

trade agreement because to do so would shortchange the American people and certainly the people of my State.

I conclude with this story from my own life. The story is a lesson that has, frankly, governed much of my thinking with respect to trade and military security and foreign relations since I have been an adult.

I was a student at Brigham Young University, taking a class in military history. It was at the end of the Vietnam war. My professor was a retired Air Force general. There was great turmoil on the campuses of the United States. He made a comment that struck me and caught my attention. This professor's name was Phillip Flammer.

He said: We made a mistake to bomb the North Vietnamese with military armaments. That caught my attention—in a conservative place like this university, that a statement such as that would be made.

I thought: That is interesting.

He said: We should have bombed them, but we should have bombed them with Sears catalogs.

I thought: Hmm, there is a lesson I will remember.

His point was, if we want to tear down the walls of communism, we do it with our trade. We do it with our commerce. We do it with our culture. We do it with our communications to the world.

We have seen in Communist country after Communist country that when they are exposed to the miracles of the marketplace, what happens is a middle class develops. When a middle class develops, people begin to demand, with economic liberty, that they have political liberty as well.

So if you are interested in improving human rights, improving the environment, improving access for Americans to their markets, then this vote on PNTR is perhaps the most important vote that we will cast in this Congress, or perhaps any other for the economic future of our country.

If you care about spreading American values, resist these amendments, resist voting no to PNTR because you will do more to spread American values, American democracy, and advance American security by supporting this agreement than you can ever do by trying to amend it, to kill it, or by trying to vote in opposition to it when we come to a final vote.

I do not, for a moment, question the motives of anyone who is against this. Again, I admire the ideals advanced. But I simply question this method, this bill, at this time, to scuttle this most important agreement.

So I urge my colleagues to vote for PNTR and vote against the Thompson amendment—well-motivated but misguided at this time, given the laws we already have.

America needs this. We should not cede the Chinese market to the European nations. We should be there our-

selves. They are already here. We have yet to go there.

I urge an "aye" vote on the agreement and a "no" vote on the Thompson amendment.

Mr. President, I yield the floor.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the time of 10 o'clock has arrived and morning business is closed.

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. I request the use of leader time at this time.

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

#### LEGISLATIVE CONSIDERATIONS

Mr. REID. Mr. President, I want to say, before my friend leaves the floor, how much respect I have for the Senator from Oregon and the great example he sets for everyone in the bipartisan consideration of legislation.

I do want to say, though, before my friend leaves, that one of the pleasures of my service in the Senate is that I have been able to work with Senator DASCHLE. We served in the House together. We have served in the Senate together. He is the leader. I am the assistant leader.

There are very few meetings he attends that I am not there. For example, we had a meeting yesterday with the bipartisan leadership of both Houses. At that meeting with the President of the United States, Senator DASCHLE was very clear in saying he wanted to get things done this year. He gave a list of things he thought we could accomplish.

We are so close to being able to do something on the Patients' Bill of Rights, which the Senator from Oregon has voted, I believe, the right way on many occasions.

Senator DASCHLE in that meeting said that he wanted to get things done. He gave a list of things that should be done. Senator DASCHLE, in private meetings and in public meetings, has said the most important thing we can do is complete legislation that is already before the Senate, including the 11 appropriation bills that have not been completed.

I don't know what appears in U.S. News and World Report or whatever publication my friend from Oregon mentioned. The fact is, Senator DASCHLE has continually said publicly and privately the most important thing that we can do is enact legislation for the American people.

I think the record should be very clear that there is no intent on behalf of the minority to prevent anything from going forward. We want to move legislation. First of all, let's do the appropriations bills, and if we have time left over, do the other items, which I

believe we will do, as indicated in a meeting with the President yesterday. Let's do them.

I express my appreciation to the Senator from West Virginia for his patience.

Mr. President, I ask unanimous consent that the time before the scheduled votes be extended for whatever time I have used under leader time.

