

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

percent of our total crude oil production is dispatched on U.S.-flagged tankers that move it to Hawaii, to Los Angeles and San Francisco on the west coast, and to other areas.

It was remarkable to note that there were hundreds of tourists fishing for salmon, right next to the oil terminal, in small boats. We saw several fish being caught. These weren't shills, these were real people, real tourists out there, Mr. President.

We had an opportunity to inspect the terminal. We observed the major storage area. We actually went into one of the storage tanks that was being cleaned. The setting of the terminal—that I remind my colleagues has the capability of supplying this Nation with 25 percent of its total crude oil—is really dramatic. It sits on a shelf across the harbor from Valdez, on solid rock, with a dramatic background of snowcapped peaks. More significant still is, I think, the technology that has been adopted there.

They are currently able to recapture any emissions from the loading tankers, that is, the fumes coming from loading the tankers, and put them back into a closed recovery process. So there are virtually no emissions coming out during the loading process. To protect against liquids, each ship has a boom around it while it is loaded to make sure that there is no oil can possibly escape. I think the oil spillage there in the last several years has totaled less than a gallon, to give you some idea of the safety and technology that has been adopted.

We next went back to Valdez by boat, met with community leaders and then got back on our airplane and flew to Fairbanks. In Fairbanks we were hosted at a dinner by the Arctic Slope Regional Corp., the Alaska Native corporation representing the North Slope area. Next morning we flew from Barrow to Fairbanks, about an hour-and-a-half flight. Point Barrow is the northernmost community in the United States. You can't go any further north without falling off the top.

There we met with a number of Native people, and they were very explicit in explaining to us the significant difference that energy development has made to their lives. One young man indicated that he used to come to school to keep warm, because there was not enough heat in his home. They had to scrounge on the beach for driftwood, driftwood that is not native to the area because Barrow is far north of the tree line, but would float in from the MacKenzie River 100 miles away to the east and wash up on the beach. He said things are different now. He went to a school that was built by the North Slope Borough government and funded by the Arctic Slope Regional Corp. It is one of the finest schools in the United States. It has everything—even indoor recess capability, a good idea in that climate. Really a magnificent facility. We also visited the local hospital and several other things.

But the point the resident brought out is that they prospered only as a consequence of having a tax base based on resource development—oil and gas. They were able to send their children to school. And it was not like the past when there were no economic benefits, no support base. I think everyone was very pleased at the presentation because it provided a point of view on energy development that is not often made.

We next flew in our airplane to Prudhoe Bay, the beginning of the 800-mile pipeline, to observe the oilfields. Then we went by bus to a site called Endicott. This is a field based on a man-made island about 11 miles offshore, made of gravel. It is the seventh largest producing oilfield in North America, and yet it has a footprint of only 54 acres. That's very significant when you consider the advancements in oil technology between Prudhoe Bay and Endicott, and realize they can develop oil using directional drilling from a very small platform—that is what Endicott means.

We then drove back to Prudhoe Bay, got in small aircraft and went east to the Canadian border. There, we were inside the Arctic National Wildlife Refuge—ANWR. We actually flew into the ANWR area to a village that is in the middle of ANWR called Kaktovik. We met with the villagers. They were out fishing. It was a beautiful day. There was virtually no wind. The icecap moved away from the shore, leaving blue waters. We saw maybe 10,000 caribou, and several hundred musk ox on the tundra.

The interesting thing is we saw where the proposed wells are going to be developed on the State's side of ANWR, and then we went near a well site that is very close to the edge of ANWR called Sourdough. This is a well on State land adjacent to ANWR and which may be the site of a major oil discovery.

The question there is whether this discovery extends into ANWR or is limited just to the State land next to it. Of course, this presents a problem and a question of responsibility for the Secretary of the Interior. Because he has public trust responsibility to determine if there is, in fact, a reservoir of oil on the Federal side. That's important because if the State allows drilling and the State pulls down the oil deposit under its well, a portion of that resource could belong to the Federal Government.

We went to a couple of other areas that were interesting. Some in the group asked, "Where are the pictures of the coastal plain that we see in the environmental magazines that portray the sensitive coastal plain area?" We took the group back into that area, a dramatically different region that is not in the same area as the coastal plain despite the pictures we see so often. We also observed a number of areas where they plan to drill on the State's side, and flew over the one ex-

ploratory well that had been drilled within the ANWR area. There was no evidence, other than you can see a discoloration of the tundra, of that well's existence—no structures of any kind.

