

better palliative care and more effective pain management were widely available. I ask unanimous consent that this editorial be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Ms. COLLINS. Mr. President, patients and their families should be able to trust that the care they receive at the end of their lives is not only of high quality, but also that it respects their desires for peace, autonomy, and dignity. The Advanced Planning and Compassionate Care Act that Senator ROCKEFELLER and I have introduced will give us some of the tools that we need to improve care of the dying in this country, and I urge my colleagues to join us in this effort.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

#### EXPLOITATIVE CHILD LABOR

Mr. HARKIN. Mr. President, I want to speak for a few minutes about a very troubling shortcoming in the legislation to grant the President fast-track authority, and that is its failure to adequately address the issue of abusive and exploitative child labor.

First, let me discuss what I mean by exploitative child labor. It is a term well known in international relations. We are not talking about children who work part time after school or on weekends. There is nothing wrong with that. I worked in my youth. I bet the occupant of the Chair worked in his youth. There is nothing wrong with young people working. That is not the issue.

Exploitative child labor involves children under the age of 15, forced to work, many times in hazardous conditions, many under slave-like conditions, who sweat long hours for little or no pay. They are denied an education or the opportunity to grow and develop. It is the kind of work that endangers a child's physical and emotional well-being and growth. The International Labor Organization estimates that there are some 250 million children worldwide engaged in this sort of economic activity.

These are the kind of kids we are talking about. We are talking about this young Mexican girl, harvesting vegetables in the fields of Hidalgo State. They are out there working long hours, all day long. They are not in school. You know, my farmers in Iowa can compete with anybody around the world. That is why we have always believed in free trade. But we believe in a level playing field. My farmers cannot compete with this slave. That is what she is. You can dress it up in all kinds of fancy words and cover it up, but that girl out in that field is working under slave-like conditions because she has no other choice. And isn't that the definition of slavery?

She is not alone. It is in Pakistan and India, Bolivia, Southeast Asia, all around the world—children working under these kinds of conditions. I am not talking about after school. I am talking about kids who are denied an education, forced to work in fields and factories under hazardous conditions for little or no pay.

I have been working on this issue for a long time. In 1992 I introduced the Child Labor Deterrence Act, to try to end abusive and exploitative child labor. It would have banned the importation of all goods into the United States made by abusive and exploitative child labor.

Some have said this is revolutionary, but I don't believe so. I believe it is written in the most conservative of all ideas that this country stands for; that international trade cannot ignore international values.

Would the President of the United States ever send a bill to Congress dealing with free trade or opening up trade with a country that employed slave labor? Of course not; he would be laughed off the floor. But what about this young girl? What about the millions more like her around the world? They are as good as slaves because they don't have any other choice and they are forced to do this under the guise of free trade.

We, as a nation, cannot ignore, this. In 1993, this Senate put itself on record in opposition to the exploitation of children by passing a sense-of-the-Senate resolution that I submitted.

In 1994, as chairman of the Labor, Health and Human Services Appropriations Subcommittee, I requested the Department of Labor to begin a series of reports on child labor. Those reports, now three in number, represent the most thorough documentation ever assembled by the U.S. Government on this issue. They published three reports; the fourth will be completed shortly.

Earlier this year, I introduced a bill called the Child Labor Free Consumer Information Act, which would give consumers the power to decide through a voluntary labeling system whether they want to buy an article made by child labor or not. Every time you buy a shirt, it says on the shirt where it was made. It tells you how much cotton, how much polyester and how much nylon, et cetera, is in that shirt. It has a price tag on it and tells you how much it cost to buy. But it won't tell you what it may have cost a child to make that shirt or that pair of shoes or that glassware or that brass object or that soccer ball or any number of items, including the vegetables that this girl is harvesting in Mexico.

So we said, let's have a voluntary labeling system, and if a company wanted to import items into the United States, they could affix a label saying it was child labor free. In exchange for that label, they would have to agree to allow surprise inspections of their plants to ensure that no children were ever employed there.

To me, this puts the power in the hands of consumers. It gives us the information that we need to know. I still think this is the direction in which we ought to go, a labeling system, and we have experience in that.

