chance and maybe the results are not what they had expected. By passing this bill, we will change that. As a result, children can be treated for diseases with greater safety and with greater confidence.

The problem this bill addresses is a very serious one. About 80 percent of the drugs on the market today have not been approved by the FDA for use in at least one pediatric age group—80 percent. As a consequence, the drugs do not carry labeling information explaining how they should be taken by children. This is because clinical trials are expensive. It is a dollars-and-cents issue, and often there is little market incentive for pharmaceutical companies to conduct these tests. The result is that drugs are usually prescribed for children on the basis of adult trials and the pediatrician's own experience. Children are not just small adults, and therefore this is a somewhat risky business. Physicians deserve better information and children deserve, as well as their parents, better information.

I had experience in my own family. Senator DODD alluded to this a moment ago. He just heard me talk about it. When you have children, you have a lot of medical experiences. But a number of years ago, my daughter Becky, who was very young, had developed asthma. As is the experience, sadly, of many parents who have children with asthma, we ended up spending many evenings and sometimes the middle of the night in emergency rooms when Becky would have an attack.

Finally, the physician who was treating Becky said: Look, we need to do something about this. I don't think we should allow this to continue. There is something that is on the market today. We have information about its use by adults. I think we should go ahead and try it and I think we should see if it will work with Becky.

He prescribed to her an inhaler that looks similar to the one that I am carrying right now, and gave it to Becky. She was able to use that. I was able to help her, and it lessened the trips to the emergency room for asthma attacks. She was able to get through childhood without anymore serious, horrible trauma, going to the emergency rooms because of asthma attacks.

So I think this is an experience that many people have had. It is important, I think, to make the change in the law to give the drug companies the incentive so they can go out and do these tests. There are many drugs that are in this category, including those used to treat AIDS, as well as, as I mentioned, those to ease asthma attacks, drugs to alleviate pain, drugs even to treat other illnesses. Too often, physicians and parents are forced to guess about dosages or possible side effects. They should not have to play this kind of Russian roulette with their sick children.

This problem has been around for a long time. In the last session of Congress this bill was passed by the Labor Committee, but unfortunately it did not reach the floor.

We have had extensive discussions with the Food and Drug Administration, pediatric community, pharmaceutical companies, and makers of generic drugs. I am confident that we have come up with a practical way to remedy this problem. This bill is supported by health providers, including the American Academy of Pediatrics, the National Association of Children's Hospitals, and the Pediatric AIDS Foundation.

I intend and hope to work with the FDA to solve this problem and find the best approaches, both legislatively as well as administratively. I look forward to continuing our dialog with the FDA. But I am not going to and Senator DODD is not going to wait around for a proposal that they might make. This is our proposal. It is a legislative proposal. I believe it will do the job. I look forward to moving this bill through the Senate.

Mr. President, we all want to see better labeling for drugs used to treat our sick children. Today, I believe, with this bill, we are taking the first step to resolve a very serious national health problem. Senator DODD and I are serious about seeing this legislation pass both Houses of Congress this session. This project is a very high priority and we will do all we can to make it happen. I encourage my colleagues to cosponsor the legislation and encourage their help and assistance when the bill reaches the floor.

## REPORTS OF COMMITTEE

The following report of committee was submitted:

By Mr. JEFFORDS, from the Committee on Labor and Human Resources:

Report to accompany the bill (S. 717) to amend the Individuals with Disabilities Education Act, to reauthorize and make improvements to that Act, and for other purposes (Rept. No. 105–17).

## EXECUTIVE REPORT OF COMMITTEES

The following executive report of committee was submitted:

Mr. HELMS, from the Committee on Foreign Relations:

Treaty Doc. 105–5 Flank Document Agreement to the CFE Treaty (Exec. Rept. No. 105–1):

### TREATY DOC. NO. 105–5

The Committee on Foreign Relations to which was referred the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe (CFE) of November 19, 1990, adopted at Vienna on May 31, 1996 (''The Flank Document'')—The Flank Document is Annex A of the Final Document of the First CFE Review Conference, having considered the same, reports favorably thereon with 14 conditions and recommends that the Senate give its advice and consent to ratification thereof subject to the 14 conditions as set forth in this report and the accompanying resolution of ratification.

