subpoena. However, I did not—I repeat, I did not—talk to Director Mueller about a subpoena. That is a matter for the committee to decide and on which to take the lead. It is not something that I would do. Nor did I ask Director Mueller, or anybody else, for a copy of the notes of the briefing materials that went to President Bush in the purported briefing back on August 6, 2001. No request was made for that.

My view—and it is a very strong one, as you can tell from my tone—is that the FBI has questions to answer, and it is a matter for the Judiciary Committee because we confirmed Robert Mueller. We are the ones who asked him the questions and laid down certain parameters for his expected conduct as Director of the FBI, the most important of which is to tell the Judiciary Committee on his own when there are matters such as the Phoenix memorandum; just as the FBI should have told the Judiciary Committee about the Department of Justice memorandum in December of 1996, which was a smoking gun, with the Department of Justice pulling its punches on the campaign finance investigation because of the concern of Attorney General Reno's retention in the second term.

I make these comments very briefly this morning, and I know the assistant majority leader is waiting to proceed to the business at hand. I think these matters are of the utmost importance; the American people need to know about them. I hope Director Mueller will appear promptly before the Judiciary Committee and not wait until after our lengthy recess to take up the issues that require answers now.

I thank the Chair and yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Nevada.

Mr. REID. Mr. President, what is the business before the Senate?

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

ANDEAN TRADE PREFERENCE EXPANSION ACT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now resume consideration of H.R. 3009, which the clerk will report.

The senior assistant bill clerk read as follows:

A bill (H.R. 3009) to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes.

Pending:

Baucus/Grassley amendment No. 3401, in the nature of a substitute.

Rockefeller amendment No. 3433 (to amendment No. 3401), to provide a 1-year eligibility period for steelworker retirees and eligible beneficiaries affected by a qualified closing of a qualified steel company for assistance with health insurance coverage and interim assistance.

Daschle amendment No. 3434 (to amendment No. 3433), to clarify that steelworker retirees and eligible beneficiaries are not eligible for other trade adjustment assistance unless they would otherwise be eligible for that assistance.

Dorgan amendment No. 3439 (to amendment No. 3401), to permit private financing of agricultural sales to Cuba.

Allen amendment No. 3406 (to amendment No. 3401), to provide mortgage payment assistance for employees who are separated from employment.

Hutchison amendment No. 3441 (to amendment No. 3401), to prohibit a country that has not taken steps to support the United States efforts to combat terrorism from receiving certain trade benefits.

Dorgan amendment No. 3442 (to amendment No. 3401), to require the United States Trade Representative to identify effective trade remedies to address the unfair trade practices of the Canadian Wheat Board.

Reid (for Kerry) amendment No. 3430 (to amendment No. 3401), to ensure that any artificial trade distorting barrier relating to foreign investment is eliminated in any trade agreement entered into under the Bipartisan Trade Promotion Authority Act of 2002.

Reid (for Torricelli/Mikulski) amendment No. 3415 (to amendment No. 3401), to amend the labor provisions to ensure that all trade agreements include meaningful, enforceable provisions on workers' rights.

Reid (for Reed) amendment No. 3443 (to amendment No. 3401), to restore the provisions relating to secondary workers.

Reid (for Nelson of Florida/Graham) amendment No. 3440 (to amendment No. 3401), to limit tariff reduction authority on certain products.

Reid (for Bayh) amendment No. 3445 (to amendment No. 3401), to require the ITC to give notice of section 202 investigations to the Secretary of Labor.

Reid (for Byrd) amendment No. 3447 (to amendment No. 3401), to amend the provisions relating to the Congressional Oversight Group.

Reid (for Byrd) amendment No. 3448 (to amendment No. 3401), to clarify the procedures for procedural disapproval resolutions.

Reid (for Byrd) amendment No. 3449 (to amendment No. 3401), to clarify the procedures for extension disapproval resolutions.

Reid (for Byrd) amendment No. 3450 (to amendment No. 3401), to limit the application of trade authorities procedures to a single agreement resulting from DOHA.

Reid (for Byrd) amendment No. 3451 (to amendment No. 3401), to address disclosures by publicly traded companies of relationships with certain countries or foreign-owned corporations.

Reid (for Byrd) amendment No. 3452 (to amendment No. 3401), to facilitate the opening of energy markets and promote the exportation of clean energy technologies.

Reid (for Byrd) amendment No. 3453 (to amendment No. 3401), to require that certification of compliance with section 307 of the Tariff Act of 1930 be provided with respect to certain goods imported into the United States.

Boxer/Murray amendment No. 3431 (to amendment No. 3401), to require the Secretary of Labor to establish a trade adjustment assistance program for certain service workers.

Boxer amendment No. 3432 (to amendment No. 3401), to ensure that the United States Trade Representative considers the impact of trade agreements on women.

Reid (for Durbin) amendment No. 3456 (to amendment No. 3401), to extend the temporary duty suspensions with respect to certain wool.

Reid (for Durbin) amendment No. 3457 (to amendment No. 3401), to extend the temporary duty suspensions with respect to certain wool.

Reid (for Durbin) amendment No. 3458 (to amendment No. 3401), to establish and implement a steel import notification and monitoring program.

Reid (for Harkin) amendment No. 3459 (to amendment No. 3401), to include the prevention of the worst forms of child labor as one of the principal negotiating objectives of the United States.

Reid (for Corzine) amendment No. 3461 (to amendment No. 3401), to help ensure that trade agreements protect national security, social security, and other significant public services.

Reid (for Corzine) amendment No. 3462 (to amendment No. 3401), to strike the section dealing with border search authority for certain contraband in outbound mail.

Reid (for Hollings) amendment No. 3463 (to amendment No. 3401), to provide for the certification of textile and apparel workers who lose their jobs or who have lost their jobs since the start of 1999 as eligible individuals for purposes of trade adjustment assistance and health insurance benefits, and to amend the Internal Revenue Code of 1986 to prevent corporate expatriation to avoid United States income tax.

Reid (for Hollings) amendment No. 3464 (to amendment No. 3401), to ensure that ISAC Committees are representative of the Producing sectors of the United States Economy.

Reid (for Hollings) amendment No. 3465 (to amendment No. 3401), to provide that the benefits provided under any preferential tariff program, excluding the North American Free Trade Agreement, shall not apply to any product of a country that fails to comply within 30 days with a United States government request for the extradition of an individual for trial in the United States if that individual has been indicted by a Federal grand jury for a crime involving a violation of the Controlled Substances Act.

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be 90 minutes of debate in relation to amendment No. 3433, to be equally divided. The time will expire at 11 a.m.

The Senator from Nevada is recognized.

AMENDMENT NO. 3470 TO AMENDMENT NO. 3401

Mr. REID. Mr. President, I send an amendment to the desk on behalf of Senator LANDRIEU, and I ask unanimous consent that after it is reported it be laid aside.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will report.

The senior assistant bill clerk read as follows:

The Senator from Nevada [Mr. REID], for Ms. LANDRIEU, proposes an amendment numbered 3470.

Mr. REID. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide trade adjustment assistance benefits to certain maritime workers)

On page 86, between lines 17 and 18, insert the following new section:

SEC. 113. TRADE ADJUSTMENT ASSISTANCE FOR MARITIME EMPLOYEES.

Not later than 6 months after the date of enactment of the Trade Adjustment Assistance Reform Act of 2002, the Secretary of Labor shall establish a program to provide health care coverage assistance under title VI of that Act, and program benefits under chapter 2 of title II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.) to longshoremen, harbor and port pilots, port personnel, stevedores, crane operators, warehouse personnel, and other harbor workers who have become totally or partially separated, or are threatened to become totally or partially separated, as a result of the decline in the importation of steel products into the United States caused by the safeguard measures taken by the United States on March 5, 2002, under chapter 1 of title II of such Act (19 U.S.C. 2251 et seq.).

The ACTING PRESIDENT pro tempore. The amendment will be laid aside.

The Senator from West Virginia is recognized.

AMENDMENT NO. 3433

Mr. ROCKEFELLER. Mr. President, we are now on the retired steelworkers amendment. I urge my colleagues to vote for cloture. We are basically allowing a very small group of steel retirees who, through no fault of their own—we are going to allow them to get the TAA health credit for 1 year only, and for 1 year only once. So it is a highly restricted amendment, more so than TAA benefits generally. No transitional costs, no cash benefits, no retraining, none of that.

If you support trade adjustment assistance for workers who lost jobs because of imports, you must support some temporary assistance—1 year and only once—of just health benefits for steel retirees who lost their coverage because of the same types of imports.

The fact is, the American steel industry has suffered more than any other industry that I can think of. If you check the record, no other industry has suffered and been such a victim of a flood of imports as has the steel industry. It is very well documented. In the Presidentially initiated section 201 initiative, which involved the investigation of the International Trade Commission, and Republican and Democratic Senators are members, recently unanimously declared that the steel industry had been seriously injured by imports. Nobody else has gone through that process. They studied it and found out the steel industry had been clobbered by imports over a long period of years.

Steel has been besieged by unfair trade and subsidy practices. One of the things that so wrenches my gut is that the U.S. Government has done nothing about it. We have done nothing about unfair trade practices, about dumping, countervailing duties, cartels, or predatory pricing. We have just let it continue because somehow the steel industry, I guess, does not count as much as a number of other industries in the minds of various administrations. I am talking not just about this administration, but previous ones also.

For 30 years, it is not just that bad things have been happening, but we have been breaking our own trade laws, as well as international rules. We have been ignoring them.

