

## UNITED STATES AGRICULTURAL TRADE BALANCE WITH CHINA—Continued

HS Community groupings	In millions of dollars each year—			
	1996	1997	1998	1999
17 Sugars And Sugars Confectionary .....	-4.8	-7.9	-8.1	-7.8
18 Cocoa And Cocoa Preparations .....	-32.4	-42.4	-29.2	-15.2
19 Preparations Of Cereals, Flour, Starch Or Milk .....	-17.7	-16.1	-20.7	-23.1
20 Preparations Of Vegetables, Fruit, Nuts .....	-133.6	-146.2	-136.6	-118.9
21 Miscellaneous Edible Preparations .....	-9.1	-10.3	-8.4	-17.1
22 Beverages, Spirits And Vinegar .....	-6.1	-6.5	-6.4	-6.6
23 Residues And Waste From Food (Soy Residues) .....	131.2	103.4	187.1	25.7
24 Tobacco And Tobacco Substitutes .....	-7.4	-4.2	-4.3	-2.7
41 Raw Hides And Skins .....	115.6	134.5	157.4	126.3
520 Cotton: Not Carded/Combed .....	728.3	575.9	118.4	-12.3

Source: U.S. Department of Commerce, Bureau of the Census and MBG Information Services.

Mr. HOLLINGS. Mr. President, amongst all articles, you can see, generally speaking, China has a glut in agriculture. Their problem, of course, is transportation and distribution. But there is no question that once that problem is solved, that 7800 million farmers can certainly outproduce, if you please, the 3.5 million farmers in the United States.

All of the farm vote is in strong support of PNTR because they think, of course, it is going to enhance their agricultural trade. The fact is there are only a few here—the significant ones—and I have picked those out; cereals—wheat, corn, rice—and soybeans. Yes, there is a plus balance of trade in the cereals—wheat, corn, and rice—but it has gone from 440 million bushels down to 39 million bushels. With soybeans, it has gone from 366 million bushels, in the 4-year period, down to 288 million bushels.

So this particular amendment states that beginning on the first day of next year:

[T]he President shall report to the Congress on the balance of trade between the United States and the People's Republic of China in cereals (wheat, corn, and rice) and on the balance of trade between the United States and the People's Republic of China in soybeans for the previous year.

If the President reports a trade deficit in favor of the People's Republic of China . . . for cereals or for soybeans, then the President is authorized and requested to initiate negotiations to obtain additional commitments from the People's Republic of China to reduce or eliminate the imbalance.

The President shall [also] report to the Congress the results of those negotiations . . . .

In a line last week, I saw the Prime Minister of Great Britain at the conference in New York. He was all stirred and upset with respect to 1,000 cashmere jobs in the United Kingdom. He was really going to bat for them. The story had his picture politicking, trying to convince the United States in particular not to take retaliatory action against his 1,000 cashmere jobs.

Here I stand, having lost 38,700 textile jobs in the State of South Carolina since NAFTA—over 400,000 nationally. According to the National Association of Manufacturers, we are going out of business. And I can't get the attention of the White House and I can't get the attention of Congress.

I thank the distinguished Senator from New York for permitting me to have these amendments called up and printed, and then, of course, obviously

set aside. Let me take my turn in behind the distinguished Senator from Tennessee and the Senator from West Virginia. The Byrd amendment is up, and I think several others. I will take my turn.

But I want my colleagues to look at these reasonable, sensible, pleading kind of amendments so that we can fulfill, as a Congress, under the Constitution, article 1, section 8: The Congress of the United States shall regulate foreign commerce.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

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

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

Mr. LOTT. Mr. President, let me say again that I think we have made good progress. We have had good debate on both sides of the underlying China PNTR bill, and also on the amendments. But we are reaching the point where we really need to pick that speed up. We need to get an agreement on what amendments will be offered, time agreements for them to be debated, and votes. And we ought to do it tomorrow. Without that, certainly we will have to file cloture; and I may have to anyway. But I think the fair thing to do is give everybody who is serious a chance to offer amendments, have a time for debate on both sides, and then have votes.

I am going to try to get that started with this request. And we may have other requests. We are working on both sides of the aisle to identify amendments that really must be moved.

I just want to say to one and all that in the end we are going to get the bill to a conclusion. It is going to pass. We have been fair to everybody. But it is time now we begin to get to the closing. With a little help, we can finish this bill Thursday, or Friday, or, if not, early next week. I just have to begin to take action to make that happen so we can consider other issues.

I ask unanimous consent that a vote occur on or in relation to the pending Thompson amendment at 11 a.m. on Wednesday, and the time between 9:30 and 10:30 be equally divided in the usual form, and that no second-degree

amendments be in order prior to the vote in relation to the amendment.

I further ask unanimous consent that a vote occur on the pending Byrd amendment immediately following the 11 a.m. vote and there be time between 10:30 and 11 a.m. for closing remarks on that amendment to be equally divided in the usual form.

Before the Chair rules, I want to say that if any objection is heard to this agreement, we will attempt to set two votes tomorrow on these or other issues beginning at 11 a.m.

Therefore, there will be no further votes this evening, and votes will occur at 11 a.m.—hopefully including the Thompson amendment in those 11 o'clock votes. But if there is a problem with that, then we will ask consent to put in place two of the other amendments.

With that, I ask the Chair to put the request to the Senate.

The PRESIDING OFFICER. Is there objection?

Mr. GRAMM. Mr. President, reserving the right to object, I have a great deal of respect for Senator THOMPSON and the issues he has raised. The problem is these issues fit more closely on the Export Administration Act. They have not been considered in committee. I think they represent a very real problem in this bill. I think it is important that if we are going to debate issues such as this, they be not just fully debated but they be subject to amendment.

On that basis, let me yield. Senator ENZI wants to be recognized.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, reserving the right to object, there isn't just an amendment that is being put on. It is an entire bill—33 pages—of very important information that has been changed each and every time we have seen a copy. My staff and I on the International Trade Subcommittee of the Finance Committee have been working on these issues for a long time. We have tried to take this moving target and worked on some amendments that could be put on it. It would need to be extensively amended to keep both national security and industry moving forward in the United States.

On that basis, I have to object.

The PRESIDING OFFICER. Objection is heard.

Mr. LOTT. Mr. President, I believe there will be another consent request

propounded later so that we can have two—the Byrd amendment and another—considered and voted on at 11 o'clock.

I note that the Senator from Tennessee will want to respond to the objection just heard.

Let me say on that issue that I have been supportive of the Export Administration Act and tried several different ways earlier to get that to the floor. There were problems raised by a number of our committee chairmen. We were not able to get that done. I think the Thompson amendment is a very serious and legitimate amendment that has been considered, and it should be voted on. I think we should go ahead and vote on it tomorrow. I think people know where we are. We ought to go ahead and have that vote and move on.

I also must say I am trying to get these votes done so that the largest number of Senators can be accommodated and be here for the vote.

I also want to say I don't know exactly what the Senator from Tennessee is going to do. But I predict right now that if we don't get this agreement to vote on the Thompson amendment tomorrow, we are going to vote on it at some point—I believe probably on or in relation to this bill.

