A one-year grace period for farmers to get into compliance.

An expedited procedure for producers to get variances to conservation plans because of problems deemed to be out of their control.

More authority for local officials to determine that conservation compliance plans included requirements that would cause ''undue economic hardships.''

''The conservation provisions of the 1996 farm bill simplify existing conservation programs and improve their flexibility and efficiency,'' said a U.S. Department of Agriculture summary of the legislation.

Craig Cox, executive director of the Soil and Water Conservation Society in Ankeny, says conservation advocates reached a different conclusion.

''The criticism has been that any one of these changes by itself was not a real cause for concern, but together they opened a number of loopholes for the enforcement of conservation provisions,'' Cox said.

Even critics like Cook, however, acknowledge that the concept of linking farm subsidies to conservation practices, which started in the mid-1980s, was in trouble well before 1996.

By the early 1990s, environmentalist were complaining that the concept wasn't being adequately enforced. USDA officials, in turn, complained they didn't have the staff or the time to monitor farm practices so closely.

And in small, tightly knit farming communities, many federal employees who ultimately were responsible for carrying out the new approach were not comfortable with policing their neighbors.

''Nobody wants to stick it to somebody who is demonstrating good faith,'' said Dan Towery, natural resources specialist with the Conservation Technology Information Center in West Lafayette, Ind.

Towery is a former farm official in Illinois who had to investigate compliance cases there. ''Determining what is 'good faith' is very subjective,'' he said.

No definitive studies have been done to determine whether erosion has increased significantly since 1997. The Natural Resources Conservation Service looks at that issue every five years, and its next study is scheduled for 2002.

However, survey work by Steven Kraft, chairman of the Department of Agribusiness Economics at Southern Illinois University in Carbondale, suggests farmers don't feel as threatened by the concept of linking conservation practices to subsidy payments.

Kraft, working with other researchers, surveyed farmers' attitudes about conservation between 1992 and 1996. the study looked at farmers in 100 different counties throughout the Midwest.

Producers were asked, for example, how fair they thought federal officials would be in implementing rules linking conservation to subsidies. In the fall of 1992, almost 29 percent said ''very fair.'' By the winter of 1996, the number had increased to nearly 38 percent.

HOW THE SYSTEM WORKS

Two branches of the U.S. Department of Agriculture play roles in enforcing conservation requirements:

NRCS: The Natural Resources Conservation Service helps farmers develop conservation plans for their farms. Then it polices their efforts to follow the plans.

FSA: If the conservation service finds that a farmer has violated a plan, it reports that to the USDA's Farm Service Agency, which can withhold a farmer's government subsidies.

Appeals: A farmer can appeal the penalty to Farm Service Agency county committees, which are composed of farmers elected by other farmers in the county. Adverse determinations by the county committee can be appealed to the state FSA committee and then to the national appeals division of the Farm Service Agency in Washington, D.C.

Mr. GRASSLEY. I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MILLER). Will the Senator withhold his request?

Mr. GRASSLEY. Yes.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

ANDEAN TRADE PREFERENCE EXPANSION ACT

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of H.R. 3009, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 3009) to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes.

Pending:

Baucus/Grassley amendment No. 3401, in the nature of a substitute.

Gregg amendment No. 3427 (to amendment No. 3401), to strike the provisions relating to wage insurance.

AMENDMENT NO. 3427

The PRESIDING OFFICER. Under the previous order, there will now be 90 minutes of debate on Gregg amendment No. 3427.

Mr. GREGG. Mr. President, I yield 5 minutes to the Senator from Utah.

The PRESIDING OFFICER. The Senator from Utah.

Mr. BENNETT. Mr. President, as we go through the details of this debate, I think it would be well for us to take a moment at the beginning to look at the overall situation we face and try to put this debate into some kind of context.

A fundamental principle that we need to remember in all of these conversations and discussions is this: All money comes from the economy. It does not come from the budget. It does not come from the actions of the Congress. It comes from the economy. If there were no underlying economy, there would be no money for the Federal Government to allocate. We have seen governments around the world that have tried to create money with no economy by passing budgets, and we have seen the disaster that occurs.

So the fundamental principle that we need to address, to begin with, is what are we doing that will help the economy grow? What are we doing with trade promotion that will make the American economy stronger? If we can always keep that in mind as we address these various amendments, we will not do harm to our Government or what it is we are trying to accomplish for our citizens.

The next principle that follows from that one is this: The most significant thing we can do to help the economy grow is to increase productivity—increase productivity of capital, of labor, of our money, that it is invested in the right places, so that we do not do things that will cause the economy to be less productive than it would be otherwise.

These are two very strong fundamentals. We must keep the economy strong and growing. The way to keep the economy strong and growing is to increase productivity. That brings us to the Gregg amendment.

The Gregg amendment would strike out a wage subsidy program that is currently in the bill that is clearly antiproductive. That is, the bill as it currently stands, would decrease American worker productivity in ways that we have already seen historically demonstrated in other countries. We can go, particularly, to the European countries and discover that they have problems with productivity, and they have problems with new job creation. One of the reasons they have problems is that they have structurally built into their economy a subsidy for nonproductive worker activity. It sounds very benign—indeed beneficial—to say to a worker: well, you have lost your job and therefore we will tide you over to another situation until you can get back on your feet. We have unemployment compensation for that. We have other safety net provisions.

But the Europeans, by and large, have adopted the notion that we not only tide you over, we make you whole and keep you in your present income circumstance regardless of our employment circumstance. I had this brought home very dramatically when the company that I ran came into difficulties and lost some clients and had to face laying off some people—ultimately including me. One of my employees, who was in our European subsidiary, said this with a complete straight face, not understanding how America works: How many months do we get from the Government in terms of maintaining our present salaries when this company fails?

I said: None.

He said: In the country where I am working, they get a year and a half to 2 years of continuation at present salary.

I said: Sorry, you are working for an American company—and he had come back here from Europe—and you are here in America. You have to find another job.

He did. He not only found another job, he found a better job than the one he had with me. I had to find another job as my company failed. I did.

If we had been under the circumstances of the language that is in this bill, we could have said to ourselves that we did not have any pressure to find another job; we could be subsidized where we were. We did not need to move forward. We could go just

as things were, and the economy, as a whole, magnified from this example, would become less productive.

Putting it into context again, looking at it as a general principle, here are the principles: If the economy is not strong, we will not have any money to allocate. If the economy is not seeing increased productivity every year, it will not remain strong, and we can look at our European friends and say, if we do what they have done, in the name of compassion for our workers, we will end up hurting our workers, our economy, and our Government.

Sometimes it takes the spur of a little bit of pressure to keep Americans going. But our historic pattern has been that the strong economy helps not only the people at the top but, foremost, it helps the people at the bottom. Keeping them in a temporary position of stability ultimately produces long-term detriment to the economy and to the individuals themselves. For that reason, I support the Gregg amendment.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. BAUCUS. Mr. President, I rise today to oppose the amendment offered by Mr. GREGG.

Let me say, first of all, that this bill represents a very balanced compromise between Democrats and Republicans. I have worked hard to defeat some amendments that I view as killer amendments, I am disappointed that this amendment—which I also view as a killer amendment—has even been offered. This amendment would strike an important provision in the TAA bill—wage insurance. Wage insurance, as many now know, gives an incentive to displaced workers to find employment more quickly. It does this by cushioning them against income losses they might experience after losing a job and starting again in a new field. Now, there have been some misstatements about when wages insurance was added to this bill. I have heard some Members suggest that this was added after the markup. That is simply not true.

Wage insurance was included in the original bill introduced by myself and Senators BINGAMAN and DASCHLE last July. And it was open to debate at the Finance Committee markup last December. As a part of a compromise with Senators GRASSLEY and GRAMM, we have all agreed to make this program a pilot program to see if it works. If it does, I suspect we many want to broaden the program. If it does not, I expect that Congress will end this program. But it is hard to argue against, at a minimum, giving this widely-supported program a chance. So how does it work?

We have drafted this as a pilot program for older workers. Due to their long tenure in a single job or industry, older workers tend to be the hardest TAA participants to reemploy and the most likely to experience significant earnings losses in a new job. So, under our bill, any worker who is at least 50 years old and certified eligible for TAA can choose to participate in the wage insurance program.

To qualify for wage insurance, a worker must take a new job that pays less than the old one within the first 26 weeks of regular unemployment insurance. By opting for wage insurance, a worker agrees to forego the 18 months of additional income support the could get under traditional TAA. Wage insurance lasts 2 years and is capped at $5,000 per year. A worker would not be eligible for wage insurance if he made over $50,000 per year. Now, why should we try a wage insurance program as part of TAA?

First, I would note that this is an issue that has been championed by Both Republican and Democratic leaders, and by academics. A number of Republicans, including Secretary Rumsfeld and Ambassador Zoellick—as members of the Trade Deficit Review Commission—and former USTR Carla Hills, have supported wage insurance. Alan Greenspan has also expressed support for such a program. These prominent individuals support wage insurance because it uses market incentives to shorten the period of unemployment.

Second, this is an innovative way to get hard-to-employ people back to work faster. The idea behind wage insurance is that a worker will be more willing to take a lower paying job—and get back into the workforce sooner—if someone is making up part of the difference between the old and new wage. After a year or two of experience on the job, wages tend to rise, reducing the long-term wage losses.

Third, this program actually saves money. During the 26 weeks a worker receives unemployment insurance, they can choose traditional TAA benefits or they can get a job and opt for wage insurance. The choice is up to the worker, but on average providing wage insurance will cost less than providing traditional TAA benefits. By getting people back into the workforce sooner, wage insurance will reduce unemployment rolls, reduce traditional TAA participation, and reduce overall costs to the government. Basically, if a worker certified for TAA takes a job before the end of his 26-week unemployment insurance period, the money that would have gone to fund income support starting in week 27 is instead used to pay the wage insurance. The difference is that the total amount of wage insurance a worker could receive is much less than the cost of traditional TAA benefits. One year of TAA income support at an average of $250 per week is $13,000, while wage insurance is capped at $5,000 per year. There are additional savings because the government will also not be paying for training.

Fourth, on-the-job training works. Studies show that on-the-job training is better for both employers and employees. Wage insurance gives workers the incentive to take entry level jobs and train on the job and it gives employers more control over the kind of training that employees receive.

I would also like to respond to some of the criticisms raised last night about the wage insurance program. First, critics have suggested that wage insurance will give people an incentive to lower their productivity, that wage insurance will persuade workers to turn down good-paying jobs that use their skills in favor of underpaid dream jobs like a fly-fishing instructor or a Disneyland worker. That seems pretty far-fetched to me. Workers in their 50s have kids in college, retirement nest-eggs to build, and mortgages to pay off. Research shows that older workers are the most likely to have obsolete job skills that do not lead to well-paying jobs they need to meet these obligations. I expect that these workers will take the best job they can get.

We have an example in my own state of Montana. Last year the Asarco lead smelter closed in East Helena. Most of the workers have been with the plant many years and are in their late 40s or older. There are no more lead smelting jobs in the U.S. where they could match their wages and use their skills. Most ended up starting again in jobs that paid much less—if they could find jobs at all. This wage insurance program could have helped many of them get back on their feet faster. In any event, I would emphasize that this is a pilot. If it turns out that critics are right and wage insurance leads to a glut of fly fishing instructors, the program can be ended after the 2-year trial. But I don't think that is what we will see.

The second criticism made of wage insurance is that it is inconsistent with the purpose of TAA, which is to provide retraining. Nothing could be further from the truth. The purpose of TAA is not training for its own sake. The purpose of TAA is to get trade-impacted workers back to work as quickly as possible by helping them get new skills. Wage insurance serves that goal, because it encourages on-the-job training. And on-the-job training is the best way to learn new job skills.

Finally, we have heard that this wage insurance program is a form of age discrimination. Giving older workers first crack at an alternative to traditional TAA is not age discrimination. But if this is truly a serious concern, I would be happy to amend this provision, and expand wage insurance to workers of all ages.

Mr. President, in concluding, let me say that there have been several Members who have criticized TAA in the last several days. They suggest it does not work. Yet they reject new bipartisan ideas—like wage insurance—that are offered as alternatives to TAA. I don't understand that. This amendment puts at grave risk the bipartisan compromise that has been struck in this bill. I oppose the amendment and I hope my colleagues will work hard to defeat it.

The PRESIDING OFFICER. Who yields time?

The Senator from New Hampshire.

Mr. GREGG. Mr. President, in a few moments I believe there are other Members coming over to speak, but let me outline once again some of the problems of this language. Remember, the way this is structured is that if one loses their job as a result of trade activity, they can take another job that pays less, and then the taxpayers pay them $5,000 a year for taking a job that pays less if they are over 50 years of age. There is no training requirement language.

There is no requirement that if there is a similar suitable job that pays the same, you take that. Say you lost your job at a manufacturing industry which was trade affected, and there was another job down the street in the manufacturing industry, in the same business, but that company had been able to compete effectively. You can take a job there at the same amount. There is no requirement you must take that; you can work for your cousin, brother, anyone, take a less paying job, and get paid $5,000 from the taxpayer to do that.

