

within the sound of my voice, can make a difference. It was a difficult decision he made. He did it on a matter of principle. People may not agree with what he deems as principled, but he did it because it was the right thing to do. That is the story of JIM JEFFORDS' life, doing what he thinks is right.

This highly educated man is really a common person, a person to whom anyone can speak. I am very proud of him and what he did and what he has allowed our country to do.

If the Senator from Kansas wishes to speak on our time, he is welcome to do that.

The ACTING PRESIDENT pro tempore. The Senator from Kansas.

(The remarks of Mr. BROWNBACK pertaining to the submission of S. Con. Res. 114 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

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

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

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mrs. BOXER. What is the pending business?

#### 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.

Rockefeller amendment No. 3433 (to amendment No. 3401), to provide a 1-year eligibility period for steelworker retirees and eligible beneficiaries affected by a qualified closing of a qualified steel company for assistance with health insurance coverage and interim assistance.

Daschle amendment No. 3434 (to amendment No. 3433), to clarify that steelworker retirees and eligible beneficiaries are not eligible for other trade adjustment assistance unless they would otherwise be eligible for that assistance.

Dorgan amendment No. 3439 (to amendment No. 3401), to permit private financing of agricultural sales to Cuba.

Allen amendment No. 3406 (to amendment No. 3401), to provide mortgage payment assistance for employees who are separated from employment.

Hutchison amendment No. 3441 (to amendment No. 3401), to prohibit a country that

has not taken steps to support the United States efforts to combat terrorism from receiving certain trade benefits.

Dorgan amendment No. 3442 (to amendment No. 3401), to require the United States Trade Representative to identify effective trade remedies to address the unfair trade practices of the Canadian Wheat Board.

Reid (for Kerry) amendment No. 3430 (to amendment No. 3401), to ensure that any artificial trade distorting barrier relating to foreign investment is eliminated in any trade agreement entered into under the Bipartisan Trade Promotion Authority Act of 2002.

Reid (for Torricelli/Mikulski) amendment No. 3415 (to amendment No. 3401), to amend the labor provisions to ensure that all trade agreements include meaningful, enforceable provisions on workers' rights.

Reid (for Reed) amendment No. 3443 (to amendment No. 3401), to restore the provisions relating to secondary workers.

Reid (for Nelson of Florida/Graham) amendment No. 3440 (to amendment No. 3401), to limit tariff reduction authority on certain products.

Reid (for Bayh) amendment No. 3445 (to amendment No. 3401), to require the ITC to give notice of section 202 investigations to the Secretary of Labor.

Reid (for Byrd) amendment No. 3447 (to amendment No. 3401), to amend the provisions relating to the Congressional Oversight Group.

Reid (for Byrd) amendment No. 3448 (to amendment No. 3401), to clarify the procedures for procedural disapproval resolutions.

Reid (for Byrd) amendment No. 3449 (to amendment No. 3401), to clarify the procedures for extension disapproval resolutions.

Reid (for Byrd) amendment No. 3450 (to amendment No. 3401), to limit the application of trade authorities procedures to a single agreement resulting from Doha.

Reid (for Byrd) amendment No. 3451 (to amendment No. 3401), to address disclosures by publicly traded companies of relationships with certain countries or foreign-owned corporations.

Reid (for Byrd) amendment No. 3452 (to amendment No. 3401), to facilitate the opening of energy markets and promote the exportation of clean energy technologies.

Reid (for Byrd) amendment No. 3453 (to amendment No. 3401), to require that certification of compliance with section 307 of the Tariff Act of 1930 be provided with respect to certain goods imported into the United States.

AMENDMENTS NOS. 3431 AND 3432 TO AMENDMENT NO. 3401

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I ask unanimous consent the pending amendment be set aside and I ask unanimous consent that two amendments be called up which I will explain: Amendment No. 3431, the Boxer-Kerry-Murray amendment, and amendment No. 3432.

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

The clerk will report.

The legislative clerk read as follows:

The Senator from California [Mrs. BOXER], for herself, and Mr. KERRY and Mrs. MURRAY, proposes an amendment numbered 3431 to amendment No. 3401.

The Senator from California [Mrs. BOXER], for herself, Ms. MIKULSKI, Mr. DURBIN, and Mr. REID, proposes an amendment numbered 3432 to amendment No. 3401.

The amendments are as follows:

AMENDMENT NO. 3431

(Purpose: To require the Secretary of Labor to establish a trade adjustment assistance program for certain service workers, and for other purposes)

On page 31, between lines 20 and 21, insert the following:

“(D) SERVICE WORKERS.—

“(i) IN GENERAL.—Not later than 6 months after the date of enactment of the Trade Adjustment Assistance Reform Act of 2002, the Secretary shall establish a program to provide assistance under this chapter to domestic operators of motor carriers who are adversely affected by competition from foreign owned and operated motor carriers.

“(ii) DATA COLLECTION SYSTEM.—Not later than 6 months after the date of enactment of the Trade Adjustment Assistance Reform Act of 2002, the Secretary shall put in place a system to collect data on adversely affected service workers that includes the number of workers by State, industry, and cause of dislocation for each worker.

“(iii) REPORT.—Not later than 2 years after the date of enactment of the Trade Adjustment Assistance Reform Act of 2002, the Secretary shall report to Congress the results of a study on ways for extending the programs in this chapter to adversely affected service workers, including recommendations for legislation.

AMENDMENT NO. 3432

(Purpose: To ensure that the United States Trade Representative considers the impact of trade agreements on women)

At the appropriate place, insert the following:

SEC. . IMPACT OF TRADE ON WOMEN.

(a) FINDINGS.—Congress makes the following findings:

(1) United States international trade, social development, and international development policy should be linked with the goal of improving women's social and economic status in the United States and abroad.

(2) Enhancing women's status not only improves individual lives, but also eliminates market inefficiencies and leads to greater economic growth and trade.

(b) ADVISORY COMMITTEE FOR TRADE, GENDER, AND DEVELOPMENT POLICY.—

(1) ESTABLISHMENT.—The United States Trade Representative, pursuant to section 135(c)(2) of the Trade Act of 1974 (19 U.S.C. 2155(c)(2)), shall establish within the Office of the United States Trade Representative a Trade, Gender, and Development Policy Advisory Committee (in this section referred to as the “Advisory Committee”) to provide policy advice on issues involving trade, gender, and international development.

(2) DUTIES.—The Advisory Committee shall be responsible for the following:

(A) Providing the Trade Representative with policy advice on issues involving gender, development, and trade.

(B) Advising the Trade Representative on—

(i) positions, text, and other negotiating objectives and bargaining positions before the United States enters into trade agreements;

(ii) the operation of any trade agreement once entered into; and

(iii) any other matter relating to the development, implementation, and administration of United States trade policy, including issues pertaining to gender and development concerns in trade negotiations.

(C) Submitting a report to the President, to Congress, and to the Trade Representative after the bracketed texts have been drafted for bilateral and multilateral negotiations that analyzes the effects of bracketed text on women in the United States and abroad.

(D) Providing an advisory opinion on whether the agreement protects and promotes the interests of women in the United States and abroad and suggesting changes to the text to make it conform to international agreements that the United States has signed.

(E) Submitting a report to the President, to Congress, and to the Trade Representative at the conclusion of negotiations for bilateral and multilateral agreements, including an advisory opinion on the effects of the agreement on the interests of women in the United States, and in the developing world.

(3) MEMBERSHIP.—

(A) NUMBER AND APPOINTMENT.—The Advisory Committee shall be composed of not more than 35 members, appointed by the Trade Representative, who shall include, but not be limited to, representatives from women's interest groups, private voluntary organizations, international aid organizations, and appropriate representatives from Federal departments and agencies. The membership of the Advisory Committee shall be broadly representative of key sectors and groups of the economy with an interest in trade, gender, and international development policy issues.

(B) TERM.—Members of the Advisory Committee shall be appointed for a term of 2 years and may be reappointed for additional terms.

(C) POLITICAL AFFILIATION.—Members may be appointed to the Advisory Committee without regard to political affiliation.

(D) VACANCY.—A vacancy in the Advisory Committee shall be filled in the manner in which the original appointment was made.

(E) CHAIRPERSON.—The Chairperson of the Advisory Committee shall be designated by the Trade Representative at the time of appointment.

(4) DESIGNEES.—The Trade Representative may request 1 or more members of the Advisory Committee to designate a staff-level representative for discussions of technical issues related to trade and environmental policy.

