

as well, since the U.S. government through USAID has provided over \$20 million in fiscal year 2001 and fiscal year 2002 in ESF for economic development in Mindanao, and the fiscal year 2003 budget request includes a further \$20 million; ATPA would seriously compromise those investments.

It will of course be argued that the ATPA provision will strengthen the Andean economies and enable them better to resist terrorist encroachments. But our efforts to strengthen these economies should not come at the cost of making anti-terrorist efforts in the Philippines more difficult. Surely that is not the intent, but it could well be an unintentional but highly regrettable consequence of the legislation.

Given the likelihood of grave, harmful consequences for the Philippines, I urge my colleagues to work toward a constructive solution to the problem posed by the ATPA provision that would give duty-free entry to canned tuna from the Andean countries. I ask unanimous consent to have printed in the RECORD the discussion of this issue which appears in today's New York Times.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times via Dow Jones, May 21, 2002]

QUANDARY ON TRADE

(By Keith Bradsher)

GENERAL SANTOS CITY, THE PHILIPPINES, May 16, 2002—How should the United States set its tariffs and trade rules, globally or country-by-country?

It is no arid academic debate to the tuna fishermen of this knockabout port city on the south coast of Mindanao, nor to sugar cutters in the Caribbean or garment workers in Pakistan. Faraway changes in American fine print can have very real, sometimes unintended consequences.

A move in Congress to extend trade preferences to Andean nations, in part to help wean their economies off coca production, could lead to the layoff of thousands of Muslim workers in the tuna industry here, even as American troops help the Philippine army fight Abu Sayyaf Muslim insurgents in this region.

In Pakistan, officials have struggled to win a larger quota for textile shipments to the United States as a reward for Islamabad's help during the conflict in Afghanistan. And in the Caribbean, the emergence of any especially pro-American government brings a request for a larger quota to ship sugar to the high-priced, highly protected American market.

By returning to the pre-1922 practice of awarding preferential trade treatment to certain countries and regions, often for political rather than economic reasons, Washington now finds itself constantly badgered for trade concessions by whatever friendly nation is in the news at any given moment.

This is the problem that most 'favored nation' status was supposed to solve. When countries won that status—as nearly all of America's trading partners did in recent decades—they were assured that their exports would get the same tariff treatment as any other, and that generally, concessions awarded to one would be awarded to all.

After the ruinous bilateral trade competition in Europe in the 1930's, the United

States backed a global adoption of the same approach, leading in the decades after World War II to the international trade rules enshrined in the General Agreement on Tariffs and Trade and later to the creation of the World Trade Organization.

'The history of trade negotiations basically was that, because of the bilateral special deals that inevitably made other nations unhappy, we came around to most-favored-nation treatment and GATT negotiations,' said William Cline, a senior economist at the Institute for International Economics in Washington.

Up through the 1980's, most economists criticized regional trade agreements as just as bad as bilateral deals. Beyond making winners of some countries and losers of others, regional blocs can be bad for global efficiency, by prompting importers to favor a higher-cost producer within the bloc over a lower-cost producer outside whose goods are still subject to high tariffs and quotas.

Global trade agreements minimize such drawbacks, because these days very few countries remain outside them. But global treaties are becoming increasingly difficult to conclude. The last was wrapped up in Geneva in 1993; talks meant to produce the next one did not get under way until last November in Doha, Qatar, and are expected to take years.

But the regional free trade concept has become fashionable again, in great part because of the success of the European Union, which hugely increased trade among its 15 members by eliminating tariffs and trade barriers. It helped inspire the 1992 North American Free Trade Agreement—joining the United States, Canada and Mexico—as well as several other regional groupings.

One provision of the Nafta treaty helped set off the dispute now roiling American efforts to retain the support of the Philippines in the war on terrorism.

Among the tariffs to be eliminated within North America by the treaty is the American duty on canned tuna imported from Mexico. It will not disappear until 2008, and for the moment it means little because Mexico, well north of the equatorial waters where the best fishing grounds are found, has a tiny tuna industry. But tuna from other countries is subject to duty of up to 35 percent, creating a big incentive for Mexico to build up its tuna fleet, despite the high labor and fuel costs for the long journeys to where the tuna swim.

Several smaller Central American and Caribbean nations also have small tuna fleets; three years ago, Congress agreed to phase out tuna duties for them on the same timetable.

To the Andean nations of South America, these concessions posed a serious threat—that preferential access to the United States would soon make big new competitors out of Mexico and Central America. The United States had lowered tariffs on many products from Andean nations like Ecuador and Colombia in 1991, but canned tuna was not among them. When the 1991 concessions came up for renewal last year, the Andean nations, supported by Starkist, demanded that they be expanded to include canned tuna.

