

latest figures show that NAFTA, the crown jewel of trade agreements has produced a record nearly \$40 billion combined trade deficit. Do we really think that those kinds of numbers represent progress?

This is not working. It is not a case of this country saying we want to close our borders and shut off imports; it's a case of this country saying we expect the trade rules to be fair. We expect our negotiators who negotiate trade agreements to win from time to time. Should we expect that every time our trade negotiators run off someplace that they lose? I don't think so. Yet, that is what happened.

We have a beef agreement with Japan. Nobody knows much about these things, because all this is like a foreign language. We have an avalanche of Japanese goods coming into America. I do not object to that. All I ask is that American goods get into Japan on a fair basis.

We couldn't get much American beef into Japan, so we had a huge negotiation with the Japanese. It must have been 8, 10 years ago, by now, that they announced this breakthrough. You would have thought there was a national day of fiesta and rejoicing. It was a major breakthrough; a big beef agreement with Japan. Guess what the agreement was. We have such a low expectation of our trade negotiations.

The agreement with Japan was the following: When the agreement is fully phased in, there will remain only a 50-percent tariff on American beef going into Japan. That tariff will be reduced, except if the quantity increases, it snaps back to 50 percent. Under any other set of circumstances, that would be defined as failure, but it was defined in our negotiations with Japan as a success. That is true with virtually every single set of negotiations this country has been involved in the last two decades.

This is not a complaint about Republicans or Democrats. It's a complaint against both and all. I have not yet met anyone who is willing to look me in the eye and talk about the facts about the merchandise trade deficits in this country and have them tell me that this is a record they want to stand on.

My hope is that in the coming couple of weeks, as we discuss the issue of fast-track trade authority, we might finally have the debate we really need. We don't want a thoughtless debate about "this person is a protectionist" and "this person is a free trader." Rather we need a thoughtful debate about precisely what kind of trade agreements represent this country's real interests, what kind of trade agreements require us to compete internationally and compete effectively and fairly, and what kind of trade agreements make certain that this country, when it does compete in the international marketplace, is able to do so on an even and fair basis.

Madam President, it is obvious, I suppose, that I will be aggressively op-

posing the fast-track authority that this President will request. If he, on September 10, makes a formal request, he will no doubt have substantial support for it. I have had several people come up to me in my State who said to me, "Oh, by the way, Byron, I was supposed to tell you to vote for fast track because my company sent out a memo to all the employees saying, 'We want you all to contact your Senator to vote for fast track.' I don't know about fast track," they said, "but that is something my company wants you to vote for."

I am not going to support fast track. I will be on the floor of the Senate often to talk about what I think are the problems in international trade and what I think are our priorities.

We have massive problems with Canada, for example, on grain trade. The responsibility that we have is not to create some fast-track procedure for new agreements, but to create a fast-track determination to solve old trade problems from previous agreements that do not work.

Until trade negotiators demonstrate a willingness to do that, and until this administration demonstrates a willingness to do that, I do not think it ought to get the vote of the U.S. Senate or the U.S. House for a peculiar and unique authority called fasttrack that, in my judgment, undercuts the constitutional requirement of Congress, to regulate commerce.

Madam President, I yield the floor.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER (Mr. COATS). The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, let me just say to my colleague from North Dakota that I appreciate his analysis. I look forward to joining him in this debate. I think he is really one of the most eloquent Senators, or for that matter Congressmen, in Washington on a set of issues that are so important to working people, so important to producers, and I thank him.

#### DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

The Senate continued with the consideration of the bill.

AMENDMENT NO. 1056

Mr. WELLSTONE. Mr. President, I ask whether or not the amendment we are on right now is the Kyl amendment; is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. WELLSTONE. I thank the Chair.

Mr. President, I do not know whether or not my colleague, Senator KYL from Arizona, will be back today or whether we will come back to his amendment tomorrow, but I want to just very briefly comment on his amendment.

The Kyl amendment, as I understand it—I have the amendment before me—

amounts essentially to over a \$500 million rescission, if you will, in funding for what is called LIHEAP, the low-income energy assistance program. We have seen cuts over the years in this low-income energy assistance program. It is really now under a billion dollars total. So in many ways we would essentially, if this amendment passes, be dealing with the end of the program.

