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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:

Loving Father, You know us as we really are. You see beneath the polished surface of our projected adequacy. You know our true needs. The great need, at the core of all our needs is to truly experience Your presence. We need You, dear God. It is our most profound joy to know that the desire to know, love, and serve You today is the result of Your hand upon our shoulders. You motivate the desire to pray because You delight in us when we desire You above all else. More than anything You can give us or do for us, we long to live in communion with You. Our spirituality is what we do with our yearning. In this moment of honest prayer, we turn over to You the longings of our hearts; everything from our most personal anxieties to our relationships and responsibilities. How wonderful it is to know that You have motivated us to pray because You have solutions and resolutions for our most complex problems.

Bless the Senators today with an engaging conversation with You. Thank You that You are ready to give the guidance, wisdom, and vision that will be required in each hour. Go before them to show the way, reside in their minds to provide power, and replenish their assurance that what You have called them to do is the people's business in Government. This is the day You have made; we will rejoice and be glad in You! 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 Repub-

lic 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, April 29, 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.

RESERVATION OF LEADER TIME

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

ANDEAN TRADE PREFERENCE ACT—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now resume consideration of the motion to proceed to H.R. 3009, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed 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.

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

Mr. REID. Madam President, today, as the Chair has announced, we are once again on the Andean trade legislation. We have a vote tonight at 6

o'clock on invoking cloture on the motion to proceed to this legislation. The time until 6 p.m. is equally divided between the proponents and opponents on the motion to proceed. The reports we have received are that it does not appear there will be a lot of debate prior to this vote tonight, although there are a few Members who wish to speak. There will be about 5 hours for debate, and it appears at this time that there will not be a lot of speakers.

Unless my friend from Wyoming has a statement, I suggest the absence of a quorum, and I ask that the time for the quorum call be charged equally against both sides.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. THOMAS. Madam President, I wish to speak on the bill before us.

At 6 o'clock, as my friend from Nevada mentioned, we will be voting on the motion to proceed to one of the more important bills before us this year. I am glad we have some opportunity to talk about this legislation.

H.R. 3009 is the vehicle on which the Senate will be voting as to whether or not the Senate will proceed to three bills—the Trade Promotion Act, the Trade Adjustment Act, and the extension of the Generalized System of Preferences. I wish to focus on what I believe to be the more critical issue, and that is the Trade Promotion Act.

This is often called fast track. It is designed to give us a system to bargain, if you will, and negotiate treaties with other countries, hopefully to the benefit of the United States. I believe it is very critical to our economic future.

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



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While other nations are negotiating treaties—and have been for some time—to open markets and strengthen their economies, the United States during these negotiations has been on the sidelines. Of the 134 free trade agreements in force, the United States is only party to 3. Mexico has signed 28 agreements. One-third of the world's exports are covered by the European Union's trade and customs agreements, where ours is less than 11 percent.

Since the authority for the President expired in 1994, the rest of the world has gone forward seeking to make trade agreements that are favorable to their countries. We have not been able to do that.

The TPA bill passed the Finance Committee 18 to 3, and, of course, has passed the House. I think it provides a reasonable solution to where we ought to be and where we need to be. All of us are concerned that trade be fair, that it be equitable, that it gives us the best opportunities it can, but that there is trade. Trade is there and billions of dollars move around the world every day.

We need to make sure our trade is as favorable as it can be and we are in step with the rest of the world in terms of being able to do that fairly.

President Bush said earlier it is important for America to understand we are good at what we do. We can compete with anyone in the world. We have the most productive workforce on the face of the Earth. Therefore, let us open our markets to sell our products. He asked the Senate to give him the ability to do that.

As I mentioned, the Trade Promotion Act expired in 1994 and we have sort of stood on the sidelines ever since. In December, the House passed a bipartisan trade promotion bill. The Senate Finance Committee then moved fairly quickly. I was fortunate enough, as was the Presiding Officer, to be a part of that and listened to that debate. It passed 18 to 3 to move it on and to do the things we want to do.

Certainly, there is room for discussion about trade and trade agreements. We have different views of it, depending a little on where we are and what we do at the time, but the fact is that trade agreements are very important to us. They expand markets for U.S. goods and services. They create higher paying jobs in America for those kinds of things that are exported. They give us a chance to show our productivity and our efficiency in doing the things we do well. So it tends to invigorate our economy, and certainly now is a time when we want to do that.

The absence of trade opportunities has created sort of an invisible tax on America that we pay whenever we shop. Better trade deals and lower tariffs can boost savings even higher, and I think it is time we do that.

Trade is essential, of course, to America's economy and our growth and our prosperity. Exports accounted for more than one-fourth of all economic

growth in the 1990s. The jobs that are dependent on exports are estimated to be 13 to 18 percent higher than the national average. One-tenth of American workers, 12 million, are in jobs that depend on exports. So we need to think long and hard about the process we use.

Fast track sounds as if we are giving all the authority to the President to make these decisions, but that is not the case. What we are doing is setting up a system which allows the President and his people to do the negotiations within guidelines that are set in the bill, and then bring the results of those negotiations back to the Congress. The Constitution provides that the Congress deal with those Federal trade issues.

So as I mentioned before, a lot of these have been going on while we have not been able to do much about it, and the impact is fairly simple. One example is a \$187,000 Caterpillar tractor made in America and shipped to Chile is slapped with a \$13,000 trade tariff. The same tractor made in Brazil and sold to Chile is \$3,000. The same tractor made in Canada and shipped to Chile, there is no tariff. So in terms of being able to compete, in terms of being able to be part of world trade, without an agreement and a system to bring in these kinds of things, we are left on the sidelines to some extent.

Trade is good for American farmers and ranchers. We have had several meetings and a couple of news conferences on agriculture. One in every three acres in this country is planted for exports. American farmers exported about \$55 billion in agricultural products last year. Almost a third, nearly 40 percent, of agricultural products go into exports.

I understand different commodities are different and have different impacts, but, nevertheless, overall agriculture is certainly a valuable tool and one we have to have to have a strong economy. The same is true of small business. The same is true, of course, of all we do in the world.

Our relationships and our leadership, at least in part, have to do with the economic arrangements we have and our economy. The trade promotion authority is the one we are really looking at.

I mentioned it passed the House. It was a very close vote, as a matter of fact, but it was passed on and the committee has dealt with that. It would renew the trade agreement authority that expired in 1994.

Basically, it falls in two categories: the President's authority to proclaim changes in tariffs resulting from negotiations of reciprocal trade agreements and, two, procedures for implementing the provisions of these agreements which entail changes in U.S. law.

These procedures are commonly known as fast track, and they require an up-or-down vote of the Congress. It seems to me that is a reasonable thing. I cannot imagine 535 individuals trying to come up with some kind of trade ne-

gotiation. That does not work. So we have to delegate that and then have the overview of it in the Congress. That is basically what this does.

The key provisions include establishing the objectives of negotiations. Obviously, when we negotiate for the United States and the U.S. representatives, the purpose is to get as good a deal as we can possibly get for our country. There are congressional guidelines to the President. It requires Presidential consultation with the Congress before, during, and after trade negotiations. So, again, it is not something that is apart from but is done in a particular way. It creates a congressional oversight group, a broad-based bipartisan organization, that has oversight of what is going on and can report and give information to the Congress. It is designed to do that.

So the Congress is very much involved. That is the key now. The way this is happening is what is called the Trade Adjustment Act. That is the bill that is before us with these other two that will be coming a part of that. One of them is Andean trade, which is a specific trade agreement set forth to work with States in South America. We, again, do not have agreements with them. One of them is Colombia where we are seeking to try to make some changes, of course. Another is Bolivia, Ecuador, and Peru. So this is one of the bills addressing that.

Then the trade adjustment authority is the one that has been in effect before. It has expired. It provides programs for employees who have felt the impact of trade agreements, such as the loss of jobs and the loss of their businesses. Financial trading and assistance has been available to firms and companies, and for displaced workers who face significant adjustments.

I always think about agriculture. Years ago, farmers and ranchers lived on the ranch and provided almost everything for themselves: clothing and food. They built their own houses. They did all of those things. Then as things changed we sought to do the things we do best and make our profits there and then buy from other people what they do best. That is sort of what happens in trade.

The new provision, however, is designed to go much further than what it did in the past, and I suspect this will be the controversial aspect of this negotiation in which there is a tendency on the part of particularly the folks on the other side of the aisle to bring forth a program that will be permanent, such as financing COBRA, where the insurance can be extended that one had with their company, paying for 75 percent of it from Government funds, and developing a permanent program where we are really looking for some rather short-term assistance until these folks can readjust or perhaps get rehired.

So that is kind of where we are. Certainly this is one of the issues the President has talked about a great deal

in terms of our economy and in terms of all the many things that affect us. This has been one of his highest priorities.

I have to say, despite some of the conversation that goes on, the President's priorities have done rather well in terms of taxes, in terms of energy, and I think this is another one that must necessarily be handled and put into place.

Trade promotion is critical to our economic future. The President needs the authority to extend and expand our international trade capacities. Trade negotiators need legislation to ensure they are afforded a seat at the negotiation table.

I have already mentioned that many of these negotiations have gone on without us. This bill provides a reasonable and effective procedure for congressional consultation and involvement. It avoids establishing unwarranted mandates that would adversely affect the negotiating authority of the President. It ensures that the laws of the United States are maintained and protected.

I suspect this will be somewhat controversial. Each of us will have some of our parochial feelings about it. Wyoming is very involved in agriculture. Trade is important to Wyoming agriculture. It is important to beef, wool, wheat, and lamb. We have been through this. But TPA will provide the negotiators a chance to reduce those barriers and get us a better seat at the table.

Despite our relationship with Japan, I think there is still about a 40-percent tariff on beef. That is a high tariff in Japan. We need to work at reducing those tariffs because, for agriculture, one of the best futures we have is the opportunity to expand markets beyond our domestic market.

I look forward to this debate and discussion, and, frankly, I look forward to finishing the discussion this week so we can get on with protecting our markets and making our economy even stronger.

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.

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

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

MESSAGE ON EDUCATION

Mr. REID. Madam President, we speak frequently of Nevada's security needs. We speak frequently of the security needs of every State in the Union, especially after September 11. We speak frequently of American security needs, and understandably so. But we should also realize that the strength and security of our Nation require

more than bombs and bullets and our brave men and women in uniform.

The future of our country will also be determined by our children and our grandchildren and how they are going to be educated. I believe we have a high priority for America to educate our children, making sure that all children have the tools and opportunity to succeed.

Nevada is similar to almost every State in the Union with regard to educational needs today. However, we also have unique problems. In the Las Vegas area, the Clark County School District is the sixth largest school district in America with 240,000 kids. We have built 18 new schools in 1 year to keep up with the growth.

In other parts of the State, teachers have been laid off because the population growth was not as rapid and there are fewer people living there. Jobs have been cut back, especially in places where mining is so important. Mines have been cut back.

The things I hear about education in Nevada I think can be applied all over the country. For example, a couple of weeks ago two women came to visit with me. They are schoolteachers in Nevada, one representing Las Vegas and one representing Reno. They specialize in educating kids who are really smart. They were here to tell me of the cutbacks in programs in both the Reno and Las Vegas areas. These children have IQs of more than 130. Those programs for smart kids in Clark County are basically gone. In Reno we still have some, but not as many as they should have.

In Nevada, the high school dropout rate is very high—one of the highest in the country. Twenty-seven percent of the children who drop out of high school in Clark County have IQs of more than 130. Think about that. The smart kids have no programs for their interests. They are geniuses. Anyone with an IQ that high is really smart. With all the cutbacks in funding for IDEA—a program for kids with special needs—we do not have the ability in Nevada and other parts of the country to educate those children.

Think about that—27 percent of the kids dropping out of high school in the sixth largest school district in America. That school district is one of leaders in high school dropouts. They are geniuses.

Often, education—especially elementary and secondary education—is viewed as a local issue because most decisions are made by local leaders, school boards, principals, teachers, and parents, as it should be. But the Federal Government should and does play an important role in helping to educate America's children.

One of the high points of my congressional service was when we joined together on a bipartisan basis to pass an education bill. We agreed to work to improve the quality of education in America's public schools. We worked in a bipartisan manner to reauthorize the

ESEA. We passed a strong educational reform program that requires States to set high standards for every student, to strengthen Federal incentives to boost low-performing schools, and to significantly improve educational achievement. We even gave the legislation a catchy name—the No Child Left Behind Act.

Unfortunately, though, the President has not lived up to what I thought was the bipartisan spirit of the legislation we passed. We need to not only authorize legislation but we need to appropriate money for it.

Less than a month after signing this bill, the President proposed a budget which cuts almost \$100 million in funding for the No Child Left Behind Act. In addition to that—in effect, rubbing salt into the wound—we learned that the President wants to squeeze \$1.3 billion from the Federal student loan program that helps millions of college students, recent graduates, and their families. Actions speak louder than words. This administration should want to do more than just talk about education.

This administration can't claim to be committed to education while simultaneously making it more difficult and more expensive for students to pay for their college education.

What am I talking about? I am talking about the administration's recent pronouncement regarding Federal loan programs. Millions and millions of poor and middle-income students rely on student loans to pay for their education. Without these loans, these children and young adults would be left behind.

Currently, students and recent graduates can consolidate their loans and repay their debts with a fixed interest rate. The President's plan, however, would force students and graduates to pay thousands of dollars more by subjecting them to a variable interest rate.

What does this mean? It means you would borrow money and never know what the interest rate was going to be. You wouldn't be able to consolidate the loans. When students go to college and to graduate school, or a professional school, when they graduate and want to consolidate their loans, they should be able to do that and have one interest rate. The President is suggesting they can't do that anymore.

To be competitive in the future and remain in our leadership position with schools and colleges, America needs to encourage and support students seeking higher education.

People can quibble about public education. I am a great proponent of public education. About 95 percent of all kids in America go to public schools. There is some criticism due about the public education system—no question about that. But college education in this country is second to none.

Of the 131 top schools and colleges in the world, the United States has 124 of them. Colleges in America are the best. We have to maintain that superiority.

The plan the President has put forth would close the gates of college campuses to many students. In a global economy, and increasingly tied to information technology, we will depend more and more on workers with advanced training and skills.

This is more than a student going to college to become a teacher or a doctor or a lawyer or an engineer; it is young men and women getting out of high school and becoming automobile mechanics or working in the health care profession.

When I graduated from high school, if you wanted to be an automobile mechanic, you went to work at the corner service station and became a mechanic. It is not that way anymore. To be hired to be an automobile mechanic at a car dealership, you have to have a certificate indicating you have been properly trained. That is what will happen at our local community colleges. That is something of which we have to be aware, that young men and women who want to do this need to be able to borrow money to get an education.

A college degree, long seen as a ticket to financial success, is becoming a prerequisite for achieving the American dream. At the same time, students face even higher tuition costs. Attending a 4-year private university can cost up to \$40,000 a year. And even public universities are becoming too expensive for many students. Some students face double-digit percentage increases for tuition at State schools next year.

So we cannot allow this administration's plan to proceed as it deals with college loans because it would prevent many capable students from attending college. The administration's plan would also have a negative impact on those who have already attended college.

This month, millions of students will graduate from our Nation's colleges and universities. They and their families will be rightfully proud that they have earned a diploma. Yet they do not know what the true cost of their education will be, which they have largely financed with student loans. The President's plan will cost them thousands of dollars in additional interest payments.

Already, graduates are heavily burdened with student loan debt. As a consequence, they are often unable to pursue a job in the field of their choice and, instead, are forced to work in a higher paying job but a less personally fulfilling job, if they can find it.

There are wonderful young men and women who work in the Senate offices. They each work for one of us because they want to contribute to what they believe is a better society. They could go other places to work. I could pick lots of people from my office and use them as examples.

I have two people with Ph.Ds who work for me: One has a doctoral degree in physics and the other has a doctorate in geology from fine universities around America. They could work

other places and make more money, but they love what they are doing here. I am so happy they work for me. They owe money on student loans. So we have to make sure the plan suggested by this administration will not go forward.

I could pick as examples lots of university graduates who have worked for me. I could pick, as I mentioned, Dr. Greg Jaczko. I could pick Dr. Kai Anderson. But as an example here today, I am going to pick Shannon Eagan.

Shannon is from Las Vegas. She works on my staff, and she is really good. She does legislative correspondence. She also does legislative assistance work. She is intelligent, talented, ambitious, and interested in a career in public service. But she has to repay tens of thousands of dollars in student loans because her parents are not wealthy.

The President's plan would require her to pay thousands and thousands of dollars in addition to what she already owes. Of course, she fears that a relatively low-paying Government job such as she has will not enable her to meet these needs. She is considering, sadly, seeking a higher paying, private sector job, even though she likes what she is doing in her job.

If she leaves my staff, I will lose a valuable employee, the State of Nevada will not be helped as much as it could be, and the Senate will lose a valuable employee. I think it will have a detrimental effect on our country, a very small, but significant detrimental effect.

So we have to watch this very closely. There are hundreds of thousands of young Americans who face the same dilemma as Shannon. They want to dedicate themselves to serving our country as teachers or social workers or working in the Congress of the United States. But when they do the math—calculating their salary and their expenses, including their student loan payments—they discover it simply is not possible.

Since we need more bright, motivated people to work in these occupations, including being a teacher, this is really a double whammy on us. If education is truly a priority for this administration, they will drop this plan to raise the cost of student loans. We all must be aware of this. It affects millions of people, and we should do everything we can so the students get the benefit, not the banks.

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.

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

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

RECESS

Mr. REID. Madam President, I ask unanimous consent that the Senate stand in recess until 3:45 today and that the time be equally divided from that time until the vote at 6.

There being no objection, the Senate, at 1:58 p.m., recessed until 3:45 p.m. and reassembled when called to order by the Presiding Officer (Mr. NELSON of Nebraska).

The PRESIDING OFFICER. In my capacity as a Senator from Nebraska, I suggest the absence of a quorum.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. GRASSLEY. Mr. President, I wish to address my fellow Senators as in morning business for about 7 minutes.

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

MENTAL HEALTH PARITY MOVEMENT

Mr. GRASSLEY. Mr. President, I rise today to express my appreciation to President Bush for his commitment to bringing insurance parity to people with mental illness.

As a long time supporter of mental health parity legislation in the Senate, I found his statement today in New Mexico to be a breath of fresh air in a debate that has languished for too long here in Washington.

I will always believe that when it comes to health insurance coverage, mental illness should be treated like any physical ailment. Unfortunately, those suffering from mental health disorders have for years suffered undue discrimination at the hands of insurers who force them to pay higher costs than patients suffering from physical ailments.

I believe there simply is no scientific, clinical, fiscal or ethical reason for this discrimination.

I applaud President Bush for his commitment to ending it and leveling the health care playing field to require equal access to psychiatric treatment and care.

As President Bush pointed out today in New Mexico, people suffering from severe and persistent mental problems don't suffer alone. Their illness affects their families and loved ones, and even our country.

It is incredibly painful to watch someone you love struggle with an illness that affects their mind, their feelings and their relationships with others, and that difficulty is only exacerbated when care and treatment options are denied or placed out of reach due to high costs.

Remarkable treatments exist, yet many people—too many people in my

view—remain untreated because insurance discrimination limits their access.

I am glad the President has asked all Americans for a commitment to bridge the insurance divide between people who are physically and mentally ill. Americans with mental illness deserve our attention. I believe we can and should this year act on mental health parity legislation that bridges those coverage chasms and also controls new health care costs.

For my part, I intend to continue working with my friend and colleague, Senator DOMENICI, on this important issue to ensure that nondiscrimination is the law of the land. We can do this in a bipartisan, fiscally responsible way, and I look forward to getting it done this year.

I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

ANDEAN TRADE PREFERENCE ACT—MOTION TO PROCEED—Continued

Mr. HOLLINGS. Mr. President, with respect to calling up the Andean trade pact for debate, someone could immediately question why the delay, trying to hold up on the actual calling of the bill? There will be plenty of time to submit amendments. I do not know of a more serious topic that will be discussed this year in the Congress, and yet discussion should be two ways: Those who are ready to propose and propound, and those who are ready to object to and explain why this is not in the economic interest of the United States. It is a one-way street, though, as it appears, in the Senate.

The temptation is to have a live quorum so somebody can be talked to. This has been the typical treatment of trade in the United States now for the past several years. What really happens is those for the fast-track agreement work on the members to vote their way. By one vote, the House passed it, with what my friend from Arizona, Senator MCCAIN, would call pork—little favors here, little favors there. After the passage of NAFTA some 8 years ago in 1994, the New York Times ran a story of the 26 different favors done by President Clinton at that particular time to get NAFTA and fast track passed. I think it was Congressman Pickle, who got a cultural center down in Austin, TX; another Congressman got a round of golf; another Congressman got a round of golf personally with the President of the United States; another Congressman got two B-17 contracts, and so on. The New

York Times wrote of the 26 different votes that were changed.

There was only one important vote to change this particular time in the House. When it comes to the Senate Finance Committee, it is an easy fix. Once it is fixed and ready to be presented in the Senate, they withhold the presentation of the particular measure until they have 60 votes to make sure they can get cloture as they cut off debate, limit the amendments, and limit the time for each of the individual Senators. And since the Senators know the debate is limited and the vote is fixed, no one listens.

I have to express my gratitude to the distinguished Senator from Minnesota for coming because I do not know of a more important subject than this. While cloture is obtained later at 6 p.m. today, we will again try to withhold the actual finalizing of the debate with another cloture vote after we present some amendments.

The bottom line is, if one had to answer their opposition it would be difficult to do. They are putting out the Andean trade bill, combining it with the come-ons not only of fast track but trade adjustment assistance, and they put those amendments on and then pass it altogether. After they have bundled together various wants, namely trade adjustment assistance and the fast track which the White House wants; and, of course, the Andean trade bill which others interested in this particular hemisphere want, what happens then is they package together and get a bad deal for America.

I say that advisedly for the simple reason, we are exporting jobs faster than we can create them. What happens is that in trying to create them, we are really facing organized society politically, economically, financially, and otherwise, in the United States against us. It is a very interesting thing.

I think about my friend Robert Kennedy. I have had his desk for years in the Senate. Robert Kennedy came to political notoriety in a book called "The Enemy Within." He was writing about James Hoffa and organized labor.

Today I could write a book on the enemy within. Instead of labor, it is management. How does that occur? It occurs because 30 percent of production costs, 30 percent of volume, is in labor. In manufacturing, particularly, 20 percent of manufacturing costs can be saved by moving production or manufacturing offshore, to a low-wage country such as Mexico. If you have \$500 million in sales at a manufacturing facility, you can make \$100 million pretax profit by moving offshore. Just keep your executive office and your sales force in-country and move your production offshore and you have made yourself \$100 million. Or you can continue to work your own people and go bankrupt.

That is the job policy of the U.S. Government today. That is the job policy of the Senate. Who is supporting

this? The Business Roundtable, the Conference Board, the U.S. Chamber of Commerce, the National Association of Manufacturers, and the National Federation of Independent Business.

My friend, Tom Donohue, at the Chamber of Commerce, has it orchestrated where the five move in. I saw it with Y2K. Chicken Little, the sky was going to fall if we did not hurry and pass that particular provision to protect Silicon Valley. Of course, the Republicans and Democrats were fighting hard in the Silicon Valley to get their financial contributions. The fight was not to protect the computers. It was to protect the financial wherewithal of campaigns. They could care less about Main Street America. They are for offshore production, thereby the offshore creation of jobs outside of America.

There is more. I will never forget the debates we had with respect to textile bills in my time. We passed five textile bills through the Senate. One did not get past the House; the other four that did were all vetoed after the President, of course, promised to sign them. The President promised to sign them in my State, in the city of Greenville, the heart of textile industry. They forget about that.

I bought a shirt made in China and one made in New Jersey. I bought a catcher's mitt. One made in Korea and one made in Grand Rapids, MI. I showed that the markup on the imported article was much greater.

So the retailers are getting behind the movement of big business. Who follows behind? The newspapers. The retailers are seeing the newspapers hand out free trade, free trade, fast track, fast track. They are like parrots. The majority of the newspapers are for retail advertising. So they, in turn, join in. You ought to see how the special trade representatives are representing the Government in these giveaway programs. They have literally drained the jobs from the United States of America.

I was reading a book that has become required reading in the Washington area, "Theodore Rex," by Mr. Edmund Morris. He is describing the United States of America at the turn of the century, 100 years ago: The United States could consume only a fraction of what it produced.

More than half the world's cotton, corn, copper, and oil flowed from the American cornucopia, and at least one third of all steel, iron, silver, and gold. Current advertisements in British magazines gave the impression that the typical Englishman woke to the ring of an Ingersoll alarm, shaved with a Gillette razor, combed his hair with Vaseline tonic, buttoned his Arrow shirt, hurried downstairs for Quaker Oats, California Figs, and Maxwell House Coffee, commuted in a Westinghouse tram (body by Fisher), rose to his office in an Otis elevator, and worked all day with his Waterman pen under the efficient glare of Edison lightbulbs. "It only remains," one Fleet Street wag suggested, "for us to take American coal to New Castle."

Behind the joke lay real concern: The United States was already supplying

beer to Germany, pottery to Bohemia, and oranges to Valencia.

Now, instead of that Ingersoll alarm, we get that from Malaysia, Korea, or of course an expensive one from Switzerland. With respect to the Gillette razor, it comes from either Mexico or China. With respect to the Arrow shirt, we have bought those shirts out of China. And instead of the coffee, it is Brazilian or Colombian coffee. When they have mentioned that Westinghouse tram, I took the Acela, the fast Amtrak train the other day to New York, and found out it was made in Canada. When I got to Penn Station, I was sniffed by the dog from Czechoslovakia. The police dogs have been so over bred in the United States they have lost their smell propensities. So the dogs, now, for security, are imported from Czechoslovakia.

Now we have lost the watches, the cameras, the electronics. We are about to lose all the steel business and everything else. I could go down the list. We don't produce anything much to export, export, export as the fast track, fast track, fast track crowd will have us.

The fact is, more than half of what we consume today is imported. The majority of our consumption is imported articles, including furniture. I had to rebuild a house, and to my surprise I had to get furniture from the Philippines and Vietnam.

Yes, buy America, buy America. Well, I was a champion, still am, I hope, of trying to buy America, but I used to represent a bunch of automobile dealers. I think it was 20 some years ago, when I bought an American car, a Pontiac. I drove in front of my neighbor's place. He said:

How much did you pay for that car, Fritz?

I said:

I don't know, let me look at the sticker price.

As I looked at the sticker price—this was over 20 years ago it said—"Montreal, Canada." I had a foreign car. Why? Because automobile production had already moved across the border to save \$800 per health contract on each of its employees.

But the so-called high-tech industry was supposed to save us. That was the motor of growth. We tried to point out in one of those debates during the 1990s, here, in the last 10 years, when we had this wonderful growth, that it wasn't the motor of growth at all because 42 percent of Silicon Valley was on part-time, and one-third of the Microsoft employees had to sue Microsoft in order to get benefits. That was Senator Abraham, from Michigan, who was running around all over the Chamber for immigration, immigration, immigration.

Why? Because you can get the Indian trade, Indian production, those experts coming over from India and China at \$30,000 a year, maybe \$35,000 a year; they are just as good as any you could ever find in the United States of Amer-

ica. So they were cutting their costs. That is why. There was not any shortage, any need to retrain or everything else of that kind.

