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Senate

The Senate met at 10 a.m. and was called to order by the Honorable E. BENJAMIN NELSON, a Senator from the State of Nebraska.

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

A voice from the past calls us to make our work an expression of our faith. In 1780, the father of the American Revolution, Samuel Adams, said:

"If you carefully fulfill the various duties of life from a principle of obedience to your heavenly Father, you will enjoy a peace which the world cannot give nor take away."

Let us pray: Gracious Father, we seek to be obedient to You as we fulfill the sacred duties of this Senate today. May the Senators and all who assist them see the work of this day as an opportunity to glorify You by serving our country. We renew our commitment to excellence in all that we do. Our desire is to know and do Your will. Grant us a profound experience of Your peace, true serenity in our souls that comes from complete trust in You, and dependence on Your guidance. Free us of anything that would distract us or disturb us as we give ourselves to the task and challenges today. In the Lord's name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable E. BENJAMIN NELSON led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 30, 2002.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable E. BENJAMIN NELSON, a Senator from the State of Nebraska, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. NELSON of Nebraska thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

ANDEAN TRADE PREFERENCE ACT—MOTION TO PROCEED

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

The assistant legislative clerk read as follows:

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

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 12 noon shall be equally divided and controlled between the proponents and opponents of the motion.

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Senator from Nevada is recognized.

SCHEDULE

Mr. REID. As the Chair has announced, we are now on the Andean trade bill. Until noon there will be remarks of those who favor it and those who are opposed to it. At noon we will vote on Michael Baylson and Cynthia Rufe to be United States District

Judges for the State of Pennsylvania. There will be a half hour of debate on those two matters. Then we will vote this afternoon at 2:15, following our normal weekly party conferences.

Following disposition of these nominations, we will again go back to the Andean trade bill. A rollcall vote on adoption of the motion to proceed is expected today, sometime this evening. We hope those who wish to speak on this matter will do so. In the meantime, I ask unanimous consent that time under the quorum call I will initiate be equally charged against the proponents and opponents of this legislation.

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

Mr. REID. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

COLLEGE EDUCATION COSTS

Mr. TORRICELLI. Mr. President, last year, the Senate made significant strides in easing the burdens of American families facing the mounting costs of a college education. In an initiative that I have sponsored, and in which I take enormous pride—the tax reduction legislation of last year—there is a provision allowing partial tuition, for the first time in American history, to become tax deductible.

Another measure that I successfully authored raised a cap on interest on student loans so that they could become deductible. In many ways, for middle-income families—indeed, for all American families—this was enormously helpful in easing the burden of an expensive college education.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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You can imagine how distressed I was to discover in recent days that the administration has a new initiative that would now increase the burden of financing a college education—just as we were making all of this progress. The proposal, of course, is to prohibit the consolidation of student loans at low, fixed interest rates. This will compound the problems of millions of American families who rely upon student loans to finance a college education.

Under their current program, a family can take their various student loans, consolidate them in a single loan, and fix them at a determined interest rate, which is predictable and will not alter for the life of the loan. The savings, obviously, will allow students to consider going beyond college to graduate education. It allows young people who have these debts to begin families, buy homes, and start their lives.

Under the alternative proposal by the administration, students graduating from college will have variable interest loans. That would make it impossible to plan young lives. The debts begin at high interest rates and they are then subject to the market.

Young families having children, buying homes, in 5 years could find interest rates at significantly higher levels. They can go from college to graduate school and in the middle of graduate school discover their interest rates are going up and they cannot remain in school. This will affect an incredible 700,000 students per year who will have their finances radically changed by this inability to consolidate loans.

The administration argues that most of this consolidation is being done by medical students or law students who are going to have very high incomes so they can face this burden.

First, that is inaccurate. The average consolidated loan is \$15,000. There are hundreds of thousands of students with these loans. Most of them are college students. They are getting bachelor's degrees. They may be going into teaching or social work or business; they may be young entrepreneurs; they could be of any walk of life; but they are at a stage of life when they cannot afford what amounts to a tax.

Make no mistake, this is a tax proposed by the Bush administration on middle-income families and college students. There is scarcely a segment of American society that can less afford a tax increase. This Senate recognized that fact last year. That is why my amendments to make college tuition tax deductible and to raise the cap on the deduction of student loans were accepted. We wanted to reduce the costs of college education, not increase them.

Even if the administration were right and many of these loans were going for medical students or law students or business students, does that make it the right priority for the country? Do we really want to make it even more

expensive for people to go into medicine when doctors are already leaving the profession? Do we really want to make it harder for people to go to graduate school when we need engineers and businesspeople with real talents? This cannot be the right priority for the country.

I hope the administration will reconsider this proposal. The administration needs revenue. This cannot be the right way to approach it. Strangely, in this same Congress, while raising taxes on middle-income families and college students, the administration is proposing to revisit the estate tax, which we have already lowered, and increase the threshold so that only less than half of a percentage point of Americans are even subjected to the tax. And the rates on those people have been lowered. We are going to revisit that tax while taxing college students and middle-income families.

I cannot be the only person in this institution who thinks this does not make any sense for the country or the Congress. I hope we do not have a confrontation with the Bush administration on this point. I hope they reconsider it. I hope they withdraw it. It is just the wrong thing to do.

I yield the floor.

I suggest the absence of a quorum and the time be charged equally against both sides.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. INHOFE. Madam President, I also ask unanimous consent that I be recognized as in morning business and that the time I use come off the postclosure time.

