

States today. We provide both the medical education, the internship, the residency, the continuing education, that 20 percent of America's doctors take advantage of.

I was surprised to learn that 14 percent of all of Arizona's doctors and 25 percent of Florida doctors were trained in New York. Moreover, the therapies developed and perfected in our academic medical centers offer hope to patients everywhere. Chances are, no matter where you live, you have been touched by the work that has occurred in a New York teaching hospital. We have been instrumental in developing treatments for heart disease, for HIV/AIDS, for developing the therapies on cardiac catheterization, the first to innovate new forms of laser surgery, and the new minimally invasive surgical methods.

Many in this body support NIH funding. We want to double the amount of funding NIH has, but that funding is useless if the research grants cannot go to the top researchers to do the work we hope will come from additional NIH funding.

The U.S. health care system delivers some of the highest quality care to be found anywhere. The reason that happens is because we have a partnership. We have our local community hospitals in small towns and rural areas. We have our larger hospitals in bigger cities in every State in the country. Then we have the so-called teaching hospitals that provide what is called tertiary care. When you are really sick, when you need extra special help, that is when everybody at home has said: There is nothing more we can do for you, go to Sloan-Kettering, go to New York Presbyterian, go to Mount Sinai. There is someone there who can give you the help you need. We are very proud to provide that service to our country.

I hope we will be successful in the legislation we plan to introduce today to protect our academic medical centers. I am calling on our colleagues in both Houses to ensure the provision to eliminate these IME cuts in any Medicare package we enact this year. I hope what seems like an arcane, somewhat abstract issue, is understood as being the extremely important, critical concern that it is.

If one looks at the number of physicians trained, the cures and therapies that have been invented, the last resort care that saves lives that others had given up on, there is no doubt that our teaching hospitals are absolutely essential to the quality of health care in America. We need to do everything we can to make sure they stay healthy and provide the kind of care we have come to take for granted.

Mrs. CLINTON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent the order for the quorum call be dispensed with.

The PRESIDING OFFICER (Mrs. CLINTON). Without objection, it is so ordered.

EXTENSION OF MORNING BUSINESS

Mr. REID. Madam President, this has been cleared with the Republican leader. I ask unanimous consent morning business be extended until the hour of 1 o'clock today with Senators permitted to speak therein for a period not to exceed 10 minutes.

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

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FEINGOLD. Madam President, I ask unanimous consent the order for the quorum call be dispensed with.

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

Mr. FEINGOLD. Madam President, I ask unanimous consent to speak for up to 30 minutes in morning business.

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

FAST-TRACK

Mr. FEINGOLD. Madam President, I rise to offer some comments on the proposed trade legislation before us, and in particular on the so-called Trade Promotion Authority provisions in that package, also known as fast-track.

As a number of my colleagues have noted, the issue of whether or not to enact fast-track procedures is not a question of whether one favors or opposes free or fair trade, but rather what role Congress plays in trade agreements.

The fast-track proposal we are considering, and its predecessors, are quite recent inventions.

Prior to the Tokyo round of the GATT, there was no fast-track mechanism.

In fact, of the hundreds and hundreds of trade agreements our Nation has negotiated and entered into, only five have used the fast-track procedures.

This by itself should dispose of the argument that fast-track is necessary for us to negotiate trade agreements at all.

Really, what we are saying here is that fast-track has been the exception, not the rule, with regard to trade negotiations.

The previous Administration negotiated and implemented over 200 trade agreements without fast-track.

What were some of those agreements?

Madam President, I don't think I really need to tell you, but they included:

The Market Access Agreement with Argentina for Textiles and Clothing, the Market Access Agreement with Australia for Textiles and Clothing, the Agreement on Bilateral Trade Relations with Belarus, the Market Access Agreement with Brazil for Textiles and Clothing, an Agreement concerning Intellectual Property Rights with Bulgaria, an Agreement Between the United States of America and the Kingdom of Cambodia on Trade Relations and Intellectual Property Rights Protection, the Agreement on Salmon and Herring with Canada, the Agreement on Ultra-high Temperature Milk with Canada, the Agreement on Trade in Softwood Lumber with Canada, the Agreement on Intellectual Property Rights Protection with Ecuador, a Memorandum of Understanding on Trade in Bananas with Costa Rica, several agreements with the European Union, an Agreement on Intellectual Property Rights Protection with India, several dozen agreements with Japan, several dozen agreements with Korea, and many, many more agreements with dozens of other countries.

Just last year, this body passed legislation implementing the U.S.—Jordan Free Trade Agreement, also negotiated and implemented without fast-track procedures.