But let's complete the thought. We are in desperate circumstances. If I have to make one particular point, it is this: Your security as a nation rests, as it were, upon a three-legged stool. The first leg is the values we have as a nation—our stand for individual rights, democracy, freedom—is known and respected around the world. The second leg, the military, is unquestioned. But the economic leg has been fractured, and intentionally so.

You see, after World War II we had the only industrial production. Trying to rebuild Europe and bring the Pacific rim to capitalism versus communism in that cold war, we sent over the Marshall Plan. We sent over the expertise, we sent over the technology and the equipment—and we won. No one regrets it. Everyone is proud of it. We defeated them—capitalism defeated communism in the cold war.

I testified back in the 1950s before the old Tariff Commission when Tom Dewey, representing the Japanese, ran me around the hearing room saying: Why don't you let these Third World countries make the shoes and the clothing and we will make the airplanes and the computers?

Our problem is they make the shoes, the clothing, the airplanes, the computers, and everything else. Our manufacturers, our industrial giants, learned of this moving their manufacturing offshore to a lower wage country. As you and I sit here in the Senate, talking about the environment and our standard of living and safety and otherwise, before you can open up Nelson Manufacturing, you have to have a minimum wage, clean air, clean water, Social Security, Medicare, Medicaid, plant closing notice, parental leave, safe working place, safe machinery—I could go on and on.

You can go down for 90 cents an hour to Mexico and have none of those requirements. You are guaranteed a profit. If your competition goes, you have to go or go bankrupt.

So what is the problem? The problem is that they have all joined together, as I have described, to move the jobs out of the country, whereas you and I, as public servants, have the job of trying to create jobs.

I can see the President now, after 9-11, saying: What can we do with this crisis we are in? Take a trip, go to Disney World with your family, live normally—whatever.

I will tell you what we can do: Create a job. Give your neighbor a job. That is why I am on the floor of the Senate, trying to hold up this fast track so we can listen and learn just exactly what is in it.

Article I, section 8, of the Constitution says that the Congress—not the President, not the Supreme Court, but the Congress of the United States—shall regulate trade or foreign com-

merce. We are abdicating our responsibility. It is a fix. The agreement is made downtown on K Street and with the White House and their minions. That is what happens. The interests that come to their Representatives in the House of Representatives and the Senate are wasting their time. The Senators and the House Members have nothing to do with it. It is a done deal at the time it is proposed, when they make these lousy agreements that continue to drain the United States of its economic strength.

Other than draining us of our economic strength in that fashion, with a fixed vote, we ought to be on the floor of the Senate debating, if you please, the significance.

Henry Ford, at the time he put on mass production, said: I want to make sure my employees make enough money to buy the article they are producing—so they could buy that car they were making. As a result, he started the benefits which resulted in the middle class. The labor movement over 100 years now has had difficulty developing and thereby holding on to these particular improvements to our standard of living, to health care, to different other benefits of that kind that we have now in the production contract that has created the middle class, or the strength of democracy itself.

What I am fearful of is we are going the way of England. At the end of World War II, they told the press: Don't worry, instead of a nation of brawn, we will be a nation of brains. Instead of producing products, we will provide services. Instead of creating wealth, we will handle it and be a financial center.

England has generally gone to hell in an economic handbasket. They have the haves and the have-nots. The middle class disappears, and downtown London is an amusement park.

That is exactly the road we are on. We have to get off that highway. We have to be competitive. We have to understand the word "trade" means just that—something for something, not aid, and not developing it so that we have, as was said on the floor, something that is immoral.

I heard my distinguished colleague from Florida say it was immoral for us to go along with these countries, and to even backtrack or hold the line with respect to Andean trade—that we owe them a duty to develop it. We all want to develop everything. But you can go forward and develop and develop until you become underdeveloped, which is our predicament today. Debt overseas stirs up trouble at home.

There is an article in Business Week that I ask unanimous consent to have printed in the RECORD.

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

[From Business Week, May 6, 2002]

DEBT OVERSEAS STIRS UP TROUBLE AT HOME

(By James C. Cooper and Kathleen Madigan)

The world economies are finally mounting a recovery from last year's slump. Even the latest word on Japan is a bit more upbeat. The reason, of course, is the upturn in the U.S. economy. The U.S. led the world into a downturn that hit different regions with varying impact, and it will be the locomotive for the recovery.

But therein lies a problem. U.S. financial obligations to the rest of the world are once again on the rise as America grows ever more dependent on foreign capital to finance its growth. Back in March, Federal Reserve Chairman Alan Greenspan noted that over the past six years, about 40% of the increase in the U.S. capital stock was financed by foreign investment, a pattern that will require an ever-larger flow of interest payments going out to foreigners. "Countries that have gone down this path invariably have run into trouble," said Greenspan, "and so would we."

Greenspan was highlighting the fact that the gap between what an economy consumes and what it produces cannot continue to widen indefinitely. At some point, foreigners come to the belief that either the country's overconsumption requires a policy adjustment, or that investment opportunities elsewhere begin to look more attractive.

The most important result of this shift is the softening of the debtor nation's currency. For the U.S., a weaker dollar won't be a problem if the adjustment occurs slowly and orderly. However, currency markets rarely move that way. And any sharp change in the dollar's value could wreak havoc in the financial markets as well as portend a higher level of inflation as the price of imports begins to rise. Consequently, the U.S.'s mounting external debt is clearly the most crucial structural problem facing the economy. And unlike other recent economic troubles, there may be no easy way out.

Typically, a recession helps narrow the trade deficit. But last year's slump was anything but typical, and the U.S. external imbalance did not improve much. Now, renewed growth in U.S. demand, coupled with the potent buying power of the U.S. dollar, is drawing in imports by the boatload (chart), which once again means the U.S. trade deficit is widening sharply. The January and February increase in imported goods was the largest two-month rise in two decades.

The trade gap is the main component of the current-account deficit, which is the broadest measure of U.S. financial obligations to other countries. After last year's respite, the external debt is starting to mount up anew. Last year's current-account gap hit 4.1% of gross domestic product, and it could reach 5% by the end of 2002. That would be the largest rate in the industrialized world and larger than in many emerging-market nations.

Finance ministers from the Group of Seven industrialized countries informally voiced concern about the U.S. current-account problem in Washington on Apr. 20 during the spring meeting of the International Monetary Fund and the World Bank. Europe, in particular, expressed worries that the imbalance could eventually put the dollar, financial markets, and U.S. and world growth at risk.

One solution would be a gradual weakening in the dollar. But stemming the dollar's rise has proved difficult. Even during the official recession months of 2001, the broad trade-weighted value of the dollar continued to rise (chart). And while last year's economic slump was much worse in the U.S. than in Europe, the dollar remains slightly stronger

vs. the euro, compared with this time last year.

* * * * *
MR. HOLLINGS. Mr. President, we have a \$400 billion deficit in the balance of trade. We have a horrendous budget deficit of \$168 billion. We are in the red. Even after all the money came in on April 15, we are still in the red by \$168 billion. We are going to be around \$300 billion to \$350 billion in the red by the end of September. That is our fiscal deficit.

We are not paying the bills. We are cutting taxes. We are running around saying we ought to make permanent the temporary tax cuts, which of course cost us another \$4 trillion, and we are wondering why we have a deficit. In a similar fashion, we ought to be aware that we are in competition when we talk about trade.

Let me refer to just one little bit of history because you can't fault our globalization and trading partners. I have been in the game. In 1960, as South Carolina's governor, I took a trade mission to Latin America and to Europe. Today, we have 117 German plants in South Carolina. I will never forget calling on Michelin in downtown Paris in June of 1960 to come to America. Now, they have about 11,000 employees and 4 big facilities. I called upon Bowater in London. Now the Bowater headquarters are in Greenville, SC. We believe in trade, and we believe in development. I have to pay particular attention at this time to jobs in the United States.

That is what we did in the earliest days. We had just won our freedom when our friends in the mother country said: We will trade with the fledgling little United States of America with what it produces best, and England would trade with us what England produced best. Free trade, free trade, the doctrine of comparison advantage, as written by David Ricardo.

Alexander Hamilton wrote a little booklet, *A Report on Manufactures*. It was Hamilton and Madison who wrote our Federalist Papers. Hamilton is one of the most disregarded former Treasury Secretaries with a magnificent history of having built this industrial giant, the United States of America.

He countered to the Brits in that particular little booklet—I will not read it, but I will get a copy and put it in the RECORD during the debate—he told the Brits: Bug off. He said: We are not going to remain your colony shipping to you our coal, our timber, our rice, our cotton, our indigo, our iron ore, and import from England the manufactured products. We will become a nation state by developing our own manufacturing capacity.

As a result, on July 4, 1789, the second bill Congress passed was a protectionist measure, a tariff bill on various articles. We began the United States with protectionism.

When the Transcontinental Railroad was being built, they said: We can get the steel from England to build the

railroad. President Lincoln said: No, not at all. We are going to build up our own steel mills. When we get through, we will not only have the Transcontinental Railroad but we will have the steel capacity.

Lincoln provided protectionism for steel; Roosevelt for agriculture; and Dwight Eisenhower in the 1950s, provided protectionism for oil with import quotas on oil. We built this industrial giant, the United States of America, with protectionism.

Don't go around here with these silly childish pollsters saying: Yes, you have to be for free trade, free trade. They do not know anything about it. They know nothing about the economy. They know nothing about the creation of jobs. They have never been in the business of trying to create jobs and bringing industrial expansion to your State and to this country. They just do not know. They automatically ask to be given free trade, free trade. The truth of the matter is that we have to put in a competitive trade policy.

Since I mentioned deficits, I would be glad if I could get a cosponsor or another vote in this body to put on a value-added tax. These are serious times. During every moment of the history of the United States of America in war, we paid for the war. We put on special tax and revenue provisions to pay for the war.

Now we have a President who comes and says: We are at war. We are going to have to run deficits. And, incidentally, the war will never end.

What kind of leadership is that? I would put on a value-added tax and say: Pay for that war. Get the deficits down. If anybody within the sound of my voice wants to help cosponsor it, let me know. I have put it in before at least two-times. I have thought it through thoroughly. One of the biggest disadvantages we have is we are the only industrialized nation that does not have that tax.

How does that work to our disadvantage?

If I manufacture this desk in the United States of America, in Washington, I have to pay all the different taxes. If I am over in Virginia, or in Maryland, I pay the State taxes, the corporate taxes, the personal income taxes, and I ship it to Europe and to downtown Paris. They will put on a 17-percent value-added tax.

In contrast, if I manufacture that desk in Europe, in Paris, they will put on a 17-percent value-added tax, but they rebate it when it leaves the border and is exported to Washington, DC. It is a given. The value-added taxes are rebated at the border. That is a big advantage which all of the trading partners have with us.

If we are going to get serious about fast track and Andean trade, I am not particularly interested in a copout.

Let's remove that 17-percent disadvantage immediately and pay for the government we are giving the people of the United States of America here this year.

Yes, by the end of September we are going to spend some \$300 billion more than we take in. We can pay for it. We always have, but not under the leadership here. Everything is: Let's have more loss of the revenues. Let's run up the debt, the current accounts deficit and debt, the trade deficit, and the fiscal deficit of the United States of America. It is a tragic thing. But we could easily get that done.

Now, those competing nations say: Look, don't give me this environment stuff. Don't give me this label stuff. There is no chance of putting on the label and environmental protections, say the Mexicans, as we have here in the United States. That is an advantage. As long as those people suffer, that is a disadvantage as we see it, but that is an advantage to them, and they are going to continue so they can build up themselves economically and strong just as the United States of America did in its earliest days.

We did not even pass the income tax until 1913. We financed our entire Government with tariffs and protectionism. But we run around now in the 21st century: free trade, free trade, that we can't have any increase in taxes or pay the bill.

It's a very peculiar thing. If I run for Governor of South Carolina, I have to go all over the State and promise that I will pay the bill. If I run for the U.S. Senate in the same State, I run all over the same State promising I will not pay the bill. It is the same people, but that is the way the pollsters have conditioned it, and that is the way the media has covered that particular predicament. They have no idea. Yes, David Broder, the pre-eminent columnist, pointed out over the weekend how all the Governors and all the mayors all over the country are having to cut educational budgets, or else lose their credit ratings. If they lose their credit ratings, then they get no development, and then they even again lose more revenues or income from their different taxes. So they are having to cut back.

But we up here in Washington are all running for reelection, saying: We will pay. Let's make the tax cut permanent. Let's lose another \$4 trillion. We don't care. By the way, there is a war on. We are going to have deficits. So sui pig. Everybody come. Anybody who wants anything, we have the money. We will just print it. And with respect to the economy, we can forget about jobs.

Let me, now that I have a good friend in the Senate Chamber, talk about the Washington solution because I have some other issues to talk about. But we have tomorrow and the next day and the next day.

Let's do it Washington's way. Washington says: Now you have to get with globalization and high tech and retrain and retrain. That was Mao Tse-tung, if I remember correctly. We are getting to be like China with Mao. And we are going to reeducate.

Well, let's say, down in Andrews, SC, where 40 years ago an Oneida plant came to the State of South Carolina to make T-shirts, now has to close. At the time of their closing, what they had was 487 employees. And the average age of the employees was 47 years of age. And then it is tomorrow morning and we have done it Washington's way. They are reeducated, they are retrained, they are now high tech, and we have 487 expert computer operators.

I ask, are you going to hire the 47-year-old computer operator or a 21-year-old computer operator? Are you going to take on the retirement costs for that 47-year-old, and take on the health costs for that 47-year-old, or are you going to cancel that on the books and take on the 21-year-old? The answer is obvious. Those people are stuck down there.

Down in Spartanburg, where we have a new BMW plant, unemployment was 3.2-percent last year. It is now at 6.1-percent. And in the surrounding counties, it is 11-percent, 12-percent, even 14-percent.

With NAFTA, we were going to create jobs, solve the immigration problem, and do away with the drug problem. It was going to be the finest thing since sliced bread. But instead of getting 200,000 jobs, we have lost 1.3 million manufacturing jobs. That is from the Bureau of Labor Statistics.

The drug problem has gotten worse, killing so many people. The immigration problem has gotten worse, to such a point that now we are passing legislation and breaking up the Immigration and Naturalization Service. I think the House is on track. We have to do something about immigration laws, and everything else of that kind.

In little South Carolina, since NAFTA we have lost 53,900 textile jobs alone. We did not create jobs. And you put my State into poverty and into welfare. And I take no comfort in the idea that now we are going to pass trade adjustment assistance like it is just a little temporary thing. The United States of America is going out of business. We are on the road, as England, of the haves and the have nots. And we are not going to be creating anything in manufacturing or producing anything to export.

So that is the trouble for the lethargic economy. It is not consumer confidence. It is not just the manufacturing because there is no manufacturing to boil up. You watch it. This recession downtime is going to last the rest of this year, and into next year, until we get a hold of ourselves and start rebuilding America.

Yes. When people ask what we should do as a result of 9-11, instead of President Bush saying, we should take a trip with our kids, getting our families to go to Disney World, let's give our neighbor a job.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. DEWINE. Mr. President, I yield to my colleague from North Dakota.

The PRESIDING OFFICER. Will the Senator state whether he is speaking in support or in opposition to the cloture motion?

Mr. DORGAN. Mr. President, I ask unanimous consent the Senator from Ohio yield for a question.

Mr. DEWINE. I yield for a question.

The PRESIDING OFFICER. Is the Senator speaking in support or in opposition to the cloture motion?

Mr. DEWINE. The Senator is speaking in favor of the motion.

The PRESIDING OFFICER. The Chair thanks the Senator.

Mr. DORGAN. Mr. President, I ask unanimous consent that I be recognized following Senator DEWINE's presentation for a period of 25 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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

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

Mr. DEWINE. Mr. President, I ask that my time be taken off the time of those in favor of the motion.

The PRESIDING OFFICER. The time will be subtracted.

Mr. DEWINE. Mr. President, as the trade debate in the Senate gets underway, I rise to talk about some of the important issues involved in this debate and the vital role trade plays in our Nation's foreign policy and, really, in the health of our overall economy.

The trade legislation before us represents a tremendous opportunity, an opportunity for the United States to demonstrate its leadership in hemispheric and world trade. The sad fact is that over the last decade, the United States has not led in this area. Of the more than 130 bilateral and free trade agreements worldwide, the United States is party to just three. The European Union, on the other hand, has free trade agreements with 27 countries. Mexico, the United States and my home State of Ohio's second leading trade partner, has negotiated 25 agreements in the past 8 years—25 compared to our 3. Quite simply, we have underutilized trade as a tool in foreign policy; I believe to the detriment of our Nation and our neighbors within the Western Hemisphere.

It is in our national interest to be surrounded by stable democracies. When we trade with our Latin American neighbors, we are helping them economically, which in turn helps maintain internal stability, peace, and democratic reform.

It is also beneficial to the United States to trade within our hemisphere because if we don't, other nations and their businesses will take our markets. No country is waiting for us to act

first. In the end, the longer we wait to pursue more free trade opportunities in our hemisphere and around the globe, the more we stand to lose.

Take, for example, my home State of Ohio. The future of our economy is linked in part at least to our ability to send our products overseas. When given the chance, Ohio's business men and women and Ohio's farmers can and do compete effectively on the world stage. Just listen to these figures: Ohio exported more than \$28 billion worth of manufactured goods. In fact, one in every five manufacturing jobs in the State is tied to exports. In most years, one-third to one-half of Ohio's major cash crops in the agricultural field—corn, wheat, soybeans—is found in markets and meals outside our own country.

Look beyond Ohio to our entire hemisphere. With a combined gross domestic product of more than \$10 trillion, which encompasses 800 million people, trade with our hemispheric neighbors represents vast opportunities.

These are opportunities we simply must not ignore. Right now, Europe, Asia, and Canada are all securing their economic fortunes throughout Latin America by trading with the Mercosur, a powerful trading block consisting of Brazil, Argentina, Paraguay, and Uruguay. As of now, the Mercosur countries are the EU's largest trading partners. Two-way trade between the EU and the Mercosur totaled \$43 billion in the year 2000. That is compared to \$38 billion from the United States in the Mercosur. The EU currently imports five times more from the Mercosur than the United States does. Between 1990 and 1998, the total value of trade flows between the Mercosur and the EU increased almost 125 percent.

It is becoming increasingly obvious that the EU is not going to sit idle and let the United States gain much of a new market share in this region. In fact, just last Friday, in Brussels, the EU was working to finalize a free trade agreement with Chile. Earlier this month, the EU set out its strategy for negotiating new economic partnerships with Africa, the Caribbean, and Pacific countries. And as we speak, the EU's trade commissioner is in Mexico addressing the EU's relationship with Mexico, almost 2 years after the free trade agreement they entered into went into effect.

This is the hemisphere in which we live. Those should be our markets. To lose them through neglect would be a truly shameful outcome for our country.

The bill before us this afternoon, the Andean Trade Preference Act, would renew but also enhance our commitment to helping the Andean region: Colombia, Ecuador, Peru, and Bolivia. It would help them, but it also would help us. It would help them to develop economic alternatives, for example, to drug crop production. The Andean Preference Act expired on December 4,

2001. The law provides preferential, mostly duty-free treatment on selected U.S. imports from the region.

The countries of the Andean region certainly need our help, and we need their help. For the past 10 years, the Andean Trade Preference Act has helped the United States and these four countries develop legitimate, strong, and expanding commercial ties. Between 1991 and 1999, total two-way trade nearly doubled between our countries.

During this same time period, U.S. exports grew 65 percent, and U.S. imports from these countries increased by 98 percent.

In 1999, a severe economic recession in the region did, in fact, curb U.S. exports, but U.S. imports continued to grow by 17 percent. U.S. imports to Colombia during this same time increased 155 percent since ATPA was enacted. The Colombian flower industry is a prime example of how U.S. trade policy can support important economic benefits both in Colombia and here at home and at the same time provide jobs and income to people so they do not feel the necessity to become involved in the drug trade.

In 1965, Colombia exported just \$20,000 worth of flowers to the United States. Today, these exports total nearly \$600 million. The flower industry generates 75,000 direct jobs in Colombia, jobs that offer year-round stability and health and retirement benefits, not to mention a legitimate economic alternative to illicit drug production.

The Colombian industry also directly generates 7,000 U.S. jobs. Indirectly, even more jobs are created, with U.S. supermarkets employing more than 24,000 people in their flower departments, and U.S. flower shops employing nearly 125,000 people.

We also have substantially increased our exports to the Andean region. Under ATPA, our exports have gone up by 84 percent, to \$6.6 billion in the year 2000.

Despite these gains, ATPA must be expanded. NAFTA and the Caribbean Basin Initiative have changed the playing field and have created a competitive disadvantage for Andean countries. For example, most Caribbean apparel enters the United States duty free, while Andean apparel enters with a 14-percent duty. We also must remember that ATPA is about more than just trade. This is an issue of national security.

The stability of the Western Hemisphere is at stake. Open markets are absolutely vital for developing nations to overcome poverty and create opportunity. Fragile economies place peace and democracy at risk.

With aid, with trade, and with democracy, we can foster peace among our neighbors. It is in our national interest to pursue an aggressive trade agenda in the Western Hemisphere, to combat growing threats and promote prosperity. Free markets and open

trade are the best weapons against poverty, against disease, against tyranny and, yes, against the drug dealers.

For example, if Africa, Asia, and Latin America were each to increase their share of world exports by just 1 percent, it would lift 128 million people out of poverty, with all the consequences that would have. Tariff barriers on products from the Third World are more than four times higher than those encountered by richer nations. Such barriers cost poor countries approximately \$100 billion a year. That is twice as much as these nations receive in foreign aid. Tariff barriers on products from the Third World are more than four times higher than those encountered by richer nations.

Mr. President, I urge my colleagues to join me in support of renewing and expanding the Andean Trade Preference Expansion Act. It is the right thing to do for our neighbors and for our businesses at home. It is the right thing for our country.

HIV/AIDS IN OUR HEMISPHERE

Mr. DEWINE. Mr. President, I want to take a moment to discuss a critically important issue in our hemisphere—the growing problem of HIV/AIDS in the Caribbean and Latin America.

Today, there are an estimated 420,000 individuals living with HIV/AIDS in the Caribbean, and another 1.4 million living with the disease in Latin America. In Haiti alone, roughly 1 out of every 10 people has HIV/AIDS.

Yet despite these staggering numbers and despite the fact the highest prevalence of HIV/AIDS—outside of Sub-Saharan Africa—exists right in our own backyard, this region of the world is often forgotten, and the people who suffer there because of AIDS are often forgotten. While, understandably, much attention has been focused on the great tragedy caused by the disease in Sub-Saharan Africa—and we should never forget it—I think it is also important that we also focus our efforts on combating this disease in our own hemisphere.

That is why I want to call attention to a historic, day-long meeting held just last week in Georgetown, Guyana. While it received very little attention in the media, on April 20, senior U.S. and Caribbean health officials, including Health and Human Services Secretary Tommy Thompson, met in Guyana to sign a new Pan-Caribbean agreement against HIV/AIDS.

I commend Secretary Thompson, Secretary Powell, and President Bush for their leadership and follow through in making this vision a reality. Last week's meeting and subsequent agreement represents an unprecedented new partnership to fight the disease in the region. As part of this new agreement, the U.S. and Caribbean nations have pledged to improve collaborative efforts to make sure people living with HIV/AIDS, and those at risk, have good

access to prevention and treatment services. As Secretary Thompson said:

This will be an equal partnership—a sharing of technical know-how and experiences.

As part of this partnership, Secretary Thompson has pledged greater in-country collaboration with officials from the Centers for Disease Control and Prevention, and the Health Resources and Services Administration. These efforts will complement recently announced initiatives by the U.S. Agency for International Development to provide almost \$162 million in new funding over the next 5 years to help countries in the Americas and worldwide expand HIV/AIDS prevention, patient care, and HIV/AIDS mitigation programs. This is in addition to the \$20 million the United States is currently providing in HIV/AIDS funding to Latin America and the Caribbean under the Bush administration's Third Border Initiative. These are all important steps in the right direction toward developing an integrated approach to combat this devastating disease.

I urge my colleagues to share my support for these initiatives and to work with me to secure greater U.S. contributions for these international efforts in the future—through the Global Fund to Fight AIDS, as well as other bilateral assistance programs.

To borrow Secretary Colin Powell's words:

Our response to this crisis must be no less comprehensive, and no less relentless, than the AIDS pandemic itself.

Mr. President, this is something that we need to work harder on in the United States, in Africa, in the Caribbean, and throughout the world—wherever people suffer from AIDS. I thank the Chair, and I suggest the absence of a quorum.

THE PRESIDING OFFICER (Mr. CARPER). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

ANDEAN TRADE PREFERENCE ACT—MOTION TO PROCEED—Continued

Mr. DORGAN. Mr. President, I want to speak about fast-track trade authority, which is now known by the euphemism "trade promotion authority."

Before I do that, I want to talk for a moment about what is happening with respect to trade with Cuba. Since we are on the subject of trade, there is something happening with Cuba about which I believe I must alert the Senate.

As you know, a wide majority in both the U.S. Senate and the House has agreed that we should not use food as a weapon and that the 40-year embargo with Cuba—at least with respect to food and medicine—should be loosened. So by a vote of the House and of the Senate, we are now able to sell food to Cuba.

Yet under current law, the Cubans are not allowed to purchase food from

the United States on credit. They cannot borrow from a private lender. They must pay cash. Following the hurricane in Cuba, Cuba is buying American grain and agricultural products to the tune of \$70 million, but they have to pay cash and run the transaction through a French bank in order to buy commodities from American farmers. This is just bizarre.

The head of a group called Alimport, which is the organization in Cuba that purchases food for the Cuban Government, was invited to this country by farm leaders. His name is Pedro Alvarez. He was intending to come here—including to my State of North Dakota—and asked for a visa to do that. He was intending to purchase additional food from our country—and to pay cash. A visa was granted, but then the State Department abruptly reversed course and decided to revoke the visa. The State Department said: No, we don't want somebody from Cuba coming in to buy food or commodities from American farmers. When we called the State Department to ask them why they decided to revoke the visa to have the head of Cuban imports come into this country, they said: It is not our policy to encourage the sale of food to Cuba.

Now, I find it just byzantine that our State Department would say: No, we don't want the head of the Cuban agency that purchases agricultural commodities to come to our country to purchase those commodities and, therefore, we will revoke his visa.

When will those who take that position wake up and understand that using food as a weapon is merely shooting ourselves in the foot?

I have now written a letter to Pedro Alvarez in Alimport and said: I am inviting you to this country; a U.S. Senator is inviting you to this country. I would like you to come to America; I would like you to come to North Dakota; come to North Dakota and buy wheat from our wheat farmers and buy dried beans from those who plant dried beans.

I wrote a letter to the State Department saying: You have a responsibility to give these people visas to come here.

I do not know what on Earth the State Department is thinking. I have talked to someone at the State Department who indicated that the matter is being reviewed. I said: Can you tell me who decided to revoke the visas? Who decided that farmers in America should be the victims of this foreign policy nonsense? Who was it? Who made the phone calls? I want to know who said that this is political, this isn't trade policy, and the politics persuade us we ought to revoke visas from someone from Cuba who wants to come to this country and buy wheat, dried beans, apples, and other commodities from the United States.