Ecuador has a huge tuna fishing fleet, and Colombia a smaller one; both countries are eager to create jobs that do not depend on narcotics trafficking. That persuaded the House of Representatives to approve a bill earlier this year that would immediately eliminate duty on Andean tuna.

A more limited bill that would phase out duty on about a third of current shipments is before the Senate as part of a broader trade bill. If it passes, differences between the provisions would be worked out in a conference of senators and representatives.

Now it is the Philippines' turn to feel threatened. Letting Ecuador and Colombia, but not the Philippines, ship tuna to the United States duty free would be both unfair and unwise, officials in Manila are warning, because of the hardship it would create in this poor, Muslim and sometimes rebellious part of the country, where terrorists are believed to be active. "We understand you want to do this because of narcotics," said Manuel A. Roxas II, the country's secretary of trade and industry, "but terrorism is just as important."

Washington has been on notice for some time that this kind of chain reaction of anger and demands for relief was likely to develop. An influential report by the United States Tariff Commission foresaw that special deals for some countries would "lead to claims from states outside the agreement which, if granted, defeat the purpose of the treaties, and which, if not granted, occasion the preferring of a charge of disloyalty to treaty obligations."

VOTE EXPLANATION

Mr. TORRICELLI. Mr. President, I inform the Senate that because of an unavoidable delay, I was unable to arrive in the Senate for a morning vote held on May 22, 2002. Had I been present, I would have voted as set forth below. My vote would not have affected the outcome.

On the motion to invoke cloture on the Baucus Substitute Amendment 3401 to H.R. 3009, the Andean Trade Act, I would have voted against cloture. The amendment on which the cloture vote occurred included Trade Promotion Authority, also known as Fast Track Authority, which I oppose because it fails to require strong, enforceable provisions regarding labor rights and environmental protection in future U.S. trade agreements.

LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH of Oregon. Mr. President, I rise today to speak about hate crimes legislation I introduced with Senator KENNEDY in March of last year. The Local Law Enforcement Act of 2001 would add new categories to current hate crimes legislation sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred February 13, 1992 in Davenport, IA. Two gay men and two of their friends were beaten with baseball bats and metal pipes. The assailants, a group of six men and two women, yelled anti-gay slurs during the attack.

I believe that government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act of 2001 is now a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

EAST TIMOR'S INDEPENDENCE

Mr. TORRICELLI. Mr. President, I would like to extend my warmest welcome to the newest democracy to join the family of nations. This week, after a long and arduous struggle, the nation of East Timor officially celebrated its independence from Indonesia.

This has been a long and hard fought process for the people of East Timor. For 300 years, they were a colony of Portugal. Then upon the end of colonial rule in 1975, and a brief period of independence, East Timor was annexed to Indonesia.

In August of 1999, the people of East Timor voted in favor of independence from Indonesia. This historic moment regrettably set off a tragic wave of violence that left much of the country in devastation. While the people of East Timor have come a great distance since that moment, there is still much rebuilding and healing to do.

In January of 2000, the United Nations International Commission of Inquiry into East Timor concluded that the terror, destruction and displacement of people that occurred would not have been possible without the involvement of the Indonesian military during August of 2002. During that same period, some 250,000 East Timorese fled to West Timor, while there are still 55,000 refugees who have not been repatriated.

For the people of East Timor to move forward and have positive relations with their Indonesian neighbors, it is vital that these findings be investigated and those who are found guilty of committing crimes against humanity be brought to justice. The Indonesian government has taken an important step in this matter by establishing an ad hoc Human Rights Court for East Timor, however, this court has its own short-comings. By limiting the scope of inquiries to atrocities alleged after the August referendum, it has effectively blocked the prosecution of high-level military officials who are believed to have masterminded the violence. Without the ability to investigate and bring to justice those involved in human rights abuses throughout East Timor's time as part of Indonesia, those who have suffered will be unable to move forward in their lives.

While we cannot forget the injustices of the past, this week is also a time to look forward. East Timor has the opportunity to build a vibrant and prosperous nation. The task of developing a thriving democracy is an ongoing process. It requires a respect for the rule of law and the ability to share differing opinions. I am confident that the people of East Timor will meet these challenges as they have the others before them; and they have taken a positive step by voting to sign the United Nations Declaration of Human Rights as their legislature's first act.

