So the gun safety provisions in the juvenile justice bill are simply commonsense measures that Congress should have enacted a long time ago.

First, we have to close the gun show loophole. There is no question that closing the gun show loophole will help prevent guns from getting into the wrong hands, including the hands of schoolchildren.

The proof is in the testimony of Robyn Anderson before the Colorado Legislature. She is the young woman who went with Eric Harris and Dylan Klebold to the Tanner gun show in Adams County, CO. She bought two shotguns and a rifle for Klebold and Harris, three of the four guns that they later used in their massacre, their shooting rampage at Columbine High School.

She testified, saying very clearly:

> Eric Harris and Dylan Klebold had gone to the Tanner gun show on Saturday and they took me back with them on Sunday. . . . While we were walking around, Eric and Dylan kept asking sellers if they were private or licensed. They wanted to buy their guns from someone who was private—and not licensed—because there would be no paperwork or background check.

She said:

> It was too easy. I wish it had been more difficult. I wouldn't have helped them buy the guns if I had faced a background check.

More recently Patty Nielson, a teacher at Columbine High School, spoke about the need to close the gun show loophole. She said:

> All we know for sure is that if they [Klebold and Harris] hadn't gotten these guns, they never would have killed those innocent people. And the shocking thing is that they got those guns so easily from the gun show.

Mr. REID. Will the Senator from New Jersey withhold? The leader is on the floor to make a unanimous consent request.

Mr. LAUTENBERG. I certainly would agree to that provided that I regain the floor.

Mr. LOTT. Mr. President, I did not hear the request, but I understand that Senator LAUTENBERG will yield so that I can proceed to a unanimous consent request at this time.

Parliamentary inquiry, Mr. President. I believe that we are postcloture now, and the subject for debate should be the African and CBI trade bill; is that correct?

The PRESIDING OFFICER. Yes, that is correct. In a postcloture situation, debate is supposed to be germane to the bill.

UNANIMOUS CONSENT AGREEMENT—S. 2521

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to the military construction appropriations bill, S. 2521, immediately following the adoption of the African trade conference report; further, there be debate only relative to the bill, other than any amendments offered and cleared by the two managers, which would continue until 2:15 p.m. on Tuesday, May 16, 2000.

This has been cleared with the Democratic leadership. We are extending it until this time on Tuesday at the request of our colleagues on the other side of the aisle.

The PRESIDING OFFICER. Is there objection?

Mrs. BOXER. Reserving the right to object, I just want to make sure that those of us who want to speak about the Million Mom March that is coming this weekend, where we may see a quarter of a million or more moms here, and thousands more across the country, are not precluded under this UC from speaking on it in morning business. If it requires an amendment to the UC, I would hope we could work that out. Otherwise, I will object because we could talk about a lot of things, but there is no question the Million Mom March deserves to be discussed. Senator LAUTENBERG has a resolution praising the moms, and I think we should be able to discuss that.

Mr. LOTT. Mr. President, I might say, this does not preclude that. But the rules of the Senate are that once you vote on cloture, and the fact that cloture was adopted, postcloture, the debate has to be on the cloture item.

If the Senators want to talk on this subject, we will be glad to talk with them about the appropriate time to do it. But under the rules, the regular order will be that we have debate on this measure.

Mr. MOYNIHAN. After a vote on final passage, this would be entirely in order, and if a resolution is to be offered, then you could deal with the resolution; but you could not deal with it now, is that right? I ask that question of the majority leader.

Mr. LOTT. Mr. President, if I may, I inquire of the Senator, what was the question?

Mr. MOYNIHAN. After we have a vote on final passage, then these matters would be entirely in order, correct?

Mr. LOTT. As a matter of fact, after the vote on the conference report, it would be debate relative to the pending bill only. But, again, we always work together to find time for Senators to have morning business and talk on subjects that they wish to talk about. But we are trying to set up a process to complete the African trade bill and then move to the military construction appropriations bill. We have it worked out. Again, we will be glad to talk to Senators who may be interested in a time when that could be done. But the rules do not allow that now.

Mrs. BOXER. I understand. I am going to have to object at this time.

The PRESIDING OFFICER. Objection is heard.

Mrs. BOXER. I want to see it. My understanding is we are going to MILCON and we will not necessarily have an opportunity to speak—maybe we can put in a quorum call until I see that.

The PRESIDING OFFICER. The Senator from New Jersey has the floor.

Mr. REID. Mr. President, I ask the Senator from California to withhold her objection.

The PRESIDING OFFICER. She has already objected. The Senator from New Jersey has the floor.

Mr. LOTT. Mr. President, I hope we can work this out in some amicable way. The regular order is that debate now is on the African trade and CBI conference report.

The PRESIDING OFFICER. That is correct.

Mr. REID. Mr. President, if the Senator will yield, I know the Senator from New Jersey has the floor. In an effort to resolve this, I wonder if the leader would consider, prior to going to the military construction bill, that there be a period of time for Senators to discuss this march.

Mr. LOTT. Mr. President, again, I think we can work out a time to do this. We have a problem in that the manager of the bill has a time problem—or one of the managers—and she has to leave later on this afternoon.

Mr. REID. Also, there is nothing to prevent Senators from talking while the bill is pending.

Mr. LOTT. The point is, it would take consent in order for that to happen. Generally speaking, as long as everybody is being considerate of each other—we haven't objected to Senator LAUTENBERG speaking. But he would not be able to speak on the subject if Senators objected. He actually has spoken on both. I think we are making a mountain out of a molehill here, and we ought to be able to work through this.

Mr. REID. We will continue to work on this.

Mr. LOTT. Should I renew the request at this time?

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

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

Mr. LOTT. Mr. President, let me say again, we worked very hard on both sides of the aisle to accommodate Senators on both sides of the aisle, including their desires to speak, but also the managers' desire to do some of their work and still be able to make other commitments. In this case, we are actually trying to protect the ranking member, Senator MURRAY, from Washington State. We ought to be able to work through that. I hope Senators will be understanding of the managers' desire to make some progress on the MILCON bill today. But at their request, which I think is reasonable, we will strike the ''relative to the bill'' part of the request and I will renew it.

I ask unanimous consent that the Senate proceed to the military construction appropriations bill, S. 2521,

immediately following the adoption of the African trade conference report, and further, there be debate only, other than any amendments offered and cleared by the two managers, which would continue until 2:15 p.m. on Tuesday, May 16, 2000.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LOTT. Mr. President, I thank Senator REID and all Members. Further, I assure the minority leader that I don't intend to file a cloture motion on this bill this week. I think we can make progress on military construction. It has broad support because of what is in the base bill and also because it has the emergency funding for Kosovo and fuel for the military. I believe we can complete this bill this week.

Mr. LAUTENBERG. If the majority leader will yield, when would he expect that the MILCON bill will come up and be available for debate?

Mr. LOTT. I believe we will be able to finish the debate remaining on the Africa trade bill, and sometime between 12 and 1 o'clock get a vote on that, and then we would go to MILCON. The managers would like to spend, obviously, some time on the substance of that, and then we will go forward from there.

Mr. LAUTENBERG. Would there be any likelihood of a vote tomorrow on that?

Mr. LOTT. No. We will vote on the Africa trade bill today, but then we will go to debate only on MILCON, and that would go until 2:15 until Tuesday. There would be no votes on that until Tuesday.

I yield the floor.

Mr. REID. Will the Senator yield? We have a couple more speakers on this side. Senator HARKIN is one of them and he said he would be willing to speak after the vote.

Mr. HARKIN. I will speak after the vote.

Mr. REID. One of our members is tied up in judiciary, or we could be finished by noon. We will try to get him back here and speed this thing up.

Mr. LOTT. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

Mr. LAUTENBERG. Mr. President, the teacher, Patty Nielson, from Columbine is right in her statement. It is shocking that anyone can get a gun so easily at a gun show. The American people understand this issue. In every poll, more than 80 percent of the American people support background checks at gun shows. In fact, two-thirds of the gun owners—66 percent—support background checks on all gun sales at gun shows. Some of the other loopholes in our gun laws are also shocking. There is no reason why we should allow large-capacity ammunition clips to be imported. We banned them from being manufactured in this country, but they can still be brought in, imported.

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

Mr. LAUTENBERG. Yes.

Mr. DURBIN. I would like the Senator to respond to these questions. I want to put the importance of this resolution in context.

The Senator mentioned that it was April 10 of last year that we had the Columbine tragedy.

Mr. LAUTENBERG. April 20.

Mr. DURBIN. April 20, 1999. And if I am not mistaken, 12 or 13 high school students were killed, and more were injured during the course of that time. America was fixed on this event as no other event, despite all the gun violence, when we consider it could happen at a high school such as Columbine.

Is the Senator from New Jersey able to tell me what the response was of the Senate to that tragedy?

Mr. LOTT. Mr. President, I call the Senate to order.

The PRESIDING OFFICER. The debate must be germane to the African trade conference report.

Mr. LAUTENBERG. It is regular order.

Mr. President, I have the right to establish the connection between the trade industry, and that is how I started my remarks. The fact is that one of the purposes of getting this trade matter into law is to make sure the countries we deal with that are having severe economic problems, where we see starving populations, where we see human rights ignored, corruption rampant—that is the mission of what we are doing this day. Frankly, I am not doing it exclusively so we can do more business. We would like to do more business.

The fact is that trade has another significant implication. It is a foreign policy implication. How do we deal with it? When we look through the television cameras today, we see people with malnutrition, disease, starving. We are hoping we can do something to try to alleviate those conditions.

Why is it out of order? I ask the Parliamentarian, why is it out of order to talk about the subjects that relate at home to the same things we are trying to do to help overseas? I don't understand it. I must say that I have to pose that to the Parliamentarian.

We are never so strict that you can't talk about matters that relate indirectly. Or are we going to measure it word by word what is being said here? I think it is an invasion, I must say, of the Senator's right to speak on an issue.

I am not finished with remarks on the trade commentary. I intend to close with the trade commentary.

The PRESIDING OFFICER. All debate must be germane to the conference report.

Mr. LAUTENBERG. Mr. President, the distinguished Senator from New York, everybody's good friend here, wishes to ask a question of the majority leader. I would like Senator MOYNIHAN to ask him to respond with the assurance that I get the floor, if we abandon the debate now.

The PRESIDING OFFICER. The Senator from New York.

Mr. MOYNIHAN. Mr. President, might I ask the distinguished and forbearing majority leader, if we have a vote on the African trade bill, if the Senator from New Jersey could speak to the matter he is discussing?

Mr. LOTT. Mr. President, I believe under the unanimous consent request we agreed to that he would be able to do that.

Mr. LAUTENBERG. That I be able to recapture—we are asking the majority leader. He speaks very clearly. I have the assurance that I will be recognized immediately after to finish the comments that I was making.

Mr. LOTT. Mr. President, could I inquire?

The PRESIDING OFFICER. The majority leader.

Mr. LOTT. Mr. President, I ask Senator LAUTENBERG if he can give us some idea about how long he thinks that might take. The reason I am inquiring again is that we do have managers of the bill who have a time problem. I would like to encourage the Senator to talk with them and get some time agreements so they can move forward with the military construction bill. I feel as if they will be able to work something out with you.

Mr. REID. Mr. President, we have two of our Senators who want to speak on the African free trade bill. One of the Senators wishes to speak after the vote. I placed a call and spoke to the other Senator. He is going to call me back in a few minutes as to whether he could do the same. If that is the case, the vote will take place as soon as the leader wants it on the Africa trade bill, and then they can speak after that.

Mr. LOTT. Mr. President, I am not managing the bill. I know there is at least one more Senator on the floor who wants to speak on the trade bill. I understand there may be one or two on this side. We have about four or five speakers.

Mr. REID. We have three on our side.

Mr. LOTT. And a couple on our side.

Mr. REID. One of the Senators wants to speak for 45 minutes on our side. That is why I was trying to see if we could work it out so she could speak after the vote.

Mr. LAUTENBERG. What is our status, Mr. President? I am going to ask for a vote on germaneness, if the interpretation stands.

I thought we had an accommodation with the majority leader —I was trying to be helpful—to give us a chance to finish the debate on the subjects as I described, and to make way for the vote to take place in an expeditious fashion but guaranteeing me by unanimous consent now to be able to get the floor after the vote on the trade bill has taken place. If that is the case, I will yield the floor so we can get on to the business.

I would like that representation to be made now and clearly understood.

Mr. LOTT. Mr. President, as I understand it, the debate now postcloture has to be on the African-CBI trade bill. After that vote occurs, which shouldn't be too long from now, we would go to the military construction appropriations bill. I assume that Senators who wish to speak on this subject will want to talk with the managers of that MILCON bill, including the Senator from Washington on the other side of the aisle, who has a time problem, and work something out. I assume you can get that worked out.

I didn't know there was a consent that had been asked for that would guarantee that or how long that would be. And I am not sure the Senator wants to do that until he talks to Senator MURRAY to see what her situation is.

Mr. LAUTENBERG. Mr. President, as the majority leader knows very well, there is some dispute on this issue. And I have the floor. I have tried to conduct myself as the rules provide.

What I am asking the majority leader now is, if I propound a unanimous consent request, I be recognized after the vote on the trade bill and that I be permitted to speak at that time, to regain the floor. I think it is a reasonable request based on the debate that is going on now. Otherwise, we are going to have more delays than we would like to see. I want to get the African trade bill out of the way.

Mr. LOTT. Mr. President, I don't believe there has been a unanimous consent request propounded. If there is one propounded, will the Senator be willing to include in that a time period for how long it would take? If he takes a couple of hours, he has a major problem because of his own Member's schedule. If he needs 10 minutes, then I think we could do that.

Mr. LAUTENBERG. I have a couple of requests. I would try to do it in 40 minutes, and work on even compressing that, I say to the leader—but 40 minutes maximum.

Mr. HARKIN. Reserving the right to object, if there is such a thing going on right now, some of us want to speak. If I may say, I happen to be in favor of the African trade bill. I am willing to speak after the vote. I just want to make sure we are allowed to speak on the African trade bill.

Mr. LOTT. The African trade bill? Why don't you speak now?

Mr. HARKIN. I would like to speak now. But I don't have the floor right now, and I can't get the floor.

Mr. LAUTENBERG. We can release the floor, if the leader will give me consent, and we can move on to the business.

Mr. REID. As I understand what the Senator from New Jersey said, he and the other two speakers would be willing to agree to a 40-minute time agreement today. Is that the correct way I understood the Senator from New Jersey?

Mr. LAUTENBERG. Yes.

Mr. LOTT. Mr. President, I wish the Senators would at least talk to the Senator on their side of the aisle as to the time problem and see what Senator MURRAY has to say because I feel a little funny here. I am protecting Senator MURRAY's desire to do her part early. I think we could, if the Senator would agree to do this after Senator MURRAY speaks, and opening statements are made—I wish the Senator would talk to her we could agree to that. I presume it would be about 3:30 this afternoon, or so.