I just do not understand why we have people in this country who still think that way. We ought never use food and medicine as a weapon. We have done it for 40 years with respect to Cuba. We can sell food to China. That is a Communist country. We can sell food to

Vietnam. That is a Communist country. But for 40 years we have said no, you cannot sell food to Cuba.

We loosened that restriction. Cubans can now buy our food, and now we have the spectacle of the State Department deciding to revoke visas they already approved for people from Cuba who want to come to this country and buy from American farmers. That is unfair to our farmers. It is another embargo.

Cuba bought \$1 billion worth of food last year. The Europeans are selling food to them, and the Canadians are selling food to them. We have sold them some now, but judging by the behavior of the State Department, it appears they do not want us to sell food to Cuba, despite the fact the Congress has already made the judgment that such sales should be lawful.

I intend tomorrow to press this case once again at the State Department, and I hope they will change their mind and make a rational decision, one that is in concert with what the Congress has already decided, both the House and the Senate.

Let me turn to the trade issue of fast track for a few moments. I see some colleagues in the Chamber who wish to speak. I will not speak as long as I had intended. They will want the opportunity to have a portion of this time as well.

Let me quickly put up a chart showing an excerpt from "Inside U.S. Trade," a publication on international trade. It quotes U.S. Trade Representative Zoellick speaking to a business group in Chicago. Mr. Zoellick described lawmakers and lobbyists who oppose a trade promotion authority bill sponsored by House Ways and Means Committee Chairman BILL THOMAS as "xenophobes and isolationists."

The Trade Ambassador says those who oppose fast track are xenophobes and isolationists. This really fits the way this thoughtless debate always plays out on trade. Instead of it being a thoughtful debate about what America's real trade policy ought to be to benefit this country, it turns quickly into a thoughtless debate by those who say there are only two sides: Those who support free trade, globalization, expanded trade, and have a world view that will allow them to see well over the horizon and understand the world much better than others, and those who are just xenophobic, isolationist stooges. That is how this debate is characterized: Those who think and those who do not.

There is an old saying: You ought not ever buy anything from somebody who is out of breath. There is a kind of breathless quality to this debate about fast track: It just has to be fast track; if it is not fast track, we cannot pursue international trade agreements.

That, of course, is total nonsense. We did not give Bill Clinton fast track

when he was President. I did not support giving him fast-track trade authority when he was President, and I do not support giving George W. Bush fast-track authority either.

Yet in the Clinton Presidency they did negotiate trade agreements. How did they do that? They do not need fast track to negotiate trade agreements. Fast track is simply a mechanism by which the Congress says: Wait a minute, before you negotiate in secret the next trade agreement, let us handcuff our arms behind our back; please let us do that; then you negotiate in secret; and when you come back, we wear handcuffs so we will not be able to offer even one amendment to this trade agreement you have negotiated in secret. That is what fast track is.

There are a good many Members of Congress who sign up. I do not know, there is some kind of masochistic urge in trade, I guess, to say: Let's do this, let's tie our hands, and then allow someone else to negotiate in secret.

Here is what the Constitution says about the Congress. Article I, section 8, says:

The Congress shall have Power . . . To regulate Commerce with foreign Nations. . . .

It does not say the President. It does not say the U.S. Trade Ambassador. It does not say some unnamed trade negotiators. The Constitution says:

The Congress shall have Power—
The word is "power."

The Congress shall have Power . . . To regulate Commerce with foreign Nations. . . .

In recent decades—three decades, in fact—we have had Presidents negotiate just five trade agreements under fast track: GATT, United States-Israel, United States-Canada, NAFTA, and the WTO.

I want to show a chart showing the effects of one of these agreements. We gave fast-track trade authority to negotiate a trade agreement with Canada and Mexico. Prior to that, we had a small trade surplus with Mexico. Of course, after this agreement was done, it turned into a huge deficit. Prior to that, we had a modest deficit with Canada. After a trade agreement was negotiated with Canada, the deficit exploded. We turned a trade relation with Mexico that was a positive relationship into a negative relationship, and with Canada we had an explosion of the deficit.

I thought it would be interesting to take a look at a chart that showed what happened to our trade deficits through all of these trade agreements. Every time we have another agreement, the trade deficit goes up, up, and way up.

One might ask: What is the difference? The difference is this line means jobs in this country, good jobs, manufacturing jobs, and this line suggests an erosion of the manufacturing sector in this country.

Under fast-track trade authority, which Congress has given to some Presidents, the major export has been jobs. The Economic Policy Institute

suggests somewhere over 3 million jobs have been lost comparing prior to NAFTA and WTO and after NAFTA and WTO.

Some say: This is just a global economy, and let's just move goods everywhere, and whatever happens happens. They ignore the fact that in this country, we have had people fight in the streets, we have had people killed in the streets for the right to form unions. We had people take to the streets to demand fair and safe workplaces. We had people marching in the streets in this country dealing with child labor laws. For 75 and 100 years, we have confronted all of these tough issues in the United States, and we have created an environment in which an employee has to have a safe workplace, be paid a decent wage, a business cannot hire kids, cannot dump pollutants into the stream and the air, and employees have a right to organize as a labor union.

Economists always remind us of the importance of comparative advantage in determining what country gets to produce what products. But should child labor be a comparative advantage in trade? The legal minimum age for child workers in Peru is 12 years old.

When someone takes the product of a 12-year-old, who works 12 hours a day and is paid 12 cents an hour, and ships it to Pittsburgh or Los Angeles or Denver or Fargo, and puts it on the store shelf, is that fair trade? Is that what we want American workers to compete with?

There are 3 million workers in Brazil under the age of 15. Fair competition? Or how about people making shoes for 24 cents an hour in Indonesia? Fair competition?

People say, well, America has to become competitive. Competitive with what? With 12-year-old kids making 12 cents an hour or 24 cents an hour? Is that the marketplace in which we describe fair trade competition?

Before we pass fast track, I would like to see a little bit of progress by our trade officials to solve a few problems they have created recently. I am not asking for the Moon. I am saying before they run off and, under fast track, negotiate new trade agreements, how about doing something that stands up for this country's economic interests? How about solving a few problems that have been created in past trade agreements?

I will talk first about Canadian wheat because that is a huge problem for my state of North Dakota. We had a trade agreement with Canada. We allowed Canada to sell its wheat through a sanctioned monopoly called the Canadian Wheat Board, which would be illegal in this country. It then sends an avalanche of unfairly subsidized Canadian grain into this country, taking money right out of the pockets of our farmers. It goes on year after year in a relentless way and no one stops it. Why? Because the remedies to stop unfair trade have been emasculated in our trade agreements.

We were promised with the U.S.-Canada free trade agreement that this would not happen, but it did. It not only happened and an avalanche of unfairly traded Canadian grain came down injuring our farmers, but when we got to the bottom of it, we found out that our trade ambassador entered into a secret side agreement with Canada, and our negotiators refused to tell the truth about it even in a committee hearing in the U.S. House of Representatives when asked directly about it.

This is what has happened with Canadian wheat exports in the United States and U.S. wheat exports to Canada: a pail versus a thimble, but that pail represents serious damage to U.S. farmers.

There are some other trade problems. I have spoken at great length about beef in Europe. We have not been able to get most U.S. beef into Europe for 10 years because they say we use beef hormones. They portray our cows as having two heads over in Europe.

We took Europe to the WTO, the World Trade Organization. We took our case to the WTO and we won. The WTO said, yes, Europe is wrong so you can go ahead and exact some penalties with respect to Europe.

Do you want to know what we did? We were upset that Europe would not allow our beef in. We went to the WTO. The WTO said, yes, Europe is guilty. So the United States says, all right, what we are going to do is we are going to retaliate. We retaliated against European shipments to the United States of goose liver, truffles, and Roquefort cheese. Now that is enough to scare the devil out of an opponent; is it not? A trading partner like Europe, we say they better watch it; we are going to slap them with goose liver, truffles, and Roquefort cheese? What kind of remedy is that? When Europe was upset about the recent steel decision, they said, we are going to respond with tariffs on U.S. steel, textiles, and citrus products.

How about Korean automobiles? Maybe we could ask our trade ambassador to fix that. I have gotten several letters from Korea recently because I have been talking about their automobile industry. Last year there were 618,000 Korean automobiles shipped into the United States, Daewoos and Hyundais, into our marketplace. That is fine with me, but do you know how many U.S. automobiles were shipped into Korea? We were able to sell 2,800 U.S. cars in Korea. For every 217 Korean cars sold in the U.S. marketplace, we were able to sell one in the country of Korea. Why? Because Korea does not want U.S. cars in the marketplace. It is very simple.

Is there somebody who will stand up and say this is unfair trade? Because, after all, this represents a loss of good manufacturing jobs in our country, when there is that kind of trade imbalance.

Is there someone who will fix that problem? The beef problem with Europe? The grain problem with Canada?

Or how about wheat flour to Europe? Or eggs? Let me use eggs as an example. We cannot get American eggs in the European marketplace. Do you know why? Because American eggs are washed. They will not allow washed American eggs into the European marketplace. So we do not have a market for American eggs. Pork chops to China, T-bone steaks to Tokyo—I will speak tomorrow at much greater length about a range of these issues.

I ask this question: Mr. President and Mr. Trade Ambassador and others, you are so anxious to go negotiate a new trade agreement. How about solving a few of the trade problems that have been created?

Brazil sends sugar to Canada. It is loaded on molasses, liquid molasses, and sent into the United States. Molasses becomes the carrier for sugar that could otherwise not enter under U.S. law. They ship it down into Michigan, offload the sugar, send the molasses back to get another load of Brazilian sugar to Canada, fundamentally undercutting our sugar program. In my judgment, it is an abrogation of fair trade. It has been going on for years. Yet you cannot get anybody to do anything about it.

In the legislation that is going to come up on trade adjustment assistance, I believe that the molasses problem is being addressed by some concerned members of the Senate. But the point is that we have chronic trade issues and that administrations do not do enough about these problems.

We have an enforcement division down in the Commerce Department. We have some enforcement in USTR. I have not seen the statistics lately, but do you know how many people we have dealing with China and Japan? We have eight people enforcing trade agreements with Japan, a country with which we have a \$60 billion to \$70 billion trade deficit, and they cannot even tell us what the agreements are that we have with Japan, let alone tell us whether they are enforcing them.

This country does not do right by its producers, farmers, manufacturers, and others in the area of international trade. So we are now requested by this administration to give them fast-track authority so they can negotiate another agreement somewhere in the world. I say that we ought not give fast-track authority. I would not support it for President Clinton. I do not support it for this President.

I think it is time for us to stand up for this country's economic interest. No, not build a wall, not keep goods out of our country. This is not about isolationism. This is about standing up for this country's manufacturing sector and its workers, saying that we will compete any time, anywhere, as long as the conditions of competition are fair, but we demand fair trade.

One final point: I started by talking about Cuba. The revocation of the visas that I described is about politics. It is not about trade policy. It is about pointy-headed foreign policy.

For the first 25 years after the Second World War, our trade was almost all foreign policy. We could compete anywhere in the world with one hand tied behind our back. We were the biggest, the best, and the strongest. In the second 25 years, things have gotten tougher. Our competitors are shrewd, tough, international competitors, and it is time that our foreign policy stop being the dominant force in trade policy. It is time our country stand up for its own economic interests and demand fair trade. We ought to do that before we embark on any notion about fast-track authority for any President. That is in the best interest of this country, in my judgment.

I see my colleague from Iowa is in the Chamber. I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, President Clinton used to brag—and I think correctly—during the years he was President that some 20 million jobs were created during his Presidency. Those are statistics that speak for themselves.

In regard to this debate before the Senate, President Clinton said about one-third of the jobs were created because of international trade. Quite obviously, the last Democrat President talked about the importance of trade. Jobs are created by trade. Those are jobs that pay very good wages—13 to 18 percent higher than the national average. It is estimated 1 in 10 Americans, 12 million people, are employed in jobs related to goods and services.

The important issue of trade promotion authority is before the Senate. It has worked, as has already been correctly stated. Presidents since President Ford have periodically have had trade promotion authority. It has led to trade agreements passed by Congress. They are now the law of the land.

When it was pointed out—correctly—that Congress has the power to regulate interstate and foreign commerce, that is very true. But remember that Congress does not have the ability to negotiate with other countries—particularly 144 countries in the World Trade Organization—in a way that could be considered an expeditious way of reaching an agreement.

We form a sort of contract with the President of the United States. This is not just for Republicans and Republican Presidents. Republicans in this body tried to form such a contract with President Clinton in the last administration, but his own party would not let him have this authority. Trade promotion authority is a type of contract between the Congress and the President of the United States in which the President, in very precise ways, is given the authority by Congress to agree, on the part of Congress, with goals that will be pursued at the negotiating table.

This legislation will help achieve those goals. It establishes a format for

Congress to be consulted by the President of the United States in every step of that process. Congress reviews the agreement that the President brings it back. We have the last say. If we do not pass it, it does not become law, and there is no agreement, no matter how much the President negotiated with 143 other countries to bring that agreement back to Congress.

We in Congress do not see trade promotion authority as Congress giving away all its power over international trade to the President of the United States. Not at all. We cannot do that without amending the Constitution. We don't intend to amend the Constitution to do that.

However, trade promotion authority is a type of contract with the President of the United States to negotiate for us because the Congress of the United States, as the legislative arm of our Government, is not capable, with 535 men and women, of negotiating with 144 other countries in the World Trade Organization, or with another 30-some countries in the Western Hemisphere if you are talking about regional FTAA trade negotiations, or even on a bilateral basis negotiating with Chile or with Singapore, which are in process now.

We want our President to be credible at the negotiating table. When the President has Trade Promotion Authority, other countries, negotiating with the United States, know the President is a credible negotiator.

We have been told the United States loses so much when we negotiate. We don't lose anything when the rest of the world's tariffs are way up here and ours are much lower; we cannot go much lower. When we bring foreign tariffs down, even if we bring them just partway down and not down to our low level, it is a win-win situation for the United States.

I quote Harvard economist Jeff Frankel, estimating that the economic benefits of a successfully completed new round of WTO trade negotiations would mean \$7,000 per individual or, as we measure in this country, the unit of the family, about \$28,000 for a family of four. This estimate was even backed up by Chairman of the Federal Reserve Board, Alan Greenspan. He said before the Senate Finance Committee when he testified last year on the importance of trade promotion authority to the President, that the estimates made by Jeff Frankel, were very credible estimates.

As just one example of the advantage of a trade agreement to the United States, look at Caterpillar, located in several countries around the world, but with its main operation in the United States. The corporate headquarters is in the United States. I have an example of a \$187,000 Caterpillar, model 140H, a motor grader tractor, made in America. If shipped to Chile, it is slapped with \$13,090 in tariffs and duties, or 7 percent of the tractor's cost because we do not have a free trade agreement with Chile.

That same tractor can be made in Brazil by a Caterpillar plant in Brazil and shipped to Chile with only a \$3,740 tariff because Brazil has some trade agreements with Chile. Obviously, not a free trade agreement but some agreements that reduce the tariff from 7 percent on a tractor made in the United States to 2 percent.

If that same tractor is made in Canada, because Canada has a free trade agreement with Chile, there are no tariffs whatsoever on that Caterpillar motor grader tractor made in Canada.

We have to ask ourselves, as Senators for the entire United States, would you not rather have the Caterpillar tractor made in America and shipped to Chile than have it made in Canada or have it made in Brazil and shipped to Chile?

This decision is a no-brainer, Mr. President. We have seen so much advancement in the rural economy since the process of reducing tariffs worldwide. Originally called GATT, now called the World Trade Organization process, WTO for short, that process has been going on since 1947. We ought to be satisfied with what world trade has done for America, that it is good for America, it is good for the world, and that if we are going to be in this business of having America's leadership continue as it is in the war against terrorism, but more based upon our military prowess than anything else, but backed up by economic strength, it seems to me if the President of the United States can have trade promotion authority and continue to be the leader in reduction of world tariff trade barriers and non-tariff trade barriers, as the United States has been between 1947 and 1994 when the authority ran out, we are going to have an additional advantage—an additional tool for world leadership to use in pursuing peace sooner.

The other side of the coin is that if you are going to have an expanding world population—which we all know is underway and is going to be underway for decades to come—you cannot have stagnant world economic growth. More people with less material goods are only going to lead to social instability, political instability, and the opposite of world peace.

An expanding world economic pie can only come through the reduction of trade barriers, and that only comes through this process of global trade liberalization that in the WTO. That is the only way we are going to have an expanding world population with more people having more material goods, more prosperity, and more social stability and political stability as well, and the peace that will come with it.

Even though during these weeks of debate on trade promotion authority we are going to be talking about its economic benefits, and some other people will be talking about the economic harm they see coming from trade promotion authority, from my perspective it is not just an economic issue. It is

also an issue of expanding the world economic pie for social stability, political stability, and eventually world peace.

Mr. President, I support cloture on the motion to proceed on one of the four trade bills that will be before the Senate in the next several weeks. The one before us is the Andean Trade Act. This vote is far more than a vote on cloture on the motion to proceed on the Andean bill. In the next few days, starting with and moving beyond this vote, we may finally take up other trade bills: trade promotion authority, trade adjustment assistance, the Generalized System of Preferences, or GSP, and trade adjustment assistance.

This vote is in reality a referendum on the future leadership of U.S. trade policy. After months of delay, it is finally a long overdue acknowledgment of the Senate's important constitutional and political responsibility for U.S. trade policy. As such, today is the start of the most important legislative period on the Senate floor for America's trade policy since trade negotiating authority for the President lapsed in April 1994.

It was in 1994 when a critical ingredient of American global leadership in trade policy was lost, trade promotion authority. As a result, in the last 8 years the United States has been severely handicapped in its ability to conduct major trade negotiations. Yes, we recently concluded a free trade agreement with Jordan and we have started Free Trade Area of the Americas negotiations. That is the Western Hemisphere regional free trade zone. We also have bilateral free trade negotiation going on with Singapore and with Chile right now.

We have been involved with three agreements in the last 6 years. The rest of the world has adopted 130 or more preferential trade agreements; 127 of which we were not a party to. That damages America's trade interests.

The European Union has 27 preferential or special customs agreements with other countries and is negotiating 15 more. Our international competitors, then, are clearly not waiting for the United States of America while they negotiate and while we get our act together. We have been, for about 6 years now, maybe 8 years, trying to get our act together.

The lack of trade promotion authority is already affecting our effectiveness at the negotiating table in the Western Hemisphere negotiations called the Free Trade Area of the Americas. I recently commissioned a General Accounting Office study on the status of the Free Trade Area of the Americas negotiations. They found the Western Hemisphere participants believed that the absence of the President's trade promotion authority has thwarted the negotiations to the extent that some countries are not willing to make the necessary concessions to move negotiations forward.

This lack of progress of the Free Trade Area of the Americas has enor-

mous economic consequences for the United States. We currently sell less than 8 percent of our exported goods south of Mexico's southern border—meaning Central and South America.

In terms of competitiveness in exports, we are underperforming in our own hemisphere. A successful conclusion to the Free Trade Area of the Americas talks will help us catch up, but the President needs trade promotion authority to make that happen.

The United States is currently pursuing new World Trade Organization negotiations with 143 other nations in Geneva. These negotiations are, right now, underway. Our negotiators are meeting with their counterparts in Geneva almost as we speak to try to hammer out procedures for addressing the major issues in these important negotiations, issues such as market access for America's farmers and ranchers for all of our agricultural products. They are all on the table, but without trade promotion authority, our negotiators have one hand tied behind their backs. That is something that before this debate is over I hope I can convince the Senator from North Dakota of—who spoke previous to me—that it is very important not to negotiate from a position of disadvantage.

Right now, without trade promotion authority, do not have credibility at the negotiating table. We need credibility to set the agenda and to influence the scope and timing of these talks.

Without trade promotion authority, our foreign competitors will have the upper hand. They will determine the scope and the timing of the World Trade Organization negotiations to their advantage—obviously not to the advantage of the United States.

Last Friday the Agriculture Coalition for Trade Promotion Authority, which represents more than 80 food and agricultural groups, sent a letter to congressional leaders. It was signed by 29 university agricultural economists. I will read from a portion of that letter:

... There is an important political dimension in all trade negotiations, and without trade promotion authority, the ability of the United States negotiators to press for agreements on our terms and our agenda will be fatally weakened. ... Trade Promotion Authority is an indispensable tool that U.S. trade officials need now to keep U.S. agriculture on the path of prosperity and long-term economic growth.

The individuals who signed that letter are some of the most distinguished agricultural economists in our country. I am sure some of my colleagues would recognize their names. I hope we hear their message very clearly. I am suggesting it is wrong not to act on their advice.

I ask unanimous consent that entire letter be printed in the RECORD.

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

TPA COALITION COMMENDS LETTER TO CONGRESSIONAL LEADERS FROM PROMINENT AGRICULTURAL ECONOMISTS

The Agricultural Coalition for Trade Promotion Authority today commended the 29 university agricultural economists who signed a letter in support of TPA that was sent Friday to Congressional leaders. The letter, which will go to every House and Senate member today, points out that without trade, the U.S. farm economy would be in a desperate situation and that without TPA, "the ability of U.S. negotiators to press for agreements on our terms and our agenda will be fatally weakened."

Following is the text of the letter. The Agriculture Coalition for TPA includes more than 80 food and agriculture groups dedicated to the passage of legislation granting the president Trade Promotion Authority. It is co-chaired by the National Pork Producers Council and Farmland Industries.

APRIL 26, 2002.

Hon. THOMAS A. DASCHLE,
U.S. Senate,
Washington, DC.

Hon. TRENT LOTT,
U.S. Senate,
Washington, DC.

Hon. RICHARD A. GEPHARDT,
U.S. House of Representatives
Washington, DC.

Hon. J. DENNIS HASTERT,
U.S. House of Representatives
Washington, DC.

DEAR SENATOR DASCHLE, SENATOR LOTT,
REPRESENTATIVE GEPHARDT, AND MR. SPEAKER:

We, the undersigned agricultural economists from the nation's agricultural colleges, universities and research institutions, strongly support trade negotiations to advance U.S. agriculture's interests in the global market.

Despite the frustrations some in the farm community voice today about recent trade agreements, U.S. agriculture would be substantially worse off had it not been for those arrangements. The fall in exports resulting from the Asian financial crisis and the unusual string of years of strong global crop production would have been worse without the access opportunities in Mexico and many other markets that NAFTA and the Uruguay Round provided.

Clearly, there remain important tariff and subsidy inequities that impede U.S. exports. Global food and agriculture tariffs average 62 percent, while U.S. food and agriculture tariffs average only 12 percent. But the only practical way to deal with these problems is through the multilateral, regional, and bilateral trade negotiations the Administration has undertaken, and for which it must have Trade promotion authority (TPA). While the regional and bilateral trade initiatives currently under negotiation are important, the most promising trade initiative for U.S. food and agriculture producers is the ongoing multilateral World Trade Organization (WTO) negotiations.

To put the importance of trade and the need for negotiations in perspective, it is worth pointing out that the value of U.S. agricultural exports—now around \$54 billion—frequently tracks or exceeds the level of net farm income each year. Without exports, farm and ranch income would plummet.

The domestic U.S. market is, of course, the principal destination for most of our farm output. However, the U.S. population is only about 4 percent of the world's total. Increased access to the other 96 percent, which can only be accomplished through trade negotiations, would offer U.S. producers another—and potentially enormous—outlet for our high quality production.

As economists, we tend to view issues in terms of numbers: the data that show that a

substantial portion of our production is exported, the strong recent growth in exports of job-creating high value and processed agricultural products, and the contribution exports make to the overall farm economy. However, we also recognize that there is an important political dimension in all trade negotiations, and that without TPA the ability of U.S. negotiators to press for agreements on our terms and our agenda will be fatally weakened. Indeed, there is a deadline of March 2003 in the ongoing WTO agriculture negotiations for establishing the framework of the final agreement—which is referred to by our trade negotiators as establishing the "modalities." If the U.S. is to provide effective leadership in establishing these modalities, our negotiating partners must know that U.S. leadership is based on and supported by authority from Congress. In short, TPA is an indispensable tool that U.S. trade officials need now to keep U.S. agriculture on the path of prosperity and long-term economic growth.

Sincerely,

Dermot Hayes, Ph.D., Professor of Economics, Iowa State University; Colin A. Carter, Ph.D., Professor, Agricultural Marketing, International Trade, UC Davis College of Agricultural and Environmental Sciences; Mechel S. Paggi, Ph.D., Director, Center for Agricultural Business, California State University, Fresno; Daniel A. Summer, Director, Agricultural Issues Center, University of California, Davis; Frank H. Buck, Jr., Professor, Department of Agricultural and Resource Economics, University of California, Davis; Michael Reed, Ph.D., Director, Graduate Studies, University of Kentucky; John C. Beghin, Ph.D., Professor of Economics, Iowa State University; Cary W. Herndon, Jr., Professor, Department of Agricultural Economics, Mississippi State University; Julian M. Alston, Professor & Agricultural Economist, University of California; Gary Storey, Agricultural Economics, University of Saskatchewan; Gail L. Cramer, Professor and Head Department of Agricultural Economics and Agribusiness, Louisiana State University; Timothy G. Taylor, Professor and Director, Center for Agribusiness, University of Florida; George C. Davis, Associate Professor, Texas A&M University; P. Lynn Kennedy, Ph.D., Department of Agricultural Economics & Agribusiness, Louisiana State University; Timothy E. Josling, Professor of Food Research, Stanford University; Gary W. Williams, Ph.D., Professor of Agricultural Economics, Texas A&M University; Barry Goodwin, Professor, Agricultural, Environmental & Development Economics, Ohio State University; Chris Barrett, Associate Professor, Applied Economics & Management, Cornell University; Thomas W. Hertel, Professor of Agricultural Economics, Purdue University; David Harvey, Ph.D., Professor of Agricultural Economics, University of Newcastle upon Tyne; Scott R. Pearson, Professor, Food Research Institute, Stanford University; David Abler, Ph.D., Professor and Graduate Officer, Agricultural, Environmental and Regional Economics, Penn State University; Eric Monke, Ph.D., Professor, Agriculture/Resource Economics, University of Arizona; David Blanford, Ph.D., Professor and Head, Department of Agricultural Economics and Rural Sociology, Pennsylvania State University; Maury E. Bredahl, Director, Center for International Trade Studies, University of Missouri-Columbia;

James E. Ross, Ph.D., Courtesy Professor, International Trade and Development Center, University of Florida; Vernon Oley Roningen, Ph.D., Consulting Services and Economic Analysis, VORSIM; Jimmie Hillman, Ph.D., Professor Emeritus, International Agricultural Policy University of Arizona; and Luther G. Tweenen, Faculty Emeritus, Agricultural, Environmental & Development Economics, Ohio State University.

Mr. GRASSLEY. On the subject of another trade bill coming before us, I want people to know I strongly support what we have had since 1963, called trade adjustment assistance. It is coming up for reauthorization. It has been an integral part of our trade policy for about 40 years.

We need to update trade adjustment assistance and make it more effective for people whom it is designed to serve.

Finally, I would like to say a few words about the Andean trade bill. That is the bill which the cloture motion we are debating is on.