(5) SUBCOMMITTEES.—The Advisory Committee may establish such subcommittees as its members deem necessary, subject to the provisions of the Federal Advisory Committee Act and the approval of the Trade Representative's designee.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I have a number of problems with the fast-track legislation. It has only been confirmed as I read the Robert Caro book, "Master of the Senate," which is a biography of Lyndon Johnson. The first 100 pages talk about the role of Senators. One of the very strong points made in the book is that our Founders wanted to make sure there was a check against executive power. This was, of course, the reason we have a Constitution and we have a balance of powers. The trade issue, and assuring Congress is part of that process, is mentioned over and over again in this biography as one of the issues on which the Founders focused.

The underlying premise of fast track is to write Congress out of the equation, to pat us on the head and say: Be good boys and girls; just give the President the right to do whatever he wants, and then you give up your right to amend; you can vote up or down. There are some occasions where I can see it makes sense if we are talking about a

specific treaty and we want to give the President some flexibility, this is really overarching authority to the President.

I knew this President when he was the Governor of Texas, supporting a minimum wage of \$3.35 an hour. I don't want to see that for our people. This is a very serious point.

I have also seen this President attack the environment such as I have never seen before. All you have to do is get on the NRDC site, the National Resources Defense Council, and there are 90 times where this administration, under this President, has in the dead of night attacked the environment by weakening clean air, Superfund clean-up, trying to stop testing kids for lead poisoning, and on and on and on. Why on Earth would we, who care about our own people and their standard of living and our environment and the health and safety of our people, give away the store to this particular administration? I am sorry, I don't get it.

I am also very concerned that there will be a cloture vote which means a lot of the amendments Members are putting forward will not get a chance for an up-or-down vote. I will talk briefly about two of those amendments. I will do everything I can to get a vote on these amendments. If I can't, there will be a lot of noise about it. One has to do with truckdrivers, the Boxer-Kerry-Murray amendment which I will talk about first, No. 3421.

AMENDMENT NO. 3431

On June 30, trucks that do not meet U.S. safety standards will be allowed into the United States to deliver products from foreign countries. That affects your State and it affects my State.

The safety issue is a problem in and of itself. We have talked about that quite extensively in our transportation bill. Trucks from Mexico simply do not have the same standards. We are letting those trucks in because of NAFTA.

We also know, in addition to these safety issues and safety problems, American truckdrivers will lose their jobs. Why do I say that? Because under the law today, if there are goods being produced in Mexico and they come to the border, the trucks stop there and an American trucking company, with American drivers, will take the product and deliver it to the rest of the country. There is nothing in this bill as it stands now to protect those truckdrivers and any others in future trade agreements.

Here is the situation. These workers deserve our help. If we are talking about trade adjustment assistance and we have a situation where in just a month from now we will have a lot of truckdrivers out of work, it seems cruel that we would not cover that issue in this trade adjustment assistance that is part and parcel of this bill.

Now, originally, as Senator DASCHLE wrote this trade adjustment assistance, we had protections for our truck-

drivers. My amendment reasserts that language, directing the Department of Labor to establish a program to provide TAA assistance to truckers who lose their jobs because we are opening the border to foreign truckers to operate in the United States of America. This was part of the bill of the Presiding Officer, the original Bingaman TAA bill, as well as the Daschle substitute amendment. Very sadly, it is no longer included because our friends on the other side of the aisle did not like it. They said: Get rid of it or we are not going to go forward with this bill.

That is the kind of hard-ball tactics being played on the other side of the aisle with the lives of American workers and American truckdrivers. There is no reason on God's green Earth why such workers should not receive trade adjustment assistance. They are losing their jobs because of past trade agreements and perhaps future trade agreements. They should be covered.

This is not some theoretical issue; these are real people. I recently received a letter from Carlos Cervantes, a trucker from California. He writes:

I am worried if Mexican trucks are allowed to drive through the United States, I will lose my job. Mexican drivers make a lot less money than U.S. drivers do. And if U.S. trucking companies can use those drivers to move their loads then I will be out of work in no time. If that happens, I will have to take two jobs to provide for the income, health, and welfare of my family. It will be extremely helpful if the U.S. truckers were provided some sort of assistance if they lost their jobs.

That is what our amendment tries to do. It tries to help people such as Carlos Cervantes who want to do nothing more than take care of their families. Where are our family values? We talk about them every single day. We are not doing anything to help truckers in this Trade Adjustment Assistance Act. That is wrong.

Take the case of Guy Adams, a trucker in Kansas. He drives the I-35 corridor which stretches from the United States-Mexican border far into the interior of the United States. He is eligible to retire, but he has not done so because his wife is unable to work because of a heart condition, and the treatment and the prescription drug costs are too high to handle without the full insurance his job provides.

We have the coming together of a lack of a prescription drug benefit, forcing a trucker to work past retirement age, and now he may well lose his job because of the competition from Mexican truckdrivers. He will not receive the TAA benefits under this bill. His wife's medical needs will not be met. So, again, this is not theory. This is reality. That is why your amendment originally did the right thing. I am heartsick that the folks on the other side said: Do you want to do this bill? Take this trade adjustment assistance out for truckers.

U.S. truckdrivers are some of the hardest working people in the world. They make between \$35,000 and \$50,000

a year—that is their starting salary. Those fortunate enough to be represented by a union earn the higher end and get good benefits.

Compare these figures with the salaries of Mexican drivers, and you will see a major difference. Mexican drivers make about \$18,000 a year at best. They do not receive any benefits outside of their own Social Security Program. Here is the really incredible fact: There are no time limits on how long they can drive. The Mexican Government has no hours of service regulations, so theoretically a Mexican driver could drive 20 hours to the border and drive another 10 in the United States.

A reporter for the San Francisco Chronicle recently rode with a Mexican driver on a 1,800-mile run. The 46-year-old driver drove 3 straight 21-hour days, sleeping only 7 hours in all. Another Mexican driver just quoted in the Kansas City Star said:

U.S. truckers are lazy. In Mexico you can drive 24 hours straight. I do it all the time.

Mr. President, you know if there are workers who are willing to work 24 hours straight and work at half the wages that our good people do, they are going to get hired as soon as the June 20 date has passed, and we are going to have our good people out of work. We know it is inevitable, and U.S. drivers cannot compete.

So Senators BINGAMAN and BAUCUS, once again, recognized that when they drafted S. 1209, the original trade adjustment assistance bill that moved out of the Finance Committee. Again, Senator DASCHLE recognized it when he included this program in a substitute bill. But he was forced to delete it if he wanted to go ahead with this bill.

Finally, my amendment will direct the Department of Labor to put in place a system to collect data on adversely affected service workers who work under contract with firms closed or downsized. These workers include the janitors at a plant that closes, the cafeteria workers there, and those who work at companies, which have contracts with the plants, who also lose their jobs. For example, there are plants that shut down that, instead of hiring the janitors themselves, contract out to another company. So because of that quirk, the service worker loses a job.

We want a study to get to the bottom of this. We want to help these workers. We want to help truckers like Guy and Carlos.

I am deeply disappointed that this important assistance was taken out of the bill. I am even more disappointed that we may not get a chance to vote on this issue if cloture is invoked, and I am going to fight against invoking cloture on this bill. Why should this not be voted upon? Because people are afraid to be seen voting the wrong way, to do the right thing? I do not think that ought to stand. So I am going to do everything I can.

AMENDMENT NO. 3432

Mr. President, turning to my other amendment, amendment No. 3432, it

would help the U.S. Trade Representative make trade work for women. What we mean by that is that women's organizations and labor groups have made a convincing case that increased trade and trade rules have different implications for women and men, and the U.S. Trade Representative is not taking these effects into account.

For example, a little village in Mexico, Felicitas Villalobos, creates intricately woven needle baskets. On the export markets these baskets could fetch from 40 cents to \$1.25, but trade rules require women to produce an official invoice and official identification in order to export. Since she lives in a poverty-stricken area of Mexico with little access to government services, she does not have an official identification and cannot export her goods.

This situation is one that an advisory committee on gender and trade at the USTR could have foreseen and prevented. They could have produced recommendations to exempt women who are caught in this bind where they cannot export their products.

In order to help the USTR take the needs of women in account in the agreements they negotiate, I am introducing this amendment with Senators MIKULSKI, DURBIN, and HARRY REID. Our amendment would create an advisory committee on gender and trade at the USTR in order to help our negotiators understand and mitigate the negative consequences of trade for women and also help women share in the opportunities that trade creates.