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

SPENDING VALUABLE TIME WITH CONSTITUENTS

Mr. INHOFE. Madam President, first of all, I have been a little disturbed recently—I am not mad at anybody—about all of this discussion about what we are doing here and why it is necessary to be here on Mondays and on Fridays when on Tuesdays and Wednesdays and Thursdays we are spending most of our time in quorum calls.

I think there is this Washington, DC, mentality that floats around that somehow if we are not here in Washington, DC, we, as Senators, are not doing our work.

Let me tell you, for those of us who go back to the district and are with our people—in my case, the people of Oklahoma, who make much more sense than anybody makes around this place—that time is more valuable, and it is harder. Our hours are longer. We work long hours when we are back there. Yet we see the bed check votes such as the one that brought us back

last night. We come back, and we vote on something we could have been voting on anytime—on Tuesday, Wednesday, or Thursday.

Then you see the press corps around Washington. They all think everything that is worthwhile is happening in Washington. You read the Hill and you read Roll Call and they say it is perfectly reasonable for the majority leader to say everyone ought to be in Washington all the time.

I can tell you one of the problems we have is people who are in Washington all the time lose sight of who real people are. It is so hard to explain to people around here, but people in my State of Oklahoma understand it very well. There aren't any real, normal people in Washington. Everyone is either a Member or they are a staffer or they are a lobbyist or somebody else. To be able to get what is needed for America, you need to get back into real America. Oklahoma is real America. I can cite some examples.

I will be talking to the Duma this afternoon, the Russian Duma, about our new relationship with Russia. When I go back to Oklahoma, they will say: Wait a minute; why do we still have an ABM Treaty that was set up in 1972?

Fortunately, we are going to get rid of that thing. But why did it take this long? It took this long because people around this town don't understand pure logic. The logic is that at one time there were two superpowers, the U.S.S.R. and the United States. And I have to admit, as a Republican, this was done in a Republican administration. Henry Kissinger, back in the Nixon administration, put together something that said: I will make you a deal, U.S.S.R. We won't defend ourselves against you, if you don't defend yourselves against us. And if you shoot us, we will shoot you, and everybody dies and everybody is happy. It is called mutual assured destruction.

That might have made sense to some people back in 1972. It didn't to me, but it might have to some other people. Now we have a totally different world out there in Russia, which is a friend and ally of ours; yet we do have Iraq, Iran, Syria, and Libya, other countries harboring terrorists, developing weapons that will reach the United States, missiles that will reach us. Already China, North Korea, and Russia have such missiles. So how does it make sense in today's world that we don't defend ourselves?

I don't get the answers, but I get the questions when I go back to Oklahoma. Then I have to try to explain to them. I was criticized the other day by some of my conservative friends as to why I voted on some of the amendments in the farm bill. I voted on those because I went back. I have town meetings, as I am sure the Chair is aware. I get around and have as many as five, six in a day.

Oklahoma, particularly in the western part of the State, is agricultural.

In Oklahoma, our farmers have three sources of income: Grain, livestock, and oil. They have this so-called marginal production. For a sustained period of time, all three of these were down, and they were really hurting. I sat down in places such as Shattuck, OK, and Gage, OK. I had farmers coming in and saying: For the first time in five generations, we will have to sell our farm. We can no longer stay in business.

For that reason, I realized that we have to do something that is different than what we have done before in transitioning into a new farm policy. So we did. And some of the amendments I voted for were pretty expensive. Nonetheless, that came from going back to the State, being there and listening to them instead of staying around Washington on the weekends.

On energy and ANWR, I can't believe we took all the time we did in trying to open ANWR for exploration. Here we are in a threatened position. Everyone is aware of it. After September 11, all of a sudden we find ourselves dependent upon other countries for 57 percent of our energy. We don't even pass something that will allow us to open up the Alaska Wildlife Refuge for exploration. I have yet to find one person to go up there to the ANWR on the North Slope of Alaska and come back here shaking their head, wondering why in the world we call that a pristine wilderness. It is nothing but a mud flat. It is a tiny area up there that would give us a great capacity of domestic crude.

In my State of Oklahoma, if we had all of our marginal wells—a marginal well is one that produces 15 barrels or less a day—if we had them all opened, if we had those wells flowing that we have had closed over the last 10 years, that would have produced the same amount of oil as we are currently importing from Saudi Arabia.

When you go back, you talk to real people. Last week, when we were having a town meeting, they were talking about this community planning bill that was going to come out, and now it has come out of the Environment and Public Works Committee. It will be considered on this floor. Do you know what that is all about? What that is about is a recognition that no good decisions are made unless they are made in Washington, DC.

Many years ago when I was mayor of Tulsa, there was a guy named Dr. Robert Fryley. He had gone into San Diego. Pete Wilson was mayor at that time. I was mayor of Tulsa. He had drawn these concentric circles that said: This is the way you should plan your community.

He came to Tulsa in the first 2 or 3 weeks that I was in office. He started talking about Tulsa. I said: Wait a minute. This property is owned by people. These people bought this property. You are going to change the value of the property to these people.

They said: That is of no concern to us.

That is what we now will be considering on the floor of the Senate—a bill that is going to allow us in Washington to decide what we in Tulsa, OK, do with our property.

I see others seeking the floor. I was killing a little time.