I don't think it serves anybody's purpose to try to put this off or to object to it. In fact, it may make the situation worse, not better. I think we are ready to go. I think everybody knows how they are going to vote. I think while it may be a close vote, everybody pretty much is reconciled to getting it done tomorrow.

I regret that there was objection. I hope we can still find a way to get a vote on it in the next sequence that we will try to put together.

By the way, on the Export Administration Act, I believe we are prepared to try to find a way to consider that because I think we need to act on it, making sure that we consider national security interests. That, obviously, is an underlying factor on the Export Administration Act. I have no doubt that the Senator from Wyoming wouldn't be for it if he had any doubts in that area himself because he has worked so extensively on it.

The same thing applies on this amendment. Senator THOMPSON is trying to raise a general concern about national security interests. The Chinese are not complying with the nuclear proliferation regimes to which they have committed.

What worries me is we are going to have this vote, we are going to pass this bill, and in a month or 6 months we may have a lot of explaining to do. I spent 2 months trying to get a way to have this issue considered separately. That is the way it should have been considered. But it will be considered, I predict, before we get out of here.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. THOMPSON. First, I thank the majority leader and agree with him

completely on the proposition that we will have a vote on this issue. It might not be the exact wording of this bill, but we will have a vote on this issue.

We introduced this bill last May because, as chairman of the Governmental Affairs Committee, the committee that has jurisdiction on proliferation matters under the statute, we receive briefings, as a few committees do, on proliferation developments, for example. In that position, we have had numerous hearings and have been told there is a longstanding and growing threat because of proliferation of China, primarily, and Russia and North Korea.

We haven't had a lot of attention with regard to that, or a whole lot of interest, until we started discussing it in the context of trade. Trade interests everybody because there is money to be made. That is understandable. I am all for it.

We introduced this bill because we were told by our intelligence people that there was a threat to this country. I can't think of anything more serious that we could possibly be dealing with than a nuclear, biological, or chemical threat, and the fact that rogue nations are rapidly developing the capability to hit this country with all three of those. Let that sink in for a little bit.

All the time that we spend around here in budget and other votes that take up most of our time, trying to divide up the money, we are being told by our experts—whether it is the Rumsfeld Commission, the Deutch Commission, the Cox Commission, or the biennial intelligence assessment—there is a present danger and it is growing, and the Chinese are actually increasing their activities as far as missiles are concerned.

That is why we introduced the bill. People raise various objections. Last night some were saying the report that we want to have produced is too extensive and we might catch up some innocent Chinese companies that might later prove to be innocent when we accuse them of proliferating. Frankly, I am willing to take that risk.

We tried to get a separate vote. We said: Let's not put it on PNTR. Our amendment shouldn't be considered a trade measure. The bipartisan bill shouldn't be considered a trade bill. It is a proliferation bill. So let's discuss it in the context of our overall relationship with China, but don't force us to put it on the China trade bill.

No, you wouldn't have that. We couldn't have that. You wouldn't give me a separate vote on that because it might complicate things.

So I said OK, if you don't do that, I will put it on the bill. So I put it on bill. Senator TORRICELLI and I did. And now it is an amendment to the China trade bill.

They said: My goodness, we wish you wouldn't have done that. We wish it was a freestanding bill now that we see you are serious, but we can't possibly vote on it as an amendment to the

trade bill because it might complicate the trade bill.

So we have gone through all of that. Frankly, we were told from the minority side that our Democratic colleagues were the ones who sunk—a few over there were the ones who had a problem with this. We have discussed this since May and there have been some changes. Anybody who wanted to discuss this bill—and there were staffers from many, many Senators, Democrats and Republicans, who have worked with Senator TORRICELLI and my staff—anyone who wanted some input certainly had the opportunity to do that for months. There have been changes because we have been trying to accommodate the concerns: It is too tough; we didn't give the President enough discretion. We made changes because of that. We have been discussing this since May, with all of the foot-dragging that we have seen along the way.

We had a good debate last night, and we had a good debate today. We debated over sanctions and whether or not they were effective—things that we ought to be debating. Good things, good substance, important subjects that we ought to be debating, and raising the issue now. When we are obviously getting ready to engage in this new trade relationship with China, what better time to address the fact that they are the world's worst in selling weapons of mass destruction to these rogue nations.

We claim we need a national defense system because of the threat of these rogue nations. How can we talk to the Chinese Government without addressing it? That is what the debate has been about. It has been good.

Now it is time for a vote. I have been around here a few years. I don't remember another occasion where a colleague has objected to a vote under these circumstances. My Democratic colleagues have raised no objection, but my two good friends on this side of the aisle raise objections. I am sad to say that it appears the real objection all comes down to one of jurisdiction. My friend from Wyoming apparently believes this should be a part of his bill if it is going to be anything, the Export Administration Act; and that this should be presumably under the purview of the Banking Committee if it is going to be considered. He will have the opportunity to correct me if I am wrong, but I thought that is what I heard.

I think that is a sad set of circumstances, if after all of that we finally flush out the real reasons for the objection to even having a vote. Oppose it if you will, but the objection to even having a vote is because somebody got somebody else's jurisdiction.

All my colleagues should know that according to the Parliamentarian, this bill, if it were referred to committee, would be referred to the Foreign Relations Committee.

Let's look at some of the hearings we have had in the Governmental Affairs

Committee. The Banking Committee has some jurisdiction with regard to export administration. The Governmental Affairs Committee has some jurisdiction with regard to proliferation. I can't believe we are even talking about this, but here goes. It is like kids squabbling in the back of the school-bus.

If the issue is that nobody has paid any attention to this and nobody has had any hearings, this committee of jurisdiction, the Governmental Affairs Committee, in May of 2000, had a full committee hearing on export control implementation issues with respect to high-performance computers.

In April of 2000: Full committee hearing on the Wassenaar Arrangement and the future of the multilateral export controls;

February of 2000: Subcommittee on Internet Security, Proliferation and Federal Services hearing on National Intelligence Estimate on the Ballistic Missile Threat to the United States;

June of 1999: Full committee hearing on Interagency Inspector General's Report on the Export-Control Process for Dual-Use and Munitions List Commodities;

June of 1999: Full committee hearing on Dual-Use and Munitions List Export Control Processes and Implementation at the Department of Energy;

May of 1999: Subcommittee on International Security, Proliferation and Federal Services—that is Senator COCHRAN's subcommittee. He had a hearing on the Report of the House Select Committee on U.S. National Security and Military/Commercial Concerns with the People's Republic of China.

Senator COCHRAN's subcommittee, of course, has been in this area, the proliferation area, the missile area, the whole problem with China and Russia in particular, the problem with the rogue nations—Senator COCHRAN has been dealing with this for years and has put out published reports. The last one was within the last couple of weeks, for anybody who is interested.