The Andean trade bill will enable the United States to constructively engage with our Latin American neighbors at a time when many of them face enormous economic and political challenges. There is political instability and the social instability in some of those countries because they face severe economic challenges. There are more people with less growth and fewer material goods for the people. What the Andean pact comes down to is that we need—and the Andean nations need—a trade policy that will positively affect trade between our countries.

Where I come from—the little town of New Hartford, IA—when your neighbor down the road has an emergency, or needs a hand, in that Midwestern spirit we reach out to help. The United States pretty much has adopted the same policy as part of our responsibility of world leadership since World War II. It happens all over America. Neighbors help and support each other.

When our Andean neighbors—Colombia, Peru, Bolivia, and Ecuador—found themselves under siege by narco-terrorists, we reached out to help these hemispheric neighbors. Through the Andean Trade Preference Act, we designed a plan that is based on trade—not aid—following the advice of President Kennedy 40 years ago that focuses upon people's self-help. That is what trade is all about. Aid is all about doing something for somebody instead of helping themselves. But trade is about helping people to help themselves so they eventually develop to a point—such as Korea, Japan, Taiwan, and Thailand have in the last 40 years—where they don't need our help.

The Andean pact uses trade to promote economic development through a diversified export base as an alternative to the allure of the drug trade. I also support the Andean trade bill because it recognizes that trade and prosperity go hand in hand. Trade is not just for rich countries such as the United States, it is also for countries that aspire to be rich.

What country looking at the United States wouldn't like to have the prosperity the United States has developed in the last hundred years and become the richest nation in the world? Countries want better and more secure lives for their people. Countries want better health care, better education, and a better future for their children.

Through the Andean Trade Preference Act and complementary trading initiatives, such as the free trade areas of the Americas, we can help achieve a new era of hemispheric economic cooperation that will not only benefit those countries to the south of us but it will benefit us as well. The Andean nations know that trade—not aid—is the best way to overcome the fragmentation of Latin American economies and build self-sustaining growth that nourishes democratic institutions.

The United States must get off the sidelines. We need to get back into the middle of the negotiating circle and back into our customary role as leader of the world economy in trade, as we have been generally since at least 1947. But we haven't been there in the last few years. The rest of the world is not going to stand around and wait for us. They are negotiating over 100 agreements, and we have negotiated 3.

The longer we wait, without credibility at the negotiating table, the more harm will be done to our political and economic interests. By not leading the world, we are not going to help the world economy grow as large as that world economy can grow.

It is very important to get this debate started. To get this debate started, we have to have a yes vote on cloture on this bill so we can overcome a few Members of the Senate who believe the United States ought to be more parochial and a little more isolated. That is not a place where America has been since 1947.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mrs. FEINSTEIN. Mr. President, I rise today to express my support for the Andean Trade Preference Expansion Act and the cloture vote on the motion to proceed.

However, I believe the Senate should move forward on this important piece of legislation separately from consideration of Trade Promotion Authority.

I believe it is essential for the people of Ecuador, Colombia, Peru, and Bolivia and the people of the United States that the Senate expeditiously debate and act on the Andean Trade Preference Expansion Act on its own.

The original Andean Trade Preference Act was designed to discourage illicit drug production and help partici-

pating countries develop a broader export base.

The results over the past decade have been very encouraging. The Andean Trade Preference Act has generated \$3.2 billion in new output and \$1.7 billion in new exports to the United States. Export diversification has resulted in the creation of 140,000 jobs in the region.

The excellent cooperation of participating countries with the United States in the fight against narcotics production and trafficking has resulted in significant gains. For example, coca cultivation in Bolivia has fallen by 68 percent and in Peru by 74 percent.

Unfortunately, we have not seen similar progress in Colombia, but this is due more to political instability and the continuing struggle against narcoterrorism. I am hopeful that these difficult issues can be resolved and that Colombia will enjoy the full benefits of this bill.

Just as important, the Andean Trade Preference Act has given hope to the people of the region for a better tomorrow and has shown them that the journey from poverty to economic prosperity need not begin with the cultivation of illicit narcotics.

Nevertheless, despite these success stories, the Andean Trade Preference Act expired on December 4, 2001 and the 90-day suspension of import duties on eligible products issued by President Bush is set to expire on May 16.

The House passed its own version of the Andean Trade Preference Expansion Act on November 16, 2001. That bill has now come to the Senate floor and will be amended to include Trade Promotion Authority legislation. I am concerned that this will slow passage of the underlying bill.

If the United States continues to delay passage of the Andean Trade Preference Expansion Act, the participating countries will be put in a vulnerable position and could face devastating consequences. They will deal with increased narcotics production and trafficking, and the gains of the past ten years will be lost.

In addition, in a recent meeting, the ambassadors of Colombia, Ecuador, and Peru indicated to me that inaction on this bill would result in the loss of tens of thousands of jobs. The hopes of hard working families will be shattered.

Finally, Bolivia, Ecuador, and Colombia all face presidential elections this year, and the lack of closer trade ties with the United States could impede continued growth of democracy in the region.

The resulting weakness of the central governments will only serve to re-enforce the strength of drug lords and their armies and destabilize the region even further.

We should also be concerned about our own economy and export growth. Between 1991 and 1999, U.S. exports to the Andean region increased by 65 percent. The United States is the largest source of imports for each of the participating countries.

The gains from an expanded Andean Trade Act, strengthened democracies and stronger, more vibrant economies, will encourage even more U.S. investment and exports to the region, creating more jobs at home and fostering greater economic growth.

My home State of California, the fifth largest economic engine in the world and a leader in global commerce, will greatly benefit from increased prosperity and political stability in the Andean region.

If we do not act, U.S. credibility and leadership in the region will suffer and future efforts to expand trade in Central and South America will be met with skepticism and resistance.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

The 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 debate on the motion to proceed to Calendar No. 295, H.R. 3009, the Andean Trade Preference Act:

Max Baucus, Zell Miller, Harry Reid, Tom Carper, Joseph Lieberman, Bob Graham, John Breaux, Blanche L. Lincoln, Ron Wyden, Dianne Feinstein, Ben Nelson, Trent Lott, Charles Grassley, Orrin G. Hatch, Jon Kyl, Rick Santorum, Pat Roberts.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to H.R. 3009, an act to extend the Andean Trade Preference Act, to grant additional trade benefits under that act, and for other purposes, shall be brought to a close?

The yeas and nays are required under the rule. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from Missouri (Mrs. CARNAHAN), the Senator from New Jersey (Mr. CORZINE), the Senator from Connecticut (Mr. DODD), the Senator from New York (Mr. SCHUMER), and the Senator from New Jersey (Mr. TORRICELLI) are necessarily absent.

Mr. NICKLES. I announce that the Senator from North Carolina (Mr. HELMS), the Senator from Idaho (Mr. CRAIG), the Senator from New Mexico (Mr. DOMENICI), the Senator from Arkansas (Mr. HUTCHINSON), and the Senator from Alaska (Mr. MURKOWSKI), are necessarily absent.

I further announce that if present and voting the Senator from North Carolina (Mr. HELMS) would vote "no."

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

The yeas and nays resulted—yeas 69, nays 21, as follows:

[Rollcall Vote No. 97 Leg.]

YEAS—69

Akaka	Durbin	Lieberman
Allard	Edwards	Lincoln
Baucus	Ensign	Lott
Bayh	Enzi	Lugar
Bennett	Feinstein	McCain
Biden	Fitzgerald	McConnell
Bingaman	Frist	Miller
Bond	Graham	Murray
Boxer	Gramm	Nelson (FL)
Breaux	Grassley	Nelson (NE)
Brownback	Gregg	Nickles
Campbell	Hagel	Reid
Cantwell	Harkin	Roberts
Carper	Hatch	Santorum
Chafee	Hutchison	Smith (NH)
Cleland	Inhofe	Smith (OR)
Clinton	Jeffords	Specter
Cochran	Johnson	Stabenow
Collins	Kerry	Stevens
Conrad	Kohl	Thomas
Crapo	Kyl	Thompson
Daschle	Landrieu	Voinovich
DeWine	Leahy	Wyden

NAYS—21

Allen	Hollings	Sarbanes
Bunning	Inouye	Sessions
Burns	Kennedy	Shelby
Byrd	Levin	Snowe
Dayton	Mikulski	Thurmond
Dorgan	Reed	Warner
Feingold	Rockefeller	Wellstone

NOT VOTING—10

Carnahan	Domenici	Schumer
Corzine	Helms	Torricelli
Craig	Hutchinson	
Dodd	Murkowski	

The PRESIDING OFFICER. On this vote, the yeas are 69, the nays are 21. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The Senator from Massachusetts.

STUDENT LOAN PROGRAM

Mr. KENNEDY. Mr. President, I am sure that when all of our colleagues travel back to their States and meet with parents and families, they are being asked about the increased cost of tuition at the universities and colleges across the country.

I know that is true in my own State of Massachusetts. The average fees at the University of Massachusetts, one of our fine universities, are going up in excess of \$1,000 for this next year.

Quite frankly, in my part of the country, families are really concerned about the economic conditions. I know the economic indicators, the GDP indicators, are showing some improvement. Clearly, the unemployment figures are not reflecting the real situations of many Americans in many parts of the Nation. So many Americans are facing lay-offs and those that are finding new jobs are often taking pay cuts. As many states cut their higher education budgets, people are wondering how they are going to afford the increases in tuition.

Many of those attending school and recent graduates were very perplexed to read the story in the New York Times over the weekend that says: "Bush seeking to squeeze school loan program."

The student loan programs offer low-interest loans to full-time students. These programs are available to low

and middle-income families. I have an AP story that says:

The White House has suggested \$5.2 billion savings from Federal student loan programs. The White House Budget Director Mitch Daniels proposed the savings to the House Speaker DENNIS HASTERT last week. Among Daniels's proposed savings is to require college students and graduates who wish to consolidate their Government-backed education loans to use variable interest rates, a change from the current program.

I want to share with the Senate what has happened in my own State, and it is replicated across the country. Just last year, we had some 36,000 families consolidate their loans, taking advantage of the lower fixed interest rates. It amounts to \$1 billion. The average loan in my State is \$29,000. Let me be very clear, Mr. President. If the proposal that is reported in the New York Times goes into effect, it will mean \$3,000 more for every \$10,000 a person owes to the guaranteed loan program—\$3,000; \$10,000 over a 30-year period. That is \$10,000 additional over a 10-year period if that student owes \$30,000.

In my State of Massachusetts, the average consolidated loan is \$29,000. To do what? According to Mr. Daniels, for the next year, it will mean \$1.3 billion in savings to the administration evidently so they can use it for the tax cut program for wealthy individuals. Talk about a financial transfer. This administration is going to balance its books at the expense of students. They are talking about \$1.3 billion from students and middle-income families who will have to pay a variable rate on consolidated loans, instead of taking advantage of the lower fixed interest rates at the present time. This is an effort to effectively fix the system so that students and their families will pay more so this administration can afford more in tax cuts.

Families pay what they can afford in tuition for their children to go to school, and depend on the federal loan programs for the remainder of the tuition. When it comes time to help repay those student loans, they will have to pay higher interest rates, and they ask why. Hard working families should get the best deal on interest rate that is available.

The New York Times article goes on:

"The Bush administration is seeking to ease its budget by squeezing \$1.3 billion from the Federal student loan program," administration and congressional officials say today.

Whether it is the \$1.3 billion as in the New York Times or the \$5 billion, what they are basically saying is the students and middle-income families are going to have to pay a good deal more rather than taking advantage of the lowest interest rates.

That is poor education policy. It is grossly unfair to middle-income families, and it is clearly not in the national interest. Our national interest ought to be to encourage the best and the brightest to complete their education, to be involved in the communities of this country, and contribute to our Nation's democratic values and its economic values.

How can the administration make that kind of request to the Congress? Mr. President, I just want to make it very clear, as far as our committee goes, I can say without fear of any contradiction, this suggestion will not pass.

The last time we faced this type of proposal was in 1981 under President Reagan who suggested an origination fee which was an additional burden on students and their families who were taking out student loans. We were unsuccessful in stopping that fee, and I believe we will succeed in rejecting the elimination of the fixed rate consolidation loans. But I tell my colleagues, how in the world can you believe this administration is putting education first when it is trying to shortchange the students of this country in an unfair and, I think, unwise way?

Mr. SARBANES. Will the Senator yield for a question?

Mr. KENNEDY. I will be glad to yield.

Mr. SARBANES. I must say, when I saw that article, the first thing I thought to myself was: They must have figured out some sort of unique way to achieve some savings in the college loan program which will not affect the beneficiaries of the program. It never occurred to me until I read the article, to which the Senator has referred, that they were intending to take this money right out of the hide of the beneficiaries.

As I understand it, we have had this program where people can consolidate their loans and lock them into place with a fixed interest rate. That has helped, as I understand it, to significantly reduce the default rate on college loans, if I am not mistaken.

I think 10 years ago we had a default rate at about 22 percent, and now we have cut that rate to, what, about 5 percent?

Mr. KENNEDY. Five point six percent.

Mr. SARBANES. Five point six percent.

Mr. KENNEDY. Under the Clinton administration.

Mr. SARBANES. That is one of the benefits of providing a rational framework for students and their families to address these college loans.

First of all, we have to understand these students are taking on a tremendous burden as they move through college in order to get a college education. There are many people who argue we are not doing enough to help lift that burden. But the notion that we should now add to it in this significant manner that the head of the OMB is talking about I find outrageous.

How are these people going to afford this college education?

We have set up a system which seems to be working pretty well. If anything, we ought to provide more assistance, not less. I certainly commend the Senator for taking to the floor to underscore this problem. I gather they want

to try to do it in the supplemental appropriations bill, with very little consideration of its impact or an opportunity to affect what is happening.

Mr. KENNEDY. The State PIRGs have completed an interesting study. It is an independent evaluation on higher education student loan debt. Their estimate on the cost to borrowers of switching from a fixed rate to a variable rate consolidation loan—this is their estimate, not mine—for an average graduate with \$16,000 in college debt would have a \$2,800 increase over the next 10 years and \$6,300 if they chose to spread their payments over 20 years. If one has \$16,000 they would pay an additional \$2,800—the average loan is \$29,000 in my State. Do you understand that? Mr. President, \$16,000 is just about the national average loan. This is not my estimate, this is the estimate of the highly regarded and respected national group the Public Interest Research Group.

I do not know how many people are consolidating loans in the State of Maryland and the State of Illinois, but I do not think that higher rates are what these families deserve. They deserve the best possible low interest rates. They are uncertain about their economic future. They are planning their life. They have every right to consolidate at the lowest interest rates, and now the administration is attempting to force them to pay the rate at the time that they originate their loans.

Mr. DURBIN. Will the Senator yield?

Mr. KENNEDY. I will be glad to yield.

Mr. DURBIN. I thank the Senator for raising this issue, and I thank the Senator from Maryland for joining us. Roughly two out of three college graduates today leave college with a debt. The average debt across the United States for all college students is \$16,000. That is a pretty substantial sum of money for somebody starting out to get their first job out of college.

Mr. SARBANES. Age 21, I might add, or 22, and they are already walking out, after getting their education, with a \$16,000 average debt. A lot of them, as the Senator points out, have more.

Mr. DURBIN. I might say to the Senator from Massachusetts, the experience in Illinois is the same as in his State. Our average student loan, as consolidated under this program, is \$30,000. What the Senator from Massachusetts tells us is that President Bush's administration has suggested adding \$10,000 in cost to pay back that student loan.

So one might say to themselves, this must be some national emergency that would lead us to the point where we would take a young college graduate and say we are going to eliminate a program and heap on another \$10,000 in debt for them to pay off. The national emergency appears to be making permanent the President's tax cut program.

We did a little analysis on this program recently, and I think the Senator

from Massachusetts is aware that 65 percent of President Bush's tax cut goes to people making over \$500,000 a year. So think about this for a second. The new college graduate coming out with a debt, in my State, of an average \$29,000, just got a \$10,000 bill to collect money, to do what? To give to the average person making over \$500,000 a year a \$39,000-a-year tax break.

What is wrong with this picture? Why are we not helping the young men and women who are going to lead this Nation with their education to take the kind of jobs that they need?

I know the Senators from Maryland and Massachusetts know the situation where so many young graduates want to go into teaching, for example, and they look at their student loans and say: This is impossible. I cannot make enough money as a teacher.

The Bush administration proposal would make their debt larger. For what? To give a tax break, two-thirds of which goes to people making over \$500,000 a year. This is totally upside down.

The student loan obligations for students across America have doubled within the last 8 years. They are likely to go up in the future. The Bush administration proposal, I am afraid, is going to make it even more difficult for our sons and daughters and grandsons and granddaughters to pursue a higher education.

Mr. KENNEDY. May I add one point? I would be interested in my friend's reaction to this. If someone is receiving a Pell grant, the average family income for a Pell grant student is \$17,000. These are gifted, talented individuals who could qualify for any of our greatest universities. Their family income is under \$17,000, and the Pell grant is available to them. Reading from the Public Interest Research Group's analysis, even worse off are the students who depend on the Pell grants to finance their education. This would cost the typical Pell grant borrower \$3,100, almost a thousand dollars more because since they are lower income, they have to pay—at the start they are paying higher rates.

So we are talking about students who are gifted and talented, who have every kind of asset except a large wallet or pocketbook, who have a great deal to contribute to our Nation, and whose family income is less than \$17,000, people who are going ahead and working. Sixty-three percent of the students in this country now who are on scholarship work 25 hours a week or more. That is extraordinary.

We wonder why the students are not talking about books and education; they are talking about their debts and their obligations. Well, I am wondering, if my two friends would not agree, when families of limited income, even though their children have the academic gifts and talents to go on to education, are going to be forced to say: No, count me out; I will just go on, wait on tables, I will park cars, because

I am not going to put my family through that kind of indebtedness. That is the message that will go out with this proposal.

Mr. DURBIN. Asking the Senator to further yield, I will share with him this statistic: 39 percent of college students now graduate with debt loads that are termed unmanageable, meaning their monthly payments are more than 8 percent of their monthly incomes.

With this Bush administration change putting more debt on these students, it becomes impossible for them to deal with this.

Mr. KENNEDY. But the Republican response to that is these students are going to become lawyers and doctors so they will be able to afford it. Would not both my colleagues agree, we have a shortage of 2 million schoolteachers in this country? What we are talking about is schoolteachers. We are talking about social workers who we are trying to help. We are talking about those who would be childcare providers. We are talking about police officials and nurses. These are the ones who are entering low wage professions, trying to make it and to be responsible and pay off their debt. They are the ones who are going to find education virtually priced out.

Mr. SARBANES. Will the Senator yield?

Mr. KENNEDY. I am glad to yield.

Mr. SARBANES. The fact is that no other advanced country places as much of the burden of obtaining a college education on the individual student and the family as we do. We in the Congress have been trying to ease that burden through a combination of grants and loans, although we have been shifting from grants to loans increasingly over the years. Other countries do not do the same thing. Why not? Because they recognize the society and the nation benefit from developing the talents and the capacities of their young men and women; that it is not only the individual who gets the benefit but society gets a benefit from educating these people.

As my colleague from Illinois pointed out, if they walk out of college with this huge burden on their back, then obviously they are motivated to go to lucrative professions in order to pay off the debt.

I have talked to young people who have said: I really would like to teach but I cannot afford to teach because I have this debt burden that I have to pay off. Therefore, they are looking to go into some profession where they can make a lot of money. They are lost to the teaching profession.

Now that we have a system in place, we knock out one aspect. My understanding is the consolidation of loans has been in effect since the Reagan years. I understand it first went into place in 1986, the consolidation of loans. It makes good sense. We are always telling people they ought to consolidate their loans and we put it into place. Now we are taking away from

people another support to try to help with higher education.

Mr. KENNEDY. The Senator is quite correct. There is a very interesting statistic for those who enter medical school. 85 percent of medical students want to become general practitioners. They care about patients and want to be there on the front line treating the families of America. However, they end up borrowing so much to pay for their school costs that they need to enter specialization because of the salary differences at the very time we need more general practitioners.

I draw the attention of my colleagues to the chart and what has happened with grants and loans. My colleagues remember the great debates held on providing greater access to higher education for all Americans, those national debates go back to 1960. President Kennedy believed the size of your pocketbook should not determine what university a student attends, only your qualifications should determine where you could attend school. Grants, some loans, work-study programs, summer employment should add up to the cost of your tuition and fees. All of those match together in an economic package so a student can successfully go to the school of their choice.

I was in the Education Committee when Secretary Bennett said: Too bad. Those families can go where the loans will take them. That is our view of this Republican administration. That is the attitude. We do not want to limit opportunity. I know where that is in the RECORD.

We have seen the buying power of grants fail to keep up with the costs of college. The neediest children are forced to take out loans. Now we find at a time when these young students and graduates are trying to take advantage of refinancing their loans, we are hearing the administration saying: No, we need another \$1.3 billion for our tax program so we are going to force students to wait and see what the interest rate will be every year instead of locking in at a fixed rate. That is regrettable.

I draw another chart to the attention of my colleagues. This is a women's issue. Education is one way that we can help women close the earnings gap. When you deny women the opportunities to continue education, you continue a perpetuation of the notable disparity taking place. Women, like their male counterparts, increase their earnings when they increase their education.

Once you put the economic binds by effectively denying people the ability to discharge debt, this will work against women students. We see it already. We will see it even grow over the period of time.

Mr. DURBIN. Will the Senator yield?

Mr. KENNEDY. I yield.

Mr. DURBIN. The Senator was part of an effort that many joined with President Bush: Leave no child behind. The idea was to improve the quality of

education across America, to make certain, with accountability, that schools were graduating students who had the basic wherewithal to succeed in society.

One of the linchpins was to improve teachers in the classroom.

I would like the Senator from Massachusetts to tell me if I recall this correctly. Are we moving through President Bush's bill to a point where more and more teachers have to be certified in that they are going to teach in schools? In other words, you cannot be the gym teacher who says, I will teach biology. You have to stand in front of the classroom with students.

We are passing bills saying, teachers, we want you to stay in school, get more advanced degrees, and be more valuable in the marketplace but come back to the classroom. And now the Bush administration, months later, comes in and increases the cost of education for those who aspire to be those quality teachers. There is a disconnect.

Mr. KENNEDY. The Senator is absolutely correct. It is a powerful, powerful argument. We are trying to make sure we are going to have a well-qualified teacher in every classroom. More and more young people who are entering teaching are saddled with enormous debt burden. As a national objective, have a well-qualified teacher in every classroom. How can these young professionals afford to pay off their loans when we know that too many teachers are underpaid.

And the Senator quite rightly points out that will require tens of thousands, hundreds of thousands, of teachers to get certification and to go back to universities and colleges, community colleges, to get these certifications.

This kind of activity is going to make it that much more expensive, that much more of a disincentive to go into teaching. That is enormously important and significant. I thank my colleague for bringing this critical fact to the floor.

I see my friend from Rhode Island who has been such a leader in education, and follows a very proud tradition in his state. We give fair notice to the administration that we are going to do everything we possibly can legislatively do to make sure this does not take place. We want to keep as many low-cost options for borrowers as possible to make sure that more people are getting college degrees. We will have more to say about this in the very near future.

I yield the floor and 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. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

The Senator from Illinois is recognized.

Mr. DURBIN. I thank the Chair.

(The remarks of Mr. DURBIN pertaining to the introduction of S. 2393 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. DURBIN. 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 rescinded.

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

MORNING BUSINESS

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

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

ORDER OF PROCEDURE

Mr. REID. Mr. President, I also ask unanimous consent that the time we are in morning business be charged against the 30 hours postcloture on the matter now before the Senate.

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

RECOGNIZING THE UNIVERSITY MEDICAL CENTER VOLUNTEERS IN LAS VEGAS, NEVADA

Mr. REID. Mr. President, as we celebrate National Volunteer Week I would like to recognize the 300 volunteers at the University Medical Center in Las Vegas, NV who are committed to providing young Nevadans with more promising futures.

As a group, U.M.C.'s 300 volunteers donated 49,700 hours of time in 2001. Their contribution of volunteer time and talent has enormously improved the efficiency and effectiveness of University Medical Center. Through their efforts, these volunteers have helped build a better community. The programs that they have participated in include U.M.C.'s Medical Explorer Program, the Volunteer Youth Corps, the "Pal" program of Las Vegas High School, and the "Medical Magnet Program of Rancho High School, all of which have positively impacted the youth of Nevada.

In addition, for almost 40 years U.M.C. Auxiliary, a group chartered by the Clark County Board of Trustees, has volunteered and raised millions of dollars for the discretionary use of the hospital including the purchase of needed medical equipment. Having recently been challenged to raise even more money for the hospital, the Auxiliary presented a donation of \$300,000 to the Clark County Board of Trustees on April 16.

Dr. Martin Luther King, Jr. said that "everyone can be great because anyone can serve." U.M.C. volunteers have proven their greatness by serving the people of southern Nevada through the hours and money they have donated and by helping University Medical Center fulfill its mission.

NOMINATION OF JUDGE HENRY HUDSON TO THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA

Mr. WARNER. Mr. President, in my twenty-four years in the United States Senate, I have had the responsibility as a United States Senator, in keeping with the long standing traditions of the Senate, to recommend to the President of the United States well qualified Federal judicial nominees for Federal courts sitting in Virginia. I deem this one of my most important duties as a United States Senator.

Since his inauguration, I have the had the honor of recommending individuals to President George W. Bush for two positions on the Federal courts sitting in Virginia.

First, I was pleased to recommend Roger Gregory to serve as a judge on the United States Court of Appeals for the Fourth Circuit. President Bush subsequently nominated Mr. Gregory, and the Senate confirmed this nomination on July 20, 2001.

Today, I rise in support of another nominee that I have recommended to President Bush, Mr. Henry Hudson. On January 24, 2002, President Bush nominated Judge Hudson to serve on the United States District Court for the Eastern District of Virginia. Senator ALLEN and I both strongly support Judge Hudson's nomination.

Judge Hudson's background makes him highly qualified for this judgeship. And, it is important to note that the Virginia Bar Association "highly recommends" him as well.

Judge Hudson's experience with the law is extensive, beginning with his service as a Deputy Sheriff in Arlington County, Virginia, in 1969 and 1970. He then went to law school, graduating from American University in 1974.

Subsequent to his graduation from law school, Mr. Hudson entered legal practice as a prosecutor. First, he served as an Assistant Commonwealth's attorney for five years and then as an Assistant U.S. Attorney in the Eastern District of Virginia.

In 1986, Mr. Hudson was confirmed by the Senate and began his service as the United States Attorney for the Eastern District of Virginia, a role in which he served in until 1991.

After leaving the U.S. Attorney's office, Judge Hudson once again received Senate confirmation and served as the Director of the United States Marshal Service from 1992 to 1993.

After completing his work at the Marshal Service, Mr. Hudson entered private practice until he was a sworn in as a Judge on the Fairfax County, Virginia Circuit Court. Judge Hudson has served as a judge on this important court since 1998.

During his time on the Fairfax County Circuit Court bench, Judge Hudson has been known as a fair, objective judge who conducts proceedings with dignity and with the appropriate judicial temperament. I am confident that he will continue his service on the Eastern District of Virginia bench consistent with this reputation.

Clearly, Judge Hudson is a highly qualified nominee. Accordingly, I will soon be speaking directly with Chairman LEAH and Ranking Member HATCH about an appropriate time for a confirmation hearing for this nominee.