The other day I was at Eisenhower School. It is a school that has done some great things in the public school system that others are emulating. I received some letters. I will just read a couple. This one says:

Thank you for my class. Your speech about rights and responsibilities was great and interesting. I really enjoyed you coming. It was fun. I learned a lot. Sincerely, Maggie.

Here is another one:

Thank you so much for your presentation today. Our class really enjoyed it. I liked it a lot. I liked the part where you answered my question. Once again I enjoyed it a lot. Sincerely, Lauren Smith.

I ask unanimous consent that the rest of these letters be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

DEAR SENATOR INHOFE: I want to thank you for coming to our class. I really learned a lot like the pilgrims really wanted to get to freedom so they traveled even though they knew a lot of them wouldn't survive for a year. I also learned about the government. I learned that there are 100 senators. Two for each state. I felt proud that I got to meet you! It was a pleasure to have you come to our class! You really made it an interesting day!

Sincerely yours,

SUSAN DIAZ.

P.S. I bet you have a big responsibility!

DEAR MR. INHOFE: I wanted to thank you for coming to our class. I had a very good time. I learned new things too like there are 100 senators and 435 representatives. I really like to learn new stuff like that. Thanks again.

Sincerely,

NOAH ZEIGLER.

DEAR SENATOR INHOFE: I want to thank you for teaching me stuff I have never known before. You taught me that the English fought England. It was an interesting visitation. By by.

Sincerely,

KYIA W.

DEAR SENATOR: Thank you for coming to our school. It was very very interesting. I learned that there are 435 State representatives and 100 senators. I think it is amazing that we won the revolutionary war.

I learned that people would strap dynamite on themselves. They thought God would bring them into heaven no matter what. Thank you.

Sincerely,

EVA.

DEAR SENATOR INHOFE: I want to thank you so much for coming to our class. That was a big opportunity that most kids don't get to have.

What I learned over your visit that I thought was really interesting was that people think that God would send them straight to Heaven if they killed themselves.

Sincerely,

DANIELLE P.

DEAR SENATOR INHOFE: Thank you for coming to our school I enjoyed your presen-

tation. I learned a lot of stuff like how the pilgrims won the Revolutionary War and about our freedoms and laws. I also think it's great that Afganistan got a new government. Thanks again.

Sincerely,

COLIN FERGUSON.

DEAR SENATOR INHOFE: I want to thank you for coming to our classroom. I really enjoyed your presentation. I learned that in Afghanistan they have mountains that are about 12,000 feet tall. I also learned that there are 100 senators. Two come from each state.

Sincerely yours,

BRYCE S.

DEAR SENATOR INHOFE: We really enjoyed you coming to our school. It was one big pleasure that I will never forget. Now I know what is going on in Afghanistan. It is really terrible. I hope you can come back and talk more. I didn't know there were 100 senators.

Sincerely yours,

LATOYA.

DEAR SENATOR INHOFE: It was a pleasure to hear you talk about lots of interesting facts on the Bill of Rights, our religion, our responsibilities, and the revolutionary war. It was a lot of fun having you come. You have taught us a lot of interesting things like, different cultures, and the constitution.

Sincerely yours,

BEN RICKMAN.

DEAR SENATOR INHOFE: I want to thank you for coming to our class. I enjoyed you talking to us. I learned a lot about the government. I learned that there are one hundred senators in the United States. It was a pleasure having you here.

Sincerely,

MATTHEW BREULO.

DEAR SENATOR INHOFE: I want to thank you for coming today. I think Maggie was glad you came today. It was our pleasure to listen to you. Your subject was very interesting. I hope you're right about war. I never knew that there were military grounds in Lawton. I enjoyed listening to you.

Sincerely yours,

ABBY JONES.

DEAR SENATOR INHOFE: I want to thank you for coming and talking about the Bill of Rights and lots of very interesting stuff. I think the most interesting part was when you talked about the Constitution. I enjoyed it very much. It was a pleasure having you here. So thank you.

Sincerely,

AVERY BOYD.

DEAR SENATOR INHOFE: I want to thank you for coming to our class. When you were here I learned that there were 435 state representatives and 100 senators in the United States of America. In each state there are two senators. I also learned that the war with Afghanistan should last about four more years. I hope you have a good day.

Sincerely yours,

HALEY HOLTZSCHER.

DEAR SENATOR INHOFE: I want to thank you for coming. I learned that there is a military base in Lawton. I enjoyed it when we talked about the Bill of Rights.

Sincerely yours,

JACKSON.

SENATOR INHOFE: Thank you for coming to our class. I learned a lot from you. I learned that the pilgrims fought the toughest army

on the face of the earth and won. I also learned that we've had peace since 1776.

Sincerely,

JOHN YUAN.

DEAR SENATOR INHOFE: I want to thank you for telling us about some Bill of Rights. The things that you told us was so interesting. I learned a lot about the pilgrims. How they fought for our freedom. And thanks again for teaching things that I didn't know.

Sincerely yours,

AUBRI SETTLE.

DEAR SENATOR INHOFE: Thank you for coming to our classroom. I learned there are 2 senators from each state. There are so many things I learned they won't fit on this paper. I wish you had more time in our classroom. I hope you have a good spring.

Sincerely,

ETHAN GEHRING

DEAR SENATOR INHOFE: Thank you for coming to 3rd grade. I enjoyed you talking to us about the bill of rights. I learned that there are 100 senators. There are 2 in each state.

Sincerely,

LAUREN RUSSELL.