There is no requirement to remain in the community. A key in the trade adjustment language is that workers remain in the community. The concept was to revitalize the community through the trade adjustment language. There is no requirement to do that. I can see a lot of people losing their jobs—hopefully not a lot—in the Northeast or the Chicago area or the northern part of the country. Say they are 50 years old. They will say: Hey, I'm out of here; I'm going south where it is warm. I will get a job being an assistant golf pro, which is what I always wanted to do, and I will get $5,000 from the taxpayers to do that. There is no requirement to remain in the community.

There is no requirement for economic damage. In other words, there is no requirement that you need the money. There is a $50,000 payment level, but if you have a lot of assets or your spouse happens to have a high income, you still can benefit from this program.

There is no arm's length requirement. I can see a situation where an agreement may have been reached in the small business just having tough times. They close the store and open across the street, and they get a $5,000 subsidy. Maybe it is just a family situation and you work the system so you can go to work for your son who is running a construction business. The chances to manipulate the system because there is $5,000 of taxpayer money pouring in to support you are very significant.

There are a lot of structural problems as well as philosophical problems that we as a society are going to begin to pay people to be less productive. That is a concept which goes against American entrepreneurship.

I would like to yield to the Senator from Missouri, but I believe we are going back and forth.

Mr. BAUCUS. Senator GRASSLEY and I have to go to a Finance Committee meeting in 8 minutes. I would like Senator GRASSLEY to have the floor.

Mr. GREGG. Obviously, the Senator is the leader on the floor, and we certainly recognize that right.

I reserve my time.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. I thank the Senator from New Hampshire.

The Senator from Montana has laid out very clearly why this amendment must be defeated. This is a carefully crafted compromise. The year 2002 is not like previous years in the Senate when we have devoted a lot of bipartisanship to trade agreements. There is bipartisanship, but it is not as certain that we will pass a bill as in the previous 25 years when similar legislation passed.

I emphasize what Senator BAUCUS said: This is a carefully worked out agreement. It may not be entirely to the liking of Senator BAUCUS or perhaps not entirely to my liking, but we have to stick together to get this legislation passed. It is probably one of the most important pieces of legislation to be considered in the Senate.

Although the Senator from New Hampshire has some valid arguments, I cannot support an amendment that upsets the balance of the package by striking these wage insurance provisions. There are things in the package that Members on each side may not like. It is their prerogative to amend whatever they see necessary. I cannot support stripping out this section of the package.

Another reason is, wage insurance provisions in the legislation have not been tested, as some would say. Somewhere along the line, new ideas become law. Just because this is a new idea does not mean it is a bad idea.

I will read what Ambassador Carla Hills, former U.S. Trade Representative for President George Bush, said last year, a long time after she left her position as Trade Representative, when she appeared before the Senate Finance Committee:

> We should explore the concept of wage insurance to supplement the incomes of displaced workers—whatever the cause—who take an entry-level job in a different, more promising sector at lower pay. This would respond to workers' anxiety over near-term wage loss, encourage them to stay productive in the work force and obtain the training that has proved most effective—which is training on the job.

Carla Hills went on to say in a report called ''Getting Over the Fear of Free Trade'':

> The key goal of all of these ideas, as unconventional as they may seem at first, especially to the U.S. business community or the Republican Party, is straightforward. It is to educate and motivate more Americans to stand up in defense of open markets lest we lose the benefits that come from the free flow of ideas, capital, and goods.

We should listen to Ambassador Hills. I believe American anxiety about globalization stems in part from job instability. Wage insurance eases those fears.

As we consider voting on this amendment, I ask Members on my side of the aisle to keep their eye on the ball. The ball happens to be trade promotion authority, a contract between the Congress of the United States and the President of the United States, negotiated for 270 million Americans, a better world, a world that creates job opportunities. Trade creates jobs.

As President Kennedy said, trade, not aid, when it comes to helping the rest of the world. The United States has full responsibility to look out for our interests, the interests of the American people, but also to be a leader in the world. Being a leader in the world involves our participation in not only the economic concerns of the world but maintaining the peace. One of the tools of maintaining peace is economic opportunity. The cooperation comes to the world because of people trading. We often brag about political leaders and diplomats doing so much for world peace. We obviously create an environment for world peace, but there is nothing that works more for world peace than opportunities for individuals to interact with other individuals around the world in a commercial way. That does more to break down barriers and establish world peace than anything else.

Trade promotion authority is one of the three or four parts of this legislation. That is the 800-pound gorilla at which we ought to all be paying attention. It takes a carefully crafted compromise to get to that point. Some of the items in the Trade Adjustment Assistance Act that people on my side of the aisle might not like—and wage insurance could be one—are very small compared to the ball that I am asking Members to keep their eye on—trade promotion authority.

As the Chairman of the Federal Reserve Board said regarding trade promotion authority and freeing up trade around the world, as a result of the agreements we last endorsed in this body, the North American Free Trade Agreement, 1993, the Uruguay Round of Tariffs and Trades, 1994, those have helped reduce costs to the American consumer by $4,000 for a family of four.

That is equal to more than we have given in tax cuts in recent years to American families. Think of the good that comes to the economy because we have an opportunity to export and our consumers have an opportunity to import. We have an opportunity to reduce costs because of increased efficiency. That is all going to come in the future, as it has in the past, 50-some years under the GATT arrangements, because we are going to give our President trade promotion authority.

That is what we want our eye kept on. This compromise on trade adjustment assistance is part of that compromise.

Mr. GREGG. Mr. President, I will say this quickly and then I will yield to the

Senator from Missouri and then to the Senator from Tennessee, but I rarely disagree with the Senator from Iowa. I consider him to be one of the best Senators in the Senate. He is certainly a thoughtful and effective Member of the Senate and a strong leader, especially for free trade. I certainly support his commitment to the trade promotion authority, but the price of that trade promotion authority should not be the creation of a brandnew entitlement which has explosive potential and is regrettably not a new idea. In fact, it is a very old idea. It is a European industrial socialist policy idea which has failed in Europe, failed in the old countries. We should not bring it to the new country.

I yield to the Senator from Missouri 5 minutes.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, I thank my friend from New Hampshire. I say to my good friend from Iowa, I know he is a devoted, committed advocate of free trade. Coming from agricultural States such as his and mine, we know our farmers absolutely depend upon access to the world market to make sure they gain their return from the marketplace rather than from the mailbox. When we see trade decline, we see agricultural prices drop to terribly low levels.

I think the problems we have in agriculture are largely attributable to the collapse in Southeast Asia. We are only going to get the markets back and our income back and the costs of the farm bill down when we open up more trade agreements and see healthy trade with our partners throughout the world.

Having said that, I come to the floor as a very strong proponent of free trade. It is not just good for farmers; it is good for the people who work in the industries. The exporting industries pay 13 percent to 15 percent more than the nonexporting industries.

Our service sector is a leader in the world in exporting services of all kinds, and we benefit from that. When I go out to shop every day at home in Mexico, MO, or St. Louis or Kansas City, I have better priced goods and better quality goods because there is competition. I buy American-made goods every chance I can if they are available. But I know I am getting the best price and I am getting the best quality because they have to compete. So every one of us, as a consumer, benefits from the competition through increased choice and lower prices. That is why I think trade promotion is so important.

That is why I am so disappointed today to see the trade promotion bill has been hijacked. This is no longer a trade promotion bill; it is a welfare entitlement bill which talks about trade promotion, gives the President some authority, and then takes it away.

We failed to table the Dayton-Craig amendment. There were strong arguments made for that amendment: We can't give up our sovereignty.

Let me tell you what it does. It essentially says to any country that is even thinking about negotiating a deal with the President or his Trade Representative: Forget about it. Forget about it because whatever you negotiate with the President, the Congress can take it away when they come back. That essentially kills the authority of the President to negotiate a trade agreement, authority that previous Presidents have had in recent years as we made progress toward getting free trade.

I wish we would take the Andean Trade Promotion Act out of this bill. Everybody knows we need it. Today is the day one deadline occurs. We need to reassure our partners in the Andean region that we want free trade with them, to maintain it and not to see the tariffs come back. We ought to pass that and send this turkey back to get some wings and feathers on it so it will fly because this will not fly.

One of the amendments we have before us by the Senator from New Hampshire is just one step we ought to take to clean it up. As the Senator from New Hampshire has so eloquently stated, this is a brandnew subsidy without checks and balances. It does not guarantee that people will get the benefits and the economic opportunities that we should seek. There is no limitation based on necessity. The subsidy would go to an older worker who simply chooses to quit the rat race.

As the Senator from New Hampshire pointed out, you can get a wage subsidy for doing what you want—a former office worker could join her daughter's catering firm or a factory worker who treats a trade-related plant closing as an opportunity not to take an equal job in the community but to take early retirement, move to Florida, and maybe serve as a greeter at Wal-Mart or a groundskeeper at a golf course so he could have a couple of rounds of golf in and have a little wage subsidy.

I have nothing against that. I know some of my colleagues like to play golf, but I would sure hate paying them for their privilege of playing golf. My colleagues in this body who are good golfers do so on their own time, after they put in the 60-hour workweek, so it does not hold for them. But to encourage people without limit to do what they wish and take a subsidy along with the other entitlement programs is a bad precedent.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BOND. I thank the Chair and thank my colleague from New Hampshire. There are many other good arguments. I urge my colleagues to support the Senator from New Hampshire and help us go back to the job of cleaning this bill up to make it a trade promotion rather than an entitlement promotion bill.

Mr. GREGG. I thank the Senator from Missouri for his excellent thoughts, and I yield 10 minutes to the Senator from Tennessee.

Mr. THOMPSON. Mr. President, I strongly support the amendment of Senator GREGG. I think the debate on trade promotion authority is a classic example of something that used to be nonpartisan, as I understand it, and that is trade—as was the consensus I thought we developed that I believed was a good thing for our country. It is also an example of how often nowadays it seems we are asked to do some bad things in order to do something that is any good.

We are urged to keep our eyes on the ball, which is trade promotion authority, they say. I hope we all agree that free trade is good, that trade promotion authority is good. I think standing by itself it would pass overwhelmingly. But I am beginning to wonder what the ball is.

If, in fact, we are taking the first steps toward the Federal Government sending somebody a check for their insurance coverage, if we are taking the first step toward the Federal Government providing a wage differential for this group, that group, and then the next group—to me that is the ball. As important as trade promotion authority is, I am not sure I am willing to do that evil in order to do the other good.

If the idea is to load down something that is so clearly beneficial to this economy and this country such as trade promotion authority, the Andean trade agreement, with so many things that are so onerous that it is going to defeat the underlying bill—if that is the purpose, I think those who seek to carry that out are very close to accomplishing their goal.

It would be a pity, it would be a bad thing for this country, but I am afraid that is what we are looking at. Trade promotion authority and the Andean trade agreement are being held as hostages for a series of new entitlement programs, which really have nothing to do with trade but have everything to do with a social agenda which, as the Senator from New Hampshire pointed out, has failed in other parts of the world. While they are scrambling to try to be more like us, we are scrambling to try to be more like them, it seems.

If there is anything we ought to agree to in this body, it is the importance of trade promotion authority and the Andean trade agreement, at a time when our friends to the south of us, the Colombian Government, are about to be taken over by narcotraffickers, if they have their way, and have the first narcogovernment in our hemisphere instead of the democracy that is there now. Is anything more important than stopping that? I don't know.

We have a relationship with the Government of Ecuador where we have a forward operation location to assist us in drug eradication. Fighting drugs, terrorism, there is nothing more important than that. And everyone knows we need to have a trading relationship with these folks who are trying to do the right thing, trying to impose the rule of law and other beneficial things that we stand for in their countries,

and yet that is being held hostage to these new entitlement programs.

The amendment of the Senator from New Hampshire, of course, has to do with one of the more onerous ones, which is an open invitation to outright fraud and abuse. Every year we come up with new assessments of how many billions of dollars we pay out to people who are dead or who are defrauding the Government or whatnot. This is an open invitation to do that. It is a program that would make the European leftists blush, and yet we are trying to move in that direction. But it is only one part of the onerous provisions that have loaded up this trade promotion authority bill.

So in order to do something good for our country, good for consumers, good for folks in Tennessee, who go to the store and want to buy goods a little bit cheaper—in order for us to do that, we are being asked to sign off on a bill that would triple the cost of trade adjustment assistance. We all agree that we need some trade adjustment assistance, but now we are being asked, in a time of deficit, in a time of war, to triple this program for this 2 percent of workers.

For this constituent group, in this election year, we are being asked to do that, to give this group of people—this small group of people—an additional 6 months of unemployment compensation. The average guy who gets laid off gets 6 months. So now this 2 percent would get up to 2 years. So this group goes from 6 months to 2 years, and it expands the number of reasons they do not have to undergo any additional training.