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

#### TO AUTHORIZE EXTENSION OF NONDISCRIMINATORY TREATMENT TO THE PEOPLE'S REPUBLIC OF CHINA

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of H.R. 4444, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 4444) to authorize extension of nondiscriminatory treatment (normal trade relations treatment) to the People's Republic of China, and to establish a framework for relations between the United States and the People's Republic of China.

Pending:

Wellstone amendment No. 4118, to require that the President certify to Congress that the People's Republic of China has taken certain actions with respect to ensuring human rights protection.

Wellstone amendment No. 4120, to require that the President certify to Congress that the People's Republic of China has responded to inquiries regarding certain people who have been detained or imprisoned and has made substantial progress in releasing from prison people incarcerated for organizing independent trade unions.

Wellstone amendment No. 4121, to strengthen the rights of workers to associate, organize and strike.

Smith (of New Hampshire) amendment No. 4129, to require that the Congressional-Executive Commission monitor the cooperation of the People's Republic of China with respect to POW/MIA issues, improvement in the areas of forced abortions, slave labor, and organ harvesting.

Byrd amendment No. 4131, to improve the certainty of the implementation of import relief in cases of affirmative determinations by the International Trade Commission with respect to market disruption to domestic producers of like or directly competitive products.

Thompson amendment No. 4132, to provide for the application of certain measures to covered countries in response to the contribution to the design, production, development, or acquisition of nuclear, chemical, or biological weapons or ballistic or cruise missiles.

Hollings amendment No. 4134, to direct the Securities and Exchange Commission to require corporations to disclose foreign investment-related information in 10-K reports.

Hollings amendment No. 4135, to authorize and request the President to report to the Congress annually beginning in January, 2001, on the balance of trade with China for cereals (wheat, corn, and rice) and soybeans, and to direct the President to eliminate any deficit.

Hollings amendment No. 4136, to authorize and request the President to report to the Congress annually, beginning in January, 2001, on the balance of trade with China for advanced technology products, and direct the President to eliminate any deficit.

Hollings amendment No. 4137, to condition eligibility for risk insurance provided by the Export-Import Bank or the Overseas Private Investment Corporation on certain certifications.

The PRESIDING OFFICER. Under the previous order, there will now be 1 hour for closing remarks on the Byrd amendment No. 4131 and division 6 of the Smith amendment No. 4129, with 15 minutes each under the control of the Senator from Delaware, Mr. ROTH; the Senator from New York, Mr. MOYNIHAN; the Senator from West Virginia, Mr. BYRD; and the Senator from New Hampshire, Mr. SMITH.

AMENDMENT NO. 4131

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, I will speak briefly on my amendment. Then I will yield back the remainder of my time. I want to get to a markup of an appropriations bill by the Subcommittee on VA, HUD and Independent Agencies, of which I am a member.

In simple language, my amendment adds surety for American firms and American workers who are caught up in the confusing process of seeking relief from a surge of unfair imports. The process of getting the U.S. Government to agree with a firm's firsthand judgement that a flood of unfairly dumped imports is undercutting a U.S. manufacturer is complex and time consuming. Language in the House-passed bill is an improvement, but it leaves a serious loophole. The House language provides deadlines for the government and the President to agree or disagree that relief is needed, but if the President fails to meet his deadline for a decision, nothing happens. No relief can be forthcoming until the President acts. And the President might be under other pressures, from the State Department, for instance, warning that an affirmative Presidential decision might upset some other, unrelated negotiation. The State Department is not charged with worrying about the fate of individual U.S. firms. The State Department is not charged with worrying about the fate of steel companies, for example.