September of 1998: Subcommittee on International Security, Proliferation and Federal Services hearing on GAO Reports on High Performance Computers;

June of 1998: Subcommittee on International Security, Proliferation and Federal Services hearing on the Adequacy of Commerce Department Satellite Export Controls;

March of 1998: Subcommittee on International Security, Proliferation and Federal Services hearing on the Comprehensive Test Ban Treaty and Nuclear Proliferation;

October of 1997: Subcommittee on International Security, Proliferation and Federal Services hearing on North Korean Missile Proliferation—again Senator COCHRAN's subcommittee. Once again, in September of 1997, his Subcommittee on International Security Proliferation and Federal Services had a hearing on Missile Proliferation in the Information Age.

In June of 1997, his subcommittee had a hearing on Proliferation and U.S. Export Controls.

In May of 1997, his subcommittee had a hearing on National Missile Defense and the ABM Treaty. Senator COCHRAN, of course, is chairman of this subcommittee. He is the leader on the national missile defense issue and has been for some time. Of course, again, it is directly relevant because the reason we are claiming we need a national missile defense is the very issue our amendment brings up.

April of 1997: Subcommittee on International Security—again, Senator COCHRAN's subcommittee—hearing on Chinese Proliferation—Part II;

April of 1997: His subcommittee, Chinese Proliferation hearing, Part I.

So, for the uninformed, we have various committees here with various jurisdictions. Sometimes jurisdiction overlaps, where more than one committee has jurisdiction in the subject area. This is one of those cases.

Over the past 4 years, the Governmental Affairs Committee alone has held 15 hearings on proliferation; over 30 hearings have been held by my committee, the Armed Services Committee, and in the Foreign Relations Committee. Furthermore, this legislation has the full support of the chairman of jurisdiction, Senator HELMS, chairman of the Foreign Relations Committee. The issue of proliferation, of course, has had a full, full consideration for some time now.

So we will have an opportunity to discuss this further, including further tonight. I don't know if anyone wants to speak to this. I will give them the opportunity, give my colleague from Wyoming an opportunity to further address it. But it is a sad situation, when our country faces this kind of threat, that we cannot even get a vote on an amendment that would address that threat.

Vote it down if you must. Oppose it if you will. But the very idea of us not having a vote because it has not been considered enough by the right committee or that it is more properly a part of somebody else's bill instead of our bill? Surely it has not come to that.

I will yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I thank the Senator from Tennessee for his comments. I want to assure him I am not doing this on a jurisdictional basis. I am a little incensed at the implication of that accusation, and, in the objection I raised, I did not mention anything about jurisdiction. In the speech I gave yesterday, I didn't mention anything about jurisdiction. I mentioned the concerns about items that are in this bill and there are amendments that would need to be made to this bill. I am sure, if it went through the normal process—and one of the things I am learning about here is process. I learned a lot about process as I did the

bill my colleague mentioned, the Export Administration Act. I took it through a process. I got a 20-0 vote on it. I brought it to the floor. I learned a little bit about process that sometimes, even when you think you have the right to bring it up on the floor, people can object after that point and you can have it taken down. But it went through a process there. That process has undoubtedly been effectively stopped for this year. I have not been whining about that.

But I did learn a lot of things through that process because it involved going into a number of the reports the Senator from Tennessee has mentioned. I did not just go through the public part of those reports. I took the time to go over to the Intelligence Committee and have the special briefings and read the documents from a number of the things that have been cited, and particularly the Cox report. So I learned a lot of things about these areas of problems.

There are some problems there, and they need to be solved, but they ought to be solved through the regular process so we do not wind up with some things we are going to be embarrassed by, or believe are lacking, or have pointed out to us later that just a little bit more deliberation would have changed.

We have been suggesting changes. We can make some amendments. It is very difficult to go into another person's bill and make extensive amendments, but we have mentioned the need for some pretty extensive amendments. I am certain if this would have gone through the process of going through the Foreign Relations Committee first—not just hearings. Hearings are valuable. They build some basis for building things. I know these extensive hearings that have been done are where this bill came from. But it goes through another step in that process called a markup. That is where very detailed amendments are made to a bill by people who have a wide knowledge of the items that are included. It is kind of a free-for-all, putting on amendments. A number of them do not make it and should not make it. But it gives a more thorough review than if one of us drafts a bill, or two of us get together and draft a bill, and then occasionally talk to other people and occasionally listen to part of their criticisms but discard large parts of their criticism.

I know this bill was originally drafted in May and we have been registering objections to things that are in it since May. They have been tweaked a little bit, and part of the process is, if you are not going to make the changes, then you have to go through this process here on the floor, which the Senate designs to be an extremely excruciating one—as I learned on my EAA bill.

It is a part of the process. There needs to be additional work on it. There needs to be additional amendments.

As I mentioned yesterday, if one listens to the debate, it sounds as if we can solve the export-import imbalance by doing PNTR, and that is not going to happen. The way that imbalance gets solved is if U.S. folks stop buying Chinese products or we get extensive sales over there. Extensive sales over there probably is not going to happen because the people over there on an average wage do not make much, so they cannot buy much. We do have a hope of getting in the door with some of the bigger equipment items. To listen to the debate, everything will be solved by PNTR, and that is not going to happen.

I have to congratulate the Senator from Tennessee for the title he put on the bill. I noticed when he expanded the bill to include a couple of other countries in light of our objection, that it was aimed solely at China and they are not the only proliferators. A couple of others were stuck in there. But the title was not changed because the title is so great. One of the things I learned a long time ago in legislation is one does not vote on a bill because of a good title. One votes on it because it is good through and through.

Those have been the reasons for my objections. I am sorry if the Senator from Tennessee put in all of that work. This delays his plan for a vote, but it does not stop it.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. THOMPSON. Mr. President, first, I am sorry if I drew the wrong conclusion this might be jurisdictional. When the Senator mentioned this would be a better part of the Export Administration Act legislation, which happens to be his legislation, and it was not referred to the right committee, I just thought that might be jurisdictional. That is where I got that idea. If he resents that implication, I am sorry, but that is the source of that idea.

I think back to a time not too long ago when the Senator from Wyoming and the Senator from Texas worked long and hard on a bill called the Export Administration Act. Several of us who are committee chairmen had problems with that because of some of the same things we are talking about.

In my view, and I think my colleagues' view, it liberalized our export rules at a time when we should have been tightening them up. The chairman of the Armed Services Committee, the chairman of the Intelligence Committee, the chairman of the Foreign Relations Committee, and myself as chairman of the Governmental Affairs Committee, looked at this and said that it had some major problems. The statement was made by the sponsors of the bill that they would not bring it up, as I recall, without our signing off on it, and we never signed off on it.

If the hangup here is the fact my colleagues have not gotten a vote on their Export Administration Act, I suggest they offer it as an amendment to my amendment. Let's have a second-degree

amendment. If that is the problem, then let's have a vote on both of them.

Let's be frank with each other. The Senator's opposition is the same opposition and arguments in many respects that we have heard from four other amendments that have been considered. The only difference is we have had votes on those four other amendments. The Senator was not over here complaining that we had not had sufficient process, I guess, with regard to the Wellstone amendment or the Byrd amendment or the Hollings amendment or the Helms amendment. The process was OK with regard to those, but now we have an amendment, the only amendment that deals with a direct threat to this Nation, and we are talking about process.