What that well may or may not contain we still don't know because that information has never been released by the companies that did the drilling. It is somewhat academic at this point, because if there were substantial reserves there, there is no way to take them out because it's all Federal land. Without the ability to transfer the oil through a pipeline it is impractical and unreasonable to proceed until Congress resolves the issue of what to do with the 1002 area.

This is a unique area, part of ANWR, but just 1½ million acres out of the 19-million-acre total. The area of ANWR is basically made up of three parcels. About 8 million acres are in the wilderness, about 9 million acres are in what we call refuges. Only 1½ million acres are included in the so-called 1002 area, which was reserved for the Congress of the United States to decide whether or not it is in the national interest to open that area for oil and gas exploration.

To conclude with a brief description of the trip, I think my colleagues would agree, they saw a great big hunk of American real estate and got a feel for the sensitive areas. They got a feel for the advanced technology that is underway currently for oil and gas exploration and production. We saw foxes. We saw caribou running ahead of our bus on the roads in Prudhoe Bay.

Then after that day, we flew back to Fairbanks where we were hosted by the Alaska miners to a dinner. The next morning, the University of Alaska, on Sunday, hosted the Members to a breakfast at 8 o'clock. Then at 9 o'clock, we went out to the Fort Knox gold mine. This is the largest gold mine in Alaska producing from a new technology that gets the very fine gold and is able to recover it. It is operating 7 days a week, 24 hours a day with a shift of about 200 personnel, but the significance is that they brought in a bar of gold, a brick, a little bit bigger than a brick, very heavy. It was worth about \$167,000. That is what one brick of gold is worth.

We drove back to Fairbanks, got in the airplane at noon on Sunday, and flew back the rest of the day, got in here at midnight, and went to work Monday morning.

I simply describe this as evidence, I think, of an opportunity for Members to see Alaska, such as Senator HELMS, Senator JEFFORDS, Senator INHOFE, Senator SMITH, the current occupant of the chair, and see for themselves what the issues are relative to the issue of ANWR and other aspects of the national energy security interests which Alaska contributes significantly to and address the dilemma associated with development on public land and talk to Alaskans who we feel are the best stewards of the land.

So I encourage my other colleagues to contact the Senators in question—Senators HELMS, JEFFORDS, INHOFE, and SMITH of Oregon, because we would like to host others in Alaska and let them see for themselves as they address many of the issues that are going to determine the manner in which Congress authorizes resource development on public lands in our Nation's largest State.

With that, I thank my colleague who has been patient, and I yield the floor.

Mr. SESSIONS addressed the Chair.

The PRESIDING OFFICER. The Senator from Alabama.

GLOBAL WARMING

Mr. SESSIONS. Mr. President, we just voted earlier today 95 to 0 to direct the President of the United States not to enter into treaties in Japan dealing with global warming at this time. Those of us who care about the Earth on which we live want to make sure we are good stewards of this planet that we are blessed to have and we care about it very deeply.

I have had the opportunity to serve on the Environment and Public Works Committee and have heard testimony from some of the Nation's most outstanding experts on the question of global warming. I am a new Senator, just having come here in January, and was very interested and fascinated by the possibility of trying to learn more about this problem that I have been reading about, as have so many Americans.

I must admit to you that I have been somewhat surprised by a number of things, including a lack of unanimity among scientists, a lack of data among scientists, and a serious disagreement among scientists. I am also somewhat surprised, despite the very strong feelings of people who study this, that the President continues to be determined to enter into treaties that could adversely affect the economic well-being of the United States.

Let me say first, in my simple way of thinking about this problem, a regulation is the equivalent of a tax. It would be no different for us than if we were to regulate the electric power industry and added costs to companies by mandating environmental controls in addition to the ones that they have implemented to preserve the environment for years. If we implement those controls, their customers are going to pay in terms of rate increases. Increases will be paid by the citizens who consume power, and every American consumes power.

So we have to understand that a regulation that imposes a burden on some big company, like a power company, is really a tax on all of us. It is a regulation that impacts all of us. It adds to the cost of doing business in America. Every small business that utilizes electricity will have to pay for that power at a higher cost. It will make them, therefore, less able to compete with

other people around the world. I think that is a fundamental principle we must not look for.

