

and say: If you are really interested in education, let's bring the elementary and secondary education bill back to the floor. Let's debate it.

We are glad to consider it in the evening time. We have now just about a month left in this session of the Senate. We ought to be resolving the issues on education, on the Patients' Bill of Rights, on prescription drugs, and on the increase in the minimum wage. If we did those four, if we took care of those four issues, I think we could say that this was a Congress of considerable achievement and considerable accomplishment.

Those are central, focused issues about which both of the candidates are talking. But they are speaking all over the country; they are not speaking to us here in the Senate. We have no debate on minimum wage. We are not getting back to the minimum wage or prescription drugs. We aren't getting back to education.

Since we are not going to be able to do that and have it rescheduled, we are going to have to take whatever steps we possibly can on whatever bills that are going to come up in the remaining days. We want to do this well. We want to do it with the understanding of the leadership on both sides. But if we are not going to be able to get focus and attention on these issues, then we are going to have to take whatever opportunity we have, on any of the measures that are coming down the line, in trying to press the people's business in the form of education. And that I commit we will do.

I thank the Chair.

The PRESIDING OFFICER. Under the previous order, the Senator from Minnesota is recognized.

Mr. WELLSTONE. Mr. President, I know my colleague from Maine wants 5 minutes to respond. I ask unanimous consent that after my colleague from Maine speaks, my colleague from California have 5 minutes as in morning business, and that I then be able to introduce the amendment.

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

The Senator from Maine.

Ms. COLLINS. Mr. President, first, I thank my friend and colleague from Minnesota for his usual graciousness in allowing me to respond to the comments made by my friend from Massachusetts, Senator KENNEDY.

Let's look at the facts. My colleagues on this side of the aisle have repeatedly said that the reauthorization of the Elementary and Secondary Education Act is our top priority. We produced a very good bill from the HELP Committee on which the Presiding Officer serves so ably. We produced a bill that provides a substantial increase in Federal funding for education to help improve education and the lives of children all over this Nation.

We also adopted an important, innovative, new approach, one that recognizes that Washington is not the fount of all wisdom when it comes to edu-

cational policy. We recognize that schools have different needs, that some need new computers. Others need to hire new math teachers. Still others need to concentrate on providing more programs for gifted and talented students. Schools have different needs. They want to tailor their policies to the needs of the local community.

That is what our bill would do. It would give schools more flexibility in spending Federal dollars while holding them accountable for what counts; that is, results, improved student achievement. We want to get away from the Washington-knows-best approach and let local school boards, teachers, and parents make the decisions about what their children best need.

Unfortunately, our efforts were derailed by our colleagues on the other side of the aisle who insisted on weighing down the education bill with issues completely unrelated to education. The majority leader, Senator LOTT, has tried repeatedly to get a unanimous consent agreement that would allow us to return to the education bill that both sides agree is so important. Unfortunately, the latest effort was once again met with demands for unrelated, nongermane amendments that would sink our ability to produce this important legislation this year.

Those are the facts. Our side stands ready to return to the ESEA bill. We believe that is an extremely important priority. We are very proud of the bill we have produced. We believe it would make a real difference in the lives of American children. We would like to go forward. Unfortunately, we have been met with obstacle after obstacle from our colleagues on Senator KENNEDY's side of the aisle.

That is unfortunate. But the American people deserve to know why we have been unable to complete our work in this very important arena.

I yield the floor and again thank my colleague from Minnesota for his graciousness.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. BOXER. I thank the Chair.

Mr. President, I add my thanks to my fine colleague for allowing me to have this 5 minutes.

I say to my dear friend from Maine that we all seem to be saying we want to bring up the ESEA so we can debate education. Yet the format under which we would be going back to this bill would be a closed format. Those of us who think it is important, for example, that there be school safety, that we be allowed to offer sensible gun laws so we can, in fact, keep these guns away from these kids wouldn't be able to do it. We could not offer an amendment on school modernization. We could not offer an amendment to expand after-school opportunities, smaller class sizes, more qualified teachers, and accountability for results.

When you say you want to discuss education, yet you shut out the ability

for those of us on this side to offer these amendments that, by the way, many people in the country support by majorities of 80 percent, it seems to me you are not offering anything at all.