### TEXT OF THE COMMITTEE-RECOMMENDED RESOLUTION OF ADVICE AND CONSENT

*Resolved (two-thirds of the Senators present concurring therein),*

**SECTION 1. SENATE ADVICE AND CONSENT SUBJECT TO CONDITIONS.**

The Senate advises and consents to the ratification of the CFE Flank Document (as defined in section 3 of this resolution), subject to the conditions in section 2.

**SEC. 2. CONDITIONS.**

The Senate's advice and consent to the ratification of the CFE Flank Document is subject to the following fourteen conditions, which shall be binding upon the President:

(1) POLICY OF THE UNITED STATES.—Nothing in the CFE Flank Document shall be construed as altering the policy of the United States to achieve the immediate and complete withdrawal of any armed forces and military equipment under the control of the Russian Federation that are deployed on the territories of the independent states of the former Soviet Union (as defined in section 3 of the FREEDOM Support Act) without the full and complete agreement of those states.

(2) VIOLATIONS OF STATE SOVEREIGNTY.—

(A) FINDING.—The Senate finds that armed forces and military equipment under the control of the Russian Federation are currently deployed on the territories of States Parties without the full and complete agreement of those States Parties.

(B) INITIATION OF DISCUSSIONS.—The Secretary of State should, as a priority matter, initiate discussions with the relevant States Parties with the objective of securing the immediate withdrawal of all armed forces and military equipment under the control of the Russian Federation deployed on the territory of any State Party without the full and complete agreement of that State Party.

(C) STATEMENT OF POLICY.—Prior to the deposit of the United States instrument of ratification, the President shall certify to the Senate that the United States and the governments of Belgium, Canada, Denmark, France, Germany, Greece, Iceland, Italy, Luxembourg, the Netherlands, Norway, Portugal, Spain, Turkey, and the United Kingdom have issued a joint statement affirming that—

(i) the CFE Flank Document does not give any State Party the right to station (under Article IV, paragraph 5 of the Treaty) or temporarily deploy (under Article V, paragraphs 1 (B) and (C) of the Treaty) conventional armaments and equipment limited by the Treaty on the territory of other States Parties to the Treaty without the freely expressed consent of the receiving State Party;

(ii) the CFE Flank Document does not alter or abridge the right of any State Party under the Treaty to utilize fully its declared maximum levels for conventional armaments and equipment limited by the Treaty notified pursuant to Article VII of the Treaty; and

(iii) the CFE Flank Document does not alter in any way the requirement for the freely expressed consent of all States Parties concerned in the exercise of any reallocations envisioned under Article IV, paragraph 3 of the CFE Flank Document.

(3) FACILITATION OF NEGOTIATIONS.—

(A) UNITED STATES ACTION.—

(i) IN GENERAL.—The United States, in entering into any negotiation described in clause (ii) involving the government of Moldova, Ukraine, Azerbaijan, or Georgia, including the support of United States intermediaries in the negotiation, will limit its diplomatic activities to—

(I) achieving the equal and unreserved application by all States Parties of the principles of the Helsinki Final Act, including, in particular, the principle that ''States will

respect each other's sovereign equality and individuality as well as all the rights inherent in and encompassed by its sovereignty, including in particular, the right of every State to juridical equality, to territorial integrity, and to freedom and political independence.'';

(II) ensuring that Moldova, Ukraine, Azerbaijan, and Georgia retain the right under the Treaty to reject, or accept conditionally, any request by another State Party to temporarily deploy conventional armaments and equipment limited by the Treaty on its territory; and

(III) ensuring the right of Moldova, Ukraine, Azerbaijan, and Georgia to reject, or to accept conditionally, any request by another State Party to reallocate the current quotas of Moldova, Ukraine, Azerbaijan, and Georgia, as the case may be, applicable to conventional armaments and equipment limited by the Treaty and as established under the Tashkent Agreement.