One of the big complaints of the opponents of the Thompson-Torricelli amendment has been that we have changed it so much they hardly know what is going on here anymore. The reason we changed it is we kept responding to the complaints. Staffs met numerous times. Everybody knew these meetings were going on. It was not an open forum for somebody to come down and lay down a bunch of requirements if they did not get what they wanted the first day, leave, and not show up again. It was an open, rolling forum with various staff members.

I sat in on an occasion or two. It was very open since May that we were talking about trying to come together because we all appreciate the proliferation problem and we need to do something.

While we are talking about trade with China, we ought to be talking with them also about the fact they are endangering this country by arming these rogue nations, and we tried to work it out. Some Members objected. We had mandatory sanctions and they said we did not give the President enough discretion. We gave him more discretion. Some people claimed we are singling out the Chinese; it will make them angry; and it will be counterproductive. We broadened it. Some people claimed we were giving Congress too much authority; that any Member of Congress could come in and have a vote to override a Presidential decision in this regard, so we raised the requirement to 20 Members. There have to be 20 Members who have to have that concern. We made all of these changes.

Now I understand the complaint is that we did not change it enough, or is it the process? Is that process? Is that a process issue? There are still problems with it. Everybody who has spoken against this bill has raised problems with it, but none of them have raised an objection to taking a vote.

I just received the latest in a series of fliers I have been graced with over the last several days; this one from an industry coalition. The first thing we got today was a report from the president of the Chamber of Commerce who came out against our bill. Somebody told me they were at a Chamber of

Commerce meeting not long ago and they mentioned my bill, and most of the people there broke into applause. I ought to be careful talking about the Chamber of Commerce.

This is coming from the president of the Chamber of Commerce, who I do not think speaks for the average business person in America on this issue. Let's get that straight. First of all, he complains that it is limited to one country—obviously, he has not read the bill—that if we do this, it will effectively kill the bill, not that we have this serious problem and we should do something about it, but effectively it will kill the bill.

Then he says he is getting ready to leave for a tour of Asia and going to wind up in Beijing, but before he leaves, he delivers his last salvo against my amendment, purporting to speak for all the members, I suppose, of the Chamber of Commerce. I hope while he is in Beijing, he will ask them to quit selling weapons of mass destruction to our enemies. I hope that is on his agenda while he is talking about his trade.

The latest has been a sheet put out by the High-Tech Industry Coalition on China, the American Electronics Association, Business Software Alliance, Computer Systems Policy Project, Computer Technology Industry Association, Consumer Electronics Association, Electronic Industry Alliance, Information Technology Industry Council, National Venture Capital Association, Semiconductor Industry Association, Semiconductor Equipment Materials International, Software and Information Industry Association, Telecommunications Industry Association, and United States Information Technology Offices.

All of them have joined together to put out this opposition sheet to this bill. Some people have been so crass as to imply that maybe it was this feverish lobbying that is going on from exporters that might have something to do with the opposition to this bill.

But I have the greatest respect, from what I know, about this entire group here. Our high-tech industry has done phenomenally well. They are creative. They have contributed mightily to our economy. They want to export; I understand that. They want to make more money; I understand that. God bless them. More power to them. But I do not see any association listed on here that has any responsibility for the protection of this country.

We can vote on human rights, religious freedom, and all the other important things, but the only thing that poses a danger to this country we can't get a vote on because we didn't go through the "process" because it needs to go back to a committee. The chairman of that committee gave the most eloquent statement that has been given on behalf of my amendment. One Senator just said he wants to send it to a committee that does not want it, whose chairman, Senator HELMS, says

we do not need it; that we have had enough hearings; that we know what the problem is.

Give me a break. There will be a vote on this issue. But let's get back to the latest salvo, which may or may not have something to do with what we are dealing with tonight. The information they are putting out says this undercuts China PNTR; that it will undo PNTR; that it will return us to inflammatory annual votes on China.

I have been involved in a few annual votes on China. I do not remember the flames, but be that as it may, this will not kill PNTR. The die is cast on PNTR. The House has passed PNTR. We are going to pass PNTR. The only issue is whether or not in doing so, we raise the issue with our new "strategic trading partners," the issue that we are making this world a more dangerous one.

The House passed it by a 40-vote margin. Are you here to tell me that if we passed it and added on a nuclear proliferation component, that it would make it more difficult for the House to pass it again? It would have to go back to the House if we add anything new. So for the folks who might be listening and watching, the deal is, they say: You can't pass the Thompson amendment because it is different from what the House passed. If you make any changes, it has to go back to the House for another vote, and they might not vote for it again. That is the bottom-line argument for those who oppose this amendment.

My first response is, so what. If we have a serious national security problem and issue that is paramount, it begs the question: Is this problem serious enough for us to address? I can join issue on that argument and respect my friends who disagree with it. But don't tell me that even though it may be that serious, we can't add it on over here because the House might have to take another vote. That is an insult to this body. Since when did we stop being the world's greatest deliberative body and become a rubber stamp for the House of Representatives?

The practical answer to this particular accusation is that it will not kill PNTR. Before the sun sets, they will have it back over there, and they will revote on it. Nobody is going to go into an election just having cast a vote for it and then a vote against it, and the vote against it has a proliferation tag-on. That is going to make it more difficult to vote for it? Give me a break.

Please, be serious in your arguments, I say to my friends. There are some serious arguments to be had around here. I had a good discussion with the Senator from Kansas today on sanctions in general—a good discussion. But don't tell me, as a Senator, I have to rubber stamp something, when the House of Representatives identifies problems—religious persecution, slave labor, Radio Free Asia—and then it comes over here, and we can't identify the

only thing that is a threat to this Nation.

All those things are things that ought to be identified. They were correct in doing that. But to tell us that we have to rubber stamp it, that the benefits of PNTR to this country are so great, and so obvious, and so overwhelming, and so clear, that we are afraid to risk letting the House, with a 40-vote margin, with a nuclear proliferation add-on, have another shot at it because it is going to cost us a few more days—while the Chinese Government, as we speak, is trying to undercut the WTO agreement. That is just kind of a sideline. We see this in the paper now. We understand. They are trying to mess with Taiwan coming into the WTO later. They are trying to renege on some of the agreements that they have previously made in their bilateral agreement with us. They must not have any respect at all for us right now. We have danced to their tune now for a few years. We do not make any big fuss about the theft of nuclear secrets. We say: Boys will be boys. Everybody does that.

The Chinese military puts money into our campaigns, and they say, again: Maybe the higher-ups didn't know about it. We give them WTO. We give them a veto on a national missile defense system. That is the reason the President put off that decision, because the Russians and the Chinese objected to it.

We send delegations over there asking them to please stop their proliferation activities. They give us the back of their hand and say: We're going to continue our activities as long as you continue with the missile defense system and your friendship with Taiwan.

