operation of the river, the Corps is legally required to propose a management approach that protects the habitat for these three species.

Now, under section 7, when there's a pretty good chance that a federal agency's actions might jeopardize a species, the agency must consult with the Fish and Wildlife Service.

That's the right approach. When it comes to the nuts and bolts of running a river system, the Corps is the expert. But, when it comes to the nuts and bolts of protecting a species, the Fish and Wildlife Service is the expert. No question.

So, as it is legally required to do, the Corps has consulted with the Fish and Wildlife Service, initially under what's called the ''informal consultation process.''

There have been problems. Serious problems.

When the Corps issued the first Environmental Impact Statement for the Master Manual, back in 1994, the Fish and Wildlife Service issued a draft opinion saying that, in it's judgment, the proposed operation would jeopardize the three species.

In 1998, the Corps issued a revised EIS. Once again, the Fish and Wildlife Service said that, in it's judgment, the proposed operation still would jeopardize the three species.

Then we made progress. On March 30 of this year, the Corps announced that it was entering into a formal consultation with the Fish and Wildlife Service and would rely on the Service's biological judgment to propose an alternative that does not jeopardize the species. In other words, it would fully comply with the ESA.

We expect the Fish and Wildlife Service to issue it's biological opinion any day now. That opinion will explain, based on the best scientific information available, how to provide the needed protection for the recovery of the 3 endangered species on the river.

Nobody outside the agency knows for sure what the biological opinion will say. But, based on all of the scientific discussion that's gone on so far, there's a good likelihood that it will require more releases of water in the spring, to maintain the instream flows necessary to provide habitat for the sturgeon, plover, and tern.

That probably will mean fewer releases in the summer which, some will argue, could affect barge traffic downstream.

That's where section 103 of the bill comes in. It prevents the Corps releasing more water in the spring.

In other words, if the biological opinion comes out the way most folks expect it to, section 103 prevents the Corps from complying with the Endangered Species Act.

So, again, this debate is not just about the allocation of water between upstream and downstream states.

The debate is also, fundamentally, about whether, in one fell swoop, we should waive the application of the Endangered Species Act to one of the largest rivers in the country. The river, I might add, that is the wellspring of the history of the American west.

I suggest that the answer is obvious. We should not.

Mr. President, let me also respond to a point that some of the supporters of section 103 have made.

They argue, in essence, that we've lost our chance. Sort of like the legal notion of estoppel. This provision has been in the bill for several years, they argue. We've never tried to delete it before.

So, I suppose they're trying to imply, it's somehow inappropriate for us to raise it now.

This argument is a red herring. A distraction.

Up until now, we've never been in a situation in which there was an impending biological opinion under the endangered Species Act. So, by definition, the earlier provisions did not override the Endangered Species Act.

What's more, in the absence of a biological opinion, there was no real likelihood that the Corps would implement a spring rise.

So the provision was theoretical. Symbolic. It had absolutely no practical effect.

Now, Mr. President, it most certainly will. That's why we are raising the issue.

One final point. If we pass section 103, and the Corps is directed to operate the system in violation of the Endangered Species Act, there will be a lawsuit.

That will have two effects. First, it will slow things down. Second, it may well put us in the position of having the river operated, in effect, by the courts rather than by the Corps.

We've seen this happen along the Columbia Snake River system, and it's not been an easy experience for anyone.

In closing, I suggest that there's a better way. After all, once a biological opinion is issued, there will be an opportunity for public comment, so this decision will not be made in a vacuum.

In fact, there have been countless public meetings and forums on the revision of the Master Manual over the years. And that's as it should be.

So let's not create a special exemption for the Corps. Let's require them to abide by the same law that we apply to everybody else.

Let's allow the regular process to work. Let's allow the agencies to continue to consult and figure out how to strike the balance that's necessary to manage this mighty and beautiful river: for upstream states, for downstream states, and for the protection of endangered species; that is, for all of us.

PNTR

Mr. BAUCUS. Mr. President, I am very glad the Senate has voted to invoke cloture and will finally get to the bill granting China permanent normal trade relations status. That bill will come up in September. That legislation has the strong support of at least three-quarters of the Members of this body, and it is deeply in our national interests. We should have rapidly disposed of it months ago. But later is better than never. I hope very much when we bring it up in September that we have a very large vote—at least three-quarters, as I earlier stated.

