

the table. These desperate people foraging for food are treated as illegal immigrants and hunted down. When forcibly returned to North Korea, they may face imprisonment or worse. And we should demand of the Chinese government to let these people go—let them go to a third country.

The Government of Korea is one of the most repressive regimes in the world and was identified by the President as one of three countries forming an "axis of evil." It is also an economic disaster in which a centralized agricultural system has led to millions starving to death. Yet it is flanked on all sides by some of the most successful economies in the world.

This picture and the video tape that has been played continuously in Japan, Korea, and around the world has shocked the conscience of people everywhere. Yet, we should be reminded it was not so long ago that the world at times ignored similar pictures and stories—during World War II, Cambodia, and Kosovo, to mention just a few. In North Korea today, we are facing a similar evil.

I am reminded of a story during World War II about a church along a railroad track that routinely carried people in trains on their way to the Nazi concentration camps. When members of the congregation could no longer ignore the cries for help from those trains, some insisted that they sing louder. I hope we will listen, learn and act. What we should be afraid of is not the deeds of "evil" but the conscience of the world. This child is watching us, judging us. I hope China does the right thing.

At this time, I ask unanimous consent to submit a sense-of-the-Senate resolution, along with Senator KENNEDY, my colleague and chairman of the Immigration Subcommittee, where I serve as the ranking member. The purpose of this resolution is simple and direct: under both international laws and on humanitarian grounds, China should release this girl and her family as well as the Korean American pastor and 14 orphans immediately and provide them safe passage to a third country. I encourage my colleagues in joining Senator KENNEDY and myself in supporting this resolution and getting quick passage so that we can send a strong message to China to let these people go.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The resolution will be received and appropriately referred.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 3456. Mr. REID (for Mr. DURBIN) proposed an amendment to amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes.

SA 3457. Mr. REID (for Mr. DURBIN) proposed an amendment to amendment SA 3401

proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) supra.

SA 3458. Mr. REID (for Mr. DURBIN) proposed an amendment to amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) supra.

SA 3459. Mr. REID (for Mr. HARKIN) proposed an amendment to amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) supra.

SA 3460. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) supra; which was ordered to lie on the table.

SA 3461. Mr. REID (for Mr. CORZINE) proposed an amendment to amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) supra.

SA 3462. Mr. REID (for Mr. CORZINE) proposed an amendment to amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) supra.

SA 3463. Mr. REID (for Mr. HOLLINGS) proposed an amendment to amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) supra.

SA 3464. Mr. REID (for Mr. HOLLINGS) proposed an amendment to amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) supra.

SA 3465. Mr. REID (for Mr. HOLLINGS) proposed an amendment to amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) supra.

SA 3466. Mr. BROWNBACK submitted an amendment intended to be proposed to amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 3456.** Mr. REID (for Mr. DURBIN) proposed an amendment to amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes; as follows:

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 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.

#### 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.

**SA 3457.** Mr. REID (for Mr. DURBIN) proposed an amendment to amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes; as follows:

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.

**SA 3458.** Mr. REID (for Mr. DURBIN) proposed an amendment to amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes; as follows:

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.

**SA 3459.** Mr. REID (for Mr. HARKIN) proposed an amendment to amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes; as follows:

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.

**SA 3460.** Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. 04. EXEMPTION OF CERTAIN UNITED STATES INTERNATIONAL PORTS FROM HARBOR MAINTENANCE TAX.**

(a) IN GENERAL.—Paragraph (2) of section 4462(a) of the Internal Revenue Code of 1986 (defining port) is amended by adding at the end the following new subparagraph:

“(D) SPECIAL RULE FOR CERTAIN PORTS LOCATED NEAR FOREIGN INTERNATIONAL CONTAINER PORTS.—

“(i) IN GENERAL.—The term ‘port’ does not include any port—

“(I) which is located within 200 miles of a container port of a country contiguous to the United States, and

“(II) at which no Federal funds received in the Treasury under section 4461 (relating to the harbor maintenance tax) are used for construction, maintenance, or operation in the port authority area after the date of the enactment of this subparagraph.

“(ii) CONTAINER PORT.—For purposes of clause (i)(I), the term ‘container port’ means a port at which during the period January 1, 2001, through December 31, 2001, not less than 400,000 cargo containers were loaded or unloaded on or from vessels.

“(iii) CARGO CONTAINER.—For purposes of clause (ii), no container shall be treated as a cargo container unless the inside volume of such container is not less than a 20-foot equivalent measure.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to the loading or unloading of cargo after the date of enactment of this Act.

**SA 3461.** Mr. REID (for Mr. CORZINE), proposed an amendment to amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes; as follows:

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.