Then the President meets Jiang Zemin at the Waldorf in New York on Friday. According to the New York Times, the President once again raised the issue of what they were doing with regard to Pakistan. They have outfitted Pakistan. They took a nation, a small nation with no nuclear capability, and have outfitted Pakistan, soup to nuts. Not only do they have missiles, M-11 missiles, goodness knows what else, but they now have, apparently, missile plants where they can make their own.

The Chinese are probably ready to sign a new agreement now not to ship any more in there. They do not need to. They have equipped Pakistan so they can do it themselves. They have made that place a tinderbox. So the President rightfully brings this up, according to the New York Times.

Jiang Zemin's response, apparently, according to the New York Times, was to smile, wish the President well on his pending retirement, and to thank him for his assistance in getting them into the WTO. They must not have much respect for us anymore.

And we are over here saying we are afraid to give our House of Representatives another vote on this, regardless of the merits of the case. It would kill,

as they say, the PNTR. They are incorrect. They are wrong. They are brilliant people. They have contributed mightily to our economy. I am talking about all these high-tech people. I want to help them in every way I can. I am with them on most things. But they do not know this subject. We are supposed to know it. We are given access to classified information. We are paid the big bucks to spend long hours poring over these documents that the intelligence people bring to us—and the Rumsfeld Commission and the Deutch Commission and the Cox Commission, and all the rest. It is not their responsibility.

But they are papering this town. I said today, you can't stir the lobbyists with a stick. Everybody is petrified of this amendment. I think the reason is because they fear it will irritate the Chinese and maybe cause us some problems, trade retaliation, or something like that. But the Chinese want this mightily. They want this PNTR badly. They have a \$69 billion trade surplus with us.

There will be no killing of that golden goose. They are not foolish people.

They also said that it is ineffective because it is a unilateral sanction. Unilateral sanctions rarely achieve the intended results of the targeted country, but they penalize American companies, workers, and investments. Let me tell you when an American company or worker would be penalized. If we catch the Chinese entities selling missile parts or the ability to make bombs, nuclear weapons, to Libya, let's say, then we are going to cut off military and dual use that can be used for military purposes, we are going to cut those sales off. So if you make those items, you are going to be affected. The President has the discretion—let me add that—and it does not happen automatically.

The process, under our bill, is that we have a report. Our intelligence agencies give a report. It identifies these entities, companies that are doing these things. Then our President has the discretion or he has to make a determination, depending on the category, but it is within his power to exercise the appropriate remedy. We are not talking about cutting off sales of wheat or food or shoes—we would not be selling them shoes—or any other commodity. We are talking about munitions and dual-use items.

If you are affected by that, you will be affected by this bill. I don't know about the company president, but I will bet you, if you said to the average worker—that is 2 percent, by the way, of our dual use and munitions; our entire trade with China is 2 percent of our exports; 2 percent is what we are so afraid of here—if you said to the average worker: we are going to impose these restrictions or these sanctions on China for a year to try to get them to clean up their act because we have caught these Chinese companies doing these things. Obviously, it is going to make it a more dangerous place for

your kids if we keep on down this road. We need to get their attention. It is going to mean some loss of sales for the company you work for. Do you think we ought to do it?

I don't think there is any question about that. I have more faith and confidence in the American worker and the American farmer.

They talk about farmers being concerned. Well, agriculture is not directly affected, but what if the Chinese get mad at us and decide to cut off some of our agricultural exports?

I think my Tennessee farmers are willing to take that chance. If that is the price we have to pay to sell corn, then that is too high a price to pay. I am like all these other agriculture Senators here. I have agriculture. I have farmers. They are concerned about these issues. But they are also very patriotic. When you come right down to it, there are a lot of organizations running around using the names of various people, but when you come right down to the workers of America and the farmers of America, you are not cutting off exports of goods across the spectrum, and you are certainly not cutting off agricultural exports. They would see through that. They would say, well, yes, there is an indirect possibility, if I am in a certain area, that there might be some ramifications down the road. But if that possibility were to occur, if that is what I have to do to help make this place a little bit safer and get their attention because, goodness knows, if we can't get their attention while we are about to give them this trade bill, we are never going to get their attention, I think they would be willing to go along with that.

What else do they say? It duplicates current U.S. proliferation laws. The last point was the unilateral sanction. Of course, this was drafted by some lobbyists downtown. We all know that that works for these folks. All the points are always the same. They hand them around town. Everybody uses them. Do you really think their real concern is that these sanctions won't work or that we are duplicating current laws? Is that what is stirring up all this activity, that we are being inefficient in some way? Please.

Unilateral sanctions don't work. Well, some don't. And there is a chance these might not. But there is a good chance they might.

Why is the Chinese Government so upset? If you read the French newspapers—and I assure you, they are translated in English before I read them—or the Chinese, you will see that there is tremendous consternation over the Thompson-Torricelli amendment. Why do you think that is, if we are only duplicating what is already on the books and unilateral sanctions don't work? Do you think they are concerned because we are about to do something that doesn't work, or do you think they are going to maybe think twice before they continue their activity be-

cause they know that at least the Congress is serious about this? They are going to continue to get highlighted and embarrassed in the world community for making this a more dangerous world. I think it is the latter.

I have had Mr. Berger, the President's national security adviser, tell me that on occasions when they have actually used or threatened unilateral action in times past, that it has had an effect. I don't think they have done it nearly enough, and we have strong disagreements about that. That is part of the problem we have had. They have gone around the barn to apologize for 95 percent of what the Chinese Government has done here. That is the reason we are here tonight. But when they have on occasion done this, he has told me it has had effect.

You can't have it both ways. Unilateral sanctions sometimes do work. We are not talking about these blanket agricultural sanctions or going towards some particular country. We are going to the supplier and saying that we are going to cut off the relevant goods and items if we continue to catch you doing these things that you are flaunting disrespectfully.

Unilateral sanctions undercut PNTR, will kill PNTR, and duplicates current laws. To a certain extent that is right. There are laws on the books now that require sanctions, just as we are proposing, or close to it.

So you say, THOMPSON, why are you doing this? Well, because we have other provisions, such as a little more congressional oversight, such as a more extensive report where it would make it more difficult for a President to game the system and do what President Clinton said he had to do on occasion—that is, to fudge the facts—because if he made a finding against a company that he didn't want to move against for diplomatic reasons, the law would require him to do that. He didn't want to do that.

What this does is make it more transparent. The President can still do it, but he has to give Congress a reason why he is not imposing sanctions on an entity that has been found to have been selling weapons of mass destruction.

While it duplicates current law in many respects, which is a point in our favor because we are not doing something new and dangerous and onerous and burdensome, the President should already be doing some of these things. What we are doing is saying, yes, that, but also in addition to that, a mechanism whereby we can have some enforcement to it, have some congressional oversight and highlight the fact that the President has some options here.

