

of the Senate to ratification should be accompanied by a detailed explanation of any legislation or regulatory actions that may be required to implement the protocol or other agreement and should also be accompanied by an analysis of the detailed financial costs and other impacts on the economy of the United States which would be incurred by the implementation of the protocol or other agreement.

SEC. 2. Secretary of the State shall transmit a copy of this resolution to the President.

Mr. LOTT. I move to reconsider the vote.

Mr. KERRY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### UNANIMOUS-CONSENT AGREEMENT—S. 39

Mr. LOTT. Mr. President, I ask unanimous consent that the order entered July 24 with respect to S. 39, order No. 11, which is with regard to the tuna-dolphin issue, be vitiated.

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

Mr. LOTT. I further ask that the majority leader, after consultation with the Democratic leader, may turn to S. 39, and one managers' amendment be in order, and time for the amendment and the debate on the bill be limited to 30 minutes, equally divided in the usual form, and following the conclusion or yielding back of time, the Senate proceed to vote on the amendment, to be followed by third reading and passage of S. 39, as amended, if amended.

Mrs. BOXER. Reserving the right to object, and I shall not object, I want to say to our majority leader that I thank him for his patience. I want to use this time in reserving my right to object, which I shall not, to thank the majority leader for his patience in allowing us the time we needed to come to what I think is a good compromise on this bill.

I want to say that Senator JOHN KERRY stepped into the breach at the moment we needed him to do so, and in working with Senator MCCAIN and Senator SNOWE, Senator BREAUX, Senator BIDEN, myself, Senator STEVENS—it was a big group of us, and a group that is pretty much known for some very strong opinions. I want to thank him. And the administration was at the table. It was not easy.

But in the end, what we are going to do basically is keep the label the way it is and give some time for a study to begin, put all the other wonderful parts of that bill into place, and then when the preliminary results are known, we will make a decision—the Secretary of Commerce will—on whether or not to change the definition of what constitutes “dolphin safe” tuna. So I think it is a victory for American consumers.

Just in concluding my brief remarks here—and I will not object to the unanimous-consent request—I want to thank the more than 44 Senators who

stood with us, who were going to vote with us, so we were able to have the strength to negotiate this compromise.

I will not object to the request.

The PRESIDING OFFICER. Is there an objection?

Hearing none, without objection, it is so ordered.

Mr. LOTT. Let me wrap this up right quick because Senator MCCAIN needs to be able to comment on this, too.

For the information of all Senators, in light of this agreement with respect to the tuna-dolphin legislation, the cloture vote was vitiated; therefore, there will be no further votes to occur today. The next votes will occur in stacked sequence on Tuesday, July 29, beginning at 9:30 a.m.

I want to thank all Senators for their cooperation, especially the Senator from Maine, Senator SNOWE. She did outstanding work. She did not always receive the type of consideration she should have, but she has risen above that. Without her agreement, this would not have been possible. Also, of course, Senator MCCAIN has been diligent in his work, as always, and also Senator KERRY, who got involved to help us work this out.

I would like to make sure now that Senator MCCAIN has a chance to speak and put the proper perspective on all of this.

Mr. MCCAIN. Mr. President, I received a letter from the National Security Adviser. I ask unanimous consent that it be printed in the RECORD.

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

THE WHITE HOUSE,  
Washington, July 25, 1997.

Hon. JOHN MCCAIN,  
Chairman, Committee on Commerce, Science,  
and Transportation, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: I want to thank you for your hard work and support to find an acceptable compromise on S. 39 the International Dolphin Conservation Act. I am writing to inform you that we accept the agreement that has been struck between yourself and other Senators involved with the discussions on the legislation. I also want to inform you that we have consulted with the Government of Mexico and that they do not object to the agreement. They, in turn, are discussing this with the other signatories of the Panama Declaration in order to secure their acceptance of this compromise. I am hopeful that all the signatories will be able to accept this compromise as well.

Again, thank you for your efforts to bring about a successful conclusion to the discussions on S. 39.

Sincerely,

SAMUEL R. BERGER,  
Assistant to the President  
For National Security Affairs.

Mr. MCCAIN. Mr. President, this letter indicates that negotiations we have entered into making changes to the legislation will keep the International Dolphin Conservation Program intact. That has been our sole objective. With the administration's assurance, I believe we are prepared to enter into a time agreement for final passage of the bill.

Again, President Clinton has asked us to pass this legislation. Greenpeace, the Center for Marine Conservation, the Environmental Defense Fund, the World Wildlife Fund, and the National Wildlife Federation have asked us to pass this bill. My only test for accepting changes to the bill is that the conservation agreement remains intact.

The agreement, which still must be put into legislative language, lifts the embargo on tuna from the eastern tropical Pacific, and would require the label change after the Secretary of Commerce makes a finding on implementation of the international agreement does not adversely affect dolphin in any substantial way, by a time certain. We have had months of negotiations on this issue.

Mr. President, I want to make one thing perfectly clear. This agreement would not be where it is today without the Senator from Maine, Senator SNOWE, the subcommittee chairperson, who conducted weeks and months of negotiations on this issue. The Senator from Maine is the one that made this happen. Whenever there is a victory, there are all kinds of people that like to take credit for it. The Senator from Maine, Senator SNOWE, entered into a months-long series of negotiations, and has accepted amendments and reservations that she would not otherwise want to. I am sorry that the thing that held up this agreement was extreme partisanship, which motivated people to vote for cloture on a bill that the administration and the environmental community supported, and the characterization of this bill as some kind of cave-in is wrong. We demanded that the international signatories would agree to any compromise that was made. That was done so in this bill. There will be, at a time certain, a labeling which will allow this Nation—and the other nations who are signatories—to have the importation of tuna into this country. I am sorry that these issues, which are really in the best interests of the Nation, somehow get politicized so much, as this issue has been. The Senator from Maine has refrained from that all along.

I yield the floor.

#### PRIVILEGE OF THE FLOOR

Mr. KERRY. Mr. President, I ask unanimous consent that a fellow in my office, Tom Richey, be permitted access to the floor.

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

Mr. KERRY. Mr. President, I want to make it clear that, from my perspective, this agreement on tuna-dolphin does not represent a cave-in. It doesn't represent one side sort of being bullied by another side. Also, I certainly don't think it represents a partisan effort because Senator BOB SMITH of New Hampshire, and a number of our colleagues across the aisle, were also very interested in the outcome of this and were prepared to join in a rigorous debate.

What I believe has happened is that, as it often does in the U.S. Senate,

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.