Jay Hawkins, in particular, has been key to making this conference report a reality. His tireless efforts, his unfailing good humor, and his patience have allowed this process to maintain steady forward progress to a highly successful outcome.

The round-the-clock work, particularly over the past few days, of all the staff involved in the conference is greatly appreciated.

Mr. President, I could not be happier with this moment and at this time will happily leave the floor.

Mr. HARKIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. TORRICELLI. Mr. President, will the Senator from Iowa yield?

Mr. HARKIN. I yield without losing my right to the floor for a unanimous-consent request.

Mr. TORRICELLI. Mr. President, I ask unanimous-consent that at the conclusion of the remarks of the Senator from Iowa, I be able to address the Senate for 20 minutes.

The PRESIDING OFFICER. The Senator should be aware that under a previous order the Senator from Massachusetts is to be recognized after the Senator from Iowa.

Mr. TORRICELLI. Then I will amend my unanimous-consent request that after those Senators are recognized under the unanimous-consent request that I be a able to address the Senate for 20 minutes.

Mr. JEFFORDS. Reserving the right to object, I make a point of order that a quorum is not present.

Mr. HARKIN. Mr. President, I have the floor, I believe, and I yielded only to the Senator for the purpose of a question.

The PRESIDING OFFICER. The Senator from Iowa is recognized, and he has the floor.

The unanimous-consent request from the Senator from New Jersey is on the floor. Without objection, it is so ordered.

Mr. JEFFORDS. I object. I make a point of order that a quorum is not present.

Mr. HARKIN. Mr. President, I believe I have the floor. I only yielded for the purpose of a unanimous-consent request.

The PRESIDING OFFICER. The Senator from Iowa has the floor.

Mr. HARKIN. Mr. President, I will reclaim the floor in my own right and let these Senators work it out if they want to come back.

The PRESIDING OFFICER. The Senator from Iowa has the floor and is recognized for 20 minutes. He may proceed.

Mr. HARKIN. Thank you, Mr. President.

FAST-TRACK LEGISLATION

Mr. HARKIN. I want to speak a little about the fast-track bill that is before us and which is scheduled to be voted on in the House tonight.

I doing so, I reread the President's speech on September 10 that he gave on fast track. He gave it at the White House, I believe in the East Room.

I found some interesting remarks in the President's speech. He talked about change. He said, ''As we have done throughout our history, we have taken our Nation and led the world to the edge of a new era and a new economy.''

He is absolutely right.

He talked about the economy, and how we are the largest producer of automobiles, agricultural exports, semiconductors, steel, and other items.

Then, closer to the end of the speech, the President said, ''As we continue to expand our economy here at home by expanding our leadership in the global economy, I believe that we have an obligation to support and encourage core labor standards and environmental protections abroad.''

He further said in his speech—this is the President's speech on September 10—''Our goal must be to persuade other countries to build on the prosperity that comes with trade and lift their standards up. As we move forward, we must press countries to provide the labor standards to which all workers are entitled,'' et cetera.

The President said in his speech that we are part of a new world economy. I would say, yes, Mr. President, we are also part of a new world community—a new world community the likes of which we have never seen because of the rapid dissemination of information, the globalization of communication, the instantaneous transmission of images and voice, transmittal of information around the globe. People living in the remotest villages of Africa, China, or Asia now know what is happening in other parts of the world. No longer is it kept from them. Increasingly the people on this planet are going to demand their human rights, their fundamental basic human rights, their individual freedoms. That is what Tiananmen Square was all about.

Yes, Mr. President, you were right. You were right, Mr. President, to say to President Jiang of China that China was on the wrong side of history at Tiananmen Square. You were right, Mr. President. But, Mr. President, to the extent that we have a trade bill before us that limits your authority to negotiate under fast track regarding exploitative child labor, that weakens the provisions dealing with child labor, then you, Mr. President, and this country are on the wrong side of history.

Those may sound like strong words, but as I have read the President's speech, and as I read the fast-track bill before us, one can only come to one conclusion. This legislation takes us in the wrong direction. It severely limits the ability of the President and our trade negotiators to address the issue of exploitative child labor in trade negotiations. That is right. This bill limits the President's authority. The 1988 bill didn't. I will explain this.

In this bill, child labor is included in a category of issues under the heading ''Regulatory Negotiations.'' Under this heading in the bill, negotiations under fast track on child labor may only cover—I will read it—''the lowering of, or derogation from, existing * * * standards.''

That is all. The language does not allow negotiations aimed at getting a country to agree to raise its child labor standards, no matter how weak or nonexistent they may be.

Furthermore, the negotiations may only address cases where the other country's lowering of, or derogation from, its child labor standards is—and I will read it directly from the bill—''for the purpose of attracting investment or inhibiting United States exports.''

