to God virtually drip from our public buildings, and invocations of the Creator's blessing crop up at every important public gathering throughout our history. We have wandered off the Framers' track on this, and we need to work toward a better understanding of what was intended, what was to be protected and why.

I hope that our fine colleague, Mr. LIEBERMAN, continues to try to further the conversation. Not to do so would be detrimental. I fear that the misunderstanding about this issue is huge and growing. There is a new sort of intolerance about religion that I find most disturbing. It has become the thing we don't talk about, because it is not politically correct, so many of us are driven into a closet. It is seen as a divider in our culture, instead of the force for good it certainly can and should be.

Where we do not want to go, and where we have rapidly been heading, is toward an instituted governmental policy which is prejudiced against all religion. We need to think long and hard about this together, as a country. How sadly ironic it would be if, after over 200 years, a nation grounded in religion and founded by religious men and women, with shining faith-based ideals about equality, fairness, freedom, and justice, and decades of effort to make those ideals a reality, wound up reflecting in its laws and policies a prejudice against religion and religious people.

SENATOR DIANNE FEINSTEIN'S INJURY

Mr. BYRD. Mr. President, I yield the floor—I seek recognition again for 1 minute simply to express my joy in seeing my friend and our illustrious, highly respected, and able colleague, DIANNE FEINSTEIN, back with us on the floor today. We are sorry that misfortune has for the moment seen fit to not deal with her fairly, but in time all will be corrected and I am sure she will be just as always, as new. She is a fine Senator. She is a great friend of mine. I consider her to be someone we should all try to emulate. It might be very difficult for some of us to emulate her. But we are proud of her, proud of the work she does. I salute her today, and I yield the floor.

Mrs. FEINSTEIN. I thank the distinguished Senator from West Virginia. I very much appreciate those comments. Last Friday night, I took a tumble down stone stairs and managed to have a compound fracture of my tibia and crack a couple of ribs, so I can't say I am none the worse for wear, but I thank the Senator very much for his warm words. I greatly appreciate it.

Mr. President, I ask unanimous consent to speak for some time in morning business for the purposes of introducing a bill.

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

The Senator from California is recognized.

Mrs. FEINSTEIN. I thank the Chair.

(The remarks of Mrs. FEINSTEIN and Mr. SPECTER pertaining to the introduction of S. 3007 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mrs. FEINSTEIN. I thank the Chair. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mrs. FEINSTEIN. Mr. President, under rule XXII of the Senate, I ask unanimous consent that my hour to speak under cloture for the motion to proceed be yielded to Senator MOYNIHAN.

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

Mrs. FEINSTEIN. I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. THOMAS. What is the order of business?

The PRESIDING OFFICER. The Senate is in a postcloture situation on the motion to proceed to the PNTR.

TO AUTHORIZE EXTENSION OF NONDISCRIMINATORY TREATMENT TO THE PEOPLE'S REPUBLIC OF CHINA—MOTION TO PROCEED—Continued

Mr. THOMAS. I will proceed with PNTR on that basis. I thank the Chair.

Mr. President, as chairman of the Subcommittee on East Asian and Pacific Affairs of the Senate Foreign Relations Committee, I rise today in strong support of H.R. 4444, a bill to establish permanent normal trade relations with the People's Republic of China.

Let me begin today by disposing of the principle argument offered by opponents of this bill—that this bill somehow is a ''gift'' to the PRC, a reward. To hear the opponents of this bill talk, you would think that we were on the losing end of this equation.

However, examining the basic facts shows there is a fatal flaw in that assertion. Our markets are already open to the Chinese and to Chinese goods; the same is not true about our ability to enter China's markets. This bill, and the accompanying accession of China to the WTO, changes that. This bill opens up their markets to the United States. This bill lowers tariff and nontariff barriers to our goods and services. This bill gives us a level playing field. In other words, it is a win-win situation for the United States.

It is estimated that in the first year after this bill is enacted, and China accedes to the WTO, our trade with China will increase by $14 billion; in other words, almost double today's volume. And that translates into more jobs for U.S. workers and U.S. companies.

To use my home State of Wyoming, as an example, which is not a large export State, China ranked as Wyoming's 15th largest export destination in 1999; that is up from 16th in 1998 and 19th in 1997. Our largest exports are agricultural products, such as beef, grains, and, in addition to that, minerals.

