

There is a better way: The Boxer-Biden International Dolphin Protection and Consumer Information Act of 1995. This bill maintains every word of the current dolphin-safe definition, while continuing the existing ban on selling all other types of tuna. Our bill also makes the necessary changes in current law to incorporate the Panama Agreement (a broad management plan for the eastern Pacific Ocean recently signed by the United States and 11 other countries).

Most significantly, our bill provides an important incentive for foreign and domestic tuna fishermen to fish in a dolphin-safe manner: access to the U.S. market. Under our bill, the ban on all tuna imports from countries that don't exclusively follow dolphin-safe practices will be amended to allow fishermen who use these methods to sell that tuna in the vast \$1 billion U.S. market. This important modification will reward those who have altered their fishing methods and encourage the rest to follow suit.

[From the Journal of Commerce, Aug. 2, 1996]

DOLPHINS, TUNA AND TRADE

(By Rodger Schlickeisen)

The debate over tuna-dolphin legislation, which reached the floor of the House of Representatives this week, has become as tangled as an old fishing net. But it unravels to one basic reality: The Clinton administration and a few environmental groups are pushing legislation that would weaken the "dolphin-safe" program and allow the slaughter of thousands of dolphins annually. While this harmful legislation passed the House this week, there is still time to stop it when a companion bill reaches the Senate floor after the August congressional recess.

Thanks to the efforts of millions of schoolchildren and a coalition of conservation groups, since 1990 U.S. law has provided labels on cans to let consumers know whether tuna was caught by dolphin-safe methods.

Tuna in the eastern tropical Pacific tend to school beneath dolphins, so historically fishermen set nets on the dolphins to catch the tuna below, killing at least 7 million dolphins since the 1950s. Dolphin mortality has dropped dramatically, however, since the U.S. embargo of dolphin-unsafe tuna imports.

After its string of environmental victories against a hostile Congress, why would the administration seek to weaken such a popular environmental program and hand opponents an opportunity to regain ground on the environment? Considering that the majority of environmental organizations support the current dolphin-safe standard, why would a few support regression to a discredited method of fishing?

The answer is that Flipper has become entangled in deadly trade politics. Latin American countries are pressuring the administration to lift the embargo, which Mexico has challenged successfully before the World Trade Organization. They not only want to settle this longstanding dispute, but help boost the Mexican economy before the November election, in which NAFTA will be an issue. Some want to appease Mexico's demands because they fear foreign tuna boat operators otherwise will abandon any safeguards.

Mexican lobbyists have convinced the administration that only changing the definition of dolphin-safe can ensure them access to the U.S. market, despite the fact that roughly a dozen Mexican tuna boats already fish dolphin-safe. The bill promoted by the administration would change the current definition to allow a dolphin-safe label on tuna caught by encircling, harassing and chasing dolphins—as long as no "observed" dolphin deaths occurred.

The assumptions of bill proponents are based on misleading industry information. For example, although they say 10 million dolphins exist in the eastern tropical Pacific, the tuna mostly follow two imperilled populations—spotted and spinner dolphins—which represent only a tiny fraction of the claimed millions. Although these two populations were recently listed as "depleted" under the Marine Mammal Protection Act, the administration proposal would allow setting nets on them.

Bill proponents claim that dolphin-safe fishing methods cause by-catch of other marine life such as sea turtles and sharks. They also claim that "new" techniques have been developed that make netting dolphins safer.

Marine biologist and tuna boat owner John Hall scoffs at those claims. He says the method of releasing dolphins from nets was developed by U.S. fishermen three decades ago and their recent adoption by some foreign fishermen has brought about no measurable protection for spotted and spinner dolphins. Moreover, the United Nations' Food and Agriculture Organization states that this fishery's by-catch under the present dolphin-safe definition is among the lowest in the world.

Furthermore, "observed" dolphin deaths under the new definition would not account for all deaths, according to Albert Myrick, who has coordinated U.S. research on dolphin stress. Current data strongly suggest that dolphins experience physiological damage and death after release from nets.

We lack viable means of ensuring that dolphins will not be killed when fishing nets are set on them. This year Mexican fishermen are known to have thrown observers off their boats. Many involved in the fishery are unconvinced that the present observer system can handle the intensive monitoring that enforcement of the new definition would require.

A grass-roots coalition of more than 80 environmental, consumer and animal welfare groups oppose weakening the present dolphin-safe standard.

U.S. tuna canneries, which six years ago went dolphin-safe in the face of unprecedented public pressure, also are concerned.

They rightly fear that they not only could lose their hard-won competitive advantage over foreign dolphin-unsafe canneries, but also again face boycotts over the misleading new label.