We passed not only bilateral agreements, but multilateral agreements such as:

the Information Technology Agreement, which involved over 40 countries, the Financial Services Agreement, and, the Basic Telecommunications Agreement.

President Clinton did not need fast track to negotiate those agreements, and President Bush does not need it to negotiate additional agreements.

While the ability to negotiate and enter into international agreements are inherently part of the President's constitutional powers, the Constitution grants exclusive authority to Congress "to regulate Commerce with foreign nations."

Congress has sole constitutional authority over setting tariff levels and making or changing Federal law.

Those who support fast-track constantly make the argument that if you want free trade, you have to enact fast-track.

They equate fast-track with free trade. The reason is obvious. The arguments for free trade are powerful. Indeed, I agree with those arguments.

We as a nation are better off in a world with freer trade than we are without it.

But the underlying premise, that we need fast-track to achieve free and fair trade, is absolutely false.

I have referred to the hundreds of trade agreements negotiated without fast-track procedures.

That is evidence enough.

But let me also argue that not only is fast-track not necessary for free trade, it may actually undermine it.

One of the greatest defects of the NAFTA and GATT agreements was the

perception that those agreements picked "winners and losers." I believe strongly that those perceptions are based on reality, that some industries were huge winners in those agreements, while other industries were effectively written off.

Wisconsin had more than its share of those industries that were written off, and at the top of that list, at the very top was the dairy farmer.

There is no doubt in my mind that other industries were given a higher priority than our dairy farmers, and the results of those agreements underscore that feeling.

Under the GATT, the European Union is allowed to export 20 times the amount of dairy products under subsidy than the U.S. is allowed to export.

Not only did we formally provide the EU this significant advantage in that agreement with respect to dairy, but apparently the EU is not even complying with those incredibly generous limitations.

The industries given lower priority do not end with dairy, and while our more populous cities—Milwaukee, Madison, Green Bay—experienced serious job loss as a result of the NAFTA agreement—over 1000 jobs lost in Racine, and over 2600 jobs lost in Milwaukee—the fallout from the "winners and losers" approach extended to many smaller communities.

Even if we only use the extremely conservative statistics collected by the Department of Labor—statistics which many argue grossly understate actual job loss—smaller communities all over Wisconsin have been the victim of this "winners and losers" approach to trade agreements.

NAFTA's legacy of lost jobs includes places such as:

Baraboo, with 95 lost jobs; DeForest, with 40 lost jobs; Elkhorn, with 50 lost jobs; Hawkins, with 443 lost jobs; Marinette, with 32 lost jobs; Mauston, with 48 lost jobs; Merrill, with 84 lost jobs; Montello, with 25 lost jobs; Oconto Falls, with 437 lost jobs; Peshtigo, with 221 lost jobs; Platteville, with 576 lost jobs; Reedsburg, with 25 lost jobs; Spencer, with 23 lost jobs; and, Waupaca, with 132 lost jobs.

To trade negotiators whose focus was on advancing the prospects of those industries they pre-determined to be "winners," the losses experienced elsewhere apparently were unfortunate but acceptable.

But for the communities I mentioned, those losses were real—real workers with real families to support.

The fast-track procedures under which GATT and NAFTA were negotiated and implemented invite this kind of polarization at the negotiating table.

And it is this kind of economic disparity produced by these trade agreements—the picking of winners and losers—that undermines broad public support for pursuing free trade agreements.

Free trade ought to benefit all sectors of the economy.

Without fast-track procedures, our negotiators will know their work product will undergo rigorous Congressional scrutiny.

And they will know that it will be much more difficult to enact a trade agreement that disproportionately benefits some while disadvantaging others.

It is this kind of trade agreement—one that benefits the entire economy—that will enhance the cause of free trade.

Fast-track also encourages another disturbing trend in trade agreements, namely advancing the short-term interests of multinational corporations over those of the average worker and consumer.

The increasing globalization of the economy confronts us every day.

Few can doubt the enormous power that multinational corporations wield in trade agreements, from the negotiating table itself to the closed-door bargaining that will go on before the implementing legislation is sent to Congress.

Fast-track procedures make it all the easier for those interests to advance an agreement that may include provisions that conflict with the interests of our Nation.

With opposition to the entire agreement the only alternative left to Congress, and with the considerable weight of the multinational corporate interests behind any proposal, it is likely that Congress will swallow even a deeply flawed agreement.

What does that do for the public support necessary for free trade?

It severely undermines it, Mr. President, and puts future trade agreements that can enhance our economy at risk.

Let me turn to another provision in the current fast-track proposal.