Under this agreement, Wyoming farmers and cattlemen will no longer have to compete with export subsidies China uses to make its agricultural products unfairly competitive. China has agreed to eliminate sanitary requirements which are not based on sound scientific bases and which act as artificial barriers to products from America's Northwest, which includes Wyoming. Wyoming producers will benefit from a broadening of the right to import and distribute imported products in China, and from wide tariff cuts on a wide range of products.

To illustrate, under the agreement, China has cut its tariff on beef from 45 percent to 12 percent. It has cut its tariff on pork from 20 percent to 12 percent. And, significantly for a great number of my constituents in Sweetwater County, it will reduce its exorbitant tariffs on soda ash—90 percent of which is mined in Wyoming—from double-digits to 5.5 percent.

Passage of this bill means fewer barriers to U.S. exports. Fewer barriers mean more exports, and more exports mean more jobs for Wyoming farmers, ranchers, cattlemen and small business owners.

I don't need to tell my colleagues about the present sorry economic state of many of our agricultural sectors and small businesses. The key to their continuing viability and growth is increasing their share of foreign markets. It is for that principal reason that I support this bill and for China to go into the WTO. Clearly, it is going to be more advantageous for us to deal with the People's Republic of China through this organization than on a unilateral basis which we have done for the last number of years. By the way, this same trade arrangement has been available to them on an annual basis.

Let me make one more observation before moving on. Defeating the bill will not keep the PRC out of the WTO.

China will accede to that body regardless of what we do this week, regardless of whether or not we want it. We don't have a veto over their admission, and we make it sound as if that is the case from time to time.

What defeating this bill will do, however, will be to deny us the benefits of an open Chinese market, at least a more open Chinese market. It would allow China to keep its doors closed. It would give our allies and competitors a huge advantage over us.

I was there a while back, when we had a feud going on between the United States and China. They canceled large orders from Boeing and bought airbuses from France. That is the way the world has become. They can do that. It would set in stone our present trade regime where 40-percent tariffs are the norm, not the exception. That is what would happen if we don't pass this bill.

These are not the only bases for my support. Unlike some of my colleagues, I believe China is changing for the better and that admitting them to the WTO will, hopefully, speed that process. One has only to compare the China of 1978—the China of the Cultural Revolution, of Mao suits, and Marxism-Leninism-Mao Zedong theory—with the China of 2000, the China of the economic revolution, to see that changes are indeed both substantial and widespread.

This is not to say that everything is great there. That is not really part of the discussion. Of course, there are a number of things that need to be done. The country continues to have an abysmal human rights record, to stifle political dissent, to subjugate Tibetans, to stridently attempt to cow Taiwan into submission. All these things continue to go on. No one likes that, but that is not really the issue. The issue is how can we best bring about change.

There is no argument in this Senate as to whether China needs to change. We all agree it does. I believe the real issue is how do we effectuate that change. Do we do it by continuing to attempt to isolate China, as some Members would have us do, by pushing them away from us, or do we accomplish the task by seeking to engage China, by drawing it further into the community of nations, by giving its people an opportunity to see how others live in the world and then become impatient to make that transformation for themselves?

We can see that happening in a number of places around the world. Is it too slow? Sure. Isolating China off by itself is to some a feel-good position, a solution for some people. Improve your human rights record or we will cut off trade. Stop threatening Taiwan or we will cut off military exchanges. Stop selling military hardware to other countries or we will cut off high-tech transfers. Do we want a policy that makes us feel good or do we want something that works?

I don't believe you can unilaterally isolate a country such as China. Cut off trade and the European Union is more than happy to step in, sell China Airbuses, as I mentioned, in place of our Boeings. Cut off military-to-military exchanges and we lose the opportunity to impress the PLA with the vast superiority of our military while improving increasing mutual distrust among our two militaries. Cut off high-tech transfers and Beijing simply gets it somewhere else. Add that to the fact that foreign governments rarely react kindly to ultimatums from other governments—take, for example, how we in the U.S. would react to another country if they told us how to manage our affairs—and I believe the unworkability of the ''isolationist solution'' becomes self-apparent.