Mr. REID. I can't speak to this. Senator BOXER would be happy to talk to our friend. I think 40 minutes would probably do it.

Mr. LOTT. I would like to urge the Senator to talk to Senator MURRAY and see if that is agreeable with her, and to the managers of the bill.

Mr. LAUTENBERG. We want to accommodate. I tell the leader that. Perhaps we can move it along by saying that after the opening statements by the managers—they introduce their managers' amendment—I then be able to regain the floor for the 40 minutes about which we are talking. I think that will allow us to move things along at a good pace.

The PRESIDING OFFICER (Mr. ALLARD). Is there objection?

Without objection, it is so ordered.

Mr. CRAIG. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Is that propounded as a unanimous-consent request or simply the Senator——

The PRESIDING OFFICER. It was. It was a unanimous-consent request.

Mr. CRAIG. I object.

The PRESIDING OFFICER. Objection is heard.

Mrs. BOXER. Mr. President, it was already agreed to. You already said it was agreed to.

The PRESIDING OFFICER. No, the Senator has the right to reserve the right to object.

The Senator from New Jersey has the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, I ask unanimous consent Senator LAUTENBERG be given 30 minutes after the opening statements and the managers' amendments are offered on the military construction bill, so we can speak on the subject about which he has been speaking this morning.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Iowa.

Mr. HARKIN. Mr. President, I rise to, first of all, support enthusiastically the Trade and Development Act of 2000 known as the African Growth and Opportunity Act.

I thank Chairman ROTH, Senator MOYNIHAN, and the staffs for their hard work to retain the amendment I offered on child labor. This is an important piece of legislation not only for the trade benefits it promises to African and Caribbean countries, but for the benefits it promises to another important and often neglected group, the world's children.

This bill includes a provision I introduced last year in the form of an amendment when we first considered this trade measure. As many of you will recall, my amendment, cosponsored by Senators HELMS and WELLSTONE, sought to ensure that beneficiaries of U.S. trade preferences fulfill their commitments to eliminate the use of abusive and exploitative child labor.

My amendment passed the Senate by a resounding vote of 96–0. The provision contained in this conference report is very simple and straightforward.

It builds on the international consensus that came out of the ILO conference in Geneva last June in which the delegates unanimously adopted the Convention to Eliminate the Worst Forms of Child Labor.

This provision simply states that in order to be eligible for the trade benefits in this bill, the Generalized System of Preferences, the Caribbean Basin Initiatives, the African Trade Preferences, a country must implement its commitments to eliminate the worst forms of child labor as established by ILO Convention 182 for the Elimination of the Worst Forms of Child Labor—it is that simple.

ILO Convention 182 defines the worst forms of child labor as all forms of slavery, debt bondage, forced or compulsory labor, the sale or trafficking of children, including forced or compulsory recruitment of children for use in armed conflict, child prostitution, children producing or trafficking in narcotic drugs, or any other work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety, or morals of the children.

This chart illustrates the ILO Convention on the Worst Forms of Child Labor, including child slavery, bondage, prostitution, use of children in pornography, trafficking in children, forced recruitment in armed conflict, recruiting children in the production or sale of narcotics, and hazardous work. These are all the items that are covered in the bill before us.

For the first time in history, the world will speak with one voice in opposition to abusive and exploitative child labor. Countries from across the political, economic, and religious spectrum—from Jews to Muslims, from Buddhists to Christians—came together to proclaim unequivocally that

abusive and exploitative child labor is a practice that will not be tolerated and must be abolished. Those are the exact words from the convention.

So after ILO Convention 182 was adopted unanimously, gone is the argument that abusive and exploitative child labor is an acceptable practice because of a country's economic circumstances; gone is the argument that abusive and exploitative child labor is acceptable because of cultural traditions; and gone is the argument that this form of child labor is a necessary evil on the road to economic development.

When this convention was adopted and approved, the United States and the international community as a whole laid those arguments to rest and laid the groundwork to begin the process of ending the scourge of abusive and exploitative child labor.

Additionally, for the first time in history, the U.S. tripartite group of the ILO, which consists of representatives from government, business, and labor, unanimously agreed on the final version of the convention. This is the first time in history this has happened.

For the first time ever in our history, the legislation we have before us—the African trade bill—will codify in U.S. trade law a simple notion: If you want the trade benefits outlined in this bill, you must implement commitments on abusive and exploitative child labor into which your country has freely entered.

Let me be clear. What I mean by abusive and exploitative child labor is not a kid helping on the family farm. It is not a kid doing work after school. There is nothing wrong with that. I worked in my youth. I bet you probably did too, Mr. President, as all of us did. That is not what we are speaking about.

The Convention the ILO adopted last year deals with children chained to looms, who handle dangerous chemicals, ingest metal dust, are forced to sell illegal drugs, are forced into child prostitution, are forced into armed conflict, are forced to work in factories where furnace temperatures exceed 1,500 degrees. It deals with children who are forced to work to pay off their parents' debts in a form of bondage that deserves to be called what it is, outright slavery.

According to the ILO, Latin America and the Caribbean has about 17 million children doing this type of work, Africa has about 80 million children, Asia has about 153 million, and there are about a half million in Oceania. That totals about 250 million children worldwide who are working—most full time. Millions of these kids are under 10 years of age. Some are as young as 6 or 7.

Can you imagine your first-grade son or daughter, or your first-grade grandson or granddaughter, working 12 to 14 hours a day in horrific conditions making just pennies a day, if anything? Can anyone say this is acceptable for any child anywhere in the world?

These children are forced to work many times with no protective equipment. They endure long hours, as I said, for little or no pay. They simply work only for the economic gain of others. They are denied an education and the opportunity to grow and to develop.

Again, this is in sharp contrast to any kind of a part-time job after school for spending money or to buy the latest CD. That is not what we are talking about. We are talking about kids working in the worst conditions you can imagine. I am not talking about teenagers, I am talking about kids under the age of 10.

A lot of times, people will say: Well, that is just what you heard. But I have had firsthand experience and exposure to this.

About 2 years ago, Rosemary Gutierrez, of my staff, and I traveled to Pakistan, India, Nepal, and Bangladesh to investigate and look at the issue of abusive and exploitative child labor. We were in Katmandu, Nepal. We had previously been told of a young man who had worked as a child laborer for a number of years. He escaped, and through various and sundry means he became involved actively in working against child labor in his home country of Nepal.

Through various contacts, we contacted this young man and asked him if there was any way possible we could get in to see a carpet weaving facility where kids are working.

As others told us, the problem is, if you let a factory owner know you are coming to inspect, or to visit, they take all of the kids out the back door. They hide them. They disperse them around. When you get there, there are no kids. They do this all the time.

So the only way we could ever get a feel for what was going on was to surreptitiously and under cover try to enter one of these places. That is what my staff person, Rosemary Gutierrez, and I did with this young man from Nepal.

We got in an unmarked car. It was on a Sunday evening. He knew about this one plant on the outskirts of town where he knew one of the guards at the gate. He thought he had found out the owner of this factory was going to be gone. He knew the guard at the gate through I don't know what circumstances. He assured us, if he went out there, he would be able to sneak us in so we could see firsthand.

Imagine, we are in this unmarked car. My staff person, Rosemary Gutierrez, and another person, about five of us, I think, were cramped in this small, unmarked car. We drive out to this place on the edge of town, darkness has fallen. We walk up to this gate with an armed guard.

What is the first thing we see? A sign in both Nepalese and English. I took a picture of it. This is my picture. It says: Child labor under the age of 14 is strictly prohibited. Right there in front of the gate. It is in English and Nepalese.

Had we notified this plant owner we were coming, there would not have been one kid in this place. However, we came, the guard spoke with this young Nepalese man and let us through the gate. We walked down a back alley for about 15 yards, took a turn, and there was a building. We went in the door of the building that was all closed up. It is Sunday night about 7 o'clock in the evening. It is dark and wintertime.

We walk in the door and here is what we saw. This is only one picture, I have many others. This picture was taken by my staff person. That is me in the picture, I wanted to show proof positive of what was happening. Here are these kids. You cannot see them because the camera flash doesn't go back far. There are dozens of kids working at these looms. It is nighttime and kids are working the looms. Since I had this young Nepalese man with me who spoke Nepalese, they were talking. The kids were very nervous but I talked to this young child and the best we could determine he is 7 years old. We talked to this young girl shown in another picture and determined she was eight or nine years old. Remember, this is in the evening, they have been working all day in this closed building. I didn't know it at the time, but when you make these carpets, all the dust gets in the air; the place is dusty, anyone can see all the fine particles and the children have no protective gear whatever. We saw this firsthand.

To finish my story, it turned out the owner was not gone. After we had been there for about 10 minutes, the owner shows up and, of course, he is beside himself. I told him who we were and he asked us—not politely—to get out. Of course, we left—but not until we had the documented proof with photos. As I said, this is only one of many that I have. My staff person and a couple of other people were there to witness the kids, kids taken away from their countryside families. There was a barracks nearby where they live. They eat their meals there, they sleep there, they work here. This is maybe 50 or 100 feet away from the barracks in a compound which they cannot leave.

Tell me they are not slaves. They have no right to leave, they have no right to go home, they have no one protecting them. They are kept locked in a compound day and night, forced to work on these looms. Please, someone tell me that this ought to be tolerated in free trade.

This legislation before the Senate, the African trade bill, contains this provision that says from now on, no trade preferences to any country that doesn't implement what is already agreed to, implement the provisions of ILO 182.

Our goal is not to enact punitive sanctions on our trading partners. We are trying to use trade to help them emerge from poverty. Rather, it is to encourage and persuade them to build on the prosperity that comes with

trade and to lift their standards up. Exploitative child labor in other countries does a couple of things. First, it puts competing firms and workers at a disadvantage in the United States and other countries that do not allow child labor. This legislation before the Senate codifies for the first time ever in U.S. trade legislation the requirement that countries who wish to benefit from trade preferences must actually do what they have already committed to do, and that is to eliminate the worst forms of child labor.

Additionally, the Department of Labor will produce an annual report on what countries are doing in order to live up to their commitments to eliminate child labor. Furthermore, there will be a public hearing annually so that nongovernmental organizations, trade unions, and businesses will have an opportunity to comment. No longer will it be sufficient for a country to be merely ''taking steps'' to address one or more of the internationally recognized core labor standards to be deemed eligible for preferences under GSP or under the African Caribbean Trade Act.

Once the President signs this bill into law, a country's efforts to eliminate the worse forms of child labor will be a mandatory consideration for determining eligibility for trade benefits. This is, indeed, an important development. In the past, the U.S. Trade Representative, in its implementation and enforcement of the generalized system of preferences, I believe, has abused the language in the statute calling for taking steps to afford worker rights, including child labor. The USTR has interpreted that as any one gesture made by a country would be enough to satisfy the requirements of the generalized system of preferences.

In other words, there is a list of five internationally recognized workers' rights provisions: the right of association; the right to organize and bargain collectively; a prohibition on the use of any form of forced or compulsory labor; a minimum age for the employment of children; and acceptable conditions of work with respect to minimum wages, hours of work, and occupational safety and health.

If a country previously had taken a step in any one of those areas, they would get GSP. If they had the right of association but still had children working they could get GSP. This is wrong.

Now, after 15 years, we have a universal standard. ILO Convention 182 is a well-defined and internationally accepted standard that will be the criterion used in granting any country U.S. trade benefits. ILO Convention 182 will hold everyone to one real and enforceable standard already agreed to by 174 countries.

I believe in free trade. But I also believe in a level playing field. U.S. workers, workers in other countries, cannot compete with slaves. Call it what you want, dress it up with all kinds of fancy words, but these kids are working under slave-like conditions, and they do not have a choice. That is the definition of slavery.

When a child is exploited for the economic gain of others, that child loses, their family loses, their country loses, and the world loses. It is bad economics and bad development strategy. Nations that engage in abusive child labor make bad trading partners.

A nation cannot achieve prosperity on the backs of its children. There is simply no place in the new global economy for the slave labor of children.

Again, I point out, this is the kind of work we are talking about. This is 8-year-old Mohammad Ashraf Irfan, making surgical instruments in Sialkot, Pakistan. He is working with dangerous tools and he is making surgical equipment. If you are going to go into a hospital and have an operation, you are probably going to have one of these used on you, made by an 8-year-old kid with no hope for his future.

Here is a young Indian girl carrying construction material. This is the kind of abusive and exploitative child labor we are talking about.

Recently, I came across a startling statistic. According to the UNICEF report entitled ''The State of the World's Children, 1999,'' nearly 1 billion people will begin this 21st century unable to read a book or sign their name because they are illiterate. This is a formula for instability, violence, and conflict.

Nearly one-sixth of all humanity, 3½ times the population of the United States, will be functionally illiterate on the eve of the new millennium. That is shocking. And the main reason for this appalling situation is that many of these people who are adults now were forced to work as children instead of attending school.

The children making pennies a day and denied an education will never buy a computer or the software for it. They will never purchase a CD or a VCR to play American movies. By allowing abusive and exploitative labor to continue, we not only doom the child to a future of poverty and destitution, we doom future markets for American goods and services.

The markets of tomorrow are taking shape today. If we want American goods to be purchased the world over, people not only have to be able to afford them, they have to be educated enough to be able to use them.

Some have said labor issues should not be dealt with in trade measures. I think this is wrongheaded thinking. We should be addressing these issues on trade measures. After all, we are ultimately talking about our trade policy.

Not long ago, agreements on intellectual property rights were not considered measures to be addressed by trade agreements. In the beginning, just a few years ago, only tariffs and quotas were addressed by GATT because they were the most visible trade-distorting practices. But over the years, GATT evolved to include intellectual property rights and services which have become integral parts of our trade agreements.

Now I understand the WTO, the World Trade Organization, will consider rules dealing with foreign direct investment and competition policy to be part of trade agreements. If we can protect a song, if we can protect a CD, certainly we can protect children.

We cannot, as a nation, ignore this. In 1993, the Senate put itself on record in opposition to the exploitation of children by passing a sense-of-the-Senate resolution that I submitted. In 1994, as chairman of the Appropriations Subcommittee on Labor, Health and Human Services, I requested the Department of Labor to begin a series of reports on child labor. These reports now consist of five volumes with a sixth to be released in a few days. They represent the most comprehensive documentation ever assembled by the U.S. Government on this issue.

Last year, President Clinton issued an Executive Order prohibiting the U.S. Government from procuring items made by forced or indentured child labor. I congratulate President Clinton for taking that step.

