country and to our friends and neighbors around the world.

I note the absence of a quorum.

The PRESIDING OFFICER (Mr. HAGEL). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DORGAN. 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 President, I ask unanimous consent that the order for the quorum call be rescinded.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. DORGAN. Mr. President, the Senate is in morning business; is that not correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. DORGAN. And the minority leader has 1 hour under his control?

The PRESIDING OFFICER. The Senator is correct.

Mr. DORGAN. I ask unanimous consent to yield myself 15 minutes of the hour.

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

MERGERS IN THE BANKING INDUSTRY

Mr. DORGAN. Mr. President, I wanted to mention a couple of subjects on the floor of the Senate today. The first deals with the proposed marriages occurring in the banking industry. In recent weeks, we have seen proposals of marriage by a number of our biggest banks, totaling some $160 billion. Three of the largest merger proposals include Citicorp with Travelers—actually a very large bank with an insurance company, NationsBank and BankAmerica, and Banc One with First Chicago. I didn't even know there was any romancing going on, and then I open the papers and see that all these banks want to gather up and get married and be one.

I think the fundamental question for this country is whether these mega mergers serve our economy and our country's best interests? Is this good for our country? Will this better serve customers, or will it result in bigger profits, perhaps, for the banks that merge and higher fees for their customers?

It is clear to me that the kinds of mergers we are once again seeing in this country mean that when two large corporations become one and an even larger corporation, there is less competition in our economy. When there is less competition and, therefore, more concentration, it seems to me it clearly injures the market system which relies on competition as a regulator and, by definition, is therefore not good for consumers. Without knowing the specific details, I admit, about the individual proposals in these mergers, I hope very much that the regulators, the Federal Reserve Board and the Comptroller of the Currency as well as the Justice Department, will review all of these mergers with a fine-tooth comb and determine whether this will result in less competition that is harmful to consumers, whether it will result in ever higher banking fees for their customers, whether it will result in something that takes us a step backward rather than a step forward in improving our market system in this country.

As I indicated, I don't know much about the specifics of any of the merger proposals I have just described. It is not my intent to come and describe the deals or to pass judgment upon them. But I will say this: The judgment I have with respect to many of the largest mergers in our country, especially in this industry, is that we are left with less competition if the merger is approved.

With respect to this industry, there is one peculiar and defining characteristic. The Federal Reserve Board determines by policy that there are certain banks in this country that are so-called ''too big to fail.'' That is, they are so large in scope that their failure would cause such an economic calamity for the country that the Fed will not allow them to fail.

The Fed actually has a list of banks: ''These banks are too big to fail.'' All the other banks, the smaller banks, can fail and lose all their money. The deposits are insured so the depositors won't lose money, but the bank owners, the stockholders, can loose their money. The ''too big to fail'' banks cannot fail. They are on the list at the Federal Reserve Board as ''too big to fail.''

I asked the question, if you have a list of ''too big to fail'' banks and the big banks merge into even bigger banks, does it not mean then the American taxpayer will pay the cost of bad merger judgments if the merger goes sour?

My friend James Glassman, who writes op-ed pieces for the Washington Post, a rather interesting guy, I think, and pretty good thinker—I disagree with him on a fair number of issues from time to time—but he wrote a piece last week about this. He said that most of this is pretty good news really. Some call all these mergers the ''elephant mating system''—the best thing to do is stand back at a safe distance and watch.

But Glassman says, well, this is really fine. He says at the end of his long piece, though, after talking about the virtues of these mergers, ''Yes, there are some dangers. The mergers make institutions too big to fail. Knowing that regulators won't close them down in a crisis, bank managers could get reckless.''

That ought not be the last paragraph, I say to my friend Mr. Glassman; that ought to be the first paragraph.

The question of public policy on this issue of bank mergers, it seems to me, ought to be posed now to the Federal Reserve Board and Comptroller of the Currency and to the Justice Department. I asked them, do not any longer just be spectators on the question of mergers—suit up, be involved, get active and make judgments with respect to the question of what is best for the market system of this country, what is best for the American citizen, not what is best for the newly married two corporations that have become bigger and perhaps whose misjudgments will now be borne by the American taxpayer under a doctrine of ''too big to fail.''

