

have a lot of good news. Over the last 6 months, in the course of a Presidential campaign, all you heard is the negative, telling people again and again how bad it is. Ultimately, common sense tells you if you tell somebody something often enough and put enough money behind it, they may actually believe it. The problem is, if they believe it, it impacts their confidence and we all suffer. That is a bad thing. Instead of criticizing, we need to work together to get things done to move this economy forward at a faster pace.

The Senator from Missouri recently talked about a highway bill, a jobs bill, a transportation bill that would create 1.7 million jobs while improving the Nation's infrastructure. We need to invest in improving locks and dams so farmers can get products to market and continue to grow a farm economy that is doing a lot better. We need to pass an energy bill to create between 500,000 and 700,000 new jobs—a bill that has been subject to a filibuster. That has to end and we need to stop criticizing and pledge to work together to get something done.

We need legal reform. We came within a vote of class action reform. Talk to the folks who create jobs in this country, to the manufacturers. They will tell you the biggest impediments they have are the cost of class actions, the cost of litigation, the cost of regulation and taxation—those things that we impose and that we can fix if we simply came together with a positive vision and commitment to work in a bipartisan way to get something done.

If you really care about moms and dads and their ability to put food on the table and to work, then figure out a way to pass an energy bill, a highway bill, class action reform, and deal with asbestos reform, which is a critical issue—pay for those who are hurt, but make sure the lack of reform doesn't drive companies under and hurt jobs, hurt the ability for mom and dad to take care of their family. I found out when I was a mayor that the best thing I could do for kids was to do those things to make sure mom and dad had a job. What we are working on today is another jobs bill. It is going to take working in a bipartisan way, putting aside some of the negative, why we cannot do it, how terrible things are. Let's focus on those things we can do to improve—and they are very clear—the opportunity for mom and dad to get a job. The way to change an economy this size is not like a race car ripping around the corner. It is more like one of those big boats that travel on Lake Superior. You just get it moving in the right direction.

I suggest that we are moving in the right direction. There is more work to be done. Let's get about the business of doing that.

With that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. ENSIGN). Without objection, it is so ordered.

—————

MISCELLANEOUS TRADE AND
TECHNICAL CORRECTIONS ACT
OF 2003

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 43, S. 671.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 671) to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, to make other technical amendments to the trade laws, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. GRASSLEY. Mr. President, I would like to comment on a bill that has traveled a long and difficult journey to get to the floor today; S. 671, the Miscellaneous Trade and Technical Corrections Act of 2003, commonly called the miscellaneous tariff bill.

In fact, this bill's journey began nearly 2 years ago. The Senate historically passes a miscellaneous tariff bill at the end of every Congress. The bill under consideration today was supposed to have been passed at the end of the 107th Congress. However, a markup scheduled for September 26, 2002 was cancelled, leaving the bill as unfinished business for the current Congress. Upon resuming the chairmanship of the Finance Committee, my intention was to complete unfinished business from the 107th Congress as quickly as possible. To that end we passed the bill out of the Senate Finance Committee by voice vote on February 27, 2003. It was hoped that early passage of this bill would pave the way for consideration of another miscellaneous tariff bill in the 108th Congress. But that was not meant to be.

Traditionally, miscellaneous tariffs bills are non-controversial and pass the Senate by unanimous consent. Sometimes there are attempts to load the bill down with costly and controversial items, which is why we didn't produce a bill in the 107th Congress. That's also the reason this bill was delayed this Congress. Contrary to traditional practice, a few Senators insisted on adding unrelated and controversial provisions. Unless we agreed to add these controversial provisions, these Senators would not allow the full Senate to consider the bill. In effect, a few Senators have held this legislation hostage for months for their own parochial purposes. And that is truly sad and disappointing. I hope these members know that they have all but guaranteed the end to this process.

This package contains many trade provisions, primarily duty suspensions, reductions and extensions, for products that are not produced domestically. This bill supports American factories and workers by allowing manufacturers to save money when they import these products. At this stage in America's economic recovery, we must give every opportunity to our manufacturers to reduce costs and pass the savings on to consumers.

A product generally must meet three tests to be eligible for inclusion in a miscellaneous trade bill: first, it must be non-controversial and non-competitive, that is there can be no domestic producer who objects to inclusion of the provisions. Second, the product should be intended to benefit U.S. downstream producers, that is someone who utilizes the product in manufacturing. Third, the volume of imports and corresponding revenue loss should be relatively small. To ensure that the provisions in this bill met that this test, each provision went through an extensive vetting process including a public notice and comment period to ensure that they were eligible for inclusion in the bill. This process began during the first session of the 107th Congress.

The bill also contains a number of liquidations or reliquidations for certain entries. The general rule for inclusion here is that the product entered the country under an incorrect duty rate due to Customs or other administrative error. These provisions allow those entries to enter the country at the correct duty rate.

We also included in this bill a provision that extends preferences under the Generalized System of Preferences (GSP) to allow duty-free treatment for hand-knotted and hand-woven carpets. This provision is designed primarily to help the citizens of Afghanistan and Pakistan. I believe that allowing these products to be considered as eligible articles under GSP, will help beneficiary countries that have joined the United States in the fight against global terrorism. With respect to Afghanistan, which is rebuilding and looking for opportunities for its people, this provision is needed now more than ever.

Another important provision in this bill corrects a mistake in the Trade Act of 2002, P.L. 107-210, that inadvertently and temporarily raised duties on Andean originating handbags, luggage, flat goods, work gloves and leather wearing apparel under the Andean Trade and Preferences and Drug Eradication Act, ATPDEA. This provision retroactively reinstates the reduced duty treatment for eligible products that entered the United States from August 6, 2002, the date ATPDEA was signed, and the time in which these products met the import sensitivity test, several months later. It provides for continued duty-free treatment for these eligible products, which was the intent of the Trade Act.