It may surprise some to know that even provisions that have nothing to do with the underlying trade agreement cannot be amended or even stricken from the bill. Some may find this hard to believe, but in fact we have seen such provisions included in fast-track protected trade legislation.

Many of us will recall the GATT implementing measure which included some controversial provisions intended to offset the costs of the trade agreement.

Among those provisions was a change in the actuarial standards of the Pension Benefit Guarantee Corporation and a provision many viewed as a sweetheart deal for certain media giants that gave preferential treatment with respect to FCC licenses.

Neither of those provisions had anything to do with the underlying trade agreement. Both certainly deserved more scrutiny than they received under the constraints of fast-track procedures.

Whatever justification there may be for providing special procedures for trade agreements, procedures which supporters argue are necessary to at-

tract our trading partners to the table, there is no such justification for shielding unrelated provisions from thorough Congressional scrutiny and review.

Let me stress those funding provisions were not part of the trade agreement itself. Our trading partners do not get a say in how we offset the cost of a trade agreement, and one might ask, if our trading partners have no say in the offset provisions, why are those provisions included under fast-track procedures?

The fast-track proposal before us today has that same flaw. Under its procedures, the most unjustified funding mechanism attached to trade implementing legislation under fast-track will remain uncathed.

To correct that problem, I plan to offer an amendment that allows any tax increase included in a fast-track protected bill to be fully debated and amended. There is no reason Congress cannot fully debate, modify, or strike any tax increase.

But beyond the problem of fast-track protected tax increases, there may be no limit at all on extraneous matters in fast-track bills. I am not confident that as it is currently drafted the fast-track authority provided in this bill protects Congress from this potential abuse.

If that is true, if extraneous matters are not prohibited from fast-track protected trade bills, then there is nothing to prevent a President from including language to ban all abortions.

If extraneous matters are not prohibited, then there is nothing to prevent a President from including language requiring all guns to be registered.

In short, if extraneous matters are not prohibited, then there is nothing to prevent a President from including provisions, completely unrelated to trade, that would otherwise not pass this body.

I plan to offer an amendment to protect against such an abuse. It would provide that a point of order could be raised against extraneous matters included in a fast-track protected trade bill, and would require that they be dropped.

Let me reiterate that many of us who support free and fair trade find nothing inconsistent with that support and insisting that Congress be a full partner in approving agreements.

Indeed, as the senior Senator from West Virginia, Mr. BYRD, has noted, support for fast-track procedures reveals a lack of confidence in the ability of our negotiators to craft a sound agreement, or a lack of confidence in the ability of Congress to weigh regional and sectoral interests against the national interest, or may simply be a desire by the Executive Branch to avoid the hard work necessary to convince Congress to support the agreements that it negotiates.

I can think of no better insurance policy for a sound trade agreement than the prospect of a thorough Congressional review, complete with the ability to amend that agreement.

Not only would the threat of possible congressional modification spur our negotiators to produce the best product possible, that potential for congressional intervention could serve as an effective club in the hands of our negotiators when they are bargaining with our trading partners.

With hundreds of trade agreements negotiated and implemented without fast-track, the refrain we hear again and again, that we need to enact fast-track in order to negotiate trade agreements, is off key.

We do not need fast-track to negotiate trade agreements.

As I have argued today, in several important ways, fast-track invites bad trade agreements.

It produces agreements that pick winners and losers instead of advancing all sectors of the economy together.

It produces agreements designed to respond to the short-term interests of multinational corporations instead of fostering long-term sustainable economic growth.

It protects the completely unrelated funding provisions in trade implementing legislation, and as such invites enormous abuse.

And it may provide a mechanism to enact controversial legislation, unrelated to trade, that would otherwise fail to pass.

I think fast-track is bad for free trade. We don't need it, and we shouldn't enact it. I urge my colleagues to join me in opposing this legislation, and in doing so, voting for—voting for—free and fair trade.

OTHER FAST TRACK PRIORITIES

Mr. FEINGOLD. Madam President, the Senate has put trade on the fast track, but there are a number of other priorities that the Senate would do better to put on the fast track.

The Senate has put trade on the fast track, but what about a long-overdue increase in the minimum wage? The Senate should put the minimum wage on the fast track.

The Senate has put trade on the fast track, but what about updating Medicare to provide coverage for prescription drugs? The Senate should put prescription drug coverage on the fast track.

The Senate has put trade on the fast track, but what about protecting people of color against racial profiling? The Senate should put racial profiling on the fast track.