DEAR SENATOR INHOFE: I want to thank you for coming to our class. Thank you for telling us about the Constitution. Thank you for coming again. Thank you for telling us how you work. Now we know it's a big job.

Sincerely yours,

JOHN PHILIPS HUGHES.

Mr. INHOFE. I wanted to stand in the Chamber and say if we ran this place the way it should be run, we could very easily handle all of the votes we need to handle on Tuesday, Wednesday, and Thursday, and allow those of us who care about going back to our States, spending time with our people and sharing the wisdom we get from the States, as opposed to from Washington, I think we would be a lot better off.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. WELLSTONE. Madam President, the Senator from South Carolina is going to speak for 30 minutes. I ask unanimous consent that I follow the Senator from South Carolina.

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

Mr. HOLLINGS. Madam President, with respect to the Andean trade compact and its re-enactment, and particularly with respect to the intent to put fast track on the particular Andean trade agreement, the contention is that without this fast track, we are missing out on all of these wonderful deals.

I wish I had time to give the litany of the wonderful deals on how the United States of America—from the Tokyo Round, Uruguay Round, right on down to the present scheduled rounds with the WTO and otherwise—has been going out of business. Literally, intentionally, we are going out of business, I would say. What we were trying to do was win the cold war. We wanted to defeat communism with capitalism. We sent over the Marshall Plan, with technology and expertise, and it worked. Everyone is happy with that.

Now, after 50 years, hometowns have been totally depleted of any industrial manufacturing.

Let me get right to the point and bring out the actual facts, using not just the record made here by the U.S. Trade Representative, but by the morning news. Let's look and find out what we are talking about with respect to trade agreements that we have been missing.

Well, if you look at the recent edition of the 2001 Trade Policy Agenda of the President of the United States on the trade agreements program, you will find in the glossary in the back that there are some 200 trade agreements made without fast track.

Do I need to remind the Senate we just voted on—without fast track—a free trade agreement with Vietnam? Do I need to remind the body that we just voted on a free trade agreement with Jordan? I supported both of those. Do I need to remind them that we passed the Sub-Saharan Africa trade agreement, the Caribbean Basin Initiative Agreement, and the 1997 WTO telecommunications agreement? You can go down the list—and they are all listed in here.

We have made some 200 agreements in the last 10 years—all without fast track. We didn't give total fast track authority to President Clinton because we wanted to deliberate and make sure the economy of the United States was protected. And it has been working. But look not only at the red book here, but with respect to the national news, in the Washington Post, it said this last Thursday:

United States signs trade agreement with eight African nations.

There are eight more trade agreements. We aren't missing out on all these so-called trade agreements. I wish the chairman of the Finance Committee could read the morning paper. He could find out that we did it without fast track. According to the financial news—let me read this to you. This is in the morning Financial Times:

John O'Leary, former U.S. Ambassador to Chile and campaigner on a bilateral accord, said yesterday he expected a deal to be signed this year whether or not Mr. Bush won trade negotiating authority.

... "It's not a matter of consequence who is first past the finishing line," he said. "But the deal with the EU is helpful for Chile because it gives fresh momentum to their negotiations with the United States."

We read it. If they brought a Chilean trade agreement—I would have to look at it obviously, but why would I vote for it? They have relatively the same standard of living. They have a respected judiciary, they have property rights, they have labor rights, and they are strong on the environment. I voted for NAFTA with Canada because we have relatively the same standard of living. But this total farce that we are missing out on agreements all over the countryside is just wrong, wrong, wrong.

The problem is the loss of jobs. You only have to go to the morning's paper. I hope the chairman, who just left the floor, will listen to this one. Of course, right now the best bet for the next few quarters is probably a jobless recovery in which the gross domestic product rises but unemployment stays high. After all, the economy needs to grow at about 3.5 percent just to prevent the unemployment rate from rising, and the odds are at least even that the growth will fall short of that mark. The funny thing is that a slow jobless and profitless recovery is exactly what level-headed people, such as economists at the Federal Reserve, have been predicting for a long time. So how did a far more bullish view become not just prevalent but more or less mandatory on Wall Street? How, with the business landscape still strewn with the rubble from the bubble, did that manic optimism so quickly become popular again? It seems that hype springs eternal.

That is the morning news, and that is why the Senator from South Carolina only asks for just a closer look.

Let me fulfill my obligation under the Constitution. Article I, section 8, says that—not the President of the United States, not the Supreme Court—but this branch of Government, the Congress of the United States, shall regulate foreign commerce. Now, these pollster politicians who come to Washington and crowd around take the easy course. They say: Free trade, free trade, fast track, fast track—and they don't have to take any responsibility. So when you lose all the jobs in St. Louis and in Charleston, SC, and you look around, you have to sort of take it or leave it. I didn't want to be against free trade, and that is what I had to vote for.

Madam President, it is just terrible when you read in that same New York Times this morning:

Auto Parts Makers Grinding to a Halt

I have another article on a poster board, and I will get into the board debate when some of the others come with their particular boards. But the automobile industry is moving out of the United States. We have foreign locations here. Mercedes is in Alabama, BMW is in South Carolina, and some others are trying to get into the market.

As far as the American manufacturer making that profit is concerned and as far as the American manufacturer keeping on the cutting edge of technology—why did they move to China? General Motors was told by the Chinese they didn't know how to trade. They don't run around saying, be fair, be fair, level the playing field, be fair. That is outrageous child's talk. That doesn't happen in commerce. You trade for the benefit and economic strength and the profit of your company. So the Chinese told General Motors: Not only do you manufacture that GM automobile over here, but the most modern automobile design plant in the world is

in China. And that is as a result of that particular trade agreement that, of course, General Motors made with the People's Republic of China.