Trade assistance was originally designed as a training program to help people get a new job. This bill has over a half dozen exceptions where people do not even have to take training, including a provision that says you do not have to take training if there is another comparable job. If there is another comparable job, why do you need trade assistance anyway?

This bill would expand coverage to secondary workers, double or triple the number of people eligible. It creates a new program to pay farmers when commodity prices are below 80 percent of the previous 5-year average and imports contribute in part to the decline in price.

We just passed $190 billion in entitlement spending for farmers in the farm bill. This, in large part, duplicates that. There is a new program, a new bureaucracy in the office of the Department of Commerce. This program duplicates existing programs that provide assistance for communities. And it is a new bureaucracy in the process.

All of this is at a cost of who knows what. Estimates have been all over the lot, but they are all based on assumptions that people would participate in this new program at the same level as they participated in the old program. This is a much more generous program. It stands to reason a much higher percentage of people are going to participate in it.

So you are probably looking at $1 billion, or between $1 billion and $2 billion a year for a 10-year period, something like that, for something that could never pass on its own, something that no one would have the temerity to put in a piece of legislation. It is only because you are trying to hold free trade hostage, the Andean trade agreement hostage to this new group of entitlement programs.

If this new wage guarantee provision, for example, really works out the way we are talking about—that it is open and rife with waste, fraud, and abuse—what are the chances of this new entitlement program being canceled? Zero. It never happens. It never will happen. What are the chances of it being expanded? Pretty good. It is up to $5,000 now for the wage differential. What are the chances of that coming in and getting more and more generous?

Look at where trade adjustment assistance has gone from when it was first passed to what is being proposed today. No one ever dreamed, when trade adjustment assistance was first passed, that somebody would be proposing that we would do things in terms of 70 percent of their COBRA or wage differential, or all these other things that are being proposed. The same thing will happen with this new list of entitlements.

So I strongly urge adoption of the Gregg amendment. It would make a bad bill a little better. There are many of us who are tussling and grappling with something—and that I think all of America should be grappling with—and that is the balancing off of something so important as giving the President authority to get into the 21st century a little bit, and become a leader in this country, as we are supposed to be, in free trade, put our money where our mouth is, giving him trade promotion authority that our Presidents have had up until President Clinton, and get on with it.

If we cannot compete in this world economy with all the advantages we have, I will be very surprised. We should not be afraid of it. As important as all that is, however, I am afraid there is an effort here to saddle it with things that are bad for this country, that are the camel's nose under the tent, things that would never pass on their own. I say we have to keep our eye on the ball.

We are going to hold free trade hostage. We are going to hold our friends in our hemisphere—whom we ought to be trying to do everything to help—hostage in order to get a new array of social programs and guarantees and things that are old and tired and have failed in other parts of this world and should never be started in this one.

I yield the floor.

Mr. GREGG. Mr. President, I yield 10 minutes to the assistant leader, Senator NICKLES.

The PRESIDING OFFICER. The assistant leader is recognized.

Mr. NICKLES. Mr. President, one, I compliment Senator THOMPSON for the speech he made as well as Senator GREGG from New Hampshire for this amendment.

I urge my colleagues to support this amendment. This amendment would strike the wage subsidy program. I am glad we are going to have an up-or-down vote on it; and I hope this amendment will be adopted overwhelmingly, because this wage subsidy program is a bad idea.

There are a lot of bad ideas floating around. The Senator from Tennessee just mentioned a couple of them. It bothers me that evidently the Democrats who put together this package—and I say that because the Trade Adjustment Assistance Program passed in the Finance Committee without adequate discussion. We spent all day on trade promotion authority, and trade promotion authority passed, 18 to 3 in the Finance Committee. Trade adjustment assistance was rushed through the Committee. The two hour rule was raised and some would even question whether we finished it in time because of this objection, and whether it passed too late. There was not enough discussion. I am on that committee.

Well, what is it? It is the Federal Government saying: if you lose your job, presumably because of trade, and you take another job, the Federal Government will come in and pick up half the difference if your second job is less money.

I would like to have colleagues who support this come and defend it. Why are we doing this for so many of people? I question the wisdom of the proposal.

I will just give you an example. What if you are a Senator whose wife just happens to work. Maybe it is a high-tech firm, which closes. Someone could say it was because of trade that it closed. And so she became unemployed, or became reemployed, and took a lesser paying job. So Uncle Sam is going to write my spouse a check for $5,000.

As the Senator from Tennessee said, this is just an opening round. Proponents will attempt to expand this program, should it pass. Why are we going to have the Federal Government setting wage rates? And guaranteeing these wage rates? How ridiculous of an idea can it be? How socialistic can it be? Maybe people don't not like to use that word, but socialism is the Government setting wages and prices. This is pretty socialistic.

I am embarrassed as to how bad this idea is. I compliment my colleague and friend from New Hampshire for raising this, pointing this out to the Senate.

There is no income test. We could be writing checks for people who could have $1 million in assets. Presumably, if they lost a job and then took a lesser job, Uncle Sam will write them a check for half the difference in many cases, even if they are millionaires. What kind of sense does that make?

I am embarrassed for the Senate. I am bothered by this process the majority leader has put in that says: To take up trade promotion, you also have to take trade adjustment assistance. Incidentally, when we are doing this, we will also put in a new wage subsidy program. We will have a brand-new benefit for trade adjustment assistance, including the Federal Government, for the first time ever, picking up 70 percent of health care costs not only for directly affected workers but for upstream workers as well, defined broadly enough to where no one knows how many hundreds of thousands of people might qualify for that benefit.

In addition, we will have a brand-new wage subsidy paid for by taxpayers. I have an interest. I have a son. I have three daughters. They are all taxpayers, and I am too. They don't want to pay for this benefit. Their taxes are plenty high. All of a sudden, we are talking about new entitlements for people. Where is the money coming from? We have a deficit now.

Somebody said: If passed, this new program is limited to $50 million. What proponents are trying to do is get this new entitlement started. Then we will see how much it costs 10 years from now, and supporters will probably try to raise the limit from $5,000 to such sums as necessary. You name it. Entitlements can grow like crazy. I would hate to think we would adopt this, and then 10 years from now find out we have a multibillion-dollar program and ask: Where did this come from?

This was a partisan proposal jammed in on top of trade promotion, basically extortion, saying, if you don't give us this, we will not give you trade.

The Senate needs to reject this proposal. This is a bad idea. When we talk about other countries, we encourage them to move to free markets. I am embarrassed that some of us are trying to move in their socialistic direction. Wow.

As a matter of fact, I had a constituent in my office a few minutes ago. He was listening to the Senator from New Hampshire. I told him I had to join this debate. I explained the amendment. My constituent's response was: I can't believe they are trying to do this.

This is about income redistribution where the Federal Government is paying wages, we will have a wage guarantee program. This is a wage subsidy program; that is exactly what this is. This is part of a very bad idea, a very bad process. It needs to be resoundingly rejected.

I urge my colleagues, Democrats and Republicans, to support the Gregg amendment and strike this brand-new entitlement program.

If there are proponents, I would love to have a dialog and find out how this will work and find out if a millionaire could benefit from this program; and find out if someone's spouse, who maybe is from a very wealthy family, if they could benefit from this program; or find out, if I was working for $50,000, and I happened to be over 50 and I decided to take a job for $40,000, if I can use that money to cover my golf bets. The Senator from Missouri mentioned maybe this is good for the golfers. I happen to be a golfer. I like that idea. But I have never thought of the Federal Government paying for my golf side bets.

I can't believe we are even considering this. What an embarrassment. This amendment should be passed, and it should be passed overwhelmingly.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. GREGG. Mr. President, I understand the other side is going to yield 2 minutes to the Senator from Texas, and then we will go to 5 minutes to the Senator from Arizona. We are alternating.

The PRESIDING OFFICER. The Senator from Arkansas.

Mrs. LINCOLN. Mr. President, we yield 5 minutes to the Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Mr. President, as many of my colleagues know, I was asked by the White House and by the Republican leadership to try to negotiate a package that would allow us to pass trade promotion authority. In the process, I found myself in a position of having to either kiss an ugly pig on the mouth or send it off to the barbeque.

Through our negotiations, we were able to drop the steel legacy provision. We also were able to dramatically reduce the proposed wage insurance program, cutting its funding level from $100 million to $50 million and its authorization from 5 years to 2 years. But I am not going to stand here today and argue on behalf of the principle of wage insurance. I can tell my colleagues that as a conferee, I am going to oppose this provision, and I hope it will be removed.

I believe that our leader and Senator GRASSLEY and I are in the position where we have made an agreement, and therefore we must stick to it. I could stand here and say I am very unhappy that those who have entered into the agreement on the other side of the aisle nonetheless have found it convenient to continue to load more and more and more onto this wagon, to the point where the axle is about to break. But in my book, when you give your word, when you try to work out an agreement, when you try to make compromise work, you give up the luxury of coming back later and picking and choosing which provisions to support. In fact, it is sort of like fast track: you make a deal and you must stick by the whole package.

This afternoon we are going to have several votes. First, we are going to have a vote on Senator DODD's amendment, which effectively is the same amendment as the one offered yesterday by Senator LIEBERMAN. If that amendment passes, I am off this wagon. We also are going to have a vote on adding back the steel legacy provision. If steel legacy costs are included in this bill, I am going to do everything in my power to kill this bill, even though I am for fast-track authority and believe it is critical. You simply reach a point where greed and irresponsibility so overwhelm the underlying cause that you just cannot tolerate it.

There's a bigger point to all this, and that is the question of taking ownership. Quite frankly, I don't believe the chairman of the Finance Committee and the majority leader of the Senate have taken ownership of this trade promotion authority bill. I think we have had a game of piracy to try to see what can be gotten in return for this bill since they know that the President wants this bill and that it is in the national interest. They claim to be for the bill, but at every step along the way, we are having piracy committed against this bill.

I gave my word when I signed on to the agreement. Had I been the principal instead of the negotiator, I am not sure I would have agreed to our agreement. In fact, I probably wouldn't have. But I did. However, if these other amendments pass, if the deal is not kept, if it is clear that this piracy is going to continue, then at that point I would feel free to vote my conscience.

The point is that we have made an agreement. As appealing as it is to me to go back and undo the wage insurance part of it—a rotten, stinking part of it—I don't think that that would be responsible. But I will fight to get rid of this provision in conference and I hope that it will be dropped.

I have taken some degree of ownership of this bill, and feel a responsibility for it. For this process to succeed, I believe that those of us who want fast-track authority—the majority leader, the minority leader, the chairman of Finance, the ranking member of Finance, and those Senators who want this bill—have to begin to show some ownership of and responsibility for the bill as negotiated.

If we do not, and instead keep seeing efforts to pile on, we are going to kill this bill. For example, if steel legacy is added to this bill, it is dead. If the Dodd amendment, which is effectively the same vote we had on Lieberman, is added to this bill, we won't have trade promotion authority and I therefore will be off the wagon and out of the deal.

Today, I am in the deal. As I said, I have taken on partial ownership of the bill. When you sign on to a compromise, when you take partial ownership, when you take responsibility, it means you have to stand up for the deal and vote against even those amendments that you otherwise would support.

The PRESIDING OFFICER. The Senator's time has expired.

The majority leader is recognized.

Mr. DASCHLE. Mr. President, the Trade Adjustment Assistance Program dedicates a very small piece of what we gained from trade to help those people who lose from trade, get back on their feet, and that is really what this amendment does.

The current TAA program helps some people but does not address some of the key problems people face; it leaves out too many other people altogether.

We fix some of these flaws. When a plant shuts down or moves overseas, workers lose their livelihoods and families face the uncertainty of not knowing how they are going to pay for food or a mortgage, or take their child to the doctor.

This bipartisan agreement will provide these workers with the opportunity to go back to community college to learn some new skills. They will receive unemployment insurance and subsidized health care to help them get through the difficult times and help them get a new job.

To a 35-year-old worker facing a difficult circumstance of a lost job, this sounds like a potential lifeline. But for a 53-year-old closer to retirement age, and less likely to be able to transition into a new job or field, those benefits are largely an empty promise. And we know it.

That is why we have worked so hard to keep the wage insurance provision in the bipartisan package we negotiated with Senators GRASSLEY, LOTT, GRAMM, and the White House. This provision was part of our agreement, and it must be retained.

Wage insurance is a pilot program—that is all it is—to test a very powerful idea. It says to older workers, if you take a lower paying job than the one you lost, some of the money that you would have received in unemployment insurance will go to offset a portion of the wage loss you will suffer.

By helping offset the loss of taking a lower paying job, wage insurance discourages dependency and encourages work. Wage insurance is not just compassionate policy, it is smart policy.

By getting people back into the workforce sooner, wage insurance will reduce unemployment rolls and the overall cost to Government. In reality, the provision will cost nothing more than what the Government would have been paying in unemployment insurance because people will have to give up their unemployment benefits to get the wage insurance.

