

conference this afternoon to vote on these issues. We should at least have a vote on these matters and, hopefully, the Commerce Committee will not disappoint America's march toward justice.

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

Mr. KENNEDY. Yes, I am happy to.

Mr. WYDEN. Mr. President, I think the distinguished Senator has made a very eloquent statement on this matter of hate crimes. As we have seen so often on these issues of justice for gay folks, and when we are talking about issues relating to race, the issue always is brought out that in some way we are advocating "special rights," or "preferences," or something of this nature. I think what the Senator from Massachusetts is asking for—and perhaps he can speak to this—is simply to make it clear the U.S. Congress is going to draw a line in the sand against violence borne out of bigotry and prejudice.

We are not talking about special rights. We are not talking about preferences for one group because of their sexual orientation or race; we are talking about Americans' right to be free from violence borne out of prejudice and hatred. Is that what the Senator from Massachusetts is talking about?

Mr. KENNEDY. The Senator has stated it well and accurately. These kinds of crimes, as I mentioned very briefly, rip at the heart and soul of all Americans. No one could read about these extraordinary acts of violence directed toward specified groups, such as those that took place in Yosemite, where that individual had in his mind one purpose and one purpose only, and that was to kill women. That was it. It wasn't against someone with whom he had a difference. That is the kind of vicious intent we have seen. We have seen that regarding race, religion, and sexual orientation.

All we are saying is, in the prosecution of those crimes, we are not going to fight it with one hand behind our backs. We are not going to deny it in the very selective numbers that will be in—I think you are looking at each group, and there are something like maybe 20, 30 cases a year—probably even less—in the testimony of those who represent the Justice Department in any of these areas. But they are so vicious and so horrific that we are going to say we are not going to permit that to take place in this country.

We have the opportunity to make a positive commitment in that area in our conference before we leave this year, and we don't want to lose that opportunity. The Senator from Oregon has been a leader on this issue, and our friend and colleague from New York, Senator SCHUMER, and Senator SPECTER have been strong leaders. This has been a bipartisan effort for a long period of time. We don't want to deny the chance of having success.

Mr. WYDEN. Will the Senator yield for one last point?

Mr. KENNEDY. Yes, I am happy to.

Mr. WYDEN. Mr. President, I think what the Senator from Massachusetts said is very important for our colleagues to focus on as we go to this conference, which I think will be starting in a few minutes.

My understanding is that the bipartisan proposal of the Senator from Massachusetts and Senator SPECTER does not, in any way, preempt State and local authority in this area. My understanding is that it is only if and when State and local authorities don't act against these morally repugnant crimes that the Senator from Massachusetts has described—that only then would the Federal Government come in. I will say, from my standpoint, what the Senator from Massachusetts is talking about certainly meets my definition of what ought to constitute compassionate conservatism.

I am very pleased that my colleague from Oregon, Senator SMITH, has joined with Senator SPECTER and others on the other side of the aisle. I so appreciate the leadership of the Senator from Massachusetts. I want him to know that I plan to stand shoulder to shoulder with him until we get this law passed. This is unacceptable. It is grotesque that this Congress would not take up this issue, and we cannot allow this issue to be ducked any further.

I thank my friend for yielding.

Mr. LEAHY. Mr. President, one of the most significant amendments that the Senate adopted as part of the Commerce-Justice-State appropriations bill is the Hate Crimes Prevention Act. This legislation amends the federal hate crimes statute to make it easier for federal law enforcement officials to investigate and prosecute cases of racial and religious violence. It also focuses the attention and resources of the Federal Government on the problem of hate crimes committed against people because of their sexual orientation, gender, or disability. I commend Senator KENNEDY for his leadership on this bill, and I am proud to have been an original cosponsor.

It is time to pass this important legislation. It has been over a year since the fatal beating of Matthew Shepard in Laramie, Wyoming, and the dragging death of James Byrd in Jasper, Texas—brutal attacks that stunned the Nation.

Since those incidents, we have seen other acts of violence motivated by hate and bigotry, including the horrific incident two months ago in Los Angeles, when a gunman burst into a Jewish community center and opened fire on a room full of young children. When the gunman surrendered, he said that his rampage had been motivated by his hatred of Jews. The month before, a murderous string of drive-by shootings in Illinois and Indiana left two people

dead and nine wounded. Again, the motivation was racial and religious hate.

These are sensational crimes, the ones that focus public attention. But there also is a toll we are paying each year in other hate crimes that find less notoriety, but with no less suffering for the victims and their families.