I am also pleased to say that the United States was one of the very first countries to ratify ILO Convention 182. We did it in near record time, and President Clinton signed this. I was there in Seattle at the WTO conference last December. Again, I compliment and commend President Clinton for his bold action in signing this, the U.S. being one of the first countries to sign on to ILO Convention 182.

I also compliment and commend the chairman of the Foreign Relations Committee, Chairman HELMS, for not only cosponsoring my amendment but also for his work in getting the ILO convention through his committee and through the Senate in record time last year. Chairman HELMS did a great service to this effort to eliminate these worst forms of child labor around the world. I commend Chairman HELMS for his leadership in this area.

I am not just talking about the ratification. I am talking about the standards that were established by this convention that were unanimously accepted in Geneva. There was not one vote against it. As I said, the Tripartite Advisory Panel on International Labor Standards says the United States already meets the standards set by this convention.

Last, some say this is a restraint of trade. Nonsense. We already have laws on our books that prohibit the importation of ivory. We have laws on our books that prohibit the importation of goods made with prison labor. We have laws on our books that prohibit the importation of counterfeit goods that don't respect intellectual property rights such as pirated CDs. Again, if we can protect ivory and pirated CDs, we can protect. I am pleased the United States has taken a major step forward with this trade bill. We are sending a strong message to our trading partners. There is no place in the global

economy for countries engaging in abusive and exploitative child labor.

I am hopeful my colleagues will support this conference report with an overwhelming vote. I believe this measure will give hundreds of thousands of children hope for a brighter future. As someone who has been working on this issue of abusive and exploitative child labor for over a decade, I cannot help but feel proud the United States has spoken in such a clear and unequivocal voice that engaging children in this type of slave labor will not be tolerated in our trade policy.

I yield the floor.

TEXTILES AND APPAREL PROVISIONS

Mr. COVERDELL. Mr. President, sections 112 and 211 of the act will create new import programs for apparel produced in the Sub-Saharan and CBI countries which have been carefully crafted to bring significant benefits both to those regions and to the U.S. textile and apparel industry if the new programs are administered as intended. These programs could, however, fail to provide the intended benefits if they are not administered as intended.

Obviously, the intent of the Senate managers in crafting the textile and apparel provisions in sections 112 and 211 is very important, and is worth discussing in some detail as we consider the conference agreement today.

I would now ask my distinguished colleague from Iowa, Senator GRASSLEY, if it is his understanding that the conference agreement adopted the operative provisions of the Senate bill commonly referred to as ''807A'' and ''809'' with respect to both Africa and the Caribbean Basin, provisions which afford duty-free and quota-free treatment to apparel articles made from American fabric.

Mr. GRASSLEY. The Senator is correct.

Mr. COVERDELL. If the distinguished Senator from Iowa would indulge me further, with regard to the provisions popularly referred as ''807A'' and ''809'' in both the Caribbean Basin and Africa trade measures, do I understand correctly that the conference agreement adopted the operative language of these provisions as reported out of the Committee on Finance.

Mr. GRASSLEY. The Senator is correct.

Mr. COVERDELL. Is my understanding correct that those provisions, as reported out by the Finance Committee and passed by the Senate, required that all textile components of such apparel articles be made from American fabric?

Mr. GRASSLEY. The Senator is correct. The Finance Committee reported out the Africa and Caribbean Basin measures separately. The committee reports on each of those measure addresses this issue explicitly. The reports make clear that those provisions commonly referred to as ''807A'' and ''809'' are to be administered in a manner consistent with the then-current regulations regarding the ''Special Access Program'' for textile and apparel articles from the Caribbean and Andean Trade Preference Act countries. The report, in fact, expressly cites the Federal Register notice dated April 3, 1998, that sets out the rules that the Committee intended would apply. The language of the reports then restates the language of the Federal Register notice, concluding that the requirements that products must be assembled from fabric formed in the United States applies to all textile components of the assembled products, including linings and pocketing.

Mr. COVERDELL. When the Act requires yarn to be ''wholly formed'' in the United States, am I correct that the intention of the managers is to require that all processes necessary to convert fibers into yarns—i.e., spinning, extruding—be performed in the United States?

Mr. GRASSLEY. That is correct. While the fibers need not be manufactured in the United States, let me be clear that it is the managers' intent that the man-made core of a wrapped yarn must originate in the United States and that all mechanical processes necessary to convey fibers into yarns must be performed in the United States.

Mr. COVERDELL. I understand that it is the managers' intent that under the Caribbean Basin portion of the Act, an apparel article containing elastomeric yarns, including elestomeric filament yarns, shall be eligible for the de minimis rule set forth in section 211 only if such yarns, whether covered or uncovered, are wholly formed in the United States.

Mr. GRASSLEY. The Senator is correct.

Mr. COVERDELL. Now, with respect to the provisions of the Africa and Caribbean Basin programs that deal with fabric or yarn not widely available in commercial quantities, am I correct that it is the intent of the managers that these provisions should be administered in the same manner, as practicable, as the short supply procedures in the NAFTA?

Mr. GRASSLEY. That is the case.

Mr. COVERDELL. With respect to the so-called ''809'' benefits the Africa and CBI programs, is it the intent of managers that apparel articles remain eligible for duty-free and quota-free treatment when the fabric is cut both in the United States and the beneficiary countries?

Mr. GRASSLEY. That is correct, provided that all the other requirements of both the 807A and 809 provisions are satisfied. This includes the requirement that U.S. thread be used in the assembly of the apparel article.

Mr. COVERDELL. I have one final question regarding the so-called 809 provisions of both the Africa and Caribbean Basin measures. Am I correct that it is the managers' intent that these provisions do not permit dying or finishing of the fabrics to be performed in countries other than the United States or the beneficiary countries?

Mr. GRASSLEY. That is correct.

Mr. COVERDELL. I would like to thank my colleague for his time and attention to these important questions.

NON-ACCRUAL EXPERIENCE METHOD OF ACCOUNTING

Mr. ROBB. Mr. President, I would like to join my distinguished colleague from Tennessee in a colloquy with the distinguished Managers of this legislation, the Trade and Development Act of 2000.

Mr. THOMPSON. Mr. President, my distinguished colleague from Virginia and I direct the distinguished Managers to a matter that relates to a revenue raising provision that was considered in the conference on the Trade and Development Act of 2000, but ultimately was not included in the final agreement. The revenue raising provision limited the non-accrual experience method of accounting.

The related matter is the application of the formula in the Treasury Regulations on the non-accrual experience method of accounting to qualified personal service providers.

The formula contained in Temp. Reg. Section 1.448–2T does not clearly reflect the amount of income that, based on experience, will not be collected by many qualified personal service providers, especially for those where significant time elapses between the rendering of the service and a final determination that the account will not be collected. Providers of qualified personal services should not be subject to a formula that requires the payment of taxes on receivables that will not be collected.

To this end, we believe the Treasury Secretary should amend the temporary regulations to provide a more accurate determination for such qualified personal service providers of the amount to be excluded from income that, based on the taxpayer's experience, will not be collected. In amending such regulations, the Secretary should consider providing flexibility with respect to the formula used to compute the amount of the exclusion to address the different factual situations of taxpayers.

Do the distinguished Managers agree with our view of the temporary regulations and the action the Treasury Secretary should take?

Mr. GRASSLEY. I agree with distinguished colleagues from Tennessee and Virginia that Temp. Reg. Section 1.448–2T presents problems for qualified service providers. Furthermore, the Treasury Secretary should consider amending these temporary regulations to provide a more accurate method.

Mr. MOYNIHAN. I concur with my distinguished colleagues from Iowa.

Mr. LEVIN. Mr. President, S. 434, the Trade and Development Act of 2000 Conference Report breaks important new ground in trade legislation. For the first time, in exchange for granting unilateral trade benefits to a country,

the President must give equal consideration to whether a country has met both trade criteria and labor standards.

For example, before the favorable trade benefits available in this legislation can be granted, the President must determine not only that a country has demonstrated a commitment to undertaking its WTO obligations on or ahead of schedule, and the extent to which a country provides protection of intellectual property rights, but also the extent to which the country provides internationally recognized worker rights.

Mr. President, I am pleased the Conference Report retained the Levin-Moynihan amendment requiring the President to take into consideration the extent to which a country provides internationally recognized worker rights, including child labor, collective bargaining, the use of forced or coerced labor, occupational health and safety and labor standards before the trade benefit can be granted to a Caribbean Basin beneficiary country.

The Levin-Moynihan provision sets an important precedent of promoting standards on such things as child labor, collective bargaining, use of forced or coerced labor, occupational health and safety and other worker rights as part of our trade relationships by considering progress toward those goals when unilaterally granting a trade benefit.

Most CBI countries are signatories of the International Labor Organization conventions. Considering the extent to which these countries abide by their own international obligations is the least we can do when considering whether they deserve to receive unilateral trade preferences from us.

The bill is further strengthened by another important precedent setting provision. The Conference Report also retained the Harkin amendment on Child Labor. As a result, this legislation, for first time, codifies in U.S. trade law ILO convention language on Child Labor by amending the Tariff Act of 1930 to clarify that the ban on articles made with forced and/or indentured labor includes those articles made with forced and/or indentured child labor. It also, for the first time, conditions U.S. trade benefits on meeting child labor standards by adding a new eligibility criterion to the Generalized System of Preferences, which also apply to the eligibility criteria under the African Growth and Opportunity Act, to provide that the President shall not designate a country for benefits if it has not implemented its obligations to eliminate the worst forms of child labor.

I hope this legislation will help to bring about greater economic development and democracy to the important regions of Sub-Saharan Africa and the Caribbean. Because of this hope, and because of the provisions I have mentioned above, I will vote for this bill.

Mr. MURKOWSKI. Mr. President, I rise today in support of the conference report to H.R. 434, the Africa Growth and Opportunity Act. I believe passage of this legislation is important to cement what has become the broad, bipartisan consensus of this body: trade is a key factor in raising living standards in developing countries, and is of primary importance in exporting to those countries key American values of human rights, democratization, peace and stability.

Mr. President, in supporting this legislation I do not suggest that trade alone is a panacea for the many difficulties in developing countries. Simply opening the door to trade with African countries will not enable many of these countries to enter the international community of developed nations. Many countries in Africa simply lack the basic health, education and economic infrastructures to take advantage of the benefits this legislation provides.

Trade and investment initiatives for Africa will not succeed without substantial investments in developing Africa's human resources.

For those sub-Saharan African countries who labor under a crippling debt burden, some measure must be taken to assist them to break free from reliance on debt provided by donor countries. Debt relief should be the highest priority of donor countries, including the United States, seeking to promote African economic development.

This legislation should therefore be hailed not as an end in itself, but as a good beginning to a longer-term policy which, under U.S. leadership, begins to draw Africa more closely into the global community. We need to begin now to ensure that U.S. policy will do more to promote regional economic cooperation and integration in Africa; U.S. Policymakers, including those in this body, should undertake broader and more regular consultation with Africa's governmental, non-governmental and private sector leadership, and we should ensure that the eligibility standards contained in this legislation carefully account for differing levels of development. To that end, we should be careful not to rely too closely on conditions such as those employed by the International Monetary Fund in applying eligibility standards under this legislation.

Mr. President, the importance of this legislation is both its historic significance as the first major piece of trade legislation in twelve years and its precedential significance in marking the importance of trade benefits as a ''carrot'' and not a ''stick'' to bring international social and living standards in developing standards more close to international norms.

Rather than holding this legislation hostage to concerns which can and must be addressed in the longer-term. I would urge my colleagues to take this first step on the road of a broader, more sensible policy toward the developing world, and pass this legislation.

Mr. BIDEN. Mr. President, it is with mixed feelings that I will vote for passage of the Trade and Development Act of 2000.

No one can look upon the scenes of human suffering in Africa today without recognizing the need for action. Whether it is the AIDS epidemic or the violence in Sierra Leone, the floods in Mozambique or the unacceptably slow progress toward democratization, Africa challenges the conscience—and threatens the health and security—of the rest of the world.

We must respond.

The bill before us today offers an initial response to the many interconnected problems on the African continent. I agree with the basic premise of the bill, that promoting sustainable economic growth, led by more open access to American markets, must be a key element in any strategy for Africa.

And I must add here, Mr. President, that it is time for us to provide similar market openings to the nations of the Caribbean, who have faced a real disadvantage since the passage of NAFTA.

But I will focus my brief remarks today on Africa, because when the legislation before us today was initially proposed, it offered us the opportunity to formulate a comprehensive policy for Africa. At the end of the day, I am afraid that what remains is only a first step.

Mr. President, compared to the crushing problems facing the peoples of Africa, this bill is really very modest in terms of what it offers African countries in terms of duty free exports to the United States.

While opening our markets must be part of any program of economic assistance for Africa, we should not mistake this bill for a complete policy.

It may be that this bill has more symbolic value, as evidence of renewed interest in Africa, than any material impact on the many difficult and interconnected problems facing economic development there. Certainly, we should not let this bill become an excuse for self-congratulation or complacency.

Some provisions, however, I hope will enable the United States government to enhance its trade and investment relationship with countries in Sub-Saharan Africa. The conference report directs the Administration to convene an annual trade and economic forum with the trade ministers of African countries. The key here is that in order to expand trade and investment, there must be a climate within African countries which create investor confidence.

I believe that open, face to face dialogue with African Trade Ministers is vital if the United States is going to get its message across about issues such as the importance of transparency, and the guarantee of timely remedy to disputes through a judicial process that is open and fair.

In addition, the report increases the number of foreign commercial service officers. Currently, we have fewer than 10 such officers for the more than forty countries in sub-Saharan Africa. Clearly this is inadequate. These officers are

responsible for identifying opportunities for small to medium U.S. businesses to export their goods and services to African countries, as well as providing information on economic conditions and investment climate factors which enable them to make better decisions on where and when to invest.

One of the most glaring weaknesses of this legislation, Mr. President, is that it does not adequately address the HIV/AIDS crisis in Sub-Saharan Africa, so eloquently described by Senator FEINSTEIN and Senator FEINGOLD yesterday in their moving statements.

Some of my colleagues do not believe that a trade bill should attempt to speak to the issue of HIV/AIDS. I believe that we are talking about a disease that is so virulent, so deadly and so pernicious that any plan for economic development in Africa will inevitably fail if this epidemic is not contained.

If only because of the very real threat that this epidemic carries for our own health and security, Congress must take any and all opportunity we have to provide help to this region in fighting this dreaded disease.

That is why, Mr. President, I was extremely disappointed that the Feinstein-Feingold amendment to the Senate bill was dropped without any provision put in its place which would offer effective assistance to Africans as they fight this deadly disease.

In March, the Foreign Relations Committee unanimously passed an authorization bill which provided $300 million dollars for a program—based on work by Senators FRIST and KERRY—of vaccines to fight the spread of HIV/AIDS.