DRUNK DRIVING

Mr. DORGAN. Mr. President, last week, tragically an 11-year-old boy was killed in an automobile accident in the Washington, DC, area. This young boy was killed by a man who was driving a vehicle apparently very, very drunk and hit four cars. In the last car was a small van that was driving down the road with this young 11-year-old boy listening to his favorite basketball star. He was listening to a Chicago Bulls' game, listening to Michael Jordan play basketball while seated in this family van driving down the road, when he was hit by a drunk driver and tragically killed.

I have mentioned before that my family has been visited by this tragedy on a couple of occasions, and I have a special kind of anger in these circumstances when I understand that the person who commits this kind of murder is not just the man who got drunk that day and killed an 11-year-old boy. This happens every 30 minutes in America—every half hour someone else is killed by a drunk driver.

So often, you will discover, as is the case in this particular instance, the driver has been drunk before. The first time he was drunk, about 6 or 8 months ago, he was fined $50. On March 23, which is just a few weeks ago when that young 11-year-old boy was still full of life, this driver was again picked up drunk with twice the legal limit, over .20. But then someone gave him a special license. Oh, yes, he is picked up drunk again but he got a special license to drive back and forth to work. I ask the judges who preside over these issues, where is the judgment? Where is the judgment that allows a driver like this to be on the road again with a temporary license to kill an 11-year-old boy?

I tried to get the judge's name so that I could show my colleagues and all those listening who has this kind of judgment. I have done that before, and I will again. But where is the judgment to understand that when people commit acts of drunk driving, they ought to have their privileges of using America's roadways removed?

AMERICA'S TRADE DEFICIT

Mr. DORGAN. Mr. President, I would like to make a point that since the Congress took a brief recess, once again, America's trade deficit has increased. It is now, as I predicted in previous discussions with the Senate, headed towards another record high.

Everyone talks about the tremendous progress in this Chamber and in this

Government at wrestling the budget deficit to the ground, and we have made great progress in doing that. But the trade deficit is at a record high and is continuing to set records, like a merchandise trade deficit of $199 billion last year. Now it is estimated to go to $224 billion this year. It is estimated by Standard & Poor's and by many others, incidentally, who gauge these things, that we will continue to have record trade deficits—record trade deficits.

President Clinton was in South America recently, in Chile. The South American countries were concerned because the Congress did not pass what is called fast-track trade authority. It is interesting, when you talk about this hemisphere's trading, this country is not just the biggest kid on the block; it is the better part of the block.

Eighty-two percent of this country's trading of $10 trillion is the United States of America. And to have some other country suggest to us that ''Gee, we've got a problem because you didn't pass fast track trade authority''—what on Earth are they thinking about? The fact is, we have constant, abiding and difficult trade problems. I would say to President Clinton—who I think has done a remarkable job with this country's economy and has policies that I support in many areas—we must begin to deal with this trade deficit. We cannot ignore it.

The Asian financial crisis will make that deficit worse. We cannot continue to ignore the deficit. Our trade deficit is ratcheting up with China. It continues to increase with China and Japan. We also have a significant trade deficit with Mexico, and a significant trade deficit with Canada. The issue is: Why?

Let me show you a statement, just last Thursday, talking about our trade with China. We have a nearly $50 billion trade deficit with China. We are a cash currency cow for China for their hard currency needs. It makes no sense for this country to say to China, ''Yeah, that's all right; you can ratchet up a $50 billion trade deficit with the United States.'' It hurts this country.

Here is what is happening in China. According to a Washington Post article, ''Chinese sweatshops labor for U.S. retailers. In fact, the National Labor Committee, a private New York-based whistle-blowing group, conducted an investigation into 21 garment factories, and found workers paid pennies an hour, working excessive overtime, confined to crowded dormitories, fed a thin rice gruel and denied any benefits.

Let me just add a few details. In China's southern coastal provinces, wages and benefits are being slashed to as low as 13 cents an hour, which is added to excessive overtime hours of up to 96 hours a week. Shifts of 14 hours, 7 days a week, are being imposed. They live crammed, 10 to a room, in guarded dormitories on the factory's premises, under constant surveillance.