(ii) NEGOTIATIONS COVERED.—A negotiation described in this clause is any negotiation conducted pursuant to paragraph (2) or (3) of Section IV of the CFE Flank Document or pursuant to any side statement or agreement related to the CFE Flank Document concluded between the United States and the Russian Federation.

(B) OTHER AGREEMENTS.—Nothing in the CFE Flank Document shall be construed as providing additional rights to any State Party to temporarily deploy forces or to reallocate quotas for conventional armaments and equipment limited by the Treaty beyond the rights accorded to all States Parties under the original Treaty and as established under the Tashkent Agreement.

(4) NONCOMPLIANCE.—

(A) IN GENERAL.—If the President determines that persuasive information exists that a State Party is in violation of the Treaty or the CFE Flank Document in a manner which threatens the national security interests of the United States, then the President shall—

(i) consult with the Senate and promptly submit to the Senate a report detailing the effect of such actions;

(ii) seek on an urgent basis an inspection of the relevant State Party in accordance with the provisions of the Treaty or the CFE Flank Document with the objective of demonstrating to the international community the act of noncompliance;

(iii) seek, or encourage, on an urgent basis, a meeting at the highest diplomatic level with the relevant State Party with the objective of bringing the noncompliant State Party into compliance;

(iv) implement prohibitions and sanctions against the relevant State Party as required by law;

(v) if noncompliance has been determined, seek on an urgent basis the multilateral imposition of sanctions against the noncompliant State Party for the purposes of bringing the noncompliant State Party into compliance; and

(vi) in the event that noncompliance persists for a period longer than one year after the date of the determination made pursuant to subparagraph (A), promptly consult with the Senate for the purposes of obtaining a resolution of support for continued adherence to the Treaty, notwithstanding the changed circumstances affecting the object and purpose of the Treaty.

(B) AUTHORITY OF DIRECTOR OF CENTRAL INTELLIGENCE.—Nothing in this section may be construed to impair or otherwise affect the authority of the Director of Central Intelligence to protect intelligence sources and methods from unauthorized disclosure pursuant to section 103(c)(5) of the National Security Act of 1947 (50 U.S.C. 403–3(c)(5)).

(C) PRESIDENTIAL DETERMINATIONS.—If the President determines that an action otherwise required under subparagraph (A) would impair or otherwise affect the authority of the Director of Central Intelligence to protect intelligence sources and methods from unauthorized disclosure, the President shall report that determination, together with a detailed written explanation of the basis for that determination, to the chairmen of the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives not later than 15 days after making such determination.

(5) MONITORING AND VERIFICATION OF COMPLIANCE.—

(A) DECLARATION.—The Senate declares that—

(i) the Treaty is in the interests of the United States only if all parties to the Treaty are in strict compliance with the terms of the Treaty as submitted to the Senate for its advice and consent to ratification, such compliance being measured by performance and not by efforts, intentions, or commitments to comply; and

(ii) the Senate expects all parties to the Treaty, including the Russian Federation, to be in strict compliance with their obligations under the terms of the Treaty, as submitted to the Senate for its advice and consent to ratification.

(B) BRIEFINGS ON COMPLIANCE.—Given its concern about ongoing violations of the Treaty by the Russian Federation and other States Parties, the Senate expects the executive branch of Government to offer briefings not less than four times a year to the Committee on Foreign Relations of the Senate and the Speaker of the House of Representatives on compliance issues related to the Treaty. Each such briefing shall include a description of all United States efforts in bilateral and multilateral diplomatic channels and forums to resolve compliance issues relating to the Treaty, including a complete description of—

(i) any compliance issues the United States plans to raise at meetings of the Joint Consultative Group under the Treaty;

(ii) any compliance issues raised at meetings of the Joint Consultative Group under the Treaty; and

(iii) any determination by the President that a State Party is in noncompliance with or is otherwise acting in a manner inconsistent with the object or purpose of the Treaty, within 30 days of such a determination.