Although the conference on the bill before us today was conducted under the jurisdiction of the Finance and Ways and Means Committees, it declined to take action on the tax credits for vaccine research, production, and distribution that would have complemented those steps we took in the Foreign Relations Committee.

That was another opportunity lost, Mr. President, and another reason why the celebration over passage of this bill should be muted, at best.

I see some hope in today's Wall Street Journal, which reports that several major drug companies have announced plans to cut the cost of AIDS drugs in the developing world. I hope we will see some real results following from this announcement. Voluntary action of this sort can and should be part of any comprehensive plan to address this crisis of historic proportions.

This conference report also states that it is the sense of the Congress that the nations of Sub-Saharan Africa should receive substantial debt relief.

I must point out that the Foreign Relations Committee has passed authorizations for the use of the proceeds of gold revaluations at the IMF as well as the U.S. share of the trust fund that will be set up for the new, enhanced debt relief program for the poorest nations of the world. The nations of Sub-Saharan Africa will be among the chief beneficiaries of that program.

I am glad to see that, with passage of this legislation, that Congress stands behind this debt relief program. I hope that the Appropriations Committee will soon provide the funds for us to put some money behind those sentiments, and that the Banking Committee will quickly conclude its work on the remaining authorization needed to put the debt relief program into motion.

In the end, while I understand and sympathize with some of the complaints raised by those who will vote against the bill, I prefer to see this glass as half full. But this is still a pretty small glass, Mr. President.

• Mr. BINGAMAN. Mr. President, in my absence I would like to submit this statement for the RECORD. As you know, I make every effort not to miss votes in the Senate, and would not do so but for the fact that there is currently a massive wildfire that is raging out of control in my state. At this time a substantial number of homes have been destroyed or damaged, with more surely to follow. And there is no end in sight. Thousands of New Mexicans have had to leave their homes in Los Alamos and White Rock, and if the conditions stay the same there, many more will be leaving in other communities. This is a uniquely catastrophic situation, and I apologize for not being able to cast my vote.

But since I cannot be here today, I want to submit for the record that if I was here I would have voted in the affirmative for the Africa/Caribbean Basin Initiative Trade Bill. There has been considerable debate over this bill, and I have carefully considered the issues involved. I agree with my colleagues that this is not a perfect bill—questions concerning labor rights, human rights, corporate investment, the environment, transshipments, and so on linger, and they will do so until the provisions of the bill are implemented over time. But I am convinced that over the long run it begins a process that offers real hope for Africa, the Caribbean Basin, and the people who live in those regions. So while I am not present today, I state for the RECORD that I feel this is the right step to take. An initial step to be sure, but definitely the right one.•

Mr. GORTON. Mr. President, more than 6 months ago I signified my support for the African Growth and Opportunity Act and the Caribbean Basin Initiative when it came to the Senate floor for a vote. Today, I stand again with a bipartisan collection of my colleagues, a broad base of industry, faith-based and religious groups, a variety of free trade advocates, and supporters from the sub-Saharan African nations and the Caribbean to advocate for swift passage of this legislation.

To begin, Senators ROTH and MOYNIHAN should be applauded for producing and delivering this legislation after more than three years of deliberation and negotiation. The long and arduous task of attaining agreements between U.S. industry and their counterparts in Africa and the Caribbean, as well as assuring that the various trade interests from all sides were accommodated, is a task that should be commended.

As we continue to prosper and advance in this expanding and ever changing world economy, it is essential that the United States reach out to all regions of the globe. By unilaterally expanding access to U.S. markets, sub-Saharan nations and the Caribbean will be afforded new trade and investment policies that will propel these regions into 21st Century trade practices.

Trade with the United States does imply that certain practices be instituted and embraced by participating nations. This bill promotes the establishment and development of free-market economies, insists on human rights standards, and champions democratic and economic principles, the U.S. expects from our trading partners.

From textiles and apparel, to agriculture and specialty goods, not only does the United States stand to prosper from this trade agreement, but, so too do the sub-Saharan and Caribbean nations. While some have argued that U.S. companies could be harmed by expanded trade with these regions, stringent requirements regarding the transshipment of goods have been incorporated into the legislation. In addition, the bill includes a provision that enables the U.S. Customs Service to assist these countries with illegal transshipments.

While I am somewhat disappointed that the bill no longer includes the reauthorization of Trade Adjustment Assistance and the Generalized System of Preferences, the crux of the bill, its intent, and its long-term impact on trade with sub-Saharan Africa and the Caribbean make it well worthy of passage. In addition, my home State of Washington, the most trade dependent state in the nation, naturally stands to gain from increased trade.

Again, I reiterate my support for the legislation and its far-reaching intent. With such a broad base of advocates vying for its passage, not to mention the partnerships in trade this legislation creates for the United States, this measure deserves our support and swift approval.

Mr. REED. Mr. President, I rise today to express my concerns with the legislation before us.

While I support the intent of this legislation, increasing trade between Africa and the U.S., I will not be able to lend it my support.

This is in no way a comment on either Chairman ROTH or Senator MOYNIHAN. They have done yeoman's work on this legislation, which has been a longtime priority for them both.

Mr. President, my objection to this legislation is what it includes, and what it excludes.

The legislation includes provisions which are a less than comprehensive approach to establishing mutually beneficial trade relations with Africa. In addition, I have heard from Rhode Island textile manufacturers who remain concerned with the textile provisions in this legislation, specifically the less than perfect transhipment elements. Lastly, the legislation only includes a study of the effectiveness of Trade Adjustment Assistance, even though the Senate bill reauthorized and strengthened TAA for workers and businesses adversely affected by international trade.

On the other hand, the conference report excludes an amendment which is important to our country's jewelry manufacturers as well as Senator FEINGOLD's and Senator FEINSTEIN's amendment on HIV/AIDS treatment in African nations.

Last year, with the support of Chairman ROTH and Senator MOYNIHAN, the Senate adopted a common sense amendment to the Africa Growth and Opportunity Act to improve country of origin marking requirements for certain types of imported jewelry.

Now, improving the country of origin marking requirements for jewelry may seem like a modest proposal, but it took many years to develop a compromise on this issue that would pass the Senate.

To give a sense of how long it took, I first introduced this legislation in 1996 as a member of the other chamber, when members of our struggling domestic jewelry manufacturing industry came to me with a desire to see permanent country of origin markings on imports.

These small businesses told me that all too often the stickers or tags meant to inform consumers where a product was made, fell off, were obscured by price tags, or in some cases were simply removed. Customs officials in Rhode Island also acknowledged that there was a problem with the marking regime on imported jewelry.

Most importantly, I found that the same concern on the part of domestic makers of Native American style jewelry had been addressed as part of the 1988 trade bill. It is upon this common sense law that I based my legislation.

Mr. President, as a general rule, the United States requires all imported products to display in the most permanent manner possible the nation where they were made. One only has to look at a watch, clothing, computers, televisions, scissors, books, toys, and almost every other product to see that its country of origin is conspicuously and permanently marked so consumers know where a product was manufactured.

The existence of these marking requirements is not due to some nefarious protectionist urge, rather it is simply a tool to provide consumers with information and help Customs officials easily recognize imports for the purposes of tariff classification. I would add that most of our trading partners have similar standards.

It was with the above in mind that I was pleased to work with the Chairman and Senator MOYNIHAN to develop a sensible amendment to increase the amount of imported jewelry that had to be permanently marked. However, I would point out that this language was also consistent with all trade laws and created no bar to the flow of imported jewelry. Moreover, the amendment did no more than establish marking requirement parity between non-precious jewelry and Native American style jewelry. And, lastly I am hard pressed to see how changing the method by which a product is marked leads to any increased costs for foreign manufacturers, since under the current country of origin system all products are legally required to be marked in some fashion.

Unfortunately, the House cavalierly dismissed the concerns of Rhode Island, Massachusetts, New York, and California jewelry makers for reasons of either ignorance or animosity to change.

I want to stress that I appreciate and recognize the time that the Chairman, Senator MOYNIHAN and their staffs put into this seemingly non-controversial provision.

While the legislation before us does not contain this common-sense amendment, I want to assure my colleagues here and in the other body, as well as the thousands of hard-working men and women of the domestic jewelry industry, that I will continue to pursue this issue and utilize all of the Senate's prerogatives to enact this legislation. Thank you.

Mr. DEWINE. Mr. President, I rise today in support of the conference report to the Africa Growth and Opportunity Act. This legislation contains important measures that not only will help spur the economies of developing nations in Sub-Saharan Africa and the Caribbean Basin, but also will strengthen our ability to retaliate against countries who refuse to comply with WTO trade decisions won by the United States.

Sub-Saharan Africa is enmeshed in great economic, human, and political turmoil. The countries of this region are among the poorest in the world. The per capita income averages less than $500 annually, and the average life expectancy is the world's shortest. We have all seen pictures of the desperate conditions—images of starving babies, homeless families, and needless bloodshed seem to be everywhere. And, just today, news stories about the situation in Sierra Leone and Zimbabwe remind us of how truly bleak life in Africa can be.

But, Mr. President, despite the killings, despite the political unrest, despite the poverty—the future offers the people of Africa great opportunities for increased trade and investment—opportunities that can restore hope and bring about positive change on the Continent.

With a population of more than 700 million, Sub-Saharan Africa represents one of the largest economic markets in the world. According to the U.S. Department of Commerce, my own home state of Ohio was the tenth largest exporting state to the region, with $148 million in exports in 1998. Although U.S. exports to Africa are more than 45 percent greater than U.S. exports to all the countries of the former Soviet Union, this export market still represents only about one percent of our nation's total trade.

It is time that we establish a new economic framework on which we can build increased trade with Africa. The Africa Growth and Opportunity Act establishes just such a framework by encouraging increased trade and investment by reducing trade barriers.

Mr. President, as I said earlier, the legislation before us today, not only affects African nations, but also those within our own hemisphere through the Caribbean Basin Initiative.

Over the last decade, the United States has played a vital role in the spread of democracy and the growth of free enterprise throughout the Western Hemisphere. Today, every nation in our hemisphere—except Cuba—has moved toward establishing a democratic government and is opening their economies to free trade. Democratic elections have become the norm—not the exception—and hemispheric trade integration is a common goal.

To further consolidate democracies and economic gains in the region, we must move forward to integrate economically with our neighboring countries. The Caribbean Basin Trade Enhancement Act is part of our effort to consolidate democracy and economic stability in our hemisphere. This Act would bring tremendous benefits to the United States and to the Caribbean Basin. It would enhance our economic security, both by opening new markets for American products and by strengthening the economies of our closest neighbors. And, it would create new hope for those left jobless by Hurricanes Mitch and George.

The CBI enhancement legislation would extend duty-free treatment to apparel assembled in the Carribean Basin (or assembled and cut in the region) using U.S. fabric made from U.S. yarn. This would help strengthen existing U.S.-CBI partnerships in the apparel industry, because the duty-free treatment will help U.S. apparel manufacturers maintain their competitiveness with the Asian market.

The CBI enhancement also would take steps toward creating a Free Trade Area of the Americas (FTAA), by promoting the anti-corruption and protection of intellectual property, as well as other forms of cooperation with matters such as counter-narcotics programs. Specifically, the legislation would link CBI benefits more explicitly to the fulfillment of specific obligations in beneficiary countries in such areas as WTO compliance, intellectual property rights, investment protection,

market access, worker rights, narcotics enforcement, corruption, government procurement, customs valuation and comparable tariff treatment.

Mr. President, trade integration will occur in this hemisphere, whether or not we are a part of it. So, it is in our national interest to shape that integration process by bringing more countries into bilateral and multilateral trade agreements with the United States. If we fail to seize trade opportunities in Africa and within our own hemisphere, others will take our place of leadership. No country is waiting for us to act first. In the end, the longer we wait, the more we stand to lose.

And speaking of losing, currently, our nation continues to be injured by the refusal of the European Union (EU) to comply with WTO rulings in the beef and banana trade disputes. In addition to denying American farmers access to the European market, the EU's actions are undermining the entire WTO Dispute Settlement process. If they are successful in ignoring such decisions, how can we expect other countries to follow trade dispute settlement rulings? How can we expect anyone in the United States to have faith in the WTO?

Repeatedly, I have come to the floor to raise my concerns about the EU's flagrant disregard for dispute settlement rulings in the beef and banana cases, which have clearly shown the ''Fortress Europe'' mentality against free and fair trade. Last Fall, during the Senate floor debate on the Africa trade bill, I successfully amended the legislation to create a powerful mechanism—tariff retaliation—to fight ''fortress'' mentalities and to protect our nation from illegal foreign trade practices. Today, I am pleased to say that the conference report before us now still contains my provision to strengthen the one and only weapon in our arsenal to fight WTO noncompliance.

The purpose of the provision is simple—to make our retaliation more effective and to compel compliance with the WTO rulings. The measure would specifically require the U.S. Trade Representative to periodically ''carousel''—or rotate—the list of goods subject to retaliation when a foreign country or countries have failed to comply with a WTO ruling. The retaliation list would be carouseled to affect other goods 120 days from the date the list is made and every 180 days, thereafter. The U.S. Trade Representative would retain ample discretion and authority to ensure that retaliation implemented by the United States remains within the levels authorized by the WTO. Also, the provision makes it clear that our Trade Representative is to structure the retaliation lists to maximize the likelihood of compliance by the losing side in trade disputes.

Mr. President, the WTO is one of the most important means for American businesses and producers to open foreign markets, liberalize commerce, resolve disputes, and ensure more open and fair trade. American farmers and agribusiness, for example, are major net exporters, posting exports of more than $57 billion in 1997. Of the nearly 50 complaints filed by the United States in the WTO, almost 30 percent involved agriculture. If a country or countries fail to comply with WTO rulings, American agriculture and other U.S. sectors in need of trade relief will suffer greatly.

It's time to fight back. While carousel retaliation is tough, it is the right response to chronic non-compliance with WTO rulings. It is the kind of response that will do more to encourage compliance with WTO rules, giving Ohio's farmers and businesses the level-playing field they deserve.

Overall, Mr. President, the trade bill before us is a good bill—it is good for Sub-Saharan Africa; it is good for the Caribbean Basin; and it is good for agriculture and business right here at home in the United States. In the end, this bill just makes good sense.

Mr. McCAIN. Mr. President, I support passage of H.R. 434, the Trade and Development Act of 2000. This legislation includes the African Growth and Opportunity Act, legislation to grant Caribbean countries tariff parity with the North American Free Trade Agreement, and other legislation that will use trade incentives to promote U.S. global economic interests.

