

class members and defendants, 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. MCCONNELL. I announce that the Senator from Colorado (Mr. CAMPBELL), the Senator from Nevada (Mr. ENSIGN), the Senator from Wyoming (Mr. ENZI), the Senator from Illinois (Mr. FITZGERALD), the Senator from Nebraska (Mr. HAGEL), and the Senator from Pennsylvania (Mr. SANTORUM) are necessarily absent.

Mr. REID. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from California (Mrs. BOXER), the Senator from West Virginia (Mr. BYRD), the Senator from New York (Mrs. CLINTON), the Senator from North Carolina (Mr. EDWARDS), the Senator from Massachusetts (Mr. KERRY), and the Senator from Maryland (Ms. MIKULSKI) are necessarily absent.

The yeas and nays resulted—yeas 44, nays 43, as follows:

[Rollcall Vote No. 154 Leg.]

YEAS—44

Alexander	DeWine	Murkowski
Allard	Dole	Nelson (NE)
Allen	Domenici	Nickles
Bennett	Frist	Roberts
Bond	Graham (SC)	Sessions
Brownback	Grassley	Smith
Bunning	Gregg	Snowe
Burns	Hatch	Specter
Chafee	Hutchison	Stevens
Chambliss	Inhofe	Sununu
Cochran	Kyl	Talent
Coleman	Lott	Thomas
Collins	Lugar	Voinovich
Cornyn	McConnell	Warner
Crapo	Miller	

NAYS—43

Akaka	Feingold	Lincoln
Baucus	Feinstein	McCain
Bayh	Graham (FL)	Murray
Bingaman	Harkin	Nelson (FL)
Breaux	Hollings	Pryor
Cantwell	Inouye	Reed
Carper	Jeffords	Reid
Conrad	Johnson	Rockefeller
Corzine	Kennedy	Sarbanes
Craig	Kohl	Schumer
Daschle	Landrieu	Shelby
Dayton	Lautenberg	Stabenow
Dodd	Leahy	Wyden
Dorgan	Levin	
Durbin	Lieberman	

NOT VOTING—13

Biden	Edwards	Kerry
Boxer	Ensign	Mikulski
Byrd	Enzi	Santorum
Campbell	Fitzgerald	
Clinton	Hagel	

The PRESIDING OFFICER. On this vote, the yeas are 44, the nays are 43. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that there be a period of morning business with Senators permitted to speak for up to 10 minutes each.

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

TRIBUTE TO HENRY COUZENS

Mr. MCCONNELL. Mr. President, I wish today to pay tribute to Henry Couzens, a genuine World War II hero and survivor. Mr. Couzens performed extraordinary acts of courage during some of world history's most difficult and tumultuous times.

The day after his 18th birthday in 1942, Mr. Couzens applied for the Aviation Cadets, and after passing all requirements was accepted into the Air Corp Training School. A year later, Mr. Couzens graduated as a pilot and was commissioned as a second lieutenant to fly P-47 fighter planes. In early 1944, Mr. Couzens arrived in England to fight on the front lines in the European Theatre alongside the 8th Infantry and 356th Fighter Group. His unit's assignment was to control an area along the English Channel. Their purpose was to escort and protect B-17s and B-24s on bombing missions to Germany and other occupied countries.

On April 23, 1944, Mr. Couzens was assigned to destroy German airplanes on the ground. His target that day was the airfield at Haguenau, France. On his third pass over the airfield, he was hit by German anti-aircraft fire. The hit was so substantial it stopped the engine of his plane, forcing him to "Belly in." While he was fortunate enough to land alive, the group commander and another pilot were shot down. For a little over a year, Mr. Couzens was a prisoner of the Germans at the famous Stalag Luft III Camp. He endured one of the coldest winters in decades and finally saw freedom when they were liberated on April 29, 1945, and became part of General Patton's Third Army.

Thank you, Mr. Couzens for defending freedom and democracy. The heroics you and your comrades displayed will forever be remembered; you truly are the Greatest Generation.

TRADE AGREEMENTS

Mr. BAUCUS. Mr. President, I rise to address the value of free trade, and of the process by which we get it.

From ancient times, people have learned that trade among nations means more economic growth and higher incomes. People have better standards of living, thanks to trade.

Free trade allows each nation to devote more resources and energy to those things for which it has a comparative advantage. Partners to free trade thereby get goods and services at lower cost than they would in isolation.

Conversely, protectionism stunts growth and reduces income. Tariffs are taxes. And like other taxes, they can impede the efficient allocation of resources. Where nations impose quotas and tariffs, goods and services cost more. People live less well than they would with free trade.

But you don't have to take my word for it. Look at the record. Take America's two biggest recent trade agreements.

America entered into the North American Free Trade Agreement, NAFTA, in 1993, and the Uruguay Round Agreements, the WTO, in 1994. In the years following those major trade agreements, America experienced one of its strongest economic expansions.

Yes, balancing the budget and funding education also had something to do with it. But trade helped.

America experienced 8 years of economic growth. The American economy created more than 20 million new jobs. The average household's real income rose 15 percent. Americans' standard of living improved.

Put the other way around: The opponents of free trade have a difficult job to explain how those major trade agreements hurt the American economy in the 1990s.

I am a proud advocate of trade. I am an advocate of stronger economic growth and higher incomes. I want a better standard of living for Americans.

So how can we achieve freer trade? How do we lower barriers to trade? That brings us to a discussion of trade procedures.

The Senate considers trade agreements under somewhat unique procedures. These special procedures go by several names: fast-track, trade negotiating authority, or trade promotion authority.

Under these procedures, legislation to implement a trade agreement gets an up-or-down vote within a limited time. Debate is limited to 20 hours. No amendments. No filibusters.

The Senate is about to consider legislation under these procedures to implement the United States-Australia Free Trade Agreement. We may also soon consider legislation under these procedures to implement the United States-Morocco Free Trade Agreement.

Two other agreements with six Central American countries and Bahrain are signed and ready for us to consider whenever the administration chooses to move them.

With so much trade activity, it is a good time to review the applicable procedures.

It all begins with the Constitution. Article I, section 8, clause 3 says that: "The Congress shall have the power . . . to regulate Commerce with foreign Nations." Since the founding of our Country, it is, and has always been, Congress that holds primary responsibility for trade.

Now, 535 Members of Congress cannot negotiate trade agreements. The logistics are unimaginable. So our predecessors figured out fairly early that the actual negotiating would have to be delegated to the executive branch.

But that does not mean that Congress has delegated its Constitutional responsibilities. To the contrary, under United States law no trade agreement is self-executing. It has no effect on domestic law until Congress passes implementing legislation.