We passed a law saying there shall be no dumping. We did that in 1974. Administrations constantly ignore that law. So we have unfair foreign trade practices that have led us to this crisis. There was insufficient action against foreign dumping.

Do people know what ''dumping'' means? It means selling a product to another country at less than the cost of producing it in that country. So they are dumping it, so to speak, into the American markets.

There was insufficient action, again, under U.S. law—we were breaking our own laws—and international trade rules against decades of foreign subsidies to steelmakers. We do not subsidize our steelmakers. We never have. Everything they have done, they have done on their own—everything. Other countries subsidize their steelmakers. They underwrite their steel industries.

Our Government has turned a blind eye to the foreign steel cartels. Anybody who has anything to do with steel understands that. Those cartels have served as protectionist barriers to protect foreign steelmakers. Those barriers have protected them from international competition, from fairness, even from quality, and our Government declined to pursue endless reports that foreign steelmakers from different countries were operating in collusion.

What do I mean by that? These other countries that are producing steel decided they were not going to compete with each other; they were going to take all of their steel with this huge global overcapacity because our Government was not enforcing trade laws and they would send it all to America. Hence, our steelworkers were put out of work.

Somehow we, in our innocence and belief that everything will work out, did not view steel as a vital national asset. Every other country does. They have used all kinds of policies, all kinds of unfair policies, all kinds of illegal policies to promote their domestic steelmakers at our expense, and our Government never aggressively pursued any of those illegal practices. That is not to criticize the Government. The point of this amendment is that it has penalized the steelworkers who are now in chapter 7 and retired, out of work, lights out, with no health care.

I can think of no other sector where an American industry that is organized along commercial lines has had to engage in the brutal competition with what is called ''national champion''—foreign steelmakers that are state protected, that are state subsidized and, in many cases, state owned. How does one cope with that? You do not because we will not enforce our own laws.

That is the trade case. The other side is the human case. Senator WELLSTONE said this very well the other day. Why is it we have such trouble when a few select people—we are talking about 125,000 here—are in trouble through no fault of their own, through no protection of their Government, and we have trouble giving them any help?

The Presiding Officer and this Senator voted for a farm bill. It is embarrassing when we look at the help we gave soybeans in this country and then compare it to what this would cost to help 125,000 steelworkers who are retired because their companies went belly up and our Government would not do anything to help them.

We have to think about people, Mr. President. It is not unfair to think about people in the Chamber of the Senate. It is not unfair to think about helping people who are in dire need when we help them for 1 year and only one time with health benefits. That is less than trade adjustment assistance in the underlying amendment. That is probably closer to 2 years. We are only asking for 1 year for 125,000 retired steelworkers.

The human toll is enormous. Somebody explain this to me: How does the Senate sit by while steelworker retirees and their families bear the brunt of our collective Government failure to adequately enforce our laws?

After the administration's refusals to support any comprehensive solution for our steel industry during the ANWR debate—we had a much broader amendment then—we scaled it way back. Senators MIKULSKI, WELLSTONE, SPECTER, DEWINE, VOINOVICH, STABENOW, and others decided we would only work for a temporary solution of 1 year of health care coverage for steel retirees who lost their health benefits when their companies permanently closed. What is wrong with 1 year of benefits? What is wrong with that?

It is a bipartisan amendment. Workers who lose their jobs due to imports have some temporary health care coverage under this bill. Steel retirees who lost their health care coverage because of imports do not have health care coverage, and we are trying to get them some—1 year of TAA health credit and only once. It is not too much to ask for a group of American workers. I hope and pray my colleagues in the Senate will vote to support cloture.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

Ms. MIKULSKI. I thank the Chair.

Mr. President, I rise to urge my colleagues to support the Rockefeller-Mikulski-Wellstone amendment and to vote for cloture to provide a safety net for American steelworkers. These steelworkers and retirees have been battered by decades of unfair illegal trade practices.

I thank Senator ROCKEFELLER and his staff for the excellent leadership

they have provided in crafting this amendment. This amendment is simple, straightforward, and affordable. Our amendment would simply provide a 1-year temporary extension of health care benefits to steel retirees who have lost their health insurance because of documented, trade-related bankruptcy of their company and documented predatory practices that caused their companies to go into bankruptcy. Our amendment seeks to help those steelworkers who suffered the most from these predatory trade practices.

We use the term ''unfair'' to the point where nobody pays any attention to it anymore. I want to make clear what happened to them. These practices were predatory. They were predatory practices against American steel in which there were foreign countries engaged in practices of dumping their steel below the cost of production in the American markets.

When Asia had its economic crisis, they dumped. When Russia was trying to get out of its economic crisis, they dumped. Often this dumping was strategic, subsidized, and predatory.

Who were the casualties of this trade? We did not even declare it a trade war. We just wimped, whined, and surrendered while all this foreign steel came in.

Mr. President, I am so proud of our country. We keep winning Nobel Prizes, but we keep losing markets, and one of the markets we have lost is steel.

Our amendment seeks to help those who have been injured because of these predatory and internationally illegal actions against us. Whom are we trying to protect? Simply the retirees, many who were laid off or forced to take early retirement because their companies are now bankrupt and their health care is now at risk.

American steelworkers and their retirees worked hard, played by the rules, served their country in war, served the armed services building our ships and our tanks, and in peace they made steel for our buildings, our bridges, and our cars.

Steel built the United States of America. Steel helped save the United States of America. Should we not honor this by providing a safety net for the retired steelworkers who are victims of international predatory practices?

For nearly 50 years, our Government has watched the steel industry wither. It accelerated particularly in the 1970s and then in the 1990s, not because steel was unproductive, not because steel was overpriced, but because of these documented predatory practices: Dumping cheap, subsidized foreign steel into our markets.

Our opponents say we should not put this amendment on the trade bill; and look for something else; do not tie up trade. I disagree. Illegal trade created the problem, so let's solve it in the trade bill. Unfair competition brought American steel to its knees. These foreign steel companies are subsidized by their government. They dumped excess steel into our markets.

Let me just give an example about our new friends, the Russians. I thank the Russians for cooperating with President Bush in the war against terrorism, but while we are dealing with one predator, they should look at themselves. Russia keeps open 1,000 unprofitable steel plants through their subsidies. That is not 1,000 steelworkers. That is 1,000 steel factories are kept open by their subsidies. What do they do with what they produce? Dump, dump, dump. I think we ought to dump the unfair trade practices.

We have to remember whose steel is in our country and the fact that we need to be steel independent. Maybe we can call one of those Russians the next time our Navy needs steel.

The Presiding Officer might be interested to know that Bethlehem Steel in my own hometown of Baltimore produced the steel to repair the U.S.S. *Cole*. If we needed steel to repair the U.S.S. *Cole*, I am sure the Russians would get right on it and we would pay any price for it, but I really do not want to have to turn to foreign steel to build the weapons to protect America as we reinvigorate our military. Somehow or another this is not right, it is not logical, it is not strategic, and I think we are going to really rue the day we let steel go down.

For some people in this body that is okay. There are those outside who say we do not need American steel, and they do not even worry about the American steelworker. Opponents of our amendment say it is unfair to target a specific group of Americans for assistance. Well, our steelworkers have been targeted, but it is by decades of these illegal trading practices.

This problem has been ignored by Presidents of both parties. However, I thank President Bush for taking the first step to impose temporary limited tariffs on imported steel to give us a breather. Now we need President Bush to take the next step to support us as we try to work our way out of something called legacy costs, the costs of pensions and health care. We wanted a temporary 1-year bridge to do this in the same way that the tariffs are temporary. We are not looking for handouts, give-backs, giveaways. We are looking for the opportunity to work our way out of it, and I think we could do it in a bipartisan way.

I am really disappointed the President is working directly against me. He had to call in some Republicans to try to convince them to vote otherwise. This should not be about those kinds of battles because I think the President took the first step. I think he is getting bad advice, and I am sorry he is opposing us on this amendment. Hopefully, we can change his mind on the long-range issues. But if President Bush had joined us in the fight, as I say, I would be the first to applaud him.

Opponents of our amendment say a specific industry should not be singled out. Well, we do that in this Congress. We single out specific industries and then talk about their value to America. I agree with that. Our Government singles out specific industries all the time when it is in our national interest. We single out industries when it is in our national interest because we need them as part of our economy or as part of our national production. That way, we can talk about the fact that when we help farmers or airlines. The national interest means national responsibility. I absolutely agree with that.

I have been in the Senate when I have heard my colleagues speak eloquently about the need to save the family farm. Why do we talk about saving the family farm? Because it is important to food production in the United States of America and it is part of our core values. It is part of our heartland. Absolutely, we should look out for saving the family farms.

At the same time, how about the steelworker families? We need to be steel independent. We need to find ways to help the steel industry to consolidate, and that means temporary tariffs in dealing with the health care benefits.

Farmers are important. So are steelworkers. Now let's talk about the airlines. Airlines, again, turned to us at a time of national crisis. Gosh knows, they took a terrible hit, and indeed it was a situation where we were concerned that our airline industry would go bankrupt because of the terrorist attacks on the United States of America: We need to look out for our economy. We need to look out for the airlines, the people who work for them, and the people who depend on them. I supported that.

What about steel? Are they not in the same category? Are they not part of our national economy? Are they not part of the fact we have to be independent? Were they not, too, hit by predatory practices? I do not mean to say that the two are parallel, but there has been direct documented injury.