I have been a longtime supporter of many components of this legislation, especially the African Growth and Opportunity Act and legislation giving NAFTA parity to our Caribbean allies. This legislation sets an important precedent for future U.S. foreign policy by emphasizing trade incentives over foreign aid. It makes clear that a developing African or Caribbean country must pursue democratic and market-oriented reforms in order to receive benefits. This incentive-based approach will promote democratic government and economic reforms among nations home to more than one billion people. Recent developments in both Zimbabwe and Sierra Leone show that there is much work that still has to be done in Africa to establish stable and effective political and economic institutions. My hope is that this legislation will encourage these developing countries to continue to make progress toward this important goal.

This legislation has been improved since it passed the Senate last year. The conference report gives greater incentive to the development of local African and Caribbean industry by allowing conditional duty-free treatment of apparel made from regional fabrics. While I hope that a future Congress will remove the restrictive conditions on this tariff treatment in order to more fully assist the development of regional industry, I believe that this liberalized tariff-rate quota will promote economic growth and stability in the affected regions. This legislation urges the Overseas Private Investment Corporation (OPIC) and Export-Import Bank to promote investment in Africa. Greater American investment in Africa creates greater exposure to American political, economic, labor and environmental principles. Provisions of this legislation also welcome the people of Albania and Kyrgyzstan into the international economy, which I believe is beneficial to American interests. Finally, I am glad that this legislation includes a provision to prohibit the importation of products made from child labor into the United States. This barbaric practice is a relic of earlier, less enlightened times that should be extinguished.

It is unconscionable that the conference dropped a provision that would have made HIV/AIDS medicine more available to the African people. The AIDS epidemic throughout Africa is a crisis, which impedes political reform and economic development in that region. We have a moral obligation to help relieve this health epidemic. I am a strong advocate of free trade and private enterprise. However, as a practical matter, there is little profit to be made or lost in assisting with a health crisis in poor undeveloped countries. Therefore, I believe that we should have included the Senate provision in order to ensure greater distribution of HIV/AIDS drugs to Africa. Since it is no longer included in this legislation, I urge the Congress to enact legislation that will establish a comprehensive solution to the HIV/AIDS problem in Africa that includes the greater distribution of American drugs and medical practices to combat HIV/AIDS. The AIDS crisis in Africa must be solved if we are to achieve any lasting development in the region.

I also have concerns that this legislation will establish some poor precedents. It is my understanding that there is not yet a formal estimate by the Congressional Budget Office for this legislation, so we do not know its cost. I am very disturbed that whatever the costs of the legislation, it will be paid for out of the federal budget surplus. This is not wise policy. The Constitution clearly gives the Congress the ''power of the purse'' and we must use this power judiciously. I remain dedicated to the principle that the Senate should only consider legislation that has both a known cost and specific provisions paying for it. The version of this legislation that we considered in the Senate in November included provisions to pay for it. The Congress should close tax shelters and loopholes and cut wasteful government spending in order to pay for new programs. As fiscal conservatives, we know that this surplus exists only because we have made careful choices. We must now use this surplus to shore up Social Security and Medicare, pay down the national debt, and cut taxes—not spend it on more government programs.

I am also concerned by some of the provisions in this legislation. While I understand that the current tariff

structure puts American suit manufacturers at an unfair advantage, remedying this inequity deserves more study by the Senate. I do not favor the tariff rebate provisions. No compelling argument has been made to support a Wool Research, Development and Promotion Trust Fund that costs $2.25 million each year. I am also concerned by provisions included in the conference report that allow Oregon nuclear power plant workers to apply for Trade Adjustment Assistance benefits after their eligibility has expired, and allow a company with operations in Connecticut and Missouri to obtain a refund on duties it paid on imports of nuclear fuel assemblies. In addition, I have reservations about using ''budgetary gimmicks'' to change the schedule of payments of rum excise taxes to Puerto Rico. These revisions are unrelated to trade opportunities for Africa and the Caribbean. All of these measures should be examined in the usual authorization process to ensure that they are considered on merit, and not foisted on the taxpayers by special interests.

In conclusion, although I disagree with some of the inadvisable provisions in this bill, I support this legislation. I believe that, on balance, it is an important milestone in American policy with the developing world, which I hope will encourage the spread of American political and economic values. I will not allow the perfect to be the enemy of the good. However, Congress should ensure that we are more fiscally responsible in funding legislation. It is important that we write responsible legislation that will help promote the American principles of democracy, the rule of law, and a market-oriented economic system.

Ms. MIKULSKI. Mr. President, this is an exceptionally difficult decision.

But after weighing the pros and cons of this legislation, I rise to support the Trade and Development Act.

It is high time that we address economic growth in Africa and the Caribbean. Africa, in particular, has been ignored for far too long. I would like to support this effort to encourage economic growth, investment and trade in the region while recognizing that this effort alone is not enough. It should only be a small piece of our policy in Africa. Much more must be done.

I have considered the impact this measure will have on American workers. I am a blue-collar Senator. My heart and soul lies with blue-collar America. I spent most of my life in a blue-collar neighborhood. My career in public service is one of deep commitment to working-class people. I have fought and continue to fight for economic growth, jobs and opportunities in America—in particular—in my own State of Maryland. And in the last decade, working people have faced the loss of jobs, lower wages and a reduced standard of living, and a shrinking manufacturing base—everything that the critics say. But voting against the Trade and Development Act will not save those jobs or bring those jobs back.

I also care about working-class people all over the world. I applaud my colleagues for uniting to pass Senator HARKIN's amendment to meet and enforce internationally recognized standards that eliminate the worst forms of child labor. Countries can only enjoy the benefits granted under this Act if they take action to eliminate work that harms the health, safety or morals of children. Benefits will not be given to sub-Saharan or Caribbean countries that carry out hazardous child labor practices, such as slavery, debt bondage, forced or compulsory labor, child prostitution or drug trafficking. This effort is especially relevant to this trade legislation because out of the 250 million children between the ages of 5 and 14 who are working in the developing world—one-third are in Africa.

This Act could have been further strengthened. I supported other amendments toward that aim, which were not incorporated into this legislation. I see several yellow flashing lights that we cannot ignore and we must address with our trading partners in sub-Saharan Africa and the Caribbean.

Even though the worst forms of child labor were addressed in this legislation, additional efforts still need to be undertaken to protect the rights, welfare, health and safety of all workers. I supported amendments offered by my colleagues to ensure the enforcement of internationally recognized core labor standards and to establish a labor side agreement before this legislation could go into effect. Neither amendment was adopted.

Furthermore, much more needs to be done to protect our environment. Dangerous or haphazard practices that damage the environment in sub-Saharan African or the Caribbean not only harm territory within these regions—it affects all of us. We cannot continue to ignore the environment in trade agreements. We must find a way to ensure that economic growth does not come at the expense of the environment.

In addition, much more must be done to provide debt relief to Africa and to prevent and address the HIV/AIDS crisis plaguing the region.

Taking into account these considerations, I still believe that we have a unique opportunity to support legislation that works toward free trade and fair trade. This Act strives to create economic growth, jobs and opportunities in sub-Saharan Africa and the Caribbean. It encourages African nations to compete and to institute market-oriented economic reforms. It also works to strengthen America's economy and to create American jobs by increasing US exports and investment to these regions.

I agree that the Trade and Development Act as it stands does not encompass numerous other measures that America needs to undertake with respect to Africa and the Caribbean. But it is a courageous first-step and it merits our support.

Mr. THURMOND. Mr. President, I rise in opposition to the Conference Report on H.R. 434, the Trade and Development Act of 2000. I oppose this bill because, as a result of this legislation, many Americans will lose their jobs, a significant number of whom will be South Carolinians. Our domestic textile industry will be particularly damaged. I remind my colleagues that in the past five years over 454,000 American textile industry workers already have lost their jobs.

At best, this bill further erodes the system of protective quotas that the Administration promised the U.S. textile industry as a condition of U.S. entry into the World Trade Organization. This quota system was to remain in effect for ten years from 1995 until 2005, to provide the U.S. textile industry with time to adjust to competition from foreign government-subsidized and sweat-shop made textile imports.

The textile industry has been strong in the United States because it encompasses fiber, fabric, and apparel production. The textile industry, in the aggregate, forms the second largest industrial sector of the U.S. economy. Certain segments of the industry, such as yarn and fabric production, have benefitted from technology and increased capital investment while apparel production has tended to opt for cheaper labor rather than invest in modern production facilities.

I fear this bill will further encourage U.S. textile firms to move their production off-shore. It signals capital markets that the U.S. textile industry is at risk, thus reducing its ability to borrow the capital to make those improvements necessary for domestic production. With the denial of capital to automate and modernize, the rush toward cheaper and cheaper labor will lead to a continuing exodus of U.S.-based manufacturing. This will result in a further loss of employment in the domestic textile industry and its supporting industries.

A decline in the domestic textile industry will also impact American farmers. Cotton producers in the United States have profited from a strong and vibrant domestic textile industry. However, as the textile industry becomes locked in a downward spiral of chasing ever lower costs, it will look for other ways to reduce expenditures. A likely result will be to encourage cotton production closer to its foreign manufacturing facilities. While U.S. cotton exports may initially increase under this legislation, the long-term impact will not be so favorable to domestic cotton producers.

The countries of Sub-Saharan Africa and the Caribbean do need to develop economically. There can be no doubt that these countries require help. However, providing assistance by decimating the U.S. textile industry is not the answer. Furthermore, there is no

assurance that this bill will improve the textile industry of these Nations or provide jobs to their citizens. It is clear that government-subsidized Asian textile interests are positioning themselves to dominate the world textile trade. One only has to look at the situation in the Northern Mariana Islands to see the model for the future. Moreover, transshipment to evade the quota arrangements of this bill and other existing quotas will likely continue until the quotas finally end in 2005.

Mr. President, H.R. 434 is a bad bill that critically injures the U.S. textile industry, puts Americans out of work, and, in the end, benefits only Asian textile interests. Therefore, I oppose this legislation and urge my colleagues to do likewise.

Mrs. LINCOLN. Mr. President, due to a scheduling conflict I was unable to cast my vote today on the cloture motion for the conference report accompanying H.R. 434, the Trade and Development Act of 2000. For the record, I would have voted ''aye'' in favor of cloture on the bill.

I am very supportive of expanding our trading opportunities with the Caribbean countries and Africa and I am delighted that all parties involved have come to agreement and we have passed this vital legislation. Our distinguished ranking member of the Finance Committee, Senator MOYNIHAN, focused our attention on the significance of the passage of this bill earlier today when he highlighted the fact that this is the first trade bill to pass Congress in six years. In my view, that is simply too long.

I'm not here to focus on missed opportunities today, however. I'm here to praise the members of both the House and Senate who were on the conference committee for their tireless efforts on this bill's behalf. To all involved in the passage of this legislation I say ''thank you.''

This legislation means a great deal to the Caribbean and Africa, but it means a lot to Arkansas, too. This bill will generate an increase in demand for cotton, which is sorely needed. Our cotton farmers at home have experienced several years of bad weather and prices, and I know they are pleased to have access to new markets. It's planting season in Arkansas but that hasn't stopped my constituents from staying in touch. I've heard from many of them this week who took time from their busy schedules to voice their support for this bill. They realize, as I do, that the world is increasingly becoming a ''global marketplace'' and we must do all we can to expand our trading opportunities. I applaud the Senate's vote on the ''Trade and Opportunity Act'' today and hope that it will not be another six years before the next trade bill comes to the Senate floor.

Mr. HATCH. Mr. President, the trade bill before us represents a milestone in U.S. trade policy. This bill, and especially the African Growth and Opportunity Act found at Title I, acknowledges the social, health, and political problems as well as the economic challenges facing a group of states, most of which are developing nations.

It is not that our trade policies have not concerned themselves with developing countries before—that commitment is evident in the Generalized System of Preferences (GSP), the Caribbean Basin Initiative, and many other trade initiatives. However, this bill is unique in many ways.

First, we are acknowledging that the mere existence of a trade agreement does not produce immediate results. The strength of a society and its polity profoundly affect the development of the capabilities that allow for globalization. Developing countries, for example, need investment, but prudent companies do not commit their resources unless some very fundamental conditions exist, conditions that exceed those addressed in the Trade-Related Investment Measures (TRIMS) Agreement of the World Trade Organization.

The bill before us does that. We underscore the importance of political stability; we provide opportunities for technical assistance that can create a banking and legal structure to repatriate profits and to protect the sanctity of the contract.

Second, we acknowledge that there are regionally specific social and health issues that are preconditions to real economic development—what I refer to as ''trade enablement.'' Most Sub-Sahara African (SSA) states have been left behind. Their colonial and post-colonial societies have not, for the most part, melded into a modern, unified state. Nor have these societies produced the type of workforce that trade demands—educated, technically skilled, and healthy workers.

The bill before us deals this reality, too, and in several ways.

Like many of my colleagues, I believe we should do what we can to help restore our African partners to the world baseline standard of good health. With 20–30 percent HIV/AIDS infection among the adult populations in some states, few firms will risk hiring a workforce in which one-in-three to one-in-five workers may not be alive, let alone working in five years. I agree with President Clinton's comments that Africa, too, needs to do more to control this problem. But this bill provides incentives.

Not only are these efforts to improve health in this region good economics and good politics, but they are also simply the right thing to do. We are the richest nation in the world. It has always been a part of the American character to help those who are suffering and to improve conditions where we can.

Worker education also faces immense challenges. Literacy rates have risen to 59 percent, but that level lags comparable literacy rates in East Asia (84 percent), Latin America (83 percent) and the Caribbean (83 percent). Once more, the incentives provided by this bill to create an investment climate, will awaken African governments to the need for programed improvements in literacy and technical training. And, through the newly created economic forum under this bill, conditions can be put in place for technical assistance.

Mr. President, it is undeniable that this bill is a hybrid. It is not a conventional trade bill, because Africa, with the exception of a few states like South Africa, Gabon, and Mauritius, is not positioned to gain immediate or even mid-term benefits unless, and I repeat, unless, trade is coupled with the forms of assistance and incentives that this bill provides.

But it is no less deniable that great benefits will be potentially available to both the U.S. and Sub-Saharan Africa if the underlying concept in this bill materializes.

For the United States, Africa is a warehouse of badly needed strategic materials which will open new sources of supply for U.S. producers. Moreover, if properly developed, this market will benefit the entire population of an African state, rather than a few, often corrupt elites.

It is a fundamental axiom of every trade theory that the economic evolution of trading partners produces rolling prosperity—which is another way of saying that prosperity raises all boats. Not only does this phenomenon promise future markets for U.S. goods, services, and agricultural products, but also a more prosperous, politically stable African continent, which, in turn, produces other foreign policy and national security benefits for the U.S. It creates international partners in this region that have a stake in world peace, disease controls, as well as other initiatives to combat terrorism, international crime, labor force abuses, and environmental degradation.

