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No. 65

## Senate

The Senate met at 1 p.m. and was called to order by the Honorable BLANCHE L. LINCOLN, a Senator from the State of Arkansas.

### PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Julian of Norwich in the 15th century prayed,

"God of Your goodness, give me Yourself, for You are sufficient for me . . . If I were to ask anything less I should always be in want, for in You alone do I have all."

Father, in this quiet moment we seek the ultimate joy of life: We simply come to abide in Your presence. We would not interrupt what You have to say to us with chatter. More than anything that You can provide us—we need You. Make us as ready to listen as we are to talk. You have created us for communion with You. We thank You for speaking to us in our souls. Now we hear what You have been seeking to tell us: We are loved, forgiven, and cherished by You. You have plans for us: A personal will for each of us and a will for our Nation. Bless the Senators now as they wait on You. Inspire the rest of us to follow their leadership as far as they follow You. We open our minds and hearts to receive You—our Lord, Saviour, Peace, and Power. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable BLANCHE L. LINCOLN led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, May 20, 2002.

### To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BLANCHE L. LINCOLN, a Senator from the State of Arkansas, to perform the duties of the Chair.

ROBERT C. BYRD,  
President pro tempore.

Mrs. LINCOLN thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Senator from Nevada is recognized.

### SCHEDULE

Mr. REID. Madam President, you will announce shortly that we will be in a period of morning business until 2 o'clock today. The first one-half hour will be under the control of Senator DORGAN, and the second one-half hour will be under the control of the Republican leader or his designee. At 2 p.m. today, we are going to resume consideration of the trade act. There are no rollcall votes scheduled today. The next rollcall vote will occur tomorrow at about 11 a.m. on the cloture motion on the steel amendment to the trade act. There are numerous amendments pending, and others will be filed today. Of course, the leader has indicated that he is going to file cloture tomorrow on the bill itself.

Senators who have amendments to be offered should do so. We are going to do our very best to work out arrangements so we can have as many votes as possible prior to the cloture vote which will take place on Wednesday sometime.

There is a lot of work to do on this trade bill. The leader wants to finish it

this week. We have been on it for a week. It is very possible that we could have some long days this week. There is some talk that the chairman of the Committee on Appropriations, Senator BYRD, is going to be able to mark up the supplemental appropriations bill. The House has not acted on it yet. It is my understanding they are going to take this matter to the Committee on Rules and rule on it to see if they can get it over to us sometime late Wednesday.

This will be a very busy week, especially with the Memorial Day 1-week recess facing us in a few days.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 2 p.m. with Senators permitted to speak therein for up to 10 minutes each.

Under the previous order, the first half of the time shall be under the control of the Senator from North Dakota, Mr. DORGAN, or his designee.

The Senator from North Dakota.

### THE NEW HOMESTEAD ECONOMIC OPPORTUNITY ACT

Mr. DORGAN. Madam President, I will not be taking the full half hour. So the Senator from Nevada, if he wishes to make comments, might want to make comments following mine.

It was 140 years ago today that the original Homestead Act was signed into law. I want to comment for a moment about that act and about legislation that was introduced in the Congress.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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Here is a copy of the stamp that was issued in 1962—a postage stamp commemorating the original Homestead Act. A sod house from North Dakota was commemorated on that postage stamp.

President Lincoln signed the Homestead Act into law. The purpose of that was to encourage people who wanted to seek new opportunity to populate the middle part of our country—the heartland of our country. And people did go to the heartland of America.

My great-grandmother, a Norwegian immigrant who lost her husband to a heart attack, along with her six children, got on a train and went to Hettinger County, ND, and pitched a tent. She raised her family, built a home, started a farm, and ran a family farm.

That courageous Norwegian immigrant widow did what many Americans did. They just made an opportunity out of something that was there for them—the Homestead Act.

Then she had a son. That son had a daughter and that daughter had me. And that is how I came from Hettinger County, ND.

A lot of Americans have a similar story in their background about how they are living in this country.

But the Homestead Act was successful in moving people out to start farms, ranches, and small communities in this country.

One-hundred forty years later, this is what is happening to our country. You will notice that in the middle of our country—in the heartland of America—we are being systematically and relentlessly depopulated once again. As you will see, North Dakota has a substantial loss of population in almost all of its rural counties. In North Dakota, the chart shows what is happening. Ninety-one percent of our counties are suffering from substantial out-migration: Montana, 54 percent; South Dakota, 73 percent; and, Nebraska, 66 percent.

There is this relentless depopulation of the central part of our country.

Some wring their hands, gnash their teeth, and ask what they can do, and say perhaps nothing. I happen to think we can do something.

Last March, the Bismarck Tribune ran an Associated Press story talking about the cycle of what is happening in many of these States, from North Dakota to Texas. Schools are closing. Farmers are giving up. Young people are moving out, leaving behind the elderly in communities struggling to keep their names on the map.

The latest census number shows dozens of counties in South Dakota, North Dakota, Missouri, Nebraska, Kansas, and Illinois have lost people in the 1990s. The question is, What, if anything, can we do about that?

I have introduced a piece of legislation here in the Congress with my colleague Senator HAGEL from Nebraska. Very simply, our legislation is similar to the Homestead Act of 140 years ago,

except we don't have land to give away anymore. So we say to people who would move in and stay in these local areas that are rural by nature and which have been losing population, here are the reasons for you to stay. There are incentives for you to stay.

Much of the country aspires to have what they have in many of these rural counties and local communities: good places in which to live, great places to raise a family, good neighborhoods, safe streets, strong schools and other things that people aspire to have. Yet we are trying to recreate that in other areas of the country, even as we are losing it in the heartland.

Again, the question is, What can we do about that? Senator HAGEL and I have introduced a piece of legislation called the New Homestead Economic Opportunity Act.

It says to people, if you live and work in these out-migration counties after you graduate from college, we will forgive part of your college loan.

We will provide a tax credit for a home purchased by individuals living in these counties that are suffering from out-migration.

We will protect home values by allowing losses in home value to be deducted from your Federal income tax. In many of these small towns, when you build a home, it is worth less immediately after it is built than the cost of construction.

We will establish Individual Homestead Accounts to help build savings and increase access to credit if you are living in one of these rural counties.

Then there are business incentives as well. Say you create or keep a business in one of these rural counties losing population. States can offer investment tax credits for newly constructed buildings and accelerated depreciation for equipment purchases. There are a whole series of things that represent business incentives, either to stay there and start a business or come there and create a business.

The New Homestead Economic Opportunity Act also recognizes in order to be successful in starting or keeping business in rural areas, you have to have venture capital. Our legislation would establish a national venture capital fund in order to do that.

The National Association of Counties has endorsed the New Homestead Economic Opportunity Act, saying:

As you are aware, some of America's rural counties are facing critical hurdles . . . many rural counties are experiencing an out-migration of youth to more urbanized areas of the country due to a lack of economic opportunities . . . Your legislation is a good attempt to ameliorate this out-migration from rural America and we fully support your efforts.

The same is true with many other organizations. I will put up a chart showing just a few of them: The National Telecommunications Cooperative Association, the North Dakota Association of Builders, the North Dakota Association of Realtors, bank groups, credit unions, and more.

The question for this Congress is, Will we do something about what is happening to rural areas in the heartland of our country?

When America's cities were suffering a crisis and inner-city blight, America went right to work. It put on its work clothes and said: All right, we're going to help America's cities, we're going to do a model cities program and an urban renewal program, and we will not allow our cities to fail.

I supported that. Good for us. The fact is, many of our big cities have turned around completely, and they now have economic life and vitality. The question for the Congress and the country is, Will we do something to restore economic opportunity in the heartland of this country? I hope we will.

So I wanted, on the 140th anniversary today of the original Homestead Act, to point out there is a new Homestead Act that has been introduced in Congress by Senator HAGEL and myself. And we have done that for a very important reason. We hope our colleagues will join us in allowing us to move that piece of legislation in this Congress.

#### CUBA

Mr. DORGAN. Madam President, I want to say a word on another matter, if I might, about a speech given by President Bush this morning.

President Bush, this morning, gave another speech about Cuba and said: No, our 40 years of embargo against Cuba really work. We want to continue this embargo. And we want to get even tougher now.

The President is going to Florida this evening for a \$25,000-per-person fundraiser. I suspect there is a lot of politics and probably very little policy in this speech. But let me say this: I do not think it does anything to hurt Fidel Castro to continue an embargo that has failed for 40 years.

An embargo that punishes Americans for traveling in Cuba, an embargo that makes it impossible, and now difficult, for our farmers to sell into Cuba, is not an embargo, in my judgment, that represents this country's best policy interests. It does not make any sense for me to embrace policies that don't allow Fidel Castro to ever miss a meal. He has never missed breakfast, lunch, supper, or dinner because of these embargoes. It is just poor, sick, and hungry people in Cuba who have been injured by these policies.