(C) ANNUAL REPORTS ON COMPLIANCE.—Beginning January 1, 1998, and annually thereafter, the President shall submit to the Committee on Foreign Relations of the Senate and the Speaker of the House of Representatives a full and complete classified and unclassified report setting forth—

(i) a certification of those States Parties that are determined to be in compliance with the Treaty, on a country-by-country basis;

(ii) for those countries not certified pursuant to clause (i), an identification and assessment of all compliance issues arising with regard to the adherence of the country to its obligations under the Treaty;

(iii) for those countries not certified pursuant to clause (i), the steps the United States has taken, either unilaterally or in conjunction with another State Party—

(I) to initiate inspections of the noncompliant State Party with the objective of demonstrating to the international community the act of noncompliance;

(II) to call attention publicly to the activity in question; and

(III) to seek on an urgent basis a meeting at the highest diplomatic level with the noncompliant State Party with the objective of bringing the noncompliant State Party into compliance;

(iv) a determination of the military significance of and broader security risks arising from any compliance issue identified pursuant to clause (ii); and

(v) a detailed assessment of the responses of the noncompliant State Party in question to actions undertaken by the United States described in clause (iii).

(D) ANNUAL REPORT ON WITHDRAWAL OF RUSSIAN ARMED FORCES AND MILITARY EQUIPMENT.—Beginning January 1, 1998, and annually thereafter, the Secretary of State shall submit a report to the Committee on Foreign Relations of the Senate and to the Speaker of the House of Representatives on the results of discussions undertaken pursuant to subparagraph (B) of paragraph (2), plans for future such discussions, and measures agreed to secure the immediate withdrawal of all armed forces and military equipment in question.

(E) ANNUAL REPORT ON UNCONTROLLED TREATY-LIMITED EQUIPMENT.—Beginning January 1, 1998, and annually thereafter, the Director of Central Intelligence shall submit to the Committees on Foreign Relations, Armed Services, and the Select Committee on Intelligence of the Senate and to the Speaker of the House of Representatives a full and complete classified and unclassified report regarding—

(i) the status of uncontrolled conventional armaments and equipment limited by the Treaty, on a region-by-region basis within the Treaty's area of application;

(ii) the status of uncontrolled conventional armaments and equipment subject to the Treaty, on a region-by-region basis within the Treaty's area of application; and

(iii) any information made available to the United States Government concerning the transfer of conventional armaments and equipment subject to the Treaty within the Treaty's area of application made by any country to any subnational group, including any secessionist movement or any terrorist or paramilitary organization.

(F) COMPLIANCE REPORT ON ARMENIA.—Not later than August 1, 1997, the President shall submit to the Committee on Foreign Relations of the Senate and the Speaker of the House of Representatives a full and complete classified and unclassified report regarding—

(i) whether Armenia was in compliance with the Treaty in allowing the transfer of conventional armaments and equipment limited by the Treaty through Armenian territory to the secessionist movement in Azerbaijan; and

(ii) if Armenia is found not to have been in compliance under clause (i), what actions, if any, the President has taken to implement sanctions as required by chapter 11 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2295 et seq.; relating to assistance to the independent states of the former Soviet Union) or other provisions of law.

(G) REPORT ON DESTRUCTION OF EQUIPMENT EAST OF THE URALS.—Not later than January 1, 1998, the President shall submit to the Committee on Foreign Relations of the Senate and the Speaker of the House of Representatives a full and complete classified and unclassified report regarding—

(i) whether the Russian Federation is fully implementing on schedule all agreements requiring the destruction of conventional armaments and equipment subject to the treaty but for the withdrawal of such armaments and equipment by the Soviet Union from the Treaty's area of application prior to the Soviet Union's deposit of its instrument of ratification of the Treaty; and

(ii) whether any of the armaments and equipment described under clause (i) have been redeployed, reintroduced, or transferred

into the Treaty's area of application and, if so, the location of such armaments and equipment.