Madam President, the Senate has put trade on the fast track, but another thing that should be on the fast track for Senate consideration is ensuring the health of Social Security. As we debate the Senate's priorities, let me take a few minutes to address this other matter that requires the Senate's attention: the state of Social Security and Medicare and the well-being of the millions of Americans whom those important programs serve.

Madam President, since the election, the topic of Social Security, as you

well know, has all but fallen off the legislative agenda, and that is unfortunate, for at stake is little less than whether our elderly live in comfort or in poverty. Before Social Security, most elderly Americans lived in poverty. Before Medicare, more than a third of the elderly still lived in poverty—35 percent in 1959. Roughly 10 percent do now.

Social Security and Medicare have been essential to this achievement. Nearly two-thirds of elderly Americans rely on Social Security for most of their income. Social Security has been one of the most successful Government undertakings in history.

On March 26, the trustees of the Social Security and Medicare trust funds issued their annual reports on the financial condition of these two important programs. These reports give us another reason to turn attention to Social Security and Medicare and to our efforts to protect them.

The Social Security trustees' report indicates that to maintain solvency for 75 years, we need to take actions equivalent to raising payroll tax receipts by 1.87 percent of payroll or making equivalent cuts in benefits. That is essentially equal to the long-term actuarial deficit in last year's report—1.86 percent.

Another way of looking at these numbers is as a share of the economy, as measured by the gross domestic product. The Social Security trustees' report indicates that the long-term shortfall amounts to seventy-two one-hundredths of a percent of the size of the American economy that the trustees project over the next 75 years.

The Social Security trustees project that the assets of the Social Security trust funds will keep the program solvent through 2041, and that is actually 3 years later than last year's report. When Social Security exhausts its assets in 2041, annual Social Security tax revenues will be sufficient to cover about three-quarters of annual expenditures.

So the trustees' report thus sounds a warning: We can fix Social Security for 75 years if we make changes now equal to less than 2 percent in payroll taxes or 13 percent of benefits. But if we wait until 2041, we will need payroll tax increases of more than 5 percent or benefit cuts of more than a quarter.

The Medicare trustees' report indicates that to maintain solvency for 75 years, we need to take actions equivalent to raising payroll tax receipts by 2.02 percent of payroll or making equivalent cuts in benefits. That is up slightly from last year's report, which showed a long-term actuarial deficit of 1.97 percent.

The Medicare trustees project that the assets of the Medicare trust funds will keep the program solvent through 2030, and that is 1 year later than last year's report.

The trustees' report raises a somewhat higher hurdle to keep the Medicare program solvent over the long run

than Social Security. To fix Medicare for 75 years, we need to make changes now equal to about 2 percent in payroll taxes or 38 percent of benefits. But, once again, if we wait until after the baby boom generation begins to retire in numbers, we will need much larger payroll tax increases or benefit cuts.

These reports underscore the importance of working to ensure the life of these important programs earlier rather than later. As President Kennedy said:

[T]he time to repair the roof is when the sun is shining.

Regrettably, during the sunnier times of last year, the Government took steps that undermined the soundness of the Government's fiscal structure. Rather than repair the roof, the Government actually widened the hole.

The question of Social Security and Medicare solvency is, in large part, as with all budgetary questions, a question of resources. Last year, the government dissipated many of the very resources that we could have used and that we should have used to shore up Social Security and Medicare.

A recent analysis by the Center on Budget and Policy Priorities estimated the long-term cost of last year's tax cuts, assuming that Congress extends them, as many on the other side of the aisle advocate. According to that analysis, the long-run cost of last year's tax cut will equal 1.68 percent of the economy that the Social Security trustees project over the next 75 years.

Compare that, for a minute, to the amount that we need to keep Social Security healthy over the same time period, which amounts to seventy-two one-hundredths of a percent of the size of the economy that the trustees project over the next 75 years. The Center on Budget and Policy Priorities analysis shows, therefore, that "the long-term size of the tax cut is more than double the entire long-term Social Security shortfall."

The Center on Budget and Policy Priorities study goes on:

[I]f the tax cut were scaled back so that three-fifths of it took effect while the funds from the other two-fifths of the tax cut were used instead to strengthen Social Security, the entire long-term deficit in Social Security could be eliminated.

That is an incredible fact. If we had just shown some restraint on this tax cut—still giving a very substantial tax cut—we could have eliminated the entire long-term deficit in Social Security.

Like all budgetary questions, the question of Social Security solvency is, in large part, a question of priorities.

I believe that we need to return to the priority of protecting the Social Security trust funds.

This has not been a partisan issue. This is an issue upon which we have had a broad consensus. We should return to that consensus position.

We should do what, in remarks in February of 2001, President Bush called "prudent fiscal policy;" we should, in