

Statement of Senator Daniel K. Akaka concerning the disposal of Iraqi chemical weapons

Senator Daniel K. Akaka Papers

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STATEMENT OF SENATOR DANIEL K. AKAKA
CONCERNING THE DISPOSAL OF IRAQI CHEMICAL WEAPONS

April 23, 1991

Mr. President, last September I introduced legislation prohibiting future shipments of chemical munitions to Johnston Island. Johnston is our nation's first chemical munitions disposal site, and under my measure, it was limited to destroying only those weapons previously stored on the Island, obsolete World War II weapons found in the Pacific, and weapons shipped from Germany under the European Retrograde Program.

The decision to ship U.S. chemical weapons from Germany to Johnston raised many deep concerns among those in Hawaii and with our neighbors in the Pacific. I shared their concerns and worked to ensure that the Pacific did not become the world's chemical dumping ground. My proposal, supported by the senior Senator from Hawaii, was included in the Fiscal Year 1991 Defense Appropriations bill.

The enactment of this provision calmed the waters in the Pacific. However, once again, a specter has risen that threatens its tranquility. Under the cease-fire agreement proposed by the United Nations, Iraq is required to destroy all of its chemical and biological weapons. The United Nations Security Council established a special commission to address this destruction, but did not specify how this task was to be accomplished and what, if any, role the United States would play.

My legislation provided the President with the authority to suspend the prohibition in the event the United States engaged in a war. Some feared that the conflict in the Middle East would allow the President to ship Iraq's chemical weapons to Johnston. I want to assure the people of Hawaii and the Pacific that the President no longer has this authority.

I have asked the Congressional Research Service for their interpretation of the law and have received the following response: "Given the conclusion of actual hostilities in the Gulf conflict, that construction would mean that the condition precedent to the existence of the President's authority to waive the restriction set in Section 8017(a) no longer is met. As a consequence, the waiver authority would not currently be available."

Mr. President, the Pacific is doing its fair share in meeting its moral responsibility to destroy chemical munitions. We should not become the world's chemical dump because others will not share in this responsibility. I will continue to work with my esteemed colleague and senior Senator to safeguard the people and the environment of the Pacific.

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