Mr. President, I actually would come to the floor and have an amendment which would call for an increase in funding for low-income energy assistance. And the reason I do not is that we have been sort of going through the same drill every year, which is that come the cold winter months—this happens in Minnesota; it happens in many of our cold-weather States—what happens is, because we do not have enough by way of appropriations, because the vast majority of these families are families with incomes under \$7,000 or \$8,000 a year, because about half the people helped are children, because close to 50 percent of these families are working poor families, they work 52 weeks a year, 40 hours a week, and because, Mr. President, these grants, this assistance, represents a kind of lifeline for people so they are not faced with the choice of "Do I pay for my heat? Then I can't afford prescription drugs or I can't afford food," we have been supportive of this.

What happens, though not as supportive as we should be, the administration provides additional emergency funds because, you know, whether it be in Minnesota or Indiana, I suppose, as well, what happens is that at the county level where the people live, at the grassroots level, we get calls. And these are desperation calls. So we actually provide a supplement to what we have in the bill by way of emergency funding. But for a State like Minnesota or Indiana it is a bit of a nightmare to plan. People never know. They never know.

So now we have an amendment which would really just make this situation, which is not great—we do not have the funding that we should have for a program that helps people so they do not go cold. That is a kind of minimal standard of decency. It certainly is important to a cold-weather State like Minnesota. But now if this amendment was to pass—I do not think it will; I hope we will have a strong vote against it—it would be a nightmare.

I just want to say to my colleague, whom I enjoy, that the part of the amendment which deals with expanding funding for the Pell grant I am all for. I think one of the things that was overlooked in the budget agreement—I think there was a bit too much exaggeration about how we were going to make sure that higher education was affordable for all our students because, to repeat one more time, the tax credit which goes to the HOPE scholarship program is not refundable. So if you come from a family below \$27,000 a year, you may not be eligible, and

many of the community college students in Minnesota are not.

We also expanded the Pell grant a little bit, but if you talk to the financial aid officers around the country, I think all of them will tell you that the most effective, efficient way of providing the necessary support for young or not such young students—many of our students are older—to be able to afford higher education is the Pell grants.

So I say to my colleague, it is a laudable goal. I will have an amendment on the floor to provide some additional funding for the Pell grants in this country. But you cannot do that on the backs of some of the poorest, most vulnerable citizens in the United States of America. I mean, you cannot take away energy assistance from people who, if they do not receive this emergency assistance during cold winters, could very well go cold or maybe pay for heat but then not have enough to eat. This is just an unacceptable trade-off.

I am disappointed we have to go through this whole fight again, but, you know, all of us do what we think is right. I know my colleague from Arizona is doing this because he thinks it is the right thing to do. But we have had very strong bipartisan support over the LIHEAP Program. I think we all know already that it is minimum funding. We all know already it is not enough. We all know already that we end up every winter having to provide additional emergency funding. So the last thing we want to do is essentially gut this program.

So, again, I share part of the goal of this because indeed I will have an amendment that will talk about expanding Pell grant funding. But you do not take the funding from some of the poorest, most vulnerable families in America.

I am speaking as a Senator from a cold-weather State, Minnesota, but I think the vast majority of my colleagues share this sentiment as well. So when we come back to this, there will be a pretty strong debate. I hope we will have an overwhelmingly strong vote in opposition to this amendment.

I also want to say, Mr. President—I will say it very briefly—that I look forward to starting tomorrow. I do intend to introduce an amendment to expand funding for Head Start. I have been doing some really interesting traveling and learned so much from people when I was in eastern Kentucky.

I, by the way, would like to say to the Chair, not in sort of a syrupy, senatorial courtesy, if you will, but at my wife's family reunion, the Isom family in eastern Kentucky, about half the people were from Indiana. I had an opportunity to tell them I really enjoyed working with Senator COATS from Indiana. It was kind of nice. Most of them are Republicans. I did not change their view, but they are wonderful people. They think a great deal of the Chair. I think they are disappointed he is in fact not going to be continuing in the Senate. I say that to the Chair.