I am also pleased that the bill includes the Emergency Protection for Iraqi Cultural Antiquities Act of 2003. I introduced the EPIC Antiquities Act of 2003 to authorize the President to impose immediate emergency import restrictions on the archaeological and ethnological materials of Iraq. The purpose of this bill is simple—to close a legal loophole which could allow looted Iraqi antiquities to be brought into the United States.

If Congress does not act to provide the means for establishing an interim ban on trade, the door may be opened to imports of looted Iraqi antiquities into the United States. Already the press has reported allegations that European auction houses have traded in looted Iraqi antiquities. The last thing that we in Congress want to do is to fail to act to prevent trade in looted artifacts here in the United States.

Also included in the package is a provision that simplifies the U.S. Customs Service's ability to process commercial importations, thereby resulting in increased efficiency and productivity for both Customs and the trade community.

I want to point out that the provisions I have covered are not the only important provisions contained in this bill. This bill makes a number of other technical yet meaningful changes to our trade laws.

While I am very disappointed some members have delayed the passage of this bill, and even tried to kill this bill with controversial provisions, I would like to thank my colleagues who respected the traditional rules governing this important legislation. I appreciate their support.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Grassley-Baucus amendment at the desk be agreed to and that the bill, as amended, be read the third time.

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

The amendment (No. 2678) was agreed to.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The bill (S. 671), as amended, was read the third time.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 51, H.R. 1047, the House companion bill.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 1047) to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, to make other technical amendments to the trade laws, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that all after the enacting clause be stricken and that the text of S. 671, as amended, be inserted. I further ask unanimous con-

sent that H.R. 1047, as amended, be read the third time and passed; that the motion to reconsider be laid upon the table en bloc; and that S. 671 be returned to the calendar.

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

The bill (H. R. 1047), as amended, was read the third time and passed, as follows:

(The bill will be printed in a future edition of the RECORD.)

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

JUMPSTART OUR BUSINESS STRENGTH (JOBS) ACT

The PRESIDING OFFICER. Under the previous order, the hour of 10:30 a.m. having arrived, the Senate will resume consideration of S. 1637, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1637) to amend the Internal Revenue Code of 1986 to comply with the World Trade Organization rulings on the FSC/ETI benefit in a manner that preserves jobs and production activities in the United States, to reform and simplify the international taxation rules of the United States, and for other purposes.

Pending:

Dodd amendment No. 2660, to protect United States workers from competition of foreign workforces for performance of Federal and State contracts.

Mr. GRASSLEY. I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

AMENDMENT NO. 2660

Mr. KENNEDY. Mr. President, first, I thank the Finance Committee and the leadership for getting this measure before us. This is important legislation. What is extremely important is the Dodd amendment.

As we approach early March, we have to ask ourselves in this body what we are doing about the general challenges we are facing all across this country, with very few exceptions. I will come back later to the state of our economy.

This legislation provides some resolution to some of the challenges we are facing. I think the Dodd amendment is enormously important and one that I strongly support and hope the Senate will take action on. I know there is consideration that we go off this bill and on to the budget, but it does seem to me, in terms of the timetable because of the strict limitations of time on the budget, we ought to continue the debate on the issues of jobs and the economy which is of central importance and consequence to people all over this Nation.

This debate should go on. I certainly join with those who believe the institution is ill served if we refuse to give the Dodd amendment the opportunity for a clear vote in the Senate. What the

American people are looking for is action. They want accountability. They want responsibility. This amendment is a thoughtful amendment. It will be one that will make a difference in terms of the state of our economy in a very key area of economic policy, and that is the utilization of taxpayers' resources to effectively subsidize jobs going overseas.

We ought to be able to make a judgment about that in the Senate. So I applaud the Senator from Connecticut for this amendment.

I will take a moment or two to try to put it into some kind of perspective because, as he and others have pointed out, we are facing a serious economic challenge across this Nation. It is virtually uniform. In 48 out of the 50 States, new jobs pay 21 percent less than the old jobs they replace, with the exceptions of Nevada and Nebraska.

In the State I have had a chance to visit over the period of the last week, the State of New York, the new jobs are paying 38 percent less than the jobs they replaced. That is happening across this Nation, and I will get into the greater detail of it.

That is a national challenge and a national problem, and yet our Republican leadership refuses to permit us to deal with some of these issues. We can deal with a number of the issues. We can deal with the issue of the increase in the minimum wage where a majority of the Members of this body favor an increase. It would take about half an hour to debate that issue. We all know what that is about.

We could extend the unemployment compensation. Fifty-eight Members of the Senate want to extend unemployment compensation but our Republican leadership says no and this President says no. We could also defeat the Bush proposal to deny overtime from some 8 million of our workers in this country. This is the first time since the Fair Labor Standards Act has been enacted in this country, which recognizes a 40-hour workweek, that we have an administration proposing the elimination of overtime, and we will come back to that. This all starts down in the White House, make no mistake about it.

We have to have a President who wakes up every morning and says, we have a challenge and we can do something about it. Presidential leadership makes an important difference in terms of the state of our economy. We saw it in the early 1960s where we had the longest period of economic growth and price stability up until the time of the dramatic expansion of the Vietnam War, all during which we had Democratic leadership. We saw it with President Clinton, when Republicans refused to give us a single vote for an economic policy that produced 22 million jobs.

I remember my good friend on the other side, Phil Gramm, who said: This proposal makes no sense. Interest rates will go as high as the ceiling of the Senate and we will have the unemployed who will circle the Capitol.