The auto parts suppliers are grinding to a halt. They are moving those now. They used to send those down to Mexico, and we would get the finished product—the automobile—back. But you have here a quote from Paul Craig Roberts. Paul Craig Roberts served in the Reagan administration. This was an article in the Washington Times just the other day:

The result is a decline in higher paying jobs in the United States as companies move higher value-added operations abroad to take advantage of cheaper labor.

A recent Cornell University study:

"The Impact of U.S.-China Trade Relations on Workers, Wages and Employment," concludes that U.S. companies shift their production to China in order to produce for the U.S. market with cheap Chinese labor. The study estimates that a minimum of 760,000 U.S. jobs have been lost to China since 1992.

"An increasing percentage of the jobs leaving the U.S. are in higher-paying industries producing goods such as bicycles, furniture, motors, compressors, generators, fiber optics, clocks, injection molding and computer components." The shift in production is so extensive that the U.S. has run a trade deficit with China in advanced technology goods since 1995.

That is the old wag I was given when as Governor of South Carolina I testified 42 years ago before the old International Tariff Commission. We were about to lose so much of our textile industry that 10 percent of the consumption of clothing textiles in the United States would be represented in imports. In looking around the Chamber right this minute, two-thirds of the clothing I am looking at is imported, 86 percent of the shoes.

Then Tom Dewey, who represented the Japanese at the hearing and ran me around the hearing room, he said: "But, Governor, let them make the shoes and the clothing. We will make the airplanes and the computers."

Fast forward to the reality of today. They make the shoes, they make the clothing, they make the airplanes, they make the computers. We have a deficit in the balance of trade in computers and semiconductors.

High-tech, globalization, you have to understand it. Come on. Do not tell this Senator what globalization is. I do not want to sound like Vice President Gore, that I invented it, but I did travel 40 years ago to South America and Europe as a Governor, soliciting their investment. I was looking for jobs. I have been in this game for over 40-some years. Today, we have 117 German plants in little South Carolina.

I will never forget calling on Michelin in June of 1960, down in Paris, France, and I have now four beautiful plants of the French company. I also have the North American wonderful plant of Bowater. I see that rather than me trying to move corporations from overseas to the United States, which I am still trying to do—or more particu-

larly carpetbagging New York in the Northeast—they are overjumping me into Mexico, into China, into Malaysia, into India.

Hewlett-Packard, Motorola, and all the rest of these big-name companies, the high-tech companies, are not saving us. We have to retrain.

I have another page of the Washington Post, "Dupont Plans to Cut 2,000 Jobs." Some of them, of course, are in South Carolina. Everywhere we turn, we hear about cutting jobs, and it is not textiles or low wage jobs. It is high-tech jobs.

I hope the Finance Committee will give me a hearing sometime. I would be delighted to educate that crowd because this is a fix. They have a bunch of oil people and a bunch of farmers and they could care less, as long as they get their depletion allowance and their subsidies, and then they come around hollering, "Protectionism, protectionism."

Well, that is the fundamental of government. We have the Army to protect us from the enemies without, and the FBI to protect us from enemies within. We have laws to protect clean air, clean water, the environment. We have Medicare to protect us from ill health. We have antitrust laws to protect us from monopolization and predatory practices. We have safety laws to protect us, safe machinery, safe working places and everything else.

I was in the Rotunda on a cold January day when President Reagan was sworn in for his second term. He raised his hand to preserve, protect, and defend, and everybody clapped. We were all overjoyed, and then we came down into the Senate Chamber and had to listen to a bunch of children running around hollering, "Protectionism." That is the function of government, and the security of this Nation.

It is like a three-legged stool. There is the one leg of the values as a nation, unquestioned. We are admired the world around for America's stand for individual rights, freedom, and democracy.

The second leg is the military. We are the superpower, unquestioned.

The third leg, economics, that is my point. It has been fractured, fractured intentionally, with this so-called free trade. We knew we had to sort of spread the wealth, spread the capitalism in order to defeat communism. It has worked, now to a counter-productive point. We will not be in a position to produce foreign aid, we will not be able to defend freedom the world around unless we have a strong economy.

I will never forget Akio Morita of Sony. We were in Chicago. We had a seminar, and he was talking about Third World nations. He turned and he said: In the Third World, the emerging nations, they have to develop a strong manufacturing capacity in order to become a nation state. Then talking along, he pointed over, and he said: Senator, that world power that loses

its manufacturing capacity will cease to be a world power.

And we wonder why we do not have the influence?

They try to transfer it to hate. It is not hate. I have traveled. We have all traveled around. They admire and they like Americans in the Arab countries and everywhere else. You can go into downtown Baghdad, you can go into downtown Tehran in Iran right now, and they will come up to you and talk to you and say glad to see you. Do not give me all that hate stuff.

What is happening is we are losing our economic clout and our economic strength because we are exporting the jobs faster than we can create them.

In the Los Angeles Times, April 2, "High-Paid Jobs Latest U.S. Export," the No. 1 story on the front page of the Los Angeles Times.

I do not believe they read over in the Finance Committee. They give you all of this: We are missing out on agreements; we have to retrain.