The Atlantic Monthly recently had a most marvelous article about economic growth, progress, and technological advancement. Those, it said, are the greatest ways to fight pollution and to clean our environment. The areas that are most polluted, the areas that are least safe to live in and where people have the shortest lifespan are the undeveloped nations of the world. This article devastated the myth that progress and technological advancement imperil the environment. Indeed, just the opposite is the case. Improved technology and improved progress allow us to do more for less and improve our environment.

We do know, though, that we are already, as a nation, facing a difficult challenge around the world. We are having a difficult time protecting the jobs of working Americans in the face of lower-wage nations that are taking our jobs. Ross Perot, in running for President, used the phrase "a giant sucking sound," as he referred to jobs going overseas. The fact is, every day we place greater and greater burdens on the productive businesses in our Nation. At some point, the cumulation of those burdens reach a point that makes those businesses uncompetitive in the world and can severely damage the economic strength of this Nation. That is why the AFL-CIO and working unions all over America are questioning and opposing this treaty, because they see it will add one more burden to the United States and one more advantage to undeveloped nations who already have these low-wage rates to knock down and take away the productive capacity of American industry. I think it is a valid concern.

Second, Mr. President, my simple mind, as I have been here, has caused me to think about how many treaties I see that we are entering into. I have this vision in my mind of Gulliver among the Lilliputians lying there with strings tying the giant down where he couldn't get up. Hundreds of little threads tied him down, and he could not move.

We are a great nation, the greatest really on Earth, the greatest perhaps in the history of the world. We have great privileges and great requirements as a great nation. We ought not to lightly enter into treaties that bind us, keep us from being able to fully effectuate the capabilities that we have and enter into treaties with other nations, some of whom may not honor those treaties. It is one thing for them to sign up. We have seen nations sign up and say they won't use poison gas and then they have used poison gas, and nothing is done about it. What if we sign a global warming treaty and other nations who sign it do not comply? What will we do then? I suggest we will do nothing. We will honor that treaty, as we always do, because we take those things very seriously.

Let me make a couple of points. The first thing that I have learned in our committee hearing is just how small a part of the problem we are facing is caused from humankind. Look at this chart. It is a remarkable chart—CO₂ emissions, natural versus man-made.

Eighty to eighty-five percent of emissions that cause global warming are supposed to be CO₂. This is a big problem. 96.9 percent of the CO₂ emissions on this Earth come from natural causes; things which combustion and other things do not affect. The rest of the world contributes 3.1 percent. The U.S. contribution is less than 1 percent, .6 percent. If we eliminated all the production of CO₂ in the United States, we would only make a small dent in the overall problem of CO₂ emissions. That is why people are saying they are not sure what is causing global warming, if we have global warming at all. I think we have to know that. Those of us who are talking about imposing tremendous economic burdens on American industry place us in a position of not being able to remain competitive in the world, for a benefit perhaps nonexistent. I think this is a matter we have to consider seriously.

Do we have global warming? That is a matter that I know is a given—it is said. Some 2,000 scientists say it is, but many do not know why. There remains a lot of dispute about global warming. I am not sure what the real situation is. I am certain that there is some slight warming, but I must say that it is not clear.

Dr. Christy, a NASA contractor and a professor at the University of Alabama in Huntsville, a premier university in scientific research, has studied satellite data for 20 years. He has been able to ascertain from that data what the atmospheric temperatures are around the world, not just on one seashore where the gulf stream may affect it or some prevailing winds may have affected the temperature temporarily. This is a global change. He has studied this over 20 years, beginning in 1979.

Dr. Christy reached a remarkable conclusion based on his studies of temperature changes. As stated in his testimony before the full Senate Committee on Environment and Public Works, the level of the atmosphere he is testing should be warming, according to those who believe in the global warming models, because global warming caused by the greenhouse effect should be an atmospheric effect, but he found the atmosphere has not warmed. This black line reflects the temperature, and it has actually gone down during the almost 20 years that he studied.

No one has contradicted that evidence. It wasn't evidence that he went out and gathered. It was evidence that he just took from the satellite information that was already available to the public, and he made a comprehensive study of it.

What is interesting is, based on his information, we may not have global