This provision is prowork and it enjoys broad intellectual support on the left and on the right. In 1998, partly because of the unintended effects of trade, Congress established the U.S. Trade Deficit Review Commission. Among the key members of the Commission were President Bush's Trade Representative, Robert Zoellick; Defense Secretary Donald Rumsfeld; and George Becker, former President of the Steelworkers.

This group doesn't agree on much. But wage insurance was one clear area of agreement. Here is what they had to say—a bipartisan commission:

> We recommend that Congress consider new ways to address the broader cost of job displacement. Such consideration should include assessing ways of filling the earnings gaps created when new jobs initially pay less than previous jobs. As discussed, wage insurance is one such option. It has the advantage of encouraging displaced workers to accept new jobs as quickly as possible.

Here is another voice:

> It would be a great tragedy were we to stop the wheels of progress because of an incapacity to assist victims of progress. Our efforts should be directed at job skills enhancement and retraining . . . and, if necessary, selected income maintenance programs for those over a certain age, where retraining is problematic.

That is not a Democratic Senator speaking. That is Federal Reserve Chairman Alan Greenspan. In case my colleagues missed the translation, ''income maintenance programs for those of a certain age'' is wage insurance. Alan Greenspan is talking about wage insurance. Wage insurance for older workers is exactly what we are talking about this morning.

Finally, from a think tank:

> The proposed wage insurance program would strongly encourage workers to quickly find new jobs.

I will repeat that because it may resonate with some of my colleagues on the floor.

> The proposed wage insurance program would strongly encourage workers to quickly find new jobs.

That quote comes from the Heritage Foundation, and it comes as yet another endorsement of this amendment.

Older workers who lose their jobs and are struggling to find a new one have enough uncertainty to worry about. They should not also have to worry about whether they can afford to take a new job. The wage insurance provision gives workers something more than an empty promise.

We already scaled this proposal back from $100 million for each of the next 5 years to $50 million for 2 years. But we cannot afford to lose it entirely. It is a central component of the bipartisan agreement we made with Senators GRASSLEY, LOTT, GRAMM, and the White House.

I urge my colleagues to keep this agreement intact and reject this amendment.

I yield the floor.

The PRESIDING OFFICER (Mr. EDWARDS). The Senator from New Hampshire.

Mr. GREGG. Mr. President, I yield 5 minutes to the Senator from Arizona.

Mr. KYL. Mr. President, I urge my colleagues to support the amendment of the Senator from New Hampshire to strike this wage subsidy provision from the bill. In my view, if it stays in the bill, it could well sink it. It would be difficult for me to support the bill on final passage if this provision is in it, notwithstanding my support for the bill. I admire the Senator from Texas because he was part of a group that negotiated portions of this bill that would be on the floor before us. He feels committed to supporting the version that was negotiated which includes this provision. Of course, he should do that. I think he also makes a good point to suggest that others who may be supporting other amendments need to keep their commitment in mind.

But the statement here reminds me a little bit of the old politician that said that it is important for us to always stand on principle and, in certain situations, to even be able to rise above principle. That is what is involved here unfortunately. The principle is to have a free market with labor and capital, people freely able to be hired. And it is possible sometimes through government decisions that people lose their jobs, through competition that people lose jobs. It is even possible that if there is a tariff reduced as a result of a free trade agreement, that could result in somebody losing their jobs.

People lose jobs for all kinds of reasons. The question, though, is whether or not we should make an exception and provide that certain people who work have rights more than others and are entitled to certain kinds of subsidy benefits in their wages as a result.

If we decide that is a good idea, how are we going to explain to other workers that we are leaving them out in the cold? The reality is that this is a foot in the door that will create an argument for everybody, regardless of their circumstance, to have a wage subsidy like certain other countries in the world of GATT, competitors of ours who cannot compete as well because they have these kinds of government subsidy programs for wages. In fact, it is a transfer of payment from hard-working Americans, middle income Americans, to those who are more wealthy. It is blatant discrimination against hard-working Americans, an invitation to fraud and abuse. As I said, it is a very dangerous step toward Government control. It is theoretically capped, but we know the initial expenses will be a drop in the bucket compared to what it will cost over the years.

Other constituencies will soon demand their own form of wage insurance, whether subsidies or other wage controls, and I think it would be virtually impossible to say no to them once we have established the principle. That is what I am talking about here—principle. There is no limitation in this program based upon necessity. It is available to dislocated workers who simply choose to quit the rat race and take an easier job. There is no training requirement, and that was always a component of the program that has been supported here in the past by the Senate. The Trade Adjustment Act has always included a training component to train displaced workers for new and better jobs.

But this wage subsidy program circumvents that and allows certain workers essentially to opt out.

There is no consideration in this provision of whether there are suitable jobs available in similar circumstances. The older displaced worker is free to take the job, earn an entitlement, regardless of whether equivalent work is readily available. For whatever reason, family health or personal preference, the individual is free to pull up stakes and move anywhere in the country, take a job, and receive the subsidy.

There are some who suggest that would benefit my sunshine State of Arizona. It would be pretty nice to quit the job in the Rust Belt and move to Arizona because of the subsidy provided in this bill.

There is no protection against fraud and abuse. There is a perverse incentive in this provision for employers to reduce the wages they pay knowing the Federal subsidy will supplement their workers' income and make up the difference.

There is no requirement the new employer and employee be at arm's length. This is a very critical provision rife for potential fraud and abuse. There is no inquiry permitted as to whether the new job, perhaps with a family member or friend, is a legitimate consequence of the displaced worker having to leave his former employment. Because the U.S. Government makes up the difference in wages, it is, as I say, rife with potential for fraud and abuse.

We ought to go back to principle and not politics.

The PRESIDING OFFICER. The Senator from Arizona has used 5 minutes.

Mr. KYL. I suggest my colleagues support the amendment of the Senator from New Hampshire.

The PRESIDING OFFICER. Who yields time?

The Senator from Arkansas is recognized.

Mrs. LINCOLN. Mr. President, I yield myself 6 minutes.

Mr. President, I thank Chairman BAUCUS and Ranking Member GRASSLEY for their superb work so far on the trade bill.

These are complex matters of policy, with potentially far-reaching consequences, that we are dealing with on this bill, and our two leaders on the Finance Committee have led us with foresight and wisdom. It is so important, as always, that we carefully balanced both the positive and the negatives of the legislation at hand.

As a member of the Finance Committee, I have taken our role, as Americans, in the global economic picture very seriously. Our leadership is crucial to the success of any efforts to open markets, whether in a multilateral forum such as the World Trade Organization, or in a regional context, such as a proposed western hemispheric arrangement. And let us make no mistake about the absolute need to open markets, to ensure the freer mobility of capital, to guarantee everyone a chance at a more prosperous and more stable future.

The underlying trade bill helps us meet this need, helps us fulfill our vital role as the global economic leader, by extending to the president the trade negotiating authority he needs to undertake more effectively the multilateral and other important negotiations that a stable global economy will require.

Once the President has negotiated an agreement, he brings it back to us for our consideration. If we support the agreement he has negotiated, then we take another step into the future by opening more markets and further growing our economy.

But the underlying trade bill also meets another highly important need: it gives us the resources and the authority to respond to those workers and those firms that will inevitably be displaced by the growing, changing economy.

The wage insurance provision of the trade adjustment assistance package helps us do just that. It offers a helping hand to older Americans who have lost their livelihoods to the inevitable dislocations increased trade creates. It does so by recognizing the obvious reality that a time consuming return to school for job retraining may not be in the best interests of older workers who are close to retirement age. It also recognizes the reality that older workers have a much harder time than younger workers re-entering the job market, particularly at the same income level they enjoyed previously. It meets the needs of these older workers by allowing them to insure wage loss. To receive the benefits of wage insurance, the older worker foregoes the additional income support he could otherwise receive if he or she went back to school. Thus, the worker receives benefits while he or she re-enters the job market and without having to go back to school, which, again, for this worker may not be the best option given his or her age.

I strongly support the wage insurance provisions of this bill, and I would also have supported an even more generous version of this provision.

Yet, with this trade bill, we have all made compromises, for the sake of getting a good, comprehensive piece of legislation to send to the President's desk. Wage insurance is a much needed part of the TAA package. It is fair and it is responsible.

I urge my colleagues to vote against the Gregg amendment as we proceed to that vote and remember that there is not a one-size-fits-all, but that all of our workers need the special attention and the ability to move within the workforce in a way that is conducive to them, to their lifestyle, and particularly to their age. I thank the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. GREGG. Did the Senator yield back the remainder of time?

Mrs. LINCOLN. Yes, I yield back the remainder of our time.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I will make my statement and then we can go to the vote.

First, I thank the many Members who have come to the Chamber and supported this amendment. There have been a number of points made that I think have been extremely appropriate as to the failure of the language in the bill and the need to have this amendment to correct it.

I want to respond to a couple points made by the Democratic leader. First, this issue of the deal. A number of Members spoke and said this is a lousy idea. It is really not a very good policy, the concept of paying people to take less productive jobs, having the taxpayers pay people to take less productive jobs. This is not good policy, but I have to be for it because there was a deal agreed to.

As far as I can tell, there were only six people in that room at the most. So maybe those six people have reached an agreement, and around here, if you give your word, you have to stand by it. I respect the people who came to the Chamber and said they are going to stand by their word.

For the rest of us, we should look at the policy of whether or not this is a good idea, and it is not. It is called a pilot program, and the Democratic leader said it was a pilot program for which they wanted $100 million, and they agreed to $50 million over 2 years. As he described it, it is a central component of the understanding they reached.

Mr. President, $50 million is a lot of money, but around this building, it does not even deserve an asterisk. So there is something more at work. We are not talking about $50 million if it is a central component of the agreement. We are talking about something people expect to expand radically over the years. This is a brandnew major entitlement which will expand dramatically. It is not some benign little pilot program. If it was, it would not be a central component of this agreement. Thus, this attempt to dismiss it is as something marginal clearly does not fly, even though it is alleged to be a pilot program.

There was also a statement made that this is an attempt to benefit older workers. Actually, the language of this bill does the exact opposite. We have on the books the age discrimination language which says you cannot discriminate against somebody in their job who is over 50 years old.

We have on the books laws which say that older workers should be given deference and should be allowed to retain their jobs and should be allowed to improve their position in the workplace and should not be discriminated against because of their age.

This amendment says exactly the opposite. It says to the older worker: When you lose your job due to trade, we are going to say you are not capable of getting a better job; we are going to tell you go find a lesser job, and then

we will pay you from the other taxpayers of America $5,000 to do that.

It takes the theory of ''you cannot teach old dogs new tricks'' and says: Not only can you not teach old dogs new tricks, but we are going to pay you $5,000 to forget everything you have learned and take less of a job.

It makes absolutely no sense in the context of the other laws which we have on the books relative to age discrimination. In fact, it flies in the face of years of attempts to make sure that as people get further into the workforce, they are not discriminated against.

Of course, as has been outlined, it has no structure to it, no controls to it. Under the trade adjustment concept, the whole idea is to train people who lose their jobs as a result of trade activity, to train them to get a better job, to give them opportunities to get a better job. This language says you should get less of a job. It reduces your employment capability. There is no training language in this bill. In fact, you cannot train under this bill. It basically rejects the training language of the trade adjustment language.

There is no requirement that you take a similar and suitable job. So if you have the ability to do something that is unique and you can take it across the street after you lose your job somewhere and get paid just as much or maybe even more, there is no requirement that you do that. If you would rather do something that maybe pays you a lot less because it is more socially acceptable to you, it is more in tune with your lifestyle—the example has been used of going and becoming an assistant pro at a golf course because you would rather play golf rather than work in a steel factory—you can do that; that is your right; you should be able to do that. Pursuit of happiness is part of our culture, but you should not get $5,000 from the taxpayers who are still working somewhere on the line to do it, which is what this bill tells you.

If there is a similar and suitable job, you are not required to take it. You are not required to remain in the community, which means it undermines the community. I talked at length about that last night. You are not required to have a need for the job. Your spouse could be making $100,000, $200,000, or $300,000. If you had a job where you earned $50,000 and you take a lesser job, you still get $5,000 from the taxpayers of America, even though your spouse may have a huge income.

There is no test relative to the manipulation of the system. An employer may be closing down one plant on trade adjustment language, opening up another facility in a different area, moving people into there, and getting a $5,000 payment. There is no language about that. There are no controls.

There is no control in the area of meeting the needs relative to, as I said, staying in the community. And there is no arm's length control. You could work within the family, for example, move from one job to another. Maybe your son runs a construction company and you are working for a steel mill and the steel mill goes out of business; you go to work for your son's construction company and the taxpayers of America would have to pay you $5,000. Those are the technical issues that lie with this question.

The bigger issues are these: No. 1, it is a brandnew entitlement with immense potential. No. 2, and most importantly, it undermines our basic philosophy of how we have had our economy structured the last 200 years.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. GREGG. Therefore, I hope people will join me in supporting this amendment.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is not a sufficient second.