They sound like Mao Tse Tung: You have to go out and re-educate.

Let us try it on for size. I had a plant close not long ago, Oneida. They made T-shirts. At the time of their closing, they had more than 400 employees. The average age was 47 years old, and tomorrow morning we have done it Washington's way. We have retrained. We have more than 400 people who are now skilled computer operators. Is a company going to hire the 47-year-old computer operator or the 21-year-old computer operator? You are not taking on the health costs for the 47-year-old and above. You are not taking on those retirement costs. You are going for the youngster who is just as expert. There you go, like we do not understand what is going on.

"Levi Strauss Closing Most U.S. Plants," another article, again in April. Every time I look around, they are closing, and what we have, so it is understood, is we have an affirmative action plan to get rid of the jobs. Mind you me, that is what I say, an affirmative action plan to get rid of the jobs.

Why? Well, let me refer to this article from Business Week. Business Week, in 1999, reported on, of all people, Mr. Industrial Success, Mr. Industrialist of All Times, John F. Welch—Jack Welch.

I ask unanimous consent to have the article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD as follows:

(From Business Week, Dec. 6, 1999)

WELCH'S MARCH TO THE SOUTH

By Aaron Bernstein

WASHINGTON, Dec. 6.—One of General Electric Co. CEO John F. Welch's favorite phrases is "squeeze the lemon," or wring out costs to maintain the company's stellar profits. In the past year, the lemon-squeezing at GE has been as never before. In a new, superaggressive round of cost-cutting, the company is now demanding deep price cuts from its suppliers. To help them meet the stiff goals, several of GE's business units—including aircraft engines, power systems,

and industrial systems—have been prodding suppliers to move to low-cost Mexico, where the industrial giant already employs 30,000 people. GE even puts on “supplier migration” conferences to help them make the leap.

GE's hard-nosed new push could spark other companies to emulate its tactics. The supplier crackdown is reminiscent of a similar attempt by former General Motors Corp. parts czar Jose Ignacio Lopez de Arriortua. His efforts largely failed in the face of stiff supplier resistance. But if GE succeeds, other companies could be inclined to try again. GE officials at headquarters in Fairfield, Conn., say the business units are simply carrying out Welch's larger campaign to globalize all aspects of the company. Says Rick Kennedy, a spokesman at GE Aircraft Engines (GEAE): “We're aggressively asking for double-digit price reductions from our suppliers. We have to do this if we're going to be part of GE.”

GE's efforts to get suppliers to move abroad come just as World Trade Organization ministers start gathering in Seattle on Nov. 30. That timing could help make the GE moves an issue at the talks, where critics will be pointing to just such strategies—and the resulting loss of U.S. jobs to low-wage countries—as the inevitable fruit of unregulated trade. GE's 14 unions hope to make an example in Seattle of the company's supplier policy, arguing that it's paving the way for a new wave of job shifts. They plan to send dozens of members to march with a float attacking Welch. PALTRY WAR CHEST. The campaign by GE's unions, which bargain jointly through the Coordinated Bargaining Committee (CBC), is also the opening salvo of bargaining talks over new labor contracts to replace those expiring next June. Because GE's unions are weak—fully half of their 47,000 members at the company belong to the nearly bankrupt International Union of Electronic workers (IUE)—they'll have a hard time mounting a credible strike threat. Instead, the CBC is planning a public campaign to tar Welch's image. They plan to focus on likely job losses at GE suppliers. The unions also suspect that GE may move even more unionized GE jobs to Mexico and other countries once it has viable supplier bases in place. “GE hasn't moved our jobs to Mexico yet because our skilled jobs are higher up the food chain,” says Jeff Crosby, president of IUE Local 201 at GE's Lynn (Mass.) jet-engine plant. “But once they have suppliers there, GE can set up shop, too.” His members from parts supplier Ametek Inc. picketed the plant on Nov. 19 to protest GE's pressure on Ametek to move to Monterrey, Mexico.

Although it has never openly criticized Welch before, the AFL-CIO is jumping into the fray this time. Federation officials have decided that Welch's widely admired status in Corporate America has lent legitimacy to a model of business success that they insist is built on job and wage cuts. “Welch is keeping his profit margins high by redistributing value from workers to shareholders, which isn't what U.S. companies should be doing,” charges Ron Blackwell, the AFL-CIO's director of corporate affairs. Last year, the AFL-CIO proposed a bold plan to spend some \$25 million on a massive new-member recruitment drive at GE, but the IUE wasn't willing to take the risk. So the federation is backing the new, less ambitious campaign that focuses on traditional tactics like rallies and protests. STRONG TIDE. GE's U.S. workforce has been shrinking for more than a decade as Welch has cut costs by shifting production and investment to lower-wage countries. Since 1986, the domestic workforce has plunged by nearly 50%, to 163,000, while foreign employment has nearly doubled, to 130,000. Some of this came from businesses GE sold, but also from rapid expansion in

Mexico, India, and other Asian countries. Meanwhile, GE's union workforce has shriveled by almost two-thirds since the early 1980s, as work was relocated to cheaper, non-union plants in the U.S. and abroad.

Welch's supplier squeeze may accelerate the trend. In his annual pep talk to GE's top managers in Boca Raton, Fla., last January, he again stressed the need to globalize production to remain cost-competitive, as he had done in prior years. But this time, he also insisted that GE prod suppliers to follow suit. Several business units moved quickly to do so, with GEAE among the most aggressive. This year, GEAE has held what it calls “supplier migration” conferences in Cincinnati, near the unit's Evendale (Ohio) headquarters, and in Monterey, where an aerospace industrial park is going up.