(H) DEFINITIONS.—

(i) UNCONTROLLED CONVENTIONAL ARMAMENTS AND EQUIPMENT LIMITED BY THE TREATY.—The term ''uncontrolled conventional armaments and equipment limited by the Treaty'' means all conventional armaments and equipment limited by the Treaty not under the control of a State Party that would be subject to the numerical limitations set forth in the Treaty if such armaments and equipment were directly under the control of a State Party.

(ii) UNCONTROLLED CONVENTIONAL ARMAMENTS AND EQUIPMENT SUBJECT TO THE TREATY.—The term ''uncontrolled conventional armaments and equipment subject to the Treaty'' means all conventional armaments and equipment described in Article II(1)(Q) of the Treaty not under the control of a State Party that would be subject to information exchange in accordance with the Protocol on Information Exchange if such armaments and equipment were directly under the control of a State Party.

(6) APPLICATION AND EFFECTIVENESS OF SENATE ADVICE AND CONSENT.—

(A) IN GENERAL.—The advice and consent of the Senate in this resolution shall apply only to the CFE Flank Document and the documents described in subparagraph (D).

(B) PRESIDENTIAL CERTIFICATION.—Prior to the deposit of the United States instrument of ratification, the President shall certify to the Senate that, in the course of diplomatic negotiations to secure accession to, or ratification of, the CFE Flank Document by any other State Party, the United States will vigorously reject any effort by a State Party to—

(i) modify, amend, or alter a United States right or obligation under the Treaty or the CFE Flank Document, unless such modification, amendment, or alteration is solely an extension of the period of provisional application of the CFE Flank Document or a change of a minor administrative or technical nature;

(ii) secure the adoption of a new United States obligation under, or in relation to, the Treaty or the CFE Flank Document, unless such obligation is solely of a minor administrative or technical nature; or

(iii) secure the provision of assurances, or endorsement of a course of action or a diplomatic position, inconsistent with the principles and policies established under conditions (1), (2), and (3) of this resolution.

(C) SUBSTANTIVE MODIFICATIONS.—Any subsequent agreement to modify, amend, or alter the CFE Flank Document shall require the complete resubmission of the CFE Flank Document, together with any modification, amendment, or alteration made thereto, to the Senate for advice and consent to ratification, if such modification, amendment, or alteration is not solely of a minor administrative or technical nature.

(D) STATUS OF OTHER DOCUMENTS.—

(i) IN GENERAL.—The following documents are of the same force and effect as the provisions of the CFE Flank Document:

(I) Understanding on Details of the CFE Flank Document of 31 May 1996 in Order to Facilitate its Implementation.

(II) Exchange of letters between the United States Chief Delegate to the CFE Joint Consultative Group and the Head of Delegation of the Russian Federation to the Joint Consultative Group, dated July 25, 1996.

(ii) STATUS OF INCONSISTENT ACTIONS.—The United States shall regard all actions inconsistent with obligations under those documents as equivalent under international law to actions inconsistent with the CFE Flank Document or the Treaty, or both, as the case may be.

(7) MODIFICATIONS OF THE CFE FLANK ZONE.—Prior to the deposit of the United States instrument of ratification, the President shall certify to Congress that any subsequent agreement to modify, revise, amend, or alter the boundaries of the CFE flank zone, as delineated by the map entitled ''Revised CFE Flank Zone'' submitted by the President to the Senate on April 3, 1997, shall require the submission of such agreement to the Senate for its advice and consent to ratification, if such changes are not solely of a minor administrative or technical nature.

(8) TREATY INTERPRETATION.—

(A) PRINCIPLES OF TREATY INTERPRETATION.—The Senate affirms the applicability to all treaties of the constitutionally based principles of treaty interpretation set forth in condition (1) in the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988.

(B) CONSTRUCTION OF SENATE RESOLUTION OF RATIFICATION.—Nothing in condition (1) of the resolution of ratification of the INF Treaty, approved by the Senate on May 27, 1988, shall be construed as authorizing the President to obtain legislative approval for modifications or amendments to treaties through majority approval of both Houses.

