going to be such a loss as we lose so many of our retiring Members who have contributed so much. I think Senator BYRD's comments about our good friend serve him very well. I wish I could have said them as eloquently, but I join with him in commending Senator ALAN SIMPSON.

Mr. BYRD. Mr. President, I thank my distinguished friend. I am sure that Senator SIMPSON will be grateful for the expressions that have been made by the distinguished Senator from Louisiana [Mr. BREAUX].

Mr. BREAUX. I thank the Senator.

U.S. TREATY NEGOTIATIONS

Mr. BREAUX. Mr. President, I take the floor to make some comments on the current situation in this Senate with regard to relations with some of the other countries that we enter into negotiations with on a regular basis. I think today is a sad day for this country with regard to our relations with other countries with whom we negotiate treaties. In fact, this has been a sad week. This has been a sad Congress because despite the best efforts of many in this administration who have negotiated with friends and allies in other countries around the world for years, indeed decades, this Congress this session failed to follow through and ratify or approve these treaties that have been negotiated in good faith and signed by other countries including the United States. Just this session we failed to enact in this Congress a chemical weapons treaty.

Yesterday, I took the floor to lament the fact that this Congress and this Senate has refused to ratify the OECD agreement on shipping, which was negotiated for years and years and years, which our country signed and every country that signed with us expected us to ratify. It will not even be brought up in the Senate. Indeed, it was a sad week, and today unfortunately once again I say how terribly disappointed I am that apparently the Tuna-Dolphin Treaty, which this and previous administrations have worked on, which this country has signed along with 10 other countries around the world, will not be enacted in this Congress.

If I was a delegate from some other country, I would say, ''You know, I don't think I want to negotiate with the United States and spend a decade of trying to enter into an agreement which we all agree on and then have forces in the Congress stop it from even being considered.'' This Tuna-Dolphin Treaty, which we will apparently not bring up, was supported by the administration. I have letters from Vice President AL GORE, on two separate occasions, to the Republican leader, the Democratic leader, and to Members of Congress saying this is an important treaty, that it should be passed this session. Yet we have forces that say, ''No, it is not going to be considered. It is not going to be taken up.''

It is interesting that some will say it is not environmentally strong enough. The Vice President's letter to Senator DASCHLE and myself and to Senator LOTT and everybody else points out the strong support that this treaty has from environmental groups, from fishing groups, from industry groups. It points out that this treaty is supported by major environmental groups including Greenpeace, the World Wildlife Fund, the National Wildlife Federation, the Center for Marine Conservation, the Environmental Defense Fund—all have pledged their support. I commend them, because many times we have not been on the same side on some of these fisheries issues that I have been dealing with for over 20 years as a Member of Congress. But they recognize, as I do, that this agreement is by far the best agreement that countries could ever enter into, to allow an industry of multimillions of dollars to coexist with environmentalists who are legitimately concerned about protecting dolphin as fishermen are catching tuna in the same vicinity, the same areas.

There have been strong editorials endorsing this agreement from the New York Times and from the Washington Post, saying that this, indeed, is a solid and sound environmental treaty and should be adopted by the Congress—and we are not going to even be able to bring it up.

The countries around the world that do tuna fishing and have conflicts with dolphin, that have agreed to make major and significant changes to the way they catch tuna in order to implement this treaty, are now going to have the United States say: Well, we got you to negotiate it, we got you to sign it, we got you to make these concessions, we got you to put observers on your boats but, guess what, we are not going to ratify it now. Sorry, we were just joking.

What kind of feeling do these countries that have spent these years negotiating with us have when they find out Congress is not going to follow through? Countries like Mexico, Venezuela, Costa Rica, Nicaragua, Belize, Honduras, France, and Japan, who fish in the eastern tropical Pacific, Spain, Colombia, Vanuatu, all of these countries have negotiated this agreement in good faith. Environmental groups have signed off. The Vice President of the United States has sent two strong letters saying this should be passed this year, yet we will not bring it up.