Instead, I believe the best way to influence China is to engage it, to draw it inextricably into the world community, to expose it to the world of ideas.

In 1995, on my first trip to China as subcommittee chairman the difference that contacts and trade with the West made in the PRC were clearly evident. I have not traveled there over the years as many people have, but just in the last few years there has been great change. Perfect? Absolutely not. More change is needed, of course.

In Beijing, the vast majority of the population was still riding bicycles. There were, 5 years ago, very few private cars, and political questions, especially in Taiwan, and the party line were the sole topic of discussion. In Shanghai, bicycles were replaced by mopeds and more private cars. While Taiwan and ''one China'' were still topics of discussion, individuals I met there were more interested in talking about trade, what they could do to facilitate economic change and growth. In Guangzhou, there were fewer bicycles or mopeds to be seen. Private cars, including BMW and Mercedes Benz, appeared to be the norm. Politics wasn't talked about a great deal.

The lesson was quite clear. The establishment of the rudiments of a market economy coupled with trade with the outside world leads to increased personal wealth and to increased personal entrepreneurship. That in turn leads to an increased interest in and expectation of growth and certain basic personal freedoms. We have seen that same development in Taiwan and South Korea where authoritarian governments have been replaced by thriving democracies over the last 20 years. The same hopefully will happen with China. Once the genie is out of the bottle, there is no putting it back. The march toward an open democratic society will happen. The only question is how long it will take.

I am told by experts that in Asia it probably takes a generational change before some of those things happen. I am sure that is true. I believe, however, that we do speed its pace by passing this legislation. I also believe that Chinese accession will remove a major irritant in our relationship. Whenever we have a disagreement with China over trade relations, be it intellectual property or market access or whatever, our reaction is to apply some unilateral sanctions on China, sanctions which only serve eventually to limit the rest of our relationship and our exports to that country. It is ineffective here and it has been ineffective other places. We have removed a number of those sanctions this year.

By bringing China into the WTO, we turn trade disputes from unilateral into multilateral issues. We transform the dispute from ''I said/he said'' to one mediated by an independent international body. We thereby lessen the irritation of bilateral affairs while at the same time increasing the likelihood that China will find a remedy to the problem.

For all those reasons, I support H.R. 4444.

Before I close, let me add a word or two about possible amendments which may be offered for consideration. Regardless of their relative merit, I, as Senator ROTH, chairman of the Finance Committee, and many others am strongly opposed to adding any amendments to the China PNTR bill. Any amendment will only have the effect of killing it for this year, since amending would require it to be sent back to the conference committee. Once in conference, it is unlikely the bill would emerge before we adjourn sine die. We only have some 20 legislative days remaining in this session and a full plate of domestic appropriations and legislation with which to deal. It would be a herculean task under any circumstances, but this year makes it more difficult because, of course, some on the other side of the aisle are doing everything they can to stall the process. We hope that won't continue to happen.

There is not, realistically, enough time for a conference and to pass it back through both Houses. It is clear the House fully supports the present unamended version. It passed by a vote of 237–197. So does a vast majority of the members of the Senate Finance and Foreign Relations Committees, and so do I.

Mr. President, despite all the hyperbole about passage of H.R. 4444, it does not mean we are selling out to the Chinese, that we are telling them it is all right to proliferate, to abuse human rights, or to threaten Taiwan. It means we expect them to play by the same rules we do; we expect them to be a responsible member of the world community, and we expect to be able to reap the same benefits they do from an ever-expanding global economy. No more,

no less. The bill is good for the United States, good for U.S. companies, good for U.S. workers, and good for the U.S. consumers.

In the final analysis, this is good for China because it will undoubtedly bring about the kind of changes that many would like to see in that country, including many Chinese. Many Chinese would like to see democratization, rule of law, and respect for basic fundamental human rights.

For all these reasons, I urge my colleagues to support the passage of H.R. 4444.

Mr. SCHUMER. Mr. President, I rise to echo the remarks made yesterday by Chairman ROTH and also to concur with my friend and senior colleague from New York, PAT MOYNIHAN, regarding China's compliance, or lack thereof, with the U.S.-China bilateral agreement signed as part of China's admission to the World Trade Organization.