At the meetings, GEAE officials told dozens of suppliers that it wants to cut costs up to 14%, according to documents about the Monterey meeting at Paoli (Pa.)-based Ametek, whose aerospace unit makes aircraft instruments. The internal report, a copy of which BUSINESSES WEEK obtained, says: “GE set the tone early and succinctly: ‘Migrate or be out of business; not a matter of if, just when. This is not a seminar just to provide information. We expect you to move and move quickly.’” Says William Burke, Ametek's vice-president for investor relations: “GE has made clear its desire that its suppliers move to Mexico, and we are evaluating that option. We have a long relationship with GE, and we want to preserve it.”

GEAE officials argue that heightened competition leaves them no choice. Jet engines sell for less than they did four years ago, says Kennedy, the unit's spokesman. Almost all GEAE's profits have come from contracts to maintain engines already sold. And that business is getting tougher, with rivals such as United Technologies Corp.'s Pratt & Whitney laying off thousands of workers to slash costs. “This company is going to make its net income targets, and to do it, we will have to take difficult measures,” says Kennedy.

Still, even some suppliers don't see the Mexico push as justified. They point out that GEAE's operating profit has soared by 80% since 1994, to \$1.7 billion on sales of \$10.3 billion. GE, they argue, is leading the cost cuts. “It's hard to give away 5% or 10% to a company making so much money when most of the suppliers are marginally profitable,” says Barry Bucher, the CEO and founder of Aerospace International Materials, a \$30 million distributor of specialty metals in Cincinnati. Nonetheless, Bucher says he's looking into a joint venture in Mexico in response to the demands from GE, his top customer.

The unions, for their part, worry that GEAE will follow in the footsteps of GE's appliance unit. To remain competitive in that low-skilled, low-margin industry, GE Appliances has slashed its workforce nearly in half at its Appliance Park facility in Louisville, to some 7,500 today. Much of the work has been relocated to a joint venture in Mexico. Union leaders have tried to stave off further job shifts by offering concessions. In early November, the company agreed to a \$200 million investment in Louisville in exchange for productivity improvements and lump-sum payments instead of wage hikes for its members. “We hope GE will see this as a solution they can adopt in jet engines and elsewhere,” says IUE President Edward L. Fire.

Labor's new campaign may embarrass Welch and even prompt GE to tone down its demands on suppliers. But it won't rebuild the union's clout at the bargaining table the way a serious organizing drive might have done. Until that happens, Welch probably has little to fear from his restive unions.

Mr. HOLLINGS. I read:

One of General Electric Co. CEO John F. Welch's favorite phrases is “squeeze the lemon,” or wring out costs to maintain the company's stellar profits.

How did you squeeze that lemon? I am thinking now that he is squeezing something else. Squeezing that lemon in Mexico, he said to all of his suppliers two years ago. You have to go down to Mexico and cut the cost of your particular supplies, or you will not be a supplier of General Electric.

When the best of the best blue-chip corporations of America has an affirmative action plan to get rid of the jobs and the industrial security of the United States of America, we are really in trouble. How does it occur? It is a natural thing.

In manufacturing, 30 percent of volume is in the labor costs. As much as 20 percent of sales can be saved by moving offshore to a low-wage country or down to Mexico, India, or China. If you retain your executive office, of course your sales force, but move your manufacturing offshore, if you have \$500 million in sales, you can reap a profit of \$100 million before taxes. Or you can stay in America, continue to work your own folks, and go broke. That is how they look at it.

So with the policies we have, they are not only moving their manufacturing, they are moving the executive office to Bermuda. They want the protection of the United States of America, but they don't want to participate in building up that protection. They want a free ride. That is why I say, in the Senate, we are in the hands of the Philistines. When my friend Bobby Kennedy really came in to national recognition he had published a book “The Enemy Within.” He was talking about organized labor. Now I can write the book “The Enemy Within,” and I can talk about management.

Who is opposing us in the Senate, trying to create jobs, trying to hold together the strength of our economy, trying to maintain our industrial backbone? Who opposes this? The Business Roundtable, the Conference Board, the National Association of Manufacturers, the Chamber of Commerce, the National Federation of Independent Business, the retailers that make a bigger profit, newspapers that take the handouts from the retail associations. They make the most of their profits in newspapers from retail advertising. So they put out those things, free trade, free trade, fast track, fast track, and here comes the whole K Street crowd.

I came here 35 years ago on the Commerce Committee. The very first person in the office on trade was a Japanese representative. No longer now. I haven't seen anyone from Japan in Lord knows when. I am trying to get there to see our Ambassador over there, Howard Baker. I respect their productivity and I have watched as we cry babbled along. We never did open up their market. It was always a one-way street.

In fact, the Japanese got to the position of saying, wait a minute, we are not going to buy your bonds if that is what you want to do in trade. We found out long since that the Secretary of the Treasury really is trying to sell, as in the morning headlines, which says we have a deficit, so he is trying to issue \$1 billion in bonds, borrowing \$1 billion. We have had the Japanese juggle our trade policy.