Now that I have talked about a woman in Mexico, let me talk about a woman, Joyce Ruthier, who is a garment worker in Maine. She will lose her job when the plant closes due to foreign competition, as so many others have over the last decade. She has worked at the plant for 23 years. We know the USTR is not doing a good enough job in looking at the impact of trade on Joyce. It is exceedingly clear that trade affects women and men differently, creating opportunities for some and causing others to lose their jobs. The GAO found that, nationally, 66 percent of the workers qualifying for NAFTA trade adjustment assistance were women. That kind of job loss concentration has implications for how we design job training and assistance programs and can help us predict which communities will suffer job losses as a result of trade.

The advisory committee I and my colleagues are proposing would include representatives from the private sector, nonprofits, academia, and the public sector. Their viewpoints, focused on the interests of women and trade, would add a much needed perspective to trade negotiations.

So it is very important that we look at the facts. Of the 134-member country delegations to the World Trade Organization, only 9 member countries have delegations led by women. Yet women make up 45 percent of the world's workforce and make up 70 percent of

the world's poor. Let's make sure these women have a place at the table on trade.

The AFL/CIO, Women's Edge, the Feminist Majority, and other fair trade organizations strongly support this amendment. We want a place at the table for women when it comes to trade.

When I was in the House of Representatives we took a look at what was happening with health issues in the Congress. We found that women were not being used in clinical trials. Whenever the NIH or CDC made a recommendation, that was based on studies where only men were included. They pointed out this is so unfair to the women of our country who make up a majority of the population. We changed things.

On trade, we have a parallel situation. Where the people making decisions are predominantly male, overwhelmingly women in foreign countries and women in this country are disproportionately hurt.

My understanding is there is no objection to this amendment on the Democratic side of the aisle, but there is objection on the other side. I am very distressed, again. We have to admit that in this kind of trade agreement there are winners and losers. One time or another, we have to stand up and say we are going to look at who is losing out and what we can do to better understand what is happening. Why the other side of the aisle cannot accept a simple amendment that sets up a commission to look at this is beyond me. I, frankly, think the result of this is going to be a more mean-spirited bill than it has to be.

On both of these issues, on both of these amendments, I hope we can get some strong support from colleagues. We know truckers are going to suffer. We know women are going to suffer. The least we can do is stand up and fight for the people in our country who are going to be adversely impacted.

With that, I yield the floor.

Mr. REID. Before yielding the floor, will the Senator allow a question to be asked?

Mrs. BOXER. I will be happy to respond.

Mr. REID. I have been listening to the Senator making her statement. Of course, I hope, also, we can figure out a way to get votes on a number of these amendments.

I have been looking for an opportunity to talk to the Senator from California about some of the things she has done. It is not easy to be an advocate as the Senator from California has been ever since I have known her. I want the Senator to know how much I appreciate and how much the people appreciate her advocacy on environmental issues.

I know the famous Erin Brockovich was from California. I think the Senator from California is the Erin Brockovich of the Senate because with her advocacy we have been able just in

recent days to put a stop to the prevention of children being tested for lead in their water. The Senator from California was the first to have raised that issue. She is also the one who raised the concern about chromium, and she in fact appeared at an event with Erin Brockovich's lawyer, Ed Masry, who allowed her to do what she did. The Senator alerted us to that and introduced legislation in that regard and, of course, the famous arsenic-in-the-water subject that the Bush administration started. She said they have 90 violations. I have narrowed it down to six or seven about which we haven't talked.

But I want the Senator from California to know that being out front on these issues is sometimes difficult for her because we have a very popular President. It is not in vogue to criticize anything he or his administration does. But had it not been for the loud voice of the Senator from California, we might not have been able to accomplish the things we did accomplish.

Mrs. BOXER. I thank my friend so much. As my friend knows, the majority leader, Senator DASCHLE, and Senator REID, the majority whip, have set up the task forces in the Senate to look at different issues. We know that, for example, Senator LIEBERMAN is working on pension reform and pension protection. I was given the assignment to look at the environment.

I really thank my friend because I think we are finding out that when we shine the light of truth on an issue, the country is better for it. Senator KENNEDY headed up an education team on a proposal that would make it very difficult for students in this country to pay back their loans. This President was about to put that policy in place. Senator KENNEDY roared like a lion on the point. He came here and roared like a lion on the point. Guess what. They backed off and the people won.

We came down and said, for years we had been testing poor children for lead in their blood. We know that if there is so much lead in their blood—as a baby, or as a child—they are going to have mental difficulties. They could even go into a coma and even die; they could go blind; they could have kidney failure. We pointed it out and, by God, a couple of weeks after they backed off.

I want to pick up on what my friend said. We are speaking the truth as we believe it. That is why we are in the Senate.

My friend compliments me. I am so grateful. To me, it is why we are here. It isn't our job to come here and button up our lips and not talk because we are afraid the administration will attack us.

I know my friend is reading a Robert Caro book, "Master of the Senate." I mentioned it to the President of the Senate before. The first 100 pages deal with what Senators do and how we were sent here not just for fun but to make sure there is a check and balance on whatever the executive power is

being asserted here. It is not politics. It is our job. It is not partisan. I opposed President Clinton on a number of issues dealing with what I considered to be unfair trade. It is our job.

So I thank my friend. I hope he takes to the floor time and time again pointing out to the American people what our job is. If we don't do it, if we don't speak the truth as we see it, if we don't challenge the executive, if we believe perhaps they can do more, or if they are leading us down the wrong path, then we don't deserve to be here.

I thank my friend.

Mr. REID. Also, before the Senator leaves the floor, I would like to say that I am a great fan of public radio. I cannot listen to it as much as I would like. But every morning when I go running, I have my little radio and I listen to public radio. I don't run as far and as fast as I used to. So I probably listen to the radio more. It takes me longer to get from one place to another. But that is one of the good things.

This morning, they had a wonderful program about what the Senator just talked about. Senate Democrats are making progress. They talked about a poll by a Republican pollster and a Democratic pollster. They joined together in this poll. They came up with an interesting fact—that what we are trying with our messages through our task forces and other ways to communicate to the American public is really reverberating through the American public. By almost 10 percentage points, the American people like what we are doing more than what the Republicans are doing. Tax cuts are not the name of the game. Privatizing Social Security isn't what the American people want. They want to do something about real education. They want to do something about environmental issues. One of the issues is pensions. The Presiding Officer is leading that task force. Dealing with medical care, prescription drugs, and making things affordable for people who go to the doctor are what people care about. That is what we have been talking about.

We fought those tax cuts. I tell people that if I had to vote again, I would vote the same way. I didn't have a single rich person in Nevada come to me and say we should cut their taxes.

Today, I had a half-hour interview on public radio, KECF Radio. On that program were some women who are working with the Head Start Program. In Las Vegas, there are fewer than 2,000 children who benefit from the Head Start Program. That is a school district with 240,000 kids. This year, the Head Start Program around the country is being straight-lined with not even inflation. We have to fight to bring the Head Start Program up to inflation. Fewer than 2,000 children benefit from the Head Start Program in this huge metropolitan area of Las Vegas.

My friend, the Senator from California, and I voted against the tax cut. It is not easy to vote against tax cuts.

But people in the country are suffering as a result.

The top 1 percent of the income earners in America are doing extremely well.

Mrs. BOXER. It is good that my friend raises the point. Tax cuts for the middle class are one thing. Tax cuts for the people who earn a million dollars a year are another thing. People who are earning \$1 million a year don't want to see this tax. They are going to get back \$50,000 a year for every year. That is more than twice as much as a person earning minimum wage gets. A person earning \$20,000 or \$30,000 a year gets back \$150 a year.

I am all for focusing on the people who need it—people who tell me, I am doing fine. I want to make sure there is no crime. I want cops on the street—a program the administration has cut. I want to make sure children don't get in trouble after school, which my friend knows has been one of my priorities. The fact is, after the President signed the education bill with great flourish, he has flat-lined afterschool.

Mr. REID. If I could interrupt the Senator, I talk to the women about afterschool programs. They are desperate for more afterschool programs because that is when kids get into trouble. We are desperate for afterschool programs. The Senator is absolutely right.

Mrs. BOXER. That is the point. In other words, all of life involves shortages.

The Presiding Officer has worked for so many years, ever since I have been here, to help provide for dropout kids. And he has won approval on many amendments.

But it does not do any good if this President does not fund those programs. It does not do any good when we pass an authorization for afterschool, and the President does not fund those programs. It does not do any good if we have money for rebuilding our schools, and the President does not fund the programs or fund Head Start or fund special education.

The reason he cannot do it is because of the tax cut to the people earning over \$1 million a year. That is the bottom line. I think if we go to the people earning \$1 million a year—and I have a lot of those people in my State, I say to my friend, because we have 35 million people in my State, and we have people who do very well—they will tell me to do all I can to redirect their tax cut, that they do not need, to those things that the communities need: prescription drugs for our seniors; education for our children; a clean, healthy environment; beautiful parks that are maintained.