All Americans have the right to live, travel and gather where they choose. In the past we have responded as a nation to deter and to punish violent denials of civil rights. We have enacted federal laws to protect the civil rights of all of our citizens for more than 100 years. The Hate Crimes Prevention Act continues that great and honorable tradition.

When the Senate passed the Commerce-State-Justice appropriations bill last month, there seemed to be general agreement about the need to strengthen our national hate crimes laws. Both the Hate Crimes Prevention Act and a more limited hate crimes bill sponsored by Senator HATCH were included in the managers' amendment by unanimous consent. These bills complement and do not conflict with each other, and Senator KENNEDY and I have been working hard to address Senator HATCH's concerns about our legislation.

I had hoped that a consensus provision would be worked out in time for us to report as part of this appropriations bill, and I am disappointed that we have been unable to meet this deadline.

Five months ago, Matthew Shepard's mother testified before the Senate Judiciary Committee and called upon Congress to pass the Hate Crimes Prevention Act without delay. Let me echo her eloquent words:

Today, we have it within our power to send a very different message than the one received by the people who killed my son. It is time to stop living in denial and to address a real problem that is destroying families like mine, James Byrd Jr.'s, Billy Jack Gaither's and many others across America. . . . We need to decide what kind of nation we want to be. One that treats all people with dignity and respect, or one that allows some people and their family members to be marginalized.

There are still a few weeks left in this session; we should pass the Hate Crimes Prevention Act this year.

FAIR TRADE LAW ENFORCEMENT ACT OF 1999

Mr. ROCKEFELLER. Mr. President, I join my colleagues, Senators DURBIN, HATCH, SANTORUM, BYRD and HOLLINGS in introducing the Fair Trade Law Enforcement Act of 1999. Unfortunately, because of the long and important debate on campaign finance reform last Friday, I was unable to make a statement with the rest of my colleagues when the bill was introduced. However, I stand today to praise this legislation which will take significant steps to update and enhance critical U.S. trade laws. It has been far too long, well over

a decade in fact, since the last general reform of our trade laws, and current circumstances—including global recessions, economic turmoil and our surging trade deficit—necessitate the prompt action of Congress.

The trade laws in question, particularly the safeguard, countervailing duty and anti-dumping laws, are vital to the manufacturing sector of our economy. They are often the first and last line of defense for U.S. industries injured by unfairly or illegally traded imports. Companies, workers, families and communities rely heavily on these laws to prevent the ill-effects of unfair trading by our trading partners. Unfortunately, recent events like the steel import crisis have demonstrated how painfully inadequate our current trade laws are in responding to rapid import surges. The flooding of U.S. markets with unfairly or illegally traded goods causes severe and often irreparable harm to our workers and domestic injury, and it is high time we revisit our trade laws in an effort to make our laws more responsive to the changing landscape of the global economy and international trade.

The reforms we are proposing today fall into three categories. The first are improvements to our safeguard laws. Current U.S. safeguard standards are often more strict than the corresponding standards in the WTO Safeguards Agreement. This means U.S. manufacturers are playing at a disadvantage to their foreign trading partners. Whereas a foreign trading partner must prove only that an import surge, like the steel import crisis we have seen since July of 1997, is a cause of injury, domestic producers are hindered by U.S. trade laws which require our domestic industry to prove that the imports are a substantial cause of injury. This inequity hampers the ability of our domestic industry to receive relief from unfairly traded imports, and creates an unequal playing field on which our foreign trading partners have an advantage. It also contributes to making the U.S. the dumping ground for illegal and unfairly traded imports. Our trading partners know the U.S. standard is high, and they exploit that fact. This bill simply brings U.S. safeguard laws with respect to causation standards and injury factors into line with WTO laws, and puts our domestic industries on equal footing with the rest of the world.

Second, this legislation amends our anti-dumping and countervailing duty laws. It establishes a presumption of threat and of critical circumstances when imports surge and prices fall to an extraordinary degree. A critical circumstances determination, which is provided for under WTO standards, allows the ITC and the Department of Commerce to apply relief to imports entering before the preliminary determination in a trade case when inves-

tigating authorities find a history of injurious dumping or such a dramatic surge in imports that, absent retroactive relief, the effect of an anti-dumping measure would be severely undermined. One of the proposals in this legislation simply provides for the Department of Commerce and the ITC to apply these rebuttable presumptions when drastic import surges are coupled with sharp domestic price declines. Again, these presumptions are rebuttable, meaning all of our trading partners have the right to appeal the determination of threat or critical circumstances. All this provision suggests is that we give our domestic industry the benefit of the doubt regarding the injury they are suffering when huge spikes in imports are accompanied by a rapid decline in domestic prices. We saw first hand last year how effective the presumption of threat and critical circumstances can be. When the Commerce Department determined critical circumstances existed on numerous steel trade cases, the decline in imports for the following months was immediately visible. The specter of a retroactive tariff or duty is a powerful deterrent to continuing unfair and illegal trading practices.