When we make that vote, it will be a profound choice. The question will be, Do we bring China into the orbit of the global trading community with its rule of law? Or do we choose to isolate and contain China, creating a 21st century version of a cold war in Asia?

China is not our enemy. China is not our friend. The issue for us is how to engage China, and this means engagement with no illusions—engagement with a purpose. How do we steer China's energies into productive, peaceful, and stable relationships within the region and globally? For just as we isolate China at our peril, we engage them to our advantage.

The incorporation of China into the WTO—and that includes granting them PNTR—is a national imperative for the United States of America.

I might add that when the debate comes up on PNTR in September, various Senators will offer amendments, as is their right, to that legislation. I think it is essential that we maintain the integrity of the House-passed bill. Many of those amendments that will be coming are very worthy amendments, and in another context they should pass. I would vote for them. But to maintain the integrity of the House-passed bill, I will strongly urge my colleagues to vote against amendments that are added on to the PNTR legislation, as worthy as they are, even though Senators certainly have a right to bring them up, because if those amendments were to pass, we would no longer be maintaining the integrity of the House-passed bill. But the bill would have to go back to conference, and that would, in my judgment, jeopardize passage of PNTR to such a great degree that we should take the extraordinary step of not passing those amendments.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas is recognized.

Mr. BROWNBACK. Mr. President, I rise to address the body on an issue.

The PRESIDING OFFICER. Under the previous order, the Senator from Minnesota was to be recognized.

Mr. WELLSTONE. Mr. President, I rise to participate in the debate on the motion to proceed. But I have been doing work with my colleague, Senator BROWNBACK. I ask unanimous consent that I be allowed to follow Senator BROWNBACK.

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

The Senator from Kansas is recognized.

Mr. BROWNBACK. Thank you, very much, Mr. President. I thank my colleague from Minnesota for doing that.

TRAFFICKING VICTIMS PROTECTION ACT OF 2000

Mr. BROWNBACK. Mr. President, I recognize my colleague from Minnesota today, for legislation that he and I have been working on together has passed this body. It previously passed the House, and now will go to conference. It is The Trafficking Victims Protection Act of 2000. It is a bill—one of the first perhaps in the world—to address the growing ugly practice of sex trafficking where people are traded into human bondage—again, into the sex and prostitution business around the world. It is an ugly practice that is growing. More organized crime is getting into it. It is one of the darker sides of globalization that is taking place in the world.

It is estimated that the size of this business is $7 billion annually, only surpassed by that of the illegal arms trade on an illegal basis. If those numbers aren't stark enough, the numbers of the individuals involved is stark enough.

Our intelligence community estimates that up to 700,000 women and children—primarily young girls—are trafficked, generally from poorer countries to richer countries each year, and sold into bondage; raped, held against their will, locked up, and food withheld from them until they submit to this sex trade. That is taking place in our world in the year 2000. Our intelligence community estimates that 50,000 are trafficked into the United States into this ugly traffic.

I had a personal experience with this earlier this year. In January, I traveled to Nepal and met with a number of girls who had been trafficked and then returned. They had been tricked to leave their villages. Many of them were told at the ages of 11, 12, or 13: Come with us. We are going to get you a job as a housekeeper, or making rugs, or some other thing in Bombay, India, that will be much better than what you are doing now.

Their families don't have the wherewithal to pay their livelihood. Their families are poor as can be. They are not able to feed them, and the families say: Go ahead.

They then take them across the border. They take their papers from them. They force them into brothels in Bombay or Calcutta or somewhere else and force them into this trade.

Some of these girls make their way back at the age of 16 or 17 years of age. Two-thirds of them now carry AIDS and/or tuberculosis. Most of them come home to die.

It is one of the ugliest, darkest things I have seen around the world.

The Senate took the step today to start to deal with this practice that is occurring around the world, and that is occurring in the United States.

My colleague, Senator WELLSTONE, and I worked this legislation together to be able to get it moved through this body.

I am so thankful to him and other people who have worked greatly on this legislation to get it passed.