In a few minutes, the Senate will vote on cloture. I am so sorry the Senate has come to this. Opponents of this amendment are afraid to bring it for a vote. Two weeks ago, everybody said we did not have a chance; we did not have a vote; who cared? Well, America cares; my colleagues care; and I really want to thank my colleagues who listened to Senator ROCKEFELLER, Senator WELLSTONE, and myself as we have talked on the floor, as we have talked in the halls, as we have talked in our offices. I thank my bipartisan colleagues such as Senator SPECTER, Senator VOINOVICH, and Senator DEWINE. We thank our colleagues for listening to our arguments.

We wanted to have a discussion, a debate, and do it the Senate way and let's see where the votes came out. But instead of doing it in what I consider the

majority way, we are going to hide behind a complicated procedure called cloture.

For those watching on C-SPAN, cloture means debate is shut off, which essentially means the amendment is shut off, the amendment is ended. In a regular vote, we only need a majority. I think we are going to have that majority because I think the majority of the Senate acknowledges the rationale of our argument both in terms of trade and human cost.

Instead, we are going to hide behind a parliamentary procedure that creates an obstacle of 60 votes in order to overcome it. I am disappointed in that, and I am disappointed there is no one present to argue with us.

Are there no real arguments against us? Are there no real bona fide arguments? I came today with something called a battle book. I was all set to debate, refute, and argue about what is in the best interest of our national economy, in both the short-range interest of our steelworkers and their health care and the long-range needs of America.

But hello, empty Chamber. Where are my colleagues? Is there no one to dispute us? If no one is present to dispute us, then give us a straight up-or-down vote. Maybe we are too far down the line for that, but the fact is we are going to have our vote, and we very likely might win it.

We have been working very hard, and so have those who support steel, the American labor movement, the steel unions, the families and districts such as in Pennsylvania, Minnesota, Indiana, Utah, and Ohio.

We will take our vote, though. I want to think about for whom I am here. One hundred and twenty-five thousand steel retirees have already lost their health care. They worked for many years in our Nation's steel mills. Veterans and widows of veterans, senior citizens who live on as little as $10,000 a year. Americans who thought that promises made should be promises kept. These are Americans who did not run off to Bermuda to avoid paying taxes. When their country needed them, they were there.

The American steelworkers have one of the greatest histories of generosity, of give and take, the American way, than any other corporate organizational entity. The American labor movement had the highest rate of compliance, particularly during the Vietnam war, in service to their country. They did not run away. They fought. When they came back, they did not get a parade. Now they ought to at least get their health care. When their country needed them, they were there, working hard every day, serving their country and their community, believing they would have a secure retirement and health care.

This issue is here to stay. This is a very real issue. It will not go away. There is a need for the steelworkers who have diabetes; the diabetes will not go away. The high blood pressure will not go away. The prostate cancer will not go away. All that will happen is steelworkers will go to emergency rooms, a place already overburdened, placing the responsibility on the emergency rooms.

I ask my colleagues to stand up for working Americans who are on the verge of losing everything they worked for.

I urge Members to vote for cloture for the Rockefeller-Mikulski-Wellstone amendment. Stand up for steel, America, the way the workers stood up for America over the last several generations.

I yield the floor.

Mr. REID. Madam President, I have watched the Senators for several days, and I am convinced how right they are. I ask unanimous consent on amendment No. 3433 to be named a prime sponsor.

The PRESIDING OFFICER (Mrs. MURRAY). Without objection, it is so ordered.

The Senator from Minnesota.

Mr. WELLSTONE. I suggest the absence of a quorum, and I ask unanimous consent the quorum call be charged to the opponents of this amendment. I want some debate out here.

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

The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mr. SPECTER. Madam President, I ask my distinguished colleague from Minnesota to yield 5 minutes.

Mr. WELLSTONE. Madam President, I am pleased to yield.

I say again to the opponents, after the Senator has completed his remarks, I will ask unanimous consent, again, that we have a quorum call and it be charged to the opponents.

We want people out here to be held accountable for their position.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 5 minutes.

Mr. SPECTER. Madam President, I have sought recognition to speak in support of the pending amendment of which I am a cosponsor. In my view, it is a modest request to ask that health benefits be extended to this category of steelworker retirees for a period of 1 year because these steelworkers, men and women, have been victimized by unfair foreign trade—subsidies, dumping, subsidized and dumped steel, which has come into the United States in violation of U.S. trade laws and in violation of international trade laws.

I compliment the President again, as I have on many occasions, for his invocation of tariffs which give the steel companies in America an opportunity to regroup and to reorganize. The tariffs will also give the steel companies an opportunity to compete with steel manufacturers and steelmakers around the world, which are much larger.

We have seen the demise of more than 30 steel companies in the past several years, which have gone into bankruptcy proceedings because they simply cannot compete with steel that is dumped and steel that is subsidized coming into the U.S. markets.

I am pleased to say that two weeks ago yesterday when I visited the Irvin Steel plant in Pittsburgh, they were in full capacity. They had hired some 65 additional steelworkers and they had plans to hire more steelworkers because the tariffs have given them some relief. However, in order for the steel industry to reorganize and reconstitute itself, there is going to have to be something done about these so-called legacy costs for health benefits for retirees. These are obligations of the steel companies which are in bankruptcy reorganization proceedings. The plan is to have one steel company in the United States take over all of these steel companies which are tottering, and to reorganize and regroup, with one steel company emerging as a powerful steel company to compete with enormous steel companies in foreign countries. They cannot take over these companies if they have to take over these legacy costs.

That is why, one way or another, we are going to have to work it out. I believe in the long run it will be cheaper for the Federal Government to undertake these legacy costs; that is, to pay unemployment compensation, trade assistance, the many other benefits, and Medicare which will be paid in any event.

I regret we could not get the cash loan from ANWR proceeds. However, that is yesterday. There is no use crying over that spilled milk.

The steelworkers in America have taken it on the chin. Not long ago, there were 500,000 steelworkers in the United States. Today, there are fewer than 140,000. Pennsylvania, my State, is the cradle of the steel industry. In western and central Pennsylvania, there are many steel companies. In Bethlehem, PA, there is the Bethlehem Steel Company. These retirees are hurting.

When we are considering legislation for trade promotion authority for the President, I think the President is right, he needs trade promotion authority to negotiate trade deals to increase prosperity all around the world. In so many countries, it is so much better to have trade than to give them foreign aid. Trade promotion authority will also help the economy of the United States. It is not without some problems with NAFTA, and some other problems as well, however in the long run, trade promotion authority will be very helpful.

Just as this bill takes up trade adjustment assistance, it is fair and reasonable that this modest approach for

a single year ought to be incorporated in this bill. I think the amendment is very well placed.

I thank my colleague from Minnesota for yielding time. I thank the Chair. I yield the floor.

Mr. WELLSTONE. Madam President, how much time is there on our side?

The PRESIDING OFFICER. Ten minutes.

Mr. WELLSTONE. The majority leader is speaking under leader time; is that correct?

I thank him.

If I may have one second, I certainly want to have a chance to speak and join my colleagues, Senator ROCKEFELLER, Senator MIKULSKI, and Senator SPECTER.

Since I think there is a lot at stake with this amendment, sometimes we forget about what this means. Personally, I am extremely disappointed that the opposition has not come forth. After the majority leader speaks, I will suggest the absence of a quorum and will ask that all time be charged to the opponents because people need to be held accountable for their positions on such an important question which is crucial to environmental quality or lack of quality of life for the people we represent.

I thank the majority leader for being present.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. DASCHLE. Madam President, in order to accommodate the time constraints, I will use my leader time to make some remarks with regard to this.

I will begin by complimenting and thanking my colleagues for the extraordinary job they have done. I will say for the record—and I want all to know—that I have never seen a more passionate or a more determined effort on the part of my colleagues on any issue than I have by my colleagues on this one. Senator WELLSTONE, Senator ROCKEFELLER, and Senator MIKULSKI in caucus, in leadership, in private meetings, and in every conceivable forum have made this an issue that we now clearly understand. I am grateful to them for enlightening us, for sensitizing us, and for making this the kind of cause it deserves to be, not only within our caucus but within the Senate and within the Congress itself. Everyone should know that were it not for their passionate defense, we would not be here this morning.

Second, I don't know if there is a more important issue as it relates to the well-being of workers who are vulnerable. We can talk about wages, we can talk about all the other issues involving displacement and the effects of trade, but when you talk about health, you are talking about the well-being of individuals who have no other choice but to seek remedy as these Senators seek it in this amendment.

This is a powerful message. We have people out there who have no access to health care, through no fault of their own, and who have no opportunity to avail themselves of any health option, in large measure because they have fallen victims in many cases to the trade challenges, the trade problems, and the trade issues that are the very basis for the debate we have had on trade throughout the last several weeks. I do not know how you look at those people in the eye and say: Look, I understand you have a problem. I understand you can't go to a doctor. I understand your wife is sick and you can't go to a hospital. I understand you can't go to an emergency room. I understand the humiliation and all of the pain you must suffer and all of the anxiety. But I am not going to support their amendment. Go talk to somebody else, tell them about your problem, because I am not going to deal with it.

If we turn down this amendment, that is the message we are sending to every one of those people who are out of work and who have no health insurance. That is the message: We don't care.

We shouldn't be doing that. That is why this amendment is so critical. We should be saying: Look, we understand. For those of us who embrace trade legislation, it is all the more imperative that we do it.

There are a lot of my colleagues who, for understandable reasons, are saying: Look, I don't want to see trade promotion authority because all it does is displace workers, all it does is cause pain.