I would say that those who think that they somehow are doing something to protect dolphin by killing this treaty are going to find that just the opposite will occur. When these countries that I have just read off find out the United States has turned its back on them at this late date, what incentive do they have to continue to follow the rules of this treaty? None. Mexico, for one, will probably—they should—file a GATT violation against our country because, right now, we are unilaterally banning the importation of tuna caught without following procedures that we have determined are the best procedures. That, in this Senator's opinion, is a clear violation of GATT because it sets into effect a unilateral embargo which is not based on science and not based on environmental concerns whatsoever. It is my opinion, if they proceed—and why should they not?—now to file a complaint against our country for a unilateral embargo of their product, then I suggest that, unfortunately, they will probably win that case against our country.

But even more important than some case before a GATT commission, as serious as that is, I am very concerned that other environmental efforts that people negotiate and try to enter into agreements on with these countries will not be able to be reached. We have just worked very hard with Mexico in order to get them to agree—and the Presiding Officer now in the chair knows this—to get Mexico to agree to take certain actions to protect turtles in their area. We have to do it in our country, and our shrimpers are adversely affected, but we are doing it. We have tried to get other countries to follow the same rules and regulations that we are following in trying to protect turtles. Yet, when we tell them with this agreement, ''We do not care what you negotiate, we are not going to enact it,'' then they are not going to have an incentive to follow these new rules and regulations that they have agreed to.

It is most unfortunate—most unfortunate—we are not able to enact this agreement, which has such far-reaching meaning as far as conservation is concerned.

The current situation is, I think, not very good, frankly. We have all of our people who buy tuna in stores have it labeled ''dolphin safe,'' and that is supposed to mean it was caught without any dolphin being killed by the fishermen. But it only affects one type of fishing, and that is the encirclement method, where fishermen encircle their nets around an area where dolphin are in order to catch the tuna that are below the dolphin. But fishermen can currently use any other effort, from log fishing, from school fishing, from kill fishing for tuna with nets of a certain size, and kill dolphin in the process and still allow it to come into this country and label it ''dolphin safe.'' That is not dolphin safe, if you take it to mean that dolphin should not be killed.

This agreement, for the first time, says we do not care how you fish, let us look at all the methods, and if the methods then produce tuna without any dolphin being killed, then you can label it dolphin safe. That is a huge improvement over the current situation, a huge improvement over the current practices by the industry out there because it looks at all methods of fishing, not just one method of fishing.

So it is very unfortunate that we will not be able to enact this legislation. It really has been bipartisan. We have had professional scientists who are not Republican or Democrat negotiate this

for years with these 11 other countries in addition to the United States. We have had strong bipartisan support from Senator STEVENS, a cosponsor of this legislation with me; from Congressman WAYNE GILCHREST from the House side, who has been a leader in this area; from Congressman CUNNINGHAM, who has been very helpful on this. There have been a large number of people and the environmental groups that have recognized this is by far the best opportunity because they see, as I do, these other countries in this area.

I am so distressed that we are wasting this golden opportunity because I think, as other environmental groups think and feel, if we do not enact this treaty, we are going to lose the great progress that has already been made. These countries now that are trying to cooperate are going to lose any incentive to do so. I think, from the gill fishing industry and the sport fishing industry, when these countries see what we are doing to them, they are going to, all of a sudden, say why should we allow you to fish in our waters for marlin and for billfish? They can move in that direction, causing us great problems in those areas, not to mention they would lose their incentive to have observers on their boats, where they now have observers on every tuna boat that reports to the public exactly what happens. If we lose that, do some groups realize what we are losing?

I suggest, in conclusion, we have missed a tremendous opportunity. This is the second time in 1 week I have come to the floor and had to say how unfortunate it is and how saddened I am by the fact we cannot approve agreements this country has entered into in good faith and that we have signed, because some people think they are not perfect. Nothing we do is perfect. But this agreement is a good, solid agreement. It should have been ratified. It should have been approved. Vice President AL GORE was strongly behind it. Responsible environmental groups were strongly behind it. Industry was strongly behind it. It almost makes you ask the question, how can this be?

How unfortunate that is, the situation we are in, and I fear for the consequences in a number of areas, particularly environmental laws, rules, regulations and standards. I think they will come tumbling down as a result of this effort in killing this agreement today.

I yield the floor.

Mr. FORD. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. HUTCHISON). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

TRIBUTE TO OUR RETIRING SENATORS

Mr. BURNS. Madam President, we are down to sort of the short rows, I guess, of the 104th Congress. We will be saying farewell to about 14 of our colleagues who have chosen to retire from the U.S. Senate, having given a good many years and a good amount of their talents to this country and to this body and, of course, to their constituencies in their respective States.

