all to go meet, stop talking about it, get what you need, and then we can go ahead.

Mr. STEVENS. Parliamentary inquiry. Is the report before the Senate yet?

The PRESIDING OFFICER. The report is not before the Senate.

Mr. CHAFEE. Will the majority leader yield?

Mr. LOTT. This applies to the Senator from Rhode Island. While the appropriators are meeting and having a chance to review the documents, I think this would be a good time for the managers to begin to talk about and explain what is in the bill, what the policies may be, answer questions of Senators. We can begin the process