

So as we continue to discuss and debate—and ultimately we will pass—this election reform bill at the Federal level, let me make a plea to the Florida Legislature: You were so gallant, as leaders in the Nation, after the debacle and the disenfranchisement of the 2000 election, to first step forward with an election reform bill and providing the appropriations to fund that election reform.

Please do not falter now, Florida Legislature. Please, appropriate the second half of that appropriation that was promised a year ago so Florida will not have any serious questions about every Floridian's vote being counted.

I thank you, Mr. President, for the opportunity to speak.

I yield the floor.

The ACTING PRESIDENT pro tempore. Does the Senator suggest the absence of a quorum?

Mr. NELSON of Florida. Yes. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. NELSON of Florida). Without objection, it is so ordered.

#### UNFAIR TRADE

Mr. DORGAN. Mr. President, Senator DASCHLE, the majority leader, was in the Chamber today talking about a decision that will be made in the coming days by the Bush administration on the subject of trade disputes that exist with respect to the American steel industry.

What is all this about? It is that the steel industry, as with many other American industries, has been under assault. It has been under assault by unfair trade coming from abroad, products being dumped in our country into our marketplace below their acquisition cost, undercutting our domestic producers. This is unfair trade. It is trade that violates our trade laws. In fact, an International Trade Commission investigation has recently determined that the flood of foreign steel has significantly hurt the U.S. steel industry.

The question the President will decide next week is: What will be the remedy? What will be done about it? If our steel industry is being threatened and assaulted by unfair trade and it is closing plants, going into bankruptcy, laying off workers, what is the remedy? That is the question this administration will answer next Wednesday.

My hope is they will answer this question in an aggressive way. My hope is they will say, we intend to stand up for American steel. My hope is they will say, we intend to stand up for all American producers when confronted with unfair trade. How do you stand up for producers when confronted with un-

fair trade? You take action against those perpetrating that unfair trade against our producers.

We have something like 10,000 steelworkers in Washington, DC, today who are here demonstrating the point that they are losing their jobs and their companies are going bankrupt. This is about them and their families and their future. They are saying: Give us some fairness in international trade. Stand up for our interests.

It is not steelworkers saying, we want our country to be protectionist. It is not them saying, we want to build a wall around our country and prevent imports from coming in. It is a group of workers who have come to Washington to say: When we are confronted with unfair trade, we expect our Government to be in our corner. We expect our Government to stand with us.

It is interesting that the steel dispute is very much like a dispute we have with Canada on the issue of wheat. The North Dakota wheat producers, with a 301 case, brought a trade case against Canada. That case, after investigation, was recently resolved by the United States Trade Representative saying, yes, the Canadian Wheat Board is a state-sponsored monopoly that engages in unfair trade practices that harm United States wheat growers.

If we have decided Canada is guilty of unfair trade with respect to wheat, what have we done about it? USTR's answer was: We are not going to have any remedies. If we provide relief at this moment, it will violate NAFTA and it will violate our World Trade Organization commitments. Therefore, even though we have decided Canada is guilty of unfair trade practices that injure American farmers, we essentially will do nothing at the moment; we will instead take this to the WTO.

That means that our great grandchildren, if we are lucky, may see action by the WTO. Although they probably won't see it because the WTO considers and takes action behind closed doors. And anyway, it is likely not to take much action at all; if it does, it will be years in the future.

I have talked about the steel dispute and the wheat dispute. In both cases, our producers have been told that those who are competing against us, foreign producers, are doing so unfairly, injuring our workers and our farmers. Yet it is very hard to get relief, to get this country to stand up for its producers.

There are some real storm clouds on the horizon. Our trade deficit keeps rising year after year. The more trade agreements we have, the higher the trade deficit.

This chart shows what has happened. We have the GATT Tokyo Round, and then we have the Uruguay Round, the WTO agreement, and then the NAFTA. We can see what has happened to the trade deficit—up, up, up, over a long period of time.

The U.S. Constitution has something to say about international trade. Arti-

cle I, section 8, says: The Congress shall have the power to regulate commerce with foreign nations and among the several States, and with the Indian tribes.

That means the authority vested by the U.S. Constitution on matters affecting international trade rests here—not at the White House, but in the Congress, and only here. Yet to listen to Republican and Democratic administrations over the last 30 or 40 years, you realize that, by and large, they think they are the ones in control of trade. Administrations empower negotiators to go out and work out trade agreements that they bring back to the Congress under a provision called fast track. Fast track allows administrations to tie the hands of Members of Congress behind their backs and say: Here is the trade agreement we negotiated—mostly in secret—and you have no right to offer any amendment to change any of it at any time. That is fast track.

