

when contentious views are brought together and people have a chance to be able to air those views and work at it over time, we have been able to arrive at what I believe is a very good, sensible compromise—not a cave-in, a compromise. It is a compromise which I think takes the very best of what was proposed originally by Senator BREAUX and Senator STEVENS and helps to amalgamate it with other people's ideas about what would make it even stronger. It is going to be a strong conservation ethic. It is going to guarantee that we take the cooperation of other countries that we are respectful of and grateful for their cooperation and utilize that in a way which is going to strengthen our relationship in the hemisphere and, at the same time, provide for a strong conservation capacity with respect to the dolphin stocks.

I think everybody ought to be very pleased with the outcome. I am grateful to the Senator from Maine, Senator SNOWE, for her efforts on this. I regret that, yesterday, there were some misunderstandings during the course of it. But she has exhibited great strength and willingness to help provide for our ability to move forward. I thank her publicly for that.

I want to thank the chairman of the committee, Senator MCCAIN, for his efforts and patience, particularly. I think he allowed people to work through this in a way that got us here. I particularly thank Senator BOXER for her tireless, tireless energy in fighting for what she thought was right in this situation and for helping to create the ability to come to this compromise. So I think it is positive for all concerned, and I think everybody ought to feel good about it, without any sense of partisanship or any divisiveness.

I thank the Chair.

The PRESIDING OFFICER. Who seeks time?

Ms. SNOWE addressed the Chair.

The PRESIDING OFFICER. The Senator from Maine.

Ms. SNOWE. I thank the Chair. I rise to express my support for the agreement that ultimately was reached on this very important issue. I remind my colleagues that this was an issue that had been introduced in the last Congress by the Senator from Alaska, Senator STEVENS, and unfortunately, we weren't able to get it through in the last Congress, for a lot of political reasons. I hope now that people recognize that this represents a very strong step toward preservation and conservation of the species and, at the same time, an important agreement with 11 other nations on this issue, which I think ultimately will resolve the problems that we are facing with respect to tuna, as well as with dolphins.

So I hope that our colleagues will ultimately support this agreement. I want to commend Senator MCCAIN, who certainly forged an effort to try to create this, as well as Senator BOXER and Senator KERRY. Truly, the leadership was exemplified by Senator STE-

VENS and Senator BREAUX, who originally introduced this legislation in the last Congress. So I hope that we will take the steps necessary to implement this legislation and, ultimately, will ratify the agreement that was reached by this administration with respect to this issue.

With that, I yield the floor, Mr. President.

The PRESIDING OFFICER. Who seeks time?

#### MORNING BUSINESS

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

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

#### THE STATE DEPARTMENT REPORT ON MFN

Mr. HUTCHINSON. Mr. President, Tuesday, the New York Times stated that the State Department would issue its first report on the worldwide persecution of Christians and this report would be sharply critical of China. That report was, in fact, released this past Wednesday, and I urge all of my colleagues in the U.S. Senate to read this report. This is the same report that the State Department originally promised to release to Congress on January 15, over 6 months ago. It is the same report that the State Department promised to release by the end of June, and the same report that the State Department promised to release before the House voted on China's most-favored-nation trading status.

On June 18 of this year, my good friend and colleague from Wisconsin, Senator FEINGOLD, and I sent a letter to both the President and to the Secretary of State, expressing our grave concerns about recent reports that suggested that the State Department was deliberately delaying the release of its findings on religious persecution throughout the world. It was my understanding that this report placed a specific focus on the persecution of Christians and other religious minorities around the world, and that the report singled out China for especially tough criticism.

It is, in fact, the case, as the report has been issued and as I have surveyed that report, that that criticism is even more scathing than what had been anticipated. As I have stated on this floor many times, the 1996 State Department's human rights report on China revealed that the Chinese authorities had effectively stepped up efforts to suppress expressions of criticism and protest. This report said that all public dissent had been effectively silenced by either exile, imposition of prison terms, or intimidation. This latest report from the State Department, issued this week, further underscores the seri-

ousness of the situation in China and the severity of the crackdown that has been imposed upon those who would express any opinion contrary to that of the Communist government.