While many of these steps the people of East Timor must take for themselves, the United States and our fellow democracies will still play a vital

role in the hopes of East Timorese. Given the level of destruction, it is important that the United States and other nations continue foreign aid in an effort to enable the East Timorese to provide vital services such as education, shelter, and healthcare to their people. Also, the established democracies of the world can provide valuable insight into the running of democratic institutions as the government of East Timor undertakes the responsibilities of full sovereignty. These and other forms of aid will play a vital role in the ability of East Timor to mature as an established nation.

Lastly, this momentous occasion would not have been possible without the perseverance of the people of East Timor and supportive non-governmental organizations such as the East Timor Action Network, and I commend them on their efforts. The people of East Timor have endured much to gain their freedom, and I wish them the best in their newfound independence.

PARKINSON'S DISEASE

Mr. HARKIN. Mr. President, today I chaired a hearing on Parkinson's Disease in the Labor, Health and Human Services and Education Appropriations Subcommittee. I was profoundly touched by the victims of this disease who came to testify and by the many, many victims, families and advocates who came to Washington to put a human face on this horrible disease. As a Congress, we can't take the time to listen to every story but I ask unanimous consent that one little girl's story be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

LETTER FROM MAYA FIELDER

My name is Maya Fielder and I am 9 years old. I live in Palo Alto, California and I am in the 4th grade at Escondido School.

When I was a little baby my Mom found out she had Parkinson's Disease. I was with my Mom, but I don't really remember when the doctor told her she had a bad disease that gets worse and worse and doesn't have a cure. I know that now there are lots of things I can't do with my Mom and sometimes I feel like I have to take care her instead of her taking care of me.

I learned that Parkinson's Disease is when your brain doesn't produce enough dopamine. Dopamine is important because it tells your body how to move. My Mom's body tremors and she can't write things down or if she does no on can read it, not even her. She gets disabled to walk so she rides my scooter around the house (I'm not allowed to ride in the house though). And sometimes she can't even walk until her medicine starts working so my Dad and I get things for her. She takes tons of pills every day but the medicine or the disease causes more problems for her so my Mom tries new medicines and different things a lot to try to get better.

Our whole family works hard to help find a cure for Parkinson's. My mom talks about Parkinson's to the newspapers or on the news whenever she can and sometimes my name or picture is shown too! We had a charity art show at our house and Uncle Dan's

art raised a lot of money. I even sold a painting and all the money went to Parkinson's research. My mom said that if researchers got enough money from Congress and from regular people that scientists could find a cure in 5 or 10 years. That would be good because I won't be a grown-up yet and my Mom will get better and we could go iceskating together.

But now we have a big problem. I heard President Bush say that all cloning research has to stop. My Mom was really upset because she said the President and some people in Congress want to stop researchers from finding a cure for Parkinson's and lots of other diseases that make millions of people sick. I don't get it.

One part of the Pledge of Allegiance says "Liberty and Justice for all". I don't think the government is giving us much liberty or justice—at all!

People are scared of the kind of cloning that would make new people (reproductive cloning). But what's so scary about finding a cure for my Mom? That kind of cloning is called therapeutic cloning and doesn't make people or kittens or anything like that—it would just help my Mom's brain work again like it is supposed to.

I think that the people who make the laws should make rules so scientists won't do bad things with research. But can't they still be allowed to do the good research? My mom said the Brownback bill that is being voted on Congress soon wouldn't allow scientists to do the good kind of research that would help her. She also said that this law wants to put people like her in jail if they try to get cured. That's just dumb! My Mom isn't doing anything wrong by just trying to get well.

I thought I might want to be a scientist when I grow up but I don't think so any more. I just want to find a cure for my Mom. I guess I'll become the President of the United States so that I can make good laws that help people and cure diseases. I'll let scientists do their work and make all kinds of new discoveries.

I know that this isn't the most important thing for everyone. But I think that if someone in your family was sick and you were worried, that you would do everything you could to help them get better. You wouldn't make laws so that a cure would not be found and you wouldn't put them in jail.

Please help find a cure for my Mom and everyone else that needs one instead of making it harder. I'm doing as much as I can do to help my Mom and other people too (when I'm not in school or doing sports or playing violin, but Mommy says that helps her too). This is really important to a lot of people. Thank you.

ADDITIONAL STATEMENTS

TRIBUTE TO DIANE CALLAWAY

• Mr. BIDEN. Mr. President, I am pleased to note for the record this morning the election of a proven leader in my State to serve in national office.

Diane J. Callaway has worked in the Seaford School District in Delaware for 28 years. In the course of her career, Mrs. Callaway has been active in professional associations at the local, state and national level, serving in virtually every leadership position, both elected and appointed. It came as no surprise to anyone, when Diane Callaway received Delaware's first Educational Office Professional of the Year award.