Ironically, if the president would abandon his attempt to change the definition of dolphin-safe, improvements could be made.

All agree that the present practice of embargoing all tuna from a country like Mexico for the behavior of a few bad fishermen is counterproductive.

We could allow the dolphin-safe tuna from Mexican fishermen to gain access immediately to the U.S. market.

This politically smart move also would be the right one.

KEEP THE CURRENT DOLPHIN-SAFE LABEL

Mr. BIDEN. Mr. President, today I join with my longtime colleague in this endeavor, Senator BOXER, to restate our continuing opposition to legislation changing the current dolphin-safe standard. As usual, she has explained the issue much better than I could, so my remarks will be brief.

Throughout the 1960's, 1970's, and 1980's, hundreds of thousands of dolphins were senselessly killed every year because of the use of gigantic

purse seine fishing nets. Our efforts to require that each nation wishing to export tuna to the United States document that it possessed a dolphin protection program and a dolphin mortality rate comparable to ours largely failed, resulting in unilateral embargoes against noncomplying nations.

The senseless slaughter of dolphin justifiably outraged many Americans. Literally tens of thousands of letters, telegrams, and phone calls poured into tuna companies' offices and Capitol Hill. The message heard was loud and clear: Don't allow this needless massacre to continue.

Then, in 1990, something remarkable happened. American tuna companies, environmentalists, and consumers came together and revolutionized an entire industry. That April, Starkist, and shortly after that Chicken of the Sea, and Bumblebee—which combined sold more than 80 percent of the tuna in America—announced voluntary purchasing bans against all tuna caught in association with dolphins.

On the heels of this campaign, then-Congresswoman BOXER and I wrote and shepherded into law the Dolphin Protection Consumer Information Act—a landmark statute that set one very simple, uniform standard: No tuna caught by purse seine net fishing, or by a boat capable of purse seine net fishing, can be labeled as dolphin-safe.

Our labeling law immediately transformed the decades-long controversy. Dolphin mortalities caused by both American and foreign tuna boats plummeted from more than 52,000 in 1990, to just under 3,000 in 1995. A tremendous decrease.

Millions of consumers now purchase tuna with a clear conscience, knowing that the deadly purse seine net method was not used.

Simply put, the Dolphin Protection Consumer Information Act remains a remarkable success story. It does not mandate anything. It does not require thousands of bureaucrats. It merely requires accurate, truthful labeling.

From the nutritional information printed on boxes of cereal, to salt content listings on low-sodium crackers, honesty in labeling is a well-established principle of law.

This does not necessarily mean that all types of a given product must conform to the requirements of a particular labeling law. All milk is not required to contain 2 percent milkfat, for example. But, if a dairy company wishes to label its product as 2 percent milkfat, it must meet that standard. In essence that is the concept underlying the current dolphin safe standard.

Unfortunately, legislation (S. 39) introduced recently by Senator STEVENS and Senator BREAUX changes the criteria for the current label, thereby eliminating the protection and honesty now provided. While the proposed no-mortalities requirement sounds good on its face, it is for all practical purposes unworkable and unenforceable. One observer, equipped with a pair of

binoculars, can hardly keep accurate watch over the entire contents of a 1 to 2 mile long, half-mile wide net, submerged hundreds of feet below water.

I recognize the potential significance and power of the October 1995 Panama Declaration, and I agree that our unilateral embargoes deserve a serious re-examination. In fact, legislation I and Senator BOXER introduced during the 104th Congress would have implemented key parts of the declaration by repealing the current comparability embargoes and opening our market—literally the most lucrative in the world—to all tuna caught in compliance with the current dolphin-safe standard.

But market access issues, questions of whether to allow dolphin-safe and other tuna into our market, are separate from the reasoning behind the current label.

I look forward to working with my colleagues on both sides of the aisle and in the administration to lock-in the progress we have made. And I commend Senator BOXER for her diligent efforts to protect our environment while preserving our principles.

USE OF FEDERAL FUNDS TO ENCOURAGE LABOR UNION MEMBERSHIP

Mr. THURMOND. Mr. President, yesterday, I introduced S. 223, a bill to prohibit the use of Federal funds to encourage labor union membership.

I ask unanimous consent that the text of S. 223 be printed in the CONGRESSIONAL RECORD.

The bill follows:

S. 223

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PROHIBITION ON USE OF FEDERAL FUNDS TO ENCOURAGE LABOR UNION MEMBERSHIP.

(a) DEFINITION.—For purposes of this Act the term “agency” has the same meaning as in section 551(1) of title 5, United States Code.

(b) PROHIBITION.—No funds appropriated from the Treasury of the United States may be used by any agency to fund, promote, or carry out any seminar or program, fund any position in an agency, or fund any publication or distribution of a publication, the purpose of which is to compel, instruct, encourage, urge, or persuade individuals to join labor unions.

