

It might be argued, of course, that a test could be conducted for a purpose entirely unrelated to those stated in the Treaty—for example, to make sure an existing weapon won't explode accidentally. But the Treaty negotiators concluded, in part at our insistence, that even nuclear explosions confirmed as entirely peaceful are precluded, because they can't be distinguished from tests with weapons value. Some of you may have heard me refer to so-called "peaceful nuclear explosions" as the atomic equivalent of a friendly punch in the nose. Whether or not it accepted the characterization, the CD agreed with the conclusion and outlawed PNEs.

In short, because a test cannot be undone, and the resultant data will not disappear, it is reasonable to conclude that any further testing would defeat the CTBT's object and purpose, and thus is precluded by any signatory state—that if a country signs the CTBT, it is legally bound not to test, whether or not it has ratified, and whether or not the Treaty is in force.

THE U.S. IS PROTECTED PENDING ENTRY INTO
FORCE

Does this mean the U.S. has signed on to a bad security bargain, because we cannot test while others, who haven't signed, can press ahead?

First, it is important, of course, that all the declared nuclear weapon states, having sighed, are bound to the same extent we are.

Moreover, note that the obligation not to frustrate the object and purpose of the Treaty does not usurp the Senate's constitutional role of advice and consent to ratification. So if we decide based on international developments that restraint is no longer in our interest, we simply have to provide an authoritative national signal that we no longer intend to ratify the Treaty, and we will no longer be constrained. This is considerably simpler than invoking the "supreme national interest" clause after ratification to withdraw from the CTBT according to its terms.

Meanwhile, we can do a great deal to assess whether other countries are holding to the bargain. Even before entry into force, we have excellent and improving capabilities to monitor compliance.

This baseline confidence derives from our National Technical Means for detecting nuclear explosions—seismic techniques we've been working on for more than 35 years, our satellite nuclear burst detection system, and other assets. Over the years, our seismologists and other scientists have made great strides in event detection, location, and identification—giving us truly sensitive seismic arrays and other forensic techniques of extraordinary utility. Recent strides in computer modeling and data integration are further improving our capabilities. Such efforts have been spurred by the President's call last year to heighten confidence even at very low yields. So even pending the Treaty's entry into force, our national abilities to monitor nuclear testing will stand us in good stead.

WE WILL NOT REST UNTIL THE TREATY ENTERS
INTO FORCE

Does all this mean our diplomatic job is done? Obviously not. Formal entry into force remains indispensable. For only this will bring into being the CTBT's full apparatus for verifying compliance, including the International Monitoring System with four different kinds of sensors, and its International Data Center, where data from these sensors will be compiled, analyzed, integrated and shared. And the Treaty's provision for on-site inspections is an important means of detecting and deterring cheaters—especially in light of recent and emerging advances in detecting the slightest traces of

radioactivity that linger for weeks in the vicinity of even a small and well-hidden nuclear explosion.

This is no time to break strike in the hard climb toward entry into force. For we know that a state violating a treaty commitment is even more of a pariah than one violating a powerful international norm . . . that evidence of any violation is all the more credible when every nation has a state and a voice in its discovery . . . that any would-be testing state is less likely to proceed if it has made a conscious decision not to, instead of chafing against an international opinion it does not share.

It is deeply in our interest for the CTBT to be a binding legal commitment on every country—and for every country to participate in its enforcement. So we are determined to bring it into force.

CONCLUSION

More than 30 years ago, John F. Kennedy said of a CTBT, "The conclusion of such a treaty, so near and yet so far, would check the spiraling arms race in one of its most dangerous areas. And it would place the nuclear posers in a position to deal more effectively with . . . the further spread of nuclear arms." President Kennedy was right on all counts. And his vision is now being realized—a truth to celebrate and savor.

Nuclear weapons have been explored twice in war—and more than 2,000 times in contemplation of war, at more than 20 locations around the globe. And all the while, the world's store of knowledge about how the work has continued to mushroom.

Now, after five decades of testing and four decades of calls to end it, the world has said, "enough." At long last we have erected a powerful barrier to further testing.

Let us do out utmost to buttress it, bring it into force—and then enforce it for all nations, for all time.

For as we do, we will ensure that nuclear explosions were known to our century alone—and as the President said at the UN, enter "a century in which the roles and risks of nuclear weapons can be further reduced, and ultimately eliminated."

With the era of nuclear testing at an end, we are a giant step closer to that ultimate goal.

TRIBUTE TO PROVIDENCE POLICE
DEPARTMENT'S TOP COPS—DE-
TECTIVES FRANK
DELLAVENTURA AND FREDDY
ROCHA

HON. JACK REED

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 3, 1996

Mr. REED. Mr. Speaker, it gives me great pleasure to recognize and pay tribute to two distinguished individuals who have dedicated their lives to protecting Rhode Islanders against crime and violence.

Today, Detectives Frank DellaVentura and Freddy Rocha of the Police Department in Providence, RI, will receive Top Cops Awards for their outstanding service in protecting our Nation's communities. The Top Cops Award is the only national award for officers nominated by their peers in law enforcement.

Across our country, drug abuse is a root cause of the crime and violence that plague our neighborhoods. In recent years, we have made important strides to stop drug-related crime. Law enforcement has been a vital part

of this effort, and Detectives Rocha and DellaVentura have been instrumental in this fight.

For example, in 1994, Detective Rocha went undercover to investigate a group of criminals who were identifying themselves as law enforcement agents and stealing drugs and money from drug dealers. Risking his life by posing as a major cocaine dealer, Detective Rocha gathered evidence against this group, which was also linked to organized crime. Winning the group's confidence, he arranged a meeting at which its members expected to receive drugs and money, but instead were apprehended by the Providence SWAT team. The criminals are now serving prison sentences.

Detective DellaVentura has also played a critical role in Rhode Island's fight against drugs. He organized several of the undercover operations in which Detective Rocha has served. In addition, Detective DellaVentura's detailed research, careful surveillance, and thorough knowledge of the requirements of federal law have been essential to these operations' success.

The work of Detectives DellaVentura and Rocha has been nothing short of exceptional. I respectfully ask my colleagues to join me in saluting these Top Cops for their efforts to make the streets of Rhode Island safer for law-abiding citizens.

ILLEGAL IMMIGRATION REFORM
AND IMMIGRANT RESPONSIBIL-
ITY ACT OF 1996

HON. ENI F. H. FALEOMAVEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 3, 1996

Mr. FALEOMAVEGA. Mr. Speaker, I rise today to clarify the treatment of American Samoans who are nationals but not citizens of the United States under the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 contained in H.R. 3610. It is my understanding that the new act does not alter the status or rights of noncitizen nationals.

I am advised that the intent of the new act is to apply the existing statutory definition of alien as set forth in the Immigration and Nationality Act [INA], 8 U.S.C. §1101(a)(3). Under the INA, noncitizen nationals of the United States are not considered aliens, and I am advised that they are not considered aliens under the new act. In some instances, the new act expressly incorporates and applies the existing statutory definition of alien contained in the INA. In other instances, the new act amends existing law in a manner which automatically invokes the existing INA definition of alien.

Title I of the new act provides for improvement of border control, facilitation of legal entry, and interior enforcement. For purposes of title I, the INA definition of alien is specifically incorporated. § 1(c).

Title II of the new act covers alien smuggling and document fraud, and it amends both the INA and the criminal statutes contained in title 18 of the United States Code. The amendments of the INA are automatically subject to the existing INA definition of alien. I am advised that criminal provisions in title 18 of the Code involving immigration offenses are