There are those of us who say: Well, there is a lot to be said about that, but the overall good of the country depends on trade promotion authority. But if we say this, we also ought to say that when those people are displaced, they are going to get help. When they are displaced, they are going to get the kind of care they need. When they are displaced, they can see a doctor or go to a hospital. Then, by God, we have to find a way to make that happen, or this country doesn't deserve to pass any trade legislation.

Let us deal with the victims as well as the prize winners here. Let us understand that. Let us not look at the big numbers, let us look at the faces of the human beings affected by this. That is what this amendment does.

This is an important vote. I hope everybody pays very careful attention to the consequences of their vote this morning.

Some say this is an easy ''yes'' or ''no'' vote. Maybe that is right. Maybe that is right. But if it is an easy no, I daresay—and I will challenge my colleagues who haven't thought about this—they haven't given it the kind of care and consideration it deserves.

At times, I wish we had a chair right in the middle of the well, right here. I would like to have a steelworker sitting right here as we vote. And I would like to have every Member walk by and say: You know I am going to look you in the eye, and then I am going to vote no.

I think if we forced someone to have a chair down here with a steelworker and his family sitting here, the vote would be 100 to zero. But they are out there somewhere. Nobody has to look at faces, or names, or victims. Let us understand those families are right outside these doors. Those families are glued to their televisions this morning, hoping and praying that we can do something about this. Hoping. Let's give them cause for hope. Let's give them the ability to understand that we hear them, that we care about them, and that we want to make a difference in their lives.

Madam President, America's steelworkers have literally built this nation—from the skyscrapers that define us, to the military that defend us.

But today, those steelworkers who have defined and defended us need our help.

The last few years have been among the worst in history for the American steel industry. In 1997, the Asian financial crisis disrupted global steel trade and diverted much of the world's excess steel capacity to the U.S. market.

That started a decline that has only gotten worse. In just the last 2 years, 31 steel companies have filed for bankruptcy. Since January of 2000, more than 50 steelmaking or related plants have shut down or been idled. And steel prices are now at their lowest levels in 20 years.

This crisis has been devastating for steelworkers, their families, and their communities. Over 43,000 steelworkers have lost their jobs, and another 600,000 retirees and their surviving spouses are in danger of losing their health care benefits because the companies that once employed them are now facing bankruptcy.

This amendment provides 1 year of subsidized health benefits for those retired steelworkers now in danger of losing them.

Last month, many of our Republican colleagues in the Senate said they supported a much more generous assumption of legacy costs as part of an effort to open the Arctic Refuge to drilling.

I said to them, at the time, if you are serious about helping steelworkers, you will have a chance to do it.

This is your chance.

This is a modest, stopgap measure—far more modest than what Republicans claimed last month they would support.

It covers 70 percent of retired steelworkers' health care costs for just 1 year. That is all it does. It does not cost the taxpayers a penny. It does not solve the larger issue of so-called legacy costs. It does not create a new entitlement.

There is a lot this amendment does not do. But what it does do, is show that we understand how much these workers are suffering. We understand that after a lifetime of hard work, they deserve better than uncertainty.

No one can afford to be without health insurance, but that is particularly true for people who have spend a

lifetime in jobs that demand hard, physical labor. For these people, sometimes health insurance means the difference between self-sufficiency and poverty.

I know that the administration has come out against health insurance for steel retirees. I hope the administration will reconsider.

Last year, we agreed we would leave no child behind. This year, let's make sure we leave no worker behind as America moves into the new, globalized economy.

This amendment is cost-effective, it helps people, it is compassionate. I can see no reason to oppose this amendment. I hope my colleagues will join me in supporting it.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. WELLSTONE. Believe me, I so much want to speak and respond. But, again, just listening, first, to my colleague from West Virginia, and then my colleague from Maryland, and then the majority leader, and the way in which this affects people's lives, and how can people vote against helping people, what is the other position?

I want some debate. I want to respond. I don't want us to use all our time and then have opponents come out here and speak and speak and speak, without being held accountable for their comments in debate.

So, again, I suggest the absence of a quorum. I ask unanimous consent that the time be charged to the opposition, which has been unwilling to even speak on this amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MURKOWSKI. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

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

Mr. REID. Will the Senator let me take a second?

Mr. MURKOWSKI. Sure.

Mr. REID. I appreciate the Senator doing that.

Madam President, I send an amendment to the desk and ask unanimous consent the pending amendment be set aside. This is for Senator JEFFORDS.

The PRESIDING OFFICER. Is there objection?

Mr. MURKOWSKI. I object, Madam President.

Mr. REID. Object to setting the amendment aside? OK. I understand.

The PRESIDING OFFICER. Objection is heard.

The Senator from Alaska.

Mr. MURKOWSKI. Madam President, I rise in opposition to the amendment offered by my good friend, the junior Senator from West Virginia.

My understanding of the amendment is that it provides a 1-year eligibility period for steelworker retirees and eligible beneficiaries. The problem is it does not offer a way to pay for it.

Some of you may recall we had an extended debate on this floor a few weeks ago on aspects associated with energy development and the energy bill and proceeds from the proposed sale of opening ANWR. In that amendment offered by Senator STEVENS and myself, we proposed to fund the steel legacy issue relative to retirement.

This matter has been discussed in this body. My understanding is that Senator SANTORUM has spoken against the Rockefeller amendment. And I believe Senator SPECTER did as well.

I think we have to go back——

Mr. WELLSTONE. Will the Senator yield for a second, a split second?

Mr. MURKOWSKI. I am going to yield after my entire statement.

Mr. WELLSTONE. Just for the record——

Mr. MURKOWSKI. I am not going to yield.

The PRESIDING OFFICER. The Senator from Alaska has the floor and has declined to yield.

Mr. MURKOWSKI. I thank the Chair. And I thank my colleague. But I do want to continue uninterrupted because my statement is going to be very short.

I think the basis for the opposition is the illusionary effect that it has rather than the practical reality associated with a resolve of this issue.

As I indicated, Senator SANTORUM took the floor to decry the amendment. I recognize that Senator SANTORUM is as strong an advocate of the steel industry as any Member of this body, and his credibility is certainly unchallenged. I have listened to the Senator from Pennsylvania describe this amendment as a ''cruel hoax'' on the workers and on the future for U.S. steelworkers.

I happen to agree with his description of the amendment because it fails to fund the benefits and leads workers and retirees of the steel industry down a blind alley. It is going to authorize something—get their hopes up—but you are not going to fund it.

It is a shame because, as I indicated in my opening remarks, a month ago, the Senate had a chance to pass a comprehensive fix for the so-called steel legacy cost. And that is the issue that threatens the benefits of retired workers and the future, in my opinion, of today's steelworkers.

In that debate we challenged America's steel industry and America's steel unions and America's steel caucus to the reality of coming aboard on a major project that could rejuvenate America's steel industry; and that is associated with the building of approximately 3,000 miles of 52 to 54-inch pipe that would go from my State of Alaska to the Chicago city gate—an order that would be worth approximately $5 billion.

What would that do to stimulate America's steel industry? Well, one can only guess. But that was basically turned down. It was ignored by the steel unions, ignored by members of the steel caucus because evidently the interest is not rejuvenating America's steel industry, but it is addressing the obligation of retired workers and their benefits. I understand that. But I see in the legislation we offered an opportunity for both.

The tragedy is that when this pipeline is going to be built, it will be built with Japanese steel, with Korean steel, with, perhaps, Italian steel. Evidence of that was in the 1970s, when we were constructing the Trans-Alaska 800-mile pipeline. What was the condition of America's steel industry then? It was in decline. That was unfortunate. That entire pipeline was built with Japanese, Korean, and Italian steel. The reason offered was, we didn't make it anymore.

Now there is an opportunity to rejuvenate the industry. These are U.S. jobs. These are union jobs in U.S. steel mills, a major order, $5 billion. Is there any interest? No. The contribution of the proceeds from the sale of ANWR in the billions of dollars was offered in the Stevens amendment, but it was objected to by America's environmental community. It was not a case of whether we could open it safely. It was an issue of politics. It was a charade.

We even reached out to the coal mining beneficiaries by helping them with shortfalls in their health care benefit program, something the present proposal does not do.

The main difference between our fix and the proposal before us is our proposal was comprehensive and, most importantly, it was funded. The amendment offered by Senator STEVENS and myself a month ago would have used a significant portion of the money from the oil and gas leasing in ANWR to help workers and the industry reorganize itself to compete in world markets.

This is an extremely important distinction because the Senator from West Virginia rejected an opportunity to embrace the future. Instead, he would rather put another burden on taxpayers and leave our workers and the industry, in effect, in the dark. When he rejected the amendment, the Senator from West Virginia and his supporters claimed they could not support it because they couldn't get a positive guarantee in writing from the President and the House of Representatives that they would support it.

Now, a month later, we introduce a hollowed out version of the Stevens amendment with no support, no assurance from either the President or the House of Representatives, and no money to pay for it. It doesn't take a mindreader to determine where you would have been better off. It is an outrage to the steelworkers and retirees who are being used, and it is an insult to the American taxpayer who will be asked to place yet another burden on their shoulders.

Make no mistake, this amendment is about politics. It has nothing to do

with the men and women of the steel industry, who are certainly struggling.