This 40-year embargo is at odds with everything else we are doing. We say, let's trade with Communist China. Why? Because China is a Communist country, yes. But trading with them will actually open up opportunities and bring democracy to China more quickly. We say, let's do that same thing with Vietnam. Yes, it is a Communist country, but engaging with Vietnam will have more impact than not engaging.

If that is the case, why is that not the case with Cuba? The answer is, of

course it is the case. It is just that there is a barrelful of politics and a teaspoonful of policy in these pronouncements we have heard this morning.

My hope is just as the Senate has expressed itself with 70 percent of the Senate, saying that what we ought to do with Cuba is what we do with China and Vietnam: Open up that market. The quickest way to get rid of Fidel Castro, in my judgment, and move to democratic reforms is for Americans to travel in Cuba, for Americans to trade with Cuba, and that replacing the policy of failure for 40 years makes much more sense for this country.

Madam President, I yield the floor and 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.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### TRIBUTE TO SENATOR JIM JEFFORDS

Mr. REID. Madam President, I come to the floor today to pay tribute to my friend and my colleague, JIM JEFFORDS.

Although he made news and history last year—and it will be widely discussed again this week because, of course, it is the anniversary of his changing political parties—JIM JEFFORDS really prefers to be outside the limelight, though he has been in the limelight this past year. As a result, few people knew much about him before a year ago, despite his many accomplishments in Congress and contributions to our country during this remarkable career he has had in public service.

JIM JEFFORDS grew up in Vermont where the Jeffords family first settled during the 1700s.

After graduating from Yale University, he served in the Navy, on active duty for 4 years, from 1956 to 1959. He later served in the Naval Reserve, retiring as a captain in 1990.

Senator JEFFORDS' late father was a distinguished attorney who served as chief justice of the Vermont Supreme Court. No doubt this influenced Senator JEFFORDS' decision to study law.

After graduating from Harvard Law School, he returned to Vermont to practice. This very quiet, soft-spoken man is a person who has a tremendous education: Yale undergraduate degree, Harvard Law School degree.

Within a few years after returning to Vermont to practice law, he was elected to the Vermont State Senate and then the attorney generalship of that State. From 1975 to 1988, he represented the Green Mountain State in the House of Representatives. That is where I first met him. I had the opportunity to serve with him in the House of Rep-

resentatives. I was impressed then by his knowledge of the issues and his dedication to the public well-being.

He has served in the Senate since 1989 where he has continued to be a strong advocate for dairy farmers and other Vermonters but also someone from whom people in Nevada have benefited because of his legislative record. He does not focus only on issues dealing with Vermont, even though these issues come first. He has been a champion of disabled Americans, an outspoken proponent of international environmental protection. He is a person who has dealt heavily in education. While serving as chairman of the Health, Education, Labor, and Pensions Committee, Senator JEFFORDS developed a lot of legislation.

One bill I would like to pinpoint is a bill to allow the importation of prescription drugs from other countries in an attempt to help make medicine more affordable to Americans. His bill passed overwhelmingly in July of 2000 and was ultimately signed into law.

He has also proposed a "DrugGap" program to help low-income Medicare recipients get prescription drug coverage. He has worked to double funding for the Ryan White CARE Act.

Senator JEFFORDS has been a leading supporter of funding for services for the developmentally disabled and assisting disabled workers. He has been a key cosponsor of hate crimes legislation and antidiscrimination legislation.

He is now chairman of the Environment and Public Works Committee. There his work has been exemplary. He has always been a defender of the environment. I have been either chairman or ranking member for the Energy and Water Subcommittee of Appropriations for a number of years. No matter what we did dealing with renewables, we thought we had done a lot; JIM JEFFORDS wanted more. He always kept us on our toes. We had to come forward with something that would show we were doing more than the normal for renewable energy. He was visionary, as indicated by the energy bill we just passed.

He has been a defender of the environment. He has fought against the Bush administration to roll back protections. Some that come to mind are arsenic, allowing toxic levels of arsenic to be in the water, he has fought that. He, of course, has fought, along with Senator BOXER, to make sure that children are tested for lead poisoning; that the water is tested that children drink.

He has called on President Bush to honor America's commitment to reduce greenhouse gas emissions to include carbon dioxide in laws addressing air quality and aggressively enforce laws against polluters.

Clearly, JIM JEFFORDS has demonstrated to me and, of course, to the people of Nevada that one person can make a difference. If we ever think what can one person do, it is a huge world, a big country, we come from

States with thousands and millions of people in them; what difference can one person make. He has certainly shown that one person can make a difference. When he announced almost a year ago, on May 24, that he would no longer be a Republican, he made a difference. For months after, the impact of Senator JEFFORDS' switch was defined for many of us by a changed Senate agenda, changed chairmanships, and a return to divided government, some said.

But it wasn't until about 4 months later that we fully appreciated the import of what Senator JEFFORDS really did. When the attacks of September 11 shook our Nation, the service he did for our country became very clear.

Just days after the attacks, Congress, Democrats and Republicans, came together to craft an unprecedented response to the terrorist act and threats. Together we approved \$40 billion in aid to New York and Virginia to recover and to help protect the Nation from future threats. Roughly 1 month after that, we enacted sweeping antiterrorism legislation to improve law enforcement to respond to terrorist threats. That was led by Senator PAT LEAHY, chairman of the Judiciary Committee.

Both of these measures—these are two of many—were incredibly important. We passed them swiftly in response to a national emergency. Because of what Senator JEFFORDS did, these measures were balanced and reflected the will of all Americans, not just the will of this administration. There was a check; there was a balance. That is all because of JIM JEFFORDS. We afforded the President the power to respond to a national crisis, preserved important checks on his authority and important protections for the civil liberties that make America great.

Every Senator has a list of issues they consider important which were affected by JIM JEFFORDS' principled and courageous decision last May. From protecting national treasures such as the Arctic National Wildlife Refuge, ANWR as it is known, to preserving the balance on the Federal judiciary, providing a voice for the unemployed, campaign finance reform—we could not have done it without him—preserving Social Security, he has allowed us to have a platform to talk about the fact that we did have a \$4.7 trillion surplus 10 years ago. We don't now. We are now spending Social Security surpluses. Election reform, Medicare, education, he has allowed us to have a voice on these issues and not simply ram them down the throats of the Senate.

For me, his greatest contribution was in preserving the essence of democracy, debate, consensus, and representation during an unprecedented national crisis.

JIM JEFFORDS is my friend. More than my friend, he is someone I will always look to for inspiration, knowing that one person, one of us, and anyone

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.

#### CLOTURE MOTION

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

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

The assistant legislative clerk read as follows:

#### CLOTURE 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.

During the debate, the Senator from Texas attempted to distinguish between the Jordan Free Trade Agreement and future trade agreements by saying "that free trade agreement was a foreign policy action, not a trade action." I would say to you that all trade actions are foreign policy actions.

We are currently debating a multifaceted trade package that includes expansion of the Andean Trade Preference Act. The reasons given for expansion of the current ATPA include the need to expand the economies of the Andean region to provide alternatives to the illegal drug trade. The United States would like to provide alternatives to drug production in order to reduce the drug supply reaching our nation. This is the essence of foreign policy conducting relations with other nations in a manner intended to improve our Nation.

An element of the expansion under consideration would provide limited duty-free access to the U.S. market for canned tuna from the Andean region. This provision, intended to complement our war on drugs, conflicts squarely with our Nation's efforts to fight international terrorism. This point is eloquently described in an article that recently appeared in the New York Times entitled, "Drugs, Terror and Tuna: How Goals Clash."

The article describes the canned tuna industry in the Philippines, which is entirely based in Mindanao, where the Philippine Government is waging a war against Muslim terrorists and the poverty that breeds them. Damaging the Philippines' export of canned tuna to the United States would seriously harm many workers in Mindanao. Moreover, American commitments made by the United States to President Gloria Macapagal-Arroyo, and the common struggle against worldwide terrorism would be in jeopardy.

At present, at the invitation of the Philippine government, we have American troops in Mindanao advising and training Philippine troops. Much of the success of our efforts depends on the outcome of the Andean Trade debate. Our trade policy must not undermine our foreign policy efforts to fight terrorism worldwide and protect our citizens.

I have filed amendments that I will not call up today, but that I have submitted to ensure the continued cooperation of one of our most vital partners in the international war against terrorism, the Philippines.

I urge my colleagues to read the article and to study this situation.

I ask unanimous consent that a copy of the article be printed in the CONGRESSIONAL RECORD.

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

[From the New York Times, May 16, 2002]

DRUGS, TERROR AND TUNA: HOW GOALS CLASH  
(By Keith Bradsher)

GENERAL SANTOS CITY, THE PHILIPPINES, May 15.—This industrial city on the southern

coast of Mindanao Island illustrates how America's various strategic aims in the wars on drugs and terrorism can clash, alienating important allies engaged in battling terrorism.