The President can address the capital markets issue. One of the things the opponents have complained about is the fact that our bill actually gives the President the authority to say to a particular Chinese company or, for that matter, a Russian or a North Korean

company, but the big players right now, such as Petro China or the Chinese companies, raising billions of dollars in our stock markets, in the New York Stock Exchange, going back, in some cases, to enhance the Chinese military—and in many cases, according to the Deutch Commission and according to the Cox committee, these are proliferators of weapons of mass destruction, raising all this money in our capital markets. How many people know about that? You know, we don't want to close our capital markets. We can't do that without thought. But, for goodness' sake, that is a privilege; that is not a right for them to come in and raise money from our people who do not know who they are dealing with—raise billions of dollars, while at the same time selling stuff that is making the world more dangerous for that investor's kids. Do we really want to keep financing these people that way? I don't think so.

According to this latest leaflet, it is inconsistent with current nonproliferation regimes. It would be activated by a hair-trigger mechanism—a hair-trigger mechanism—based on credible information. Well, that just comes from a misunderstanding of the law and what the bill says.

What the bill says is that if you get credible information that they are doing these things, you have to put it in the report. That is the only thing it activates. That is the hair-trigger they are talking about. If our intelligence people find that you are selling these things to these rogue nations, you have to put it in the report.

Now, the President takes a look at that. If it has to do with a country, he has total discretion as to what to do. If it has to do with a company, an entity, say a state-owned company in China, as so many of them are, the President has to make a determination that in fact the credible evidence is true. Then the President has an option to have a waiver. Even after he makes a determination that the allegations are true, he still has a waiver that he can exercise before all of this happens, before any sanctions are levied. That is the hair-trigger they are talking about.

They are just misinforming folks. I think it comes from a lack of understanding of what is in the bill. Somebody downtown, hopefully, will read it more carefully. You can have a lot of complaints about it, and so be it, but let's not misrepresent what it does. There is no hair-trigger, there is no automatic sanction, no automatic anything; it is discretionary with the President. If it is credible evidence, it goes into the report.

Some people say: Well, it might be credible evidence, but it might not be proof beyond a reasonable doubt; we might catch up some innocent Chinese company. We are not trying a criminal lawsuit here. We are talking about information to go into a report for the

American people to see and for Congress to see. If it turns out we are incorrect, we can correct that when the time comes.

I don't want to be callous about this just because they are Chinese companies and maybe had proliferation problems in the past. I don't want to accuse anybody of anything of which they are not guilty. My guess is, if our intelligence community takes the time and effort and concludes that this information is credible enough to go into the report, they probably did it. Considering the fact that they are the world's leading proliferators of weapons of mass destruction, somebody over there is doing it—not proof beyond a reasonable doubt, but, then again, we are not putting anybody in the penitentiary. We are trying to protect the American people.

Contains automatic overbroad sanctions. The bill mandates automatic U.S. sanctions against any private or governmental entity, even for acquisition of commodity level products.

Somebody is not paying attention, are they? "Mandates automatic U.S. sanctions." It is just not true. The bill doesn't do that. There is nothing automatic about it. It is within the power and determination of the President if he chooses to do that. Then he has a waiver if he wants to use that. It is a modest step.

I think this report is the most important part of this legislation. It is a more extensive report. We get these halfway jobs, summaries, but this is a more extensive report. The President will know we are getting it, and we will have a dialog about who is on it and why and to the extent the President is doing anything about it. The report requires the President to tell us what he intends to do about it. He doesn't have to do anything. But there is the pressure, I would think, for most Presidents, to want to have a pretty good reason if they didn't choose to do anything about it once that credible evidence was there.

So, my friends who may be listening to this, there is an awful lot of false information going around. I know these people didn't intend to do this. They are in the business of advancing technology. They are the world's best, and God bless them. But they are not in this business. Somebody downtown is doing this who wants to win too badly. There are no automatic sanctions.

Underwent an inadequate public process.

Well, we are getting back to my friends from Wyoming and Texas.

Deserves a full vetting by the Senate, not the hurried and nonpublic process that has characterized the consideration of this bill. Subsequent drafts and basic proposals have not addressed the bill's deficiencies. Should not be substituted for critical processes, such as public hearings.

In other words, we haven't had any public hearings. Somebody is not paying attention. I just read off two pages of the public hearings that we have had on this general subject matter. Nobody

paid attention then because trade was not involved; it was only national security. Now they are shocked to find out that all this time we have been having public hearings, and we have been getting the reports from bipartisan commissions all this time warning us, warning Congress, warning the American citizens, that it is becoming more dangerous. Countries such as North Korea will have the capability of hitting us within 5 years of their decision to do so. We know that some time ago they decided to have that capability. We know that some years ago they already decided to have the capability.

Shortly after we got the report, they fired a two-stage rocket over the country of Japan—another one of our allies. I guess, now that I think about it, that delivered more than one message, didn't it? It told the good old USA: Yes, we have that capability that you are debating over there. This is what we have. It shocked our intelligence community and surprised us. The Rumsfeld Commission told us they feared that was the case, and then they showed us the capability. Of course, Japan is one of our closest allies. So I suppose that accentuated it.

So we have gone through all that. How much does it take? And now my friends from Texas and Wyoming say we can't have a vote. We can't even have a vote on an issue that poses a direct threat to the security of this Nation because it hasn't sufficiently gone through the process.

Then we had the Deutch Commission telling us some of the same things. And then the Cox Commission told us that, relevant to our export laws, the Chinese Government was using our technology and the supercomputers we were sending to them to perfect and enhance their nuclear capability.

Was it Lenin who said, "The U.S. would sell the rope with which to hang itself"?

That is what that issue is all about. That is serious business. That opens another whole question about our export laws. That is why we have this debate and concern. My friends from Wyoming and Texas and I disagreed. So did these other Senators from various other committees, chairmen of these committees. It wasn't just me. At this particular time, while we can't put the genie back in the bottle, we can't keep technology from circling the globe eventually. But there is great dispute among experts as to what people can get their hands on and how long it will take other countries to get their hands on our technology. We shouldn't ship it out willy-nilly and let the Commerce Department decide. Some of our friends would let the Commerce Department decide whether or not these things ought to be sent around. The Commerce Department is in the business of business. Again, more power to them. But this is not a commerce issue. This is a national security issue. We should not be blind to our commercial interests, and we should not be unreasonable about that.

But there are more important things than whether we should be loosening our export laws and saying, well, if we can make it, everybody is going to have it eventually. So we might as well give it to them tomorrow. Even if we are able to slow them down somewhat, this is a dangerous world. I am looking to the day we find out the direct proof that one of these rogue nations has what we shipped to China and China just passed it along. I assume it has already happened, but we don't have any proof of that. That is what all of this is really about, in my opinion.

It goes on to say here—this is the last objection—it provides for dangerous procedures and fast-track procedures would inevitably lead to highly politicized annual votes.

Our bill, of course, says the President's actions have been, frankly, inadequate. I think some of President Clinton's actions have been totally inadequate with regard to some of these decisions.

Our intelligence has proof that the Chinese Government sent M-11 missiles to Pakistan, and the response from the State Department is: No. We are not going to impose sanctions there because we cannot prove it. We only see canisters on the ground that we know were put there by the Chinese on Pakistani docks. But we do not really know that there are missiles inside the canisters.