ADDITIONAL STATEMENTS

ON THE DEATH OF STUART R. PADDOCK

• Mr. FITZGERALD. Mr. President, today I pay tribute to the late Stuart R. Paddock, editor emeritus, publisher emeritus, and owner of the suburban Chicago newspaper, the Daily Herald. The Daily Herald, I am proud to say, is my hometown paper. A respected businessman, community leader, and World War II veteran, Mr. Paddock served the Daily Herald for nearly 65 years, during which time he transformed a struggling tri-weekly paper into Illinois' third largest daily newspaper. Mr. Paddock died last week at the age of 86.

Stuart Paddock's career with the Daily Herald began inauspiciously as a "printer's devil," the person responsible for pouring molten lead into molds for use in linotype. After graduating from Knox College and serving as a company commander in Europe during World War II, Mr. Paddock rejoined the newspaper in 1946. By 1948, he had been named vice president and board director. In 1970, just 2 years after assuming the Herald's top leadership position, he overcame fierce competition from other publications and established the Herald as a 5-day-a-week paper. For his hard work and dedication, Stuart Paddock earned the respect not only of Daily Herald readers and employees, but of his staunchest competitors. As the Chicago Tribune wrote, "Stuart R. Paddock Jr. put 'daily' in Daily Herald." The Herald enjoyed enormous success in the ensuing years, growing from a circulation of 11,800 in 1970 to nearly 130,000 by 1994. The Herald's success was so remarkable for a suburban paper that the Chicago Tribune proclaimed Stuart Paddock "the Sam Walton of suburban journalism." Throughout his career, Mr. Paddock was active in the Illinois Press Association, the Cook County Suburban Publishers Association, the Newspaper Committee for a Free and Competitive Press, and numerous other organizations. In recognition of his outstanding professional accomplishments, Mr. Paddock was inducted into the Chicago Area Entrepreneurship Hall of Fame in 2001.

Despite his success as a visionary and leader, Stuart Paddock, affectionately called "Stu" by his employees, never lost his sense of commitment to the

family he represented and the readers he served. When the Herald's spectacular growth sparked lucrative offers from potential buyers of the paper, he respectfully declined, choosing instead to keep the paper a family business with strong ties to local communities.

I knew Mr. Paddock as a man of integrity and vision. He was a gentleman, in every sense of the word. He is beloved by the communities and people that knew him best, and will leave a remarkable void as a civic leader and patriarch of the Paddock and Daily Herald family.

In paying tribute to Stuart Paddock, we honor a groundbreaking journalist, a gentleman, and a great American.●

U.S. SUPPORT FOR ISRAEL

• Mrs. BOXER. Mr. President, there has seldom been a more important time for Congress to support Israel. Right now, both the United States and Israel are under attack, and we share a common enemy—terrorism.

The goals of these terrorists are clear. They want to kill innocent men, women, and children to further their cause—whatever it may be. They want to strike at our democracies and test the freedoms of the United States and our greatest democratic ally in the Middle East, Israel. They are willing to train their sons and daughters to murder others by strapping explosives to their bodies and detonating themselves in civilian areas. But this is a test both nations will pass.

Why is this so? I think it is because our shared ideals of respect for religion, freedom of thought, and peace throughout the world make us stronger than those who fly airplanes into buildings and blow up restaurants. We will pass this test because the United States and Israel are united in our resolve that we will not change our ideals and our principles in the face of cowards. We can never be forced to surrender our freedoms.

Why do I have such faith and hope that Israel will weather this current storm of violence? I simply look at the history of Israel since independence nearly 54 years ago. I am struck by the resolve of the Israeli people. After the long-fought War for Independence, Israel suffered more than 10,000 acts of terrorism prior to the 1956 Sinai Campaign. That number is remarkable given that the population of Israel at the time was just 2 million.

In 1967, Israel overcame a hostile Arab alliance that threatened the existence of the nation from all sides. The early 1970s brought a massacre of Israeli athletes at the Munich Olympics and a surprise attack by Egypt and Syria on Judaism's most holy day. The 1980s were marked by the first intifadah, and the 1990s by Scud Missiles and the Gulf War.

Today, no Israeli man or woman can get on a bus or walk in a marketplace

without fearing for his or her life. Israel and its people have always been faced with violence and terror, its very existence continuously threatened by its neighbors.

But how has Israel responded? By developing a thriving democracy that respects human rights. By working hard to create an economy that has successfully operated in the face of hostile Arab boycotts. And by showing over and over again its commitment to peace by reaching out to the world to sign the Camp David Accords with Egypt, to engage in the Oslo process with the Palestinians, to unilaterally withdraw from Lebanon and even by reaching out two years ago to one of the most notorious state-sponsors of terrorism, Syria.

And, today, in the face of everything, it is Prime Minister Ariel Sharon who is urging a return to the peace table and laying out the roadmap that leads to peace.

Unfortunately, Israel's courage to make peace has, in large part, not been reciprocated in these cases, and it has certainly not be reciprocated by Yasser Arafat.

In 1993, Yitzhak Rabin took a bold step by entering into the Oslo Accords and beginning a process marked by the principle that peace in the Middle East could be achieved by trading land for peace. It's something that the Arab countries and the Palestinians said that they wanted. Did Israel live up to its commitments set out in the Oslo Accords? Yes, it did.

During the 1990s, Israel transferred control of 40 percent of West Bank land and 70 percent of the Gaza Strip to the Palestinian Authority. Yet Arafat was not able to, or did not want to, provide security and continuously violated the accords.

Then, President Clinton put a plan on the table. After all the land was already transferred to the Palestinians, Israel was willing to give up a staggering 95 percent of the West Bank during the Camp David talks. But Yasser Arafat walked away from that too. And I remember the despair I felt when this happened. You had to wonder, at that point, what this was really all about.

And not only did he walk away, Arafat started another intifadah. Now I want to take a minute to talk about a visit Democratic Senators had with Tom Friedman, a columnist who, over the years, has been very balanced in his approach to the Middle East. I cannot remember the exact conversation, so I will retell it to the best of my recollection. Mr. Friedman said that he was stunned that Arafat walked away after being offered 95 percent of what he wanted, he questioned the Palestinian leadership to learn why.

And the answer came back from the Palestinians that they needed more time to look this over, to see the details of the plan.

Mr. Friedman said that if that was all true why the intifadah. And the answer from the Palestinians was that

they could not take one more day of the occupation.

Mr. Friedman was incredulous. The Palestinians could not take one more day of the occupation, yet refused offers that would have ended occupation. Where is the sense in this?

So this intifadah has been a calculated plan of violence. Mr. Friedman later wrote in a column that, "the world must understand that the Palestinians have not chosen suicide bombing out of desperation . . . stemming from the Israeli occupation . . . [It] is because they actually want to win their independence in blood and fire. All they can agree on as a community is what they want to destroy, not what they want to build."

We are left to ask ourselves, does Arafat want peace? I say the facts dictate that he does not. Arafat is telling us that he wants peace on one hand, but on the other he is leading the Palestinian people away from what it is in their best interests, a lasting peace with Israel.

A look back at history shows that Palestinian leaders have walked away from possible statehood and secure borders with Israel four times, once in 1937 and in 1947, and then twice under plans presented by Prime Minister Ehud Barak and President Clinton. How many times will it take before we realize that there is something else going on here. They were offered a homeland four times. The Palestinians need to understand: it's not about the homeland, it's about all the land.

This strategy of suicide bombing is barbaric, it is to be condemned, and I am shocked at how little condemnation you hear around the world for this tactic.

When I take this issue up with leaders from other Arab countries, the answer is "well, people are desperate and they will do desperate things." When I bring up the issue of women and girls blowing themselves up, they just give me the brush off.

We will never forget the Palestinian suicide bomber who killed 27 Israelis as they were sitting down for the traditional feast marking the beginning of Passover. Zeev Vidor was one of the Israelis killed in the attack and today his kidney is keeping alive a Palestinian woman who was in need of a transplant.

This is possible because the family of Zeev Vidor knew the value of using life to give life, whereas those who entice suicide bombers believe in using life to destroy life. And I think that whole story is a metaphor for what we are talking about. Since September 2000, 170 Israelis have been killed by more than 60 suicide bombers.

Last year I worked on a resolution with Senator GEORGE ALLEN right before September 11 to condemn suicide bombing. After September 11, the resolution was shelved briefly, but it eventually passed the Senate in October.

Earlier this year, when we saw the women strapping on bombs, I went to

all the women in the United States Senate, 13 of us, Democrats and Republicans, and got them to sign on to a resolution that passed earlier this year. Then, I wrote to Palestinian envoy Dr. Hanan Ashrawi and urged her to speak out clearly against this horrible escalation of violence.

Women suicide bombers are a deadly tactic used by the al-Aqsa militant group that is linked to Yasser Arafat. An al-Aqsa leader in Bethlehem has been quoted as saying that "we have 200 young women, from the Bethlehem area alone ready to sacrifice themselves for the homeland." You notice that the older people don't do this, they just entice the young, which adds to the horror.

One such suicide bombing by an 18-year-old Palestinian girl was responsible for the death of a 17-year-old Israeli girl named Rachel who was only on a quick errand to buy some herbs for the fish dinner her mother was preparing nearby. It is tragic when young women are willing to kill each other in this fashion. It is even more tragic that the people these women look to for guidance are actively encouraging these acts of terror. Earlier this month there was a story of one of the highest ranking Muslim leaders in Lebanon giving his blessing to female suicide bombers, calling them part of a "new glorious history for Arab and Muslim women."

And what about Mrs. Arafat, telling an interviewer that if she had a son, she could conceive of "no greater honor" than having him strap on an explosive belt.

I have to tell you, the truth we have to look at is horrible, but we better look at it. Believe me, I am the last one who wanted to be dismayed or discouraged. I am in politics because I want to see a peaceful world, because I want a healthy environment for everyone, because I want all children to have hope. But we have to look at this, and we have to be strong and clear. And I am going to be very clear.

I am proud to be a cosponsor of the McConnell-Feinstein legislation that says that Arafat must meet his commitments or be sanctioned by the United States. And I am honored to be the author of the Syrian Accountability Act.

This bill that I introduced would expand sanctions against Syria, a state sponsor of terrorism, if it continues to support groups like Hamas and Hisbah, does not fully withdraw from Lebanon, continues to develop and deploy ballistic missiles, and remains in violation of U.N. Security Council resolutions.

From the death of innocent civilians in Israel, to attacks on Jews in the former Soviet Union; from Daniel Pearl saying "I am a Jew" shortly before his execution to the leader of a French political party saying that the gas chamber is just a detail of history, we know that this is a difficult and trying time for people of the Jewish faith.

I believe the Senate must send a message of hope and a message of action. We have friends outside the Jewish community who are standing with us. We ought to thank them and embrace them. Just as we had friends during the Holocaust, we must always embrace them. We must always form those coalitions. I believe that Americans of all faiths and people of all faiths across this world understand what is at stake here. Because it really is about humanity. Israel will come out of this strong, and remain a beacon of hope in the Middle East with the United States standing by as one of its greatest allies.

I agree with Prime Minister Sharon that the peace table must be rebuilt and there must once again be a process in place to resolve at long last the difficult challenges of the Middle East.●

LOCAL LAW ENFORCEMENT ACT OF 2001

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

I would like to describe a terrible crime that occurred November 1, 1992, in Miami Beach, FL. A 45-year-old Miami Beach man was beaten outside a gay nightclub. The assailants, two teenagers, were heard to make anti-gay threats toward the victim.

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

CHILD CARE

● Mr. BINGAMAN. Mr. President, I rise today to share with my colleagues a letter sent by almost 300 State legislators—Republican and Democrat alike from 40 States—calling on Congress to add substantial new funding for child care.

Just as parents have provided moving testimony to Congress about their struggles to find and afford child care, these state legislators join them in urging us to better fund child care to help families work and children succeed in school. Unfortunately, the Child Care and Development Block Grant (CCDBG), is currently serving only one out of every seven eligible children. And any progress that States have made in recent years is now being threatened by the challenging economic situations that the States are confronting. I, along with Senators KERRY and TORRICELLI, introduced the Children First Act of 2002, S. 2070, to

help children, families and the states meet their child care needs.

People in New Mexico recognize that accessible, quality child care is a vital support for working families. Increased availability of child care will help to ensure the success of welfare reform, while also providing a critical support for parents earning low-incomes who are struggling to support their families and stay off the welfare rolls. State legislators see firsthand the integral role of child care in helping families to work.

Quality child care also provides children with the early learning experience they need to achieve in school. States have been strong partners in the effort to improve public education across the nation. We must help them to provide children with the experiences they need to be ready to learn.

These State legislators, including 14 legislators from New Mexico, today join the growing chorus of voices that we have heard from in support of increased child care funding. I ask unanimous consent that the text of their letter be printed in the RECORD.

The letter follows.

APRIL 24, 2002

Re: Child Care
Hon. JEFF BINGAMAN,
U.S. Senate, Hart Senate Office Building,
Washington, D.C.

DEAR SENATOR BINGAMAN: Quality child care is one of the most important investments we can make to help families to work and children to enter school ready to learn. The undersigned state legislators believe that substantial new investments for child care must be a top federal priority.

Congress has a unique opportunity to address child care this year. As you undertake the reauthorization of the Child Care and Development Block Grant (CCDBG), we urge you to make sufficient new investments to ensure that 2 million more eligible children can receive assistance and that quality improvements can be made. This additional funding would approximately double the number of children currently getting assistance while improving the quality of care. Now, just 1 in 7 eligible children are receiving this important assistance.

This additional investment serves two critical purposes. First, child care is an essential work support that will help ensure the success of welfare reform. Working parents need stable, affordable, and safe child care for their children in order to get a job and stay employed. Parents who work in low wage jobs struggle to find quality child care that they can afford. State legislators see firsthand the critical value of child care and its integral role in helping families to work.

Second, quality care provides children with the early education experience they need to be ready for school and success in later life. States have been strong partners in the effort to improve the education of our children; we must to provide them with the strongest foundation possible to prepare them to be ready to learn and to succeed in school.

Substantial new funding for the CCDBG would help states ensure that parents can work and children can have the quality early learning experiences that help prepare them to achieve in school. Now, as states struggle to overcome difficult economic challenges, we hope that we can count on your leadership in making additional investments in the

CCDBG. This investment is one we cannot afford NOT to make.

Sincerely,

Rep. Steven C. Adams (VT), Sen. Richard Alarcón (CA), Rep. Elaine R. Alfano (VT), Rep. David Allaire (VT), Sen. Dede Alpert (CA), Assm. Elaine Alquist (CA), Sen. Ellen Anderson (MN), Sen. Jean Ankeney (VT), Assm. Dion Aroner (CA), Rep. Kathy B. Ashe (GA), Rep. Lorraine Ausley (FL), Rep. Catherine Barrett (OH), Sen. Susan Bartlett (VT), Del. Viola O. Baskerville (VA), Rep. Gail C. Beam (NM), Rep. Sharon Beasley-Teague (GA), Sen. Mike Beebe (AR), Rep. Bernie Benn (NH), Del. Joanne C. Benson (MD), Sen. Roseann Bentley (MO), Rep. Connie Bernardy (MN), Rep. Cindy Beshear (UT), Rep. Anne Betancourt (FL), Rep. Gary Biggs (AR), Sen. Mark Blade (IN), Sen. Patricia Blevins (DE), Rep. Lynn Bohi (VT), Rep. David Bolduc (VT), Rep. Johnnie Bolin (AR), Rep. John L. Bowman (MO), Rep. Betty Boyd (CO), Assm. James F. Brennan (NY), Del. Robert Brink (VA), Rep. Shane Broadway (AR), Rep. Tyrone Brooks (GA), Sen. Lisa Brown (WA), Sen. Robert Brown (GA), Sen. Brian Burke (WI), Del. Emmett C. Burns (MD), Rep. James Buskey (AL), Sen. Gloria Butler (GA), Rep. Kenneth A. Carano (OH), Rep. Karen R. Carter (LA), Assm. Gil Cedillo (CA).

Rep. Joseph Cervantes (NM), Rep. Duane Cheney (IN), Rep. Marvin Childers (AR), Assm. Joan K. Christensen (NY), Assm. Judy Chu (CA), Sen. J. Clement Cicilline (RI), Rep. Mary Cirelli (OH), Rep. Irma Clark (MI), Rep. Carol C. Clevon (MA), Sen. Eric Coleman (CT), Assm. Herb Conaway (NJ), Assm. Jack Connors (NJ), Rep. Edward G. Connolly (MA), Rep. Olin Cook (AR), Rep. Ken Cowling (AR), Rep. William Crawford (IN), Del. Flora D. Crittenden (VA), Rep. George C. Cross (VT), Rep. Judy B. Crowley (VT), Rep. LeRoy Dangeau (AR), Del. L. Karen Darner (VA), Rep. Dan K. Darrow (VT), Rep. Don P. Davis (VT), Rep. Lois DeBerry (TN), Rep. Michael DeBose (OH), Rep. David L. Deen (VT), Rep. Johannah L. Donovan (VT), Rep. Robert Dostis (VT), Rep. Patricia R. Doyle (VT), Rep. Carina Driscoll (VT), Rep. Dawnna Dukes (TX), Assm. John Dutra (CA), Rep. Dean Elliott (AR), Rep. Susan Emerson (NH), Rep. Alice Emmons (VT), Sen. Martha Escutia (CA), Assm. Arthur O. Eve (NY), Sen. Dede Feldman (NM), Sen. Joseph A. Fidel (NM), Sen. Vivian Davis Figures (AL), Sen. Eric D. Fingerhut (OH), Rep. Michael Fisher (VT), Rep. Mary E. Flowers (IL), Rep. John E. Follett (VT).

Rep. Betty Folliard (MN), Rep. Johnny Ford (AR), Sen. Vincent D. Fort (GA), Rep. Lois Frankel (FL), Sen. Rosa Franklin (WA), Rep. George French (AR), Rep. John Fritchey (IL), Rep. Anne Gannon (FL), Sen. Mary Jane Garcia (NM), Rep. Dean George (VT), Rep. Avis L. Gervias (VT), Rep. Stanley J. Gerzofsky (ME), Assm. Deborah J. Glick (NY), Rep. Cedric Bradford Glover (LA), Rep. Pat Godchaux (MI), Assm. Jackie Goldberg (CA), Sen. Avel Louise Gordly (OR), Rep. Maxine Grad (VT), Assm. Aurelia Greene (NY), Rep. Jane Greimann (IA), Rep. Peter Groff (CO), Sen. Mary Ann Handley (CT), Sen. Alice V. Harden (MS), Sen. Toni Nathaniel Harp (CT), Sen. Ruth Hassell-Thompson (NY), Rep. David Charles Hausam (AR), Assm. Sally Havice (CA), Rep. Joe Hayes (AK), Sen. Robert L. Hedlund (MA), Sen. Robert Hernandez (CO), Rep. Steve Hingtgen (VT), Sen. Melvin "Kip" Holden (LA), Sen. Maxine Horner (OK), Rep. Don House (AR), Del. James W. Hubbard (MD), Del. Susan Hubbard (WV), Rep. Cola H. Hudson (VT), Sen. Vincent Hughes (PA), Rep. Margaret Hummel (VT), Rep. Kay Iles (LA), Sen. Paulette Irons (LA), Rep. Lei Ahu Isa (HI), Rep. Lydia P. Jackson (LA), Rep. Gilda Jacobs (MI), Assm. Rhoda Jacobs (NY), Rep. Pam Jochum (IA).

Asm. Susan V. John (NY), Sen. Emil Jones, Jr. (IL), Sen. Paula F. Jularander (UT), Rep. Bertha C. Kawakami (HI), Rep. Helene M. Keeley (DE), Asm. Christine Kehoe (CA), Sen. Delores G. Kelley (MD), Del. Ruth M. Kirk (MD), Rep. Warren F. Kitzmiller (VT), Asm. David Koon (NY), Asm. Paul Koretz (CA), Rep. Luanne Koskinen (MN), Sen. Liz Krueger (NY), Rep. John LaBarge (VT), Asm. Ivan Lafayette (NY), Sen. Charles Langford (AL), Rep. Leigh B. Larocque (VT), Rep. Mark Larson (VT), Rep. Kathy Lavoie (VT), Sen. Alfred Lawson Jr. (FL), Sen. Connie Lawson (IN), Rep. Rob Leighton (MN), Sen. Burton Leland (MI), Rep. Bertha F. K. Leong (HI), Rep. Cindy Lerner (FL), Rep. John M. Lewellen (AR), Sen. Kimberly A. Lightford (IL), Rep. David Litvack (UT), Asm. Carol Liu (CA), Sen. Linda M. Lopez (NM), Rep. James Roger Madalena (NM), Rep. Liz Malia (MA), Asm. Virginia Strom Martin (CA), Rep. Bob Mathis (AR), Asm. Naomi C. Matusow (NY), Sen. Nathaniel J. McFadden (MD), Rep. Jack McGuire (IL), Rep. Mary Jo McGuire (MN), Rep. Terry McMellon (AR), Asm. Carole Migden (AR), Rep. Rick Miera (NM), Rep. Dale Miller (OH), Rep. Mark Miller (WI), Asm. Joan L. Millman (NY), Sen. Richard Mitchell (FL), Rep. Larry Molloy (VT).

Sen. Angela Monson (OK), Rep. Arthur A. Morrell (LA), Rep. Mary A. Morrissey (VT), Rep. Kevin J. Mullin (VT), Rep. Phyllis Mundy (PA), Rep. Pat Murphy (IA), Rep. Edwin R. Murray (LA), Rep. Elliott Naishtat (TX), Del. Shirley Nathan-Pulliam (MD), Rep. Wayne Nichols (AR), Rep. Alice W. Nitka (VT), Asm. Catherine Nolan (NY), Rep. Michael J. Obuchowski (VT), Rep. Pat O'Donnell (VT), Sen. Suzi Oppenheimer (NY), Rep. Donny Osman (VT), Rep. Robert J. Otterman (OH), Asm. Robert Pacheco (CA), Rep. Allen C. Palmer (VT), Rep. Laura C. Pantelakos (NH), Sen. Mary Kay Papen (NM), Sen. Sandy Pappas (MN), Rep. Carolyn Partridge (VT), Rep. Janet Petersen (IA), Rep. Danice Picaux (NM), Rep. Wilfred Pierre (LA), Sen. Edith P. Prague (CT), Rep. Joseph Preston, Jr. (PA), Asm. Mary Previte (NJ), Rep. Ann Pugh (VT), Sen. Bill Purcell (NC), Rep. Randy Rankin (AR), Rep. Michael S. Reese (VT), Rep. Nan H. Rich (FL), Rep. Barbara Hull Richardson (NH), Rep. Curtis Richardson (FL), Sen. John Riggs (AR), Sen. Elizabeth Roberts (RI), Rep. Debbie A. Rodella (NM), Rep. Jim Roebuck (PA), Rep. Tommy Roebuck (AR), Rep. Sandra Reyenga Rodgers (AR), Rep. Sara Romeo (FL), Rep. Don Ross (OK), Sen. Larry Rowe (WV), Rep. Ray Ruiz (NM).

Rep. Byron Rushing (MA), Rep. Robert Rusten (VT), Sen. John Sampson (NY), Asm. Steven Sanders (NY), Sen. Nellie R. Santiago (NY), Rep. Hank Schaefer (VT), Rep. Mark Schauer (MI), Sen. J. Thomas Schedler (LA), Sen. Eric T. Schneiderman (NY), Sen. Allyson Y. Schwartz (PA), Rep. Nancy Scovner (NH), Sen. Jack Scott (CA), Rep. Craig S. Scribner, Sr. (VT), Rep. Gloria Seldin (NH), Sen. William Shaw (IL), Rep. O.L. Shelton (MO), Sen. Mike Shoemaker (OH), Rep. Martha Shoffner (AR), Rep. Elizabeth C. Shultis (NH), Sen. Betty Sims (MO), Rep. Ricca Slone (IL), Rep. Harvey T. Smith (VT), Rep. Marjorie K. Smith (NH).

Asm. Richard A. Smith (NY), Rep. Shirley A. Smith (OH), Sen. Terry Smith (AR), Rep. Hilda Weyl Sokol (NH), Rep. Cynthia Soto (IL), Rep. Pamela A. Stanley (GA), Sen. Toby Ann Stavisky (NY), Asm. Darrell Steinberg (CA), Rep. Matthew Stevens (VT), Rep. Mimi Stewart (NM), Rep. Bill Stovall (AR), Rep. Fred Strahorn (OH), Rep. Benjamin Sulan (MA), Rep. Benjamin Swan (MA), Rep. Donna Sweaney (VT), Rep. Gaye Symington (VT), Sen. Penfield W. Tate III (CO), Rep. Larry Teague (AR), Rep. Samuel "Buzz" Thomas (MI), Asm. Helen Thomson (CA).

Sen. Patricia S. Ticer (VA), Sen. Tom Torlakson (CA), Rep. John Patrick Tracy (VT), Sen. Sue Tucker (MA), Del. Frank S. Turner (MD), Del. Marina Van Landingham (VA), Rep. Barb Vander Veen (MI), Sen. John Vasconcellos (CA), Rep. Richard Vigil (NM), Rep. Cathy Voyer (VT), Sen. Jack Wagner (PA), Rep. Vicki Walker (OR), Rep. Don Webster (VT), Asm. Loretta Weinberg (NJ), Rep. Yvonne Welch (LA), Sen. Royce West (TX), Rep. Susan Wheeler (VT), Sen. Mary Margaret Whipple (VA), Sen. Celestino A. White, Sr. (VI), Rep. Doug Wiles (FL), Rep. Roberta Willis (CT), Rep. Frederica Wilson (FL), Rep. Philip Winters (VT), Rep. Larry W. Womble (NC), Rep. Jane Wood (NH), Rep. Jim Wood (AR), Rep. Kurt Wright (VT), Rep. Karen Yarbrough (IL), Rep. David Zuckerman (VT).•

ROLLCALL VOTES FOR APRIL 24, 2002

• Mr. JOHNSON. Mr. President, I was unable to vote during the consideration of S. 517, the Senate energy bill, on Wednesday, April 24. I traveled to my home State on that day to welcome and meet the President of the United States on his trip to Wentworth, SD.

Had I been here, I would have voted "nay" on rollcall vote No. 80, a motion to table Cantwell amendment No. 3234, "Nay" on rollcall No. 81, a motion to table Bingaman amendment No. 3316, "Yea" on rollcall No. 82, a motion to table Carper amendment No. 3197, "Nay" on rollcall No. 83, a motion to table Nickles amendment No. 3256, and "Nay" on rollcall vote No. 84, a motion to table Fitzgerald amendment No. 3214.•

PRESCRIPTION DRUG PRICE PARITY FOR AMERICANS ACT

• Mr. LEVIN. Mr. President, in March 2002, the National Institute for Health Care Management announced that for yet another year, prescription drug prices rose more than ten percent. Often we see these rising costs attributed to the plethora of new drugs now available and to the resources needed to produce such innovative technologies. Yet, I find this argument difficult to accept when Fortune 500 reported this month that while most industries report dwindling earnings, pharmaceutical companies were showing impressive gains. Drug prices rising steadily in a year when the pharmaceutical industry trumped all other industries in profitability is a correlation that should come to nobody as a surprise.