I am concerned that after laboriously working out a bilateral trade agreement that addressed myriad economic issues, China seems to be picking and choosing which aspects of the agreement to follow and which to ignore. A prime example is insurance. Under the bilateral agreement signed last November, China agreed to preserve the existing market access currently enjoyed by foreign insurance companies. In other words, under the agreement, a foreign-owned insurance company in China would be able to continue to operate and to add new branches and subbranches as a wholly-owned company once China entered the WTO. Less than a year after this historic and painstaking agreement was signed, China is unilaterally rewriting the rules and treating these grandfathered companies like new entrants into the China market. This puts the very companies that invested in China's economic growth at a competitive disadvantage to new entrants.

Fundamental to the foundation of the U.S.-China bilateral agreement, to China's ascension into the WTO, and to the possible establishment of Permanent Normal Trade Relations with China is the belief that agreements will be honored, not on a piecemeal basis, but fully. This ''interpretation'' by the Chinese government on insurance begins to cast doubts about whether ironclad agreements with China will truly be completely and totally honored.

I still intend on supporting PNTR for China, but I am disappointed that China appears to be backsliding on its agreement regarding insurance. I hope that the Chinese leadership will adhere to the agreements signed last year on insurance, and absent that, I hope the Administration continues to apply forceful pressure to see that China keeps its end of the bargain. That is the essence of free, fair and open trade.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

The Senator from Vermont is recognized.

Mr. LEAHY. I thank the Chair.

(The remarks of Mr. LEAHY pertaining to the introduction of S. 3011 are located in today's RECORD under ''Statements on Introducted Bills and Joint Resolutions.'')

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2001

The PRESIDING OFFICER (Mr. SMITH of Oregon). Under the previous order, the hour of 6 p.m. having arrived, the Senate will now resume consideration of H.R. 4733, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 4733) making appropriations for energy and water development for the fiscal year ending September 30, 2001, and for other purposes.

Pending:

Domenici amendment No. 4032, to strike certain environmental-related provisions.

Schumer/Collins amendment No. 4033, to establish a Presidential Energy Commission to explore long- and short-term responses to domestic energy shortages in supply and severe spikes in energy prices.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I have a request that the leader asked me to make that has been cleared on both sides.

I ask unanimous consent that immediately following the Thursday morning vote relative to the Missouri River provision in the energy and water appropriations bill, the Senate then proceed to a vote on the adoption of the motion to proceed on H.R. 4444, notwithstanding the provisions of rule XXII.

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

Mr. DOMENICI. Mr. President, I ask unanimous consent that with respect to the energy and water appropriations bill, all first-degree amendments must be filed at the desk by 6:30 p.m. this evening, with the exception of up to five amendments each to be filed by Senator DOMENICI of New Mexico and Senator REID of Nevada, and those be filed no later than 7:30 p.m. tonight, and that all first-degree amendments be subject to relevant second-degree amendments.

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

Mr. DOMENICI. Mr. President, I note the presence of the distinguished Senator from the State of Missouri, Mr. BOND. I say to the Senate, since the amendment that we are now going to take up for up to 3 hours this evening has to do with the upper and lower Missouri River debate, I am not going to manage any of that. I am going to let the management be in the hands of Senator KIT BOND, if he does not mind, in my stead. I join him in his effort. He knows that. But nonetheless, it is his issue. I prefer to have him managing it.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 4081

Mr. DASCHLE. Mr. President, I have an amendment at the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from South Dakota [Mr. DASCHLE] for Mr. BAUCUS, for himself, Mr. DASCHLE, and Mr. JOHNSON, proposes an amendment numbered 4081.

Mr. DASCHLE. Mr. President, I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To strike the section relating to revision of the Missouri River Master Water Control Manual)

On page 58, strike lines 6 through 13.

The PRESIDING OFFICER. There are 3 hours of debate on this amendment.

The Democratic leader.

Mr. DASCHLE. I thank the Presiding Officer.

Mr. President, this issue really has a very fundamental premise. The issue is: Can we use the best information available to us to manage the Missouri River, to manage it in a way that recognizes the sensitive balance that exists today—environmentally, industrially, agriculturally, recreationally? Can we take the best information we have available to us and put together the best management plan recognizing that balance? That is the essence of the question before us.