My greatest disappointment is not with the authors of the amendment but with the leadership of the steelworkers union. Most of its members helped build this country. They made steel what it was, a significant factor in democracy and the growth of our Nation. They made steel for the tanks and the guns that turned the tide in Europe and the Pacific during World War II. They worked in the arsenal of democracy. Yet today their union leaders are turning their backs on the workers and the retirees in favor of hanging out with environmental extremists who are opposed to the very steel plants and iron mines in which their workers were so proud to work.

They would rather support phantom efforts such as the amendment today than obtain real benefits for workers and retirees and beneficiaries. They know this amendment will not pass because it is just a political statement. Evidently they don't care. It is appalling, but they apparently don't care if the plants close, the workers are idle, and the benefits don't get paid because the companies go under.

A month ago, Senators were given the opportunity to decide whose side they would be on: environmental fundraising groups, rich kids who protest everything about America that the steel industry built, or the workers and retirees themselves, plus the coal miners and beneficiaries. The choice was easy: limited, environmentally responsible development of only 2,000 acres of land in Alaska in return for paying for the benefits for hundreds of thousands of workers and offering the industry a chance to rebuild itself, or party politics, which is merely the equivalent to a press statement or two and showing support for the corporate environmentalists that made the issue a test of their vision for the Democratic Party.

Unfortunately, most of the Members chose party politics and the special interests of corporate environmentalists over the working men and women of this Nation. It is times such as these, when our Nation is at war and our steel industry and our workers are suffering, that Washington has ceased to be a serious place. The workers deserve better than this hoax, this empty gesture. They need a real plan.

Again, as I have indicated, to suggest that what we had to have in order for this to go was support from the President and the House of Representatives, and now we find ourselves with no money to pay for it, I question the necessity of those earlier guarantees. What we have today is no money, no funding, no assurance from the White House. If the authors are serious about solving this problem, I am willing to sit down today and discuss real options that could get a majority of votes in the body and rejuvenate the steel industry and get it going.

If I were in the industry and I were involved in the union and I had the opportunity for a $5 billion domestic order in this country, I would gear up for it. I would open the iron mines. I would expand the steel industry. I would insist that U.S. firms have an opportunity to participate in the largest single order ever outlined in the country. It is going to go to our foreign friends.

I believe the membership of the steelworkers union, the beneficiaries and retirees, are smart enough to figure out when they are being used for political purposes. I hope they will cry out to the leaders in the union and to the Senate and let them know that they do not appreciate having their futures used for political purposes.

Needless to say, I oppose the amendment and ask my colleagues to do the same.

Mr. ROCKEFELLER. Will the Senator yield?

Mr. MURKOWSKI. I am happy to yield.

Mr. ROCKEFELLER. The Senator from Alaska has mentioned politics and that the steel industry evidently decided not to take advantage of this multibillion-dollar offer that he and I talked about a number of times. I made it very clear to the Senator from Alaska during our conversations that whereas we do make pipe in the United States, we only have about 40 million tons of production left. And we don't make pipe of the size that was required for what the Senator was talking about at ANWR. That was the only reason. It was not politics.

The Senator talks about letters from the White House. I don't know if the Senator disagrees, but the Senator talks about letters from the White House. There was a reason for that. That was that the White House was and still is—they have been e-mailing all over the country and getting other people to e-mail because they have opposed this from the very beginning. They have opposed legacy costs. They made it very clear. All of their Cabinet officers made it very clear. The President made it clear. That is the reason we are reduced to simply having 1 year of health benefits because we have no other alternative. I would have, as the Senator from Alaska knows, voted probably for ANWR if Senator STEVENS, who was equally as angry as I was over what transpired, had been allowed to proceed. But it was simply bludgeoned.

I hope that the Senator would agree with that.

Mr. MURKOWSKI. If I may respond to my good friend, the Senator from West Virginia, first, we are both aware of the fact that the President did support opening ANWR. He would have signed an energy bill with ANWR in it. Clearly, the intent of the amendment, had it passed, was that the proceeds would go for the steel legacy fund—a significant portion of it. I know the Senator from West Virginia wanted an ironclad commitment from the White House.

I simply share that had we passed the amendment, we would have identified the funds as flowing to the steel legacy as compared to where we are today, which is we are talking about a 1-year proposal with an authorization only and no identification of funds. It seems to me we were much better off previously, had you accepted the deal. Had it passed, that is where the funds would have gone.

Ms. MIKULSKI. Will the Senator yield?

Mr. MURKOWSKI. Yes.

Ms. MIKULSKI. Madam President, I want to bring to the Senator's attention that this amendment is paid for by offsets that had been cleared and verified by the Budget Committee. So it is paid for. I wanted to have that said for the Senator's clarification. I thank my colleague for his sympathetic comments about steelworkers.

Mr. MURKOWSKI. Madam President, I don't want any more time to run on my side.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. GRASSLEY. Madam President, I yield myself such time as I may consume.

It is not appropriate to include the steel legacy program on the trade adjustment assistance legislation and I urge my colleagues to oppose it.

This is a trade bill and inclusion of this amendment will doom the legislation. This is not just a helping hand for retired steel workers. It is the largest and boldest corporate welfare proposal I have seen in quite a while.

Not only is it corporate welfare but acceptance of this proposal is an invitation to others to come in to government largess in the same way: Promise the workers anything but give your promises to the taxpayers.

This legislation gives a free pass to companies and unions to bargain for benefits as irresponsibly as they would like. They may do this with the knowledge that they will never have to keep their promises. Instead, they can foist their benefit packages on the backs of the hard-working taxpayers. That includes many who have no insurance or retiree health because their employers cannot afford to purchase it.

My additional arguments against inclusion of the steel legacy program are as follows: Neither the costs of nor the implications of including steel legacy costs have been examined in the Senate Finance Committee.

The Senator from West Virginia introduced his bill, S. 2189, on steel legacy costs on April 17, 2002. That is barely a month ago. The GOP members and staff on the Senate Finance Committee have asked repeatedly that hearings be held on this issue but none has been held or contemplated.

This suggests that there are individuals on the Finance Committee who may not want this issue of steel legacy costs seriously examined. A generic hearing was held on March 14, 2002, in the HELP Committee. It was a very

nice hearing but it consisted solely of one panel and steel labor and management and one panel of affected steel workers. There were no opposing views, no academics, no thoughtful examination of the implications of the proposal, no discussion of the fact that other industries with unsustainable benefit promises to retirees are hoping to get in on this deal.

Now the Senator from West Virginia has altered his proposal a little in order to slip it into the Trade Act. He says it is designed to cover just 125,000 workers and just for 1 year. But bear in mind that a 1-year bridge benefit is not the long-term intention of the amendment. Once you grant this benefit it will never sunset.

The ultimate solution for the proponents of this program is to cover all steel workers in a permanent entitlement program. The steel workers, themselves, have suggested that as many as 600,000 retired steelworkers will be picked up by such a permanent program. In addition, current steelworkers, as they retire, would come into the system, making the pool of covered individuals much larger.

How many more individuals does that add to the pool? We don't know. We have some basis for comparison, but on a much smaller scale.

But our experience with the Coal Industry Retiree Health Benefits Act is just one-tenth the size, around 60,000 individuals, of the steel proposal. We have no reliable cost data on this proposal. Though Joint Tax told us that it only costs $179 million over 1 year.

The truth is that experience tells us two things: No. 1, estimates of program costs are always too optimistic. No. 2, mortality estimates are unduly pressimistic.

One estimate is that the full program, covering all steel retirees, would cost around $13 billion. But experience tells us that the estimate is probably too low. The legislation also creates a moral hazard. By allowing the parties to dump legacy costs they couldn't afford, it sends a message to all other industries. It tells them that they should make unsustainable benefit promises and lay them on the taxpayers.

In order to avoid this ''moral hazard'' in the future, this proposal would have to contain incentives to get the parties to change the way they bargain for benefits. We can see how that moral hazard still exists in the coal industry today.

Coal miners are still bargaining for, and the Bituminous Coal Operators Association is still promising, the same expensive benefit package that they dumped on the system 10 years ago.

Shifting their irresponsible collective bargaining costs to other parties did nothing to change the way they bargain for or promise benefits in the coal industry.

The coal workers and companies got away with making someone else pay for their unsustainable promises, so they keep on doing the same thing.

The ''moral hazard'' is happening in steel but on a much larger scale. Steel is 10 times the size of coal. The steel retirees are similar to any group of retirees who lose their health care coverage; they are a sympathetic group. But so are the retirees from countless other industries who lost or did not receive retiree health benefits because their company could not afford them.

The proposal before us creates a new Federal entitlement program for this particular ''sympathetic group'' that would cost billions of dollars.

My staff heard from a lobbyist from a major manufacturer in the transportation industry this week. That lobbyist said to ''get ready'' because they wanted to unload their retiree health costs on the taxpayers, too. This lobbyist suggested that their industry is much larger than the steel industry.

If you vote for this amendment, you will be ushering in an era other special retiree health care programs for all the other industries who have their own lobbyists.

Steel retirees should be considered in the context of deliberations on the uninsured. For several years we have been debating what to do about the uninsured and about prescription drug coverage under Medicare. We may decide that steel retirees fit into our deliberations. Ultimately, we may decide otherwise.

But we at least ought to explicitly consider the implications of the legislation. Bear in mind that there is another irony with the steel legacy costs proposal. Some very large steel companies—LTV and Bethlehem—went bankrupt, in part, because the 1992 energy tax bill mandated them to pay the retiree health care obligations for former coal employees under the Coal Industry Retiree Health Benefits Act.

Over the past 10 years these now bankrupt steel companies have spent hundreds of millions of dollars paying for the irresponsible health care promises of the Bituminous Coal Operators Association and the UMWA. Think about that.