The interesting point is that my friends on the other side say: Well, you are just trying to delay things. Nothing could be further from the truth. In 1994, PHIL GRAMM on your side offered a gun amendment on the ESEA. All we are asking for is the opportunity to debate this and debate it so that it is relevant to the American people.

#### THE CLINTON BUDGET

Mrs. BOXER. Mr. President, I asked for the 5 minutes because I want to discuss a timely matter in response to my good friend, Senator JOHN MCCAIN, who made a national radio address of 5 minutes to the Nation in which he criticized the President very strongly for the President's budget plans.

It is wonderful to see that JOHN is back and strong, healthy and feisty, and I am looking forward to testifying before his committee on the issue of violence among children. But I have to say, although I completely respect his opinion, I think his analysis of where we are in the budget debate is so upside down and inside out, I felt compelled to take to the floor today to respond.

Senator MCCAIN said in his radio address:

Our President supports excessive spending that most Americans oppose.

That is a direct quote. He said the President would:

... wreck the economic progress we have made during these good years.

That is very strong language.

I must say respectfully to my friend from Arizona, why have we had "these good years" about which he talks? Clearly, it is because this administration has given us policies that work. We only need to look back to 1992, the Bush-Quayle years. We had the worst recession since the Great Depression. I remember it so well because it is when I ran for the Senate. We had horrific deficits as far as the eye could see, almost \$300 billion. We had crime rising; we had hope falling. We had unemployment skyrocketing, and there was malaise in the country.

The Clinton-Gore budget in 1993 changed all of that by ushering in a new era of economic growth. It was a combination of discipline on the deficit and policies that would invest in our people—economic discipline on the one hand, saying to the people in the very high brackets: You have to pay your fair share, and investing in our people, in education, in the environment, and in infrastructure.

It does not mean everything is perfect, as AL GORE is saying. He is not satisfied. None of us should be satisfied. There is more work to do, and we need to do better.

But let's look at the record since AL GORE has been Vice President: Average

economic growth, 3.8 percent a year under Clinton-Gore, compared to 1.7 percent under Bush-Quayle; unemployment in 1992, a staggering 7.5 percent. In my home State, it was double digits. I will never forget the fear among the people. Today the unemployment rate is 4 percent.

The PRESIDING OFFICER. The Chair advises the Senator that her time has expired.

Mrs. BOXER. Mr. President, I ask unanimous consent for 3 additional minutes.

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

Mrs. BOXER. Home ownership is the highest ever. The \$290 billion deficit has turned into a \$232 billion surplus. Poverty is the lowest in 20 years. Real wage growth is up 6.5 percent. Under the Reagan-Bush years, there was a decline in the real wage growth of 4.3 percent. There are 22 million new jobs, the most jobs created in history under a single administration.

Now we have the other party saying the President is wrong on his budget ideas. It is their right to say that. But the American people are wise. When you oppose every policy that led to this economic growth, they are going to question you at this particular point in the debate.

Instead of having a radio address where you slam this administration after these great years of growth, why not hold out your hand? Why not hold out your hand to the other side? People are tired of this partisanship.

Let's keep these successful policies going. As Vice President GORE has said, let us do even better. Let's not be satisfied; let's make those deep investments in education and the environment. Let's do even better on paying down the debt. Let us give middle-class tax cuts, not tax cuts to the super-wealthy that are going to wreck this economic recovery. Let us save Social Security and Medicare. The other side wants to do it. Let's join hands.

Let's join hands on a real Patients' Bill of Rights and on a real prescription drug benefit as part of Medicare—and not send our seniors off to the HMOs which really do not have the patients' benefits at heart. Let's do it together before the end of this session. Let's do it now. Let's join hands now rather than throw insults over the radio.

My friends, we have a golden opportunity. I think we have shown we can work together. Let's stop the partisanship. Let's join hands. Let's finish this year on a high note, go home, and feel good that we have done these things. Let's keep up the policies of the past 8 years because they have worked. But let's do even better.

I thank my friend for giving me this time. I thank the Presiding Officer for his indulgence.