I say to my friend, the majority whip, who holds such a high position here, I am so proud he is on this floor day after day, bringing us back to the reality of why we are here, which is to help the people do the best they can do: live long, healthy, productive lives, being well educated, and able to

breathe clean air and drink clean water, and not have kids get in trouble by dropping out of school where then their future is destroyed.

So I thank my friend.

The more the administration says, shame on you, saying something against what we believe, the more I have decided that is why I am here, and that is why I came here. I promised the people when I walked up those steps and those doors opened up, and I came in this magnificent Chamber, that I would never forget those who cannot put on the Gucci suits and shoes and beautiful ties and come up here and lobby. I think about them. And the more the administration fights against them, and fights for those who have so much more—whether it is Enron executives or anyone else; and that is a whole other story we can't get into—the more I will speak up for them. And I know my friend will be there with me.

Mr. REID. The Senator from California understands that last year at this time we had a \$4.7 trillion surplus projected over the next 10 years. Today, 1 year later, we are spending Social Security money surpluses, Medicare money. The surplus is gone. Sure, 20 to 25 percent of that is due to the war. We recognize that. The other 75 percent is because of economic policies of this administration.

Remember, we had surpluses the last 3 years of the Clinton administration. We were spending in the black, not in the red. We were making money. We were doing fine. We were starting to pay down the \$5 trillion debt. It is going to go up now.

So the Senator is right. We have to focus on issues that are important. The people of Nevada are very concerned about prescription drug benefits. The average senior citizen fills 18 prescriptions a year. And with managed care kind of going out of style, these people are suffering a lot.

So I say to my friend, the Senator from California, thank you very much for not forgetting why you came here.

Mrs. BOXER. I thank my friend and yield the floor.

I suggest the absence of a quorum.

Mr. REID. Will the Senator withhold suggesting the absence of a quorum.

Mrs. BOXER. I withhold my suggestion.

Mr. REID. Will the Presiding Officer indicate what the matter before the Senate is now?

The PRESIDING OFFICER. The matter pending before the Senate is H.R. 3009.

AMENDMENT NO. 3456 TO AMENDMENT NO. 3401

Mr. REID. Mr. President, on behalf of Senator DURBIN, I send an amendment to the desk. And I, of course, ask unanimous consent that the pending amendment be laid aside.

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

The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. DURBIN, proposes an amendment numbered 3456 to amendment No. 3401.

Mr. REID. Mr. President, I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To extend the temporary duty suspensions with respect to certain wool, and for other purposes)

At the end of title XXXII, insert the following:

**SEC. 3204. DUTY SUSPENSION ON WOOL.**

(a) EXTENSION OF TEMPORARY DUTY REDUCTIONS.—

(1) HEADING 9902.51.11.—Heading 9902.51.11 of the Harmonized Tariff Schedule of the United States is amended by striking “2003” and inserting “2005”.

(2) HEADING 9902.51.12.—Heading 9902.51.12 of the Harmonized Tariff Schedule of the United States is amended—

(A) by striking “2003” and inserting “2005”; and

(B) by striking “6%” and inserting “Free”.

(3) HEADING 9902.51.13.—Heading 9902.51.13 of the Harmonized Tariff Schedule of the United States is amended by striking “2003” and inserting “2005”.

(4) HEADING 9902.51.14.—Heading 9902.51.14 of the Harmonized Tariff Schedule of the United States is amended by striking “2003” and inserting “2005”.

(b) LIMITATION ON QUANTITY OF IMPORTS.—

(1) NOTE 15.—U.S. Note 15 to subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States is amended—

(A) by striking “from January 1 to December 31 of each year, inclusive”; and

(B) by striking “, or such other” and inserting the following: “in calendar year 2001, 3,500,000 square meter equivalents in calendar year 2002, and 4,500,000 square meter equivalents in calendar year 2003 and each calendar year thereafter, or such greater”.

(2) NOTE 16.—U.S. Note 16 to subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States is amended—

(A) by striking “from January 1 to December 31 of each year, inclusive”; and

(B) by striking “, or such other” and inserting the following: “in calendar year 2001, 2,500,000 square meter equivalents in calendar year 2002, and 3,500,000 square meter equivalents in calendar year 2003 and each calendar year thereafter, or such greater”.

(c) EXTENSION OF DUTY REFUNDS AND WOOL RESEARCH TRUST FUND.—

(1) IN GENERAL.—The United States Customs Service shall pay each manufacturer that receives a payment under section 505 of the Trade and Development Act of 2000 (Public Law 106-200) for calendar year 2002, and that provides an affidavit that it remains a manufacturer in the United States as of January 1 of the year of the payment, 2 additional payments, each payment equal to the payment received for calendar year 2002 as follows:

(A) The first payment to be made after January 1, 2004, but on or before April 15, 2004.

(B) The second payment to be made after January 1, 2005, but on or before April 15, 2005.

(2) CONFORMING AMENDMENT.—Section 506(f) of the Trade and Development Act of 2000 (Public Law 106-200) is amended by striking “2004” and inserting “2006”.

(3) TRUST FUND.—

(A) IN GENERAL.—There is established in the Treasury of the United States a trust fund to be known as the “Worsted Wool Fabric Manufacturer Trust Fund” (in this para-

graph referred to as the “Wool Fabric Trust Fund”), consisting of \$32,000,000 transferred to the Wool Fabric Trust Fund from funds in the general fund of the Treasury.

(B) GRANTS.—

(i) GENERAL PURPOSE.—From amounts available in the Wool Fabric Trust Fund, the Secretary of Commerce is authorized to provide grants to manufacturers of worsted wool fabric to assist such manufacturers in maximizing employment in the production of textile products, and meeting their obligations to workers, former workers, and retirees in the textile industry.

(ii) APPLICATION FOR GRANTS.—Qualified applicants shall apply for such grants no later than 30 days after enactment of this paragraph in accordance with guidelines prescribed by the Secretary and the Secretary shall award such grants no later than 60 days after receiving a completed application.

(C) DISTRIBUTION OF FUNDS.—Of the amounts in the Wool Fabric Trust Fund—

(i) \$16,000,000 shall be made available to manufacturers of worsted wool fabric whose aggregate domestic production of fabric of the kind described in heading 9902.51.12 of the Harmonized Tariff Schedule of the United States during calendar years 1999, 2000, and 2001 equals or exceeds 60 percent of all worsted wool fabric produced by all such manufacturers, and shall be allocated based on the percentage of each such manufacturer's production of the fabric described in such heading for such 3 years compared to the production of such fabric for all such applicants who qualify under this clause; and

(ii) \$16,000,000 shall be made available to manufacturers of worsted wool fabric who do not qualify under clause (i), and shall be allocated based on the percentage of each such manufacturer's aggregate domestic production of the fabric described in heading 9902.51.11 of the Harmonized Tariff Schedule of the United States during calendar years 1999, 2000, and 2001 compared to the production of such fabric during such years for all applicants who qualify under this clause.

(D) NO APPEAL.—Any grant awarded by the Secretary under this paragraph shall be final and not subject to appeal or protest.

(4) AUTHORIZATION.—There is authorized to be appropriated and is appropriated out of amounts in the general fund of the Treasury not otherwise appropriated such sums as are necessary to carry out the provisions of this subsection.

(d) REQUESTS FOR MODIFICATION OF LIMITATION ON QUANTITY OF FABRICS.—

(1) GENERAL RULE.—Manufacturers may request modifications to the limitation on the quantity of imports of worsted wool fabrics under heading 9902.51.11 or 9902.51.12 of the Harmonized Tariff Schedule of the United States pursuant to section 504(b) of Public Law 106-200, only upon a finding by the United States International Trade Commission that domestic fabric manufacturers have reduced their capacity from the levels existing at the end of calendar year 2002 to produce the fabric described under such heading by 25 percent, or have reduced their sales of such fabric by 50 percent.

(2) REQUEST FOR FINDING.—The United States International Trade Commission shall make a finding regarding the extent of any such reduction in capacity or sales upon the request of a manufacturer of apparel products made of such worsted wool fabric.

(3) LIMITATION.—No modification may be made pursuant to section 504(b) of the Trade and Development Act of 2000 (Public Law 106-200) for fabric imported during calendar years 2002 or 2003.

(e) EFFECTIVE DATE.—The amendment made by subsection (a)(2)(B) applies to goods entered, or withdrawn from warehouse for consumption, on or after January 1, 2002.