But for a firm hanging on by its fingernails, unable to pay its bills or secure needed financing, and for workers unsure when their lay-offs might end and their bills get paid, this uncertainty can be catastrophic. So the Byrd amendment says that if the President fails to act by the appointed deadline, the decision of the ITC will be implemented as though the President had agreed. So firms and workers will know on what date certain they will get their answer. The steel companies will know when they will get their answer. Coal miners will know, because they are affected by steel imports as well. That is what my amendment does. And for those affected firms, and those workers, that is pretty important. They need to know, and their bankers and creditors need to know. They need

to be able to plan, and no other concerns should come before them, in my opinion. I've seen too many families suffering when the plant shuts down, too many towns hollowing out and falling into disrepair when people just give up. We need to give our citizens, our firms, an efficient and sure process to seek relief and to get relief when it is warranted.

This is our chance. This is our chance to strike a blow for the steel industry, which is a very important industry in the State represented by the current Presiding Officer. It is a very important industry in my State, exceedingly important. Now is the time to strike a blow for freedom, for the freedom of those men and women who work in these industries, freedom to know when relief is coming. They should not have to wait until a President seeks his own convenient moment. They should know the date. And when that date comes, it should happen. Let's make it happen by my amendment.

I yield back my time 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. ROTH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HUTCHINSON). Without objection, it is so ordered.

Mr. ROTH. Mr. President, I yield myself such time as I may use.

Mr. President, I rise in opposition to Senator BYRD's amendment regarding safeguards.

I do so even though I share my colleague's concern regarding the President's utter disregard for statutory deadlines in our trade remedy laws. The President's failure to issue timely decisions in recent section 201 cases was simply unacceptable. Also unacceptable is the President's failure to meet the deadline set for modifying the retaliation list in the bananas dispute at the WTO. This pattern of utter disregard for statutory deadlines simply must stop.

With that said, I must still oppose this amendment for both substantive and procedural reasons.

With regard to substance, it is vitally important for the Finance Committee to be given the opportunity to consider this proposal before it is adopted into law. As I noted yesterday, there are serious flaws in this amendment that could make it unworkable in certain circumstances. It would be reckless to adopt such a significant change to our trade laws without adequate review, particularly given the flaws that are already apparent in what my good friend has proposed.

I am also concerned that we are isolating the Chinese for differential treatment through this proposal. The agreement may not be inconsistent with the U.S.-China bilateral agreement, but it does create a procedure

that differs sharply from our other trade remedy programs.

I must also oppose the amendment because of the potential impact that this amendment will have on the passage of PNTR. In my view, a vote for any amendment, including this one, is a vote to kill PNTR.

Mr. President, such a result would be devastating for our workers and farmers. That is why I urge my colleagues to vote against my good friend's amendment.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. THOMAS. Mr. President I ask unanimous consent to speak in morning business for 10 minutes.

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

#### CHINA PNTR

Mr. THOMAS. Mr. President, I asked for morning business because I am not sure where we are focused, but I want to continue to talk about PNTR, a topic that I hope we are able to conclude shortly.

Certainly one of the most important issues we have before us is the issue and the way I come to the conclusion. We all talk about the problems that exist. Obviously, there are problems that exist. I serve as chairman of the Subcommittee on East Asian and Pacific Affairs that has dealt over a number of years with the issue of China. I don't think there is a soul here who wouldn't wish things were different there with respect to human rights, some of the issues with respect to proliferation, some of the issues with respect to freedom, and market system changes. I don't think that is the issue. The issue is how we best bring about that change. That is really what it is all about.

Do we do it through threats to the PRC? Do we do it with sanctions? I think people have learned quite a bit in seeking to deal with Cuba with sanctions. It has had very little impact and very little effect. I happened to be in Beijing where we were having the great debate over some of the things that were controversial. They canceled a large order with Boeing. What did they do? They bought Airbus from France. Sanctions don't work.

I happen to come from a State where we are very interested in agriculture. So we need to do that.

Someone suggested during the course of the discussion over the last couple of days that this bill, if it passed, to grant permanent trade relations would be, in a word, "rewarding" China. I don't agree with that. The fact is, we would