TRIBUTE TO THE LATE JEANE DIXON

Mr. THURMOND. Mr. President, each morning for more years than anyone can remember, millions of Americans have religiously opened their newspapers and consulted their horoscope, checking their astrological sign for an idea of what good or bad fortune their day might hold. Whether these people did this out of a true belief that the stars could predict their fate, or just out of a sense of fun, it was the work of a prominent Washingtonian, Jeane

Dixon, whose column more often than not they were reading. Sadly, her fans will no longer be able to gaze into the future over a cup of coffee and an English muffin, as Mrs. Dixon passed away this past Saturday at the age of 79.

Mrs. Dixon gained notoriety as an astrologer and psychic when she made some eerily accurate predictions concerning the tragic fate of the late President Kennedy, the election of Richard Nixon to the Presidency, that China would become Communist, and the eventual election of Ronald Reagan as Chief Executive. Whether she truly had the ability to see into the future will forever be a mystery, but she certainly made enough accurate forecasts about events that she earned a degree of credibility. From what I understand, she was often consulted by individuals inside and outside of Government, and she was certainly a favorite in Washington social circles, which is how I came to know Mrs. Dixon many years ago.

Those who only knew the Jeane Dixon whose name graced horoscope columns were not familiar with the generous and concerned nature of this woman who worked very hard to help build a better world through philanthropy. A devout Catholic, Mrs. Dixon gave freely to the church, supporting many worthy charities and relief projects designed to help the less fortunate and those in need. Additionally, Mrs. Dixon established the Jeane Dixon's Children to Children Foundation, an organization that has undertaken many fine efforts to help some of America's most vulnerable citizens, its children.

I am proud to have been able to count Jeane Dixon among my friends. She was the godmother to my youngest son, Paul, and the two would visit whenever possible. Unfortunately in later years, Paul's schedule as a tennis player and college student, and Jeane's busy traveling and business schedule did not permit as many get-togethers as either would like. Still, they were good friends and did enjoy being able to see each other several times a year. As Jeane lived in town, I would see her frequently, and always enjoyed being able to host her and her friends for lunch in the Senate dining room. Without question, she was a kind and warm-hearted woman who was always interested in politics and the events of the day. She was a witty conversationalist and it was always amusing and intriguing to hear what she believed was in store for the Nation and prominent figures in Government and entertainment.

Mr. President, Jeane Dixon led a full and unique life. She was known, admired, and liked by countless people and we shall all miss her. My condolences go out to her sister, Evelyn P. Brier; her brother, Dr. Warren E. Pinckert; and her nieces and nephews, all of whom survive her.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Tuesday, January 28, the Federal debt stood at \$5,317,192,254,267.62.

Five years ago, January 28, 1992, the Federal debt stood at \$3,796,222,000,000.

Ten years ago, January 28, 1987, the Federal debt stood at \$2,223,438,000,000.

Fifteen years ago, January 28, 1982, the Federal debt stood at \$1,037,631,000,000.

Twenty-five years ago, January 28, 1972, the Federal debt stood at \$426,168,000,000 which reflects a debt increase of nearly \$5 trillion—\$4,891,024,254,267.62—during the past 25 years.

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

The PRESIDING OFFICER (Mr. HUTCHINSON). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

BOMBING OF THE KHOBAR TOWERS

Mr. BRYAN. Mr. President, I rise today because of strong concerns I have related to the Air Force's evaluation of the events surrounding the tragic Khobar Towers bombing in Saudi Arabia. The Air Force has not yet released its official report on these events, but it has been widely reported that the Air Force will recommend no disciplinary action against any officer in relation to this incident. Mr. President, I do not understand this recommendation.

As you will recall, shortly before 10 p.m. on the evening of Tuesday, June 25, 1996, a fuel truck pulled up to the perimeter of a Khobar Towers' complex in Dhahran, Saudi Arabia. This complex housed almost 3,000 airmen of the 4404th Wing, as well as military personnel from the United Kingdom, France, and Saudi Arabia. Air Force guards spotted the truck and immediately began an effort to evacuate the building. Unfortunately, before they could succeed, a large explosion occurred that destroyed the face of Building 131, killing 19 American servicemembers and seriously injuring hundreds more.

In the immediate aftermath of the explosion the members of our Armed Forces acted heroically, restoring order and providing aid to those who had been injured. In less than 3 days the 4404th Air Wing had recovered and was once again flying its mission over the skies of southern Iraq.

This bombing and a Riyadh, Saudi Arabia, bombing in November 1995 that killed five Americans, raised a number of fundamental questions regarding the threat of terrorism to United States