(C) DEFINITION.—As used in this paragraph, the term ''INF Treaty'' refers to the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter Range Missiles, together with the related memorandum of understanding and protocols, done at Washington on December 8, 1987.

(9) SENATE PREROGATIVES ON MULTILATERALIZATION OF THE ABM TREATY.—

(A) FINDINGS.—The Senate makes the following findings:

(i) Section 232 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337) states that ''the United States shall not be bound by any international agreement entered into by the President that would substantively modify the ABM Treaty unless the agreement is entered pursuant to the treaty making power of the President under the Constitution''.

(ii) The conference report accompanying the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201) states ''. . . the accord on ABM Treaty succession, tentatively agreed to by the administration, would constitute a substantive change to the ABM Treaty, which may only be entered into pursuant to the treaty making power of the President under the Constitution''.

(B) CERTIFICATION REQUIRED.—Prior to the deposit of the United States instrument of ratification, the President shall certify to the Senate that he will submit for Senate advice and consent to ratification any international agreement—

(i) that would add one or more countries as States Parties to the ABM Treaty, or otherwise convert the ABM Treaty from a bilateral treaty to a multilateral treaty; or

(ii) that would change the geographic scope or coverage of the ABM Treaty, or otherwise modify the meaning of the term ''national territory'' as used in Article VI and Article IX of the ABM Treaty.

(C) ABM TREATY DEFINED.—For the purposes of this resolution, the term ''ABM Treaty'' means the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Anti-Ballistic Missile Systems, signed in Moscow on May 26, 1972, with related protocol, signed in Moscow on July 3, 1974.

(10) ACCESSION TO THE CFE TREATY.—The Senate urges the President to support a request to become a State Party to the Treaty by—

(A) any state within the territory of the Treaty's area of application as of the date of signature of the Treaty, including Lithuania, Estonia, and Latvia; and

(B) the Republic of Slovenia.

(11) TEMPORARY DEPLOYMENTS.—Prior to the deposit of the United States instrument of ratification, the President shall certify to the Senate that the United States has informed all other States Parties to the Treaty that the United States—

(A) will continue to interpret the term ''temporary deployment'', as used in the Treaty, to mean a deployment of severely limited duration measured in days or weeks or, at most, several months, but not years;

(B) will pursue measures designed to ensure that any State Party seeking to utilize the temporary deployments provision of the Treaty will be required to furnish the Joint Consultative Group established by the Treaty with a statement of the purpose and intended duration of the deployment, together with a description of the object of verification and the location of origin and destination of the relevant conventional armaments and equipment limited by the Treaty; and

(C) will vigorously reject any effort by a State Party to use the right of temporary deployment under the Treaty—

(i) to justify military deployments on a permanent basis; or

(ii) to justify military deployments without the full and complete agreement of the State Party upon whose territory the armed forces or military equipment of another State Party are to be deployed.

(12) MILITARY ACTS OF INTIMIDATION.—It is the policy of the United States to treat with the utmost seriousness all acts of intimidation carried out against any State Party by any other State Party using any conventional armament or equipment limited by the Treaty.

(13) SUPPLEMENTARY INSPECTIONS.—The Senate understands that additional supplementary declared site inspections may be conducted in the Russian Federation in accordance with Section V of the CFE Flank Document at any object of verification under paragraph 3(A) or paragraph 3(B) of Section V of the CFE Flank Document, without regard to whether a declared site passive quota inspection pursuant to paragraph 10(D) of Section II of the Protocol on Inspection has been specifically conducted at such object of verification in the course of the same year.

(14) DESIGNATED PERMANENT STORAGE SITES.—

(A) FINDING.—The Senate finds that removal of the constraints of the Treaty on designated permanent storage sites pursuant to paragraph 1 of Section IV of the CFE Flank Document could introduce into active military units within the Treaty's area of application as many as 7,000 additional battle tanks, 3,400 armored combat vehicles, and 6,000 pieces of artillery, which would constitute a significant change in the conventional capabilities of States Parties within the Treaty's area of application.