Right now "RUGMARK" is being affixed to labels on rugs coming out of India and Nepal that verifies that rug was not made with child labor, and it is working. It is working well, because now the people authorized to use the "RUGMARK" label have to open up their plants for people to come in and make sure no children are employed there, and they get the label "RUGMARK," which certifies it was not made with child labor. The "RUGMARK" program also provides funds to build schools and provides teachers to educate these children so that they are not displaced. So if I, as a consumer, want to buy a nice hand-knotted rug, if I see that "RUGMARK" label, I know it was not made by child labor. More and more importers are importing "RUGMARK" rugs into this country. It has worked well in Europe, and now it is in the United States.

In October of this year, Congress passed into law another provision that I had worked on with Congressman SANDERS in the House. It is regarding section 307 of the Tariff Act of 1930, which makes it clear that goods made with forced or indentured labor are to be barred from entry into the United States. Section 307 of the tariff law of 1930 banned articles made by prison labor and forced labor from coming into this country. That has been on the books since 1930. What Congress passed was a clarification of that law or an explanation of that law to say that it also covers goods made by forced or indentured child labor. Congress passed it as part of the Treasury-Postal appropriations bill.

So you might say, Well, if you have done that, then there is nothing else to do. But that is only an appropriations bill, and it is only good for 1 year. We are now working with Customs officials to try to decide how they find those articles made by exploitative child labor. Again, it is only good for 1 year. Will we be able to put this into permanent law next year? I don't know. And that still does not address the issue of children who don't make goods bound for the U.S. market.

Right now, Mr. President, it is estimated somewhere in the neighborhood of 12.5 million kids around the world are involved in this kind of exploitative child labor, making goods that go into foreign trade that come into this country; 12.5 million kids, a large number being exploited for the economic gain of others.

Make no mistake about it, their economic gain is an economic loss for this child and their country and for the United States. Every child lost to the workplace in this manner is a child who will not learn a valuable skill to help their country develop economically or becoming a more active participant in the global markets.

We have done much to address the issue of exploitative child labor, but I am sorry to say that one of the most important measures that we will be asked to vote on this year or perhaps next year, depending on when it comes here for a vote—this bill, S. 1269, the so-called fast-track bill—does not recognize the depths of the problem of exploitative child labor and does little to help protect them from exploitation.

This bill protects songs. It protects computer chips. Let me read. Intellectual property. This bill, under part B, says, "the principal trade negotiating objectives." There are 15. Principal trade negotiating objectives. The first is reduction of barriers to trade in goods. The second is trade in services. The third is foreign investment. Fourth is intellectual property, and it says:

The principal negotiating objectives of the United States regarding intellectual property are—

And it has a bunch of things here. It says:

. . . to recognize and adequately protect intellectual property, including copyrights, patents, trademarks, semiconductor chip layout designs. . .

The PRESIDING OFFICER. The Senator's time has expired.

Mr. HARKIN. I ask unanimous consent for 5 more minutes to finish up.

The PRESIDING OFFICER. Is there objection?

Mr. HARKIN. Three more minutes.

Mr. BOND. No objection.

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

Mr. HARKIN. Mr. President, I know people are here to speak. I just want to finish.

We are protecting semiconductor chip computer design layouts. If we can protect a song, we can protect a child. That is my bottom line on this. What do they do with child labor? Oh, it is back here on page 18, "It's the policy of the United States to reinforce trade agreements process by seeking to establish in the International Labor Organization—the ILO—"a mechanism for the examination of, reporting on"—et cetera, and includes exploitative child labor. It doesn't mean a thing. I know all about the ILO. It is a great organization. It has absolutely zero enforcement powers.

If we can protect a song, why can't we protect a child? Why don't we elevate exploitative child labor to the same status as intellectual property rights? Let's make it a separate principal trade negotiating objective of this Government that when we negotiate a trade agreement with a country, yes, we will negotiate on trade in services and on foreign investment and intellectual property. But let's also put child labor right up there as one of the principal negotiating objectives of our Government.