I particularly want to recognize, on my staff, Sharon Payt, who has leaned in for a long time to be able to get this done.

This is the new, modern form of slavery.

Trafficking victims are the new enslaved of the world. Until lately, they have had no advocates, no defenders, no avenues of escape, except death, to release them from the hellish types of circumstances and conditions they have been trafficked into. This is changing rapidly—a new movement of awareness is forming to wrench freedom for the victims and combat trafficking networks. This growing movement runs from 'right' to 'left,' from Chuck Colson to Gloria Steinem, and from SAM BROWNBACK to PAUL WELLSTONE. Our legislation, which passed today, is part of that movement, providing numerous protections and tools to empower these brutalized people toward re-capturing their dignity and obtaining justice, and getting their lives back.

Trafficking has risen dramatically in the last 10 to 15 years with experts speculating that it could exceed the drug trade in revenues in the next few decades. It is coldly observed that drugs are sold once, while a woman or child can be sold 20 and even 30 times a day. This dramatic increase is attributed also to the popularizing of the sex industry worldwide, including the increase of child pornography, and sex tours in Eastern Asia. As the world's dark appetite for these practices grows, so do the number of victims in this evil manifestation of global trade.

The victims are usually transported across international borders so as to 'shake' local authorities, leaving them defenseless in a foreign country, virtually held hostage in a strange land. Perpetrating further vulnerability, often they are ''traded'' routinely among brothels in different cities. This deliberate ploy robs them of assistance from family, friends, and authorities.

The favorite age for girls in some countries is around 13 years of age. I have a 14-year-old daughter and it almost makes me cry to think of somebody being taken out of the home at that age and submitted and subjected and forced into this type of situation. Thirteen is the favorite age. There is a demand particularly for virgins because of the fear of AIDS. Now, imagine, your daughter, your sister, your granddaughter in that hellish condition.

International trafficking routes are very specific and include the Eastern European states, particularly Russia and the Ukraine, into Central Europe and Israel. Other routes include girls sold or abducted from Nepal to India—the Nepalese girls are prized because they are beautiful, illiterate, extremely poor with no defenders, and compliant, making it easy to keep them in bondage. In Eastern Asia, most abductees are simple tribal girls from isolated mountain regions who are forced into sexual service, primarily in Thailand and Malaysia. These are only a few of the countless but repeatedly traveled routes.

One of two methods, fraud or force, is used to obtain victims. Force is often used in the cities wherein, for example, the victim is physically abducted and held against her will, sometimes in chains, and usually brutalized through repeated rape and beatings. Regarding fraudulent procurement, typically the ''buyer'' promises the parents that he is taking their daughter away to become a nanny or domestic servant, giving the parents a few hundred dollars as a ''down payment'' for the future money she will earn for the family. Then the girl is transported across international borders, deposited in a brothel and forced into the trade until she is no longer useful having contracted AIDS. She is held against her will under the rationale that she must ''work off'' her debt which was paid to the parents, which usually takes several years, if she remains alive that long.

A Washington Post article, Sex Trade Enslaves East Europeans, dated July 25th, vividly captures the suffering of one Eastern Europe woman who was trafficked through Albania to Italy: ''As Irina recounts the next part of her story, she picks and scratches at the skin on her face, arms and legs, as if looking for an escape . . . she says the women were raped by a succession of Albanian men who stopped by at all hours, in what seemed part of a carefully organized campaign of psychological conditioning for a life of prostitution.'' This insidious activity must be challenged, and our legislation would do exactly that. That is what this body has passed today.

This legislation establishes, for the first time, a bright line between the victim and perpetrator. Presently, most existing laws internationally fail to distinguish between victims of sexual trafficking and their perpetrators. Sadly and ironically, victims are punished more harshly than the traffickers, because of their illegal immigration status and lack of documents (which the traffickers have confiscated to control the victim).

In contrast, our legislation punishes the perpetrators and provides an advocacy forum to promote international awareness, as well as providing the following:

Criminal punishment for persons convicted of operating as traffickers in the U.S.

Creates a new immigration status termed a ''T'' visa for trafficking victims found in the U.S., to promote aggressive prosecution of traffickers.

Directs USAID, as well as domestic government agencies to fund programs