Among leaders of the Philippines' important tuna industry here, resentment is running high over trade legislation now on the Senate floor in Washington. The bill includes a provision to eliminate steep import taxes on canned tuna from Andean nations while keeping taxes in place for other countries like the Philippines.

The provision has attracted Congressional support because it is seen as bolstering America's war on drugs. The idea is that the bill will help create well-paid jobs in Ecuador and Colombia as an alternative to the drug trade.

But in another war—the one against terrorism—the legislation is causing anger in a country that has become an important part of the administration's plans.

It comes at a time when 600 American soldiers are helping the Philippine Army track Abu Sayyaf Muslim insurgents in the southernmost Philippines, and President Gloria Macapagal Arroyo has staked much political capital on helping the United States fight terrorism.

Virtually all of the tuna industry of the Philippines is located here and it employs thousands of migrant workers from small Muslim fishing communities that used to be bastions of various Muslim insurgencies. Local officials warn that the legislation could wipe out the tuna industry.

President Arroyo said that passage of the trade provision would deal a severe blow to the economy here while handing a propaganda victory to the Abu Sayyaf movement.

The combination would create heavy domestic pressure for the Philippines to retreat from its active support for the American war on terrorism, she warned in a telephone interview tonight.

"I will try very hard not to, but I will be under tremendous pressure," she said.

In much of the developing world, including Latin America and Africa, trade restrictions or tariffs on products ranging from steel to textiles are causing growing resentment toward the United States. The perception that the Bush administration is a protectionist one is growing.

President Arroyo argued that General Santos, the main city on the southern coast of Mindanao and home to most of the Philippines' tuna fishing fleet and canneries, was central both to the economic future of this region and to the fight against terrorism.

A powerful pipe bomb packed with nails exploded on a crowded sidewalk outside a supermarket here on April 21, killing 15 people and wounding dozens. A second pipe bomb was safely defused before it exploded at another supermarket the same day, and two shopping complexes have recently burned down here in the middle of the night in separate, unexplained incidents.

Police detectives here say that they are still unsure whether the attacks were terrorist incidents, criminal attempts at extortion or some combination of the two. But President Arroyo expresses no such doubts, saying tonight, "The Abu Sayyaf has been trying to get into General Santos and it has been very difficult for us to justify our support for the United States."

In a city where tunas festoon everything from billboards to restaurant signs, and where even the golf tournament is the Tuna Cup, the fishing industry's influence is impossible to miss.

Workers heave baskets of fish onto crude steel carts, which they then pull by hand over a long open-sided shed. Women wash and sort the fish on long tables, the concrete

floor beneath them dark and slippery with fish blood. A few larger tuna, some the size of a man, are carried individually to large, white boxes packed with half-melted ice, to be shipped directly to Japan to be turned into sashimi.

Renato Alonzo, 47, a fisherman in a ragged T-shirt and flip-flops whose boat had just docked after two weeks at sea, said that he had sold his tiny farm and joined a boat crew 10 years ago after learning he could nearly double his income, to roughly \$4,000 a year. Now he can afford to send his two sons, aged 12 and 8, to school.

The bustling fishing port here and the nearby row of tuna canneries contrast sharply with most of Mindanao, where peasants still toil on subsistence farms or on large pineapple and coconut plantations. Years of drought, coupled with inadequate irrigation, have crippled agriculture while the global glut of low-priced steel has forced the closing of a big steel mill in northern Mindanao.

The tuna industry here barely existed until the late 1980's when the United States led Japan, Italy and other donor nations in an ambitious foreign aid program aimed at rebuilding the Philippines after the fall of Ferdinand Marcos.

A full-scale guerrilla war was being waged in Mindanao then, a far broader conflict than the handful of kidnappings and possibly bombings linked to Abu Sayyaf now. General Santos City was nearly surrounded by several very large insurgencies that attracted poor youths from the island's Muslim minority. The city had a small fishing fleet, but it mostly caught fish for local consumption.

But the world's richest tuna fishing grounds lay between here and Indonesia, although boats from Thailand mainly fished them then. Foreign donors built the fishing port here as well as a large cargo airport, a container port, extensive roads and a modern phone system, hiring security guards from rebel forces and buying sand, gravel and other construction materials from rebel leaders' businesses.

With ready transportation to foreign markets, six big canneries were built, each employing more than 1,000 workers. The only two other tuna canneries in the Philippines are in Zamboanga City in southwestern Mindanao, the staging area for American troops pursuing Abu Sayyaf. Some 30,000 fishermen now supply the canneries.

The tuna boom has helped persuade all the rebel movements except the Abu Sayyaf splinter group to lay down their arms under armistices with the government. Many former rebel commanders and foot soldiers have taken jobs at the canneries, which have had no problem with the bombings that have afflicted shopping centers.

Abuhasan Jama is a former major in the Moro National Liberation Front who studied guerrilla warfare in Malaysia in 1979 and 1980 and then spent 13 years fighting the Philippine government in the jungles of Mindanao.

Now he is the security chief at Ocean Canning here, his eldest daughter is in college and he has found jobs at the same cannery for three cousins who are also former guerrillas. "I like to work," said Mr. Jama, 41, recalling that in the jungle "sometimes you'd just eat leaves, the roots."

Mariano M. Fernandez, the general manager of Ocean Canning, said that he used to carry two Smith & Wesson handguns, one strapped on each hip. "It was like the Wild West here," he said, adding that he carries only a cellphone now.

Most of the tuna canned here is sold in the United States under less famous brands like Geisha and Dagim. Bumble Bee and Starkist used to buy large quantities of tuna here but have recently begun relying on Ecuador instead, allowing that country to edge past the



Philippines last year to become the second-largest foreign supplier of tuna to the United States, after Thailand. Starkist in particular is now pushing for the elimination of import tariffs on canned tuna from Ecuador.

#### THE 100TH ANNIVERSARY OF CUBA'S INDEPENDENCE FROM SPAIN

Mr. GRAHAM. Mr. President, today I joined President Bush and the Cuban-American community in Miami to observe the 100th anniversary of Cuba's independence from Spain. This is a bittersweet celebration because Cubans today are not free.

Centuries ago, when Spaniards first arrived on Cuban shores, they marveled at the breathtaking beauty of the island and recognized the importance of its geographical location. It is no wonder why this island became known as the "Pearl of the Antilles."

After years of Spanish control, Cuban patriots such as Carlos Manuel de Céspedes, Maximo Gomez, Antonio Maceo, and Jose Marti, gave unselfishly of themselves to ensure that Cuba would become free and independent. But it was not until May 20, 1902, that Cuba's first sovereign government was established and Tomas Estrada Palma became Cuba's first President.

As the years passed, Cuba prospered and was recognized around the world for its many educational, cultural and financial accomplishments. Regrettably, many of these advances came to a halt with the arrival of Fidel Castro's revolution. Sadly, this regime is notorious for its repression and tyranny, and its human rights record has been so deplorable that the United Nations Human Rights Commission continues to condemn the Cuban government year after year.

On this day, when all Cubans should be celebrating the many accomplishments of the past 100 years, you cannot help but wonder how many more achievements could have been attained in a free, democratic and prosperous Cuba.

Today, I want to take the opportunity to recognize the many contributions of our Cuban-American friends whose hard work and sacrifices have added so much to our nation. At the same time, we cannot forget those brave individuals in Cuba who are at risk for promoting democracy and human rights in their homeland.

Here in America, we look forward to the day when Cubans are able to speak freely without fear of retribution and when democratic reforms will replace the only remaining dictatorship in our hemisphere. Viva Cuba Libre!

#### ADDITIONAL STATEMENTS

##### IN RECOGNITION OF THE 7TH ANNUAL ASIAN SPRING FESTIVAL

• Mr. TORRICELLI. Mr. President, I rise today to recognize the 7th Annual

Asian Spring Festival. This special event was initiated by the Asian American Civic Association in 1996.

The Asian Spring Festival is annually held in conjunction with Asian Pacific American Heritage Month in May. This event provides a unique opportunity for members of this diverse community to come together and celebrate the unique aspects of their culture. It is also an opportunity to honor outstanding Asian-Americans within their communities.

Throughout its history, our Nation has grown and evolved in a positive way as peoples of many backgrounds, beliefs, and ideas have come together to make America the greatest Nation on Earth. With this in mind, it is important to honor the special aspects of our society that create this unique whole.

I wish the Asian-American community the best on this special occasion.●

##### TRIBUTE TO INTERNATIONAL PAPER'S MADISON LUMBER MILL

• Mr. SMITH of New Hampshire. Mr. President, today I pay tribute to International Paper's Madison Lumber Mill of Madison, NH, which was named this year's Manufacturing Business of the Year by the New Hampshire Chamber of Commerce and Business NH Magazine.