This bill makes still other improvements in our anti-dumping and countervailing duty laws. Our legislation will make it tougher for our trading partners to circumvent an anti-dumping or countervailing duty order. No longer will foreign nations be able to skirt around our laws by making slight alterations to the products they are exporting to the U.S. We clarify that these AD/CVD orders include products that have been changed in only minor respects. The captive production clarification is an important provision to ensure fairness as well.

Also, the Fair Trade Law Enforcement Act of 1999 prevents AD/CVD cases from being terminated by suspension agreements against the wishes of the injured U.S. industry. As we saw during the steel crisis, the Administration reached suspension agreements on trade cases that the domestic industry was confident of winning. Those cases would have provided significant relief for the injured U.S. steel industry by imposing tariffs and or duties which would have "priced out" many of our guilty trading partners from the U.S. steel market. Instead, foreign nations which were facing the prospect of having zero or very restricted access to the U.S. market were guaranteed a significant share of our market as a result of negotiated suspension agreements. The reforms in this bill will require the consent of a majority of the injured industry, both companies and workers, in order for the suspension agreement to be finalized. This particular piece of the bill has already been reported out of the Finance Committee, and it is critical to ensuring that any domestic

industry injured by unfair or illegal imports is afforded proportional relief.

Finally, this bill also creates a steel import monitoring program designed to act as an early notification system when imports begin flooding the U.S. market. When the steel import surge began in July of 1997 it was many months, even close to a year, before anyone in the Administration would even admit that the spike in imports was occurring and that it was potentially harmful to the domestic industry. During that time businesses went bankrupt and thousands of employees were laid off. The amendment we propose in this bill will make it much easier to track imports and will provide much quicker notification of potentially harmful import surges. Quite simply, the sooner we learn of unfair import surges, the sooner the Administration, Congress and the industry itself can take the necessary steps to provide the industry, companies and workers with the relief they deserve.

This bill being introduced today provides much need adjustments to our trade laws. Too many of the provisions currently designed to provide relief to our domestic manufacturing sector have been antiquated by recent changes in the global economy and the structure of international trade. It is time we reaffirm our commitment to our manufacturing base by updating and enhancing the very laws designed to protect U.S. manufacturers from unfair and illegal imports from abroad.

I should note to my colleagues that I remain an ardent supporter of open and fair trade. Exports have become an engine of growth for the U.S. economy. The numbers speak for themselves. Last year, Americans exported over \$688 billion worth of goods and services. In saying this, I proudly can point to my own state's experience, and how it proves in a powerful way that we must pursue the opportunities of the global economy. In the past decade, West Virginia has gone about, deliberately and energetically, changing its perception of the outside world in a way that has had tremendous economic payoff. In just the past five years, our exports have increased by 40%. We have large and small companies alike exporting to China, Korea, Taiwan, and Japan. These companies exported over \$2.2 billion worth of goods just last year. In percentage of products made which are exported abroad, West Virginia ranks 4th among all 50 states. Perhaps the most stunning number to me is that every billion dollars in exports supports about 17,000 U.S. jobs—that means that more than 35,000 jobs in West Virginia are directly linked to exporting.

I know that trade is critical to my state's continued economic development. West Virginia's case proves that even small economies can use expanded trade opportunities as a mechanism for

further growth and prosperity. However, our increasingly globalized and ever expanding economy requires our finding new ways to adapt to change. Americans thrive in that environment and will therefore excel in this New Economy. But transitions are almost always hard. I think how a country deals with the dislocations of change says a lot about its priorities and about its ultimate success as we move into a new world and a new century.

I fully recognize that much in this bill will provoke debate. I welcome it. The Finance Committee can and must begin to consider how best to update our trade laws. I am confident that as trade becomes unquestionably one of the most powerful economic determiners in our economy, we will do so.

My efforts to deal with the real world consequences for West Virginia steel families, communities and manufacturers when they were hit with an unprecedented deluge of steel imports in late 1997 and 1998 resulted in my proposal of a steel quota bill that was considered on the Senate floor and rejected largely on the grounds that we weren't playing by the world's rules. I'm here to let my colleagues know that as the world changes, we must change with it—we must support the expanded opportunities for trade by guarding against the acquiescence to circumstances where our workers end up hurt with no recourse but to promote isolationism.