The Senator from Montana.

Mr. BAUCUS. On behalf of myself, Senator GRAMM of Texas, and Senator GRASSLEY of Iowa, I move to table the Gregg amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from North Carolina (Mr. HELMS), the Senator from Alaska (Mr. MURKOWSKI), the Senator from Virginia (Mr. WARNER), and the Senator from Mississippi (Mr. LOTT) are necessarily absent.

I further announce that if present and voting the Senator from Virginia (Mr. WARNER) would vote ''no.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 58, nays 38, as follows:

[Rollcall Vote No. 114 Leg.]

YEAS—58

Akaka	Edwards	Miller
Baucus	Feingold	Murray
Bayh	Feinstein	Nelson (FL)
Biden	Graham	Nelson (NE)
Bingaman	Gramm	Reed
Boxer	Grassley	Reid
Breaux	Harkin	Rockefeller
Byrd	Hollings	Sarbanes
Carnahan	Inouye	Schumer
Carper	Jeffords	Shelby
Chafee	Johnson	Smith (OR)
Cleland	Kennedy	Snowe
Clinton	Kerry	Specter
Corzine	Kohl	Stabenow
Daschle	Landrieu	Torricelli
Dayton	Leahy	Voinovich
DeWine	Levin	Wellstone
Dodd	Lieberman	Wyden
Dorgan	Lincoln	
Durbin	Mikulski	

NAYS—38

Allard	Campbell	Domenici
Allen	Cantwell	Ensign
Bennett	Cochran	Enzi
Bond	Collins	Fitzgerald
Brownback	Conrad	Frist
Bunning	Craig	Gregg
Burns	Crapo	Hagel
Hatch	McCain	Smith (NH)
Hutchinson	McConnell	Stevens
Hutchison	Nickles	Thomas
Inhofe	Roberts	Thompson
Kyl	Santorum	Thurmond
Lugar	Sessions	

NOT VOTING—4

Helms	Murkowski
Lott	Warner

The motion was agreed to.

Mr. REID. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, I ask unanimous consent that immediately following the last vote today, May 16, the Senate proceed to the consideration of Calendar No. 282, H.R. 3167, the NATO expansion bill, and that it be considered under the following limitations: that there be 2½ hours for debate, with the time divided as follows: 60 minutes under the control of the chairman, Senator BIDEN, and ranking member or their designees, 90 minutes under the control of Senator WARNER or his designee; that no amendments or motions be in order—I understand there has been a change in plans. I withdraw that proposed request.

Mr. President, I ask unanimous consent that in the sequence of the amendments to H.R. 3009, the next three Democratic amendments be Nelson of Florida regarding dumping, Corzine regarding services, and Hollings regarding TAA expansion.

The PRESIDING OFFICER. Is there objection?

The Senator from North Dakota.

Mr. DORGAN. Mr. President, reserving the right to object, might I inquire of the Senator from Nevada, are these the three amendments that you would put following the list of amendments that were agreed to yesterday?

Mr. REID. The Senator from North Dakota is correct.

Mr. DORGAN. Mr. President, I want to try to understand also, the previous unanimous consent request of the Senator from Nevada, which he has withdrawn—is it the Senator's intent, with the subsequent unanimous consent request, that we move off the fast-track bill and on to NATO expansion? And if so, what would be the length of time we would be off the fast-track bill?

Mr. REID. It is my understanding, I say to the Senator from North Dakota, that we will do 2½ hours on this tonight and return to the fast-track bill tomorrow.

Mr. DORGAN. With votes, Mr. President? I inquire, will there be votes tomorrow?

Mr. REID. The majority leader announced yesterday there likely will be votes tomorrow. So I say to my friend from North Dakota, I know his concern is we have a long list of amendments and are we going to get to all the amendments.

I say to my friend from North Dakota, we are doing our very best to

work our way through these. And the majority leader has said publicly, and on a number of occasions, he wants to allow people to have the ability to amend this. I have not heard the leader say at any time that he is contemplating, in the near future, a motion for cloture.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, if I might continue to reserve my right to object, yesterday, we created a sequencing of amendments. I was not consulted in that. I was on the floor expecting to be recognized following the Gregg amendment. And then the Senator brought to the floor a sequencing of amendments that has me somewhere following some very big, lengthy amendments that are going to take a lot of floor time.

I was surprised by that and not consulted about it. So if we are going to sequence amendments—I regretted it all the way to work this morning that I did not object yesterday. I think the way for us to do this, of course, is to consult with each other. Since I was on the floor expecting to be able to offer an amendment, and talked to the appropriate staff about doing so, I was very surprised about the sequencing that came yesterday. But I don't believe it is the fault of the Senator from Nevada. It is not my intention to suggest that. But if we are sequencing things, let's consult with everyone first.

The PRESIDING OFFICER. Is there objection to the unanimous consent request?

Without objection, it is so ordered.

The Senator from Nevada.

Mr. REID. Mr. President, I say to my friend from North Dakota, he is not alone. There are a number of other people who have come to me today asking why they are not higher than the rest. But I do say, we have a lot of amendments, and certainly there was no intent to, in any way, discourage or prevent the Senator from North Dakota having his amendment heard. In fact, it is my understanding that the Senator from North Dakota has other amendments that he wishes to offer. I apologize to him, and others, that perhaps we could have done more consulting with others, but we didn't, and we are now in this posture. We will try to do better in the future.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, this is not about being higher on the list. It is about, if there is going to be stage management here, then there should be consultation on how we are going to manage the stage. I was expecting to be, and was told I would likely be, recognized following the Gregg amendment.

Look, I am where I am at this point because of the unanimous consent request that I should have objected to yesterday and did not. I only point out, as we proceed, it would be helpful to consult with the rest of us. If not, I will be constrained to object on future unanimous requests.

The PRESIDING OFFICER (Mrs. CARNAHAN). Under the previous order, the Senator from Connecticut is recognized to offer an amendment.

AMENDMENT NO. 3428 TO AMENDMENT NO. 3401

Mr. DODD. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Connecticut [Mr. DODD], for himself and Mr. LIEBERMAN, proposes an amendment numbered 3428 to amendment No. 3401.

Mr. DODD. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To clarify the principal negotiating objectives of the United States with respect to labor and the environment)

Section 2102(b)(11) is amended by striking subparagraph (C) and inserting the following new subparagraphs:

''(C) to ensure that the parties to a trade agreement reaffirm their obligations as members of the ILO and their commitments under the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up, and strive to ensure that such labor principles and the core labor standards set forth in section 2113(2) are recognized and protected by domestic law;

''(D) recognizing the rights of parties to establish their own labor standards, and to adopt or modify accordingly their labor laws and regulations, parties shall strive to ensure that their laws provide for labor standards consistent with the core labor standards and shall strive to improve those standards in that light;

''(E) to recognize that it is inappropriate to encourage trade by relaxing domestic labor laws and to strive to ensure that parties to a trade agreement do not waive or otherwise derogate from, or offer to waive or otherwise derogate from, their labor laws as an encouragement for trade;

''(F) to strengthen the capacity of United States trading partners to promote respect for core labor standards and reaffirm their obligations and commitments under the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up;''.

Mr. DODD. Madam President, I offer this amendment on behalf of myself and my colleague from Connecticut, Senator LIEBERMAN.

Before I get into the details of the amendment and why I think it is an important amendment, let me state what I think many of my colleagues may have been aware of over the years.

I have been a longtime advocate of promoting free and fair trade throughout my tenure in this body of more than two decades. I have historically supported the granting of fast-track authority. I voted for trade agreements that have resulted from that authority. So the Member who offers this amendment is one who has a strong record over the years of advocating and supporting expanding trading opportunities.

I come from a State that has been tremendously dependent over the years on export markets for the health and well-being of the people who live there.

I say that as a background so you understand what my thinking is about this amendment, and why I think this amendment is so important to people such as myself who have been supporters of trade agreement. The adoption or the defeat of this amendment could have a profound effect, I say to my colleagues, on someone such as myself, who likes to believe that we have progressed, over the years, in trade agreements, expanding and fighting for the rights that we demand not only for our own citizenry but in trying to expand around the globe to benefit and improve the quality of life for people elsewhere with whom we have trading agreements.

What I have observed over time is that the evolution and the content and scope of these agreements, their depth and their breadth have grown dramatically since I first arrived in this body more than 20 years ago. No longer are we simply dealing with tariffs and duties and quotas to be levied on tangible goods. That was the case when I arrived. But because good people in this body, of both parties, over the years have fought to expand what would be a part of these agreements, we have improved dramatically these trading accords.

We now deal with virtually every facet of our economy. The process has evolved. And matters once totally outside the realm of trade agreements no longer are. And that is good news for America.

I am thinking, for example, of the NAFTA agreement, which I supported and which passed the Congress only after the Clinton administration negotiated side agreements related to labor and the environment. Those side agreements were controversial to some in this body, but they were so essential to the passage of NAFTA.

Throughout my 20 years in the Senate I have been a strong supporter of trading agreements and fast track.

I am very proud of my record of support for these agreements. It has been a critical issue for my State and the country. You are not listening to a Member who historically has objected every time a trade agreement or fast-track authority has come up. Quite the contrary, I have been one who has stood in support of these agreements because I believed they were in our country's best interest.

Over time there has been an evolution in the content and scope of these trading agreements—that has been wonderful news for the United States—as their depth and breadth have grown dramatically. It used to be we just negotiated agreements that dealt with tariffs, duties, and quotas on tradeable goods. That was it. You didn't consider anything else.

Those days are long since past. We now deal with virtually every facet of

our economy in the context of trade negotiations. The process has evolved, and matters once considered totally outside the realm of a trade agreement no longer are. I am thinking of NAFTA, which I strongly supported, which was an important agreement that passed the Congress only after the Clinton administration negotiated side agreements relating to labor and the environment. Those side agreements were controversial to some in this body, but had they not been included, we would never have passed NAFTA.

That is a fact.

What I am saying about the amendment I am proposing—I will get to the details in a minute—for people such as myself, the adoption of this kind of an amendment is critically important to our votes when it comes to final passage. Maybe they are not necessary, but I would hate to think as we begin the 21st century that we would take a step back from exactly the progress we have made in the latter part of the 20th century when it comes to trading agreements. That is all I am suggesting we do here: To maintain this progress as we go forward.

More recently, both the House and the Senate unanimously endorsed the United States-Jordan Free Trade Agreement. The Bush administration in fact urged Congress to do so. The Jordan agreement broke new ground and set a standard, a floor by which other agreements will be judged as they relate to the support and protection of core internationally recognized labor standards.

The United States-Jordan Agreement also contains a mechanism to resolve disputes related to violations of the terms of the agreement, including violations of labor rights equal to violations that in the context of commerce and other economic transactions between our two nations. The Jordan agreement was very forward looking, dynamic, and supported by 100 percent of the Members of the Senate. As part of that agreement, the United States and Jordan pledged not only to uphold existing domestic labor laws in conjunction with the trade agreement, but we also recognized that ''cooperation between them provides enhanced opportunities to improve labor standards'' in the future.

Last week, King Abdallah of Jordan was in Washington. Many of my colleagues had an opportunity to see him. The Middle East crisis was foremost on his mind for obvious reasons. He also took the time to mention that the implementation of the United States-Jordan Free Trade Agreement was working very well. For those who may say this places onerous burdens on developing countries, Third and Fourth World countries, and this is too difficult a task, King Abdallah of Jordan made the point that the United States-Jordan Free Trade Agreement was working extremely well.

No one expects every country with which we will be entering into negotiations to have the same standards and protections the United States has with respect to protection of workers' rights, just as they don't have as well developed patent and copyright laws or environmental standards. We know that. But we do believe that if every country had identical standards and practices, negotiations would be unnecessary.

The purpose of engaging in negotiations and reaching comprehensive trade agreements is to encourage other nations to stretch themselves to do more in these areas. Trade agreements should be viewed as a dynamic process for ratcheting up global standards across the board.

The Jordan standards, unanimously adopted by Members of this body, are a mechanism for making that happen in the labor sector.

One of the reasons I am offering the Jordan standards as a part of this bill is that they passed 100 to nothing here. There was no debate about whether or not these standards ought to be included in that agreement. My concern is, if we don't raise the level on this trade authority, we will be taking a step back.

My amendment merely takes three provisions of this agreement and incorporates them in the underlying bill. I commend the committee because they took three of the provisions of the Jordan free trade agreement included them in the legislation. But in the absence of these three I will discuss shortly, this is a flawed proposal.

For those reasons, my amendment ought to be adopted. We don't expect everyone to have the exact standards we do. But we think these rights are not just unique to this country. We think the people's right to collectively bargain, the people's right to be protected against child labor are good standards. These are standards we want the rest of the world to try to reach.

We don't want the world to hire children to produce products that are sold in America. We want the environment to improve not just in our own country but around the globe as well. By including the standards in the Jordan agreement in this agreement, we advance the very cause of those ideals which we have championed as a people, regardless of party. In many ways it has been the bipartisan insistence on these inclusions that has made them so important and so dynamic for the rest of the world.