As the ranking Republican member of the Senate Environment and Public Works Committee, I applaud Madison Lumber Mill on its outstanding environmental efforts. As the neighbor to 1,800 acres of conservation land owned by the Nature Conservancy, the mill makes extraordinary efforts to create a minimum impact on the environment. Through courtesy and a shared commitment to land conservation, the two neighbors have developed a solid relationship. Along with a dedication to conservation, the mill is constantly looking to reduce any environmental impact, and their environmental compliance goes above and beyond the requirements of the law. One of the mill's main goals is to operate under the principles of the Sustainable Forestry initiative program, which ensures the perpetual growth and harvesting of trees while protecting wildlife, plants, soil, air and water quality.

I commend the dedication Madison Mill exemplifies within the community and surrounding areas. Not only does the mill purchase 90 percent of its log supply from predominantly private land owners within a 60 mile radius of the plant, but they also require their loggers to complete safety training courses. Continuing a tradition of community service, Madison Mill annually grants \$10,000 to local libraries, schools and civic organizations. Along with donations, the mill has developed a Community Advisory Council partnership to keep the lines of communication between the mill and local community open. One of the council's main goals is to facilitate community economic de-

velopment and awareness. The 13 member council meets quarterly to discuss regional issues, raise concerns with the mill and discuss plans for the future.

I applaud Madison Lumber Mill and their dedication to surrounding communities and the environment. Their environmental efforts and positive additions to the community exemplify why Madison Mill was this year's award recipient. It is an honor to represent you in the United States Senate.●

##### TRIBUTE TO RIVERWOODS AT EXETER

• Mr. SMITH of New Hampshire. Mr. President, today I pay tribute to the Riverwoods at Exeter healthcare facility. Riverwoods was named this year's Health Care Business of the Year by the New Hampshire Chamber of Commerce and Business NH Magazine.

I applaud the Riverwoods community on their positive impact in their surrounding community. By consistently giving back to their community, the 350 residents set a superb example for all Granite Staters to follow. Before the facility had even been built, Riverwoods set the tone of their philanthropic efforts by donating land to the Town of Exeter for baseball and soccer fields for the town youth programs. The tradition of giving has continued over the years as Riverwoods has been named by the Exeter Area Chamber of Commerce as one of the Top 10 Corporate Citizens for 1999, 2000 and 2001.

Alongside the acclaim Riverwoods has received, one of their biggest rewards is being actively involved in their community. More than 50 percent of the residents and staff contribute to the United Way of the Greater Seacoast. Their contributions have grown from \$2,381 to an astounding \$28,544 in the past six years. The children of Exeter are enjoying their new "Planet Playground" thanks in part to the Road Race which the Riverwoods organized and sponsored to benefit the playground. The road race profits exceeded \$35,000 and helped build Exeter's newest playground. The children of Exeter were not the only residents to benefit from Riverwood's generosity, the local teen center was bought and refurbished with the gala dinner which Riverwoods organized and co-chaired. The benefit dinner raised \$63,000 for the teens, and gave the center its first real "home."

I commend the residents, staff and philosophy of the Riverwoods community, and thank them on behalf of Exeter and the Seacoast communities. It is with continued dedication to the community that Riverwoods has been named this year's award recipient. It is an honor to represent you in the United States Senate.●

# TRIBUTE TO VILLAGE BANK & TRUST COMPANY

• Mr. SMITH of New Hampshire. Mr. President, today I pay tribute to Village Bank & Trust Company of Gilford. Named this year's Financial Services Business of the Year by the New Hampshire Chamber of Commerce and Business NH Magazine, Village Trust has established a unique niche in New Hampshire.

Disguised as a typical bank, Village Trust couldn't be further from traditional financial institutions. Their unique relationship with the community has made them an extremely deserving candidate for this award. From the Bank's beginning in 1982, Founder and President Gregory Dickinson has focused on giving to the community. As Gregory said, "We are committed to the community and the community is loyal to us." Village Bank's track record with their community includes sponsoring the first affordable housing project for the Laconia Area Community Land Trust, being among the first contributors to the Belknap County Economic Development Council, financing the bond for the Main Street Project in Laconia as well as numerous other housing authority projects. Along with these projects, Village Bank is known for its commitment to economic initiatives and its consistent support for local businesses.

I applaud the dedicated efforts in improving the community which Village Bank continually demonstrates. They are a positive example to the Granite State not only in their business practice, but also their philanthropic efforts. I wish them continued success in the coming years, and thank them for their contributions to New Hampshire. It is an honor to represent you in the United States Senate.●

# TRIBUTE TO JACK B. MIDDLETON

• Mr. SMITH of New Hampshire. Mr. President, today I pay tribute to Jack B. Middleton, recently named Business Leader of the Year 2002, by the NH Chamber of Commerce and Business NH Magazine. Jack's efforts both in his profession and in his community are unsurpassed, and set an impressive standard for his peers to follow.

Jack currently serves as President of the New Hampshire based law firm McLane, Graf, Raulerson & Middleton. Joining the firm in 1956, he entered a tradition of community service and dedicated practice. He became a partner in 1962 and later became President. His countless accomplishments both in his professional career and philanthropic efforts have led him to a position of mentor, friend and leader.

I applaud Jack's continued service to the legal profession and willingness to accept leadership roles in numerous organizations. His service extends to state and regional bar associations, legal foundations, the Interest on Lawyer's Trust Account, IOLTA, program,

and his own firm. He is the longest serving Chair of the NH Bar Foundation and Secretary of the Board of Governors of the American Bar Association. His position on the American Bar Association is one of great pride to the New Hampshire legal community, as he is only the second person from New Hampshire to hold a position at the national level of the ABA. He is the former President of the New Hampshire Bar Association, the New England Bar Association, the National Conference of Bar Foundations, the National Conference of Bar Presidents and a Fellow of the American College of Trial Lawyers. Along with these positions of service, Jack has also received numerous awards such as Citizen of the Year 1994 by the Greater Manchester Chamber of Commerce, New Hampshire's Distinguished Citizen of the Year 2000 by the Daniel Webster Council and has twice been awarded the President's Award for Special Service to the Profession by the New Hampshire Bar Association.

Jack's community service sets a positive example for all Granite Staters and his dedication to improving his community is beyond compare. His role in developing the IOLTA program, which offers legal assistance for the needy as well as public education about the law, was critical to helping the people of New Hampshire. This program allows lawyers to place money that they are holding for short periods of time into a pooled interest-bearing account. The proceeds of which fund the program. Since the start of the program in 1982, the account has raised more than \$13 million dollars. Jack's efforts to develop this already existing program in New Hampshire as well as his many contributions in other fundraising efforts and community service have led the Bar Foundation to name Jack an "Honorary Fellow."

Jack Middleton is an extraordinary example of someone who serves his community as he would serve his career. By continuing the long-standing tradition of philanthropy that his firm has set forth, Jack has shown once and again why he is such a deserving candidate of this year's award. I congratulate him and wish him continued success in future years. It is an honor to represent Jack Middleton in the United States Senate.●

# TRIBUTE TO MANCHESTER NEIGHBORHOOD HOUSING SERVICES, INC.

• Mr. SMITH of New Hampshire. Mr. President, today I pay tribute to Manchester Neighborhood Housing Services, MNHS, of New Hampshire. MNHS is this year's recipient of the Real Estate/Construction Business of the Year Award by the New Hampshire Chamber of Commerce and Business NH Magazine.

I commend the efforts of MNHS to improve the City of Manchester and provide affordable housing to low-in-

come residents. Founded in 1992, MNHS began as a revitalization project for Manchester's inner city neighborhoods. One of the largest and most visible projects thus far has been the \$11 Million Elm Street Restoration Project, which created 68 affordable apartments in two of the historic downtown brownstones. This project is one of the largest nonprofit affordable housing projects in New Hampshire's history.

I would also like to recognize the Renaissance, a 24 unit family rental project and the first Low Income Housing Tax Credit project, created for first-time home buyers. Among these many accomplishments, MNHS has also loaned or granted more than \$6.5 million dollars for home purchase and rehabilitation. The outstanding performance by this organization is not only making positive changes to the community but more importantly to peoples lives. There is nothing more important to me than to make sure that people are taken care of. It is an honor and privilege to represent the fine people that make these advancements possible.●

# TRIBUTE TO UNITIL CORPORATION

• Mr. SMITH of New Hampshire. Mr. President, today I pay tribute to Unitil Corporation of Hampton, which has been named the Business Services Business of the Year 2002 by the New Hampshire Chamber of Commerce and Business NH Magazine.

