

UNANIMOUS CONSENT REQUESTS—  
H.R. 3009, S. 517 and H.R. 6

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 295, H.R. 3009, the Andean trade legislation; further, I ask unanimous consent that the committee amendment be agreed to, the bill be read a third time and passed, with the motion to reconsider laid upon the table; finally, I ask unanimous consent that the Senate insist on its amendment, request a conference with the House, and the Chair be authorized to appoint conferees on the part of the Senate.

The PRESIDING OFFICER. Is there objection?

Mr. HOLLINGS. I object.

Mr. DASCHLE. Reserving the right to object.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. LOTT. The majority leader is recognized under a reservation?

Mr. HOLLINGS. I object.

Mr. LOTT. Mr. President, will the Senator from South Carolina withhold?

The PRESIDING OFFICER. The majority leader is recognized.

Mr. DASCHLE. Mr. President, I wish to point out that Senator LOTT and I have talked about this matter on a number of occasions. I share his strong desire to complete our work on Andean trade. We will do so.

I have also indicated a desire, and I know it is a desire held on both sides of the aisle, to finish the energy bill. It would be my hope we could move to many of these other pressing legislative priorities as soon as we finish energy.

We had agreed to take up and finish our energy responsibilities, and that is what we are doing. We have been on the bill now for 13 days, as my colleagues will note. There is one item that may keep us from reaching some agreement in the near future, and that is the ANWR amendment. We have been attempting to get some understanding about how we might resolve the issue relating to ANWR. So I ask unanimous consent that on Monday, April 8, at 2 p.m., the Senate resume consideration of S. 517; that Senator MURKOWSKI be immediately recognized to offer his amendment relating to ANWR; that the amendment be debated Monday and Tuesday; and that the Senate file cloture on his amendment Monday; that if cloture is not invoked on the amendment, then the amendment would be withdrawn and no further amendments relating to drilling in ANWR be in order.

If the Republican leader could agree to this, then I think we would be in a position to move very quickly, as soon as we finish our work on ANWR and on energy, on this and other matters.

Mr. LOTT. Reserving the right to object to that additional request, the request would not include the UC with regard to Andean trade; it would be strictly with regard to ANWR?

Mr. DASCHLE. This would allow us to complete our work on ANWR and on energy so we could move to not only

Andean trade but TPA and border security as well.

Mr. LOTT. Let me assure Senator DASCHLE, under my reservation, I would like for us to get a vote on ANWR included in the energy bill and move to completion of the energy bill as soon as possible thereafter, too. Beyond that, I have urged the manager of this legislation, on our side of the aisle, to move to the ANWR issue as early as possible when we come back. I hope that would be, hopefully, even Tuesday, but of course we will have to dispose of a couple of pending issues because we do not want that to still be pending at the end of the week. We would like to finish the energy bill the week we come back because I know we need to go to the budget resolution and the trade bill.

My encouragement to the managers is we do ANWR earlier in the week so we can then do the tax provision which, I presume, would be last, and we would be prepared to go to the final passage of the bill.

At this time I object to that addition.

The PRESIDING OFFICER. The objection is heard.

Mr. LOTT. I objected to the request with regard to ANWR.

Now, did Senator GRAHAM want to speak on the Andean trade issue, or will he speak on it after the reservations?

Mr. HOLLINGS. After the objection.

Mr. LOTT. After the objection?

Mr. HOLLINGS. Right.

Mr. LOTT. That would be fine.

Mr. HOLLINGS. I object.

Mr. LOTT. The Senator from South Carolina objects?

Mr. HOLLINGS. I do.

Mr. LOTT. I want to make sure. There are others who might object as did the Senator from South Carolina so the record is complete.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. GRAHAM. Mr. President, I appreciate the minority leader's efforts to get unanimous consent to consider the Andean Trade Preference Act, which I consider to be a matter of not only urgency but also a matter of national moral responsibility for the United States.

For 10 years, we had a special relationship between this country and four countries in Latin America: Ecuador, Peru, Bolivia, and, primarily because of its size, Colombia. All of those countries now are in various forms of threat to their sovereignty, to their democracy, and to their economic well-being.