Fast track is fundamentally undemocratic. I voted against it in the past. I would not support giving it to President Clinton; I will not support giving it to President Bush. Go negotiate treaties, if you wish—but good ones. If you do, the Congress will approve them. If you don't, they deserve to be changed or killed.

Let me talk for a bit about some of these treaties. We've had fast track in the past; fast track was something given to previous Presidents, including President Reagan and the first President Bush. We negotiated an agreement with Canada, and the agreement with Canada went through the House Ways and Means Committee. I was serving in the House at the time. The vote for the United States-Canada trade agreement was 34 to 1. I cast the lone vote against it. There were 34 for it, 1 against.

I believed I was right at the time, and events certainly demonstrated that was the case. We took a small deficit with Canada and doubled it very quickly. They dumped grain into this country, injuring our farmers, and we have had trouble ever since. Do you know why we could not do anything about the provisions in that agreement that traded away the interests of family farmers? Because you can't offer amendments to trade agreements with fast track. So the administration said: Here it is. We negotiated it and, by the way, we had secret side agreements we will not tell you about. You accept it, yes or no. If you don't like it, there can be no amendments because fast track ties your hands behind your back. That is what happened with that trade agreement.

Not long after that, I drove up to Canada with a man named Earl in a 12-year-old, orange, 2-ton truck. The truck was carrying 150 bushels of U.S. durum wheat. All the way to the Canadian border, we saw Canadian 18-wheelers coming into this country, hauling Canadian wheat into this country.

There was 18-wheeler after 18-wheeler. In fact, it was a windy day, and even though they had tarps on their trucks, the grain kept spilling off, and it was hitting our windshield all the way to the border. We had that 12-year-old, little, 2-ton orange truck. We arrived at the border having seen dozens of Canadian trucks hauling grain into this country. We were stopped at the border and told: You can't take that 150 bushels of U.S. durum wheat into Canada. We asked: Why not? They said: Because we won't let you in.

All the way to the border, we saw them coming into our country, but we could not take the product of one little orange truck into Canada. Is that fair trade? I don't think so.

The administration turned from Canada to Mexico and did a trade agreement with Mexico called NAFTA. We wrapped Canada and Mexico together. NAFTA sure didn't work. I voted against that as well. We had a very small trade surplus before NAFTA, and we turned that into a very big deficit. Now we are up to our neck in troubles with NAFTA. We have troubles trying to get high-fructose corn syrup in, we have unfair trade with potatoes—you name it.

After we negotiated to reduce tariffs from United States goods going into Mexico, the Mexicans devalued their peso 50 percent, which meant that all the work done to get rid of the 10- or 15-percent tariffs didn't mean anything. They obliterated that by simply devaluing the peso.

What else are we facing? I will give you some examples. Automobiles. We don't make automobiles in North Dakota, but this is a national issue. Let me show you this chart. Absurdities in trade. Last year, we had automobiles coming into the United States from Korea. Last year, we imported into the United States 570,000 automobiles from the country of Korea—570,000 cars. Do you know how many cars the United States sent to Korea? One thousand, seven hundred. I will say that again. We had 570,000 Korean cars driven off boats to be sold in the United States. Going the other way, we had 1,700 United States cars into Korea. Do you know why? If you try to sell an American car in Korea, they will find all kinds of ways to stop you. Not just tariffs, but all kinds of non-tariff barriers, like intimidation of potential buyers with the threat of a tax audit. They want to just ship their cars to our country, and make it one-way trade. If you are somebody working for a car company in this country, you have a right to ask: Who on Earth is minding the store if you let this go on? Is this fair trade? Clearly, no. Somebody ought to stand up on behalf of workers in this country and say we are not going to let that happen.

What about beef to Japan? Every pound of American beef going to Japan has a 38.5-percent tariff on it, and that is 12 years after a beef agreement with Japan. Every pound of T-bone steak

going to Tokyo has a 38.5-percent tariff. That is absurd.

Right now, we are fighting and trying to get soybeans into China because they are trying to squeeze the neck of the bottle, just after we had a bilateral trade agreement with China. The list goes on and on and on.

We have a trade agreement with Canada, as I mentioned. Do you know what happens with Canada? They move sugar from Brazil into this country, in contravention of American law, in what they call stuffed molasses. Then they take the sugar out of the molasses and send the molasses back, and they do it again and call it stuffed molasses. It is done every day. That is fundamentally wrong. Yet nobody is willing to stand up on behalf of producers.

Winston Churchill said that when he was a kid, he got into a debate with Atlee in Parliament. As the story went—it was an aggressive debate—he told Atlee: When I was a child, my parents took me to the carnival, and they had a sideshow. At the sideshow, they had these canvas flaps that described what wonderful, extraordinary, outrageous things you were going to see in the sideshow. One of them advertised the boneless wonder—a man apparently born without bones, if you can imagine.