Pharmaceutical companies continue to insist that they are sinking under the heavy cost of research and development. But R&D costs are not causing high drug prices. Excessive profits are causing high drug prices, and excessive profits are keeping necessary drugs out of the financial reach of millions. It is time for Congress to challenge the practices of U.S. drug manufacturers. The Prescription Drug Price Parity for Americans Act exposes drug manufacturers to international price competition by allowing the reimportation of

FDA-approved drugs from Canada, where prices are almost 35 percent lower. In the face of such competition, drug companies will be confronted with the fact that, all along, their prices have not only been exorbitant, but unwarranted.

Over the past few years, I have brought to the Senate floor countless stories of Michigan residents who have crossed the border into Canada simply to get their hands on affordable prescription drugs. They continue to do so as we speak, and I do not blame them when just a few months ago I found that Prilosec, a commonly prescribed gastrointestinal drug, was fifty dollars less in a pharmacy in Windsor, Canada, than in a pharmacy in neighboring Detroit. U.S. pharmaceutical manufacturers continue to operate in a closed market. They are still able to get away with charging \$50 more than their Canadian counterparts. Additionally, they are currently the only ones who are allowed to import drugs approved by the FDA. American pharmacists and distributors deserve this right, too. Pharmacists and distributors deserve not only the right to purchase lower costing FDA-approved drugs abroad, but to bring these critical drugs back to America where the savings can be passed on to our own citizens. The Prescription Drug Price Parity for Americans Act, which improves upon last year's enacted version, would make this access possible.

High drug prices impact everyone—the young and the old, the insured and the uninsured—we all lose when prescription drugs are unaffordable. Much more needs to be done to expand access to lower priced prescription drugs sold abroad and the bill we are introducing today will help to offer that opportunity.•

THE 100TH ANNIVERSARY OF SELBYVILLE, DELAWARE

• Mr. BIDEN. Mr. President, there are times, it seems, when we celebrate "small-town America" as an idea, either in nostalgic longing or as an homage to traditional values and a spirit of community that seem elusive in the rush of modern life.

But the values and spirit of our small towns is more than just an idea; it is real, it is alive, it not only endures but thrives, to the benefit of us all, in places across this country, and certainly in towns up and down my home State of Delaware.

The Town of Selbyville, in Sussex County, the southernmost part of our State, is one such place. And it gives me great pleasure to pay tribute to Selbyville, as we celebrate the 100th anniversary of its incorporation.

The history of the Town goes back much further than 1902, to the late 1770s, when Benjamin Long, Arthur McCabe, John Murray, Reuben Stevens and Elijah Campbell bought a 250-acre tract at the head of the St. Martin's River, where a gristmill and sawmill operated.

The tract had been known as Sandy Branch, but about 50 years after the purchase, a country store owner named Sampson Selby began to mark packages for delivery "Selby-Ville."

In 1872, the Frankford and Breakwater Railroad reached the Town, so that its strawberries could be shipped to more distant markets. By 1918, Selbyville was the East Coast's main supplier of strawberries, and strawberries remained an important commercial base for the Town through the late 1930s.

Agriculture is still important to Selbyville, although now it's poultry and pork, corn and soybeans that occupy most of the farmers. And the Town has grown beyond its original business center, reaching out to US 113 with service industries and a shopping center.

The highway has become more important than the railroad, Selbyville has grown, but it is still a small Town a place of living history, a place driven by the values that grow from long-time association and the work ethic of an agricultural community, a place that feels like home.

We neighbors of Selbyville congratulate Mayor Clifton C. Murray; Town Council members Jay C. Murray, C. Frank Smith, III, Clarence W. Tingle, Jr., and Richard A. Duncan, Sr.; and all the citizens and friends of the Town, as they look forward to their official 100th anniversary celebration on May 25th.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MEASURES REFERRED

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 324. Concurrent resolution commending President Pervez Musharraf of Pakistan for his leadership and friendship and welcoming him to the United States; to the Committee on Foreign Relations.

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-6577. A communication from the Secretary of State, transmitting, pursuant to

law, the Department's Annual Program Performance Report for Fiscal Year 2001; to the Committee on Governmental Affairs.

EC-6578. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Kentucky Regulatory Program" (KY-225-FOR) received on April 24, 2002; to the Committee on Energy and Natural Resources.

EC-6579. A communication from the Acting General Counsel, Office of National Drug Control Policy, Executive Office of the President, transmitting, pursuant to law, the report of a nomination for the position of Deputy Director of Supply Reduction, received on April 17, 2002; to the Committee on the Judiciary.

EC-6580. A communication from the Acting General Counsel, Office of National Drug Control Policy, Executive Office of the President, transmitting, pursuant to law, the report of a nomination for the position of Deputy Director of National Drug Control Policy, received on April 17, 2002; to the Committee on the Judiciary.

EC-6581. A communication from the Acting General Counsel, Office of National Drug Control Policy, Executive Office of the President, transmitting, pursuant to law, the report of a nomination for the position of Deputy Director for State and Local Affairs, received on April 17, 2002; to the Committee on the Judiciary.

EC-6582. A communication from the General Counsel of the Department of Defense, transmitting, a draft of proposed legislation relating to civilian personnel, home-to-work transportation of employees, small business matters, reporting requirements in the Office of Federal Procurement Policy Act, and contractor claims; to the Committee on Armed Services.

EC-6583. A communication from the General Counsel of the Department of Defense, transmitting, a draft of proposed legislation relating to the management and operations of the Department of Defense; to the Committee on Armed Services.

EC-6584. A communication from the Director, Financial Crimes Enforcement Network, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Financial Crimes Enforcement Network; Anti-Money Laundering Programs for Financial Institutions" (RIN1506-AA28) received on April 24, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-6585. A communication from the Director, Financial Crimes Enforcement Network, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Financial Crimes Enforcement Network; Anti-Money Laundering Programs for Operations of Credit Card Systems" (RIN1506-AA28) received on April 24, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-6586. A communication from the Director, Financial Crimes Enforcement Network, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Financial Crimes Network; Anti-Money Laundering Programs for Money Services Business" (RIN1506-AA28) received on April 24, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-6587. A communication from the Secretary of State, transmitting, pursuant to law, a report to review how consular officers issue visas in order to determine if consular shopping is a problem; to the Committee on Foreign Relations.

EC-6588. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, the report of additional legislative proposals for inclusion in the Foreign Relations Authorization Act,

Fiscal Years 2002 and 2003; to the Committee on Foreign Relations.

EC-6589. A communication from the Director, Financial Crimes Enforcement Network, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Financial Crimes Enforcement Network; Anti-Money Laundering Programs for Mutual Funds" (RIN1506-AA28) received on April 24, 2002; to the Committee on Banking, Housing, and Urban Affairs.

EC-6590. A communication from the Secretary of the Treasury, transmitting, a draft of proposed legislation entitled "Federal Hospital Insurance Trust Fund Restoration Act of 2001" to restore the HI Trust Fund to its correct financial position; to the Committee on Finance.

EC-6591. A communication from the Regulations Officer of the Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Administrative Procedure for Imposing Penalties for False or Misleading Statements" (RIN0960-AF20) received on April 24, 2002; to the Committee on Finance.

EC-6592. 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 "2001 Base Period T-Bill Rate" (RR-156448-01) received on April 25, 2002; to the Committee on Finance.

EC-6593. 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 "Master-Feeder Guidance" (Rev. Proc. 2001-57, 2001-50) received on April 25, 2002; to the Committee on Finance.

EC-6594. 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 "Disaster Relief Distributions by Charities to Victims of September 11, 2001 Terrorist Attacks" (Notice 2001-78, 2001-50) received on April 25, 2002; to the Committee on Finance.

EC-6595. 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 "Definition of Private Business Use" (RIN1545-AY88) received on April 25, 2002; to the Committee on Finance.

EC-6596. A communication from the Chairman of the Nuclear Regulatory Commission, transmitting, a draft of proposed legislation entitled "Nuclear Regulatory Commission Authorization Act for Fiscal Year 2003; to the Committee on Environment and Public Works.

EC-6597. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, a report entitled "Risk Assessment Guidance for Superfund Volume III Part A: Process for Conducting Probabilistic Risk Assessment"; to the Committee on Environment and Public Works.

EC-6598. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, a report entitled "Superfund Response Actions: Temporary Relocations Implementation Guidance OSWER 9230.00-97"; to the Committee on Environment and Public Works.

EC-6599. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; South Carolina: Approval of Revisions to the 1-Hour Ozone Maintenance State Implementation Plan for the Cherokee County" (FRL7202-4) received on

April 24, 2002; to the Committee on Environment and Public Works.

EC-6600. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Delegation of New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants for Guam and the States of Arizona, California, Hawaii, and Nevada" (FRL7201-2) received on April 24, 2002; to the Committee on Environment and Public Works.

EC-6601. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Outer Continental Shelf Air Regulations Consistency Update for Alaska; Correction" (FRL7201-8) received on April 24, 2002; to the Committee on Environment and Public Works.

EC-6602. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Protection of Stratospheric Ozone; Availability of Allowances to Produce Methyl Bromide for Developing Countries" (FRL7202-6) received on April 24, 2002; to the Committee on Environment and Public Works.

EC-6603. 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, Ventura County Air Pollution Control District and South Coast Air Quality Management District" (FRL7170-5) received on April 24, 2002; to the Committee on Environment and Public Works.

EC-6604. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Section 126 Rule: Revised Deadlines" (FRL7203-2) received on April 24, 2002; to the Committee on Environment and Public Works.

EC-6605. A communication from the Attorney-Advisor, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Prohibitions on Sale or Lease of Defective and Noncompliant Motor Vehicles and Items of Motor Vehicle Equipment" (RIN2127-A130) received on April 25, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6606. A communication from the Attorney-Advisor, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Placement of Wheelchair Restraints on Buses" (RIN2127-AH03) received on April 25, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6607. A communication from the Assistant Chief, Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Implementation of Further Streamlining Measures for Domestic Section 214 Authorizations" (CC Doc. 01-150, FCC 02-78) received on April 25, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6608. A communication from the Acting Chief, Policy and Rules Division, Office of Engineering and Technology, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Reallocation of the 216-220 MHz, 1427-1429 MHz, 1429-1432 MHz, 1432-1435 MHz, and 2385-2390 MHz, Government Transfer Bands" (ET Doc. No. 00-221, FCC 01-382) received on April 25, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6609. A communication from the Acting Chief, Policy and Rules Division, Office of Engineering and Technology, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendments of Part 15 of the Commission's Rules to allow certification of equipment in the 24.05-24.25 GHz band at field strength up to 2500 mV/m" (ET Doc. No. 98-156, FCC 01-357) received on April 25, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6610. A communication from the Acting Chief, Accounting Safeguards Division, Common Carrier Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "2000 Biennial Regulatory Review—Comprehensive Review of Accounting Requirements and ARMIS Reporting Requirements for Incumbent Local Exchange Carriers" (FCC 02-68) received on April 25, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6611. A communication from the Acting Chief, Policy and Rules Division, Office of Engineering and Technology, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Parts 2, 25 and 97 of the Commission's Rules with Regard to the Mobile-Satellite Service Above 1 GHz" (ET Doc. No. 98-142, FCC 02-23) received on April 25, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6612. A communication from the Chief, Enforcement Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "In the Matter of Amendment of Part 11 of the Commission's Rules Regarding the Emergency Alert System" (EB Doc. No. 01-66/FCC 02-64) received on April 25, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6613. A communication from the Legal Advisor, WTB/Auctions and Industry Analysis Division/Legal, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "In the Matter of Amendment of Part 1 of the Commission's Rules—Competitive Bidding Procedures" (WT Doc. No. 98-82; FCC 02-34) received on April 25, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6614. A communication from the Legal Branch Chief, Common Carrier Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Recovery of Carrier Specific Costs Directly Related to Providing Long-Term Number Portability" (FCC 02-16; CC Doc. 95-116) received on April 25, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6615. A communication from the Assistant Bureau Chief, Management, International Bureau, Federal Communications Commission, transmitting pursuant to law, the report of a rule entitled "Report and Order Establishing Rules and Policies for the Use of Spectrum for Mobile Satellite Services in the Upper and Lower L-Band" (IB Doc. No. 96-132, FCC 02-24) received on April 25, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6616. A communication from the Senior Deputy Bureau Chief, Common Carrier Bureau (Wireline Competition Bureau), Federal Communication Commission, transmitting, pursuant to law, the report of a rule entitled "Implementation of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996, CC Doc. No. 96-128" (FCC 02-22) received on April 25, 2002; to the Committee on Commerce, Science, and Transportation.

EC-6617. A communication from the Chief, Accounting Policy Division, Common Carrier Bureau, Federal Communications Com-

mission, transmitting, pursuant to law, the report of a rule entitled "In the Matter of Federal-State Joint Board on Universal Service, CC Docs. 96-45, 98-171, 90-571, 92-237, 99-200, 95-116, 98-170" (FCC02-43) received on April 25, 2002; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Governmental Affairs, without amendment:

H.R. 2305: A bill to require certain Federal officials with responsibility for the administration of the criminal justice system of the District of Columbia to serve on and participate in the activities of the District of Columbia Criminal Justice Coordinating Council, and for other purposes. (Rept. No. 107-145).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. CLELAND for the Committee on Armed Services.

Army nomination of Lt. Gen. Leon J. LaPorte.

By Mr. LEVIN for the Committee on Armed Services.

Air Force nomination of Maj. Gen. Daniel James III.

Air Force nominations beginning Brigadier General Thomas P. Maguire, Jr. and ending Colonel John M. White, which nominations were received by the Senate and appeared in the Congressional Record on April 22, 2002.

Marine Corps nomination of Maj. Gen. Gary H. Hughey.

Marine Corps nomination of Maj. Gen. James E. Cartwright.

Navy nomination of Adm. Thomas B. Fargo.

Navy nomination of Rear Adm. (1h) Charles H. Johnston, Jr.

Navy nomination of Vice Adm. Richard W. Mayo.

Navy nomination of Vice Adm. Walter F. Doran.

Mr. LEVIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Army nominations beginning Catherine E Abbott and ending Jeffrey N Williams, which nominations were received by the Senate and appeared in the Congressional Record on February 6, 2002.

Army nominations beginning Eli T Alford and ending Eugene C Wardynski, Jr., which nominations were received by the Senate and appeared in the Congressional Record on February 6, 2002.

Army nominations beginning Bradley G Anderson and ending Donald A Zimmer, which nominations were received by the Senate and appeared in the Congressional Record on February 6, 2002.

Army nomination of Mary B. Bedell.

Army nomination of Rodney E. Hudson.

Army nomination of James R. Uhl.

Army nominations beginning Robert G. Anisko and ending Craig A. Webber, which nominations were received by the Senate and appeared in the Congressional Record on March 21, 2002.

Marine Corps nomination of Jason K. Fettig.

Army nomination of William K.C. Parks.

Army nominations beginning Michael J. Bennett and ending Robert S. Hough, which nominations were received by the Senate and appeared in the Congressional Record on April 9, 2002.

Army nominations beginning Frank E. Batts and ending Evelyn M. Wilson, which nominations were received by the Senate and appeared in the Congressional Record on April 9, 2002.

Marine Corps nominations beginning Bamidele J. Abogunrin and ending Jay K. Zollmann, which nominations were received by the Senate and appeared in the Congressional Record on April 9, 2002.

Army nominations beginning Michael D. Armour and ending David J. Wheeler, which nominations were received by the Senate and appeared in the Congressional Record on April 16, 2002.

Army nominations beginning Bryan T. Much and ending Lionel D. Robinson, which nominations were received by the Senate and appeared in the Congressional Record on April 16, 2002.

Army nominations beginning Carl V. Hopper and ending Timothy A. Reisch, which nominations were received by the Senate and appeared in the Congressional Record on April 16, 2002.

Army nomination of John R. Carlisle.

Army nomination of Bryan C. Sleight.

Marine Corps nominations beginning Lester H. Evans, Jr. and ending Timothy M. Hathaway, which nominations were received by the Senate and appeared in the Congressional Record on April 16, 2002.

Marine Corps nomination of Thomas P. Barzditis.

Marine Corps nomination of Donald C. Scott.

Marine Corps nomination of John J. Fahey.

Air Force nominations beginning Loraine H. Anderson and ending Michael E. Young, which nominations were received by the Senate and appeared in the Congressional Record on March 6, 2002.

Air Force nomination of Marilyn D. Barton.

Air Force nomination of Larry O.* Goddard.

Navy nomination of Lawrence J. Holloway.

Navy nominations beginning Eric Davis and ending Frank D. Rossi, which nominations were received by the Senate and appeared in the Congressional Record on March 20, 2002.

Navy nomination of James E. Toczko.

Air Force nominations beginning Samuel E. Aikele and ending Bryan M. White, which nominations were received by the Senate and appeared in the Congressional Record on April 9, 2002.

Navy nomination of Bruce R. Christen.

Navy nomination of Cole J. Kupec.

Navy nomination of James E. Lamar.

Navy nominations beginning Robert E. Bebermeyer and ending Benjamin A. Shupp, which nominations were received by the Senate and appeared in the Congressional Record on April 9, 2002.

Air Force nomination of Michael B. Tierney.

Air Force nomination of Donald R. Copsey.

Army nominations beginning Mark H. Abernathy and ending X0314, which nominations were received by the Senate and appeared in the Congressional Record on February 6, 2002.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. KERRY:

S. 2378. A bill to provide for the liquidation or reliquidation of certain entries; to the Committee on Finance.

By Mr. KERRY:

S. 2379. A bill to provide for the liquidation or reliquidation of certain entries of tomato sauce preparation; to the Committee on Finance.

By Mr. KERRY:

S. 2380. A bill to provide for the liquidation or reliquidation of certain entries of tomato sauce preparation; to the Committee on Finance.

By Mr. KERRY:

S. 2381. A bill to provide for the liquidation or reliquidation of certain entries of tomato sauce preparation; to the Committee on Finance.

By Mr. KERRY:

S. 2382. A bill to provide for the liquidation or reliquidation of certain entries of tomato sauce preparation; to the Committee on Finance.

By Mr. THURMOND:

S. 2383. A bill to amend chapter 71 of title 5, United States Code, to establish certain limitations relating to the use of official time by Federal employees, and for other purposes; to the Committee on Governmental Affairs.

By Mr. LEVIN:

S. 2384. A bill to establish a joint United States-Canada customs inspection project; to the Committee on Finance.

By Mr. BINGAMAN:

S. 2385. A bill entitled "The Production Incentive Certificate Program Revision Act"; to the Committee on Finance.

By Mrs. LINCOLN (for herself and Mr. SPECTER):

S. 2386. A bill to amend title XVIII of the Social Security Act to authorize physical therapists to diagnose, evaluate, and treat medicare beneficiaries without a requirement for a physician referral, and for other purposes; to the Committee on Finance.

By Mr. SANTORUM (for himself and Mr. GRASSLEY):

S. 2387. A bill to amend title II of the Social Security Act to deny social security old-age, survivors, and disability insurance benefits to fugitive felons and individuals fleeing prosecution, and for other purposes; to the Committee on Finance.

By Mr. HOLLINGS:

S. 2388. A bill to direct the Secretary of the Interior to study certain sites in the historic district of Beaufort, South Carolina, relating to the Reconstruction Era; to the Committee on Energy and Natural Resources.

By Mr. ALLEN:

S. 2389. A bill to designate the facility of the United States Postal Service located at 205 South Main Street in Culpeper, Virginia, as the "D. French Slaughter, Jr. Post Office Building"; to the Committee on Governmental Affairs.

By Mr. DURBIN:

S. 2390. A bill to improve health care in rural areas; to the Committee on Finance.

By Mr. DURBIN:

S. 2391. A bill to amend the Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000 to permanently apply

the Balanced Budget Act of 1997 medicaid disproportionate share transmission payment rule to public hospitals in all States, and for other purposes; to the Committee on Finance.

By Mr. EDWARDS (for himself, Mr. SMITH of Oregon, and Mrs. CLINTON):

S. 2392. A bill to amend the National and Community Service Act of 1990 to establish a Community Corps, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DURBIN (for himself, Mr. KENNEDY, Mr. WELLSTONE, and Mr. CORZINE):

S. 2393. A bill to amend the Public Health Service Act to provide protections for individuals who need mental health services, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. CLINTON (for herself, Mr. DEWINE, Mr. DODD, Mrs. MURRAY, and Mr. KENNEDY):

S. 2394. A bill to amend the Federal Food, Drug, and Cosmetic Act to require labeling containing information applicable to pediatric patients; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 410

At the request of Mr. CRAPO, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 410, a bill to amend the Violence Against Women Act of 2000 by expanding legal assistance for victims of violence grant program to include assistance for victims of dating violence.

S. 710

At the request of Mr. KENNEDY, the names of the Senator from Kansas (Mr. BROWNBACK) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 710, a bill to require coverage for colorectal cancer screenings.

S. 813

At the request of Mr. SANTORUM, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 813, a bill to amend title XVIII of the Social Security Act to increase payments under the Medicare Program to Puerto Rico hospitals.

S. 999

At the request of Mr. BINGAMAN, the names of the Senator from Michigan (Ms. STABENOW), the Senator from Nebraska (Mr. NELSON), and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 999, a bill to amend title 10, United States Code, to provide for a Korea Defense Service Medal to be issued to members of the Armed Forces who participated in operations in Korea after the end of the Korean War.

S. 1329

At the request of Mr. JEFFORDS, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 1329, a bill to amend the Internal Revenue Code of 1986 to provide a tax incentive for land sales for conservation purposes.

S. 1370

At the request of Mr. MCCONNELL, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor

of S. 1370, a bill to reform the health care liability system.

S. 2007

At the request of Mr. INHOFE, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2007, a bill to provide economic relief to general aviation entities that have suffered substantial economic injury as a result of the terrorist attacks perpetrated against the United States on September 11, 2001.

S. 2010

At the request of Mr. LEAHY, the names of the Senator from Georgia (Mr. CLELAND) and the Senator from North Carolina (Mr. EDWARDS) were added as cosponsors of S. 2010, a bill to provide for criminal prosecution of persons who alter or destroy evidence in certain Federal investigations or defraud investors of publicly traded securities, to disallow debts incurred in violation of securities fraud laws from being discharged in bankruptcy, to protect whistleblowers against retaliation by their employers, and for other purposes.

S. 2079

At the request of Mr. ROCKEFELLER, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 2079, a bill to amend title 38, United States Code, to facilitate and enhance judicial review of certain matters regarding veteran's benefits, and for other purposes.

S. 2189

At the request of Mr. ROCKEFELLER, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 2189, a bill to amend the Trade Act of 1974 to remedy certain effects of injurious steel imports by protecting benefits of steel industry retirees and encouraging the strengthening of the American steel industry.

S. 2194

At the request of Mrs. FEINSTEIN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 2194, a bill to hold accountable the Palestine Liberation Organization and the Palestinian Authority, and for other purposes.

S. 2215

At the request of Mr. SANTORUM, the name of the Senator from New Hampshire (Mr. SMITH) was added as a cosponsor of S. 2215, a bill to halt Syrian support for terrorism, end its occupation of Lebanon, stop its development of weapons of mass destruction, cease its illegal importation of Iraqi oil, and by so doing hold Syria accountable for its role in the Middle East, and for other purposes.

S. 2221

At the request of Mr. ROCKEFELLER, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 2221, a bill to temporarily increase the Federal medical assistance percentage for the Medicaid Program.

S. 2233

At the request of Mr. THOMAS, the names of the Senator from Nebraska

(Mr. NELSON) and the Senator from South Dakota (Mr. DASCHLE) were added as cosponsors of S. 2233, a bill to amend title XVIII of the Social Security Act to establish a Medicare subvention demonstration project for veterans.

S. 2349

At the request of Mr. THURMOND, the name of the Senator from South Carolina (Mr. HOLLINGS) was withdrawn as a cosponsor of S. 2349, a bill to suspend temporarily the duty on Methoxy acetic acid.

S. 2359

At the request of Mr. THURMOND, the name of the Senator from South Carolina (Mr. HOLLINGS) was withdrawn as a cosponsor of S. 2359, a bill to suspend temporarily the duty with respect to Oxalic Anilide.

S. RES. 246

At the request of Mr. CAMPBELL, the name of the Senator from New Hampshire (Mr. SMITH) was added as a cosponsor of S. Res. 246, a resolution demanding the return of the USS *Pueblo* to the United States Navy.

S. RES. 247

At the request of Mr. LIEBERMAN, the name of the Senator from New Hampshire (Mr. SMITH) was added as a cosponsor of S. Res. 247, a resolution expressing solidarity with Israel in its fight against terrorism.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. THURMOND:

S. 2383. A bill to amend chapter 71 of title 5, United States Code, to establish certain limitations relating to the use of official time by Federal employees, and for other purposes; to the Committee on Governmental Affairs.

Mr. THURMOND. Mr. President, I rise today to introduce the Workplace Integrity Act of 2002, a bill that would monitor and greatly restrict the time spent by Federal employees on union-related activities. Federal spending on union activities is spiraling out of control, and this legislation, if enacted into law, would send a message to the American people that Congress is committed to curbing wasteful practices in our government. I think that my colleagues on both sides of the aisle would agree that we have a duty to ensure that limited monies are used both reasonably and efficiently.

One area of labor-related spending that should be closely examined is the use of official time. Official time is paid time when Federal employees represent union employees and bargaining units. Federal employees may use official time to take part in activities such as employee-initiated grievance procedures and union-initiated representational duties. Surprisingly, there are few limits on the use of official time. If costs associated with this practice are not contained, these expenditures will become exorbitant drains on the Federal treasury. Congress should make

the fiscally responsible decision to impose sensible limitations on this practice.

Although significant resources are spent on union activities in the Federal Government each year, current costs are unknown. Limited studies indicate that the costs are high. In 1998, the Office of Personnel Management issued a report that tallied the costs associated with union activity in the Federal Government. The report found that during the first six months of calendar year 1998, official time totaled 2,171,774 hours, and its cost had a dollar value of \$48,110,284. An astounding 23,965 Federal employees used official time, and 946 employees spent an alarming 100 percent of their time performing union-related activities. The report also found that 912 employees spent between 75 percent and 100 percent of their work hours on official time, and 1,152 employees spent between 50 percent and 75 percent on official time. The Department of the Treasury alone spent over \$9 million on official time during this six-month time period. Based on the amount spent in six months, it is not unreasonable to expect that Treasury spent over \$18 million during the entire 1998 calendar year. This report demonstrates that large sums are being spent on union activity, and I feel strongly that Congress should insist on a regular accounting of these costs.

Additionally, other studies indicate that union-related costs are not only high, but are increasing. In 1996, the General Accounting Office issued a report on the costs of labor-related activities at the Social Security Administration. The report found a steady growth in costs at the SSA during the 1990s. From calendar year 1990 to 1995, the amount of time spent on union activities at SSA increased from 254,000 hours to 413,000 hours, at a cost increase of over \$6 million. In Fiscal Year 1995 alone, the cost attributed to official time was \$12.6 million, the equivalent of the salaries and expenses of approximately 200 employees. More recently, the Commissioner of Social Security reported that the total expenses of labor activities in Fiscal Year 2000 was \$13.5 million, an increase of \$1.1 million over the Fiscal Year 1999 level.