(B) SPECIFIC REPORT.—Prior to the agreement or acceptance by the United States of any proposal to alter the constraints of the Treaty on designated permanent storage sites, but not later than January 1, 1998, the President shall submit to the Committee on Foreign Relations of the Senate and the Speaker of the House of Representatives a full and complete classified and unclassified report setting forth—

(i) a detailed explanation of how additional Treaty-limited equipment will be allocated among States Parties;

(ii) a detailed assessment of the location and uses to which the Russian Federation

will put additional Treaty-limited equipment; and

(iii) a detailed and comprehensive justification of the means by which introduction of additional battle tanks, armored combat vehicles, and pieces of artillery into the Treaty's area of application furthers United States national security interests.

**SEC. 3. DEFINITIONS.**

As used in this resolution:

(1) AREA OF APPLICATION.—The term ''area of application'' has the same meaning as set forth in subparagraph (B) of paragraph 1 of Article II of the Treaty.

(2) CFE FLANK DOCUMENT.—The term ''CFE Flank Document'' means the Document Agreed Among the States Parties to the Treaty on Conventional Armed Forces in Europe (CFE) of November 19, 1990, adopted at Vienna on May 31, 1996 (Treaty Doc. 105–5).

(3) CONVENTIONAL ARMAMENTS AND EQUIPMENT LIMITED BY THE TREATY; TREATY-LIMITED EQUIPMENT.—The terms ''conventional armaments and equipment limited by the Treaty'' and ''Treaty-limited equipment'' have the meaning set forth in subparagraph (J) of paragraph 1 of Article II of the Treaty.

(4) FLANK REGION.—The term ''flank region'' means that portion of the Treaty's area of application defined as the flank zone by the map depicting the territory of the former Soviet Union within the Treaty's area of application that was provided by the former Soviet Union upon the date of signature of the Treaty.

(5) FULL AND COMPLETE AGREEMENT.—The term ''full and complete agreement'' means agreement achieved through free negotiations between the respective States Parties with full respect for the sovereignty of the State Party upon whose territory the armed forces or military equipment under the control of another State Party is deployed.

(6) FREE NEGOTIATIONS.—The term ''free negotiations'' means negotiations with a party that are free from coercion or intimidation.

(7) HELSINKI FINAL ACT.—The term ''Helsinki Final Act'' refers to the Final Act of the Helsinki Conference on Security and Cooperation in Europe of August 1, 1975.

(8) PROTOCOL ON INFORMATION EXCHANGE.—The term ''Protocol on Information Exchange'' means the Protocol on Notification and Exchange of Information of the CFE Treaty, together with the Annex on the Format for the Exchange of Information of the CFE Treaty.

(9) STATE PARTY.—Except as otherwise expressly provided, the term ''State Party'' means any nation that is a party to the Treaty.

(10) TASHKENT AGREEMENT.—The term ''Tashkent Agreement'' means the agreement between Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Moldova, Russia, and Ukraine establishing themselves as successor states to the Soviet Union under the CFE Treaty, concluded at Tashkent on May 15, 1992.

(11) TREATY.—The term ''Treaty'' means the Treaty on Conventional Armed Forces in Europe, done at Paris on November 19, 1990.

(12) UNITED STATES INSTRUMENT OF RATIFICATION.—The term ''United States instrument of ratification'' means the instrument of ratification of the United States of the CFE Flank Document.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. D'AMATO:

S. 733. A bill to amend the Clean Air Act to expand the coverage of the single transport region established to control interstate pollution and to apply control measures throughout the region, and for other purposes; to the Committee on Environment and Public Works.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. D'AMATO:

S. 733. A bill to amend the Clean Air Act to expand the coverage of the single transport region established to control interstate pollution and to apply control measures throughout the region, and for other purposes; to the Committee on Environment and Public Works.