I believe that this Africa Trade bill will have a broad range of benefits for America, and I will support this legislation. I want to compliment Senator ROTH, Senator GRASSLEY, and other Senators who worked so diligently on this legislation.

Mr. LEAHY. Mr. President, last year I reluctantly cast my vote against the Trade and Development Act of 1999, a modest package of trade bills which included the African Growth and Opportunity Act and the Carribean Basin Trade Enhancement Act.

I have long supported expanding trade opportunities for Vermonters and all Americans, as well as for people in developing countries. And I have felt for some time that our relationship with Africa cannot continue to be based almost exclusively on aid, when the real engine of development, as we have seen both at home and abroad, is investment and trade.

However, I voted against that bill because I felt that in developing a trade policy toward Africa—where poverty is deeply rooted and protections for the environment and the rights of workers

are non-existent—precautions must be taken to ensure that it is a sound policy that responds to Africa's unique and urgent needs. I was disappointed that given the rare opportunity to examine and redefine our relationship with Africa, the approach was so limited and flawed.

There are many aspects of this conference report which I strongly support. Provisions which open new markets for American exports, while providing trade benefits that will help a number of countries compete more effectively in the global economy. Provisions which encourage countries to eliminate the worst forms of child labor, and raise the profile of U.S. agricultural interests in trade negotiations.

I remain disappointed, however, by the act's approach toward Africa.

It is astonishing that aside from Sense of Congress language about the need to strengthen efforts to combat desertification, the act in no way addresses environmental concerns. This is an unfortunate step backward from NAFTA, which—while they did not go far enough—contained side agreements on both environmental and labor issues.

Multinational corporations, especially mining and timber companies, have a long history of exploiting Africa's weak environmental laws and causing pollution, deforestation and the uprooting of people. There is a direct link between environmental degradation and civil unrest. If barriers to foreign investment are lowered or eliminated—as the act calls for—and meaningful, enforceable environmental protections are not put in place, these problems will only get worse.

The act's provision on workers' rights, most of which have been included in other trade legislation, have routinely allowed countries notorious for abuses to escape without penalty. Unions have rightly criticized them for being vague and unenforceable.

As the wealthiest nation, we have a responsibility to do what we can to ensure that the benefits of the global economy are enjoyed by people from all walks of life, here and abroad. However, the workers' rights provision in this act are an invitation for the continued exploitation of cheap African labor.

Mr. President, some have claimed that this legislation is an historic first step toward integrating Africa into the global economy. Others have called it a devastating blow that will force African countries to cut spending on education and health care, and to submit to strict International Monetary Fund conditions. It is neither.

The Trade and Development Act of 2000 is not going to cause the great economic boon some have predicted, and it may cause harm. But it is the wrong approach if we truly want to redefine our relationship with the region from one of dependency to one of actively promoting economic growth and self-reliance.

Like last year, I reluctantly cast my vote against the bill.

Mr. GRASSLEY. Mr. President, we have now reached the final stage of the legislative process with regard to the Trade and Development Act of 2000. The moment has come to vote on final passage. Once again, I urge my distinguished colleagues on both sides of the aisle to vote for opportunity, to vote to reaffirm America's historic leadership in international trade. What we do here, what we say here, reverberates all around the world. So I say to my distinguished colleagues, let's send a resounding message, a clear message, a strong message, that America is engaged with the world. I urge my colleagues to vote for the Trade and Development Act of 2000.

I hope we will have speakers now on the African trade bill so we can move ahead to get a vote on that. I think I have not had any requests for speakers in support of the legislation because those of us who support the legislation would like to move it to immediate passage. I hope those who would still like to speak in opposition to it and express those points of view will please do that at this particular time.

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

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

Mr. REID. Mr. President, it is my understanding we are going to go to a vote immediately. All speakers on this side have evaporated. They will present statements.

We do have one speaker, Senator FEINGOLD of Wisconsin, who wants to speak for 45 minutes. I ask unanimous consent he be allowed to speak on this bill on which we are going to be voting following the vote, and prior to military construction, for up to 45 minutes.

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

Mr. REID. I thank the Chair.

Mr. GRASSLEY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the conference report. The clerk will call the roll.

The senior assistant bill clerk called the roll.

Mr. NICKLES. I announce that the Senator from New Mexico (Mr. DOMENICI) and the Senator from Delaware (Mr. ROTH) are necessarily absent.

Mr. REID. I announce that the Senator from New Mexico (Mr. BINGAMAN) and the Senator from Nevada (Mr. BRYAN) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 77, nays 19, as follows:

[Rollcall Vote No. 98 Leg.]

YEAS—77

Abraham	Gorton	Mack
Akaka	Graham	McCain
Allard	Gramm	McConnell
Ashcroft	Grams	Mikulski
Baucus	Grassley	Moynihan
Bayh	Gregg	Murkowski
Bennett	Hagel	Murray
Biden	Harkin	Nickles
Bond	Hatch	Robb
Breaux	Hutchinson	Roberts
Brownback	Hutchison	Rockefeller
Burns	Inhofe	Santorum
Campbell	Inouye	Sarbanes
Chafee, L.	Jeffords	Schumer
Cochran	Johnson	Sessions
Coverdell	Kerrey	Shelby
Craig	Kerry	Smith (OR)
Crapo	Kohl	Specter
Daschle	Kyl	Stevens
DeWine	Landrieu	Thomas
Dodd	Lautenberg	Thompson
Durbin	Levin	Torricelli
Enzi	Lieberman	Voinovich
Feinstein	Lincoln	Warner
Fitzgerald	Lott	Wyden
Frist	Lugar	

NAYS—19

Boxer	Edwards	Reid
Bunning	Feingold	Smith (NH)
Byrd	Helms	Snowe
Cleland	Hollings	Thurmond
Collins	Kennedy	Wellstone
Conrad	Leahy	
Dorgan	Reed	

NOT VOTING—4

Bingaman	Domenici
Bryan	Roth

The conference report was agreed to.

Mr. MOYNIHAN. Mr. President, I move to reconsider the vote.

Mr. LOTT. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. MOYNIHAN. Mr. President, this was a momentous moment for the Senate, for the Nation, and for the world. We have passed the first trade bill in 6 years, having rejected others and having come about in the aftermath of very dim expectations. From no chance whatever, we have come to the point where this bill passed by 77 votes. It could not have happened without the majority leader, who personally convened meetings in his office day after day. There were mind-numbing details about thread, yarn, square meter equivalents, hundreds, millions—but it came about.

Senator ROTH, our chairman, who could not be here today, will be back next week. He put this matter through the Finance Committee nearly unanimously. I would like to take the opportunity to thank the staff who not only did this, but did it until dawn, day after day—or should I say night after night. They are, on the majority staff: Frank Polk, Grant Aldonas, Faryar Shirzad, Tim Keeler, and Carrie Clark. On the majority leader's staff: Dave Hoppe and Jim Hecht. On our minority staff: David Podoff, Debbie Lamb, Linda Menghetti, and Timothy Hogan. Plus majority and minority tax staffs because tariffs are taxes, we had: Mark Prater, Ed McClellan, Russ Sullivan,

Cary Pugh, Anita Horn, and Mitchell Kent. And a very special word of thanks to Polly CRAIGhill, Senate Legislative Counsel, who labored with the committee staff long into the night.

Once again, I say to my dear colleague, Senator GRASSLEY, who carried the matter so brilliantly on the other side, not every day do we pass a trade bill 4–1. Thank you. And I again thank the majority leader. The Nation is in his debt.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. GRASSLEY. Mr. President, following up on what Senator MOYNIHAN just said, and associating myself with those remarks, as important as the bill we passed is for the continent of Africa and the Caribbean Basin Initiative, and as important as it is for the consumers of America and the 120,000 new jobs it is going to create for American working men and women, this bill is far more significant, from my point of view, because it is the first major piece of trade legislation passing the Congress in years, as Senator MOYNIHAN said.

In the meantime, I think the United States has been seen by other nations as giving up some of our traditional leadership around the world in negotiations and tearing down trade barriers, which has been our role as a world leader since 1947. I hope that this legislation is the start of America, once again, leading the world in reducing barriers to trade, the promotion of international trade, and seeing trade as more important than aid as an instrument to helping depressed economies around the world.

I look forward to the continuation of our leadership in setting the agenda for the World Trade Organization agenda and regional trade agreements, as well.

Besides all the staff members Senator MOYNIHAN mentioned, I also compliment my international trade counsel, Richard Chriss, on his outstanding contribution to the passage of the Africa Trade and CBI bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. I also thank the majority leader. I am not a member of the committee, but I wanted to commend the Senator from New York once again for his tremendous leadership on this issue, and Senator GRASSLEY who is filling in for Senator ROTH, who will be back next week. I commend the majority leader and minority leader. This is an example of what this body can do on issues that usually provoke the most bitter debates. Trade policy and some other issues can be tremendously acrimonious. The fact that the leadership on both sides of the aisle worked as diligently and as hard as they did to try to come up with some understandings as to how to recognize legitimate interests speaks volumes about what this body can do on something as significant and as important as this bill.

I didn't want the moment to pass without commending, obviously, the floor managers and the Finance Committee for their work, but also the leadership for their support of this measure. The administration, as well, should be mentioned in this context. While it has been 6 years, we are going to be dealing with a couple of these issues now in sequence that will be very important and, obviously, their backing and support is worthwhile.

Regarding the last point our colleague from Iowa made, my hope is that passage will also serve as a springboard for us to deal with other foreign policy matters that serve the interests of our country. We have entered a global economy. We all know the lingo about the kind of world of which we are now a part. It is going to be critically important that the Senate of the United States is fulfilling its historic role—the unique aspect of the legislative part of Government—to be engaged in the foreign policy interests of our Nation.

This agreement certainly serves the interests of Africa and the Caribbean Basin very well. But more importantly, it serves the interests of our Nation very well. So I commend the staff and others who were involved. This is a great start. The leadership deserves commendation for their support and their willingness to put a shoulder behind this effort. I also thank the minority leader, TOM DASCHLE, for his leadership on this issue.

Mr. LOTT. Mr. President, I thank Senator MOYNIHAN, Senator DODD, and Senator GRASSLEY, for their comments. They are absolutely right. This is the way we can do things when we make up our minds that we are going to. Keep in mind that just a year ago, most people thought this had no chance. The House passed a bill that was only applicable to Africa. But then Senator ROTH and Senator MOYNIHAN said we should go forward on this. They made the point that we had not had a major trade bill in—I thought 5 years, but in fact it was 6 years. I yielded to the distinguished Senator from New York because he pays such close attention to this. The chairman and ranking member said we should go forward with this and we should add the CBI region and Central America to the package. We did that.

We worked together across the aisle between the two parties. The administration did express its interest in this legislation. The President personally called at least twice—maybe three times—and talked about his hope that we could get this done. But I remember a critical moment a month or so ago, late at night, and we were trying to make the last decision that would close the package up. Dave Hoppe, my chief of staff, was there, and Jim Hecht on my staff, who worked so hard on this legislation, who knew the substance better than I would ever know it. It is mind-boggling in its detail and all the pieces that were in this package. But when I had to basically help make the final decision, as a matter of fact, I was looking at Senator MOYNIHAN's staff and said, ''What do you think? Can we make this work?'' They said, ''Yes.''

That is the way it was. It wasn't partisan at all. To reach this point now and have a vote in the House last week of 309–110, and then 77–19 in the Senate, in an area where we have acrimony, regional division, and one sector of the economy pulling against the other, I think this is something we should take a moment and relish and take credit for and be proud of. It represents a significant step forward in our trade policy and a victory for the cause of free trade. Like Senator DODD, I have been to Central America and met with the Presidents and Ambassadors from Central America and the Caribbean. They pleaded for this and said, ''Give us an opportunity.'' This is the way to help. This is the way to help their people and give them an opportunity to get jobs. It will help you, and it will help us.

I suspect there will be a celebration today and tonight in Central America, in the Caribbean, and in Africa.

I want to make this point. While that is important, we want free trade and this is good for America. I worked a great deal with CHARLIE RANGEL, the Congressman from New York, who really wanted this. I remember a fateful meeting we had outside an elevator in the Cannon Office Building at which I said, basically, if you do Africa, we will do CBI, and we will get together. And we did. He said in some of our meetings: I don't want a bill that is going to cost America jobs. I believe we can have a bill that helps America, creates more American jobs and more opportunity for Americans, and that will be good for the sub-Sahara region and for Central America. I believe we achieved that.

This bill retains the basic structure and approach of the original Senate bill. I want to emphasize that because we made a commitment to Senators who had reservations about this bill that we would do everything possible to retain the basic structure of the Senate bill. We fought for it, and I think we were successful in that area.

The approach makes economic sense, allowing workers and businesses in this country and in our trading partners' to specialize in the activities to which they are most suited. The vast majority of the trade benefits under this bill will involve the use of U.S.-made components. They need it in those other regions. They need our yarn. They need our cotton. So we will benefit, and they will benefit.

I am acutely aware of the concerns and challenges facing our domestic textile industry. Faced with vast amounts of unfair trade and blatant cheating in past textile agreements, our industry has seen a flood of foreign imports that have caused job losses.

The U.S. textile industry will within a few years face the removal of quotas under WTO. At a time of such uncertainty, it is imperative that our trade

measures be carefully geared to sustain and enhance the economic opportunities available to our textile industry and workers. I believe this measure before us today does that. It has some of the most stringent transshipment measures ever enacted, increasing resources for the Customs Service and ensuring that countries receiving benefits under the bill provide full cooperation with our authorities.

That was one of the concerns—that other countries would use Africa, or the CBI, the back door, to transship, to violate the agreements and get in our country in an unfair way.

Will this be perfect? Nothing in this area is perfect. But it will do the best job I believe we have ever done. We are going to watch it to make sure it is effective in that regard.

I was pleased to see comments from members of the domestic textile industry as a result of this conference agreement. The president of the American Textile Manufacturers Institute has noted projections that the demand for U.S. fabric will double over the next 8 years under this bill. It is estimated that this will translate into more than 60,000 new U.S. textile jobs in America. This legislation will have real benefits, immediate benefits—for American consumers, for the retail industry, for the yarn industry, for cotton, and for textiles. All the other components in this area of job creation in America will benefit. So will Africa. So will the CBI.

I am pleased we have come to this agreement. Actually, it is a little anticlimactic. In the end, the vote was so overwhelming that you wonder why all the huffing and puffing. But I believe it is because of the good work done by our staffs and by the leadership in the House and in the Senate. It would have not been achievable if Chairman ARCHER and subcommittee chairman CRANE had not been willing to be flexible and agree to some of the things that were important to the Senate.