Is there any doubt that it is in the economic and foreign policy interests of the United States to encourage respect for workers' rights, abolish child labor, or to protect the environment? Those ought not belong to a party, they belong to a Nation. Is there any doubt that governments that treat their workers with respect, that allow them to freely associate, that have adopted laws against child labor, that have established minimum wage standards, are governments that tend to be strong and stable democracies, or that governments that don't value and protect their citizens are generally tyrants who are not only a threat to their own citizens but to their neighbors as well?

President John Kennedy once said that a rising tide lifts all boats. The growth in international commerce can certainly be that rising tide. But it will only lift all boats if we ensure that increased trade goes hand in hand with respect for internationally recognized labor rights and have a shared commitment to making the lives of working people better. That is why I believe it is so critical that we send a clear signal that we truly are seeking to get our trading partners to adopt standards that our friends in Jordan readily agreed to and find are working extremely well.

What an irony it would be that we demand it of Jordan, a country with all of its difficulties, with a remarkable leader in King Abdallah who finds he can live with it, and we turn around, after a unanimous vote in the year 2001, passing the United States-Jordan agreement, and adopt a trade accord here that would allow us to take a walk away from the very standards that only months ago we applied to the nation of Jordan.

The Jordan Agreement is living well with the agreements and standards we applied there. To now take a hike on the standards we agreed to under Jordan, and to say to everyone else that they get to adopt a lower standard would be a tragedy. This agreement ought not to be adopted if we exclude these provisions that we have already adopted 100 to nothing in the Senate only a few short months ago.

Let me explain what the amendment does. It is not complicated. It is very straightforward. My colleagues will understand this is not an exaggerated, new idea. I am merely taking the language that already exists, that was adopted unanimously in the year 2001.

The amendment, for those who want to follow the details of this, would modify section 2102(b)(11) of the underlying managers' amendment as it relates to the principle trade negotiations with respect to labor by adding language drawn from the United States-Jordan Free Trade Agreement. The language proposed in my amendment is an addition to the language included in the managers' package.

I commend the managers. They did include language, very specifically, from the United States-Jordan Free Trade Agreement in this bill. That is very helpful.

But we are missing some language here. Let there be no doubt. When you are dealing with traders around the world, they will make clear note that the absence of language was not a mistake, not some oversight; the intentions are quite clear that all of a sudden we are changing the rules of the road. I don't think we want to send that message.

So I know there will be arguments that the United States-Jordan Free

Trade Agreement is included entirely in this bill. It is not at all. I commend the managers for what they have done. The managers were working, of course, from the House version of this bill. That placed certain constraints on them in committee. I hope that the full Senate will act on this matter now, so we can be more flexible and fully reflect the important precedent set by the United States-Jordan Free Trade Agreement in the areas of labor and the environment.

I have prepared a chart that replicates article 6 of the United States-Jordan Free Trade Agreement. It relates to the obligations of the United States and Jordan with respect to labor. Let's look to the provisions of that agreement and compare it with the text of the bill and the additions my amendment would make to that text.

Article 6.1 of the U.S. Jordan Agreement, is reflected in section (C) of the pending amendment. This amendment would establish as a principal negotiating labor objective, the reaffirmation by parties of their obligations and commitments as members of the ILO—International Labor Organization—in the context of labor negotiations and in the context of future trade agreements and a commitment to ensure that domestic labor laws are consistent with the ILO Declaration on Fundamental Principles and Rights at Work.

What does that mean? It is a lot of language. It means, in the context of the negotiating process, that governments that are members of the ILO, of which there are 163—virtually everybody we are trading with—must be mindful of the obligations that have already been assumed as members of that organization. That is a radical thought, isn't it? It was signed on to by 163 countries.

We are saying, if you want to trade with us, we want you to live up to the commitment you made when you signed on. That is what we said to Jordan. We said: Look, you are a member of the ILO and we are going to say if you want to have a trading relationship with us—and we want it with you—we want to have clear language in the agreement that says you must live up to those obligations that you already signed on to. That is not exactly a radical point in this context. What are those obligations? To respect, promote, and realize fundamental labor rights, such as freedom of association, elimination of forced labor, abolition of child labor, and the elimination of discrimination with respect to employment.

I hope I will not have to debate in this Chamber, as we begin the 21st century, whether or not it is in the interest of the United States, when we enter trading agreements, that somehow we are going to sit back and remain silent when it comes to discrimination, child labor, and the right to promote respect or fundamental rights and the elimination of forced labor.

I don't think that is terribly radical for the U.S. in this century to be talking about having or advancing those standards in future trading agreements. So if you are going to defeat this amendment, understand we are going to step back to what we agreed to 100 to 0 a few months ago and to say to every trading partner we have, you can disregard this—disregard forced labor, child labor, and the notions of free association and the elimination or discrimination with respect to employment. I don't know of a single Member of this body, Republican or Democrat, who wants to be associated with a trading agreement that retreats from those very principles we have adopted in this body already. We are not asking these countries to do anything more than they are obligated to do as members of the ILO. That is all. This provision is not currently included in the managers' principal negotiating objectives, and I think it should be.

Let's look at the next provision. Article 6.2, embodied in section (E) of my amendment, namely, that the parties recognize it is inappropriate to seek a competitive trade advantage by relaxing or waiving domestic labor laws. I hesitate to even explain this one. We are saying we don't want you to step back in your own domestic laws in order to create a more favorable trade environment. That would be so damaging to our own country. We are saying, if you want to have an agreement with us, if you want to sell your products in America, you cannot start retreating on your own laws and putting American workers and American companies at a disadvantage.

We included this provision in the United States-Jordan agreement. We said we want a guarantee that you are not going to slip back and undo the laws you already adopted. You don't have to trade with us, but if you want to, we insist that you live up to the laws you have already written. That is not a radical thought.

Certainly, it seems to me that by excluding specifically that language from this agreement, having specifically ratified the trading agreement only a few short months ago, that we would be sending a signal with which I don't think many people in this Chamber would want to be associated. So it is extremely important.

What is the harm in including this provision? Do we support other countries gaining a competitive advantage over U.S. industries, businesses, and manufacturers by ignoring their own laws? I don't think so. And I certainly hope not.

Article 6.3 of the Jordan agreement is embodied in section (D) of my amendment; namely, to recognize the rights of parties to establish their own labor standards, but also the commitment to strive to ensure that their laws are consistent with the core labor standards, and that we should be trying to, over time, improve working conditions. Again, this doesn't seem terribly radical to me.

Articles 6.4 and 6.5 of the Jordan agreement are already contained in the underlying bill, as is 6.6, the definition of labor laws. Again, I commend Senators BAUCUS and GRASSLEY, and other members of the committee, for already taking the United States-Jordan Free Trade Agreement and including the provisions I have just mentioned.

So we have already set the precedent of taking the exact language of the United States-Jordan Free Trade Agreement and explicitly included some of the language in this bill. The obvious omission of the articles I have just mentioned, involving the points I have raised, I think, would be glaring in terms of our retreat from those principles we think are extremely important.

My comparison of the agreement with the underlying bill and with the provisions of my amendment show that this bill does not incorporate all of provisions in the United States-Jordan agreement. I believe that only with the adoption of this amendment Senator LIEBERMAN and I have offered can we fairly assert that there is parity between this bill and the United States-Jordan accord. Let's assume for the moment that you agree with the managers of the bill, that they have already accomplished Jordan parity. I might ask, what is the harm of accepting this amendment, which I clearly have shown is no more or less than what is in the United States-Jordan agreement? It seems to me by taking this additional language, we have done nothing to damage the statements made by the authors of this bill. I fail to see what great damage could be done to this bill or to the President's negotiating authority with the addition of a few additional negotiating objectives. There are currently 27 pages of principal negotiating objectives in the pending managers amendment, covering 14 areas, such as trade barriers, services, investment, intellectual property, e-commerce, agriculture, labor, environment, and dispute settlement.

I don't think we believe that U.S. negotiators will be successful in delivering on every single one of these objectives. But the point of including them is to encourage U.S. negotiators to pay attention to the issues of discrimination in employment, forced labor, and child labor. We think those are worthwhile objectives that should be payed attention to. If you can pay attention to e-commerce, to investments, to intellectual property, tell me what your rationale is for taking a hike and walking away when job discrimination, child labor, and forced labor ought to be on the table as well as part of our standards.

If it is OK to watch out for the banks, for the high-tech companies, how about watching out for people who have no one else to watch out for them and to insist that if you want to trade with America, sell your goods in Nevada, or in Connecticut, or in Texas, or anywhere else, at least you have to put these standards on the table.

So we urge adoption of an amendment to incorporate these standards, to encourage our negotiators to pay attention to these objectives that have been delineated, and send a signal to our trading partners that we care about them—at least the Senate does. Republicans and Democrats care about these issues. We care about trade, but we also care about working people. We care about them at home and around the globe. If you are going to have the luxury of selling your products and services here, for the Lord's sake, please pay attention to some things that go to human decency.

That is all we are talking about. That is why we truly believe our negotiators should be attempting to achieve standards that already apply. I suspect if I were offering this language for the first time, people would say I am breaking new ground. I am not breaking new ground.

In the year 2001, this Senate unanimously voted for the agreement. This body, at the urging of President Bush, adopted the United States-Jordan Free Trade Agreement, and the very standards written here are written into that law. Should we say to other countries we insist Jordan do something, but the rest of you can just ignore these important standards?

As I said earlier, our partners in negotiation are not foolish; they are not naive; they are not stupid. They are going to know there is a difference between this bill and the Jordan agreement. They are going to assume rightly—or, more importantly, wrongly—that there is a message sent by that difference. If we do not want to send such a signal—and I do not believe the managers of this bill do—then I think we should be careful with the language we incorporate here.

I believe, without the adoption of this amendment, the Jordan standards will not be fully on the table for discussion, and we will have missed a unique opportunity to insist they be a part of all future agreements.

Madam President, I urge the adoption of this amendment. It is not complicated. It is very straightforward. It is not precedent setting, and I think it is where America is. These are American values. If we can add standards in every other imaginable area to protect every financial interest one can think of, should we not also try to do something about kids who get hired to produce some of the very clothes people are wearing every day; shouldn't we see to it that job discrimination and forced labor are not going to produce the products we sell on the shelves of our small communities and large cities of this country? I do not think that these ideas are radical. They are about as American as it can get. I hope my colleagues will think likewise and support this amendment.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Madam President, for the benefit of Senators, we likely will not have a vote on the Dodd amendment until about 4 o'clock today. The President, if not on the Hill, will be here shortly. A number of people are going to be meeting with him.

Of course, at 2 o'clock we are going to be in recess for the awards ceremony for President Reagan and Nancy Reagan, and we will not be able to vote until 4 o'clock.

I hope that when debate is completed, within whatever period of time it might take, we can have a vote at 4 o'clock, and if Senator KYL, who I understand is going to offer the next amendment for the Republicans, can debate his amendment for whatever time is left until 2 o'clock, and then from 3 to 4, and we can have two votes at 4 o'clock. That is what we would like to do.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Madam President, I welcome the opportunity to discuss the Dodd-Lieberman amendment. The amendment is very similar to the Lieberman amendment yesterday in terms of its impact, though the approach is very different, so I will not belabor it. But I do want to make several points that I think are relevant to the amendment.

The first point is in response to Senator DODD's argument that the language he wants to impose on all future trade negotiations is identical to the language included in the Jordan free trade agreement approved unanimously by the Senate.

That argument assumes that one size fits all. It is similar to the argument I might make if I were going to try to buy a tire manufacturing company after buying a set of its tires. I might argue: You were willing to sell me a set of tires on credit without collateral. Now that I want to buy your whole company, how come you want collateral?

What worked for Jordan does not necessarily work elsewhere. I want to remind my colleagues that we rushed to approve the free trade agreement with Jordan because it was an important foreign policy action regarding a friend in one of the most unstable and difficult parts of the world in a time of emergency. It was in effect a foreign policy decision, not a trade policy decision. Indeed, our imports from Jordan are twenty-five one-thousandths of 1 percent of all imports coming into the United States. Trade, while not unimportant, clearly did not drive this agreement.

Yet Senator DODD's point is that if this language was good enough for Jordan, why is it not good enough as a general principle for all trading partners? That question kind of answers itself. If a signature on a note to buy a set of tires at a car dealership is good enough, why isn't the signature good enough to buy a car, or the car company? Because the situations are different.

The point is that a trade agreement with, say, Europe would be very different than a trade agreement with Jordan. In terms of trade, a trade agreement with Europe would be shooting with real bullets in terms of trade, jobs, and economic growth, because we already have a well-established economic flow between the United States and Europe. Such a trade agreement would not simply be about foreign policy. In contrast, we are just starting to increase our economic flow between the United States and Jordan, and the agreement quite clearly had a critical foreign policy component. Of course trade with Jordan is not solely about foreign policy. But to say that the principles we set forth in the Jordan agreement ought to be the principles that dictate every agreement we enter into in the future simply is not a valid analogy.