**SEC. 3205. PARTIAL PAYMENT OF TAX LIABILITY IN INSTALLMENT AGREEMENTS.**

(a) IN GENERAL.—

(1) Section 6159(a) of the Internal Revenue Code of 1986 (relating to authorization of agreements) is amended—

(A) by striking “satisfy liability for payment of” and inserting “make payment on”, and

(B) by inserting “full or partial” after “facilitate”.

(2) Section 6159(c) of such Code (relating to Secretary required to enter into installment agreements in certain cases) is amended in the matter preceding paragraph (1) by inserting “full” before “payment”.

(b) REQUIREMENT TO REVIEW PARTIAL PAYMENT AGREEMENTS EVERY TWO YEARS.—Section 6159 of such Code is amended by redesignating subsections (d) and (e) as subsections (e) and (f), respectively, and inserting after subsection (c) the following new subsection: “(d) SECRETARY REQUIRED TO REVIEW INSTALLMENT AGREEMENTS FOR PARTIAL COLLECTION EVERY TWO YEARS.—In the case of an agreement entered into by the Secretary under subsection (a) for partial collection of a tax liability, the Secretary shall review the agreement at least once every 2 years.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to agreements entered into on or after the date of the enactment of this Act.

AMENDMENT NO. 3457 TO AMENDMENT NO. 3401

Mr. REID. Mr. President, on behalf of Senator DURBIN, I send an amendment to the desk. I ask unanimous consent that the pending amendment be set aside.

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

The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. DURBIN, proposes an amendment numbered 3457 to amendment No. 3401.

Mr. REID. Mr. President, I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To extend the temporary duty suspensions with respect to certain wool, and for other purposes)

After section 3201, insert the following:

**SEC. 3202. DUTY SUSPENSION ON WOOL.**

(a) EXTENSION OF TEMPORARY DUTY REDUCTIONS.—

(1) HEADING 9902.51.11.—Heading 9902.51.11 of the Harmonized Tariff Schedule of the United States is amended by striking “2003” and inserting “2005”.

(2) HEADING 9902.51.12.—Heading 9902.51.12 of the Harmonized Tariff Schedule of the United States is amended—

(A) by striking “2003” and inserting “2005”; and

(B) by striking “6%” and inserting “Free”.

(3) HEADING 9902.51.13.—Heading 9902.51.13 of the Harmonized Tariff Schedule of the United States is amended by striking “2003” and inserting “2005”.

(4) HEADING 9902.51.14.—Heading 9902.51.14 of the Harmonized Tariff Schedule of the United States is amended by striking “2003” and inserting “2005”.

(b) LIMITATION ON QUANTITY OF IMPORTS.—

(1) NOTE 15.—U.S. Note 15 to subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States is amended—

(A) by striking “from January 1 to December 31 of each year, inclusive”; and

(B) by striking “, or such other” and inserting the following: “in calendar year 2001, 3,500,000 square meter equivalents in calendar year 2002, and 4,500,000 square meter equivalents in calendar year 2003 and each calendar year thereafter, or such greater”.

(2) NOTE 16.—U.S. Note 16 to subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States is amended—

(A) by striking “from January 1 to December 31 of each year, inclusive”; and

(B) by striking “, or such other” and inserting the following: “in calendar year 2001, 2,500,000 square meter equivalents in calendar year 2002, and 3,500,000 square meter equivalents in calendar year 2003 and each calendar year thereafter, or such greater”.

(c) EXTENSION OF DUTY REFUNDS AND WOOL RESEARCH TRUST FUND.—

(1) IN GENERAL.—The United States Customs Service shall pay each manufacturer that receives a payment under section 505 of the Trade and Development Act of 2000 (Public Law 106-200) for calendar year 2002, and that provides an affidavit that it remains a manufacturer in the United States as of January 1 of the year of the payment, 2 additional payments, each payment equal to the payment received for calendar year 2002 as follows:

(A) The first payment to be made after January 1, 2004, but on or before April 15, 2004.

(B) The second payment to be made after January 1, 2005, but on or before April 15, 2005.

(2) CONFORMING AMENDMENT.—Section 506(f) of the Trade and Development Act of 2000 (Public Law 106-200) is amended by striking “2004” and inserting “2006”.

(3) TRUST FUND.—

(A) IN GENERAL.—There is established in the Treasury of the United States a trust fund to be known as the “Worsted Wool Fabric Manufacturer Trust Fund” (in this paragraph referred to as the “Wool Fabric Trust Fund”), consisting of \$32,000,000 transferred to the Wool Fabric Trust Fund from funds in the general fund of the Treasury.

(B) GRANTS.—

(i) GENERAL PURPOSE.—From amounts available in the Wool Fabric Trust Fund, the Secretary of Commerce is authorized to provide grants to manufacturers of worsted wool fabric to assist such manufacturers in maximizing employment in the production of textile products, and meeting their obligations to workers, former workers, and retirees in the textile industry.

(ii) APPLICATION FOR GRANTS.—Qualified applicants shall apply for such grants no later than 30 days after enactment of this paragraph in accordance with guidelines prescribed by the Secretary and the Secretary shall award such grants no later than 60 days after receiving a completed application.

(C) DISTRIBUTION OF FUNDS.—Of the amounts in the Wool Fabric Trust Fund—

(i) \$16,000,000 shall be made available to manufacturers of worsted wool fabric whose aggregate domestic production of fabric of the kind described in heading 9902.51.12 of the Harmonized Tariff Schedule of the United States during calendar years 1999, 2000, and 2001 equals or exceeds 60 percent of all worsted wool fabric produced by all such manufacturers, and shall be allocated based on the percentage of each such manufacturer’s production of the fabric described in such heading for such 3 years compared to the production of such fabric for all such applicants who qualify under this clause; and

(ii) \$16,000,000 shall be made available to manufacturers of worsted wool fabric who do not qualify under clause (i), and shall be allocated based on the percentage of each such manufacturer’s aggregate domestic production of the fabric described in heading

9902.51.11 of the Harmonized Tariff Schedule of the United States during calendar years 1999, 2000, and 2001 compared to the production of such fabric during such years for all applicants who qualify under this clause.

(D) NO APPEAL.—Any grant awarded by the Secretary under this paragraph shall be final and not subject to appeal or protest.

(4) AUTHORIZATION.—There is authorized to be appropriated and is appropriated out of amounts in the general fund of the Treasury not otherwise appropriated such sums as are necessary to carry out the provisions of this subsection.

(d) REQUESTS FOR MODIFICATION OF LIMITATION ON QUANTITY OF FABRICS.—

(1) GENERAL RULE.—Manufacturers may request modifications to the limitation on the quantity of imports of worsted wool fabrics under heading 9902.51.11 or 9902.51.12 of the Harmonized Tariff Schedule of the United States pursuant to section 504(b) of Public Law 106-200, only upon a finding by the United States International Trade Commission that domestic fabric manufacturers have reduced their capacity from the levels existing at the end of calendar year 2002 to produce the fabric described under such heading by 25 percent, or have reduced their sales of such fabric by 50 percent.

(2) REQUEST FOR FINDING.—The United States International Trade Commission shall make a finding regarding the extent of any such reduction in capacity or sales upon the request of a manufacturer of apparel products made of such worsted wool fabric.

(3) LIMITATION.—No modification may be made pursuant to section 504(b) of the Trade and Development Act of 2000 (Public Law 106-200) for fabric imported during calendar years 2002 or 2003.

(e) EFFECTIVE DATE.—The amendment made by subsection (a)(2)(B) applies to goods entered, or withdrawn from warehouse for consumption, on or after January 1, 2002.

AMENDMENT NO. 3458 TO AMENDMENT NO. 3401

Mr. REID. Mr. President, I send another amendment to the desk on behalf of Senator DURBIN. I ask unanimous consent the pending amendment be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered. The amendment will be set aside.

The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. DURBIN, proposes an amendment numbered 3458 to amendment No. 3401.

Mr. REID. Mr. President, I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To establish and implement a steel import notification and monitoring program, and for other purposes)

At the appropriate place, insert the following new title:

**TITLE —STEEL IMPORT NOTIFICATION AND MONITORING; EARLY RELEASE OF IMPORT DATA****SEC. —01. STEEL IMPORT NOTIFICATION AND MONITORING PROGRAM.**

(a) IN GENERAL.—

(1) ESTABLISHMENT.—Not later than 30 days after the date of the enactment of this title, the Secretary of Commerce, in consultation with the Secretary of the Treasury, shall establish and implement a steel import notification and monitoring program. The program shall include a requirement that any



person importing a product classified under chapter 72 or 73 of the Harmonized Tariff Schedule of the United States obtain an import notification certificate before such products are entered into the United States.

