

S. 1000

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

SECTION 1. DESIGNATION OF ROBERT J. DOLE UNITED STATES COURTHOUSE.

The United States courthouse at 500 State Avenue in Kansas City, Kansas, shall be known and designated as the "Robert J. Dole United States Courthouse".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in section 1 shall be deemed to be a reference to the "Robert J. Dole United States Courthouse".

LLOYD D. GEORGE U.S. COURTHOUSE

The bill (S. 1043) to designate the U.S. courthouse under construction at the corner of Las Vegas Boulevard and Clark Avenue in Las Vegas, NV, as the "Lloyd D. George U.S. Courthouse," was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 1043

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

SECTION 1. DESIGNATION OF LLOYD D. GEORGE UNITED STATES COURTHOUSE.

The United States courthouse under construction at the corner of Las Vegas Boulevard and Clark Avenue in Las Vegas, Nevada, shall be known and designated as the "Lloyd D. George United States Courthouse".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in section 1 shall be deemed to be a reference to the "Lloyd D. George United States Courthouse".

REGARDING MEXICO'S IMPOSITION OF ANTIDUMPING DUTIES ON UNITED STATES HIGH-FRUCTOSE CORN SYRUP

Mr. HELMS. Now, Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Senate Concurrent Resolution 43 submitted earlier today by Senators GRASSLEY, LUGAR, and HARKIN.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 43) urging the United States Trade Representative immediately to take all appropriate action with regard to Mexico's imposition of antidumping duties on United States high fructose corn syrup.

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

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

Mr. GRASSLEY. Mr. President, today I am offering this resolution with my distinguished colleagues, the chairman and ranking member of the Senate Agriculture Committee, Sen-

ators LUGAR and HARKIN. The resolution addresses an antidumping investigation being conducted by the Government of Mexico, on the import of high-fructose syrup [HFCS] from the United States.

Mr. President, I have often come to the Senate floor to discuss the importance of international trade to our agricultural economy. American farmers have become more reliant on global markets for their income. The U.S. Department of Agriculture estimates that 31 percent of farmers' income will be derived from foreign markets by the end of the decade.

Because American farmers are the most efficient in the world we should not be frightened by this trend. But we must be more vigilant than ever when it comes to eliminating foreign trade barriers.

Both the North American Free Trade Agreement [NAFTA] and the Uruguay Round Agreement of GATT were successful for American farmers. They served to reduce or eliminate barriers to trade in agriculture products to a greater extent than any prior trade agreement. The implementation and enforcement of these agreements will be crucial to American farmers.

That is why the recent actions of the Mexican Government are so disturbing. The Mexican Government has imposed unreasonably high, preliminary tariffs on imports of HFCS from the United States. These tariffs are far in excess of what was negotiated under NAFTA. The justification for these tariffs is the antidumping action filed by the Mexican sugar industry.

I and my colleagues are very concerned with the propriety of this action. There have been questions raised as to whether the action meets the standards set forth in the World Trade Organization Agreement on Antidumping. I will submit for the Record a letter from the Deputy U.S. Trade Representative, Ambassador Jeff Lang, that outlines these serious concerns.

The resolution we introduced today is very simple. It says that if the antidumping action has not been conducted in accordance with WTO requirements, it should be terminated immediately. And all tariffs that have been imposed as a result of the action should be removed immediately.

If the Mexican Government refuses to do this, the United States Trade Representative is directed to request consultations with the Mexican Government, under the dispute settlement provisions of the WTO. This action will trigger a resolution of this dispute according to WTO procedures.

Finally, if the Mexican Government fails to accept our request for consultations, Congress directs the USTR to take any and all applicable actions under United States trade law.

Mr. President, I am a firm believer in free and open trade. It is never productive to engage in a trade war with one of our largest and most loyal trading partners. And that is certainly not the intent of this resolution.

However in order to have fair trade, we must insist that our trading partners live up to the obligations set forth in our trade agreements. This is vital to facilitating the free trade that will raise the standard of living for workers and consumers worldwide.

I urge my colleagues to support this resolution.

Mr. President, I ask unanimous consent that the letter I referred to be printed in the RECORD.

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

EXECUTIVE OFFICE OF THE PRESIDENT,
Washington, DC, June 4, 1997.

Alvaro Baillet,
Jefe De La Unidad, Secretaria de Comercio y Fomento Industrial, Av. Insurgentes Sur 1940 PISO II, Col. Florida, C.P. 01030 Mexico, D.F.

DEAR MR. BAILLET: The United States has recently been contacted by American producers of High Fructose Corn Syrup (HFCS) regarding the initiation of an antidumping investigation concerning their exports of HFCS to Mexico. Our producers are concerned that the applicable like product in the investigation is HFCS, that the investigation was initiated without the support of the Mexican producers of that like product, and that certain information about the Mexican producers of HFCS known to the Mexican authorities was not considered in the initiation notice.

We have reviewed information that indicates that HFCS was produced in Mexico during the 1996 period of investigation. We further understand that this information was available to SECOFI and the Mexican sugar chamber that submitted the application for this antidumping investigation prior to SECOFI's initiation of the investigation. The domestic producers of the like product on whose behalf the antidumping application was filed consequently would normally have included any such Mexican producers of HFCS. SECOFI's initiation notice, however, does not reference these producers. It merely states, without support, that HFCS is not produced in Mexico.

An investigation into allegations of dumping can be extremely time consuming, expensive and have commercial consequences even before a preliminary or definitive measure is in place. For this reason, and because the Antidumping Agreement is explicit about the need for the authorities to examine the accuracy and adequacy of the evidence provided in the application, including that pertinent to the industry support needed for initiation, we would appreciate your attention to this matter in time to minimize any unnecessary impediment to U.S. exports of HFCS.