My second point is that the document before us is the result of long hours of labor by the Finance Committee. Now, I am not saying that the Finance Committee has cornered the market on wisdom or is infallible, but I will say that the Committee held numerous hearings and had days of debate. Eventually, we worked out a bipartisan compromise on these issues, and the bill was reported 18 to 3. The trade promotion bill approved by Finance is the bill that is supported by the administration and is broadly supported by every major element of the American economy.

In that bill, we achieved a balance that preserves the flexibility of the administration to negotiate different trade agreements depending on the particular circumstances. To suggest that somehow we do not deal with child labor is simply not valid. Labor issues are a factor through this bill. For the first time, we have an extensive negotiating objective in a fast-track bill dealing with labor and environmental issues. In addition, we have included language that refers to ILO conventions both those we have ratified and those we have not—on forced labor, minimum employment age, and similar matters. However, the bill as reported provides flexibility, rather than assuming that one size fits all.

I do not think there is one size that fits all in almost anything that government does, which is why so many of our programs fail. But even if there were one size that fits all, to suggest that the Jordan Free Trade Agreement, an agreement with a country that produces twenty-five one-thousandths of 1 percent of the products that we import, should serve as the mandate for all future agreements simply does not stand up to scrutiny.

In the Finance Committee bill, we have dealt with labor. We have dealt with the environment. And in both areas we have set standards higher than we have ever set before. To suggest that we ought to go back to one particular trade agreement approved in the midst of a crisis in the Middle East with a country that sells twenty-five one-thousandths of 1 percent of all

items we buy from the rest of the world, and make it the ironclad standard for every trade negotiation we enter into again from now on, seems to me to be putting us in the kind of straitjacket that we would not want to put any administration in. That is why the Dodd-Lieberman amendment is opposed by a broad cross-section of American business. It is opposed by the administration. It is opposed by the chairman and ranking member of the Finance Committee.

It is one thing to try to add to the bill a totally new matter that we have not dealt with before. But it is another thing altogether to come in now, on the floor of the Senate, and try to rewrite heart of the bill based on one agreement entered into largely for foreign policy reasons with a key country who happens to sell us just twenty-five one-thousandths of 1 percent of all imports that we buy. Given the current trade flows between the United States and Jordan, any error in the agreement probably would not cause profound economic damage to either country. Our trade flows are just not large enough. Our overall relationship was and is important enough to approve that agreement. It was a good thing to do, and I supported it. But that agreement cannot become the ironclad standard for every trade agreement from this point on.

A few points to sum up. This amendment is unnecessary and undoes the bipartisan compromise on labor issues. It is not as if we do not deal with labor issues in the bill before us. In fact, we dealt with them in great detail. They were negotiated extensively, and as a result we now have strong bipartisan support for the bill. To come in now and rewrite the labor section based on one trade agreement we approved during a foreign policy crisis with a country whose sales to the United States are minimal relative to total world sales is just not sound public policy.

Secondly, the amendment proposes a one-size-fits-all approach that takes the smallest size as the base. The fact is that right now, there are few countries in the world from whom we buy as few goods as we do from Jordan. More imports are bought by some cities in Texas in a month than are bought by the whole Nation from Jordan in a year. We all hope that the agreement will promote greater trade with Jordan. But the fact is that its sales to us will remain relatively small compared to the sales by the rest of the world. To use the Jordan Agreement as the standard and override the bipartisan compromise in a bill written to be as coherent and flexible as possible does not make any sense.

We are not in the welfare business when it comes to trade. It is one thing for a trade agreement to help a government in Jordan. But when we are negotiating trade agreements with the Europeans, or the Japanese, I want the agreements to help us. I want them to benefit from a trade agreement too, but my first concern is to make sure that we benefit. In this case, the negotiation with Jordan was for Jordan. But any negotiation with Europe or Japan should be for America. To apply a foreign policy-driven standard to such negotiations just would not be sound policy.

It boils down to one point: different negotiations require different approaches. Any negotiations with China, for example, would be very different from our negotiation with Jordan, just as buying a set of tires on credit is a little bit different than buying the tire company. When you're buying the tire company, you should expect standards that are vastly different in terms of obtaining credit.

I hope we will defeat the Dodd-Lieberman amendment. It basically tries to change the very heart of the bipartisan trade promotion authority bill through an amendment offered on the floor. This is the second time we are seeing such an effort. Yesterday, we had an effort by Senator LIEBERMAN to undo the bill. Today, we have a second effort by Senator DODD and Senator LIEBERMAN to undo the bill. I hope the same people who voted against the effort to undo it yesterday will vote against undoing it today.

I am proud of the Jordanian agreement, and I gave it my support. But it should not be the be-all, end-all standard for all future trade agreements. I do not think anybody thinks that it should. It may very well be that some colleagues with a certain bent on some issues like the language of the amendment better than the language of the bill. But the language of the bill is something that has been very carefully negotiated. So I would urge those who want a trade bill to vote against this amendment.

Let me conclude by stressing one point of concern. One of the things that has disturbed me for most of this year, and that has become very clear on this trade bill, is that increasingly people are not taking a proprietary position on issues that are of vital national importance. Certainly I am not trying to judge anybody else's motives, but it seems to me that we are seeing votes cast on this trade bill where, from the outside, it looks as if nobody is taking ownership of this critically important bill.

In the 24 years I have served in the Congress, I do not think I have ever witnessed a Finance Committee that could not defend its own legislation on the floor. We are seeing efforts to make wholesale changes that would undo the entire agreement. We have what is close to piracy where people are trying to load one more item on this wagon, and the wagon is now rickety and on the verge of running into the ditch.

Anybody paying attention to this debate knows that trade promotion authority at this point is almost dead. Now we have an effort to rewrite the heart of the bill's bipartisan language on labor, and impose a standard that we negotiated with a country whose trade with the United States is a fraction of the trade we have with the world. Under such circumstances, I will not be willing to pay the already great tributes of health insurance for unemployed that is paid by workers who do not have health insurance, and wage guarantees that are higher for the beneficiaries than the average wage of working people in the country.

If we truly want this bill to become law, then we are going to have to begin to take some ownership of the bill. We can start by defeating this amendment. Well intended though it may be, it is harmful because it makes the assumption that one size fits all, using a standard applied in an agreement driven by foreign policy to a nation whose sales by any measure are minor in the context of overall United States trade.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. I ask unanimous consent that once the debate concludes on the Dodd amendment—we are attempting to have a time set for this vote on the Dodd amendment. As I indicated earlier, we will be out of session from 2 to 3 because of the President Reagan and Nancy Reagan award, and other things will take place at 3 p.m. We will vote at 4 p.m.

Mr. GRAMM. On this matter or any motion related to it?

Mr. REID. Yes.

Mr. DODD. While we are waiting, my good friend from Texas and I have worked on a lot of things together. We disagree on this particular point.

For clarity purposes, we are talking about 27 pages of standards that are part of this trade promotion authority. We are talking about the addition of three principle negotiating objectives. It is not one-size-fits-all any more than it is one-size-fits-all on the other 27 pages of standards. We are taking, what is already partly in the bill, to the credit of the manager of this bill, several provisions in the United States-Jordan Free Trade Agreement. My colleague said this was a foreign policy document, not a trading agreement. If that were the case, why did we add provisions that expanded the concerns about child labor and discrimination in the workplace, forced labor, the rights of free association? If we merely wanted to do a foreign policy document, we would have had a barebones agreement with Jordan, if it was just to send a message that we wanted to be of some help. But, no, we incorporated collective wisdom and included the dynamic principles we care about into the Jordan Agreement.

This is about America. It is not fair to Americans who lose their jobs because of a trading agreement, where some other country can hire children, discriminate in the workplace or disregard the rights they signed on to in the International Labor Organizations. That gives them a tremendous advantage at the expense of America.

Jordan may be small; these principles are not small. They may represent twenty-five one-thousandths of 1 percent, but forced labor, child labor, discrimination in the workplace, and the right of association are not twenty-five one-thousandths of 1 percent of what Americans care about. We care about these principles. And we fight for them. We eliminated them in our own country years ago. We struggle every day to make them work, even in the 21st century. We are saying if you want the right to sell your goods in America, these are principles and objectives we think you ought to try to achieve. They are objectives.

The idea that we would exclude these objectives—I just don't understand the rationale of that. With 27 pages of objectives in this bill, that include objectives on e-commerce, investment, and many other standards—how about including some standards that apply to working people? How about that? Is that so radical a thought?

We have already adopted by 100 to zero a United States-Jordan Free Trade Agreement establishing principles, adding 3 more principles, to a 27-page set of negotiating objectives. Not every country is America. We are not foolish. We do not say you must absolutely meet the standard of the United States when it comes to job discrimination, child labor, forced labor. It would be ludicrous if I were to write and say you must absolutely achieve the same standards we have. That is unrealistic. We have not done that.

If I cannot write this into a trade promotion authority, where do I write it? Do I have to do it agreement by agreement by agreement? Why not just make this part of the principles of our negotiators? These are not radical ideas. All that I am saying is that as part of the principal negotiating objectives, including the provisions you already added from the free trade agreement with Jordan, these three Jordan standards ought to be included. It is not too much to ask.

I appreciate my colleague from Texas and his colleagues on the Finance Committee spending time getting their ideas incorporated into the bill. I am chairman of the Rules Committee, and a bill recently came out of the Committee. I had 100-some-odd amendments; 43 were dealt with on the floor. I was not offended. I prefer that everyone did everything I wanted them to do. I don't know a Senator who doesn't feel that way. The reason we have 100 Members representing 50 States is, people have a right to raise concerns and offer amendments. We are doing that.

I commend the committee for what they have done. The Finance Committee, under the leadership of Senator BAUCUS and Senator GRASSLEY, have done a terrific job. It is not easy. They have incorporated parts of the United States-Jordan Free Trade Agreement. But they left out three that I think are important. I am merely suggesting, and I regret this requires a recorded vote. These are objectives, that is all. My Colleague from Texas mentioned Europe. We are worried about trading with Europe? Is this such a difficult job in Europe, with forced labor, child labor, and employment discrimination? I don't think so. The problems arise with smaller countries that are still emerging where the problems exist.

If, by requiring our negotiators to raise these principles, we might improve the quality of life of people in these developing countries, is that such an outrageous suggestion? Is that something that America should retreat from as a nation that takes pride in the fact we try to recognize the rights of all people? When our Founding Fathers wrote the cornerstone documents of this country, they didn't talk about these rights, those inalienable rights, only occurring if you manage to make it to America. Those inalienable rights are rights that are endowed by the Creator to all people. In the 21st century, to try to slow down the abolition of child labor, forced labor, job discrimination, and to suggest we ought to keep it out of this bill, this trade promotion authority, I don't think reflects who we are as a people. It is a step back from where we are as a people.

This is not one size fits all. We know fully well as we enter trading agreements, there will be nations that will do a better job or not as good a job in the areas I have mentioned. I don't think it is so radical to ask our negotiators to have these, along with the other 27 pages of standards. Every business interest in America is guaranteeing their interests are going to be negotiated when it comes to reaching agreements. What about working people? Why can't they be on these 27 pages, as they have in many places? I don't think it is a lot to ask by adding these three.

I urge my colleagues to support this effort. The role of the full Senate is not to be a rubber stamp. What I am offering I think is more of an oversight. The managers were dealing with a House version of the bill, and they added the three provisions of the Jordan agreement, and they left these three out. I think it is the intent of the managers to include the principal negotiating standards of the Jordan agreement. And really denouncing this because the country we negotiated with was small—these principles are not small; the fact we negotiated with a small country does not mean the principles are not large in the minds of the American people. We ought to make them principles, regardless of the size of the country with which we negotiate. It is a great tribute to the nation of Jordan, a small struggling country, one of the most crisis-ridden areas in the world, that they could live with these standards as part of the negotiation we entered with them. If a small, struggling country can accept this, representing one tiny percentage of our trading partners, then certainly larger countries should do no less.

Therefore, the very argument of my colleague from Texas when he says this is like arguing about the price of a tire when you try to buy GM—child labor, forced labor, job discrimination are not tires. Those are not just small consumer items in the list of human principles and values. We think they are important principles and they ought to be given a status—more than a sale of a tire on a car.

I urge my colleagues to join us in this and support this language and put it in the bill. It makes it a stronger bill, a better bill, a bill we can be proud of when we negotiate trading agreements in the future with other countries.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Madam President, I listened very carefully to my good friend from Connecticut. I imagine people, while they are listening to him, are wondering what is this debate all about, really? Certainly none of us want to promote child labor. All of us want to discourage child labor. All of us, as Americans, with the values we have as Americans, want to promote our American values.