Is this fair trade? Is this, when you talk about trade competition, what we ought to be competing with? Is this the race to the bottom that we are talking about: Produce the shoes and handbags, and pay somebody 13 cents an hour? Get a 15-year-old and put them in a plant, and work them 90 hours a week, and ship their handbag to a store in Dayton, Los Angeles or Tulsa and sell it to the consumer? Does that mean lower prices for the consumer or fatter profits for the corporation? And is it fair trade? The answer is no. Absolutely not.

This ought not to be what we compete against. So we compete against 13 cents an hour, and our trade deficit goes up—way up. That is fair trade? I do not think so. I would ask the President and others to understand that this Congress is not going to provide fast track trade authority for a President.

I know that the President went to South America and said, ''Well, fast track trade authority will happen.'' It will not happen. Fast track trade authority is dead, and will remain dead until this country decides it is going to begin to solve the nettlesome, vexing trade problems we have, country by country and free trade agreement by free trade agreement.

We have had NAFTA, we have had GATT, we have had a number of trade agreements, all of which have turned out to be sour. I can, but I will not, cite chapter and verse this morning about the avalanche of Canadian grain that is leaking across that border down into this country, undercutting our farmers' income right now, in violation, in my judgment, of all fair trade standards. But nothing is done about it. I talk about 13 cents-an-hour wages which we are expected to compete against, but nothing is done about it either.

My point is, fast track is dead, and it will remain dead until and unless the U.S. Government decides these trade problems demand a solution on behalf of our country. It ought not be embarrassing for our country to say we do have a national interest and we are going to insist on that interest in our trade relationships with other countries.

There are plenty of issues that will consume our time in this Congress between now and the middle of October when we likely will adjourn. I do hope between now and then, at some point someone will decide that this trade issue is of consequence to this country's long-term economic future.

We are blessed, truly blessed, as a country to have a strong, growing economy. I have talked before on the floor of the Senate about the fact that things are going well. There is no question about that. Much of that relates to decisions that this President has made and this Congress has made—some very tough decisions, some by a one-vote margin. The result is we have a growing economy while some other countries are not so fortunate.

We have a Federal budget deficit that has largely been wrestled to the ground. The unemployment numbers in this country are down, way down. The crime rate is down. The welfare rolls are down. A lot of good things are happening in this country. But it is not an excuse to ignore the other challenges we have. One of those challenges represents this abiding trade deficit that is getting worse, not better. We must, it seems to me, find a way to respond it to and deal with it.

I again say that we must take a look at the Asian currency collapse, at the failure of the Japanese to deal with the devaluation of its currency, with the forced-labor problems in China, and the intellectual piracy that goes on. One of the reasons for what is happening with respect to that piracy is, when we try to send a video game or a compact disc from this country into China, guess what the tariff is: 50 percent.

Here is a country that has a $50 billion trade surplus with the U.S.—in other words, they are selling us far more than they are buying from us—and when we want to ship some intellectual property over there, they impose a 50 percent tariff on us.

I was in China. I talked with the President of China. I said, ''You can't do this. You can't shut off China to the U.S. pork market and stop pork shipments. You can't shut off China to wheat shipments from our country. You can't continue to produce, on a pirated basis, the kind of production that we see coming from China in compact discs and in other areas.'' It is not something that ever ought to be countenanced, and yet we have agreements to try to shut it down, and it does not get shut down.

My only point is this: This problem is getting worse. This shows the hemorrhage of red ink on international trade with this country. It is getting worse, not better, and I ask not just this administration but this Congress to decide that this challenge is something we have a responsibility to meet.

Mr. President, this afternoon we turn to an education issue, and I intend to come back and visit a bit this afternoon on the Coverdell amendment and a range of amendments that will be offered to it dealing with the subject of education. In the meantime, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

GLOBAL CLIMATE TREATY

Mr. KYL. Mr. President, I would like to say a few words this afternoon about the U.N. global climate treaty that the Clinton administration agreed to in Kyoto, Japan, this past December, and which you, as the Presiding Officer, have taken a real lead in helping your