What can you say to that?

Then there was another occasion where we proved that they sent ring magnets to the Pakistanis, and those go to enhance the uranium enrichment process that goes into these nuclear weapons. The answer there was that we did not have sufficient proof that those high up enough in the Chinese Government really signed off on that.

We are requiring courtroom-level proof. Instead of requiring them to bear the burden, you had better prove to us that you didn't do it because it sure looks as if you did it. No, we are putting the burden on ourselves to have a level of proof that no one can ever reach because our diplomats and some of our administration officials are living in another world. They think if they can continue to dialog with the leadership of the Communist Chinese Government that things are going to magically fall into place.

In this bill we said if we run into one of those situations Congress ought to have some input. Congress hasn't done enough in this regard. We can't sit back and say that we can't mess with the President's authority. We have done that too much—go into wars, and everything else—partially under the jurisdiction of this body. And we really do not want to take the political heat for making the decisions.

Our tendency, it seems to me nowadays, is to sit back and let the President do the tough stuff and make those decisions. We will criticize him every once in a while. We don't want to be involved. That exposes us to criticism if we make a mistake.

If you look at the national political polls, national security and foreign affairs ranks, only 2 percent of the people in this country would put it at the top of their area of concern—2 percent. That doesn't get the attention of a lot of people around here. So we sit back. We have done it too long. The problem is that this administration has sat back right along with us. The result of that has been a more dangerous world.

We signal to our allies that we claim we need a national missile defense system because of rogue nations. But the signal is we are really not that worried about it; Trade is more important. We are signaling to the leadership of the Chinese Government that we may or may not be concerned about this. We may issue a sanction in one out of every five times we catch it.

That is still going to lead to a more dangerous world because they somewhere along the line are going to misjudge how far we will go in response to some action.

What we need to do is have something right now that is measured, that is reasonable, and that is not extreme to put in place to simply send a signal that while we are approving the trade bill, that trade is not the only thing that is important to us and that we are going to blow the whistle on them and maybe cut off some of their dual-use technology. Yes—perhaps even with hardship on one or more of those conferences. That is the signal we need to send.

So we fashioned the provision in this bill that said if 20 Senators agree that we should disagree with the President's action—that we think it is clear and he is doing nothing, or that we think it is not so clear and he is doing something and we believe we should become involved—if 20 of us think that way, we can become involved in a variety of actions. He can veto that. Or it would take a tremendously unusual situation for us to actually get anything done, quite frankly. Everybody knows that. I know that. Overriding the President's veto on something like that would be tremendous. It would have to be an egregious situation. That is the kind of thing we need to signal to the world that we are willing to do, at least in an egregious situation.

They say that it is dangerous. I say to them that we already have 60 laws on the books that in one form or another have this general procedure I just described. They are making it look as if it is a dangerous, unusual thing. We have at least 60 laws on the books which provide for expedited procedure in one way or another.

We will have an opportunity to discuss this further. As I say, I particularly want to get a vote on this. I guess I am having a hard time absorbing what has happened here. After all of this debate, all of this discussion, this clearly would not cause any harm and would not cause any problem, except some people think it would complicate the trade bill. It is not as if we are

about to do something dangerous or we are about to do something where some of our critics say the law is already on the books and you don't need to do it. That is the level of danger we are talking about.

Our colleagues are keeping us from even having a vote. And we let all of these other things go? The Senator from Wyoming and the Senator from Texas say we haven't gone through the process enough. It has nothing to do with the fact that we couldn't get our Export Administration Act up for a vote, or chose not to. Frankly, I don't know which. If that is the case, that is the case. I take them at their word. I don't want to accuse them of having jurisdictional concerns. I say when it is in the wrong committee and it is on the wrong bill, to me that is a jurisdictional problem. If I am using the wrong word, I apologize. But the very idea that in light of this threat and in light of the good debate that we have had—and we have pros and cons on the Republican side and pros and cons on the Democratic side as to whether or not we ought to pass this. We have had a good debate. We are talking about one of the few things that really matter around here.

Our first obligation in the preamble of our Constitution is the reason for the creation of this Government, the kind of matters we are considering here tonight.

To come down to this, after all these hearings and all this time, with no one denying the nature of the threat, saying it needs to be sent to the committee of jurisdiction—they know by now, of course, that the Parliamentarian has said it would go to the Foreign Relations Committee; it would not even go to their Banking Committee. The only problem they have with that is Senator HELMS is chairman of the Foreign Relations Committee and says he doesn't want that to happen. He wants my amendment to pass.

I don't understand. It has nothing to do with anything other than some jurisdiction. We need to go back and massage this a little bit more, send it back to a committee that doesn't want it. Maybe we can offer some amendments. Why not offer it now, I ask my friends from Wyoming and Texas. If you want to offer amendments, offer them now. I don't understand the nature of the problem. I cannot for the life of me understand the nature of the problem.

But we will have a chance, perhaps, to explore that further.

I yield the floor.

Mr. BAUCUS. Mr. President, we have heard a lot on the Senate floor the last few days about the advantages to the United States of granting PNTR to China. In commercial terms, PNTR means that American farmers, ranchers, workers, manufacturers, and service providers can take advantage of what will be an unprecedented liberalization in the world's most populous market, and an economy that has

grown almost ten percent annually for two decades. PNTR and China's accession to the WTO means that China will enter the global trade community, liberalize and open up much of its economy, and be subject to the operating rules and regulations of the WTO.

I would like to focus my remarks on the effect of PNTR on one very important sector of America's economy—agriculture.

We are in the third year of a severe agricultural crisis in the United States. Our farmers are suffering terribly from drought, record low prices, increased costs, and now damage due to unprecedented forest fires this summer. At the same time, the American food market is a mature one with almost no room for growth for our farmers and ranchers. Therefore, one part of the solution to the agricultural crisis lies in increasing the quantity and value of our agricultural exports, bringing the products of the world's most efficient farming to the people of the world.

That means ensuring that our producers are not besieged by dumped imports. That means our producers need time to adjust to surges in imports. That means working to dismantle the European Union's system of massive trade-distorting export subsidies to its farmers. That means reversing the trends that have reduced our agricultural exports by ten billion dollars since 1996. And that means bringing China into the WTO and granting them PNTR so that our farmers and ranchers can benefit from the significant liberalization commitments that China is making.

Let me review those changes that China has agreed to make as part of its WTO accession commitments. And remember, if we don't grant China PNTR, our competitors can take advantage of this new liberalization in China, while our ranchers and farmers will lose out.

First, the US-China Agricultural Cooperation Agreement. Although this was technically separate from China's negotiations for WTO accession, it was an integral part of our bilateral negotiations. This agricultural agreement provides three specific benefits to American producers.

On wheat, China agreed to end a thirty year ban on Pacific Northwest wheat. This ban was based on spurious sanitary and phyto-sanitary standards. We completed the first shipment of Pacific Northwest wheat to China earlier this year.