I applaud Unitil's unique and innovative approach to business and their customers. By taking a fresh approach to the utility industry, Unitil has proven that quantity does not necessarily reflect quality. Unitil was established after a union between Concord Electric Company and Exeter & Hampton Electric Company in 1984. The company now employs 333 people as well as servicing 110,000 customers.

Unitil was among the frontrunners of the industry with the creation of their program, USource, which matches buyers on the Internet with pre-qualified energy suppliers. Unitil's approach to business has resulted in the lowest electric rates available in New England as well as excellent performance ratings from the majority of their clients.

Aside from Unitil's low rates and high quality of service, the real treasure of the company lies within its employees and their dedication to community service. By operating with an emphasis on giving and volunteering in their local communities, Unitil has encouraged employees to volunteer their time and make a positive impact. Led by example, Unitil's CEO Bob Schoenberger is President of the Board of the United Way of the Greater Seacoast. Employees are each granted eight hours of paid leave for volunteering. Last year, Unitil's employees volunteered 1,000 hours of community service and raised more than \$8,000 in a matched contribution program. Unitil also donated \$90,000 to 200 local nonprofit organizations in 2001.

Unitil serves as a positive example for all Granite Staters, and I applaud their dedication to improving their community, both in the personal and the business arena. I commend their leadership as well as their employees and wish them continued success in the coming years. It is an honor to represent you in the United States Senate.●

#### TRIBUTE TO COURT APPOINTED SPECIAL ADVOCATES OF NEW HAMPSHIRE

● Mr. SMITH of New Hampshire. Mr. President, today I pay tribute to the Court Appointed Special Advocates, CASA, of New Hampshire. Named this year's Education/Non-Profit Business of the Year by the New Hampshire Chamber of Commerce and Business NH Magazine.

The CASA program is crucial to New Hampshire's abused and neglected children, offering support, guidance, and a sound outlook on the children for New Hampshire's Family and District Court judges. Started in New Hampshire in 1988 by Marcia Sink, CASA has advocated for 3,045 young victims in 2,276 cases within district and family court during the past 14 years. A national program, CASA trains volunteers to advocate for abused and neglected children in the court system. Typically taking just one case at a time, CASA volunteers gain an intimate knowledge of the children, family situation and current arrangements which proves invaluable to judges upon their rulings.

Aside from the Business of the year award, CASA has been the recipient of the Citadel Broadcasting Company's 2001 Year of Service Award, Brown and Company's Pro Bono Award, the Walter J. Dunley Award for Excellence in Non-Profit Management and WMUR Channel Nine's Community Champion award. Along with these distinguished awards for their service and contributions, CASA has made an impact in the lives of numerous children which is the greatest award of all. New Hampshire thanks you for your continued service to the children of the Granite State.

I applaud the dedication to New Hampshire's youth that CASA has shown over the years. Currently representing more than 75 percent of New Hampshire's abused and neglected children, these volunteers have spent countless hours defending the best interest of these children. They offer a unique and innovative approach to placing children in the best possible situation and their efforts are crucial during these trying times. I commend the CASA program of New Hampshire and wish them continued success in the coming years. It is an honor to represent you in the United States Senate.●

#### HONORING THE TOWN OF WILTON, CT, ON ITS BICENTENNIAL ANNIVERSARY

● Mr. DODD. Mr. President, I rise today to commemorate the Town of Wilton, CT, on celebrating its bicentennial anniversary as a separate municipality.

Incorporated by the Connecticut General Assembly from the parent Town of Norwalk, CT, on Monday, May 20, 1802, Wilton is a vibrant community steeped in both history and culture, and a paradigm of the quintessential New England town. Settled as early as 1640, Wilton grew from 40 recorded families in 1726 to its present population of over 17,000. While the town has been successful in maintaining a small tight-knit community atmosphere, it has greatly benefitted from its location in Fairfield County and proximity to New York City. Modern Wilton is blessed with a diverse population, a strong economy, and a plethora of different industries.

From the day 263 residents volunteered to fight to uphold American liberty in the Revolutionary War, the people of Wilton have continually demonstrated admirable patriotism during many different eras. Over the years, the town has also become keenly aware of its own heritage. Through a variety of innovative preservation efforts undertaken by the Wilton Historical Society, dozens of historical houses and buildings dating from the 17th, 18th, and 19th centuries have been protected for the benefit of future generations. One of these estates happens to be the only National Park in Connecticut, the Weir Farm National Historic Site. Home to impressionist painter Julian Alden Weir for over 40 years, the residence is considered a birthplace of the American Impressionist movement in the 1890s.

To celebrate the town bicentennial, the people of Wilton will be holding several different traditional festivities during the month of May. In addition, 20 Wilton residents will be cycling from Washington, DC, to Wilton in a special "BikeCentennial." The entourage will travel across Maryland, New Jersey, New York, and part of Connecticut before arriving at Wilton on July 4.

Once again, I would like to commemorate the town of Wilton on its bicentennial anniversary. I wish the town and its residents continued vibrancy and success for many generations to come.●

#### IN RECOGNITION OF REVEREND DAVID ARIAS

● Mr. TORRICELLI. Mr. President, I rise today to recognize the Rev. David Arias, Auxiliary Bishop of Newark and Regional Bishop of Hudson County on the occasion of the 50th anniversary of his Ordination.

Rev. Arias' background is as wide and as varied as the United States. Born and ordained to the priesthood in

Spain, he has worked in Spain, Mexico City, Texas, Kansas City, California, and now Hudson County, NJ.

In 1996, as a member of the Archdiocese of New York, Rev. Arias was named head of the Spanish Cursillo Movement and later named director of Hispanic Affairs for the Archdiocese of New York by Cardinal Terrence Cooke. He was named the Auxiliary Bishop of Newark, NJ in 1983 and has served as Pastor of St. Joseph of the Palisades in West New York, NJ since 1994.

The Archdiocese of Newark has been fortunate to have the services of Rev. Arias and I wish him the best in his continued ministry.●

#### MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Ms. Evans, one of his secretaries.

#### EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting a nomination which was referred to the Committee on Armed Services.

(The nomination received today is printed at the end of the Senate proceedings.)

#### 2002 COMPREHENSIVE REPORT ON U.S. TRADE AND INVESTMENT POLICY TOWARD SUB-SUBHARAN AFRICA AND IMPLEMENTATION OF THE AFRICAN GROWTH AND OPPORTUNITY ACT—PM 87

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Finance:

*To the Congress of the United States:*

As required by section 106 of title I of the Trade and Development Act of 2000 (Public Law 106-200), I am providing a report prepared by my Administration entitled, the 2002 Comprehensive Report on U.S. Trade and Investment Policy Toward Sub-Saharan Africa and Implementation of the African Growth and Opportunity Act.

GEORGE W. BUSH.  
THE WHITE HOUSE, May 20, 2002.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-7092. A communication from the Regulations Coordinator, Indian Health Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Tribal Self-Governance Amendments of 2000" (RIN0917-AA05) received on May 16, 2002; to the Committee on Indian Affairs.

EC-7093. A communication from the General Counsel, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, the report of a nomination for the position of Deputy Director for Management, received on May 14, 2002; to the Committee on Governmental Affairs.

EC-7094. A communication from the Deputy Secretary, Office of General Counsel, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Mandated EDGAR Filing for Foreign Issuers" (RIN3235-AI08) received on May 15, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-7095. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Arkansas Abandoned Mine Land Reclamation Plan and Regulatory Program" (AR-036-FOR) received on May 14, 2002; to the Committee on Energy and Natural Resources.

EC-7096. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law the report of a rule entitled "Illinois Regulatory Program" (IL-101-FOR) received on May 14, 2002; to the Committee on Energy and Natural Resources.

EC-7097. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification regarding the proposed transfer of major defense equipment valued (in terms of its original acquisition cost) at \$14,000,000 or more to the Government of Austria; to the Committee on Foreign Relations.

EC-7098. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the annual report on the Temporary Assistance for Needy Families (TANF) program for Fiscal Year 2000; to the Committee on Finance.

EC-7099. A communication from the Chief of the Regulation Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates—March 2002" (Rev. Rul. 2002-10) received on May 17, 2002; to the Committee on Finance.

EC-7100. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Weighted Average Interest Rate Update Notice" (Notice 2001-71) received on May 15, 2002; to the Committee on Finance.

EC-7101. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Mid-Contract Change in Taxpayer" ((RIN1545-AY31)(TD8995)) received on May 15, 2002; to the Committee on Finance.

EC-7102. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Electing Small Business Trust" ((RIN1545-AU76)(TD8994)) received on May 15, 2002; to the Committee on Finance.

EC-7103. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "April-June 2002 Bond Factor Amounts" (Rev. Rul. 2002-24) received on May 14, 2002; to the Committee on Finance.

EC-7104. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "New User Fee Airport" (TD02-27) received on May 14, 2002; to the Committee on Finance.