As an original cosponsor of the disapproval resolution on MFN to China, I believe serious human rights abuses persist in all areas of China today and that the continuous delay of this year's report on religious persecution raises the question as to this administration's willingness to engage in an open discussion of the effect of U.S. policy on human rights in China and around the world.

I urge that the State Department report be delivered in a timely manner to ensure its full disclosure and debate prior to a vote on the extension of MFN to China. It seemed to be only right, only proper that the House and my Senate colleagues would have an opportunity to see the latest and most accurate information as to what is going on in China. That information was denied the House and it was denied my colleagues in the Senate, as we voted on the sense-of-the-Senate resolution last week. I even publicly made a request on the Senate floor for that report to be issued prior to any MFN debate and MFN vote.

The State Department informed me that I would receive a copy of the report as soon as it was released. Mr. President, the fact was that the New York Times received a copy of this report before Congress did. This year's report states quite clearly that the Chinese Government has consistently violated its own constitutional guarantees of religious rights, cracking down on Catholic and Protestant groups, raiding worship groups meeting in private homes, and sometimes detaining and interrogating and even beating religious leaders. Furthermore, the report states:

The government of China has sought to restrict all actual religious practice to government-authorized religious organizations. Some religious groups have registered, while others were refused registration.

I want to commend and express my appreciation to Senator ASHCROFT from the State of Missouri for his willingness to come to the floor of the Senate this week and express his own outrage at the continuing deterioration of human rights conditions in China.

Mr. President, I raise this question on the floor of the Senate today: Why was the State Department's report on religious persecution delayed, delayed, and delayed again, so that it was only released after all congressional votes and all congressional debate on MFN was history?

Mr. President, I have serious concerns that officials of this administration are not willing to engage in an open discussion about United States policy toward China, and I am deeply disturbed about the timing of this report, especially in light of the votes that have transpired in both the House and the Senate in recent weeks.

The revelation that human rights abuses continue to worsen in China, while our policy remains status quo, I believe, gives our own tacit consent to the terrible atrocities that are occurring in that great country.

To remain silent when evil is perpetrated and injustice is being inflicted, I think, is to become a participant in that evil. So I urge my colleagues to obtain a copy of this year's report issued this week, read it, study it, and decide what action we should take as a nation against this regime that continues to disregard basic human rights.

Mr. President, I yield the floor.

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER (Mr. STEVENS). The Senator from Pennsylvania.

#### INDEPENDENT COUNSEL

Mr. SPECTER. Mr. President, I have sought recognition to comment briefly on the issue of independent counsel. Yesterday, I spoke about my view that independent counsel ought to be appointed and the fact that there appeared to be no chance of Attorney General Reno appointing an independent counsel, and then exploring the alternatives of litigation and the alternative of an amendment to the independent counsel statute. I stated at that time that I intended to pursue legislation to modify the independent counsel statute and had hoped to put it on the appropriations bill on Commerce, State, Justice, and the Judiciary, but would not do so if it would tie up the bill.

After consultation with the distinguished majority leader and others, it was apparent to me that such an amendment would tie up the bill and most probably provoke a filibuster on the other side, and that, in fact, a unanimous-consent agreement had been proposed which was conditional on tabling any amendment which I might offer.

In addition to the amendment on independent counsel, I was considering, along with my distinguished colleague, Senator HATCH, offering a sense-of-the-Senate resolution calling for the Attorney General to appoint independent counsel. But even a sense-of-the-Senate resolution would have provoked a likely filibuster to tie up the bill. So I did not proceed to do that, but instead filed at the desk yesterday legislation for independent counsel, after consultation with the majority leader, who said that if an opportunity presented itself that that matter might be called up as early as next week. That would not be certain because there are considerations as to what will happen with the reconciliation bill and the tax bill.

In the alternative, after discussions with Senator HATCH, the alternative has been considered to have a sense-of-the-Senate resolution perhaps acted on next week, if there is time. It is the last week before the recess. But that is problematical.

Mr. President, I ask unanimous consent that the text of the sense-of-the-Senate resolution be printed in the RECORD.