The United States, at this time of need, I believe, is morally obligated to reach out to our good neighbors in the hemisphere through the adoption of this legislation, which would essentially extend what we have done for 10 years, a very successful relationship on both sides, and modernize and bring it up to the same standards we have already provided to the countries of the Caribbean Basin.

Since we are not going to be dealing with this issue tonight, I hope we will make a commitment that early after

we return on April 8 we will give attention to this matter so we can send the strongest possible signal to these beleaguered countries that we understand their need and that we want to be a partner in their resolution.

I urge our leadership to give priority attention to this issue at the earliest possible time.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. HOLLINGS. Mr. President, right to the point on Andean trade, we have supported it and we have indicated, of course, to the administration we would go along with an extension. However, we have given at the office, as the saying goes. I have lost 50,900 textile jobs since NAFTA, and I am wondering about these people talking of morality, if they would be glad to accept my amendment to include Brazil and orange juice. Wouldn't that be immoral?

I have another moral for a motion on the Andean pact, and that is to get a little beef and wheat to Argentina; they are in desperate circumstances. Morally, under the good neighbor policy of Franklin D. Roosevelt, we Democrats ought to be morally committed to beef and wheat to Argentina.

We have all kinds of amendments we can present. My point is, this country has lost its manufacturing capacity. That goes right to the heart of the economy and the recovery from the recession. Under the Marshall plan, yes, we sent over our technology and expertise. It worked. Capitalism conquered communism. However, there comes a time to face reality and that is that there is no such thing as free trade. We have the enemy within—the Business Roundtable. Boy, I have gotten awards from them. But what has happened over the years is they have moved their production.

I would like to print in the RECORD about Jack Welch squeezing the lemon. He said on December 6, 2000, the year before last, squeeze the lemon. He said General Electric was not going to serve or contract with any supplier that didn't move to Mexico.

So we have an affirmative action plan to get the jobs. Then comes free trade, promotes jobs.

The gentleman Welch is squeezing something else. That is not a problem. I don't think we are going to handle that tonight.

Let's now get on with what we are morally committed to on the idea of trade. I am morally committed to the economic strength of this country.

Mr. HELMS. Mr. President, I do not relish questioning legislation that the President and the distinguished Republican leader are seeking to move through the Senate, but I feel obliged to make sure that the RECORD reflects that I am genuinely opposed to the request to move to the Andean trade bill because I am committed to standing up for the men and women from North Carolina who earn their living in the textile industry.

Time and again, these good citizens have been asked to sacrifice their livelihoods for the sake of textile trade liberalization. In 2001, the textile and apparel sector lost almost 141,000 domestic jobs. In North Carolina alone, more than 20,000 jobs were lost last year. The steady erosion of the manufacturing base in North Carolina is creating a genuine crisis, both for the men and women who are out of work, and the communities which depend on a healthy domestic textile industry.

The so-called Andean Trade Preferences Act proposes to unilaterally allow duty-free imports of apparel products from the Andean region. This legislation will exacerbate the problems facing our communities rather than assisting our industries and workers.

Mr. President, with all respect, I do not believe the Senate should proceed to the Andean trade bill, and I, therefore, feel obliged to oppose the leader's request.

Mr. LOTT. One other issue. I really am bothered by the fact we are going to be leaving town and have not extended the debt ceiling. The Treasury Department has indicated they may or likely will have to take action around April 1 to deal with the fact that the debt ceiling may have been reached, and that they would do a number of things, as other administrations have done, possibly even dip into the pension fund to carry us over.

Senator DASCHLE and I talked about the need to move this before we left, to move it clean and move it for a year, but we have not been able to get that cleared. I think the Senate would look much better, and it would have been a wise thing for us to do to move the debt ceiling extension.

I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 168, H.R. 6, and that all after the enacting clause be stricken; further I ask that the text of a Senate bill which is at the desk, which is in the debt limit extension, be inserted in lieu thereof; further I ask that the bill be read a third time and passed, with a motion to reconsider laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. HOLLINGS. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. LOTT. I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, with regard to the last request and the objection, I want to indicate that I, too, would have objected. Congress has had a long tradition of linking the budget process reform to increases in the statutory limit on Government debt. Obviously, no one knows this better than the Senator from Texas when in 1985 Congress enacted the Gramm-Rudman-Hollings law as an amendment to the debt limit bill, and in 1987, after the Supreme Court ruled the first Gramm-

Rudman-Hollings law unconstitutional, then Congress added the reaffirmation of the Gramm-Rudman-Hollings law to the debt limit. Then in 1990, Congress enacted the Budget Enforcement Act in the same legislation with an increase in the debt limit.