One of the things you learn, especially as you visit Head Start, is that now that we are talking more about the very early years, I mean the funding, when it comes to really trying to help with families where children are 1 or 2, under the age of 3, we have practically no funding at all.

I tell you, I met some wonderful people in eastern Kentucky. One woman who has been with Head Start, I don't know, from the very beginning, her husband died of black lung, and she has not had a high school degree. With the help of Head Start, she went back and got her high school degree, went on and got a college education and has been a Head Start teacher for 30 years. I asked her, "Why do you do this? You can't get wealthy. You don't make very much money at all." She talked about her love of children. You could just feel it.

So I want to have an amendment that talks about expanding some funding for Head Start. I certainly want to have an amendment that deals with the Pell grant program. I will have one other amendment that will deal with this whole issue of what are we going to do about rebuilding crumbling schools.

I heard my colleague, Senator KENNEDY from Massachusetts, in a very eloquent way say there is agreement on this except we do not seem to match our words with resources. I am seeing, as I travel around the country, some of these crumbling schools. It is sort of like when we talk about family values. We have to make "values" a verb. It cannot just be a noun. We have to sort of live it, do it.

If we value these children, we just cannot have children going to schools that are crumbling. You cannot have children walking into schools where the ceilings are falling—I have seen these conditions—or when the stench of urine is in the hallway or toilets are decrepit and you cannot even wash your hands after you go to the bathroom.

As Senator KENNEDY said earlier, we are saying to these kids—no matter what we think we are saying—what we are saying is that we do not value you much. We have to figure out a way as a nation to do something about this.

I was at a gathering with a top urban educator. I so appreciated her remarks because what she said is: Look, you all can debate whether there should be tests or standards or how you measure accountability and all the rest of it, and it is all debatable, but, she said, some things are simple. Just invest some money in infrastructure. Help rebuild these crumbling schools.

She is right. I will have another amendment that will deal with that. But I do hope when we come back—I want my colleague from Arizona to know there will be a very fierce debate about this. I mean, for the last several years I have come out here. Senator KENNEDY has joined me. Senator HARKIN, Senator SPECTER, a number of dif-

ferent Senators have been very strong on this. Senator JEFFORDS has been a very strong leader on this. And we have had to fight every year for this low-income energy assistance. I do not think we should have to fight so hard for it because it is really just a basic lifeline program.

My colleague from Arizona, whether he intends to do so or not, is essentially gutting this program, ending it. We cannot do that. We cannot do that.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

The PRESIDING OFFICER. Under the previous order, the hour of 2:15 having arrived, the Senate will proceed to the consideration of H.R. 2160, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2160) making appropriations for agricultural, rural development, Food and Drug Administration and related agencies, programs for the fiscal year ending September 30, 1998, and for other purposes.

The Senate proceeded to consider the bill.

The PRESIDING OFFICER. The Senator from Iowa, Mr. HARKIN, is recognized to offer an amendment. There will be 20 minutes of debate equally divided.

#### AMENDMENT NO. 1057

(Purpose: To provide funding for activities of the Food and Drug Administration relating to the prevention of tobacco use by youth, with an offset)

Mr. HARKIN. I send an amendment to the desk on behalf of myself, Senators CHAFEE, LAUTENBERG, REED, DURBIN, KENNEDY, and WYDEN.

The legislative clerk read as follows:

The Senator from Iowa [Mr. HARKIN], for himself, Mr. CHAFEE, Mr. LAUTENBERG, Mr. REED, Mr. DURBIN, Mr. KENNEDY, and Mr. WYDEN, proposes an amendment numbered 1057.

Mr. HARKIN. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

In the matter under the heading "SALARIES AND EXPENSES" under the heading "FOOD AND DRUG ADMINISTRATION" in title VI, add at the end the following:

In addition, the total amount made available under this heading shall be increased so as to make available a total of \$34,000,000 for the Food and Drug Administration children's tobacco initiative: *Provided, That—*

(1) the amount that may be expended for equipment of services related to automated