(2) EXPIRATION.—The program established under paragraph (1) shall expire on March 5, 2005.

(b) STEEL IMPORT NOTIFICATION CERTIFICATES.—

(1) IN GENERAL.—In order to obtain a steel import notification certificate, an importer shall submit to the Secretary of Commerce an application containing—

(A) the importer's name and address;

(B) the name and address of the supplier of the goods to be imported;

(C) the name and address of the producer of the goods to be imported;

(D) the country of origin of the goods;

(E) the country from which the goods are to be imported;

(F) the United States Customs port of entry where the goods will be entered;

(G) the expected date of entry of the goods into the United States;

(H) a description of the goods, including the classification of such goods under the Harmonized Tariff Schedule of the United States, including chapters 72 and 73;

(I) the quantity (in kilograms and net tons) of the goods to be imported;

(J) the cost insurance freight (CIF) and free alongside ship (FAS) values of the goods to be entered;

(K) whether the goods are being entered for consumption or for entry into a bonded warehouse or foreign trade zone;

(L) a certification that the information furnished in the certificate application is correct; and

(M) any other information the Secretary of Commerce determines to be necessary and appropriate.

(2) ENTRY INTO CUSTOMS TERRITORY.—In the case of merchandise classified under chapter 72 or 73 of the Harmonized Tariff Schedule of the United States that is initially entered into a bonded warehouse or foreign trade zone, a steel import notification certificate shall be required before the merchandise is entered into the customs territory of the United States.

(3) ISSUANCE OF STEEL IMPORT NOTIFICATION CERTIFICATE.—The Secretary of Commerce shall issue a steel import notification certificate to any person who files an application that meets the requirements of this section. Such certificate shall be valid for a period of 30 days from the date of issuance.

(c) STATISTICAL INFORMATION.—

(1) IN GENERAL.—The Secretary of Commerce shall compile and publish on a weekly basis information described in paragraph (2).

(2) INFORMATION DESCRIBED.—Information described in this paragraph means information obtained from steel import notification certificate applications concerning steel imported into the United States and includes with respect to such imports the Harmonized Tariff Schedule of the United States classification (to the tenth digit), the country of origin, the port of entry, quantity, value of steel imported, and whether the imports are entered for consumption or are entered into a bonded warehouse or foreign trade zone. Such information shall also be compiled in aggregate form and made publicly available by the Secretary of Commerce on a weekly basis by public posting through an Internet website. The information provided under this section shall be in addition to any information otherwise required by law.

(d) FEES.—The Secretary of Commerce may prescribe reasonable fees and charges to defray the costs of carrying out the provisions of this section, including a fee for issuing a certificate under this section.

(e) SINGLE PRODUCER AND EXPORTER COUNTRIES.—Notwithstanding any other provision of law, the Secretary of Commerce shall make publicly available all information required to be released pursuant to subsection (c), including information obtained regarding imports from a foreign producer or exporter that is the only producer or exporter of goods subject to this section from a foreign country.

(f) REGULATIONS.—The Secretary of Commerce may prescribe such rules and regulations relating to the steel import notification and monitoring program as may be necessary to carry the provisions of this section.

#### SEC. 02. AMENDMENTS TO SECTION 332 OF THE TARIFF ACT OF 1930.

Section 332 of the Tariff Act of 1930 (19 U.S.C. 1332) is amended by adding at the end the following:

“(h)(1) Any entity, including a trade association, firm, certified or recognized union, or group of workers, which is representative of a domestic industry that produces an article that is like or directly competitive with an imported article, may file a request with the President pursuant to paragraph (2) for the monitoring of imports of such article under subsection (g).

“(2) If the request filed under paragraph (1) alleges that an article is being imported into the United States in such increased quantities as to cause serious injury, or threat thereof, to a domestic industry, the President, within 45 days after receiving the request, shall determine if monitoring is appropriate.

“(3) If the determination under paragraph (2) is affirmative, the President shall request, under subsection (g), the Commission to monitor and investigate the imports concerned for a period not to exceed 2 years.”.

#### SEC. 03. EARLY RELEASE OF IMPORT DATA.

In order to facilitate the early identification of potentially disruptive import surges, the Director of the Office of Management and Budget may grant an exception to the publication dates established for the release of data on United States international trade in goods and services in order to permit public access to preliminary international trade import data, if the Director notifies Congress of the early release of the data.

AMENDMENT NO. 3459 TO AMENDMENT NO. 3401

Mr. REID. Mr. President, I ask unanimous consent the pending amendment be set aside, and I send to the desk an amendment by Senator HARKIN.

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

The clerk will report the amendment. The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. HARKIN, proposes an amendment numbered 3459 to amendment No. 3401.

Mr. REID. Mr. President, I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To include the prevention of the worst forms of child labor as one of the principal negotiating objectives of the United States)

At the end of section 2102(b), insert the following:

(15) WORST FORMS OF CHILD LABOR.—The principal negotiating objectives of the United States regarding the worst forms of child labor are—

(A) to prevent distortions in the conduct of international trade caused by the use of the

worst forms of child labor, in whole or in part, in the production of goods for export in international commerce; and

(B) to redress unfair and illegitimate competition based upon the use of the worst forms of child labor, in whole or in part, in the production of goods for export in international commerce, including through—

(i) attaining universal ratification and full compliance by all trading nations with ILO Convention No. 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor, particularly with respect to meeting enforcement obligations under that Convention and related international agreements;

(ii) reinforcing the right under Article XX(a) and (b) of GATT 1994 to enact and enforce national measures that are necessary to protect public morals and to protect animal or plant life and health, including measures that limit or ban the importation of goods or services rendered in international trade that are produced through the use of the worst forms of child labor;

(iii) ensuring that any multilateral or bilateral trade agreement that is entered into by the United States obligates all parties to such agreements to enact and enforce national laws that satisfy their international legal obligations to prevent the use of the worst forms of child labor, especially in the conduct of international trade; and

(iv) providing for strong enforcement of international and national laws that obligate all trading nations to prevent the use of the worst forms of child labor, especially in the conduct of international trade, through accessible, expeditious, and effective civil, administrative, and criminal enforcement mechanisms.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### CLOSURE MOTION

Mr. REID. Mr. President, I send a closure motion to the desk.

The PRESIDING OFFICER. The closure motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

#### CLOSURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the Baucus-Grassley substitute amendment for Calendar No. 295, H.R. 3009, the Andean Trade Act:

Max Baucus, Chuck Grassley, Orrin Hatch, Zell Miller, Blanche L. Lincoln, John Breaux, Mitch McConnell, Chuck Hagel, Robert F. Bennett, Christopher Bond, Ron Wyden, Ben Nelson of Nebraska, Patty Murray, Jeff Bingaman, Pete Domenici, Pat Roberts, Harry Reid.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 3433

Mr. SARBANES. Mr. President, tomorrow morning, at 11 o'clock, we will have a cloture vote on amendment No. 3433, which has been offered by my colleague, Senator ROCKEFELLER, and my dear colleague from Maryland, Senator MIKULSKI, with respect to the issue of health benefits for retired steelworkers.

I rise in strong support of that amendment, but especially to urge my colleagues to vote to put cloture into place so we can move to the amendment and vote on its merits, on its substance.

I know there is some difference of opinion in this Chamber about the substance of this amendment, and I obviously respect that difference of opinion, although I disagree with those who oppose the amendment. But at least the body ought to be allowed to move forward and actually vote on the amendment itself. In order to do that, we have to invoke cloture in the morning because, up until now, we have been precluded from having a vote on this amendment.

The amendment itself is straightforward and simple. It would give a health insurance credit for eligible steel retirees. Actually, it is a credit covering 70 percent of the total cost of health care coverage.

The retirees would have to pay 30 percent of the cost of their health care coverage. But this is an effort to get at the problem of what is going to happen to people who are now retired, who have been getting their health benefits covered through the company and their companies have now shut down. It covers companies' operations before January 1 of 2000 that are either now closed or closed before January 1, 2004, and are operating under the protection of the bankruptcy code.

The setting for this problem is: The steel industry has been severely hit by a flood of imports coming into the country, and they are coming in on an unfair basis. These imports are being, in effect, subsidized either directly or indirectly, and they simply undercut the American producers.

The steel industry went through a major restructuring in which they eliminated a lot of inefficient producers and downsized. Active workers were encouraged to take early retirement in order to slim down the workforce. Having taken retirement and being dependent on the company plan for their health benefits, now they find that the company is no longer able to pay the benefits. What is to happen to the retired worker? What is to be done for these retired workers and their dependents?