I want to make sure my colleagues understand that.

First of all, the President may only negotiate regarding the lowering of, or derogation from, existing labor standards. He can't negotiate on strengthening them. And he may only negotiate regarding the situation where the lowering of, or derogation from, standards is done for the purpose of attracting investment or inhibiting U.S. exports.

What about the case where a country lowers or fails to enforce its child labor standards for the purpose of producing goods at lower cost so it can ship them to the United States? That situation is not mentioned in this language, so the President does not have authority to negotiate on that basis according to the terms of the bill. Allowing the use of exploitative child labor to hold the price of goods down is unfair competition, plain and simple, but a country could do that.

Exploitative child labor in foreign countries unfairly puts competing firms and workers at a disadvantage in the United States and in other countries that do not allow it. Yet, the language in this bill does not indicate that President would have the authority to address that kind of unfair competition against U.S. companies and workers in negotiations and agreements under fast track. As long as the other country is not lowering or derogating from its standards for the purpose of attracting investment or inhibiting U.S. exports, our negotiators cannot negotiate to end this unfair competition.

The bottom line is that this bill limits the President's authority to seek agreements that would curtail exploitative child labor.

It is important to clarify this point. I think people will say ''HARKIN, what are you talking about? How could it limit the President's authority?''

Well, let us examine that question.

Under this bill, the President actually has less authority to negotiate regarding child labor, and submit an agreement to Congress under fast-track procedures, than he had in the most recent fast-track legislation, which was contained in the Omnibus Trade and Competitiveness Act of 1988—the last bill laying out fast-track procedures that we voted on and which this Senator voted for.

That is right. Let me be very clear. The bill before us provides less authority to negotiate on child labor than the bill that we passed in 1988. And that bill has done precious little in terms of exploitative child labor.

Now, let me explain specifically. The 1988 fast-track law was set up in the same way as the bill before us. It had a listing of principal trade negotiating objectives. One of those listed objectives pertained to worker rights, and I will quote from the 1988 law:

The principal negotiating objectives of the United States regarding worker rights are (A) to promote respect for worker rights.

As used in the 1988 fast-track law, the term ''worker rights'' certainly includes the right of children not to be subjected to exploitative labor. That is the plain meaning of the language, and I have confirmed that interpretation with the Congressional Research Service.

So the 1988 fast-track bill clearly included a negotiating objective encompassing child labor and affirming the President's broad authority to negotiate regarding child labor.

Well, now someone, I am sure, will point out that the bill before us specifically mentions child labor. Yes, it does. The 1988 bill did not, although as I noted child labor was encompassed in the 1988 bill under the heading of worker rights. But the 1988 bill and this bill are vastly different from one another in the way they are structured and how they deal with child labor. The 1988 bill's negotiating objectives were written in broad terms to urge the President to pursue worker rights issues which included child labor. The 1988 language was not really written as a limitation on the President's authority, but rather as an affirmation of the President's expansive authority to negotiate on these issues and an encouragement to seek agreements on these issues with other countries.

By contrast, this bill before us is narrowly drawn to circumscribe and limit the President's negotiating authority regarding exploitative child labor. Unlike the 1988 bill, this bill before us is not written to set objectives and encourage the President to reach them, and to do even better if possible, in reaching sound agreements on exploitative child labor.

Understand this. This bill before us says he may negotiate under fast track only agreements designed to prevent other countries from lowering or derogating from existing child labor standards—no matter how low they may be. He may not negotiate under fast track an agreement in which a country would commit to raise its child labor standards if they are too low or if they do not exist.

And further, a fast-track agreement may prevent a country from lowering or derogating from its child labor standards only in cases where it does so for the limited purposes of attracting investment or inhibiting U.S. exports. This bill is very limited on the President's authority to negotiate regarding exploitative child labor. Again, he can only negotiate on agreements designed to prevent other countries from lowering their standards, and then he can only do that if that country is lowering its standards for the limited purpose of attracting U.S. investment or limiting U.S. exports.

Mr. President, you wonder who wrote this. Now, I have in good faith talked a lot to the people around the President about exploitative child labor. I have talked to his Trade Representative in good faith about this issue. And you know, initially they said we are going to put child labor in there. Well, they did, but what they didn't say is they put it in in a way that actually limits the President's authority from what he had in the 1988 bill.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 8 minutes remaining.

Mr. HARKIN. In my remaining time, Mr. President, I would like to explain why my amendment that I will be offering on fast track deals specifically with exploitative child labor in a way that will enhance and strengthen the President's position.