THE FY 2000 HUD/VA APPROPRIATIONS ACT

Mr. KENNEDY. Mr. President, I express my strong support for the VA/ HUD Appropriations Act for FY 2000, which passed the Senate last Friday. I commend Chairman BOND and Ranking Member MIKULSKI for their skilled work on resolving the important issues involved in this legislation. We could not have achieved such an excellent measure without their leadership and commitment.

I am pleased that the legislation includes significant new funding allocations for some of HUD's most critical programs. We have promised America's citizens to stand up for their priorities, and this legislation is an important part of keeping that promise.

The bill includes an additional 60,000 Section 8 vouchers. These vouchers are critical for struggling families across the country, many of whom pay more than half their income in rent.

The bill also restores \$70 million for Round II Empowerment Zones. This restoration honors our promise to the communities who have worked hard to build partnerships to revitalize their communities, based upon the promise that they would have HUD resources to leverage the funds they have raised in private-sector investments. The City of Boston and many other communities will benefit from this effort, and I am

pleased that we support their initiative with these well-deserved resources.

I am also pleased that the Community Builders program is supported in the Act. The program provides a single point of contact with HUD for clients and customers, and streamlines access to HUD resources. With these improvements, HUD will be serving citizens more ably and expeditiously, and the preservation of this important program is an essential part of the legislation.

These initiatives offer hope to many distressed communities and low income families who are still left behind in this period of extraordinary economic growth. We must never forget our commitment to safe and affordable housing for our neediest citizens. I commend my colleagues for their skillful work which has led to this major legislation.

CORRECTION OF THE RECORD

Mr. MOYNIHAN. Mr. President, today I rise to correct the RECORD by noting that Senator BARBARA BOXER was erroneously listed as having signed the letter Senator WARNER and I wrote on October 12, 1999, regarding the Senate's need to postpone voting on the Comprehensive Test Ban Treaty. Her name should therefore be excised from this letter.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business Friday, October 15, 1999, the Federal debt stood at \$5,664,657,029,541.87 (Five trillion, six hundred sixty-four billion, six hundred fifty-seven million, twenty-nine thousand, five hundred forty-one dollars and eighty-seven cents).

One year ago, October 15, 1998, the Federal debt stood at \$5,537,594,000,000 (Five trillion, five hundred thirty-seven billion, five hundred ninety-four million).

Fifteen years ago, October 15, 1984, the Federal debt stood at \$1,590,669,000,000 (One trillion, five hundred ninety billion, six hundred sixty-nine million).

Twenty-five years ago, October 15, 1974, the Federal debt stood at \$478,586,000,000 (Four hundred seventy-eight billion, five hundred eighty-six million) which reflects a debt increase of more than \$5 trillion—\$5,186,071,029,541.87 (Five trillion, one hundred eighty-six billion, seventy-one million, twenty-nine thousand, five hundred forty-one dollars and eighty-seven cents) during the past 25 years.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, 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 Committee on Armed Services.

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

REPORT OF THE UNITED STATES NUCLEAR REGULATORY COMMISSION FOR FISCAL YEAR 1998— MESSAGE FROM THE PRESIDENT—PM 65

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Environment and Public Works.

To the Congress of the United States:

As required by section 307(c) of the Energy Reorganization Act of 1974 (42 U.S.C. 5877(c)), I transmit herewith the Annual Report of the United States Nuclear Regulatory Commission, which covers activities that occurred in fiscal year 1998.

WILLIAM J. CLINTON.
THE WHITE HOUSE, October 18, 1999.

MESSAGE FROM THE HOUSE

ENROLLED BILLS SIGNED

At 5:05 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 3036. An act to restore motor carrier safety enforcement authority to the Department of Transportation.

H.R. 2684. An act making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2000, and for other purposes.

H.R. 356. An act to provide for the conveyance of certain property from the United States to Stanislaus County, California.

The enrolled bills were signed subsequently by the President pro tempore (Mr. THURMOND).

MEASURE PLACED ON THE CALENDAR

Pursuant to the order of August 4, 1977, the following bill was discharged from the Committee on the Budget, and placed on the calendar:

S. 1214. A bill to ensure the liberties of the people by promoting federalism, to protect the reserved powers of the States, to impose accountability for Federal preemption of State and local laws, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with