The shifting of retiree health costs is a vicious circle. The amendment expands the TAA health insurance assistance to steelworkers whose companies permanently closed operations while in bankruptcy. Think about who ends up holding the bag. It is the rest of America. It is the taxpayers—from the single-mother waitress with children who does not have health care. It is the white collar workers in Silicon Valley who do not have health care. It is the Midwestern farmer who pays for his family's health care. It is all the other retirees who pay tax on their Social Security benefits. This amendment creates a double standard. There is one standard, guaranteed health care for one class of folks, retired steel workers of a few companies. There is another standard for everyone else. Is that fair? Does that make sense?

This bizarre proposal is compounded further by the double standard it creates for steel industry retirees. That's right. What we have here is a ''rifle shot'' for a couple of companies.

I have been one who has fought rifle shots in the Tax Code. Well, fellow Senators, you have got a rifle shot in front of you.

We do not know all the companies that will benefit from this but certainly LTV Steel which is in chapter 7 liquidation and Bethlehem Steel that is in chapter 11 bankruptcy.

Let me take a minute to review our TAA health insurance compromise and what the implications of the steel retiree health language would mean for the TAA health credit.

The agreement we worked out gives TAA workers an advanceable, refundable tax credit, set at 70 percent, that can be applied to the purchase of selected qualified health insurance in either COBRA or State insurance pools.

The compromise also includes funds for National Emergency Grants, so that States can provide subsidized coverage to workers before State insurance pools are established.

With no company left to provide COBRA benefits, and very few State insurance pools ready early on, steelworkers will wind up being covered through the interim National Emergency Grant program, not the tax credit.

I happen to support this important interim Emergency program. But I strongly believe the addition of new categories of workers is a mistake. It sends a signal to all industries, not just steel, that nearly full Federal support for unmet health insurance promises is available from the Federal Government.

You should also know that the bill introduced by the proponents of this amendment provides that steel retirees will each receive a cash life insurance payment of $5,000. You may be thinking that is not very much life insurance. But multiplied by 600,000 that is $3 billion.

In conclusion, I would be remiss if I didn't reiterate that I believe this is a sympathetic group. But I don't know that it is so sympathetic that we will be able to afford their bad debts, all $13 billion of them. Why? because the transportation lobbyists will be here next thing you know asking that we cover their bad debts.

I urge my colleagues to vote against this proposal.

To vote for this amendment will doom the trade bill. We must examine proposals such as this carefully and deliberately, weighing the implications of our action.

Since most workers and retirees, including early retirees do not have any retiree health many policy questions are raised by this new Federal entitlement program.

The ''sunset'' of the Senator from West Virginia in this provision is simply a temporary bridge to permanent program.

I have many, many more concerns regarding this proposal. I will not go into them here.

Madam President, this is a very serious amendment. It does tremendous damage to the possibility of getting trade promotion authority to the President. I can better say this if I would read from some rough notes that I made in regard to a speech that my friend, Senator BAUCUS, made against the Gregg amendment on wage insurance when it was up last week. These are not direct quotes, but Senator BAUCUS made the best argument on the Gregg amendment that I can make against the amendment by the Senator from West Virginia.

First of all, you have to remember the words ''very balanced compromise,'' three words that Senator BAUCUS used. We have a very balanced compromise before us. We ought to think in these terms: If we want trade promotion authority to go to the President, we don't want to upset that balanced compromise.

A second point he made on the Gregg amendment is: I worked very hard to kill crippling amendments that would kill TPA.

This is one of those crippling amendments that could kill trade promotion authority.

He expressed in another statement his ''disappointment about the amendment before us,'' meaning the Gregg amendment, again upsetting a bipartisan compromise.

Then, lastly: If this amendment passes, there will be no bill.

That was said about the Gregg amendment. We defeated—Senator BAUCUS and I working together—the Gregg amendment on wage insurance. I worked to preserve that compromise, although a majority of my caucus was against it, the same way Senator BAUCUS has worked to kill a lot of amendments that have upset this compromise by being in the minority of his caucus.

What we are talking about is the center of the Senate. If anything is going to get done in the Senate on the controversial issue that we have before us—trade promotion authority, passing the House by a one-vote margin, 215–214—we are going to have to preserve the very balanced compromise that Senator BAUCUS and I have brought to the floor. Then we have the Senator from West Virginia with his amendment.

I think in the same way that Senator BAUCUS believed the Gregg amendment would upset this very carefully crafted compromise on trade promotion authority, the amendment of the Senator from West Virginia does the same thing. So that is the reason I ask for the defeat of this amendment.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. WELLSTONE. Madam President, how much time do the opponents have?

The PRESIDING OFFICER. The Senator from Iowa has 13 minutes.

Mr. WELLSTONE. We have less time. I would be pleased to defer to the opponents if they want to speak.

Mr. GRASSLEY. We are not quite ready to speak. I ask that the Senator use a little bit of his time.

Mr. WELLSTONE. Madam President, let me, first of all, thank my colleagues for being here. I especially thank Senators ROCKEFELLER and MIKULSKI. I also thank Senator DASCHLE for his remarks. They were powerful and they were personal and they were on point.

My colleague from Alaska spoke, and I will echo what my colleague from West Virginia had to say in response. The only other thing I want to say is my colleague from Alaska said the proponents know this amendment will not pass, and it is really not enough. Frankly, we don't know it won't pass, and it will pass if the votes are there. Every steelworker and every worker and every family and every citizen in our country believes this is a matter of elementary justice—that is to say, in the trade adjustment assistance package of this legislation. Let's also provide some help to retired steelworkers who worked hard all their lives, be it in Maryland or the iron workers or the taconite workers on the range in Minnesota. They have worked for companies that have declared bankruptcy, and they thought they had retiree health care benefits. It is very important to them and their spouses.

Health care costs are a huge issue to the elderly population, and now the companies declare bankruptcy, walk away from it, and they are terrified and they don't know what they are going to do. They have worked hard all their lives for an industry that has been absolutely critical to our national defense. You could not find people more patriotic or more hard-working—people who are, frankly, asking for less.

All we are asking for in this amendment is a 1-year bridge so that we can put together legislation for the future that will not only deal with these retirees and help them but also help the steel industry get back on its feet.

This is the extension of trade adjustment assistance, and 70 percent of the COBRA costs would apply to these retirees. It would be a huge help. Now, my colleagues come out here on the floor and speak against it—some do—and they act as if we are presenting something that is egregious, almost sinful, when we are talking about helping people.

This is one of these sort of ''buddy, you are on your own'' philosophies. If you have been working hard all your life for a company, you are working in an industry for 30 years, the Government did nothing to deal with unfair trade practices, now the company declares bankruptcy and you have no help and you are terrified they say, buddy, you are on your own. That is basically what we are hearing.

Some colleagues come out here and say we should have done it on ANWR, although the House Republican leadership would not sign off on it, the White House would not sign off on it, and it didn't look like it was going to happen or like it was a very serious proposal. Now there is this effort to bring people together. Republicans support this. Senators SPECTER and VOINOVICH came out here and spoke as well. Senator DEWINE supports this.

I think this is a matter of elementary decency, elementary justice. We are trying to provide some help to people. That is what this is about. I, frankly, am amazed that we are now going through this. I think my colleague from Maryland said this, but I want everybody to know this is a filibuster. One Senator said they don't have the support. I think we have a majority of support. We are going to have majority support and we should have more than the majority support.

We should not be in this situation where we come to the floor to advocate for people we represent for a minor expenditure of resources, to provide some help to people who worked hard all their lives, as a part of trade adjustment assistance, only for 1 year, an interim measure, and this is being filibustered, being blocked.

I cannot think of any reason to block this except for just absolute ideological opposition that, my God, when it comes to helping people who are really struggling, through no fault of their own, there is not anything the Government can or should do.

How much time is left?

The PRESIDING OFFICER. The Senator has 3 minutes 10 seconds.

Mr. WELLSTONE. I reserve the last 2½ minutes to respond to my friend from Oklahoma.

The PRESIDING OFFICER. Who yields time?

Mr. NICKLES. Madam President, I yield myself such time as I might consume.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. NICKLES. Madam President, I thank my colleague, Senator GRASSLEY, for his leadership and for his desire for us to pass a trade adjustment bill. Unfortunately, we have to pass three bills at once. We should be passing one bill. I have spoken about that issue a couple of times.

This is the legislation we have before us. It is pretty thick and comprehensive legislation. It has three bills in it. I venture to say a lot of my colleagues do not know the substance of the bill. I have been doing a little homework on it, and the more I find out about the amendment that is pending the less I like about it.

For example, I do not think we should combine trade adjustment assistance in the same package as trade promotion authority. Historically, we have never done that, and we do not need to do it now. Some people are trying to take trade promotion authority hostage, which they know the President wants, and say: We will not give it to you unless you pay our ransom, and our ransom is enormous new entitlements, one of which is trade adjustment assistance; that includes not just

training, but also the Federal Government picking up three-fourths of the health care costs, compromised down to 70 percent.

Interestingly enough, if one qualifies for the health benefits under trade adjustment assistance, looking at page 147, where it starts, to page 155, it says if you are going to get the health care tax credits—and they are refundable, so Uncle Sam will write you a check—you cannot have other coverage. You cannot have Medicare, Medicaid or S-CHIP. It is in the bill. Maybe our colleagues did not know that.