Now, there are other labor provisions that ought to be put into this bill, and there has been a lot of debate and disagreement on ways to address labor, environmental, and health and safety issues in this legislation. I understand the reasons for these disagreements. But, honestly, I do not see how there can be any disagreement on the need to address exploitative child labor and to ensure that the President and our trade negotiators do not have their hands tied when it comes to negotiating and concluding agreements on this issue.

This is the benchmark that I believe should be applied to exploitative child labor in examining the bill before us. It is simply this. The President's authority and our directions to him to negotiate on exploitative child labor should be no less than that for the other important issues contained in this bill.

Using that benchmark, I would invite my colleagues to examine the fast-track bill that we have before us. This bill has numerous principal negotiating objectives dealing with a wide range of issues—trade in goods, trade in services, foreign investment, intellectual property, agriculture, unfair trade practices, a host of them.

Again, with respect to all of these other issues, the bill is drafted to articulate objectives, to give guidance and direction to the President, to ensure that the President has sufficiently broad and expansive negotiating authority and to encourages him to use it—a far cry from the limiting way child labor is addressed in this bill.

Look at the language dealing with intellectual property. The bill sets ambitious goals here and confirms the President's broad authority to negotiate and submit any resulting agreement under fast track. In fact, one of the principal negotiating objectives on intellectual property is ''the enactment and effective enforcement by foreign countries of laws that recognize and adequately protect intellectual property.''

Now, when it comes to intellectual property, the President is not limited to negotiating under fast track only to prevent other countries from lowering or derogating from existing standards. Nor is negotiation limited only to those cases where a country is seeking to attract investment or inhibit U.S. exports.

To protect intellectual property, the President is to seek agreements in which other countries commit to adopt and enforce higher standards if they need to. Not so for child labor. And his negotiating authority to protect intellectual property covers the broad range of ways in which intellectual property rights may be violated. Again, not so for child labor.

My amendment regarding exploitative child labor simply tracks the language in the bill on intellectual property. It is basically the same language, with conforming modifications. My amendment ensures that the President has the same authority to negotiate on exploitative child labor as he has on protecting intellectual property. It puts into the bill that one of our trade negotiating objectives includes the enactment and effective enforcement by other countries of laws against exploitative child labor. It adds exploitative child labor to the bill as a negotiating objective.

My amendment does not tie the President's hands. It does not say there has to be a predetermined outcome on child labor in trade negotiations. It just says that in dealing with exploitative child labor, the President has the authority, the same authority, as he has to protect against the pirating of a song, a computer chip or a compact disc. We ought to ensure this bill gives the President the same authority to seek protection against exploitative child labor as a means of unfair competition as he has to seek protection against the misappropriation of intellectual property as a means of unfair competition.

My amendment says that exploitative child labor will be on the table during negotiations. It will be one of our principal trade negotiating objectives. It will have the same status and stature as intellectual property.

Mr. President, again I am not talking about 18-year old kids working, or 17-year-old kids, no. This is what I am talking about right here. This picture is of a young girl working in a field in Mexico after NAFTA. We have more children working in Mexico today after NAFTA than we did before. And I do not mean just teenagers. I mean kids 8, 9, 10 years of age, too. And yet we had some side agreements covering child labor on NAFTA, but they are not being enforced.

We have over 200 million working kids in the world today, more and more being put into factories and plants and, yes, agriculture. My Iowa farmers can compete against anyone in the world, but they cannot compete against that girl because that girl is a slave laborer. That is slave labor. This girl has no choice. She has no options. She cannot go to school. She cannot go to school because she is out in the fields all day, the same as a kid working in a glass factory, a shoe factory, a garment factory, or a rug factory. And these are often kids that are 8, 9, 10 years old.

Now, I believe that our trade negotiators and the people down at the White House have the best of intentions. I am sure there is no one there who likes exploitative child labor. For the life of me, I cannot understand why they sent a bill to us such as they did and why they will go along with such a weak bill relating to exploitative child labor. If they would only compare this bill with the one in 1988, they would understand that the bill before us curtails, circumscribes and limits the President's authority on exploitative child labor relative to the 1988 bill.

I have been talking to people down at the White House about putting exploitative child labor in this bill at the same level as intellectual property, but for some reason they just cannot quite seem to get on board.

There was a time not too long ago when intellectual property rights were regarded as extraneous to trade, just as some argue child labor is today. I remember when I was in the Navy back in the 1960s. People would go to Taiwan and they would get records for perhaps 10 cents each—books and encyclopedias for just pennies—because Taiwan was pirating the records; they were pirating the books and printing them. I remember people I knew in the Navy would go to Taiwan and load up with books and records, but today there are international rules in trade agreements to protect intellectual property. So there was a time when intellectual property was considered extraneous to trade agreements. Not so today. Exploitative child labor should not be extraneous today.