I have an amendment drafted to that extent. It mirrors exactly what is done in intellectual property. We make this young girl the equivalent of a song or

a computer chip layout design. Anything less than that means that this fast-track legislation ought to be consigned to the trash heap of history. If we are not willing to take that kind of a step to announce it loudly and forcefully to the White House and to instruct the people who are involved in negotiating our trade agreements, then this body has no reason at all to pass fast-track legislation. We must elevate the issue of exploitative child labor to that level. Anything less will not do.

I yield the floor and thank my friend from Missouri for giving me the opportunity to finish my statement.

The PRESIDING OFFICER (Mr. SESSIONS). The Senator from Missouri.

#### TRANSPORTATION REAUTHORIZATION BILL

Mr. BOND. Mr. President, I rise today to present to my colleagues what I think is a compromise that will help us get over a very difficult situation. I am very proud to be a member of the Environment and Public Works Committee and to have joined with the leadership of that committee—Chairman CHAFFEE, Senator WARNER, Ranking Member BAUCUS, and the other members of the committee, in reporting out what I believe is an excellent transportation reauthorization bill.

I think this is a bill that we need for the next 6 years. We need it for transportation, for safety, for economic development. The simple fact of the matter is, without discussing the whys, the "where we are" is we are not going to get that passed this year. There, in my view, is no way that we can get agreement, get it passed on the floor of the Senate, and agree with the House on a very different approach they are taking prior to the time we adjourn for the remainder of the year.

If we don't—and we had a hearing today in Environment and Public Works—No. 1, the Department of Transportation operations cannot continue, vitally needed safety programs cannot continue, transit programs cannot continue, and many States will not be able to let the contracts they need for major construction projects in the coming months because they will not have the obligational authority.

There is a lot of money in the States—over \$9 billion—that is unobligated that has been authorized, but the problem is very often it is in the wrong category. The States have money, but it may be in CMAQ when they need it in STP or the various different programs.

The question is, what are we going to do about it? Some in the House have presented a proposal that is sort of a 6-month extension. It keeps the old formula and tries to jam everything into 12 months. Frankly, that is very unfair to my State and quite a few other States that are known in this body as donor States.

I can assure you that any time we try to do something in the highway and

transportation area that gets us into a formula discussion, we are going to spend some time at it. I feel very strongly about the formulas, and I intend to express myself about them, as other Members should.

What are we going to do about it? What are we going to do about the fact that safety and transit programs run out and many States will not be able to let contracts they need for major projects at the end of the winter when they have to get ready for the summer construction season?

Today I presented to my colleagues in the Environment and Public Works Committee a compromise which I think enables us to continue these vitally important operations. Certainly highways and transportation are right at the top of the list of things that my constituents in Missouri want to see us do. It will enable us to come back after the first of the year, pass a 6-year reauthorization and do so without penalizing the States and the transit and the safety programs.

What we would do under my bill is provide 6 months of funding for the safety programs, the Department of Transportation operations and transit. For the unobligated balances, we would give the States complete flexibility. If they want to put surface transportation money into construction mitigation, they could do so, and they would be able to continue their operations and issue contracts through March 31.

Some States do not have enough unobligated balances to be able to continue their contracting authority through March 31 at the same rate they had done in this year or the previous year. So for those States, my measure would provide them an advance, an advance against what we are going to authorize in the bill that we must pass and that the President must sign so transportation can go forward in this country.

For most States, it means a small amount, but we would advance fund that money without regard to the formula. Say, for example, you had \$250 million in unobligated balances, but in the first 6 months in one of those years you obligated \$290 million. We would have the Department of Transportation advance \$40 million to that State so that between now and March 31, the State would be able to obligate \$290 million for transportation purposes.

Later on in the year, when that State's allocation is determined and, say, under the formula that State would get \$500 million from probably, say, \$800 million for the year, that \$40 million would be deducted from the allocations under the new authorization, and they would get \$760 million.

What this does, Mr. President, is allow us to keep things operating, keep contracts being let, keep transit programs and safety programs operating without getting bogged down in the formula fight.

As I said earlier, when I say "bogged down," I look forward to the very active discussion of the funding formula.