The International Trade Commission found unanimously there was serious injury done to the U.S. steel industry by the unprecedented flood of imports coming into the country. In fact, the

President has undertaken a program of imposing tariffs on steel imports as a consequence. That decision was not simply made out of the thin air. It was a decision based on these findings about the harm being done to the steel industry and based on the fact that we know that this steel has been coming in at underwritten cost, which makes it impossible for our producers to compete with. So that is the context. In other words, you have individuals and their families in the end who are sort of victimized, and the reason they are victimized is because we have been taken advantage of with respect to the trading relationship and steel producers in other countries.

This is a very limited amendment. There are other amendments that were under consideration that were much more far reaching. This is really what they call a bridge amendment. It is to provide 1 year of support to these retirees in order to give them some breathing space while they try to straighten out their situation, so they do not simply fall off the edge of the cliff with respect to health care coverage for themselves and for their dependents.

This goes only to eligible retirees. Most steel contracts require 15 years of service in order for the benefit to vest, so they, in effect, would have been long-term permanent employees. It is for the retirees and dependents and spouses who qualify for the retiree health benefit but have lost their coverage because of the closure of their former employer.

Unless Members are simply going to walk away from this human problem, they must face up to what is to be done for them. This amendment that has been put forward by my colleagues, Senator MIKULSKI and Senator ROCKEFELLER, is an effort to address that in a sensible way. They have provided offsets for the cost of the amendment. It is being offered in the context of what has been done to our steel industry by unfair competition.

It seems to me the least we can do in trying to address this situation is to provide for this 1-year bridge coverage for these eligible retirees and their families with respect to their health care costs.

People may have different ideas about how this ought to be done. Conceivably, some people may think nothing should be done. I find that difficult to comprehend. From my point of view, it is impossible to support the idea we should simply do nothing. I think this represents a very sensible effort to try to help people through a very difficult transition period.

I will close by again observing, the vote we are talking about at 11 a.m. is not a vote on the substance of the amendment. It is a vote as to whether we should end this extended debate that has been going on about this amendment so we can then get to a vote.

Obviously, under the rules of the Senate, as long as the extensive debate

goes on, we are frustrated from getting to the amendment and actually having a vote on it. So I implore my colleagues to let us move on, let us get beyond this unlimited debate situation so we can then get to the amendment in a reasonable period of time and have a vote up or down on it in order to try to address the very difficult situation in which our steel industry retirees find themselves with respect to their health care costs.

In some ways, it is unfortunate. We have a system in this country in which the health care costs in certain industries, in fact in many industries—and steel is one example—is borne by the employer and/or the employee dependent. This puts an extra burden on our companies when they compete with foreign companies.

In many countries, they do not finance the health care plans in that respect, and they do not have to build it into the cost of the product. We do it the other way, and that is one of the reasons it is very difficult for us in a global economy.

In any event, in this instance it is very clear that the companies encounter these difficulties because of the unfair competition. Our Government failed, in effect, to respond to that challenge, although President Bush has now made a response, and we are left with a situation that we have thousands of retirees who find themselves facing imminently, in some instances already, a situation of how are they going to provide for these health care costs.

I think Senators MIKULSKI and ROCKEFELLER have drafted a carefully crafted amendment. I very much hope we will be able to get to it. I am supportive of the amendment, and I certainly hope my colleagues will support the cloture motion tomorrow morning in order to bring the debate on the amendment to an end and allow us to move forward and deal with the substance of this issue.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 3461 TO AMENDMENT NO. 3401

Mr. REID. Mr. President, I ask unanimous consent the present amendment be set aside, and I send an amendment to the desk on behalf of Senator CORZINE.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. CORZINE, proposes an amendment numbered 3461 to amendment No. 3401.

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



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

The amendment is as follows:

(Purpose: To help ensure that trade agreements protect national security, social security, and other significant public services)

Amend section 2102(b)(2) to read as follows: “(2) TRADE IN SERVICES.—(A) The principal negotiating objective of the United States regarding trade in services is to reduce or eliminate barriers to international trade in services, including regulatory and other barriers that deny national treatment and market access or unreasonably restrict the establishment or operations of service suppliers, except that trade agreements should not include a commitment to privatize significant public services, including services related to

- (i) national security;
- (ii) social security;
- (iii) public health and safety; and
- (iv) education.

(B) PRIVATIZE.—In subparagraph (A), the term ‘privatize’ includes the transfer of responsibility for, or administration of, a government function from a government entity to a non-government entity.”

AMENDMENT NO. 3462 TO AMENDMENT NO. 3401

Mr. REID. I ask unanimous consent the present amendment be set aside, and I send an amendment to the desk on behalf of Senator CORZINE.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. CORZINE, proposes an amendment numbered 3462 to amendment No. 3401.

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

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

The amendment is as follows:

(Purpose: To strike the section dealing with border search authority for certain contraband in outbound mail)

Strike section 1143.

AMENDMENT NO. 3463 TO AMENDMENT NO. 3401

Mr. REID. I ask unanimous consent the pending amendment be set aside, and I send an amendment to the desk on behalf of Senator HOLLINGS.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. HOLLINGS, proposes an amendment numbered 3463 to amendment No. 3401.

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

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

The amendment is as follows:

(Purpose: To provide for the certification of textile and apparel workers who lose their jobs or who have lost their jobs since the start of 1999 as eligible individuals for purposes of trade adjustment assistance and health insurance benefits, and to amend the Internal Revenue Code of 1986 to prevent corporate expatriation to avoid United States income tax)

At the appropriate place, insert the following;

# SEC. . TRADE ADJUSTMENT ASSISTANCE AND HEALTH BENEFITS FOR TEXTILE AND APPAREL WORKERS.

(a) IN GENERAL.—An individual employed in the textile or apparel industry before the date of enactment of this Act who, after December 31, 1998—

(1) lost, or loses, his or her job (other than by termination for cause); and

(2) has not been re-employed in that industry, is deemed to be eligible for adjustment assistance under subchapter A of chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.).

(b) NEW BENEFITS.—If this Act, by amendment or otherwise, makes additional or different trade adjustment assistance or health benefits available to groups of workers with respect to whom the Secretary makes a certification under section 222 of the Trade Act of 1974 (19 U.S.C. 2272) after the date of enactment of this Act, then any individual described in subsection (a) is deemed to be eligible for such additional or different trade adjustment assistance or health benefits without regard to any eligibility requirements that may be imposed by law under this or any other Act.

(c) ADDITIONAL OR DIFFERENT BENEFITS DEFINED.—In this section, the term “additional or different trade adjustment assistance or health benefits” means—

(1) adjustment assistance under subchapter A of chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.) that was not available under that subchapter on the day before the date of enactment of this Act but that becomes available under that subchapter thereafter; and

(2) health care benefits for which groups of workers with respect to whom the Secretary makes a certification under section 222 of the Trade Act of 1974 (19 U.S.C. 2272) after the date of enactment of this Act are eligible under this Act or any amendment made by this Act.

(d) LIMITATION ON DUPLICATE BENEFITS.—Subsection (a) does not apply to any individual who received adjustment assistance under subchapter A of chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.) before the date of enactment of this Act with respect to a loss of employment in the textile or apparel industry.

(e) EFFECTIVE DATE.—This section takes effect on October 1, 2003.

## SEC. . PREVENTION OF CORPORATE EXPATRIATION TO AVOID UNITED STATES INCOME TAX.

(a) IN GENERAL.—Paragraph (4) of section 7701(a) of the Internal Revenue Code of 1986 (defining domestic) is amended to read as follows:

“(4) DOMESTIC.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the term ‘domestic’ when applied to a corporation or partnership means created or organized in the United States or under the law of the United States or of any State unless, in the case of a partnership, the Secretary provides otherwise by regulation.

“(B) CERTAIN CORPORATIONS TREATED AS DOMESTIC.—

“(i) IN GENERAL.—The acquiring corporation in a corporate expatriation transaction shall be treated as a domestic corporation.

“(ii) CORPORATE EXPATRIATION TRANSACTION.—For purposes of this subparagraph, the term ‘corporate expatriation transaction’ means any transaction if—

“(I) a nominally foreign corporation (referred to in this subparagraph as the ‘acquiring corporation’) acquires, as a result of such transaction, directly or indirectly substantially all of the properties held directly or indirectly by a domestic corporation, and

“(II) immediately after the transaction, more than 80 percent of the stock (by vote or

value) of the acquiring corporation is held by former shareholders of the domestic corporation by reason of holding stock in the domestic corporation.