What they are trying to do for the steelworkers is to pick up health care costs for their retirees, and, incidentally, they can have Medicare or Medicaid. I do not find that to be fair. This is like saying we are going to give qualifying individuals trade adjustment assistance; we are going to give them health care or help them with their health care expenses, but the steelworkers can have Medicare, too, and everybody else cannot.

Three-fourths of the beneficiaries under this proposal, according to the sponsors, are now Medicare eligible. Everybody else is going to be excluded—they cannot have both—but, incidentally, steelworkers can have both.

I asked the question last week: If we are going to do it for steelworkers, why not do it for textile workers; why not do it for auto workers; why not do it for airline workers? All these industries have lost thousands of jobs. What about communications workers? They have lost thousands of jobs too. Are we not concerned about their health care costs? We are going to single out one industry, one union and say: We are going to give you enormous benefits.

Some people have said the cost of this benefit is $179 million over 10 years. The bill says the benefit period is for 12 months, but they say the total cost is $179 million. What they did not include is another $58 million which is included in the same CBO number that says cost and outlays are actually $237 million. That was omitted in the debate we had last week.

I am looking at the amendment. I have stated a couple of times that I want the Senate to work and I want the Senate to work effectively and efficiently, and it is not doing so. It is not doing so when we take up a bill such as this with three bills in one.

The trade promotion authority section of the bill was passed out of the Finance Committee. The Andean Trade Act was passed out of the Finance Committee. Trade adjustment assistance was passed out of the Finance Committee, but the trade adjustment assistance proposal included in this did not pass out of the Finance Committee. Senator DASCHLE and maybe Senator BAUCUS revised it and included a lot of new items.

Now I am looking at the pending amendment that deals with steel on which we are going to be voting momentarily. Talk about a crummy way to legislate. This is the amendment Senator DASCHLE and others offered. It talks about eligibility for assistance. I am trying to comprehend who is going to be eligible, and the other day I asked questions about who is going to be eligible.

It says on page 2 of this amendment: Referred to the Trade Act of 1974 as amended by S. 2189 as introduced on April 17, 2002. Here is S. 2189 as introduced by several individuals—Senator ROCKEFELLER, I believe, is the principal sponsor—on April 17. This was introduced a month ago. It has never had a hearing, and two or three times in the pending amendment, it refers to S. 2189 as if it is law.

The cost of S. 2189 has never been formally estimated by CBO, but I heard estimates up to $13 billion. Its eligibility is much broader than the pending amendment, but the pending bill continues to refer to S. 2189, as if that is the statute we are going to follow for eligibility. There is a lot of confusing nonsense between these two, neither of which have had a hearing before the Finance Committee in the Senate, and they are enormously expensive. They are brandnew entitlements.

I am troubled by the fact that we would ask taxpayers, many of whom do not have health care but they pay taxes, to be subsidizing retirees who have health care and are in the Medicare system. We already pay for their Medicare. Now we are saying we want to pay for their Medicare supplement. We have never done that.

Picking up an individual's Medigap policy has not been a responsibility of the Federal Government. That is what we are doing under this proposal for three-fourths of the individuals. Many other people who are a lot younger than age 65 will also qualify.

I question the wisdom of whether or not we should be asking all taxpayers to be benefiting one particular union and say: We are going to bail you out; we are going to take care of your retirees' health care costs, but we are not going to do it for textile workers, we are not going to do it for communications workers, we are not going to do it for auto workers.

Wait, maybe we are going to. Maybe this is the camel's nose under the tent and we will do this industry by industry. Whoever has the stronger lobby, whoever puts the money forward, whoever asks Congress, maybe has the most organized proponents: Let's have a bailout and pick up the cost of health care for our retirees; we cannot afford it so, please, taxpayers, you take care of us.

We already have taxpayers picking up Medicare and Medicaid, and now we are telling people: Yes, now we are going to pick up all extraneous benefits. Unions and management, you do not need to worry about what you negotiate because Uncle Sam, if you cannot afford it, if you go bankrupt, we will pick it up for you; just be irresponsible as can be, and we will pick it up for you.

I do not think that makes a lot of sense. This also is detrimental to a lot of companies in the steel industry who are not in this situation, who have been responsible, who are trying to make ends meet, fulfilling their commitments and abiding by their contracts. We are asking them to subsidize their competitors. I fail to see the wisdom in this effort.

I urge my colleagues to vote no on this cloture motion. I yield the floor.

The PRESIDING OFFICER. Who yields time?

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

The PRESIDING OFFICER. The Senator has 3 minutes.

Mr. WELLSTONE. Madam President, I will take 1 minute, and there will be 1 minute for Senator MIKULSKI and 1 minute for Senator ROCKEFELLER.

The PRESIDING OFFICER. The Senator has that right.

Mr. WELLSTONE. Madam President, I do not know how to do this in a minute, but I have listened to my colleague from Oklahoma. I think his problem is he just does not like trade adjustment assistance. His problem is he just does not think, when it comes to some of the most pressing issues of people's lives—in this particular case retired steelworkers and taconite workers—there is not anything the Government can and should do. That is his position.

Mr. NICKLES. Will the Senator yield for a moment?

Mr. WELLSTONE. I will be willing to yield on my colleagues' time.

Mr. NICKLES. I will be happy to yield the time. I point out, it is against Senate rules ever to impugn a Senator's motive. I want to make sure the Senator does not violate that rule.

Also, I will be happy to explain my position. Trade adjustment assistance never included health care and I think it is a mistake without having any idea, and I think it is a serious mistake to do so for one industry. The Senator is correct.

Mr. WELLSTONE. I thank my colleague. Actually, I was not talking about personal motives. I said I think my colleague does not like the trade adjustment assistance as part of this legislation because I think that is what he said.

The PRESIDING OFFICER. There are 2 minutes remaining.

Mr. WELLSTONE. Madam President, I think this is the right thing to do, and I hope colleagues will support it.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. ROCKEFELLER. Madam President, I want to close for our side, if that is all right with my colleagues.

I say to the Senator from Oklahoma he is using the classic, sort of nose-under-the-tent approach. No other industry has ever gone before the ITC in the last 20 years and come out with a unanimous vote proving injury because

of imports as has the steel industry. No other industry has ever been so totally and entirely neglected by the U.S. Federal Government, under Republican and Democratic leadership, allowing cartels and state-owned subsidies to simply crush our steel industry. What we are talking about, and what we are voting on, is whether steel retirees who lost the health coverage they earned because their company shut down permanently due to an import crisis should get the benefit of 1 year of health care, and only get it once. We understand that we pay for the cost, that the pay-go is taken care of. The essence of the vote is before the Senate.

I further say that the Senator from Oklahoma, I am sure, misunderstands one thing: Other industries—I think he refers to the minimills—the minimills support this amendment, and we have a letter from Nucor, the largest, to so say. This is a matter of people, only 125,000. It is paid for in a tax-friendly way.

I urge my colleagues to support the cloture vote.

The PRESIDING OFFICER. The time of the Senator from West Virginia has expired.

The Senator from Iowa has 4 minutes.

The Senator from Oklahoma.

Mr. NICKLES. I wish to correct the RECORD. I think I stated in the RECORD earlier that the total cost was $179 million, plus the pay. Now I am told by staff that the $58 million is already included in the $179 million, so I wish to correct that. The total cost estimate by CBO is $179 million, not $237 million. I misread.

I ask unanimous consent that this chart be printed in the RECORD at the conclusion of my statement.

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

(See exhibit No. 1.)

Mr. NICKLES. Let me reiterate to my friend from Minnesota, I have already supported trade adjustment assistance. Trade adjustment assistance is to provide assistance to people who lose their jobs in training. That is the purpose of the program. The average cost has been about $10,000 a year. About one out of three who are eligible have participated in the program to be retrained to get a job. I support that.

Now our colleagues are saying, in addition to that, we want to offer health care, and health care up to 2 years. If people believe we are going to take a program such as this and say to retired steelworkers, we are going to give this benefit for 1 year, I do not believe it. The bill they referred to, S. 2189, is a permanent program and its cost is estimated to be $13 billion, not a 1-year program, not a couple-hundred-million-dollar program. It is a permanent program. That is their objective, to have the Federal Government pick up retired steelworkers' health care costs. I do not think that is fair to taxpayers. I do not think it is fair to other industries such as textiles, the auto industry, airlines, and others that have also suffered losses.

So I urge my colleagues to vote no.

ESTIMATED REVENUE EFFECTS OF TAA HEALTH COVERAGE PROVISIONS AND MISCELLANEOUS REVENUE OFFSET PROVISIONS

[Fiscal years 2002–2012; in millions of dollars]

Provision	Effective	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2002–07	2002–12
Provide a Refundable Income Tax Credit for 70% of the Cost of the Purchase of Qualified Health Insurance by Persons Who are Certain Steelworker Retirees (includes outlay effect).	ppa 12/31/01	.....	−86	−25	−50	−16	−2	.....	.....	.....	.....	.....	−179	−179
Miscellaneous Revenue Offset Provisions:														
1. Authorize IRS to enter into installment agreements that provide for partial payment	iaeio/a DOE	11	30	14	5	(1)	(1)	(1)	(1)	(1)	(1)	(1)	61	63
2. Deposits to stop the running of interests on potential underpayments	dma DOE	19	76	47	−4	−4	−4	−4	−5	−5	−5	−6	130	104
Total of Miscellaneous Revenue Offset Provisions	.....	30	106	61	1	−4	−4	−4	−5	−5	−5	−6	191	167
Total	.....	30	20	36	−49	−20	−6	−4	−5	−5	−5	−6	12	−12
Increase in Outlays Due to refundable Income Tax Credit for 70% of the Cost of the Purchase of Qualified Health Insurance by Persons Who are Certain Steelworker Retirees.	ppa 12/31/01	.....	26	8	17	6	1	.....	.....	.....	.....	.....	58	58
Total revenue effect (excludes outlay effect of refundable steelworker health insurance credit)	.....	30	46	44	−32	−14	−5	−4	−5	−5	−5	−6	70	46

[1] Gain of less than $500,000.