On beef, under the agricultural agreement, China will accept meat and poultry from all USDA Food Safety Inspection Service-approved plants, honoring USDA inspection certificates.

On citrus, the agreement provided for a series of measures that would approve citrus for export to China. Chinese officials made several inspection trips to the United States, and the first shipment occurred earlier this year.

Second, China made significant trade concessions on bulk commodities. For

example, China agreed to a tariff rate quota on wheat of 7.3 million metric tons for its first year of membership in the WTO, increasing to 9.6 million tons in 2004. This contrasts with recent annual import of wheat at around two million tons. Ten percent of the tariff rate quota will be allocated to non-state trading entities. If state trading entities do not use their portion of the quota, the unused part will be given to non-state entities. Tariff rate quotas at similarly high levels will also be in effect for other commodities such as corn, cotton, rice, and soybean oil.

Third, tariffs themselves will be cut significantly. By January, 2004, the overall average for agricultural products of importance to the United States will drop from 31 percent to 14 percent. Beef goes down from 45 percent to 12 percent for frozen and to 25 percent for fresh. Pork drops from 20 percent to 12 percent. Poultry goes from 20 percent to 10 percent.

Fourth, foreigners will have the right to distribute imported products without going through a state-trading enterprise or middleman.

Fifth, China has committed not to use export subsidies for agricultural products. They have also committed to cap, and then reduce, trade-distorting domestic subsidies.

Sixth, there are several provisions that most people think apply only to manufactured goods, but, in fact, apply to agriculture as well. The United States can continue to use our non-market economy methodology in anti-dumping cases for 15 years, an important protection against dumped Chinese products. Also, for the next 12 years, we can take safeguard measures against specific products from China that cause, or threaten to cause, disruption in our market.

In short, once we grant China PNTR and the WTO accession process concludes, our farmers, ranchers, and food processors can begin to take advantage of vast new opportunities in China. Americans need to move aggressively to follow-up on these Chinese commitments. And we in the Congress and in the Executive Branch must put resources into monitoring closely Chinese compliance with those commitments.

Following my own advice about follow up, I will lead a delegation of Montana ranchers, farmers, and business people to China in December. I encourage all my Congressional colleagues to do likewise. I have also sent a letter to Chinese Premier Zhu Rongji insisting that China fully comply with its agriculture commitments.

We have a lot to do in the Congress this year and next to help our farm economy. Approving PNTR is one important part of that agenda.

Mrs. FEINSTEIN. Mr. President, I would like to explain why I oppose all amendments offered to H.R. 4444, a bill to establish Permanent Normal Trade Relations (PNTR) with China.

Much is at stake here; the effects of this vote may be felt for years to come.

I am convinced that amendments at this stage create a procedural problem that could derail passage of this important bill. Adopting any amendments would mean sending this bill to conference, where it could become mired in wrangling over differences of language and content. It is clear to me that we do not have time remaining in this Congress to resolve a bicameral conflict over this bill. We can allow nothing to interfere with what may be this Congress's most important decision concerning China.

I am convinced we must not let our focus be drawn away from the real point in question: pure and simple, this vote is about deciding whether or not the United States wishes to join with the world community in having normal trade relations with China, and whether we are prepared to conduct our dealings with China according to the terms and conditions established by that community under the World Trade Organization framework (WTO).

This vote is about protecting U.S. interests in an increasingly competitive global marketplace and about ensuring that American workers, managers, entrepreneurs, and investors do not miss out on the opportunities that are bound to grow as China brings itself further into the modern world.

I do not think we further U.S. interests by undermining this nation's ability to function effectively in the world's most important multinational trade organization, or by cutting Americans off from the full benefits of WTO membership.

This is what will happen if we pass a bill that does not conform to WTO requirements, or if we are forced to send the bill to conference, and fail to pass a bill, at all. I believe it is in America's best interests that this body pass a clean, focused bill establishing permanent normal trade relations with China that is the same as the House bill and does not need conferencing.

Mr. THOMPSON. Mr. President, I ask unanimous consent that at 10 a.m. on Wednesday there be 60 minutes for closing remarks for two amendments, with the following Senators in control of time: Senator ROTH, 15 minutes; Senator MOYNIHAN, 15 minutes; Senator BYRD, 15 minutes, Senator Bob SMITH, 15 minutes. I further ask consent that the vote on the pending Byrd amendment occur immediately at 11 a.m., to be followed by a vote in relation to division 6 of Senator SMITH's amendment, No. 4129.

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

#### MORNING BUSINESS

Mr. THOMPSON. Mr. President, I ask unanimous consent that there now be a period for the transaction of routine morning business with Senators permitted to speak for up to 10 minutes each.

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

#### SENATOR SLADE GORTON'S 100TH PRESIDING HOUR

Mr. LOTT. Mr. President, it is a long-standing tradition in the Senate to recognize and honor those Senators that serve as presiding officers of the Senate for 100 hours in a single session of Congress. Today, I have the pleasure to announce that Senator SLADE GORTON is the latest recipient of the Senate's coveted Golden Gavel Award.

This Golden Gavel Award is not the first or even the second for Senator GORTON but is the sixth. Senator GORTON is the first Senator in the history of the Golden Gavel Award to attain the six gavel mark. This is a great achievement.

On behalf of the Senate, I extend our sincere appreciation to Senator GORTON and his staff for their efforts and commitment to presiding duties during the 106th Congress.

#### SENATOR WAYNE ALLARD'S 100TH PRESIDING HOUR

Mr. LOTT. Mr. President, today, I have the pleasure to announce that Senator WAYNE ALLARD has achieved the 100 hour mark as presiding officer. In doing so, Senator ALLARD has earned his second Golden Gavel Award.

Since the 1960's, the Senate has recognized those dedicated Members who preside over the Senate for 100 hours with the Golden Gavel. This award continues to represent our appreciation for the time these dedicated Senators contribute to presiding over the U.S. Senate—a privileged and important duty.

On behalf of the Senate, I extend our sincere appreciation to Senator ALLARD and his staff for their efforts and commitment to presiding duties during the 106th Congress.

#### VICTIMS OF GUN VIOLENCE

Mr. ROBB. Mr. President, it has been more than a year since the Columbine tragedy, but still this Republican Congress refuses to act on sensible gun legislation.

Since Columbine, thousands of Americans have been killed by gunfire. Until we act, Democrats in the Senate will read the names of some of those who have lost their lives to gun violence in the past year, and we will continue to do so every day that the Senate is in session.

In the name of those who died, we will continue this fight. Following are the names of some of the people who were killed by gunfire one year ago today.

September 12, 1999:

Arthur Adams, 41, Philadelphia, PA; Anita Arrington, 36, Charlotte, NC; Robert Bason, 21, Detroit, MI; Keith Brisco, 23, Chicago, IL; Shiesha Davis, 19, Detroit, MI; Clinton Dias, 24, Baltimore, MD; Steve Esparza, 15, San Antonio, TX; Friday D. Gardner, 21, Chicago, IL; Tony M. Gill, 28, Gary, IN; Elaine Howard, 47, Detroit, MI; Greta