EC-7105. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, a report entitled "2002 Integrated Section 305(b) Reports and 303(d) Lists and the Impact of the 305(b) Reports on Annual S106 Grant Funding Targets"; to the Committee on Environment and Public Works.

EC-7106. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Allocation of Fiscal Year 2002 Operator Training Grants" received on May 14, 2002; to the Committee on Environment and Public Works.

EC-7107. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Award of Grants for Counter-Terrorism Coordination Activities by States and Territories" received on May 14, 2002; to the Committee on Environment and Public Works.

EC-7108. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Clean Air Approval and Promulgation of State Implementation Plan; Utah; Revisions to Air Pollution Regulations" (FRL7201-3) received on May 14, 2002; to the Committee on Environment and Public Works.

EC-7109. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Clean Air Act Final Approval of Operating Permit Program Revision; Indian" (FRL7212-6) received on May 14, 2002; to the Committee on Environment and Public Works.

EC-7110. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Marine Sanitation Devices (MSDs) Regulation to Establish a NonDischarge Zone (NDZ) for State Waters Within the Boundary of the Florida Keys National Marine Sanctuary (FKNMS)" (FRL7212-4) received on May 14, 2002; to the Committee on Environment and Public Works.

EC-7111. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, Bay Area Air Quality Management District" (FRL7202-1) received on May 14, 2002; to the Committee on Environment and Public Works.

EC-7112. A communication from the Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Raisins Produced from Grapes Grown in California; Reduction in Production Cap for 2002 Diversion Program" (Doc. No. FV02-989-2FIR) received on May 16, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7113. A communication from the Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Dried Prunes Produced in California; Undersized Regulations for the 2002-03 Crop Year" (Doc. No. FV02-993-1FR) received on May 16, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7114. A communication from the Administrator, Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting, pursuant

to law, the report of a rule entitled "Avocados Grown in South Florida; Increased Assessment Rate" (Doc. No. FV02-915-2FR) received on May 16, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7115. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Change in Disease Status of Slovakia and Slovenia Because of BSE" (Doc. No. 01-122-2) received on May 16, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7116. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Oriental Fruit Fly; Removal of Quarantined Areas" (Doc. No. 01-080-2) received on May 16, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7117. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Imported Fire Ant; Addition to Quarantined Areas" (Doc. No. 01-081-2) received on May 16, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7118. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Importation of Used Farm Equipment from Regions Affected with Foot-and-Mouth Disease" (Doc. No. 01-037-1) received on May 16, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7119. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Citrus Canker; Quarantined Areas" (Doc. No. 02-029-1) received on May 16, 2002; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7120. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Braking Systems Airworthiness Standards to Harmonize with European Airworthiness Standards for Transport Category Airplanes" (RIN2120-AG80) received on May 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7121. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: PIAGGIO AERO INDUSTRIES SpA Model P 180 Airplanes" ((RIN2120-AA64)(2002-0229)) received on May 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7122. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives Airbus Model A319, A320, and A321 Series Airplanes" ((RIN2120-AA64)(2002-0230)) received on May 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7123. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Boeing Model 767 Series Airplanes" ((RIN2120-AA64)(2002-0231)) received on May 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7124. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Pratt and Whitney JT9D Series Turbofans Engines" ((RIN2120-AA64)(2002-0232)) received on May 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7125. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Airbus Model A319, A320, and A321 Series Airplanes" ((RIN2120-AA64)(2002-0225)) received on May 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7126. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Airbus Model A300 B2 and B4; A300 B4-600, B4-600R, and F4 600R and A310 Series Airplanes" ((RIN2120-AA64)(2002-0226)) received on May 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7127. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Empresa Brasileira de Aeronautica SA Model EMB 135 and 145 Series Airplanes" ((RIN2120-AA64)(2002-0227)) received on May 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7128. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Airbus Model A300 B2 and B4 Series Airplanes; Equipped with General Electric CF6-50 Engines" ((RIN2120-AA64)(2002-0228)) received on May 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7129. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Hartzell Propeller, Inc. Compact Series Propellers" ((RIN2120-AA64)(2002-0218)) received on May 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7130. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Honeywell International, Inc. Former Military T53 Series Turbohaft Engines" ((RIN2120-AA64)(2002-0219)) received on May 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7131. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Bombardier Model CL 600 2B16 (CL 601 3R and CL 604) Series Airplanes" ((RIN2120-AA64)(2002-0220)) received on May 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7132. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Airbus Model A330 and A340 Series Airplanes" ((RIN2120-AA64)(2002-0224)) received on May 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7133. A communication from the Program Analyst of the Federal Aviation Ad-

ministration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: McDonnell Douglas Model DC-9 81, 82, 83, and MD 88 Airplanes" ((RIN2120-AA64)(2002-0214)) received on May 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7134. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Pratt and Whitney 4000 Series Turbofan Engines" ((RIN2120-AA64)(2002-0215)) received on May 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7135. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Cessna Aircraft Company Model CESSNA 441 Airplanes" ((RIN2120-AA64)(2002-0216)) received on May 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7136. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: CFC Company Model CFE738-1-1B Turbofan Engines" ((RIN2120-AA64)(2002-0217)) received on May 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7137. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Airbus Model A319, 320, 321, 330, and 340 Series Airplanes" ((RIN2120-AA64)(2002-0212)) received on May 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7138. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: General Electric Company CF6 80A, 80C2, and 80E1 Series Turbofan Engines" ((RIN2120-AA64)(2002-0213)) received on May 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7139. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: McDonnell Douglas Model DC 9 31 Airplanes" ((RIN2120-AA64)(2002-0211)) received on May 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7140. A communication from the Program Analyst of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: General Electric Company GE90 Series Turbofan Engines; CORRECTION" ((RIN2120-AA64)(2002-0209)) received on May 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7141. A communication from the Administrator of the Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "New Entrant Safety Assurance Process" ((RIN2126-AA59)) received on May 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7142. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Boeing Model 737-600, 700, 700C Series Airplanes" ((RIN2120-AA64)(2002-0210)) received on May

16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7143. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Green Bay, WI" ((RIN2120-AA66)(2002-0083)) received on May 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7144. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class D and Class E Airspace; Mosinee, WI" ((RIN2120-AA66)(2002-0082)) received on May 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7145. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Federal Airway V-220; NE" ((RIN2120-AA66)(2002-0086)) received on May 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7146. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Boyceville, WI" ((RIN2120-AA66)(2002-0078)) received on May 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7147. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Manistee, MI" ((RIN2120-AA66)(2002-0079)) received on May 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7148. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class D and E Airspace; Bloomington, IL" ((RIN2120-AA66)(2002-0084)) received on May 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7149. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Lake Geneva, WI" ((RIN2120-AA66)(2002-0075)) received on May 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7150. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Winona, MN" ((RIN2120-AA66)(2002-0076)) received on May 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7151. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Walhalla, ND" ((RIN2120-AA66)(2002-0077)) received on May 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7152. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; St. James, MN" ((RIN2120-AA66)(2002-0072)) received on May 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7153. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule

entitled "Modification of Class D Airspace; Columbus, OH" ((RIN2120-AA66)(2002-0073)) received on May 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7154. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Greenville, MI" ((RIN2120-AA66)(2002-0074)) received on May 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7155. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class E Airspace; Greely, CO; CORRECTION" ((RIN2120-AA66)(2002-0068)) received on May 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7156. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Realignment of Federal Airway V-385; TX" ((RIN2120-AA66)(2002-0069)) received on May 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7157. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Daggett, CA" ((RIN2120-AA66)(2002-0070)) received on May 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7158. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class D Airspace; Greenville Donaldson Ctr, SC" ((RIN2120-AA66)(2002-0071)) received on May 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7159. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments (114); Amdt. No. 3001" ((RIN2120-AA65)(2002-0031)) received on May 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7160. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments (51); Amdt. No. 3004" ((RIN2120-AA65)(2002-0030)) received on May 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7161. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments (56); Amdt. No. 3003" ((RIN2120-AA65)(2002-0023)) received on May 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7162. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "IFR Altitudes; Miscellaneous Amendments (8); Amdt. No. 435" ((RIN2120-AA63)(2002-0003)) received on May 16, 2002; to the Committee on Commerce, Science, and Transportation.

