

Austria, signed at Washington on January 8, 1998.

In addition, I transmit, for the information of the Senate, the report of the Department of State with respect to the Treaty. As the report explains, the Treaty will not require implementing legislation.

This Treaty will, upon entry into force, enhance cooperation between the law enforcement communities of both countries. It will thereby make a significant contribution to international law enforcement efforts. This Treaty will supersede and significantly improve upon the Treaty between the Government of the United States and the Government of Austria for the extradition of fugitives from justice, signed at Vienna on January 31, 1930, and the Supplementary Extradition Convention signed at Vienna on May 19, 1934.

The provisions in this Treaty follow generally the form and content of extradition treaties recently concluded by the United States.

I recommend that the Senate give early and favorable consideration to the Treaty and give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, June 11, 1998.

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption, adopted and opened for signature at the conclusion of the Seventeenth Session of the Hague Conference on Private International Law on May 29, 1993. Thirty-two countries, including the United States, have signed the Convention, 17 countries have ratified it, and one country has acceded to it. The provisions of the Convention are fully explained in the report of the Department of State that accompanies this message.

The Convention sets out norms and procedures to safeguard children involved in intercountry adoptions and to protect the interests of their birth and adoptive parents. These safeguards are designed to discourage trafficking in children and to ensure that intercountry adoptions are made in the best interest of the children involved. Cooperation between Contracting States will be facilitated by the establishment in each Contracting State of a central authority with programmatic and case-specific functions. The Convention also provides for the recognition of adoptions that fall within its scope in all other Contracting States.

The Convention leaves the details of its implementation up to each Contracting State. Implementing legislation prepared by the Administration will soon be transmitted for introduction in the Senate and the House of Representatives. Once implementing legislation is enacted, some further time would be required to put the nec-

essary regulations and institutional mechanisms in place. We would expect to deposit the U.S. instrument of ratification and bring the Convention into force for the United States as soon as we are able to carry out all of the obligations of the Convention.

It is estimated that U.S. citizens annually adopt as many children from abroad as all other countries combined (13,621 children in Fiscal Year 1997). The Convention is intended to ensure that intercountry adoptions take place in the best interests of the children and parents involved, and to establish a system of cooperation among Contracting States to prevent abduction of, and trafficking in children. We have worked closely with U.S. adoption interests and the legal community in negotiating the provisions of the Convention and in preparing the necessary implementing legislation.

I recommend that the Senate give its advice and consent to ratification of this Convention, subject to the declaration described in the accompanying report of the Department of State.

WILLIAM J. CLINTON.

THE WHITE HOUSE, June 11, 1998.

AUTHORIZING TESTIMONY, DOCUMENT PRODUCTION, AND REPRESENTATION OF MEMBERS AND EMPLOYEES OF THE SENATE

Mr. THOMAS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Senate resolution 247 submitted earlier today by Senators LOTT and DASCHLE.

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

The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 247) to authorize testimony, document production, and representation of Members and employees of the Senate in U.S. Senate v. Jack L. Williams, et al.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. LOTT. Mr. President, this resolution concerns a criminal prosecution brought against Jack L. Williams and Archibald R. Schaffer, III, representatives of Tyson Foods, Inc., alleging illegal gratuities to officials of the Department of Agriculture, including former Secretary Espy, and related charges. The Independent Counsel, who is bringing this prosecution, seeks evidence from an employee of the Senate on the professional staff of the Appropriations Committee about communications with meat and poultry processing industry representatives and Executive Branch officials about a labeling rule promulgated by the Agriculture Department in 1993. The defense may also call Senator BUMPERS to testify.

This resolution would authorize testimony and document production by Senator BUMPERS and employees of the

Senate, except where a privilege should be asserted, with representation by the Senate Legal Counsel.

Mr. THOMAS. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and a statement of explanation appear at this point in the RECORD.

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

The resolution (S. Res. 247) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is as follows:

S. RES. 247

Whereas, in the case of United States v. Jack L. Williams, et al., Criminal Case No. 96-0314, pending in the United States District Court for the District of Columbia, a trial subpoena has been served upon Galen Fountain, an employee of the Senate on the staff of the Committee on Appropriations, and testimony may be requested from Senator Dale Bumpers;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(2), the Senate may direct its counsel to represent Members and employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, by Rule VI of the Standing Rules of the Senate, no Senator shall absent himself from the service of the Senate without leave;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistently with the privileges of the Senate: Now, therefore, be it

Resolved, That Senator Dale Bumpers, Galen Fountain, and any other employee from whom testimony or document production may be required, are authorized to testify and to produce documents in the case of United States v. Jack L. Williams, et al., except when Senator Bumpers' attendance at the Senate is necessary for the performance of his legislative duties, and except concerning matters for which a privilege should be asserted

SEC. 2. That the Senate Legal Counsel is authorized to represent Senator Bumpers, Galen Fountain, and any other employee of the Senate, in connection with testimony and document production in United States v. Jack L. Williams, et al.

NATIONAL TOBACCO AND YOUTH SMOKING REDUCTION ACT

The Senate continued with the consideration of the bill.

AMENDMENT NO. 2689, AS FURTHER MODIFIED

Mr. THOMAS. Mr. President, I ask unanimous consent that the Kerry amendment No. 2689 be further modified with the changes at the desk.

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