These increasing costs are not limited to the Social Security Administration. A 1996 hearing of the Civil Service Subcommittee of the House Government Reform and Oversight Committee revealed that the use of official time at the Internal Revenue Service increased 27 percent from 1992 to 1996. At the U.S. Customs Service, the rising cost of union activity was more dramatic. The amount spent on official time increased from \$470,000 in 1993 to more than \$1 million in 1996, a jump of 119 percent. I am particularly concerned about these reports of rapidly expanding costs.

Despite the high and increasing costs, we do not presently know the total amount spent by the Federal

Government on official time. We can estimate based on incomplete data, but we do not regularly gather information that would enable us to know the true costs and spending trends. This is unacceptable.

Furthermore, we do not even know the true costs at the Social Security Administration, the one agency where the use of official time has been thoroughly studied. The GAO report on union activity at the SSA found that the reporting system did not track effectively the number of union representatives charging time to union activities or the actual time spent. A subsequent report issued in 1998 by the SSA Inspector General also called into question the reliability of the data collected by SSA's reporting system. The Inspector General's report concluded that almost half of the SSA managers who were surveyed indicated that the system for supervising official time spent by employees on union activities was either somewhat ineffective or very ineffective. These findings demonstrate that Congress must do a better job of monitoring the costs associated with labor-related activities in the Federal government.

My bill would accomplish two important objectives. First, this legislation would require the collection of data on the amount of money spent on official time in the entire Federal Government. By requiring the collection of data associated with official time, Congress will have the information necessary to control costs in the future. Second, my bill would help ensure that Federal funds are spent wisely and judiciously. This legislation would limit a Federal employee's use of official time to 25 percent of the employee's total hours worked. I believe that this limitation is entirely reasonable. It would allow Federal employees to spend up to a quarter of their time on union-related activities and would also protect American taxpayers from ever-increasing costs.

During a period of fiscal discipline, we should seek to know the true costs of any activities supported by the American taxpayers. I encourage my colleagues to support my effort to place reasonable limitations on the taxpayer financing of union-related activities. By bringing the true costs to light and by seeking to restrain these escalating expenses, Congress will responsibly exercise its power of the purse. Furthermore, this bill would send a message to American taxpayers that their hard-earned dollars will not be spent in an uncontrolled and wasteful manner. To turn a blind eye to costs would be an abdication of our duty to the American people.

I ask unanimous consent that the text of the legislation be printed in the RECORD.

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

S. 2383

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Workplace Integrity Act of 2002".

SEC. 2. LIMITATIONS RELATING TO THE USE OF OFFICIAL TIME BY FEDERAL EMPLOYEES.

Section 7131 of title 5, United States Code, is amended to read as follows:

"§ 7131. Official time

"(a) Official time may only be granted to an employee representing an exclusive representative to allow such employee to—

"(1) present or process a grievance on behalf of another employee in a unit represented by the exclusive representative;

"(2) be present during a grievance proceeding involving an employee in a unit represented by the exclusive representative;

"(3) negotiate a collective bargaining agreement under this chapter; or

"(4) take part in any proceedings approved by the agency.

"(b) Official time may only be granted to an employee represented by an exclusive representative (in a circumstance not covered by subsection (a)) to allow such employee to—

"(1) present a grievance on the employee's own behalf under a negotiated grievance procedure; or

"(2) take part in any proceedings approved by the agency.

"(c) Notwithstanding subsections (a) and (b), official time may not be granted to any employee for activities relating to the internal business of a labor organization (including the solicitation of membership, elections of labor organization officials, or collection of dues).

"(d) Official time under subsections (a) and (b) may be granted in any amount that the agency and the exclusive representative involved agree to be reasonable, necessary, and in the public interest, but only to the extent that, with respect to any employee, the total amount of official time granted to such employee for use during the calendar year does not exceed 25 percent of the total amount of time the employee would otherwise be in duty status during the same period.

"(e)(1) Not later than April 1 of each year, the Office of Personnel Management shall submit to the President and each House of Congress a report on the use of official time under this section. The report shall apply with respect to the calendar year preceding the submission date.

"(2) Each report under this subsection shall include, in the aggregate and by each agency—

"(A) the total number of employees to whom official time was granted under this section;

"(B) the total number of employee-hours of official time granted under this section;

"(C) the total costs attributable to official time granted under this section; and

"(D) the total number of each activity (as categorized by the Office) for which official time was granted under this section.

"(3) Agencies shall submit to the Office such data as the Office may by regulation require in connection with any report under this subsection."

SEC. 3. EFFECTIVE DATE.

The amendment made by this Act shall take effect on the date of enactment of this Act, except that the first report under section 7131(e) of title 5, United States Code (as added by this Act) shall be submitted on the first April 1, following the date occurring 6 months after the date of enactment of this Act.

By Mr. BINGAMAN:

S. 2385. A bill entitled "The Production Incentive Certificate Program Revision Act"; to the Committee on Finance.

Mr. BINGAMAN. Mr. President, today I am introducing legislation to make several technical adjustments to the Production Incentive Certificate, PIC, program. The PIC program helps assure that the watch and jewelry industries in the U.S. insular possessions, particularly the U.S. Virgin Islands, USVI, will continue to provide critical sources of employment in the insular possessions. This legislation would improve the operation of the PIC program for both watch and jewelry manufacturers in the U.S. Virgin Islands and, over the longer term, would protect the PIC program and related duty incentives from the effects of any future reduction or elimination of watch tariffs.

The watch industry is the largest light manufacturing industry in the USVI and remains one of the most important direct and indirect sources of private sector employment in the Territory. The insular watch production industry is also highly import-sensitive and faces continued threats from multinational watch producers, who have continued to move their watch production to lower wage countries.

Congress and successive Administrations have recognized the importance of the watch industry to the USVI—and the import sensitivity of watches—through a series of significant enactments and decisions. The General Note 3(a) program, which Congress has incorporated in the Harmonized Tariff Schedule, grants duty-free treatment for qualifying insular possession watches and thereby provides a relative duty advantage vis-a-vis foreign watch producers. Through the PIC program, insular possession watch producers can obtain duty refunds based on creditable wages paid for watch production in the insular possessions. Additionally, in recognition of the relative advantage that duty-free treatment of watches provides to insular possession watch producers, Congress and successive Administrations have resisted efforts to eliminate watch duties on a worldwide basis.

In 1999, Congress extended the General Note 3(a) program and PIC program benefits to jewelry produced in the insular possessions. In doing so, Congress sought to promote vital employment in the insular possessions by extending existing watch industry incentives to jewelry production—an industry which utilizes many of the same skills and facilities as watch production. In recent months, three mainland jewelry manufacturing companies have established operations in the USVI and are expected to file for PIC benefits in the near future.

Recently, watch and jewelry producers in the Virgin Islands have consulted with the American Watch Association and U.S. watch firms that import substantial quantities of foreign

made watches regarding proposals to preserve and protect benefits for insular possession watches and jewelry, while also mitigating the impact of any future reduction of duties on imported watches. These discussions have resulted in the parties' unified support for the legislation that I am introducing today.

The various technical adjustments set forth in this legislation would enhance the ability of insular watch and jewelry producers to utilize the PIC program while, at the same time, retaining overall PIC program unit and dollar value limits. Additionally, the legislation would establish a standby mechanism to mitigate the impact of any possible future reduction or elimination of watch duties on a worldwide basis through trade negotiations and congressional action. This mechanism—which has broad support among the insular and domestic watch manufacturing and distribution sectors—would ensure that any future reduction in watch duties does not disturb the relative value of current duty incentives and PIC program benefits for the insular watch industry. Importantly, this standby mechanism would have no effect on current watch duties or PIC program limits.

Under the PIC program, producers of watches and jewelry in the U.S. insular possessions are issued certificates by the Department of Commerce for specified percentages of the producer's verified creditable wages for production in the insular possessions. Based on these certificates, the producers are entitled to apply to the U.S. Customs Service for refunds on duties paid on watches. Certain technical provisions of the PIC program, however, impose unnecessary burdens on producers. These include unclear definitions, unduly complex PIC refund provisions and special issues relating to the extension of PIC benefits to jewelry. The legislation that I am introducing today includes technical adjustments to the PIC program to eliminate these burdens, while retaining overall PIC program limits on units and benefits.

Currently, producers must assemble often voluminous import entry information and apply to U.S. Customs for wage-based refunds. If a producer has not paid sufficient import duties, the producer must sell the PIC certificate to another firm, which then applies for the duty refund. In either event, the PIC program assures that an insular producer is compensated for a specified percentage of its verified production wages, regardless of whether it has paid the corresponding amount of import duties. The bill would simplify this refund process by providing producers with the option of applying directly to the Treasury Department for the full amount of their verified PIC program certificates.

For watches, the PIC program establishes a 750,000 unit limitation on the number of watches used to calculate an individual producer's PIC benefits.

When the PIC program was extended to jewelry by Congress, this upper limit was also extended to each individual jewelry producer's qualifying jewelry production. While this limit may be appropriate for watches, which are technically sophisticated and relatively expensive, I am informed that it is likely to unduly limit jewelry production in the insular possessions, which relies on large quantities of relatively lower-priced units. My proposed legislation would address this issue by eliminating the 750,000 unit per producer limit for jewelry, while retaining the overall unit and dollar value limits for the PIC program as a whole.

When Congress extended the PIC program to jewelry in 1999, it sought to encourage the phased establishment of new jewelry production in the insular possessions through a transition rule. Under this rule, jewelry items that are assembled, but not substantially transformed, in the insular possessions before August 9, 2001 would be eligible for PIC program and duty-free benefits. Although this new provision has helped attract new jewelry production to the USVI, I am informed that some potential producers are facing administrative, technical and business delays which may severely erode the benefits of the transition rule. The bill would address this issue by extending this transition rule for new insular jewelry producers for an additional 18 months.

The bill would help to facilitate long term planning by existing insular producers and attract new producers to the insular possessions by extending the authorized term of the PIC program until 2015. The bill would also clarify current law by stating explicitly that verified wages include the amount of any fringe benefits.

For many years, multinational companies that import substantial quantities of foreign-made watches into the United States have sought to reduce or eliminate U.S. watch duties, either through multiple petitions for duty-free treatment for watches from certain GSP-eligible countries or through worldwide elimination of watch duties in trade negotiations. Insular possession watch producers have repeatedly opposed these efforts on the ground that the elimination of duties on foreign watches would eliminate the relative benefit that insular possession producers receive through duty-free treatment under the General Note 3(a) program and, in turn, lead to the eventual demise of the insular watch industry. Successive Congresses and Administrations have agreed with these arguments and refused to erode the benefits that insular possession producers receive under General Note 3(a) and the PIC program.

These continued battles over watch duties and the insular possession watch program have imposed significant resource burdens on Virgin Islands watch producers and the Government of the U.S. Virgin Islands, diverting resources and energy that could better be spent

in enhancing growth and employment in the insular watch and jewelry industries. Virgin Islands watch producers, the AWA and representatives of U.S. firms that import foreign-made watches are seeking to address this longstanding issue by reconciling existing insular possession watch benefits with any worldwide reduction or elimination of watch duties. The legislation that I am introducing contains two mechanisms to help mitigate the impact of any future reduction or elimination of watch duties, while also preserving existing watch benefits.

The bill would put in place a standby mechanism that would preserve the benefits of duty-free treatment under General Note 3(a) in the event that Congress and a future Administration were to agree to eliminate or reduce duties on watches. This mechanism would preserve the relative tariff advantage that insular producers currently enjoy over foreign-made watches by incorporating a "hold harmless" provision in the PIC program. Under this standby mechanism, if watch duties were reduced or eliminated in the future, PIC payments to insular producers would also include an amount that reflects the value to the insular producers of the current General Note 3(a) benefit. This mechanism would facilitate the eventual reduction or elimination of watch duties on a worldwide basis while helping to assure that any such duty reduction does not lead to the demise of the insular industry.

Currently, payments under the PIC program are funded from watch duties. An alternative funding source would be required if watch duties were reduced or eliminated on a worldwide basis. The legislation that I am introducing provides that PIC benefits can be funded from jewelry duties or duties on other appropriate products.

It is important to bear in mind that these two mechanisms would only be activated in the event that watch duties are, in fact, reduced or eliminated in the future—decisions that would require considerable deliberation and consultation by the President and Congress. By assuring the continuation of current benefits for insular producers, however, these mechanisms would greatly mitigate the impact of any eventual decision by Congress to reduce or eliminate watch duties.

Congress has long recognized that the current watch industry incentives are critical to the health and survival of the watch industry in the U.S. Virgin Islands. By adopting this legislation, Congress can improve the operation of the PIC program for insular watch and jewelry producers and establish a mechanism to facilitate the eventual reduction or elimination of watch duties on a worldwide basis.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2385

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AMENDMENTS TO UNITED STATES INSULAR POSSESSION PROGRAM.

(a) **PRODUCTION CERTIFICATES.**—Additional U.S. Note 5(h) to chapter 91 of the Harmonized Tariff Schedule of the United States is amended—

(1) by amending subparagraphs (i) and (ii) to read as follows:

“(i) In the case of each of calendar years 2002 through 2015, the Secretaries jointly, shall—

“(A) verify—

“(1) the wages paid in the preceding calendar year by each producer (including the value of usual and customary fringe benefits)—

“(I) to permanent residents of the insular possessions; and

“(II) to workers providing training in the insular possessions in the production or manufacture of watch movements and watches or engaging in such other activities in the insular possessions relating to such production or manufacture as are approved by the Secretaries; and

“(2) the total quantity and value of watches produced in the insular possessions by that producer and imported into the customs territory of the United States; and

“(B) issue to each producer (not later than 60 days after the end of the preceding calendar year) a certificate for the applicable amount.

“(ii) For purposes of subparagraph (i), except as provided in subparagraphs (iii) and (iv), the term ‘applicable amount’ means an amount equal to the sum of—

“(A) 90 percent of the producer’s creditable wages (including the value of any usual and customary fringe benefits) on the assembly during the preceding calendar year of the first 300,000 units; plus

“(B) the applicable graduated declining percentage (determined each year by the Secretaries) of the producer’s creditable wages (including the value of any usual and customary fringe benefits) on the assembly during the preceding calendar year of units in excess of 300,000 but not in excess of 750,000; plus

“(C) the difference between the duties that would have been due on the producer’s watches (excluding digital watches) imported into the customs territory of the United States during the preceding calendar year if the watches had been subject to duty at the rates set forth in column 1 under this chapter that were in effect on January 1, 2001, and the duties that would have been due on the watches if the watches had been subject to duty at the rates set forth in column 1 under this chapter that were in effect for such preceding calendar year.”; and

(2) by amending subparagraph (v) to read as follows:

“(v)(A) Any certificate issued under subparagraph (i) shall entitle the certificate holder to secure a refund of duties equal to the face value of the certificate on watches, watch movements, and articles of jewelry provided for in heading 7113 that are imported into the customs territory of the United States by the certificate holder. Such refunds shall be made under regulations issued by the Treasury Department. Not more than 5 percent of such refunds may be retained as a reimbursement to the Customs Service for the administrative costs of making the refunds. If the Secretary of the Treasury determines that there is an insufficient level of duties from watch and watch-related tariffs, the Secretary may authorize refunds of duties collected on jewelry under chapter 71 or any other duties that the Secretary determines are appropriate.

“(B) At the election of the certificate holder and upon making the certification described in this clause, the Secretary of the Treasury shall pay directly to the certificate holder the face value of the certificate, less the value of—

“(1) any duty refund previously claimed by the holder under the certificate, and

“(2) a discount of not more than 2 percent of the face value of the certificate, as determined by the Secretary of the Treasury.

“(C) Direct payments under clause (B) shall be made under regulations issued by the Secretary of the Treasury. Such regulations shall assure that a certificate holder is required to provide only the minimum documentation necessary to support an application for direct payment. A certificate holder shall not be eligible for direct payment under clause (B) unless the certificate holder certifies to the Secretaries that the funds received will be reinvested or utilized to support and continue employment in the Virgin Islands.

“(D) The Secretary of the Treasury is authorized to make the payments provided for in clause (B) from duties collected on watches, watch movements, and parts therefor. If such duties are insufficient, the Secretary of the Treasury is authorized to make the payments from duties collected on jewelry under chapter 71 or any other duties that the Secretary determines are appropriate.”.

(b) **JEWELRY.**—Additional U.S. Note 3 to chapter 71 of the Harmonized Tariff Schedule of the United States is amended—

(1) by redesignating paragraphs (b), (c), (d), and (e) as paragraphs (c), (d), (e), and (f), respectively;

(2) by inserting after paragraph (a) the following new paragraph:

“(b) The 750,000 unit limitation in additional U.S. Note 5(h)(i)(B) to chapter 91 shall not apply to articles of jewelry subject to this note.”; and

(3) by striking paragraph (f), as so redesignated, and inserting the following:

“(f) Notwithstanding any other provision of law, any article of jewelry provided for in heading 7113 that is assembled in the Virgin Islands, Guam, or American Samoa by a jewelry manufacturer or jewelry assembler that commenced jewelry manufacturing or jewelry assembly operations in the Virgin Islands, Guam, or American Samoa after August 9, 2001, shall be treated as a product of the Virgin Islands, Guam, or American Samoa for purposes of this note and General Note 3(a)(iv) of this Schedule if such article is entered no later than 18 months after such jewelry manufacturer or jewelry assembler commenced jewelry manufacturing or jewelry assembly operations in the Virgin Islands, Guam, or American Samoa.”.

SEC. 2. EFFECTIVE DATE.

The amendments made by this Act shall apply with respect to goods imported into the customs territory of the United States on or after January 1, 2002.

By Mr. SANTORUM (for himself and Mr. GRASSLEY):

S. 2387. A bill to amend title II of the Social Security act to deny social security old-age, survivors, and disability insurance benefits to fugitive felons and individuals fleeing prosecution, and for other purposes; to the Committee on Finance.

Mr. SANTORUM. Mr. President, the Federal Government should not be paying benefits to fugitives from justice. Today, I am introducing legislation which denies Social Security Old Age Survivors Insurance, OASI, and Social Security Disability Insurance, DI, benefits to fugitive felons and requires the

Social Security Administration, SSA, to disclose information about the fugitives to law enforcement officers. I am pleased to be joined in this effort by the distinguished ranking member of the Finance Committee, Senator GRASSLEY.

There is precedent for this legislation in current law. The Personal Responsibility and Work Opportunity Act of 1996, P.L. 104-193, disqualified fugitive felons from receiving welfare cash assistance, Supplemental Security Income, SSI, food stamps, and housing benefits. Likewise, it allowed law enforcement officers to obtain the current addresses, photographs, and Social Security numbers of fugitives who received such assistance. I was the author of these prohibitions on Federal assistance for fugitive felons.

I am pleased to report that the current fugitive felons law is having a positive effect. It is saving taxpayers millions of dollars. More important, it is getting violent criminals off the streets. For instance, the Inspector General of USDA reported that as of January 2, 2001, more than 6,800 fugitive felon food stamp recipients were arrested. Similarly, SSA identified more than 28,000 fugitive SSI recipients, 14,000 of whom were identified in fiscal year 2000.

The legislation offered by Senator GRASSLEY and myself would further curtail a fugitive’s financial ability to escape the law. In testimony before the Finance Committee on April 25, 2001, James G. Huse, Jr., Inspector General of the SSA, expressed frustration that SSA does not have the statutory authority to deny OASI and DI benefits to fugitive felons. The inability to cut off benefits to these fugitives costs the Social Security Trust Fund \$39 million per year. He also testified that the Privacy Act prohibits SSA from providing law enforcement officials with information, such as the current addresses and Social Security numbers of fugitive felon recipients, which could lead to their apprehension. Mr. Huse told the Finance Committee,

... this waste of Federal funds goes to the heart of our mission, and our inability to stop these payments is frustrating. What is more frustrating to us as a law enforcement organization is that these benefits were paid to some 17,300 fugitives, many of whom could have been apprehended had my office been able to provide law enforcement agencies with felons’ addresses. The loss of money is disturbing; the thousands of criminals that could have been incarcerated but remain free is worse.

Mr. Huse further advised, “Congress may want to consider legislation, this session, that will permit us to treat felons as felons, regardless of the types of Social Security benefits they are using to finance their flight from justice.” That is exactly what this bill does.

The majority of Americans would agree it is bad policy to pay Federal benefits to fugitives from justice. The effect of such policy is to give criminals the financial means to continue avoiding the law. It is time to close

legal loopholes which allow felons to receive OASI and DI payments while in fugitive status. I urge my colleagues to support this legislation.

Thank you, Mr. President.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2387

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION. 1. DENIAL OF SOCIAL SECURITY OLD-AGE AND SURVIVORS AND DISABILITY INSURANCE BENEFITS TO FUGITIVE FELONS AND INDIVIDUALS FLEEING PROSECUTION; PROVISION OF INFORMATION TO LAW ENFORCEMENT OFFICERS.

Section 202(x) of the Social Security Act (42 U.S.C. 402(x)) is amended—

(1) in the heading, by striking “Prisoners” and all that follows and inserting the following: “Prisoners, Certain Other Inmates of Publicly Funded Institutions, and Fugitives”;

(2) in paragraph (1)(A)(ii)(IV), by striking “or” at the end;

(3) in paragraph (1)(A)(iii), by striking the period at the end and inserting a comma;

(4) by inserting after paragraph (1)(A)(iii) the following:

“(iv) is fleeing to avoid prosecution, or custody or confinement after conviction, under the laws of the place from which the person flees, for a crime, or an attempt to commit a crime, which is a felony under the laws of the place from which the person flees, or which, in the case of the State of New Jersey, is a high misdemeanor under the laws of such State, or

“(v) is violating a condition of probation or parole imposed under Federal or State law.”; and

(5) in paragraph (3), by adding at the end the following new subparagraph:

“(C) Notwithstanding the provisions of section 552a of title 5, United States Code, or any other provision of Federal or State law (other than section 6103 of the Internal Revenue Code of 1986 and section 1106(c) of this Act), the Commissioner shall furnish any Federal, State, or local law enforcement officer, upon the written request of the officer, with the current address, Social Security number, and photograph (if applicable) of any individual who receives a benefit under this title, if the officer furnishes the Commissioner with the name of the individual, and other identifying information as reasonably required by the Commissioner to establish the unique identity of the individual, and notifies the Commissioner that—

“(i) the individual—

“(I) is described in clause (iv) or (v) of paragraph (1)(A); and

“(II) has information that is necessary for the officer to conduct the officer's official duties; and

“(ii) the location or apprehension of the individual is within the officer's official duties.”.

By Mr. EDWARDS (for himself, Mr. SMITH of Oregon, and Mrs. CLINTON):

S. 2392. A bill to amend the National and Community Service Act of 1990 to establish a Community Corps, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. EDWARDS. Mr. President, I'm very pleased to rise today to introduce the School Service Act of 2002. This is legislation that can help foster the next generation of great American citizens.

When we think about education, we usually think about English, math, science. But I believe education needs to do more than provide knowledge and career skills. It also has to teach citizenship, the lesson that America is about not only rights but also responsibilities, and that each of us, however humble or wealthy, has a calling to our community and to our country. In my view, service to the community ought to be more than just another after-school activity, like basketball or photography. Service should be a part of every child's education, as much as math or science or anything else. If our children are going to believe in serving their community, we have to give them the experience of service while they're young, so they know in their bones that it matters.

In the last few months, the President and several of my Senate colleagues have offered proposals to engage more adults Americans in expanded national service programs. These are promising ideas, but I believe they're left our one key group: school-age students, especially high schoolers.

In the best service initiatives with teenagers, we've seen remarkable benefits, for students and the communities they serve. In one program, adults who had completed service projects more than 15 years earlier were still more likely to be volunteers and voters than adults who hadn't. In another program, kids who served had a 60 percent lower drop-out rate and 18 percent lower rate of school suspension than kids who didn't.

Just as important, the service also has tremendous impacts on communities. High school kids have built community centers in run-down neighborhoods. They've cleaned up polluted ponds. They've helped small children learn to read, and offered comfort to the elderly and sick. People in the community say this work is worth four times more than it actually costs.

It's time to encourage more States and cities to develop service programs for all their students. It's not enough that students study history to graduate. We should expect them to contribute to history, too. Some of my favorite models for engaging children in service come from my own State, in fact, from the high school in Raleigh that my children have attended.

With these thoughts in mind, today I am introducing, together with Senator GORDON SMITH and Senator CLINTON, the School Service Act of 2002. The proposal is very simple: We say to a limited number of States and cities, if you have schools that will make sure students engage in high-quality service before graduation, we will support those school's efforts.

The service can be based in the classroom. It can be based in an afterschool

program. It can be based in a summer program. And it can be directed or supervised by AmeriCorps members who are leaders and coordinators.

All that we ask is that you ensure two things:

First: real service with real benefits to communities. The Corporation's own studies show that a dollar invested in a good service effort produces benefits worth over four dollars. We need to keep that up.

Second: we want service that means something to young people, service that students reflect on and talk about with each other. We want kids seeing these experiences not as another chore, but as an exciting initiation into long lives of active citizenship. And we know service is often just that. Kids who serve grow up to volunteer more and to vote more throughout their lives.

Finally, our bill will hold these programs to high standards and require measurable success.

Let me stress: I don't think we should require my State or city to do anything. Nor should this program operate nationwide. My proposal is that for the State and school districts with schools that are ready, we ought to make sure every child has the opportunity and the responsibility to engage in service. Here in Congress, it is our responsibility to give those opportunities for service to our young people. When we do, our country will be richly rewarded in the years and decades to come.

By Mr. DURBIN (for himself, Mr. KENNEDY, Mr. WELLSTONE, and Mr. CORZINE):

S. 2393. A bill to amend the Public Health Service Act to provide protections for individuals who need mental health services, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Mr. President, I rise tonight to introduce the Mental Health Patient Rights Act. This legislation will break down one of the barriers faced by thousands of Americans who face discrimination in the individual health insurance market because they have been treated at some time in their life for a mental condition. Senators KENNEDY, WELLSTONE, and CORZINE have joined me in this effort.

Each year some 18 million Americans suffer from depression, and fully a quarter of the country's adult population is faced with some form of mental illness. Many of them are not part of group coverage provided by employers and must rely on individual policies that they purchased themselves. Without coverage, many who are dealing with mental disease do not seek treatment. Indeed, repeated surveys have shown that concerns about the cost of mental care is one of the most common reasons that individuals decline to seek care. The Mental Health Patient Rights Act limits the ability of health care plans to redline individuals with a preexisting mental health condition.

I undertook this initiative when I read a letter from one of my Illinois constituents who was turned away from health care plans in the private nongroup market, due solely to a past history of treatment for a mental condition. This constituent, whom I will call Mary, suffered severe depression over 10 years ago and received treatment, which was successful. It allowed her to return to work.

At that time Mary had employer-sponsored health insurance through her husband's employment. But in the fall of 1998, Mary and her husband lost this employer-based insurance coverage when Mary's husband lost his job.

Mary applied for a comprehensive health insurance plan offered to individuals. Her application was declined because, as per the insurance company notice, due to her medical history of depression, she did not meet the company's underwriting requirements.

Mary wrote:

As I see it, we are being punished for accessing health care. In 1987, when I became clinically depressed, I could have chosen to avoid proper medical care, become unemployed and received Social Security disability. I did not. I obtained the help I needed and continued to support myself, my family and contribute positively to society. Depression is a treatable medical illness. Insurance companies must stop their indiscriminate denial of coverage.