EC-7163. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Relief for Participants in Oper-

ation Enduring Freedom" (RIN2120-AH58) received on May 16, 2002; to the Committee on Commerce, Science, and Transportation.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS ON MAY 17, 2002

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. COLLINS:

S. 2531. A bill to amend the Public Health Service Act to authorize the Commissioner of Food and Drugs to conduct oversight of any entity engaged in the recovery, screening, testing, processing, storage, or distribution of human tissue or human tissue-based products; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHUMER:

S. 2532. A bill to amend the Federal Meat Inspection Act and the Poultry Products Inspection Act to improve the safety of meat and poultry products; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. SMITH of Oregon (for himself and Mrs. FEINSTEIN):

S. 2533. A bill to amend title II of the Social Security Act to provide for miscellaneous enhancements in Social Security benefits, and for other purposes; to the Committee on Finance.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS ON MAY 17, 2002

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. NELSON of Florida:

S. Res. 272. A resolution expressing the sense of the Senate regarding the success of the Varela Project's collection of 10,000 certified signatures in support of a national referendum and the delivery of these signatures to the Cuban National Assembly; to the Committee on Foreign Relations.

By Mr. HATCH (for himself, Mr. DORGAN, Mr. INOUE, Mr. CORZINE, Mr. JOHNSON, Ms. CANTWELL, Mr. BREAU, Mr. INHOFE, Mr. FRIST, Mr. EDWARDS, Ms. COLLINS, Mr. TORRICELLI, Ms. SNOWE, Mr. CAMPBELL, Mr. BUNNING, Mr. VOINOVICH, Mr. MURKOWSKI, Mr. BAUCUS, Mr. AKAKA, Ms. MIKULSKI, Mr. KERRY, Mr. BAYH, Mr. JEFFORDS, Mr. DURBIN, Mrs. MURRAY, Mr. BINGAMAN, Mr. SARBANES, Ms. STABENOW, Ms. LANDRIEU, Mrs. CARNAHAN, Mr. DAYTON, Mrs. HUTCHISON, Mrs. CLINTON, Mr. LEAHY, Mr. GRAHAM, Mr. MILLER, Mr. CLELAND, Mr. WELLSTONE, Mr. WYDEN, Mr. THOMAS, Mr. SCHUMER, Mrs. FEINSTEIN, Mr. BENNETT, Mr. GRASSLEY, Mr. DEWINE, Mr. FEINGOLD, Mr. THURMOND, Mr. BROWNBACK, Mr. BOND, Mr. CHAFEE, Mr. ROCKEFELLER, Mr. LIEBERMAN, Mr. SMITH of Oregon, Mr. LEVIN, and Mr. DASCHLE):

S. Con. Res. 112. A concurrent resolution expressing the sense of Congress regarding the designation of the week beginning May 19, 2002, as "National Medical Services Week"; considered and agreed to.

By Mrs. CLINTON:

S. Con. Res. 113. A concurrent resolution recognizing and supporting the efforts of the State of New York to develop the National Purple Heart Hall of Honor in New Windsor, New York, and for other purposes; to the Committee on Armed Services.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS ON MAY 20, 2002

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon) as indicated:

By Mr. NELSON of Florida:

S. Res. 272. A resolution expressing the sense of the Senate regarding the success of the Varela Project's collection of 10,000 certified signatures in support of a national referendum and the delivery of these signatures to the Cuban National Assembly; to the Committee on Foreign Relations.

By Mr. BROWNBACK (for himself and Mr. KENNEDY):

S. Con. Res. 114. A concurrent resolution expressing the sense of Congress regarding North Korean refugees who are detained in China and returned to North Korea where they face torture, imprisonment, and execution; to the Committee on Foreign Relations.

## ADDITIONAL COSPONSORS

S. 948

At the request of Mr. LOTT, the name of the Senator from Missouri (Mrs. CARNAHAN) was added as a cosponsor of S. 948, a bill to amend title 23, United States Code, to require the Secretary of Transportation to carry out a grant program for providing financial assistance for local rail line relocation projects, and for other purposes.

S. 1707

At the request of Mr. JEFFORDS, the name of the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of S. 1707, a bill to amend title XVIII of the Social Security Act to specify the update for payments under the medicare physician fee schedule for 2002 and to direct the Medicare Payment Advisory Commission to conduct a study on replacing the use of the sustainable growth rate as a factor in determining such update in subsequent years.

S. 1712

At the request of Mr. GRASSLEY, the name of the Senator from Arkansas (Mr. HUTCHINSON) was added as a cosponsor of S. 1712, a bill to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants, and for other purposes.

S. 1785

At the request of Mr. CLELAND, the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of S. 1785, a bill to urge the President to establish the White House Commission on National Military Appreciation Month, and for other purposes.

S. 1867

At the request of Mr. LIEBERMAN, the name of the Senator from New Jersey (Mr. CORZINE) was added as a cosponsor of S. 1867, a bill to establish the National Commission on Terrorist Attacks Upon the United States, and for other purposes.

S. 1967

At the request of Mr. KERRY, the name of the Senator from New York



(Mrs. CLINTON) was added as a cosponsor of S. 1967, a bill to amend title XVIII of the Social Security Act to improve outpatient vision services under part B of the medicare program.

S. 2051

At the request of Mr. REID, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 2051, a bill to remove a condition preventing authority for concurrent receipt of military retired pay and veterans' disability compensation from taking effect, and for other purposes.

S. 2246

At the request of Mr. DODD, the name of the Senator from Missouri (Mrs. CARNAHAN) was added as a cosponsor of S. 2246, a bill to improve access to printed instructional materials used by blind or other persons with print disabilities in elementary and secondary schools, and for other purposes.

S. 2480

At the request of Mr. LEAHY, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S. 2480, a bill to amend title 18, United States Code, to exempt qualified current and former law enforcement officers from state laws prohibiting the carrying of concealed handguns.

S. 2509

At the request of Mrs. HUTCHISON, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 2509, a bill to amend the Defense Base Closure and Realignment Act of 1990 to specify additional selection criteria for the 2005 round of defense base closures and realignments, and for other purposes.

S. RES. 185

At the request of Mr. ALLEN, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. Res. 185, a resolution recognizing the historical significance of the 100th anniversary of Korean immigration to the United States.

S. CON. RES. 109

At the request of Mr. CHAFEE, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. Con. Res. 109, a concurrent resolution commemorating the independence of East Timor and expressing the sense of Congress that the President should establish diplomatic relations with East Timor, and for other purposes.

AMENDMENT NO. 3431

At the request of Mr. KERRY, his name was added as a cosponsor of amendment No. 3431 proposed to H.R. 3009, a bill to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes.

## STATEMENTS ON SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 272—EX- PRESSING THE SENSE OF THE SENATE REGARDING THE suc- CESS OF THE VARELA PROJECT'S COLLECTION OF 10,000 CERTIFIED SIGNATURES IN SUP- PORT OF A NATIONAL REF- ERENDUM AND THE DELIVERY OF THESE SIGNATURES TO THE CUBAN NATIONAL ASSEMBLY

Mr. NELSON of Florida submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 272

Whereas Article 88 of the Cuban Constitution states that the Cuban National Assembly should schedule a national referendum if it receives the verified signatures of 10,000 legal voters;

Whereas on May 10, 2002, a group of Cuban citizens led by Oswaldo Paya delivered 11,020 verified signatures to the Cuban National Assembly in support of a referendum;

Whereas Mr. Paya's petition drive is inspired by the 19th-century priest and Cuban independence hero, Padre Felix Varela, and is known as the Varela Project;

Whereas the Varela Project seeks a referendum on civil liberties, including freedom of speech, amnesty for political prisoners, support for private business, a new electoral law, and a general election;

Whereas the Varela Project is supported by 140 opposition organizations in Cuba and has received no money or support from foreign citizens or foreign governments;

Whereas the Varela Project is the largest petition drive in Cuban history;

Whereas the Varela Project seeks amnesty for all of those who have been detained, sanctioned, or jailed for political motives and who have not participated in acts directly threatening the lives of others;

Whereas the Varela Project seeks to guarantee citizens the right to form private businesses, to carry out economic activities that could be productive and of service, and to establish contracts between workers and businesses for the development of these businesses in fair and just conditions so that no one may obtain profits by exploiting the work of others;

Whereas the Varela Project is a step in moving Cuba toward achieving international standards for human rights;

Whereas the goal of United States policy in Cuba is to promote a peaceful transition to democracy through an active policy of supporting the forces of change on the island; and

Whereas the Varela Project is engaged in the promotion of a peaceful transition to democracy in Cuba: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the constitutional right of the citizens of Cuba who have signed the Varela Project to petition the Cuban National Assembly for a referendum;

(2) calls on the Cuban government to accept the Varela Project petition and, in accordance with its obligation under Article 88 of the Cuban Constitution, to hold a referendum on civil liberties, including freedom of speech, an amnesty for political prisoners, support for private business, a new electoral law, and a general election;

(3) praises the bravery of Oswaldo Paya and his colleagues in collecting 11,020 verified signatures in support of the Varela Project;

(4) calls on the Cuban government to provide its citizens with internationally accepted standards for civil and human rights, and the opportunity to vote in free and fair elections;

(5) urges the President and his representatives to take all appropriate steps to support the Varela Project and any future efforts by the Cuban people to assert their constitutional right to petition the National Assembly in support of a referendum; and

(6) urges the President to pursue an action-oriented policy of directly assisting the Cuban people and independent organizations to strengthen the forces of change and to improve human rights in Cuba.