### THE ACID DEPOSITION AND OZONE CONTROL ACT OF 1997

Mr. D'AMATO. Mr. President, I rise today to introduce legislation to address a scourge that has long afflicted the State of New York and many parts of the Northeast. That scourge is acid rain.

Ending the scourge of acid rain will not be easy. In fact, it is likely that additional congressional efforts will be necessary to fully address this issue and I intend to continue to work on such efforts. However, I believe that it is necessary to introduce this legislation at this time to make the Senate aware that serious measures must be taken to solve the acid rain problem that continues to impact New York and the Northeast. I look forward to working with my colleagues to develop the most sensible and cost-effective approach to eliminate the damages of acid rain.

Over the past 15 years, Congress and the Federal Government have attempted to address this problem. Unfortunately, efforts to date have not yielded the success in may State that New Yorkers had wished. Lakes, streams, and trees in the Adirondacks are still dying due to sulfur dioxide and nitrogen oxide emissions that are transported from upwind sources. The health of New Yorkers and New York's environment continue to be affected by fuel burning activities in other regions of our Nation. That must change. This bill will see that significant reductions in sulfur dioxide and nitrogen oxides are achieved so that New Yorkers and also others in the Northeast will be able to enjoy a cleaner environment.

Acid rain forms when sulfur dioxide [$SO_2$] and nitrogen oxides [$NO_x$]—created from the burning of fossil fuels—react with water vapor in the atmosphere to create dilute amounts of sulfuric and nitric acid. These acids then fall to Earth either through precipitation or as gases and dry particles—dry deposition. Congress first passed legislation to address acid rain in the 1982 Clean Air Act amendments. It soon became clear, though, that the provisions would not effectively curb acid rain. The New York State Legislature in 1984 recognized this problem and enacted programs leading to specific reductions of in-State acid rain sources. The success of those efforts have produced a 40-percent reduction to date of in-State emissions of sulfur dioxide and nitrogen oxides.

New York's efforts notwithstanding, only a small amount of the acid rain that impacts New York State actually originates in New York State. To truly protect New York's environment, it was necessary for facilities in other parts of our Nation to reduce their emissions. Partly as a result of New York's efforts, Congress included title IV in the 1990 Clean Air Act amendments to require a 50-percent decrease nationwide in sulfur dioxide emissions by the year 2000. Because of the requirements of title IV, significant reductions in sulfur dioxide have occurred already. Nevertheless, these reductions are not enough to fully protect the Adirondacks, nor will they reverse the damage that has been done. To do this, further decreases in sulfur dioxide emissions will be necessary.

Even with all the many efforts to date and those that need to be achieved in the future, reductions in sulfur dioxide alone will not be sufficient to protect New York's environment from continued acid deposition. Other pollutants, mainly nitrogen oxides [$NO_x$], have also been shown to play a significant role in the acidification of our waters and forests. Without further controls of nitrogen oxides, the EPA estimates that the number of acidic lakes in the Adirondacks will increase to 43 percent by the year 2040. Such an increase will see approximately 1,300 lakes out of the 3,000 in the Adirondacks become chronically acidic. This is not the kind of legacy that we should pass along to future generations.

Even with the controls that the Clean Air Act of 1990 imposed, more must be done if the Adirondacks are to be spared further acidification. This legislation will require the Environmental Protection Agency [EPA] to promulgate regulations to reduce utility emissions of sulfur dioxide and nitrogen oxides by two-thirds from 1990 levels. This legislation targets those areas of the Nation that are the primary contributors of these pollutants. Such reductions will produce dramatic decreases in acid deposition in New York and throughout the Northeast, as well as decreases in the level of fine particulates, ozone and haze.

The bill would also expand the membership of the existing Ozone Transport Commission from the current 12 States to include additional States that have been shown to contribute to the long-range transport of ozone and acid rain. The Ozone Transport Commission is authorized under the Clean Air Act to make recommendations for pollution controls to be enacted by member States. The EPA can either approve or disapprove any recommendations. However, the EPA would have to provide equivalent alternatives in those cases