The Washington Post recently ran a column that documented a similar story about the discrimination that individuals with a history of mental illness face in our current health insurance market.

The column conveys the dilemma of Michelle Witte who was denied health insurance coverage because she was successfully treated for depression during her adolescence.

Unfortunately, Mary and Michelle are not alone. While the majority of Americans under age 65 have employer-sponsored group coverage, a significant minority, approximately 12.6 million individuals, rely on private, individual health insurance.

Underwriting in the individual health insurance market is fierce.

Just last week The Wall-Street Journal reported that a Wisconsin-based insurer, American Medical Security Group, Inc., is actually re-underwriting individual policies on an annual basis. At each annual renewal, this company reviews the individuals' claims filed in the previous year and increases premiums to policyholders whose claims exceed the standard. Under the current system of care in the United States, individuals who are undergoing treatment or have a history of treatment for mental illness may find it particularly difficult to obtain private health insurance, especially if they must purchase it on their own and do not have an employer-sponsored group plan available to them.

That is why I have introduced this legislation. The Mental Health Patients' Rights Act closes this loophole

by limiting any preexisting condition exclusion relating to a mental health condition to not more than 12 months and reducing this exclusion period by the total amount of previous continuous coverage.

It prohibits any health insurer that offers health coverage in the individual insurance market from imposing a preexisting condition exclusion relating to a mental health condition unless a diagnosis, medical advice or treatment was recommended or received within the 6 months prior to the enrollment date.

And it prohibits health plans in the individual market from charging higher premiums to individuals based solely on the determination that the individual has had a preexisting mental health condition.

These provisions apply to all health plans in the individual market, regardless of whether a state has enacted an alternative mechanism, such as high risk pool, to cover individuals with preexisting health conditions.

The Mental Health Patients' Rights Act complements ongoing efforts to enhance parity between mental health services and other health benefits.

This is because parity alone will not help individuals who do not have access to any affordable health insurance due to preexisting mental illness discrimination.

The Patients' Rights Act does not mandate that insurers provide mental health services if they are not already offering such coverage. It simply prohibits plans in the private non-group market from redlining individuals who apply for general health insurance based solely on a past history of treatment for a mental condition.

The legislation is backed by more than compelling anecdotal stories. I asked for a study from the GAO and last month they told me the new study documents that individuals with mental disorders, past or present, face restrictions in purchasing health insurance in the individual market that exceed restrictions for physical health preexisting conditions in the same cost category.

GAO interviewed insurance carriers that sell individual market insurance and sell insurance in most of the 34 states in which carriers are permitted to medically underwrite.

Collectively, these insurers cover more than one million individuals representing more than 10 percent of all individual market enrollees. Researchers found that carriers denied coverage for applicants with selected mental disorders more than half of the time, while denying coverage for applicants with other selected chronic conditions just 30 percent of the time.

Even in states which have established subsidized insurance options as a coverage option for applicants rejected in the individual insurance market, sometimes called high-risk pools, these options have higher premium rates.

High-risk pools also may include more restrictions on mental health

benefits than other benefits and many have waiting lists due to budget constraints.

In the seven states without high-risk pools and without guaranteed issue requirements, applicants with a history of mental illness are likely to find themselves without any viable health insurance coverage option.

In other words, it is not about money. If the insurance company wants to ask you if you have a history in your family of cancer, heart disease, diabetes, things that might have some impact on the cost of health insurance, it is understood that is part of underwriting. But now they are including mental illness as part of this inquiry, and regardless of the fact that it doesn't seem to be, or prove out to be as expensive to the insurance companies, they are just discriminating against people who have this history of mental illness.

That is why I am introducing this legislation.

It does not make sense that a person is rendered uninsurable for all health needs simply because he or she seeks treatment for mental illness. Mental illness is a disease just as cancer or asthma or the flu is a disease.

Yet it is clear that when it comes to mental health millions of Americans must battle not only with their disease, but for their access to adequate insurance coverage.

I invite my colleagues to enlist in this important initiative to ensure that such individuals are not discriminated against when applying for health insurance coverage.

More than 80 organizations representing consumers, family members, health professionals and providers have endorsed the Mental Health Patient Rights Act. I urge you to do the same.

Some of us who saw the movie, "A Beautiful Mind," are reminded that there are people who have suffered from mental illness who have recovered and made great contributions to America, as John Nash has at Princeton, and as those who have been involved in so many other walks of life. It is unfair in America for us to discriminate against a person because of a history of mental illness. Yet it is a fact of life.

I salute my colleagues, Senators WELLSTONE and DOMENICI, for their leadership on this issue. I join them in their effort and hope this bill will complement what they are doing to not only make mental illness subject to coverage by health insurance but also to end this discrimination against those who have a history of that illness. We should be working to break down the stigma of mental illness, not to maintain it.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2393

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Mental Health Patients' Rights Act".

SEC. 2. AMENDMENTS TO THE PUBLIC HEALTH SERVICE ACT.

Subpart 1 of part B of the Public Health Service Act (42 U.S.C. 300gg-41 et seq.) is amended by adding at the end the following:

"SEC. 2745. LIMITATION ON PREEXISTING CONDITION EXCLUSION PERIOD AND PREMIUMS WITH RESPECT TO MENTAL HEALTH.

"(a) LIMITATION ON PREEXISTING CONDITION EXCLUSION PERIOD.—

"(1) IN GENERAL.—Notwithstanding any other provision of law, a health insurance issuer that offers health insurance coverage in the individual market in a State may, with respect to an individual or dependent of such individual, impose a preexisting condition exclusion relating to a preexisting mental health condition only if—

"(A) such exclusion relates to a mental health condition, regardless of the cause of the condition, for which medical advice, diagnosis, care, or treatment was recommended or received within the 6-month period ending on the enrollment date;

"(B) such exclusion extends for a period of not more than 12 months after the enrollment date; and

"(C) the period of any such preexisting condition exclusion is reduced by the aggregate of the periods of creditable coverage (if any, as defined in paragraph (3)(A)) applicable to the individual or dependent of such individual as of the enrollment date.

"(2) DEFINITIONS.—In this section:

"(A) PREEXISTING MENTAL HEALTH CONDITION.—The term 'preexisting mental health condition' means, with respect to coverage, a mental health condition, including all categories of mental health conditions listed in the Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition (DSM IV-TR), or the most recent edition if different than the Fourth Edition, that was present before the date of enrollment of such coverage, whether or not any medical advice, diagnosis, care, or treatment was recommended or received before such date.

"(B) OTHER TERMS.—The terms 'preexisting condition exclusion', 'enrollment date', and 'late enrollee' shall have the meanings given such terms in section 2701 as relating to individual health insurance coverage.

"(3) CREDITING PREVIOUS COVERAGE.—For purposes of subsection (a), the term 'creditable coverage' has the meaning given such term in section 2701(c) and includes coverage of the individual under any of the following:

"(A) A college-sponsored health plan, or a plan under which health benefits are offered by or through an institution of higher education (as defined in section 481(a) of the Higher Education Act of 1965 (20 U.S.C. 1088(a)) in relation to students at the institution (not including benefits offered to such a student as a participant or beneficiary in a group health plan).

"(B) Title XXI of the Social Security Act.

"(C) A State or local employee health plan.

"(b) PROHIBITION ON INCREASED PREMIUMS BASED ON PREEXISTING MENTAL HEALTH CONDITION.—A health insurance issuer that offers health insurance coverage in the individual market in a State may not, with respect to an individual or dependent of such individual, require any individual (as a condition of enrollment or continued enrollment) with a preexisting mental health condition to pay a premium or contribution which is greater than a premium or con-

tribution for an individual without a preexisting mental health condition based solely on the determination that such individual has a preexisting mental health condition, as such term is defined in subsection (a)(2)(A).

"(c) NONAPPLICABILITY OF ACCEPTABLE ALTERNATIVE MECHANISMS.—The provisions of section 2741(a)(2) shall not apply to a health insurance issuer that offers health insurance coverage in the individual market in a State, but only with respect to an individual, or dependent of such individual, with a preexisting mental health condition desiring to enroll in such individual health insurance coverage."

AMENDMENTS SUBMITTED AND PROPOSED

SA 3381. Mr. BAUCUS submitted an amendment intended to be proposed by him 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.

TEXT OF AMENDMENTS

SA 3381. Mr. BAUCUS submitted an amendment intended to be proposed by him 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 add the following:

DIVISION D—EXTENSION OF CERTAIN PREFERENTIAL TRADE TREATMENT AND MISCELLANEOUS TRADE PROVISIONS**TITLE XLI—EXTENSION OF GENERALIZED SYSTEM OF PREFERENCES****SEC. 4101. GENERALIZED SYSTEM OF PREFERENCES.**

(a) EXTENSION OF DUTY-FREE TREATMENT UNDER SYSTEM.—Section 505 of the Trade Act of 1974 (19 U.S.C. 2465) is amended by striking "September 30, 2001" and inserting "December 31, 2006".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of enactment of this Act.

(c) RETROACTIVE APPLICATION FOR CERTAIN LIQUIDATIONS AND RELIQUIDATIONS.—

(1) IN GENERAL.—

(A) ENTRY OF CERTAIN ARTICLES.—Notwithstanding section 514 of the Tariff Act of 1930 or any other provision of law, and subject to paragraph (2), the entry—

(i) of any article to which duty-free treatment under title V of the Trade Act of 1974 would have applied if the entry had been made on September 30, 2001;

(ii) that was made after September 30, 2001, and before the date of enactment of this Act; and

(iii) to which duty-free treatment under title V of that Act did not apply,

shall be liquidated or reliquidated as free of duty, and the Secretary of the Treasury shall refund any duty paid with respect to such entry.

(B) ENTRY.—In this subsection, the term "entry" includes a withdrawal from warehouse for consumption.

(2) REQUESTS.—Liquidation or reliquidation may be made under paragraph (1) with respect to an entry only if a request therefor is filed with the Customs Service, within 180 days after the date of enactment of this Act, that contains sufficient information to enable the Customs Service—

(A) to locate the entry; or

(B) to reconstruct the entry if it cannot be located.

SEC. 4002. AMENDMENTS TO GENERALIZED SYSTEM OF PREFERENCES.

(a) INTERNATIONALLY RECOGNIZED WORKER RIGHTS.—Section 507(4) of the Trade Act of 1974 (19 U.S.C. 2467(4)) is amended—

(1) by striking "and" at the end of subparagraph (D);

(2) by striking the period at the end of subparagraph (E) and inserting "; and";

(3) by adding at the end the following new subparagraph:

"(F) a prohibition on discrimination with respect to employment and occupation."; and

(4) by amending subparagraph (D) to read as follows:

"(D) a minimum age for the employment of children, and a prohibition on the worst forms of child labor, as defined in paragraph (6);".

(b) REVIEW OF ELIGIBILITY CRITERIA.—

(1) IN GENERAL.—Title V of the Trade Act of 1974 is amended by inserting after section 503, the following new section:

"SEC. 503A. REVIEWS.

"(a) ONGOING REVIEWS.—Notwithstanding any other provision of law, the President shall conduct on an ongoing basis a review of the eligibility criteria with respect to any country or article designated as eligible under this title. Such reviews, in addition to the reviews conducted pursuant to part 2007 of title 15, Code of Federal Regulations (as in effect on January 1, 2002), shall form the basis for any withdrawal, suspension, or limitation of benefits under section 502(d)(1) or section 503(c)(1).

"(b) WORKER RIGHTS REVIEWS.—

"(1) IN GENERAL.—In reviewing the eligibility criteria set forth in sections 502(b)(2)(G), 502(b)(2)(H), and 502(c)(7) as part of an ongoing review described in subsection (a) or as part of a specific request for review under part 2007 of title 15, Code of Federal Regulations, the President shall give special consideration to the findings of the International Labor Organization (or committees thereof) concerning the country under review.

"(2) REGULATIONS.—Not later than 180 days after the date of enactment of the Trade Act of 2002, the President shall promulgate regulations establishing guidelines for giving special consideration to the findings of the International Labor Organization (or committees thereof) as required by paragraph (1)".

(2) CONFORMING AMENDMENT.—The table of contents for title V of the Trade Act of 1974 is amended by inserting after the item relating to section 503, the following new item:

"Sec. 503A. Reviews.

TITLE XLII—MISCELLANEOUS TRADE PROVISIONS**SEC. 4201. IDENTIFICATION OF TRADE EXPANSION PRIORITIES.**

Section 310(a)(1) of the Trade Act of 1974 (19 U.S.C. 2420(a)(1)) is amended by striking "Within 180 days after the submission in calendar year 1995 of the report required by section 181(b)" and inserting "Within 30 days after the submission of the report required by section 181(b)".

AUTHORITY FOR COMMITTEES TO MEET**SELECT COMMITTEE ON INTELLIGENCE**

Mr. REID. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Monday, April 29, 2002, at 6:30 p.m. to hold a closed business meeting.

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

PRIVILEGE OF THE FLOOR

Mr. GRASSLEY. Mr. President, I ask unanimous consent the privilege of the floor be granted to Tiffany McCullen, a Department of Commerce employee detailed to my staff on the Finance Committee, and to Elliott Langer, an intern from the Finance Committee for the duration of the Senate consideration of trade bills.

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

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. As in executive session, Mr. President, I ask unanimous consent that at 12 noon on Tuesday, April 30, the Senate proceed to executive session to consider Calendar Nos. 778 and 779, with the time until 12:30 equally divided and controlled between Senators LEAHY and HATCH or their designees; that upon the use or yielding back of the time, the Senate stand in recess until 2:15 p.m.; further, at 2:15 p.m., the Senate proceed to vote on Calendar No. 778, to be followed immediately by a vote on Calendar No. 779; that upon completion of the votes, the motions to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and the Senate return to legislative session, without further intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Chair hears none, and it is so ordered.

Mr. REID. Mr. President, I now ask unanimous consent that it be in order to request the yeas and nays on the nominations, with one show of hands for a sufficient second.

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

Mr. REID. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following promotions reported out earlier today by the Senate Armed Services Committee: Lt. Gen. Leon J. LaPorte to be general; and Adm. Thomas B. Fargo to be admiral; that the nominations be confirmed, the motions to reconsider be laid upon the table, the President be immediately notified of the Senate's action, any statements thereon be printed in the RECORD, and the Senate return to legislative session, without any intervening action or debate.

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

The nominations considered and confirmed are as follows:

ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Lt. Gen. Leon J. LaPorte, 0000.

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 admiral

Adm. Thomas B. Fargo, 0000.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

ORDERS FOR TUESDAY, APRIL 30, 2002

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 10 a.m. tomorrow, Tuesday, April 30; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate resume consideration of the motion to proceed to H.R. 3009, the Andean Trade Act, with the time until 12 noon equally divided between the proponents and opponents of the motion; that the time during the adjournment of the Senate, the debate time, and the votes thereafter on the two judges be counted against cloture, and that the recess of the Senate tomorrow be counted against the cloture time; further, that the Senate recess from 12:30 to 2:15 tomorrow for our weekly party conferences.

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

Mr. REID. We appreciate the patience of the Presiding Officer.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

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

There being no objection, the Senate, at 7:24 p.m., adjourned until Tuesday, April 30, 2002, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate April 29, 2002:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

ALBERTO FAUSTINO TREVINO, OF CALIFORNIA, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT, VICE SUSAN M. WACHTER, RESIGNED.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

ELIAS ADAM ZERHOUNI, OF MARYLAND, TO BE DIRECTOR OF THE NATIONAL INSTITUTES OF HEALTH, VICE HAROLD VARMUS, RESIGNED.

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIGADIER GENERAL ALAN D. BELL, 0000
BRIGADIER GENERAL JAMES A. CHEATHAM, 0000
BRIGADIER GENERAL CHARLES E. GORTON, 0000
BRIGADIER GENERAL ROBERT L. HEINE, 0000
BRIGADIER GENERAL LAWRENCE J. JOHNSON, 0000
BRIGADIER GENERAL DAVID E. KRATZER, 0000
BRIGADIER GENERAL DENNIS J. LAICH, 0000
BRIGADIER GENERAL COLLIS N. PHILLIPS, 0000

To be brigadier general

COLONEL STEVEN R. ABT, 0000
COLONEL RITA M. BROADWAY, 0000
COLONEL MICHAEL J. DIAMOND, 0000
COLONEL JAMES P. EGGLETON, 0000
COLONEL JAMES A. HASBARGEN, 0000
COLONEL ROSEMARY R. LOPER, 0000
COLONEL JOHN Y. H. MA, 0000
COLONEL MATTHEW C. MATIA, 0000
COLONEL MICHAEL W. MEANS, 0000
COLONEL JAMES E. PAYNE III, 0000
COLONEL ROBERT A. POLLMANN, 0000
COLONEL JAMES W. RAFFERTY, 0000
COLONEL JAMES F. REYNOLDS, 0000
COLONEL THOMAS D. ROBINSON, 0000
COLONEL JOSE M. ROSADO, 0000
COLONEL DEAN G. SIENKO, 0000
COLONEL JAMES L. SNYDER, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPTAIN ROBERT J. COX, 0000
CAPTAIN DERWOOD C. CURTIS, 0000
CAPTAIN PETER H. DALY, 0000
CAPTAIN KENNETH W. DEUTSCH, 0000
CAPTAIN MARK T. EMERSON, 0000
CAPTAIN JEFFREY L. FOWLER, 0000
CAPTAIN JOHN S. GODLEWSKI, 0000
CAPTAIN GARRY E. HALL, 0000
CAPTAIN LEENDERT R. HERING, 0000
CAPTAIN ALAN B. HICKS, 0000
CAPTAIN DEBORAH A. LOEWER, 0000
CAPTAIN CARL V. MAUNEY, 0000
CAPTAIN WILLIAM J. MCCARTHY, 0000
CAPTAIN BERNARD J. MCCULLOUGH III, 0000
CAPTAIN MICHAEL H. MILLER, 0000
CAPTAIN ALLEN G. MYERS, 0000
CAPTAIN MARC L. PURCELL, 0000
CAPTAIN JAMES W. STEVENSON JR., 0000
CAPTAIN WILLIAM G. TIMME, 0000
CAPTAIN JOSEPH A. WALSH, 0000
CAPTAIN MELVIN WILLIAMS JR., 0000
CAPTAIN JAMES A. WINNEFELD JR., 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. GREGORY R. BRYANT, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. ANDREW M. SINGER, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. DAVID J. VENLET, 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

SHAIN BOBBITT, 0000
BARBARA LOCKBAUM, 0000

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER TO THE TEMPORARY GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 622:

To be major

MICHAEL J. COLBURN, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

WILLIAM P. MCCLANE, 0000

THE FOLLOWING NAMED OFFICERS FOR ORIGINAL REGULAR APPOINTMENT AS PERMANENT LIMITED DUTY OFFICERS TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 5589:

To be captain

NEIL G ANDERSON, 0000
PETER G BAILIFF, 0000
ROY H BARRETT II, 0000
FERNADO S BLACKBURN, 0000
ALAN W BROWN, 0000
BEN A CACIOPPO JR., 0000
MICHAEL D CARROLL, 0000
ROBERT T CHARLTON, 0000
DANIEL M CLARK, 0000
VERNON L DARISO, 0000
JASON B DAVIS, 0000
CHRISTOPHER D DIEDERICH, 0000
MARK R DOEHRMANN, 0000
LEIGH A DUBIE, 0000
DARREN L DUCOING, 0000
CLETIS S EVANS JR., 0000
RICHARD W FIORVANTI JR., 0000
JEFFREY S FORBES, 0000
STEVEN C FREDERICK, 0000
ANTHONY J GIOVENCO JR., 0000
MICHAEL R GLASS, 0000
JEFFREY C HACKETT, 0000
DAVID W HILLMAN, 0000
SEAN P HOSTER, 0000
RICHARD A JAYROE, 0000
JAMES A JONES, 0000
TODD J KROME, 0000
CLARENCE E LAWSON JR., 0000
ANTHONY W LILLER, 0000
ROBERT L LOCKARD JR., 0000
TOMMY M MILLER, 0000
WILLIAM M MILLER, 0000
EDWARD M MOEN JR., 0000
JOHN L MYRKA, 0000
JUAN M ORTIZ JR., 0000
DENNIS L PARKS, 0000
ROBERT A PETERSEN, 0000
RALPH G PRATT, 0000
WALTER D ROMINE JR., 0000
ROGER N RUDD, 0000
TIMOTHY T RYBINSKI, 0000
JAMES I SAYLOR, 0000
RICHARD F SCHOFIELD, 0000
LEROY SUMTER, 0000
CHRISTOPHER A SUTHERLAND, 0000
BRIAN A TOBLER, 0000
RAUL TORRES, 0000
TIMOTHY D WHEELER, 0000
KEVIN R WILLIAMS, 0000
JEFFREY P WOOLDRIDGE, 0000
WESLEY L WOOLF JR., 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

JOHN F AHERN, 0000
JAMES T ANTHONY, 0000
DONALD F ARMENTO, 0000
CAROLYN A ARNOLD, 0000
KATHERINE A ASHTON, 0000
ELIZABETH K AUSTIN, 0000
LEANDRO E BAILEY, 0000
BARBARA U BALLARD, 0000
JOHN C BARGHUSEN, 0000
JESSE R BARKER, 0000
EDWARD J BARR, 0000
RICHARD O BARTCH JR., 0000
WILLIAM G BASSETT, 0000
MATTHEW F BOGDANOS, 0000
REED R BONADONNA, 0000
ROBERT A BOOTH JR., 0000
KENT W BRADFORD, 0000
JONATHAN P BRAZEE, 0000
PAUL W BRIER, 0000
ROBIN C BROOKINS, 0000
PAUL T BRUEMMER, 0000
WILLIAM H BUCKEY, 0000
CHRIS W BURKHART, 0000

KERRY L BURKHOLDER, 0000
GERALD L BUSBY JR., 0000
JOHN J BUTTIL, 0000
THOMAS C BYRON, 0000
TERRY K CAHILL, 0000
TIMOTHY J CASSIDY, 0000
JOSEPH F COLLINS, 0000
RAYMOND L COSS, 0000
MICHAEL T CRITES, 0000
JOHN P CROOK, 0000
KENNETH F CUSTER, 0000
ROBERT L DAVIS, 0000
TRACE P DENEKE, 0000
MICHELLE M DONAHUE, 0000
DANIEL A DONOHUE, 0000
MATTHEW J DOUGHERTY, 0000
RONALD R DUFF, 0000
MONTE E DUNARD, 0000
PRESTON E DUNPHY, 0000
RAYMOND G DUQUETTE, 0000
PATRICK J FERRAL, 0000
RONALD L FIELDS, 0000
ACENSION D FIERRO, 0000
THERESA A FINCH, 0000
GERARD W FISCHER, 0000
JANE M FITZGERALD, 0000
RICHARD B FITZWATER, 0000
MICHAEL R FOGAL, 0000
JOHN D FOLSOM II, 0000
RONALD K FORSBERG, 0000
HENRY J POSHEE, 0000
STEPHEN W FOSTER, 0000
MARK K FRAMPTON, 0000
JAMES J FRAWLEY, 0000
ALBERTO GARCIA, 0000
WILLIAM C GAWLER JR., 0000
JOHN D GIGNAC JR., 0000
DENNIS A GOLDSMITH, 0000
CRAIG GRABOWSKY, 0000
DAVID J GRECO, 0000
BRIAN M GREEN, 0000
ROCKY A GREEN, 0000
ANTHONY D HARRISON, 0000
DALE W HETRICK, 0000
JEANPIERRE HILL, 0000
JON T HOFFMAN, 0000
PAUL K HOPPER, 0000
RAYMOND W HOWER, 0000
NATHANIEL F HUGHES, 0000
RICHARD F HUNT, 0000
CHARLES M IAQUINTO, 0000
MICHAEL T ILCZYSHYN, 0000
RICHARD M JAKUCS, 0000
AUNDRA J JEFFERSON, 0000
JOSEPH E JENKINS JR., 0000
LEE KORZAN, 0000
JEFFREY S KRONGAARD, 0000
MARIO LAPAIX, 0000
JAMES M LARIVIERE, 0000
TERRY A LARSON, 0000
JOSEPH K LASLAVIC, 0000
DENVER L LATIMORE, 0000
THOMAS C LATSKO, 0000
KENNETH LEE, 0000
STEVEN R LEE, 0000
THOMAS E LEONARD, 0000
CHARLES A LOWTHER, 0000
DANIEL J LUND, 0000
ROBERT T MAGUIRE, 0000
MICHAEL W MANSKE, 0000
DANA K MARTIN, 0000
DANNY M MCDADE, 0000
REX C MCMILLIAN, 0000
WILLIAM L MCMULLEN, 0000
DOUGLAS G MCPHERSON, 0000
CHRISTOPHER L MCRAE, 0000
GORDON S METROKA, 0000
MICHAEL M MICHALOVICH, 0000
DALE W MILLER, 0000
EDMUND C MITCHELL, 0000
KEVIN T MURPHY, 0000
SHAUN M MURPHY, 0000
MICHAEL F NILES, 0000
ROBERT M OLIVIER, 0000
SCOTT J OLSON, 0000
ANTHONY E OSTERMAN, 0000
WAYNE O OUZTS, 0000
LAURENCE S PATZMAN, 0000

WAYNE A PAVLISCHEK, 0000
MICHAEL W PIERCE, 0000
JOSEPH PIZZINO, 0000
STONE W QUILLIAN II, 0000
THOMAS J REIMANN, 0000
ANDREW REYNOSA III, 0000
BRYAN M RHOADES, 0000
JEFFREY F RICHARDSON, 0000
MICHAEL K RILEY, 0000
JOSEPH D ROMERO, 0000
JAMES P ROONEY JR., 0000
LIONEL J ROTELLI JR., 0000
CHRIS ROWAN, 0000
JEFFREY M SANKEY, 0000
ROBERT A SCHROEDER, 0000
ROBERT M SELLERS, 0000
TERRENCE L SENGGER, 0000
JOHN R SHAMBURGER JR., 0000
JAMES P SHEAHAN, 0000
FREDERICK D SHROYER, 0000
TERRON D SIMS, 0000
CHARLES E SINGLEY JR., 0000
TIMOTHY S STANFORD III, 0000
GERALD H STEELE, 0000
MARK D STEPHENS, 0000
HAROLD C STODDARD, 0000
DOUGLAS R SUNDSTROM, 0000
RICHARD A SWEDBERG, 0000
HOWARD THOMAS, 0000
DAVID W THOMPSON, 0000
MARC R UHAZE, 0000
GARY A VAUGHAN, 0000
STEVEN C VEACH, 0000
RONALD E VONLEMBKE, 0000
MICHAEL E WAGNER, 0000
EDWARD M WARD, 0000
WILSON A WATERS JR., 0000
DANA A WHITEHOUSE, 0000
ROBERT A WHITTERS, 0000
STEPHEN S WOLF, 0000
CHRISTOPHER G WRIGHT, 0000
RANDLE L YARBERRY, 0000
LARRY E ZIMMERMAN, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

JAMES E. RUSSELL, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

LYDIA R. ROBERTSON, 0000

CONFIRMATIONS

Executive nominations confirmed by the Senate April 29, 2002:

IN THE ARMY

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

To be general

LT. GEN. LEON J. LAPORTE

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 admiral

ADM. THOMAS B. FARGO