Legend for "Effective" column: dma=distributions made after; DOE=date of enactment; iaeio/a=installment agreements entered into on or after; ppa=premiums paid after.

Note.—Details may not add to totals due to rounding.

Source: Joint Committee on Taxation.

Mr. GRASSLEY. How much time is remaining on this side?

The PRESIDING OFFICER. The Senator from Iowa has 2 minutes 50 seconds.

Mr. GRASSLEY. I yield myself the remainder of that time.

Madam President, for several years we have been debating what to do about the millions of people without health insurance coverage and about prescription drug coverage for seniors under Medicare. We may decide that steel retirees fit into our deliberations on the uninsured. We could otherwise decide as well. But we at least ought to be debating the issues of this legislation and their implication on the uninsured in regard to those bigger issues and not on this legislation.

Bear in mind that there is another irony with the steel legacy cost proposal. Some very large steel companies, LTV and Bethlehem as examples, went bankrupt in part because the 1992 energy tax bill mandated them to pay retiree health care obligations for former coal employees under the Coal Industry Retiree Health Benefit Act. Over the past 10 years, these now-bankrupt steel companies have spent hundreds of millions of dollars paying for the irresponsible health care promises of the Bituminous Coal Operators Association and the United Mine Workers. Think about that.

The shifting of health retiree costs is a vicious circle. This amendment expands the trade adjustment health insurance assistance to steelworkers whose companies permanently closed operations while in bankruptcy. Think about who ends up then paying for it. It is the rest of America. It is the taxpayers, from the single-mother waitress with children who does not have health care for those children and herself; it is the white-collar worker in Silicon Valley who does not have health care; it is the Midwestern farmer who pays for his family's health care out of his own pocket as a self-employed person; it is the other retirees who pay tax on their Social Security benefits.

This amendment then creates a double standard. There is one standard, guaranteed health care for one class of folks, retired steelworkers for a few companies. Then there is another standard for everyone else. Is that fair? Does that make sense?

This bizarre proposal is compounded further by the double standard it creates for steel industry retirees. That is right. What we have is a rifleshot for a couple of companies. I have been one who has fought rifleshots in the Tax Code. Well, my fellow Senators have a rifleshot in front of them, and I hope we can stop it.

The PRESIDING OFFICER (Mr. NELSON of Florida). The time of the Senator has expired.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, the Chair lays before the Senate the pending cloture motion, which the clerk will read.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the Rockefeller amendment No. 3433:

Jay Rockefeller, Paul Wellstone, Barbara Mikulski, Charles Schumer, Edward Kennedy, Joseph Lieberman, Richard J. Durbin, John F. Kerry, Barbara Boxer, Harry Reid, Tom Daschle, Christopher J. Dodd, Thomas R. Carper, Paul Sarbanes, Jon Corzine, Patrick Leahy, Debbie Stabenow.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived. The question is, Is it the sense of the Senate that debate on amendment No. 3433 to H.R. 3009, an act to extend the Andean Trade Preference Act to grant additional trade benefits under that act, and for other purposes, shall be brought to a close?

The yeas and nays are required under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from Georgia (Mr. MILLER) is necessarily absent.

Mr. NICKLES. I announce that the Senator from North Carolina (Mr. HELMS), the Senator from Arkansas (Mr. HUTCHINSON), and the Senator from Oklahoma (Mr. INHOFE) are necessarily absent.

The yeas and nays resulted—yeas 56, nays 40, as follows:

[Rollcall Vote No. 117 Leg.]

YEAS—56

Akaka	DeWine	Lieberman
Baucus	Dodd	Lincoln
Bayh	Dorgan	Lugar
Biden	Durbin	Mikulski
Bingaman	Edwards	Murray
Boxer	Feingold	Nelson (FL)
Breaux	Feinstein	Reed
Bunning	Graham	Reid
Byrd	Harkin	Rockefeller
Campbell	Hollings	Sarbanes
Cantwell	Inouye	Schumer
Carnahan	Jeffords	Shelby
Carper	Johnson	Specter
Cleland	Kennedy	Stabenow
Clinton	Kerry	Torricelli
Conrad	Kohl	Voinovich
Corzine	Landrieu	Wellstone
Daschle	Leahy	Wyden
Dayton	Levin	

NAYS—40

Allard	Fitzgerald	Nickles
Allen	Frist	Roberts
Bennett	Gramm	Santorum
Bond	Grassley	Sessions
Brownback	Gregg	Smith (NH)
Burns	Hagel	Smith (OR)
Chafee	Hatch	Snowe
Cochran	Hutchison	Stevens
Collins	Kyl	Thomas
Craig	Lott	Thompson
Crapo	McCain	Thurmond
Domenici	McConnell	Warner
Ensign	Murkowski	
Enzi	Nelson (NE)	

NOT VOTING—4

Helms	Inhofe
Hutchinson	Miller

The PRESIDING OFFICER. On this vote, the yeas are 56; the nays are 40. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The Senator from Nevada.

AMENDMENT NO. 3433 WITHDRAWN

Mr. REID. Mr. President, I withdraw amendment No. 3433.

The PRESIDING OFFICER. The amendment is withdrawn.

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

Mr. GREGG. I object.

The PRESIDING OFFICER. Objection is heard. The clerk will continue calling the roll.

The legislative clerk continued with the call of the roll.

Mr. BAUCUS. 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. BAUCUS. Mr. President, I call for the regular order.

AMENDMENT NO. 3406

The PRESIDING OFFICER. Amendment No. 3406, offered by the Senator from Virginia, is the pending business.

Mr. BAUCUS. Mr. President, I inquire of my good friend from Virginia if he is willing to enter into a time agreement on this amendment of, say, 10 minutes.

Mr. ALLEN. I will agree to that.

Mr. GRAMM. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Reserving the right to object, Mr. President, I ask——

The PRESIDING OFFICER. Objection has been heard.

Mr. REID. Mr. President, who has the floor now?

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

Mr. BAUCUS. Mr. President, I move to table the Allen amendment.

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

The PRESIDING OFFICER. Is there a sufficient second on the motion to table? At the moment, there is not a sufficient second. A motion to table has been made.

The clerk will call the roll to ascertain the presence of a quorum.

The legislative clerk proceeded to call the roll and the following Senators entered the Chamber and answered to their names:

[Quorum No. 2]

Allen	Gramm	Reid
Baucus	Grassley	Roberts
Carnahan	Gregg	Snowe
Dorgan	Nelson (FL)	

The PRESIDING OFFICER (Mrs. CARNAHAN). A quorum is not present.

Mr. REID. Madam President, I move that the Sergeant at Arms be instructed to request the presence of absent Senators, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from Iowa (Mr. HARKIN), the Senator from Massachusetts (Mr. KERRY), and the Senator from Rhode Island (Mr. REED) are necessarily absent.

Mr. NICKLES. I announce that the Senator from Tennessee (Mr. THOMPSON), the Senator from North Carolina (Mr. HELMS), the Senator from Arkansas (Mr. HUTCHINSON), and the Senator from Oklahoma (Mr. INHOFE) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring the vote?

The result was announced—yeas 58, nays 35, as follows:

[Rollcall Vote No. 118 Leg.]

YEAS—58

Akaka	Domenici	Levin
Baucus	Dorgan	Lieberman
Bayh	Durbin	Lincoln
Biden	Edwards	Mikulski
Bingaman	Feingold	Miller
Boxer	Feinstein	Murray
Brownback	Graham	Nelson (FL)
Byrd	Gramm	Nelson (NE)
Cantwell	Grassley	Reid
Carnahan	Gregg	Rockefeller
Carper	Hagel	Sarbanes
Chafee	Hatch	Schumer
Cleland	Hollings	Snowe
Clinton	Inouye	Stabenow
Cochran	Jeffords	Torricelli
Conrad	Johnson	Voinovich
Corzine	Kennedy	Wellstone
Daschle	Kohl	Wyden
Dayton	Landrieu	
Dodd	Leahy	

NAYS—35

Allard	Ensign	Roberts
Allen	Enzi	Santorum
Bennett	Fitzgerald	Sessions
Bond	Frist	Shelby
Breaux	Hutchison	Smith (NH)
Bunning	Kyl	Smith (OR)
Burns	Lott	Specter
Campbell	Lugar	Stevens
Collins	McCain	Thomas
Craig	McConnell	Thurmond
Crapo	Murkowski	Warner
DeWine	Nickles	

NOT VOTING—7

Harkin	Inhofe	Thompson
Helms	Kerry	
Hutchinson	Reed	

The motion was agreed to.

The PRESIDING OFFICER. A quorum is present.

Mr. DASCHLE. Madam President, I ask for the yeas and nays on the motion to table the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. DASCHLE. Madam President, I ask unanimous consent that if a point of order lies against the Allen amendment, the motion to table be withdrawn, and the Senate vote at 2:15 on the Allen motion to waive the Budget Act with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. DASCHLE. I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15.

Thereupon, the Senate at 12:37 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mrs. CLINTON).