“(iii) LOWER STOCK OWNERSHIP REQUIREMENT IN CERTAIN CASES.—Subclause (II) of clause (i) shall be applied by substituting ‘50 percent’ for ‘80 percent’ with respect to any nominally foreign corporation if—

“(I) such corporation does not have substantial business activities (when compared to the total business activities of the expanded affiliated group) in the foreign country in which or under the law of which the corporation is created or organized, and

“(II) the stock of the corporation is publicly traded and the principal market for the public trading of such stock is in the United States.

“(iv) PARTNERSHIP TRANSACTIONS.—The term ‘corporate expatriation transaction’ includes any transaction if—

“(I) a nominally foreign corporation (referred to in this subparagraph as the ‘acquiring corporation’) acquires, as a result of such transaction, directly or indirectly properties constituting a trade or business of a domestic partnership,

“(II) immediately after the transaction, more than 80 percent of the stock (by vote or value) of the acquiring corporation which is sold in a public offering related to the transaction, and

“(III) the acquiring corporation meets the requirements of subclauses (I) and (II) of clause (iii).

“(v) SPECIAL RULES.—For purposes of this subparagraph—

“(I) a series of related transactions shall be treated as 1 transaction, and

“(II) stock held by members of the expanded affiliated group which includes the acquiring corporation shall not be taken into account in determining ownership.

“(vi) OTHER DEFINITIONS.—For purposes of this subparagraph—

“(I) NOMINALLY FOREIGN CORPORATION.—The term ‘nominally foreign corporation’ means any corporation which would (but for this subparagraph) be treated as a foreign corporation.

“(II) EXPANDED AFFILIATED GROUP.—The term ‘expanded affiliated group’ means an affiliated group (as defined in section 1504(a) without regard to section 1504(b)).”

(b) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendment made by this section shall apply to corporate expatriation transactions completed after September 11, 2001.

(2) SPECIAL RULE.—The amendment made by this section shall also apply to corporate expatriation transactions completed on or before September 11, 2001, but only with respect to taxable years of the acquiring corporation beginning after December 31, 2003.

AMENDMENT NO. 3464 TO AMENDMENT NO. 3401

Mr. REID. I ask unanimous consent the present amendment be set aside, and I send an amendment to the desk on behalf of Senator HOLLINGS.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. HOLLINGS, proposes an amendment numbered 3464 to amendment No. 3401.

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

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

The amendment is as follows:

(Purpose: To ensure that ISAC Committees are representative of the producing sectors of the United States economy)

At the appropriate place, insert the following:

**SEC. . TO ENSURE THAT ISAC COMMITTEES ARE REPRESENTATIVE OF THE PRODUCING SECTORS OF THE UNITED STATES ECONOMY.**

Section 135(c)(2) of the Trade Act of 1974 (19 U.S.C. 2155(c)(2)) is amended as follows:

- (1) by striking "and" in paragraph (a);
- (2) by striking "related" in subparagraph (B) and inserting "related; and"; and
- (3) by adding at the end the following:

"(C) in the case of each such sectoral committee identified with a particular product sector or commodity grouping (such as textiles and apparel), ensure that a majority of its members consist of manufacturers, or representatives of manufacturers, whose value added in the United States in that industry comprises more than 50 percent of the firm's sales value in that industry."

AMENDMENT NO. 3465 TO AMENDMENT NO. 3401

Mr. REID. I ask unanimous consent the pending amendment be set aside, and I send an amendment to the desk on behalf of Senator HOLLINGS.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. HOLLINGS, proposes an amendment numbered 3465 to amendment No. 3401.

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

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

The amendment is as follows:

At the appropriate place, insert the following:

**SEC. . EXTRADITION REQUIREMENT.**

(a) IN GENERAL.—Notwithstanding any provision of law, the benefits provided under any preferential tariff program, excluding the North American Free Trade Agreement, shall not apply to any product of a country that fails to comply within 30 days with a United States government request for the extradition of an individual for trial in the United States if that individual has been indicted by a Federal grand jury for a crime involving a violation of the Controlled Substances Act (21 U.S.C. 101 et seq.). For purposes of this subsection, the term "preferential tariff program" means benefits received under the General System of Preferences, the Caribbean Basin Initiative, the African Growth and Development Act, or the Andean Trade Preference Act.

(b) ANNUAL CERTIFICATION REQUIRED.—The President shall annually provide certification to the Senate and to the House of Representatives that all countries receiving preferential tariff access to the United States are assisting the United States in the war against drugs.

Mr. BINGAMAN. Mr. President, I rise today to speak in strong support of the trade adjustment assistance legislation. I will keep my comments short and to the point.

I want to begin by emphasizing the positive. From what I have heard on the floor over the last couple of weeks there is a substantial majority of Senators in the Senate that believe a strong and expanded trade adjustment assistance is essential for our country. They understand it is a fair and appro-

priate approach for those Americans who lose their jobs as a result of trade. They understand that these Americans are not looking for hand-outs. They are looking for a chance to provide for their families and contribute to our country's economic welfare. This program offers them a chance to do just that. I find the increasing consensus on Trade adjustment assistance to be encouraging.

But I have also heard some tough criticism of trade adjustment assistance lately, and since this is a bill that I introduced, I feel compelled to respond to it.

There are two points that have been repeated by opponents of trade adjustment assistance. The first is that it should not be tied to fast-track legislation. I strongly disagree. In fact, I think the two bills complement each other. Passing fast-track suggests that the U.S. government supports a multilateral trading system because it provides long-term advantages for the United States and its people. Passing trade adjustment assistance suggests that the U.S. government recognizes that its trade policies have short-term costs for Americans.

Taken together, the bills suggest that we have a real strategy on trade policy, one that shows we are committed to expanding the international trading system, but equally committed to the American people.

I have said this before and I want to say it again because it matters: Contrary to the assertions of some of my colleagues, we cannot measure the success of our trade policy only by the cost of the products we buy. We also have to look at whether or not our trade policies make Americans more economically secure. By this I mean whether they have a high-wage job, whether they can buy a home, whether they can afford an education for their children, and whether they have retirement security. Without these things, we are poor by any measure.

The second criticism is that the trade adjustment assistance program is too expansive. I disagree. I believe that the program offers only the basics for people who are trying desperately to make ends meet. \$1000 or so a month in unemployment insurance is not going to make anyone rich. It certainly does not make them complacent, as some of my colleagues have suggested. Giving someone funds so they can get training, and the support services they need to get training, and the health care they need to get through hard times, is hardly unreasonable. It is common sense, and it's the least we can do for our neighbors and friends back home.

For some of my colleagues to suggest that workers would want to lose their job just to take advantage of the trade adjustment assistance program is troubling. To suggest that individuals actually use the trade adjustment assistance program to "step backwards" into other, lesser jobs impugns their integrity, honesty, and effort.

I ask my colleagues to keep in mind that the people on trade adjustment assistance did not ask to be dislocated. U.S. trade policy did that. Contrary to what some of my colleagues have said, the trade adjustment assistance bill does not distort the market. It does allow us to correct for market failure, and helps Americans hurt by trade to get back on their feet again.

Some of the comments about trade adjustment assistance imply that the legislation was created without any discussion with experts about what the benefits of specific parts of the program might be. The comments are incorrect and misleading. These comments also minimize the suffering of real people in real communities across my state and the United States.

At this stage of the game, it is important for my colleagues to remember that the core components of S. 1209—coverage for secondary workers and workers injured by shifts in production, the extension of benefits and allowances, health care and support service coverage, wage insurance, and TAA for communities—were derived from the needs of people I have spoken to who have been hurt by trade. These were people across my state, from Albuquerque, to Questa, to Las Cruces, to Roswell, to Silver City. These elements of the bill were reinforced by objective analyses from the Department of Labor, the General Accounting Office, the Trade Deficit Review Commission, and other groups and organizations.

When I drafted the bill, it was not my intent to push a partisan agenda. It was my intent to help the people in my state and across the country that needed to be helped. This bill does that in a modest way.

It is time to move forward and do what has to be done to get trade adjustment assistance legislation passed. There is too much at stake for American workers and communities to wait any longer. The program expired last September, and it is time to get trade adjustment assistance to those that need it.

#### MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to a period of morning business with Senators permitted to speak therein for not to exceed 5 minutes each.

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

#### TUNA INDUSTRY IN MINDANAO

Mr. INOUE. Mr. President, I rise today to discuss a matter of grave national importance, the canned tuna industry in Mindanao. As I was listening to the debate last week, I heard my friend, the gentleman from Texas, advocating rejection of the Dodd amendment that sought to apply the same labor and environmental standards used in the Jordan Free Trade Agreement to trade agreements negotiated under Trade Promotion Authority.