I have fond memories of every one of them, as I came in 1989 and have been doing business with all of these folks with a great deal of pleasure. But it has not been all pleasure. There has been some bitter with the good. But nonetheless, that is life and that is the legislative process. That is the way it is supposed to be.

I can remember my first speech on the floor of the Senate when I was standing in the Senators' lobby right behind the Senate, and I was a little bit nervous about my first time. Senator SIMPSON of Wyoming, my friend to the south, walked by me and said, ''You don't look very good. In fact, you look a little green around the gills and a little pale.'' I told him, ''You know, I've been in the auction business a long time and the public speaking business a long time, and this is the first time I think I've ever really known a little bit of fear.'' I was apologetic for that. I remember his answer was, ''If you weren't a little bit afraid, we'd be worried about you.''

He has been a great teacher, Senator SIMPSON. I cannot imagine this U.S. Senate without his presence, without his wit, without his humor, without his approach not only to the legislative process, but his approach to life, because I can remember when we used to have the old off-the-record days and the dialogue between the press and this body, and especially with him and his wife Ann and his family. We will miss them in the Washington scene.

Senator HEFLIN is going back to Alabama—the judge, we call him—who has been a teacher to me on the Energy Committee, facing some of the same kinds of problems in our respective States, even though he comes from the Southeast and I from the West.

Senator KASSEBAUM. NANCY will go home to Kansas. Kind, thoughtful, I did not always agree with everything she espoused, and she with me, but nonetheless I will miss her.

Senator SIMON from Illinois we will miss, with his voice, very distinctive voice in this body. But I think we will also miss the pragmatic way he confronted life in this body and what he could do. He will go home to southern Illinois, and we will miss him.

Senator PELL and his longtime association with foreign policy.

I can remember as a young man traveling for the American Polled Hereford Association, and I had the opportunity to travel to the Pacific Northwest, to Washington and Oregon. I can remember when I went to Oregon, MARK HATFIELD was Governor of that State. I deemed it a great, high honor to serve with him in his capacity both in Energy and Appropriations here, and I thought he was an outstanding Governor of the State of Oregon.

SAM NUNN will be missed. He is the leveling effect on the Armed Services Committee. We have had great shifts ever since the Wall came down in this historic time that he chaired that committee, and also as the ranking member in the last 2 years. But nonetheless, he was the chair when the Wall came down with a tremendous change, a tremendous shift in power, in world politics and in world military might. It happened on his wave. While I was concerned about this Russian situation, can they feed themselves; he was concerned, can they take care of all of the bumps in the road and the landmines that they will encounter while making this great transition from a world power into a market economy and providing more freedom for their people?

Senator BRADLEY, who has roots in Missouri, the same as mine, has done what he thought was right, not what everybody else thought was right.

We will miss DAVID PRYOR because he will go home to his homeland of Arkansas. Quiet, persuasive, knowledgeable, dedicated.

BENNETT JOHNSTON, who was the chairman of the Energy Committee when I first went on the Energy Committee. Again, he had a leveling effect because of the many contentious issues and emotional issues that we are confronted with every day when you come from a State that has a high proportion of public lands where the Government is really your neighbor, in fact the Government is the biggest neighbor you have. Thirty-eight percent of the State of Montana is owned by the U.S. Government.

For some of you who are not aware what it is like to live next to where the Government owns everything, there are times when they are not very good neighbors. Kind of like the fella who moved into your neighborhood, and they asked, ''How are the neighbors there?'' And he says, ''How were they where you come from?'' You know, they really do not practice that kind of philosophy sometimes.

But Senator JOHNSTON is one of those people who tries to level out the bumps, take some of the emotion out of it, to at least look at the public lands policy as far as the right thing to do for the land and the right thing for the people, for the people who lived where those lands existed, and the impact it would have on their lives. I appreciate that.

HANK BROWN of Colorado will go home, back to Colorado. I think he probably is one of the most intelligent men in this body, whose mind is so curious and his approach to life is so pragmatic that he will be sorely missed in this body. Probably there are not a lot of folks across the Nation who will really appreciate what he contributed