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

#### SEC. . SENSE OF THE SENATE REGARDING APPOINTMENT OF INDEPENDENT COUNSEL.

(a) FINDINGS.—The Congress finds that—  
 (1) press reports appearing in the early Spring of 1997 reported that the FBI and the Justice Department withheld national security information the Clinton administration and President Clinton regarding information pertaining to the possible involvement by the Chinese government in seeking to influence both the administration and some members of Congress in the 1996 elections;  
 (2) President Clinton subsequently stated, in reference to the failure by the FBI and the Justice Department to brief him on such information regarding China: "There are significant national security issues at stake here," and further stated that "I believe I should have known";  
 (3) there has been an acknowledgment by former White House Chief of Staff Leon Panetta in March 1997 that there was indeed coordination between the White House and the DNC regarding the expenditure of soft money for advertising;

(4) the Attorney General in her appearance before the Senate Judiciary Committee on April 30, 1997 acknowledged a presumed coordination between President Clinton and the DNC regarding campaign advertisements;

(5) Richard Morris in his recent book, "Behind the Oval Office," describes his firsthand knowledge that "the president became the day-to-day operational director of our [DNC] TV ad campaign. He worked over every script, watched each ad, ordered changes in every visual presentation and decided which ads would run when and where;"

(6) there have been conflicting and contradictory statements by the Vice President regarding the timing and extent of his knowledge of the nature of a fundraising event at the Hsi Lai Buddhist Temple near Los Angeles on April 29, 1996;

(7) the independent counsel statute requires the Attorney General to consider the specificity of information provided and the credibility of the source of information pertaining to potential violations of criminal law by covered persons, including the President and the Vice President;

(8) the independent counsel statute further requires the Attorney General to petition the court for appointment of an independent counsel where the Attorney General finds that there is a reasonable likelihood that a violation of criminal law may have occurred involving a covered person;

(9) the Attorney General has been presented with specific and credible evidence pertaining to potential violations of criminal law by covered persons and there is a reasonable likelihood that a violation of criminal law may have occurred involving a covered person; and

(10) the Attorney General has abused her discretion by failing to petition the court for appointment of an independent counsel.

(b) It is the Sense of the Senate that the Attorney General should petition the court immediately for appointment of an independent counsel to investigate the reasonable likelihood that a violation of criminal law may have occurred involving a covered person in the 1996 presidential federal election campaign.

Mr. SPECTER. As if in morning business, Mr. President, I submit the sense-

of-the-Senate resolution for introduction to be considered at a later time.

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

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

In the absence of any other Senator on the floor, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

(The remarks of Mr. MURKOWSKI pertaining to the introduction of S. 1069 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

#### NATIONAL ENERGY SECURITY

Mr. MURKOWSKI. Mr. President, I would like to call attention to an extraordinary experience that occurred last weekend, involving several Members of this body who joined my wife and me in visiting our great State of Alaska: Senator HELMS and Mrs. Helms, the Senator from North Carolina; Senator JEFFORDS from Vermont, Senator INHOFE of Oklahoma, and Senator SMITH from Oregon. We left last Friday after the close of business Thursday night. We covered approximately 7,400 miles in about 64 hours. We visited eight cities and communities. I think we were in the airplane some 23 hours, spent 6 hours on a bus, and at least 10 hours visiting with people on the ground in Alaska. But for that relatively brief time, I think a great deal was learned.

The purpose of the trip, relative to aspects of the national energy security of the country, was to observe the oil development on the North Slope of Alaska at Prudhoe Bay, and to follow the pipeline 800 miles down to the terminus at Valdez.

We flew on Friday direct from Washington, DC, via Edmonton, Canada to Cordova, AK, in Prince William Sound, where we were met by Mayor Johnson, who gave us an overview of the impact of the Federal Government relations and the aftereffects of the *Exxon Valdez* oilspill at Bligh Reef.

We then got into smaller aircraft and flew around Prince William Sound. We viewed Colombia Glacier and at the area where the *Exxon Valdez* went aground—we observed the beaches closely. I am pleased to tell my colleagues that there was absolutely no sign of any residue from that terrible accident.

We then landed in Valdez, were met by a group of people, and boarded a bus to go around the harbor to the pipeline terminal, which is the largest oil terminal in the United States. A full 25