The question is, what is in this bill, what is not, what are we debating, and what are we not debating? Essentially, as I listen to my good friend, the Senator is arguing for the bill. What the Senator suggests is virtually what is in the bill. There is really not any difference. When I listen to the Senator, he makes it sound as if there is a huge difference, but there really is not.

First of all, we do incorporate the Jordan provisions in the underlying trade promotion authority fast-track bill that are labor and environmental standards. Let's remember, the Jordan agreement is an actual trade agreement; whereas today we are debating whether to give the President authority—along with passing the trade adjustment assistance and Andean Trade Adjustment Act—whether to give the President the authority to negotiate future trade agreements under a certain procedure.

There is a difference between a current, existing agreement that was negotiated—that is Jordan, on the one hand—and future agreements which have not been negotiated on the other.

The Senator from Connecticut is essentially saying the standards, exact language as in the Jordan standard, essentially should be the language that applies to environmental and labor provisions and dispute settlement provisions in all future trade agreements. Again, I think it is important to note that there is a difference between what is actually negotiated in an agreement and future trade agreements. That difference is very important.

No two trade disputes are exactly alike. No countries are exactly alike. The matters over which they negotiate are different. Each negotiation involves different issues, different complexities, and these require us to be

creative, to adapt, and not take—the common phrase is the cookie-cutter approach.

I also want to react to the argument of my friend from Connecticut who implied that ILO negotiating objectives are not in the bill or negotiating to reduce child labor is not in the bill. That is not accurate. It is in the bill.

There are three categories of objectives. This sounds a bit arcane. One is principal objectives, overall objectives, and then other objectives. But the language in the bill makes it clear that each of the objectives has the same priority.

You may ask why they are not all in the same category. I am not sure I can answer that question, but the operating principle is that the language in the bill provides that each of these objectives, although they might be in different categories—one of them includes ILO labor—is a core labor standard. It also includes—promote respect for workers' rights, the rights of children consistent with core labor standards of the ILO, and understanding of the relationship between trade and workers.

The main point, though, is respect for workers' rights and the rights of children consistent with core labor standards of the ILO. That is an objective and it is an objective that has equal weight compared with all the other objectives. It is in the bill. To say it is not is simply not accurate.

In summary, the concerns the Senator from Connecticut voices are met. They are in the bill. They have equal weight.

One can argue: If it is in the bill, why not just accept what the Senator has suggested? We are in this unfortunate situation, though, where we have this bill put together, and it is a bipartisan bill. It passed the committee 18 to 3.

If we are to have trade adjustment assistance enacted into law, which I think is the most important part of this bill, and if we are going to have the Andean Trade Preference Act extended, which is very important to South American countries, and if we are going to have fast-track authority, which I think is necessary for these very complex trade negotiations, otherwise other countries will not enter into negotiations with the United States, this amendment has to be defeated.

The substance of what the Senator talks about is already covered in the bill. It is substantially covered in the bill almost to the degree the Senator wants. But to adopt the Senator's amendment will cause this agreement to unravel. It is already very precarious.

I remind my colleagues the other body passed the fast-track part of this legislation by one vote. I know there are some Senators in the body who do not want to pass fast-track legislation. They are opposed to it. But a very significant majority of Senators wants to pass legislation. They are in favor of it. If this amendment were to succeed, due to the very strong opposition to this amendment by a very substantial number, if not unanimously, of the Members of the other side of the aisle, this amendment could unravel this bill. It is a delicate balance. That phrase is used over and over again, but I can tell you it is a delicate balance.

I wish I could help my friend and accept the amendment, but for all intents and purposes, to take care of all his concerns, if he were to push a little further, it could very well push us over the edge. And I do not think we should take that risk.

We cannot let perfection be the enemy of the good. We can strive for perfection, but if we get too close to trying to get perfection it causes unintended consequences elsewhere.

I urge my colleague to remember it is a very delicate balance we have before us.

I yield the floor.

Mr. DODD. Madam President, I will be very brief. My colleague and friend from Montana has been very patient. He has an awfully difficult job chairing this important committee and dealing with the various issues that are raised.

As I said at the outset of my remarks, I commend the committee for its effort.

I thought this might be an amendment that would be easily accepted. I did not expect it to evoke the kind of debate we have had from my colleague from Texas because it really should not be a huge debate. My colleague from Montana is right, we should just accept this and move on. I will tell you why, very simply. Again, not to be arcane, but the language of the bill, on pages B–4 and B–5, starting at the bottom of page B–4, says:

> to promote respect for worker rights and the rights of children consistent with core labor standards of the International Labor Organization (as defined in section 2113(2)). . . .

Section 2113(2) defines those labor standards. They include:

> the right of association;
>
> the right to organize and bargain collectively;. . . .

It says:

> a minimum age for the employment of children; and
>
> acceptable conditions of work with respect to minimum wages [and the like].

That is very different from the ILO standards.

So the ILO standards, as defined in section 2113(2), are different from the ILO standards. The ILO standards say:

> the effective abolition of child labour; and
>
> the elimination of discrimination. . . .

''The elimination of discrimination'' is not included in section 2113. So they are different.

I thought the amendment would have just been accepted. It says: ILO ''as defined.'' It is different from ILO. That is the reason we wanted to use the language as the principals in the Jordan agreement, because our trading partners are not foolish. They will understand there is a difference.

So ''the effective abolition of child labour'' and ''the elimination of discrimination'' are in the ILO standards but not in the standards we are going to negotiate. So that is the reason we offer the amendment.

I really expected it, as I say, to be something that did not provoke a significant debate. But there is a distinction.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. The Senator is absolutely correct. And as the Senator well knows, in this ongoing evolution here, we have worked with the ILO definitions under the extension of GSP. And GSP is also in this bill, and that is the Generalized System of Preferences.

The question is: What are the ILO standards? I am sure the Senator knows better than any other Senator that the ILO standards were changed in 1998. The earlier version was enacted or stated in the early 1950s. We, after great discussion, I might add, were able to get a modern, updated ILO definition in GSP, although it is not in this bill.

My thought is, when we are in conference, that is an issue we can address. The Senator raises a good point.

The PRESIDING OFFICER (Ms. CANTWELL). The Senator from Connecticut.

Mr. DODD. Madam President, as I understand it, in the unanimous consent agreement, we will come back to this debate, and there will be 5 minutes, where the time will be equally divided, to make summations before the actual vote occurs.

Mr. REID. If the Senator will yield?

Mr. DODD. I am happy to yield.

Mr. REID. Madam President, I do ask unanimous consent that once debate concludes on the Dodd amendment, the amendment be set aside to recur at 3:55 p.m. today; that at 3:55 p.m. there be 5 minutes remaining for debate, with the time equally divided and controlled in the usual form; with no second-degree amendment in order prior to a vote in relation to the amendment; and that upon the use or yielding back of time, without further intervening action or debate, the Senate proceed to vote in relation to the amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Madam President, if this debate concludes before 2 o'clock, Senator KYL will come and offer an amendment. That debate will continue until 2 o'clock, and then from 3 to 4 he will also be debating that. We hope that during that period of time we can complete the deliberations on the Kyl amendment and also set a time, shortly after the Dodd vote, so we can have two votes a little after 4 o'clock. But we ought to see how the Kyl amendment goes before we make that decision.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Madam President, I do not know if other Members want to be

heard on this amendment. I am prepared to yield the floor, and I will suggest the absence of a quorum shortly, unless the Chair, obviously, wants to do something. If others want to speak, or if Senator KYL wants to come over and start his debate, I am perfectly amenable to that.

If other Members, all of a sudden, want to come and discuss the Dodd amendment, the Dodd-Lieberman amendment, there will be a period to do so before we actually get to a vote, I assume, at 4 o'clock.

With that, Madam President, I thank, again, the distinguished chairman of the committee and the ranking member and their staffs for their patience. They demonstrate great patience in these debates, and I thank them for that.

UNANIMOUS CONSENT AGREEMENT—H.R. 3167

Mr. REID. Madam President, I ask unanimous consent that immediately following the last vote today, Thursday, May 16, the Senate proceed to the consideration of Calendar No. 282, H.R. 3167, the NATO expansion bill; that it be considered under the following limitations: That there be 2½ hours for debate, with the time divided as follows: 60 minutes under the control of Senator BIDEN, or his designee; 90 minutes under the control of Senator WARNER, or his designee; further, that no amendments or motion be in order; that upon the use or yielding back of time, the bill be read the third time, and on Friday, May 17, the Senate resume consideration of the bill at 10 a.m., with the time until 10:30 a.m. equally divided and controlled between Senators BIDEN and WARNER, or their designees; and that at 10:30 a.m., the Senate vote on passage of the bill, without further intervening action or debate, notwithstanding rule XII, paragraph 4.

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

Mr. REID. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

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

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

A NATIONAL COMMISSION CONCERNING THE EVENTS OF SEPTEMBER 11, 2001

Mr. TORRICELLI. Madam President, on four occasions since September 11, 2001, I have come to the Chamber to recommend to my colleagues that the Senate immediately consider the establishment of a national commission concerning the events of September 11, 2001.

My request has been based on no motivation but the belief that the American people deserve honest answers and that the only means of preventing another terrorist attack on the United States is a fair, honest, and dispassionate view of what happened and what didn't happen, what was known, and what should have occurred.

The historic basis of such an honest approach to the tragedy of New York and the Pentagon is overwhelming. Ten days after December 7, 1941, Franklin Delano Roosevelt recognized that he could not reassure the American people about their Government and could not unify the country for the war ahead unless he gave them an explanation about what failed at Pearl Harbor. Lyndon Johnson recognized almost immediately the same need to reassure the American people about the operations of their Government and the integrity of its officers after the assassination of President Kennedy in 1963. Ronald Reagan drew upon the same precedent establishing the Challenger Commission to assure the American people that they would receive an honest answer to prevent any recurrence in the loss of life in the *Challenger*.

What I recommend has not only had precedents, it was the rule. Democratic and Republican administrations, for a century, have seen the need to assure the American people about the operation of their Government and that indeed we were a confident enough people under the rule of law to face honestly our own failings—all based on the belief that the only means of assuring that there would not be a recurrence would be to discover the reasons for the failings of the past. On those four occasions, there have been reasons to postpone, excuses to not act, and the debate has continued.

The debate continued after it was revealed that the FBI had in its possession Zacarias Moussaoui, a Frenchman of Moroccan descent who, in August, was discovered in a flight training school. The Justice Department denied access to his computer. The debate continued after it was learned that French intelligence had warned American intelligence officials that they had knowledge of a possible terrorist plot to hijack aircraft.

The debate continued after it was learned that Philippine intelligence and law enforcement authorities had warned United States Government officials of possible targeting of American aircraft.

The debate continued after it was revealed that the FBI office in Phoenix had written a memorandum warning that large numbers of suspicious individuals were seeking pilot and security training at American flight schools. The debate continued.

The debate has to end. Revelations that the Central Intelligence Agency might have intercepted suspicious communications as early as last July indicating a possible terrorist attack on American installations or facilities and that indeed the President of the United States himself was informed of this information should effectively end any debate.

I do not rise to cast blame or aspersions on any individuals or institutions. I believe the officials of this Government have acted honorably, and I would never believe any American institution or individual, for a moment, would not have done everything possible to defend the people of this country if sufficiently warned.

Something is wrong. The United States of America has a defense establishment of over $330 billion a year. Public accounts estimate intelligence budgets at over $30 billion a year. The heart of our greatest city was struck, the center of our military power was hit by 19 people, funded by $250,000. Something is wrong.

I do not know whether there has been a failure to collect intelligence or an inability to share intelligence. I don't know whether law enforcement and intelligence agencies have failed to work together. I don't know whether they acted properly and a reasoned, rational person never could have put these pieces together. I don't know. But neither does anybody else in this Government.

It was always going to be difficult to face the families of those who lost their lives on September 11. It just became impossible. Without some dispassionate and honest review of what was known by this Government and its agencies, without an honest assessment of how agencies performed and coordinated their activities, without a dispassionate assessment of what failed, not only can we not look the victims' families in the eyes and tell them, ''Your Government met its responsibility,'' we cannot assure this country that it will not happen again.

Franklin Delano Roosevelt didn't have a Pearl Harbor commission, Earl Warren didn't have a commission on the Kennedy assassination, and Ronald Reagan didn't have a Challenger commission to assign blame. It wasn't about partisanship. It was about assuring the American people of the future that the Government had taken actions to assure it would never happen again.

Who here would assure one of their constituents in any of our States that we have the confidence or the simple good judgment to undertake such a review?

On March 21 of this year, the Governmental Affairs Committee voted on S. 1867, introduced by Senators LIEBERMAN, MCCAIN, GRASSLEY, and myself, a bill to establish the National Commission on Terrorist Attacks upon the United States. That bill is ready for consideration. What reason do we offer for not acting immediately? What is the excuse to the American people?

I trust that based on current revelations, law enforcement officials of the Justice Department, intelligence officials of the National Security Agency and the Central Intelligence Agency, and, indeed, the national leadership of