I want to say a special word about our staffs that worked so hard, and through so many nights, to secure the successful conclusion we have seen today. I want to recognize in particular Senator ROTH's staff, including Frank Polk, J.T. Young, Grant Aldonas, Faryar Shirzad, Tim Keeler, and Carrie Clark; and from Senator MOYNIHAN's staff, David Podoff, Debbie Lamb, Linda Menghetti, and Tim Hogan; from Senator GRASSLEY's staff, Richard Chriss; and from the Congressional Budget Office, Hester Grippando. And finally, with a bill of this detail and technicality, the diligent work of legislative counsel is especially critical. I would like to thank Polly Craighill, Sandy Strokoff and Mark Synnes for their extraordinary efforts.

So, Mr. President, I do not want us to complete this effort without saying I am proud of it. I believe it will be positive for all concerned. I began the debate that way, and I end it that way.

I extend my congratulations to all involved.

I yield the floor.

The PRESIDING OFFICER (Mr. FITZGERALD). The Senator from South Dakota.

Mr. DASCHLE. Mr. President, I compliment the majority leader for his statement and for the effort he has put forward in bringing us to this point.

I agree with virtually every word he has just spoken about the importance of this matter and about the extraordinary influence it will have on trade policy to important parts of the world today. This is not only good trade policy, it is good economic policy, and it is good diplomatic policy. It is extremely important that people realize the diplomatic, economic, and trade ramifications of this legislation.

I have watched with great admiration as this legislation has been produced. I must say it is one of the many reasons I have come to admire our ranking member on the Finance Committee and his extraordinary effort in getting us to this point. I don't know that I have talked to him about any matter as often as I have talked to him about this in recent months. This is one he has lived and breathed. We are very grateful to him for his leadership and for all of the work he did to get us to this point.

I have already expressed myself in regard to the importance of the legislation and the extraordinary amount of effort that has gone into the work today. This would not have happened were it not for the involvement of a number of our colleagues. Its importance cannot be overemphasized. This is good for this country, and as I noted, it is important we recognize the new opportunities that it presents, not only for the Caribbean countries and Africa but for this country especially.

I would be remiss if I were not to mention the tremendous leadership demonstrated by the distinguished senior Senator from Connecticut, Mr. DODD. On every issue involving Central and Latin America, our caucus depends upon him to a remarkable degree. He is, without a doubt, our expert on South America, on Central America, and on international issues. I personally find myself required, in many cases, to turn to him as the person in whom I have the greatest trust and for whom I have the greatest admiration when it comes to his knowledge of these issues. I thank Senator DODD for all of his efforts in getting us to this point.

I also thank Senator GRAHAM from Florida who has put a great deal of effort into the vote we were able to get this morning, and I am grateful to him.

Finally, Senator BAUCUS also has worked diligently with all of our colleagues on both sides of the aisle and is also extraordinarily knowledgeable on trade matters.

We have a number of our colleagues who, because they worked as hard as they did, because they showed the leadership they did, because they were as committed as they were to resolving outstanding differences and working through these many issues in a way that allowed us this success, we ought to pause and thank today. It is not often we see legislation, and trade legislation in particular, of this import with the kind of vote we just cast. It is a great day for this country. I again publicly express my appreciation for their diligence and for their work in getting us to this point.

The PRESIDING OFFICER. Senator FEINGOLD is recognized for up to 45 minutes.

Mr. FEINGOLD. Thank you, Mr. President.

We just completed our work on the African Growth and Opportunity Act. I had the opportunity on a number of occasions during the debate to express my concerns about the bill and, in particular, the way in which it did not address one of the greatest crises in Africa—the HIV/AIDS problem. But I have asked for this opportunity to speak about another enormous problem in Africa that I think needs to be closely associated with the debate we just had and our thinking with regard to Africa; that is, the problems with armed conflicts in Africa.

Anyone who has been reading the newspapers or watching television in the last few days—whatever the medium—could not help but have a natural reaction to the news from Africa that would suggest an impression of chaos, and even feelings of hopelessness. I am sure this is especially true in the last few days when it comes to the events that are transpiring in Sierra Leone with some United Nations troops being killed, others apparently captured, some missing, protesters being killed, and the absurdity of the United Nations troops protecting Foday Sankoh, the leader of the Revolutionary United Front, the group that has been responsible for some of the most heinous crimes against people we have seen in many years—a group that has been responsible for repeated acts of murder, maiming, and rape. People see this on the television, read about it in the newspaper, and they wonder if there is anything that can be done to help make things different in Africa.

Then they read about Congo, the Democratic Republic of the Congo, and they have this sense, understandably, that is a place of endless conflict. They read about Ethiopia and the starvation and famine in a border dispute between Ethiopia and Eritrea that seems to be, at least to many of us, unnecessary and terribly harmful to the people of both countries. They turn on the television, and they see Zimbabwe and what must appear to be a form of chaos with people occupying the land of other people and farmers and farm workers being murdered in a place that a lot of people thought was a success and that now begins to look awfully tense, violent, and undemocratic.

Add to that what we have been talking about in the last few days with this enormous AIDS crisis. Then, if you

mention the AIDS crisis to somebody from Africa, they say: By the way, do you know there is a terrible new strain of malaria that has become extremely problematic and dangerous for people in many parts of Africa? So it is easy for anyone to react with resignation.

I think this is a compassionate country. I think our elected representatives wish to help. When all of this is viewed, I fear that people believe it is hopeless. I think that is understandable. But it is too easy to give up or to use well-worn phrases to dismiss the situation in the African countries as hopeless.

We hear that a lot of records are thrown away. We hear people say, for example, that is just ''tribalism'' and that is what happens when these tribes strike out at one another.

Another word used is, well, it is just ''barbarism.'' That is what goes on in Africa, people seem to say, and there is nothing you can do about it.

Others point out quite clearly that there are problems with corruption in many of these countries. One very thoughtful Senator actually said to me the other day as we talked about what might be done to try to resolve the problem in the Democratic Republic of the Congo: Well, I am afraid we are just going to throw away money to make ourselves feel better.

That is what some people fear we do when we try to solve or help solve the problem in Africa.

I don't think anyone can entirely dismiss any of this. As one who has on occasion shared at least the emotional reaction to these phrases and terms, I am afraid these terms and attitudes reflect a generalization about all of Africa, about the entire continent, that does not hold true. In fact, they are generalizations that even with regard to some of the specific examples do not have a connection to reality. I think these generalizations sometimes suggest, and these phrases sometimes suggest, an unwillingness to explore and understand the differences that actually exist as between these African countries and situations, and in fact the differences between easy assumptions and the facts on the ground in any one of these individual places.

I understand how easy it is for someone to slip into a feeling of hopelessness about Africa. I fight it myself in my own experience. Having been in Africa in December for 2 weeks and having traveled to 10 different countries, I have had some moments such as this. Since I have been there, in the countries I actually had a chance to visit, the situation certainly has not vastly improved, as in the Congo—although I will be talking about that shortly.

In Rwanda, there has been some political instability, a change of power in the Presidency, and other disturbing events. Namibia, just below Angola, has been drawn, to a greater extent than they had been in the past, into the Angolan conflict that has been going on for about 25 years. This has been only since last December, with refugees crossing border lines in significant numbers. In Angola itself, this brutal civil war continues. You may have seen tragedy in some of these other countries on the television. One of the most horrifying things you could ever see is the incredible tragedy of war and the refugee children in Angola.

Then, of course, Zimbabwe. Zimbabwe certainly seemed tense in December. I was concerned. President Mugabe seemed quite tense to me at the time, but I had no idea there would be this collapse of a commitment to democracy on the part of the President of Zimbabwe, and all the violence and fear that has resulted.

Add to that places I did not go this time. There was a coup d'etat in Cote d'Ivoire. Some say it was for the better in the long run, but a coup d'etat it was. And we have also seen the terrifying and tragic consequences of flooding in Mozambique.

Even in Nigeria, which I would cite as a place where we have some greater hope than we used to have, even there where a fledgling democracy is trying to take root, there are repeated examples of religious and geographically based violence that make it difficult to believe the future is going to automatically be a bright one.

So I feel all these concerns about these problems, having just been there and traveled to some of these countries. Oddly enough, though, I believe we have to struggle to simultaneously do two things. First, we have to see each of these situations as different instead of just generalizing. Second, at the same time, we have to see the interrelationships between the different situations in Africa and the different countries in Africa. Because if we do not see how these situations relate to each other, we will not be able to help to make stability and peace possible, and we will not be able to help with fighting disease and establishing democracy and fighting corruption.

I do not pretend to come close to understanding all of these interrelationships, but I am trying to assist our own analysis of what American foreign policy toward African nations should be.

Let me suggest, at the risk of oversimplification, a few distinctions between three different important situations in Africa that we have been reading about right now: Sierra Leone, the Democratic Republic of the Congo, and Zimbabwe. They are very different. First, Sierra Leone is obviously a very small country compared to the others, apparently about twice the size of the State of Maryland. The situation in Sierra Leone is certainly more confined than the situation in the Congo, but it does involve other elements. A lot of the refugees from Sierra Leone have gone to Cote d'Ivoire, which has led to some destabilization there.

The leader of Liberia, Charles Taylor, has been heavily involved in backing Mr. Sankoh in Sierra Leone, and has caused problems backing the RUF organization that committed so many of these crimes. Unlike so many other African countries, Sierra Leone recently, in the last few years, had their first real democratic election. The President was thrown out in a coup, then the ECOMOG, the Nigerian-led force, came in and put him back in power. But the country descended into this, one of the most brutal civil wars we have witnessed in many years. So the Sierra Leone situation is a very tenuous governmental situation. There is no long, continuous period of rule, either democratic or otherwise, by one particular power or entity or person.

Contrast that with the situation in the Democratic Republic of Congo. Congo is, obviously, a huge country. To give you an idea of the size, it is basically the size of all of the United States, from the Mississippi River all the way over including the entire east coast. It is that big in area. But it has not suffered so much from instability, except for in the last few years, as from a brutal rule of Mr. Mobutu who, for maybe 35 years, was the autocratic ruler of what was then called Zaire and who, in fact, some regarded as one of the greatest thieves of all time, in terms of all the resources and riches he spirited out of his nation of Zaire which is now called Congo.

Finally, Mr. Mobutu had to flee and a group of powers from around Africa, some of whom are fighting each other now, together helped establish President Laurent Kabila in power a few years ago.

So it is a terribly difficult situation, but it is not the same as Sierra Leone. Sierra Leone is a frightening situation. There are great crimes being committed. But what is happening in the Congo quite a few people have referred to as a world war, or Africa's first world war. It is that significant and that problematic.

In fact, many people do not realize it but there are so many countries that now have their troops fighting in Congo that it really does look like a world war. There are alliances. For example, one side of combatants that are supposedly allies—although they have been fighting amongst themselves some—are Uganda, Rwanda, and Burundi. They are backing the rebels trying to fight the Kabila government. On the other side, you find groups from Angola, Namibia, and Zimbabwe trying to support and keep in power Mr. Kabila.

In addition to that, we fear there are economic incentives for some of these countries to want to stay in Congo. It is a country rich with incredible resources, including diamonds. Some suggest some of these countries may not want to leave the conflict because of the economic opportunities that exist. So, I would have to say Congo is already like the ultimate Rubik's Cube in foreign policy; it is so complicated and difficult, in terms of understanding what is going on and what could be done. It is like a world war.

Now, contrast that with the third example, Zimbabwe. Zimbabwe is in a

very different position. Zimbabwe actually had what, fortunately, became about 20 years ago, majority rule. Although I obviously believe that the previous Rhodesian Government was a terrible government, some of the institutions from that era have continued into the current era and suggest at least a significant commitment in the past to reasonable governance and the rule of law.

Unfortunately, that promise and that hope that Mr. Mugabe originally brought have fallen apart. Many people think what is happening in Zimbabwe is a race war; that is not the case. It is not a war of black against white. Some think it is about land reform. Although certainly there should be some land reform, that is not what is happening in what used to be a country that some thought was moving in the right direction.

What is happening in this country—that basically was on a better path than Congo, and certainly a better path than Sierra Leone—is President Mugabe is not moving his country forward in a democratic way, in the way that the great Nelson Mandela did. Nelson Mandela, one of the greatest persons of the 20th century, after all those years of imprisonment, became the President of South Africa. What did he do after his first term was up? He believed it was important that democracy work, and he stepped aside and let someone else be elected President. This is just the opposite of what Mr. Mugabe is doing in Zimbabwe, which is threatening to destroy, in my view, a country that has great promise.

I am trying to illustrate how different these situations are. Why do I do this? We must consider our responses to each of these crises individually, as well as in the context of Africa as a whole. When we look at each one, as well as any other situation in Africa, I can understand the hesitation on the part of the American people and our elected Representatives. Hesitation is not only understandable, but it makes some sense.

I understand the need to be hesitant. Hesitation should not be born of oversimplification or incorrect generalization. I know why we are hesitant to get involved in too many places. I have personally said many times we are overcommitted around the world. We have over 250,000 American troops stationed abroad in this post-cold-war era. We have gotten ourselves in situations in Bosnia and Kosovo and in East Timor and even in Colombia, potentially, that some people would regard as open-ended. I am more optimistic about the East Timor situation. However, I am fearful that in Bosnia and Kosovo we got into a situation very heavily. It is open ended. We may find it difficult to extricate ourselves. That is a reason for hesitation.

There are reasons for being hesitant specifically with regard to the record of the efforts made in Africa in the past. Certainly, the failure of the U.N. mission in Congo in the early 1960s is an example often cited as an attempt that failed that makes people hesitant. Without any doubt, the miserable failure of our Somalia mission in northeast Africa in 1993 and 1994 is another example of where the American people would have some reason to pause before wanting to get involved in helping to resolve some of the conflicts in Africa.

I think this hesitation begs the question with regard to Africa. I think the question is, Why do we act decisively in other parts of the world, and seem to be disproportionately hesitant to act when it comes to problems in Africa? There are a lot of reasons that might be given for treating Africa differently. Let me suggest I don't think these reasons hold up. I want to mention a few of the reasons that have been given or might be given.

First, our not acting in Africa cannot be because of a lack of tragedy, brutality, and even genocide in Africa. Despite the cries of ''never again'' that were legitimately raised with respect to Bosnia and Kosovo and even East Timor, how can anyone now use that kind of phrase with regard to what happens in Africa? I don't need to cite chapter and verse from my colleagues, although maybe I should, about the tragedies and brutality and human suffering in Africa as a result of conflict, be it Angola, Burundi, or, of course, Rwanda.

I don't think the reason we don't act in Africa is because the African countries should try to help themselves. The fact is, the African countries are doing a pretty good job with very limited resources to try to shoulder their share of the burden. In fact, they compare favorably to our European allies when it comes to stepping up to the plate in their own region.