Sincerely Yours,

JEFFREY LANG,
Deputy United States Trade Representative.

Mr. LUGAR. Mr. President, in my home State of Indiana, corn refining adds substantially to the value of our corn crop. On average, Indiana produces 800 million bushels of corn annually. It is estimated that corn refining—primarily through the production of high-fructose corn syrup—adds about \$200 million to the value of Indiana's corn crop. In addition to enhancing the value of our corn crop, corn refining results in the direct employment of approximately 1,700 Hoosiers with an estimated payroll of over \$70 million.

It is for the above reasons that I join Senators GRASSLEY, HARKIN, DASCHLE,

and KERREY in introducing a concurrent resolution instructing the United States Trade Representative to take the appropriate actions in regards to a preliminary imposition of antidumping duties against United States exports of high-fructose corn syrup to Mexico. These duties were imposed on June 25 in response to a petition brought to the Mexican Government by the sugar producers' organization in Mexico.

Prior to our adoption of the North American Free-Trade Agreement [NAFTA], duties on high-fructose corn syrup were 15 percent. This year, under our negotiated agreements, with should have dropped to 9.5 percent. The preliminary antidumping finding has disrupted the planned program for the duty reduction on this important agricultural product. Duties now in effect because of this decision are as much as four to five times the pre-NAFTA levels.

Mr. President, this case involves important matters of international trade policy and the interests of U.S. agricultural producers. The preliminary finding of the Mexican Government appears to be in violation of the World Trade Organization Agreement on Antidumping. This agreement requires that governments fully investigate allegations brought by private parties before opening government investigations. In this case, Mexico's sugar industry stated that there was no production of high-fructose corn syrup in Mexico. This is inaccurate which means the Mexican sugar industry did not have standing under WTO rules to file this case.

Three years ago this chamber helped take a major step toward creating a growing free-trade area in the Western Hemisphere. Passage of NAFTA was not an easy matter, as you will recall. However, those of us from agricultural areas—with strong support from the U.S. corn industry—worked hard to achieve its passage.

With the passage of last years FAIR Act, we reduced price and income support for U.S. corn farmers. Increasing exports is the only alternative for U.S. farmers to maintain a stable level of farm income. One of the best ways to continue agriculture export performance is to ensure that unwarranted and unfair trade barriers are not erected. I hope you will join me in supporting this resolution.

Mr. HELMS. Mr. President, I ask unanimous consent that the resolution

be agreed to, the preamble be agreed to, the motion to reconsider be laid on the table, and that any statements relating to the resolution appear at this point in the RECORD.

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

Mr. HELMS. I thank the Chair.

The concurrent resolution was agreed to.

The preamble was agreed to.

The concurrent resolution (S. Con. Res. 43) follows:

S. CON. RES. 43

Whereas the North American Free Trade Agreement (in this resolution, referred to as "the NAFTA") was intended to reduce trade barriers between Canada, Mexico and the United States;

Whereas the NAFTA represented an opportunity for corn farmers and refiners to increase exports of highly competitive United States corn and corn products;

Whereas corn is the number one U.S. cash crop with a value of \$25,000,000,000;

Whereas U.S. corn refiners are highly efficient, provide over 10,000 non-farm jobs, and add over \$2,000,000 of value to the U.S. corn crop;

Whereas the Government of Mexico has initiated an antidumping investigation into imports of high fructose corn syrup from the United States which may violate the antidumping standards of the World Trade Organization;

Whereas on June 25, 1997, the Government of Mexico published a Preliminary Determination imposing very high antidumping duties on imports of United States high fructose corn syrup;

Whereas there has been concern that Mexico's initiation of the antidumping investigation was motivated by political pressure from the Mexican sugar industry rather than the merits of Mexico's antidumping law: Now, therefore, be it

Resolved, by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) the Government of Mexico should review carefully whether it properly initiated this antidumping investigation in conformity with the standards set forth in the World Trade Organization Agreement on Antidumping, and should terminate this investigation immediately;

(2) if the United States Trade Representative considers that Mexico initiated this antidumping investigation in violation of World Trade Organization standards, and if the Government of Mexico does not terminate the antidumping investigation, then the United States Trade Representative should immediately undertake appropriate measures, including actions pursuant to the dispute settlement provisions of the World Trade Organization.

ORDERS FOR MONDAY, JULY 28, 1997

Mr. HELMS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until the hour of 12 noon on Monday, July 28. I further ask that on Monday, immediately following the prayer, the routine requests through the morning hour be granted.

It will be the majority leader's intention to then proceed to the consideration of S. 830 regarding the FDA reform.

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

Mr. HELMS. Mr. President, I further ask that at 3 p.m. on Monday, there be 1 hour for morning business under the control of Senator DASCHLE or his designee, and at 4 p.m. there be 1 hour for morning business under the control of Senator COVERDELL.

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

PROGRAM

Mr. HELMS. For the information of all Members, on Monday it will be the leader's intention to begin consideration of S. 830, the FDA reform bill. Following debate on that issue, there will be a period for morning business, to be followed by the Transportation appropriations bill beginning at 5 p.m.

By a previous consent, any votes ordered with respect to the Transportation bill will be postponed to occur at 9:30 a.m. on Wednesday. Therefore, no votes will occur in Monday's session of the Senate. However, it is the hope of the majority leader that the Senate could complete debate on the Transportation appropriations bill on Monday. And, in addition, as announced by the majority leader, the next votes will be a series of votes occurring on Tuesday at 9:30 a.m. on the Commerce, Justice, State Department appropriations bill.

ADJOURNMENT UNTIL MONDAY, JULY 28, 1997

Mr. HELMS. Mr. President, if there be no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 3:08 p.m., adjourned until Monday, July 28, 1997, at 12 noon.