SEC. 2. The Secretary of the Senate shall transmit a copy of this resolution to the President.

### SENATE CONCURRENT RESOLU- TION 114—EXPRESSING THE SENSE OF CONGRESS REGARD- ING NORTH KOREAN REFUGEES WHO ARE DETAINED IN CHINA AND RETURNED TO NORTH KOREA WHERE THEY FACE TOR- TURE, IMPRISONMENT, AND EXE- CUTION

Mr. BROWNBACK (for himself and Mr. KENNEDY) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 114

Whereas the Government of North Korea is one of the most oppressive regimes and was identified by the President of the United States as one of the three countries forming an "axis of evil";

Whereas the Government of North Korea is controlled by the Korean Workers Party, which does not recognize the right of North Koreans to exercise the freedoms of speech, religion, press, assembly, or association;

Whereas the Government of North Korea imposes severe punishments for crimes such as attempted defection, slander of the Korean Workers Party, listening to foreign broadcasts, possessing printed matter that is considered reactionary by the Korean Workers Party, and holding prohibited religious beliefs;

Whereas at least 1,000,000 North Koreans are estimated to have died of starvation since 1995 because of the failure of the centralized agricultural system operated by the Government of North Korea and because of severe drought;

Whereas the combination of political, social, and religious persecution, economic deprivation, and the risk of starvation in North Korea is causing many North Koreans to flee to China;

Whereas between 100,000 and 300,000 North Korean refugees are estimated to be residing in China without the permission of the Government of China;

Whereas the Governments of China and North Korea have reportedly begun aggressive campaigns to locate North Koreans who reside without permission in China and to forcibly return them to North Korea;

Whereas North Koreans who seek asylum in China and are refused, are returned to North Korea where they have reportedly been imprisoned and tortured, and in many cases killed;

Whereas the United Nations Convention Relating to the Status of Refugees of 1951, as modified and incorporated by reference by the Protocol Relating to the Status of Refugees of 1967, defines a refugee as a person who "owing to well-founded fear of being

persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country";

Whereas despite China's obligations as a party to the United Nations Convention Relating to the Status of Refugees of 1951 and the Protocol Relating to the Status of Refugees of 1967, China routinely classifies North Koreans seeking asylum in China as "economic migrants" and returns the refugees to North Korea without regard to the serious threat of persecution they will face upon their return;

Whereas the Government of China is party to the United Nations Convention Relating to the Status of Refugees of 1951 and the Protocol Relating to the Status of Refugees of 1967 and must respect the term of these agreements;

Whereas in recent weeks, Chinese authorities have increased security around diplomatic properties and reportedly have stepped up detentions of North Koreans hiding in the country, in response to 28 North Koreans seeking asylum who rushed several foreign embassies;

Whereas on May 9th, eight North Koreans seeking political asylum rushed the United States and Japanese consulates in the northeastern Chinese city of Shenyang, including three who scaled a wall and made it into the United States mission; and

Whereas Chinese police captured the other five, including a toddler, allegedly by entering the Japanese Consulate compound without permission, and dragging five people out, in clear violation of the provisions of the Vienna Convention on Consular Relations ensuring the inviolability of consular missions: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That Congress encourages—*

(1) the Government of China to honor its obligations under the United Nations Convention Relating to the Status of Refugees of 1951, as modified and incorporated by reference by the Protocol Relating to the Status of Refugees of 1967, by—

(A) making genuine efforts to identify and protect the refugees among the North Korean migrants encountered by Chinese authorities, including providing the refugees with a reasonable opportunity to petition for asylum;

(B) allowing the United Nations High Commissioner for Refugees to have access to all North Korean asylum seekers and refugees residing in China;

(C) halting the forced repatriations of North Korean refugees seeking asylum in China; and

(D) cooperating with the United Nations High Commissioner for Refugees in efforts to resettle the North Korean refugees residing in China to other countries;

(2) the Government of China to permit access to the United Nations High Commissioner for Refugees in order to evaluate the asylum claims and to facilitate the resettlement of the North Korean refugees residing in China in other countries; and

(3) the United States Government to consider asylum claims and refugee claims of North Koreans arising from a well-founded fear of persecution.

Mr. BROWBACK. Madam President, I appreciate the opportunity to speak a few minutes ahead of the Republican time. I want to draw my colleagues' attention to an issue Senator KENNEDY and I are working on together and that is increasing in importance and focus.

And that is what is taking place in North Korea and its border with China.

We have in that area approximately 150,000 to 300,000 North Korean refugees who have fled North Korea and the very oppressive regime there and are now being hunted down and sent back to North Korea to prison camps, to, in some cases, death and other circumstances that are horrible that may be just short of death in North Korea.

I want to outline what is taking place and a couple of action items this body can take up.

If a picture is worth 1,000 words, this picture says it all. On May 9, eight North Koreans were rushed inside the United States and Japanese consulates in Shenyang in northeastern China some 125 miles from the North Korean border. Five of those sought refuge in the Japanese consulate, including this 2-year-old girl who has the beautiful pigtails and in any other sitting you might think is cute—she is cute in this one as well—sought refuge in the Japanese consulate. They were forcibly removed from inside the consulate compound by the Chinese paramilitary security forces—two of whom you see arresting this girl's mother and why she is crying—and placed in Chinese police detention.

This morning's news came out that a Korean-American pastor had been detained by Chinese authorities for protecting 14 North Korean orphans in this same area.

Pastor Joseph Choi, 47, an American citizen, was detained in Yanbian, northeastern China, on May 9 along with 14 North Korean children. He was protecting these 14 orphans and providing them food and shelter. He was arrested, and that news came out this morning.

As you may know, the facts regarding this particular child and her family are at dispute, although the videotape of the incident, which I have reviewed, leaves no doubt that the Chinese authorities trespassed on the Japanese consulate compound. Chinese authorities allege that these five persons in Shenyang never made it inside the Japanese consulate compound. Once inside that compound, this is Japanese sovereign territory. They said the consulate had requested that the Chinese security forces remove the asylum seekers. Japanese consulate officials deny these allegations. A videotape filmed by a Japanese journalist documents their entry into the Japanese consulate compound and the forcible removal that took place.

Tokyo has demanded that Beijing apologize, release the detainees, and assure safe passage for these asylum-seekers and a promise that such intrusions won't happen again. As of this morning, China continues to detain the five individuals including the 2-year-old child, including the pastor and 14 other orphans.

A large-scale problem exists of North Koreans fleeing political and religious oppression and starvation and seeking

refuge in northeastern China. There are an estimated 150,000 to 300,000 North Korean refugees living illegally in China. China has a treaty with North Korea under which China agrees to view these individuals as illegal immigrants or "economic migrants" and to send them back, without consideration of the persecution they may face upon their return. The Chinese Government refuses to permit the UNHCR to screen fleeing North Koreans to determine whether they deserve political asylum. Furthermore, under Chinese law, anyone aiding a fleeing North Korean is subject to a fine, and bounties are paid to Chinese citizens who turn in North Koreans to the Chinese authorities—bounty hunting.

Since the end of April, Chinese authorities have increased the use of the People's Armed Police, a paramilitary security force guarding foreign diplomatic properties, in order to thwart further asylum attempts. An estimated 312 North Koreans have defected to South Korea to date.

The United States is the leading donor of food to North Korea, which cannot feed its 22 million people. American negotiators should insist on assurances that this aid is reaching those most in need.

Since 1995, the United States has provided more than \$500 million in food and other commodities to North Korea—up to 350,000 metric tons of food each year. This year this aid is down to 155,000 metric tons because of demands for aid in Afghanistan; other countries are also sending less to North Korea. But American deliveries of food and fuel remain critical to Pyongyang.

More than 2 million North Koreans are reported to have died from starvation and related diseases between 1994 and 1998, and large pockets of hunger and starvation remain. At least 40 percent of children under 5 are malnourished, according to the World Food Program, a United Nations agency.

No one really knows, however, how much donated food is diverted to the North Korean military, police, Communist Party officials, essential workers, and those loyal to the regime. The World Food Program argues that food aid is not going to the military because the military has the first cut from national harvests. But the agency has no evidence because there is no independent monitoring of donated food.

In the coming negotiations, the United States should insist upon unrestricted access to all areas of the country where food is delivered. It should require lists of the actual institutions to which food and medicines are going and uncontrolled access for the World Food Program. It should press the North Korean Government to allow international aid groups to set up feeding stations of their own that are accessible to all hungry North Koreans.

More importantly, the precarious situation of the North Koreans who have crossed into China should also be on

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 "Worst 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. . 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