**SA 3462.** Mr. REID (for Mr. CORZINE) proposed an amendment to amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes; as follows:

Strike section 1143.

**SA 3463.** Mr. REID (for Mr. HOLLINGS) proposed an amendment to amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes; as follows:

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 regulations.

“(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) or clause (ii) 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 is held by former partners of the domestic partnership (determined without regard to stock 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 transportations shall be treated as 1 transportation, 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.

**SA 3464.** Mr. REID (for Mr. HOLLINGS) proposed an amendment to amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes; as follows:

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.”

**SA 3465.** Mr. REID (for Mr. HOLLINGS) proposed an amendment to amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes; 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.

**SA 3466.** Mr. BROWBACK submitted an amendment intended to be proposed to amendment SA 3401 proposed by Mr. BAUCUS (for himself and Mr. GRASSLEY) to the bill (H.R. 3009) to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XXXI, insert the following:

**SEC. 3104. TREATMENT OF CERTAIN FOOTWEAR UNDER CARIBBEAN BASIN ECONOMIC RECOVERY ACT.**

Section 213(1)(B) of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2703(b)(1)(B)) is amended to read as follows:

"(B) Footwear provided for in any of subheadings 6402.91.90, 6402.99.30, 6402.99.80, 6402.99.90, 6403.91.60, 6403.91.90, 6403.99.60, 6403.99.90, 6404.11.50, 6404.11.60, 6404.11.70, 6404.11.80, 6404.11.90, 6404.19.80, and 6404.19.90 of the Harmonized Tariff Schedule of the United States that was not designated at the time of the effective date of this title as eligible articles for the purpose of the generalized system of preferences under title V of the Trade Act of 1974;"

**NOTICES OF HEARINGS/MEETINGS**  
COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. HARKIN. Mr. President, I would like to announce that the Senate Committee on Agriculture, Nutrition, and Forestry will conduct a hearing on May 23, 2002, in SE-106 at 3:00 p.m. The purpose of this hearing will be to discuss disaster assistance.

SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public

that a hearing has been scheduled before the Subcommittee on Public Lands and Forests of the Committee on Energy and Natural Resources.

The hearing will take place on Wednesday, May 29, beginning at 11 a.m. at the Deschutes County Fairgrounds, located at 3800 SW Airport Way in Redmond, Oregon.

The purpose of the hearing is to explore the relationship between how public lands are managed and the impact on rural economies, review the environmental health of national forests, evaluate economic assistance to natural resource-dependent communities, and assess the implementation of the Steens Mountain Act (Public Law 106-399).

Because of the limited time available for the hearing, witnesses may testify by invitation only. Those wishing to submit written testimony for the hearing record should bring it to the hearing or fax it to (202) 224-4340.

For further information, please contact Kira Finkler of the committee staff at (202) 224-8164.

**AUTHORITY FOR COMMITTEES TO MEET**

SPECIAL COMMITTEE ON AGING

Mr. REID. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet on Monday, May 20, 2002, from 1 p.m.–5 p.m. in Dirksen 215 for the purpose of conducting a hearing entitled: "Financial Exploitation of the Elderly."

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

**ORDERS FOR TUESDAY, MAY 21, 2002**

Mr. REID. Mr. President, I ask unanimous consent when the Senate completes its business today, it adjourn under the previous order until 9 a.m. tomorrow, Tuesday, May 21.

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

**PROGRAM**

Mr. REID. Mr. President, the Senate will convene on Tuesday at 9 a.m. with

a period of morning business until 9:30. At 9:30 the Senate will resume consideration of the trade act, with 90 minutes of debate in relation to the steel amendment prior to a rollcall vote on cloture on the amendment at approximately 11 a.m.

The Senate will recess from 12:30 to 2:15 p.m. for our regular weekly party conferences.

**ORDER OF PROCEDURE—H.R. 3009**

Mr. REID. Cloture was filed on the Baucus substitute amendment earlier today. I ask unanimous consent to waive the mandatory quorum.

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

Mr. REID. Mr. President, I also ask unanimous consent that, notwithstanding the recess, Senators have until 1 p.m. tomorrow to file first-degree amendments to the substitute amendment.

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

Mr. REID. Mr. President, in addition, I ask unanimous consent that Senators have until 10 a.m. to file second-degree amendments to the Rockefeller steel amendment. That is also tomorrow.

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

**ADJOURNMENT UNTIL 9 A.M. TOMORROW**

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 3:34 p.m., adjourned until Tuesday, May 21, 2002, at 9 a.m.

**NOMINATIONS**

Executive nomination received by the Senate May 20, 2002:

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be vice admiral*

REAR ADM. RICHARD J. NAUGHTON, 0000