Yes, we are in a new era. We are in a new world economy, but we are also in a new world community. And just as we have taken the lead in the world economy, as we have taken the lead in breaking down trade barriers—and I believe we should—we must take the lead in stopping this, the last vestige of slavery in the world today, exploitative child labor.

We can debate and discuss labor issues, environmental issues, and there are all kinds of different perspectives and arguments about them. There should be no argument on exploitative child labor. There should be no disagreement on this. There are distinct lines. Children should not be working like this. Our trade negotiators, when they sit down at that table, ought to be negotiating on exploitative child labor. It ought to be a trade negotiating objective. It ought to have the same stature, the same force, the same effect as intellectual property because not only is this a moral imperative of ours; it is imperative to stop it as unfair competition because that child laborer, that child slave, is producing goods that are sent to this country, that compete against our products. My farmers cannot compete against that. Our workers cannnot compete against that. They should not have to compete against it. This bill is fatally flawed and the administration needs to send get behind the amendment that I will be offering. We need to adopt that amendment to make sure that stopping exploitative child labor has the same force and effect, and the same level of authority, in trade negotiations as stopping the pirating of intellectual property.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. HUTCHINSON). The Senator from Massachusetts.

Mr. KERRY. Mr. President, I believe my order is to speak in morning business.

The PRESIDING OFFICER. That is correct. The Senator, under the previous order, has 20 minutes.

WE MUST BE FIRM WITH SADDAM HUSSEIN

Mr. KERRY. Mr. President, I will speak tomorrow on the subject of fast track. I wish to talk this evening about another subject that has not received as much conversation on the floor of the Senate as it merits—because, while we have been focused on fast track and on a lot of loose ends which must be tied up before this first session of the 105th Congress can be brought to a close, a very troubling situation has developed in the Middle East that has ominous implications, not just for our national security but literally for the security of all civilized and law-abiding areas of the world.

Even after the overwhelming defeat that the coalition forces visited upon Iraq in and near Kuwait in the Desert Storm conflict, Iraqi dictator Saddam Hussein's truculence has continued unabated. In the final days of that conflict, a fateful decision was made not to utterly vanquish the Iraqi Government and armed forces, on the grounds that to do so would leave a risky vacuum, as some then referred to it, in the Middle East which Iran or Syria or other destabilizing elements might move to fill.

But instead of reforming his behavior after he was handed an historic defeat, Saddam Hussein has continued to push international patience to the very edge. The United Nations, even with many member nations which strongly favor commerce over conflict, has established and maintained sanctions designed to isolate Iraq, keep it too weak to threaten other nations, and push Saddam Hussein to abide by accepted norms of national behavior. These sanctions have cost Iraq over $100 billion and have significantly restrained his economy. They unavoidably also have exacted a very high price from the Iraqi people, but this has not appeared to bother Saddam Hussein in the least. Nor have the sanctions succeeded in obtaining acceptable behavior from Saddam.

Now, during the past 2 weeks, Saddam again has raised his obstinately uncooperative profile. We all know of his announcement that he will no longer permit United States citizens to participate in the U.N. inspection team searching Iraq for violations of the U.N. requirement that Iraq not build or store weapons of mass destruction. And he has made good on his announcement. The UNSCOM inspection team, that is, the United Nations Special Commission team, has been refused access to its inspection targets throughout the week and once again today because it has Americans as team members. While it is not certain, it is not unreasonable to assume that Saddam's action may have been precipitated by the fear that the U.N. inspectors were getting uncomfortably close to discovering some caches of reprehensible weapons of mass destruction, or facilities to manufacture them, that many have long feared he is doing everything in his power to build, hide, and hoard.

Another reason may be that Saddam Hussein, who unquestionably has demonstrated a kind of perverse personal resiliency, may be looking at the international landscape and concluding that, just perhaps, support may be waning for the United States's determination to keep him on a short leash via multilateral sanctions and weapons inspections. This latest action may, indeed, be his warped idea of an acid test of that conclusion.

We should all be encouraged by the reactions of many of our allies, who are evincing the same objections to Iraq's course that are prevalent here in the United States. There is an inescapable reality that, after all of the effort of recent years, Saddam Hussein remains the international outlaw he was when he invaded Kuwait. For most of a decade he has set himself outside international law, and he has sought to avoid the efforts of the international community to insist that his nation comport itself with reasonable standards of behavior and, specifically, not equip itself with implements of mass destruction which it has shown the willingness to use in previous conflicts.

Plainly and simply, Saddam Hussein cannot be permitted to get away with his antics, or with this latest excuse for avoidance of international responsibility.

This is especially true when only days earlier, after months of negotiations, the administration extracted some very serious commitments from China, during President Jiang Zemin's state visit to Washington, to halt several types of proliferation activities. It