I yield the floor.

TO AUTHORIZE EXTENSION OF  
NONDISCRIMINATORY TREAT-  
MENT TO THE PEOPLE'S REPUB-  
LIC OF CHINA—Continued

AMENDMENT NO. 4119

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. WELLSTONE. Thank you, Mr. President.

Mr. President, amendment No. 4119 deals with the human rights question; it deals with the trade question; it deals with the issue of Chinese exports to the United States of goods made by prison labor.

To curb such exports, this amendment is about existing agreements that we already have with China. This amendment just says we want China to live up to the existing agreements. The United States and China first signed a memorandum of understanding in 1992, which I will refer to as MOU throughout the debate. Then we signed a statement of cooperation in 1994. This amendment would require that the President certify that China is fully compliant with the two trade agreements that China has already made with us before extending PNTR to China.

Let me provide some background on U.S.-China agreements on trade in prison labor products and discuss China's deplorable record in complying with these agreements. Actually, they haven't complied with these agreements. The MOU was intended to end the export to the United States of goods produced by prison labor in China. China agreed to the United States' request back in 1992 that it would promptly investigate any companies that were involved in using prison labor to export products back to our country. But basically the Ministry of Justice in China completely ignored the agreement.

In 1994, therefore, we signed another statement of cooperation with them in which China said: We will agree and we will set some time limits so that within 60 days of the United States' request to visit such a facility we will make that happen. We will be expeditious in making sure we follow through on this agreement.

For the last 3 years, they have not followed through on any of these agreements.

Because of the good work of my colleagues, Senator HARKIN from Iowa and Senator LAUTENBERG from New Jersey—both of whom are going to speak on the floor of the Senate—for the first time in 3 years we had Customs able to visit one of these factories. But this really was the first time that China has budged at all. Other than that, we have seen no agreement, or no follow-through on these agreements.

When I became a member of the Foreign Relations Committee 3 years ago, I remember the first hearing we held had to do with prison labor conditions in China and this whole problem of trade with China. Basically the consensus of all of the witnesses who testi-

fied, including administration witnesses, was that the Chinese compliance with our trade agreements was pitifully inadequate. There has been virtually no compliance with these agreements.

The State Department issued a country-by-country report in 1999 and also in the year 2000. I will summarize. I could quote extensively. Both of these reports make it clear that during the last 2 years, China has not complied with these existing agreements.

Let me simply raise a question with my colleagues. Here we have two trade agreements with China—two understandings. We have basically said to the Chinese Government that people in the United States of America would be outraged if they knew that part of what they were doing was exporting products to our country produced by prison labor. This is a human rights issue. It is a labor issue. And it is also a trade issue.

It is interesting. I talked about a memorandum of understanding. In 1994, the administration used as evidence the fact that China had signed the statement of cooperation. For the first time, the President said: I am going to switch my position and I am going to delink human rights from trade because it is a great step forward that China has signed this statement of cooperation. That judgment turned out to be premature. China's Ministry of Justice ignored seven U.S. Customs' requests for investigation submitted in March of 1994, the same month that the agreement was passed.

China, for years, has refused to allow U.S. officials access to its reeducation through labor facilities—let me repeat that—reeducation through labor facilities, arguing that these are not prisons.

China, in spite of these agreements, has said: We will not allow the United States access to our reeducation through labor facilities because these are not prisons. Beijing would have us believe that these are merely educational institutions. And nothing, if we are at all concerned about human rights in the Senate, could be further from the truth.

Reeducation through labor—known as "laojiao" in Chinese—is a system of administrative detention and punishment without trial. That is what it is. The U.S. Embassy in Beijing insists that reeducation through labor camps are covered by our trade agreements, the MOU. And this is confirmed by the MOU record. Beijing disagrees and continues to claim that these reeducation through labor facilities are not prisons. For over 5 years, China has repeatedly denied or ignored all U.S. requests to visit one of these facilities. We haven't been able to visit even one of these facilities.

What has been this administration's reaction to China's refusal to allow a visit? It has been the same as for all denied visits. We renew our request every 3 months, and the Chinese totally ignore us. This charade ought to