Churchill said: My parents felt I was far too tender in age to be taken into a sideshow to see the boneless wonder. Then, standing on the floor of the Parliament when he was in this debate with Atlee, he said: It has taken 50 years, but I can finally put my eyes on another boneless wonder.

When I think about the boneless wonder, I think about the people who are supposed to be negotiating trade for us and enforcing it and standing up for American interests. They should be working hard on behalf of farmers, steelworkers, auto workers, and so many others in this country, who are part now of a global economy, demanding on their behalf that the rules of trade be fair.

We had a hearing in Congress in which we heard about conditions under which carpets or rugs were made for export to this country. We heard about warehouses where young children, 9, 10, 11, and 12 years old, are using needles to make these carpets that will be sent to Pittsburgh, Los Angeles, and Denver—into the American marketplace. Locked in these warehouses, the children had gunpowder put on the tips of their fingers, and it was lit with a match; their fingertips were burned so they would scar, and these 10- and 12-year-old kids, with scarred fingertips, could then use these needles with impunity, making these carpets, and it would never hurt their fingers because they were now scarred sufficiently to be able to resist the needle's sting. That is how they got more productivity out of 10- and 12-year-old kids. They were making carpets that were being sent to this country.

The question is: Is that something we ought to allow? Is that fair trade? Is

that a product we want on American markets? The answer is no, it is not fair trade. We have the marketplace being flooded with products—the products of forced child labor anywhere in the world. It is not fair trade for someone to be paid 16 cents an hour to make shoes in a factory somewhere, and ship it to Pittsburgh, and compete with somebody working in a factory in this country who would be required to be paid some sort of a living wage—and to work in a factory that will not pollute the water and air.

We fought 75 years in this country for those basic conditions. Now we have people saying, let's pole-vault over those issues, and we will go to Bangladesh, or to Indonesia—we will go someplace where we don't have to worry so much about those restrictions, and we will ship the product back in to Toledo, or Buffalo, or Los Angeles.

The global economy needs to define fair trade. We in the U.S. Government need to define for ourselves when and under what conditions we will stand up for American producers. Or is there not a case at all where our Government is willing to stand up for American producers and demand fair trade?

This is an issue that is not going to go away. We will have the debate over so-called trade protection authority. That is a euphemism. You know, in this town, when something becomes controversial, you just change the name.

Fast track became TPA, trade promotion authority. But a hog by any other name is a hog. We are talking about fast track.

In the coming weeks, the President will ask for fast track. I keep coming back to article I, section 8, which says that:

The Congress shall have Power To . . . regulate Commerce with foreign Nations. . . .

I just ask all of those who are concerned about the decision being made next Wednesday on steel, to ask whether the next group of trade negotiators should go out, lock the door, keep the American public out, negotiate a deal, and then come back to the Congress and say: you have no business suggesting any change under any circumstance to the deal we made.

My hope is we could just once find an administration, Democrat or Republican—it does not matter to me—who would hire trade negotiators and have the will and the backbone and the strength to stand up on behalf of American producers and demand fair trade.

I am so tired of these mountains of Jell-O that serve in public office and negotiate incompetent agreements, sell away the interests of American producers, and then say to us: Oh, by the way, you are correct; this trade is unfair, but we elect not to do anything about it. That is just wrong. I guess on every occasion I have spoken about this, I have suggested—mostly in jest—we ought to have jerseys for our trade negotiators. We have them for the

Olympians and they can look down and know they are for the USA. What about jerseys for trade negotiators so that occasionally when they are in meetings, behind those locked doors, they can look down and say: Oh, yes, that's right, now I remember for whom I am negotiating.

Most of our trade policy has been negotiated as foreign policy. Most of it has been eggheaded foreign policy now almost a quarter of a century. For the first quarter century after the Second World War, it was all foreign policy. We just granted trade concessions everywhere, and it did not matter because we were bigger, tougher, and we could compete with anybody around the world with one hand tied behind our back. So our trade policy was almost exclusively foreign policy. Then we had competitors who developed into shrewd, tough, international competitors in the global economy, and we are still running around giving away concessions, tying our hands behind our back, negotiating agreements we will not enforce, and shame on us for doing that.

This country needs an economy with a manufacturing base. We cannot remain a world-class economy unless we have a manufacturing base. We need good jobs that pay well, that sustain a strong manufacturing base in our country.

There are those in this town who divide the trade debate into two thoughtless categories: You are either a smart, incisive person who can see over the horizon and understand that global trade is benefitting our country, or if you say anything at all on the other side of the issue, you are some xenophobic stooge who does not get it, has never gotten it, and wants to build walls around America to keep foreign products out. Of course, that is a thoughtless way to describe relative positions on trade. There is a much better way to describe this country's trade interests, in my judgment, and that is to say this country ought to be willing, ready, and able to compete anywhere in the world with any product as long as the competition is fair.