There is a logical link between the debt limit issue and controlling of deficits. I think the Senate should only vote to raise the debt limit if it is linked with reforms to prevent the need for future debt limit increases, and I hope that when we return to this issue there is an opportunity for an amendment with a limited time agreement so we can perhaps address this important matter.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. DASCHLE. Mr. President, I hope everybody realizes this was an exercise without any real value because the House went out last night. Even if we had passed it tonight, there is no prospect for the House to take this legislation up until after they come back in 2 weeks. We have been waiting for the House to give us some indication as to the size of the debt limit increase they support and some understanding of what they will do. We have yet to hear what the House plans are with regard to the debt limit.

The last I heard is they were having some difficulty in reaching agreement, and because they have not reached an agreement, they do not have the votes to increase the debt under any conditions at this point. There is some indication now they are planning to offer the debt limit increase as an amendment to the supplemental, but the supplemental has yet to be presented to the Congress. So we do not have a supplemental. We do not have any indication from the House as to what their intentions are with regard to the size or the timeframe within which the debt will be considered and extended. So even if we did take up the debt limit tonight, as I wish we could do as well, unfortunately we are still going to have to wait until after the House acts on the legislation for us to be able to complete our work.

So I do hope when we come back we can work in a bipartisan manner and send clean legislation either to the House or wait for the House to send similar legislation to us.

I yield the floor.

#### NATIONAL LABORATORIES PARTNERSHIP IMPROVEMENT ACT OF 2001—Continued

The PRESIDING OFFICER. The Senator from Arizona is recognized.

AMENDMENT NO. 3057 TO AMENDMENT NO. 3016

Mr. KYL. Mr. President, I have an amendment at the desk numbered 3057.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Arizona [Mr. KYL] proposes an amendment numbered 3057.

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

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

The amendment is as follows:

On page 9 after line 7 insert:

“(n) PROTECTION OF CONSUMERS.—Upon certification by the Governor of a State to the Secretary of Energy that the application of the Federal renewable portfolio standard would adversely affect consumers in such State, the requirements of this section shall not apply to retail electric sellers in such State. Such suspension shall continue until certification by the Governor of the State to the Secretary of Energy that consumers in such State would no longer be adversely affected by the application of the provisions of this section.”

Mr. KYL. I will take a couple of minutes to explain this amendment. It is very straightforward. Since we have been through the debate, we do not have to have a great deal more. We have tried twice, once myself and once Senator MURKOWSKI, to give the States more authority to deal with the problem of renewable energy. Both of our amendments have been rejected. We accept that.

This amendment is one last attempt to preserve some semblance of ability by the States to protect their electric consumers in the event the costs of this Federal mandate program should be too great and allows, therefore, the Governor to opt out or waive the provisions of the program in that one eventuality.

From the Energy Information Administration of the Department of Energy, we have an account of every single utility in the country in every single State, by State, showing exactly what this Federal mandate in the Bingaman provision is expected to cost retail consumers. It averages around a 4-, 5-, 6-percent per year increase, but it varies from region to region and utility to utility.

The point is, when customers begin to feel the pinch of the Federal mandate in the Bingaman amendment, they will ask you or your Governors is there anything they can do. My amendment says, yes, the Governor would have the ability in that event to waive the provisions of the Federal mandate, if he finds those provisions are adversely affecting the retail customers of the State.

These figures may not be accurate. If that is the case, fine. But if these figures are accurate, I suspect your constituents, your voters, your retail electric customers, are going to want some relief.

This is the last liferaft, folks. We have been defeated on everything else. This is at least a liferaft that provides some ability of the program to be waived so it would not adversely affect them. I ask my colleagues to consider not the utilities in your State; what we are saying is, if it should transpire that the Bingaman amendment adversely affects people, shouldn't we have some kind of escape valve, some ability for