One of my criticisms of the Bosnia and Kosovo situation is I don't think the European allies did as much as they could and asked us to do more than we should in those situations. There are examples, in Africa, of a better record. Nigeria, a country I have often criticized on this floor, under their previous military regime actually has a good record of trying to resolve conflicts in their region. The ECOMOG forces, led by Nigeria, were involved in trying to change the situation for the better in Liberia, and the Nigerians in the past have taken aggressive steps to try to solve the problem in Sierra Leone, and some hope they will be asked to do this again.

When I was in Mali in December, one of the poorest countries in the world, they told me how some of their people were part of the ECOMOG force that went into Sierra Leone, and how they lost eight lives in that mission. They are taking the loss of lives of their own citizens in the name of trying to have peace and stability in their region. I am impressed by that.

I am impressed by the comments of President Chiluba of Zambia this weekend who, after a couple hundred of his troops were missing in Sierra Leone, said he regretted it. He was concerned for their safety, but peace was worth this kind of effort.

For anyone who thinks the African nations and the African Presidents are asking us to do everything, that is not what the record shows. I don't think it can be a fair objection to our acting and a reason for hesitance to say they are asking for American troops to do this. That is not true. I am not hearing demands for American troops. In fact, I talked to ten different African Presidents about the Congo situation in December, and I don't remember any of them asking for American troops to be involved in this situation. In fact, some did specifically seem to indicate they prefer that there not be American troops involved for whatever reason. This is not a question of whether American ground troops will be asked to resolve these situations.

I don't think our hesitance can be explained by suggesting that African situations are somehow too complex—though, as I indicated they often are complex—to try and unravel. Some of the situations are horrible but are relatively straightforward, such as Angola. And as I said, although Congo is complex, so, certainly, are the situations in Bosnia with the ethnic divisions and borders that show no particular relationship to the ethnic identity of the people. There are little enclaves throughout the area. We are talking in this Congress about getting more involved in the situation in Colombia with real money and real resources. That is an enormously complex situation which is related to the situation in other Latin American countries. So it can't simply be that these are tough nuts to crack; they are, but they are not the only ones. We have acted in some incredibly difficult and complex situations in parts of the world that are not in Africa.

Can it be because somehow Africa doesn't involve our national security? I don't think it can be that these situations are not dangerous, not only for Africa but for us and the rest of the world. The situation in the Congo is often called Africa's first world war, as I have said. That means not just tragedy for Congo and the nations directly adjacent, but it means it has the potential for enormous disruption throughout the entire continent, and I suggest a destabilizing influence throughout the world when it comes to political borders, when it comes to the spread of AIDS, when it comes to millions of children who are orphans, when it comes to child soldiers marauding around the countries, and, yes, national security because this kind of situation, if left unchecked, opens the door to other countries and other entities that are not our friends, trying to exploit the tragedy in Africa, whether it might be attempted by Libya, North Korea, or perhaps China. It cannot be that we hesitate because this continent

is not in our national interest and is not a question of our national security.

Finally, perhaps most important, our hesitance cannot be because the United States and the West have no responsibility to act. Consider the colonial legacy. After my trip, I had a chance to read one of the best and most powerful books I have read in a long time called ''King Leopold's Ghost'' by Adam Hochschild. This is basically the story of the brutal exploitation of the Belgian Congo by Belgium's King Leopold and others in the previous century. Colonialism essentially marauded the social structure of a peaceful people.

When that period finally came to an end in 1960, I believe, they had a democratic election. I am sure it was not perfect, but a man named Patrice Lumumba, a hero to the Congolese people, was elected President. A few months later, he was brutally murdered, without a doubt at the instruction of our CIA and our country. That is what we did to the people of Congo, and we installed Mr. Mobutu who proceeded to have one of the most brutal rules in history for the next 30 to 35 years.

To suggest we do not have a responsibility, that we did not have anything to do with this is just plain wrong. The same thing goes for Angola. This is not about the colonial era only. Angola was used for many years as a playground for the cold war. The Soviet Union and the United States decided to have it out here, and they planted more landmines in the fields, the rich farm fields of Angola, than any other place in the entire world. As a result, there are more amputees in Angola than anywhere else in the world and in any other time in human history. Walk down a street in Angola and look at the number of people who have lost a limb to landmines—not that lives, of course, were not taken. It is appalling. That was our war. I understand the stakes that were involved, but to suggest we do not have a responsibility when we were that involved in the situation and to fail to help the people from Angola to have a decent life is simply wrong.

I have just given six reasons that I do not think can really be the reasons for our not acting in some of these situations. I will now suggest three reasons I think might genuinely explain our extreme hesitance and reluctance to help stop these conflicts in Africa, as compared to our willingness to do it in other parts of the world.

First, I believe there is a genuine fear that we will get stuck in one of these situations. Some might call it the Vietnam syndrome, and I understand that, having been a young opponent of the Vietnam war myself in my college years. I remember the song entitled ''Knee Deep in the Big Muddy.'' That was a symbol for our generation of how we were stuck in Vietnam. I am sure many people worry about that.

I submit we are already stuck in Bosnia and Kosovo, and I believe we became stuck in those places because we went headlong into those conflicts with no good plan about how to finish it or what resources we would commit to it or what steps would allow us to finish the job or decide that we cannot finish the job. I do think that our hesitance is part of our very recent memory of the enormous tragedy in Africa in Somalia when we lost 18 of our brave soldiers in the helicopter disaster that led to our withdrawal. There is no question in my mind that Americans and American foreign policymakers worry that if we try to help in one of these situations, we will get stuck and cannot get out. When I say ''we,'' I mean the international community, not necessarily just the United States.

Second, I think we do not act perhaps when we should because we have a tendency in this country to think in terms of having to do all or nothing in one of these situations; that we have to do the whole thing, and if we do not do the whole thing, somehow we have not lived up to an American obligation to do absolutely everything to solve the problem.

Some say do not do it at all unless you are going to go in and get the job done. I have heard that many times with regard to military intervention; why don't we just go in there and finish the job? It is an attitude which, on occasion, is appropriate but I think sometimes leads to mistakes.

When it comes to the African situation, this notion that we should do everything or nothing leads to real problems. In Somalia, we tried to do too much when we did not know what we were doing, and then we did nothing when it came to Rwanda. It does not have to be everything or nothing. In fact, there is a recent example I am relatively pleased about, and that is what we are doing in East Timor. We are not leading the charge there. Australia is leading the charge and Asian countries are leading the charge. We are helping in a measured, reasonable way because the countries in that region, as I suggest some of the countries in Africa, are trying to do the same thing.

I believe that is a reason people are afraid of doing some things because they want to do everything or nothing.

A third reason we do not act, and a genuine reason—and I fear it is the most important reason and I wish I did not have to come to this conclusion—but I do think there is somehow, unbelievably, a double standard when it comes to Africa. This is very bad for Africa, and I submit it is just as bad for the United States.

When I see President Mbeki of South Africa and the President of the People's Republic of China, Jiang Zemin, get together at a news conference and comment about how they are tired of having one country calling all the shots in the world, I see fertile ground for resentment against the United States that can hurt us today and can especially hurt America and our children and grandchildren in the future.

This is a sad thing to let happen because we do not have a lot of the colonial baggage and some of the resentment that Africans feel toward countries such as Belgium because we were not deeply involved in many of those situations. We have a positive opportunity, when it comes to much of Africa, to get it right.

It is this idea of getting it right that brings me to the specific purpose of these comments, and that is that we should not summarily retreat from the pursuit of peace and self-determination in the Democratic Republic of the Congo. I fear there will be some kind of a knee-jerk reaction because of the very disturbing news and film coming from Sierra Leone. The United Nations there obviously has not yet got it right. I may well be interested in seeing and helping that United Nations effort become stronger and tougher to deal with the brutality that is going on, and we cannot abandon that situation, but I believe there is a way to get it right in Congo. One of the main reasons is the leadership of a man from whom I stole the phrase ''Get It Right,'' and that is our Ambassador to the United Nations, Richard Holbrooke, whom I had the chance to accompany on a trip to Africa in December. It was an honor to be on that trip, and we had a chance together to meet with virtually every one of the African Presidents who are directly interested in this conflict.

I want my colleagues to know that, although we were extremely moved and troubled by the AIDS crisis in Africa, and that overtook us emotionally on the trip, the core reason for the trip was to see if the Ambassador and I and others could get an understanding of the complexity of what is going on in the Congo and what we could do about it.

I want my colleagues to know—and I heard him do it—that at each stop, Ambassador Holbrooke said: We want to help, but there are no blank checks and we must get it right or we cannot help.

He was very measured and showed due caution. Of course, the situation in the Congo is incredibly difficult, but I see some reason to see it as progressing in the right direction, slowly but surely. I understand that our support may not necessarily work, that there could be a failure, but I think that serious logical steps can be taken.

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

The PRESIDING OFFICER. Twelve minutes.

Mr. FEINGOLD. Mr. President, I would like to, just very briefly, indicate some of the steps that have been taken in the Congo pursuant to what is called the Lusaka agreement that suggests to me this is a situation worth supporting if at all possible.

The countries involved, including the Congo itself, and some of the rebel groups, have signed this Lusaka agreement that set up something called a

joint military commission. This joint military commission is committed to doing the job of actually enforcing the peace and making sure the parties withdraw from the other countries.

In order to get to phase 2 of this operation that is now contemplated, a number of things had to happen. The joint military commission had to be created, and an initial 90 observers from the U.N. had to be deployed. That was done. But before the next phase goes forward—the one that involves some 5,500 U.N. troops and personnel—a number of other things had to happen as well.

There had to be a functioning ceasefire. Although it has not worked at all times—and at the moment is in a little bit of trouble because of the conflict between Uganda and Rwanda—on the whole, it has succeeded in the last month. Second, it was essential that all these parties come together and pick one person as a facilitator of the process of national dialogue. After a number of efforts, they did so, by appointing President Masire, the former President of Botswana.

They had to create an operational arrangement of the U.N. MONUC group and the JMC to coordinate, and they did it. They had to have a signed commitment by the parties of the conflict guaranteeing security and freedom of movement and access for the U.N. team. And they did it.

So now we come to the point of where additional steps, hopefully, can be taken. We are now looking at getting into the second phase of this peace operation, including developing plans to disengage and withdraw the troops from the various countries and parties that have signed this agreement, and the conducting of an inter-Congolese dialog that could lead to a genuine democratic country, and to develop these plans with the JMC.

If that is accomplished, and only if these steps are accomplished, would we go forward to the final steps, phase 3, which involves verifying the withdrawal of foreign forces, normalizing border security, and, yes, finally, again, after all these years, the conducting of a democratic election.

So what I am seeing here, although it is certainly not perfect, is a measured step-by-step approach—not an all-or-nothing approach—but a step-by-step approach, led by the African countries. That is something I think we should encourage and even admire because it is so very difficult to do in this situation.

For me, there is a sufficient record to say, we must try to do something—not send U.S. troops, not send a huge United Nations force of 30,000 or 40,000 people, as some have wondered about.

It may not work, and we may ultimately have to say no to doing more, as tragic as failure would be—but based on the facts that I have witnessed and learned about, I think we must try.

We must not wash our hands of this or just say that it would be an example of throwing money in the Congo to make ourselves feel better. I believe we should support financially—and in other ways—the efforts for peace in the Congo. We must try.

Again, why must we try? I think because this is a test—it is a very tough test—but it is a test of whether the United States really does have a double standard vis-a-vis Africa. To abandon the Congo without an effort would be a strong signal that we intend to abandon all of Africa.

We must try, even though we have tried in other situations with great difficulty—such as Kosovo and Bosnia and Haiti. Let me again suggest I think we went too headlong into those situations. I do not think we were careful to take the measured steps that are being done in this case. And that led to our complete, abject failure to act with regard to Rwanda. As I have said, even with regard to Somalia, mistakes were made. But I think that is because it was, again, an example of an all-or-nothing approach, with no clear mission, and no exit strategy.

I think this is different. I think this has the potential to work, although it is difficult, because it is measured and it is an African-dominated approach.

I think we have to try because at this time in human history the crimes against Africa have to be halted. I do not have time to talk about the slave trade, the gap between the rich and the poor, the use of these countries as a playing field for colonial powers during the cold war. But we cannot extol this new global economy and trade around the world and have these African nations treated forever as hopeless and fundamentally different.

We must try, in fact, because the lofty rhetoric of U.S.-Africa trade becomes something of a cruel hoax on the people of Africa if we are not going to confront the brutality, the chaos, and even the genocide in the very nations with whom we claim we want to have improved trade.

We must try because I think it truly hurts America in the world's eyes, at a critical time in our role as a world leader, if we are perceived as being unwilling to help African nations when they desperately need that help.

Finally, to return to my initial theme—because each situation in Africa is different, and yet interrelated—if we help move this process forward, this Lusaka agreement, involving cooperation between the U.N. and the joint military commission, it cannot only give Congo what it has always deserved and never had—real peace, self-determination and hope—but it can help its neighbors.

Rwanda is greatly destabilized and threatened because of this conflict in the Congo. Uganda has a very problematic border with the Congo, and other countries, and is now in conflict with Rwanda because they are in the Congo together. That would help alleviate that situation. Burundi has enormous problems of its own, which President Mandela is trying to help with. None of these countries should be involved in the Congo conflict. They have problems of their own.

Angola, which I have described as one of the most horrifying situations in Africa, should not be having troops up in this area for whatever reason, perhaps because of their conflict within their own country. We can cause this to be a more localized problem that perhaps we could deal with.

Namibia certainly should not have troops up in the Democratic Republic of the Congo, nor should the other countries, when all it does is drain their resources and causes problems over their borders.

And, of course, Zimbabwe. Talk about any country in the world that should not be using its resources right now to fight a war in the Congo, when it has such desperate economic and political problems at this time. Even South Africa suffers in its tremendous struggle to become one of the great nations of the world as long as this Congo conflict continues.

Let us be realistic, but let us also be open to the possibility of trying in the Congo. Let us not have a double standard where we act with great rhetoric and words of ''never again'' in so many places in the world, but when it comes to Africa, we seem to be unable to act.

Mr. President, I appreciate the opportunity to speak.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

MILITARY CONSTRUCTION APPROPRIATIONS ACT, 2001

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the consideration of S. 2521, which the clerk will report by title.

The legislative clerk read as follows:

A bill (S. 2521) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

The Senate proceeded to consider the bill.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BURNS. Mr. President, I am pleased to bring before the Senate the military construction appropriations bill and report for fiscal year 2001. This bill reflects the bipartisan approach that the ranking member, Senator MURRAY of Washington, and I have tried to maintain regarding military construction on this subcommittee. It has been a pleasure to work with Senator MURRAY and her staff. They have been very cooperative throughout this