The doctrine of comparative advantage is a fair doctrine, in my judgment. If someone can make a product better than we can, then by all means let's find a way to acquire that product from a country that has a natural advantage. But the impediments to fair trade have very little to do with comparative advantage; they have to do with political advantage. They have to do with countries that decided they do not want minimum wages; that think it is fine to have 16-year-old kids working 16 hours a day being paid 16 cents an hour; they think that is fine.

This country fought 75 years to say it is not fine, and the American marketplace ought not be open to any and all schemes of production around the globe, regardless of how inhumane and unjust they might be. It is not acceptable to us as consumers and ought not

be acceptable to us as public officials who have an obligation to stand up for American producers, for fair trade.

Mr. President, that is a long meandering road to describe the decision next Wednesday that this administration has to make on the subject of steel. My hope is that the administration will make the right decision. I have not seen an administration in some 20 years that has a record in international trade that I think benefits this country and its producers in a way that is fair.

#### UNANIMOUS CONSENT REQUEST— S. 94

Mr. DORGAN. Mr. President, I notice my colleague from Wyoming is in the Chamber. I did give notice that I was going to propound a unanimous consent request, and if he is in the Chamber for the purpose of representing the minority, I will propound that unanimous request at this point in time.

I spoke yesterday about the subject of the wind energy production tax credit, which expired at the end of last year. The expiration occurred because it became embroiled in the back and forth over the economic recovery package and the stimulus plan. The fact is, the Congress ended its year and its work without having extended the tax extenders—there are some half dozen of them—one of which is the tax credit for wind energy.

In my judgment, it is just fundamentally wrong for us not to take the action we need to take right now to extend that production tax credit for wind energy.

I had a conference in Grand Forks, ND, last week when the Senate was not in session. The conference was on wind energy. Over 700 people showed up. There is great interest in this from all over the country. North Dakota is No. 1 in wind energy potential. The new technology wind turbines are remarkable. To be able to take energy from the wind, put it in a transmission line and move it around the country is remarkable.

There are plans on the books right now. A CEO from one of the largest companies came to see me 3 weeks ago. He said: I have plans for 150 megawatts, 150 one-megawatt towers. It is going to cost \$130 million to \$150 million. The plans are done. He said: They are ready; I have the money. That is already developed. But it had to be put on the shelf until Congress extends the production tax credit.

We do not seem to think it is urgent. I believe it is urgent.

My colleague, Senator REID, asked he be remembered on this issue because he supports this. He has companies in Nevada with plans on the shelf. They are ready to go, but they are held up. The same is true in many other States in the country.

For that reason, I ask unanimous consent that the Finance Committee be discharged from further consider-

ation of S. 94, a bill to extend tax credits for wind energy; that the Senate proceed to its immediate consideration; that the bill be read a third time and passed; and that the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. THOMAS. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. DORGAN. Mr. President, I understood there would be an objection. I want to demonstrate again—and I hope I can do this in the coming days—there are many Republicans and Democrats serving in the Senate who know we ought to pass this bill, who want to get this done. We need to find a way to make this happen. This is urgent. Yet we are sort of at a parade rest on a range of areas.

We can talk about who is at fault. I do not intend to do that. I am much more interested in trying to get this started than I am in trying to figure out why it stalled. Let's see if we can work together to accomplish this goal. We know it needs doing. We are going to turn to the energy bill next. We know having this production tax credit extended is important. It ought to be done now, not later.

Mr. President, I understand my colleague from Wyoming was required to object to this. I will not go beyond that except to say I hope he joins me and others as we find a way to extend these tax credits and that we do so soon.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. THOMAS. Mr. President, I, too, am supportive of wind energy and the alternatives, of course, but we have been waiting—talk about waiting, we have been waiting for months to get to an energy bill, which has been objected to and held up by the folks on the other side of the aisle. We are finally going to get to it, and certainly this issue ought to be part of an overall energy policy, not a stand-alone bill.

So hopefully next week we will have a chance to get to energy. I do not think there is anything more important before this Congress than to have an energy policy in this country. We have talked about it now for months. I am on the Energy Committee, as well as the Finance Committee. We have talked about energy for a very long time. We did not have a chance to put it together in the committee but, rather, the majority leader took it away from the committee and brought it to the floor.

So now we find ourselves in a very difficult position by putting together a very complex bill, but hopefully starting in the next day or two we will have an opportunity to do that. I hope my friend from North Dakota will have an opportunity to talk about wind energy and the opportunities to do something with it at that time. It seems to me that is the appropriate time to do it.