But more than anything else, we have the arrogance now of the U.S. Chamber of Commerce. I speak advisedly of that body. Ten years ago I was their man. I was the Man of the Year of the U.S. Chamber of Commerce, if I quote correctly, Robert Thompson, who was the national president. He had me going around making talks and everything else because I had a standoff with my good friend Russell Long of Louisiana. We had labor law reform. On eight votes, up and down for cloture, I won and prevailed.

I don't come here as an enemy of business. I know way more in experience, I should say, about getting jobs and creating jobs, instituting technical training, imparting the tools, high tech, and globalization than most because I have been in the game. I am a friend of business, but I am a greater friend of the United States. I hate to see my country go to pot with this childish nonsense of free trade. We are missing out on agreements. Since NAFTA, I have lost 53,900 textile jobs alone. My friend, the Senator from North Carolina, Mr. HELMS, lost 124,000; 27,000 have been lost by the Senator from Mississippi. I don't know whether he is with us or not.

This is what the Chamber of Commerce, Tom Donohue, says, and he knows nothing about trade. In yesterday's National Journal's Congress Daily, I quote Tom Donohue, the president of the U.S. Chamber of Commerce. He said the Chamber would not accept a bill weighted down by amendments that exceed the average man or woman's sense of what is appropriate for the bill. We will kill it and the people who loaded it up will pay a political price. Donohue also said that the business community has been patient and supportive through the political process to get the trade authority bill before the Senate, but there will be dire consequences if the bill collapsed under partisan politics.

I know of many manufacturing companies that will move their operations offshore. I brought that message home to specific legislators about firms and their States and districts.

That is a threat from the U.S. Chamber of Commerce.

Tell him to wake up. He headed the Trucking Association when Jack Welch was putting in his affirmative action plan to get rid of the jobs and move to Mexico. Donohue now will warn you they will move. Everybody knows this has been going on for 10 years. We are going out of business.

I wanted to bring that story home in this debate, not asking to vote pro or

con with respect to a particular trade measure. As I say, I voted for Vietnam; I voted for Jordan; I voted for NAFTA with Canada. It is protecting not only your economy and your industrial strength but your standard of living.

Incidentally, on the one hand, you can certainly bar child employment, children and youth production. But you are not going to get Mexico to pass environmental laws we have. Or the labor laws. They have that advantage. In China, in India, in Malaysia, the competition can keep on whistling "Dixie," keep talking. It will not happen. It is not going to happen, and you can't blame them. If you were running the country of China, you would do the same thing. You wouldn't run around and say we have to get with the Americans and level the playing field, and put in these labor reforms, and put in these environmental requirements because we want to be seen as being fair. It is just absolute nonsense.

Madam President, what happens is Republican and Democrat Senators unanimously support these requirements before you open up Carnahan Manufacturing. Think about it. Before you open your manufacturing plant, you are going to have to have minimum wage, clean air, clean water, Social Security, Medicare, Medicaid, plant closing notice, parental leave, safe working place, safe machinery, antitrust provisions. And everything else of that kind.

You can go down to Mexico and pay 90 cents an hour and have none of those requirements.

In order to compete, is it the case we are going to go back and retrench on this high standard of living? No; not at all. That will never happen. But we will have to maintain a balance with respect to the economic strength. We have to maintain our steel production.

I will never forget, in 1961, before we got President Kennedy to enunciate his seven-point textile program, under the law—and, incidentally it is the law today—that before the President can take executive action unilaterally on a trade measure, he must prove that product is important to the national security of the United States. At that time we corralled five Cabinet members—one sub-Cabinet of the five, George Ball, because Dean Rusk was too busy, from the Department of State; Luther Hodges, Secretary of Commerce; Orville Freeman, the Secretary of Agriculture; Douglas Dillon, the Secretary of the Treasury, was there; and the Secretary of Labor, Arthur Goldberg.

They had hearings and we brought the witnesses. They made a finding, and the record is still there, that second to steel, textiles was the most important to our national security. The wag at the time was you cannot send them to war in a Japanese uniform—because they were bringing in all those textiles. The Japanese don't fool with textiles anymore. They have gone high-tech. Now you would say you wouldn't

send them to war in a Chinese uniform and Gucci shoes. You have to have the clothing. You have to have the uniforms. So you have to have that measure because it is important to our national security.

We have to maintain a modicum of textile manufacturing. We certainly have to maintain the ability to produce steel. We have to retain these other industries—electronics, with respect to watch-making, and fine tooling, and hand tools, and computers. We have to retain some production of semiconductors and the like.

In doing that, let's correlate, if you please, our 28 agencies and departments into one department of trade and commerce. We are all over the lot. It is our fault. We have to begin to enforce our trade laws against dumping. We can't let Wal-Mart sell below cost. They would be in trouble. We would get them for antitrust, Robinson-Patman violations, and we would send them to the hoosegow. In international trade that happened in steel. Bob McNamara went running the world around saying to the Third World countries that in order to be a nation state, you have to have steel for the tools of agriculture and the weapons of war. So they had 2-percent steel plants built all over Latin America and the Middle East.

I have been into that game. Yes, the President was correct in moving on steel because they are dumping steel. I see it. My office is in Charleston, SC. I can look on the dock and see all of this Brazilian steel coming in at less than cost, putting out of business, 25 miles away, Nucor, the most productive of all steel plants in the world.

Please, spare me from the idea of productivity. If you go to the international section of the United Nations, if you go to the Labor Department, Department of Vital Statistics or otherwise, you will find they will agree the world around, the most productive industrial worker is the U.S. industrial worker. We keep nagging: We have to get productivity up. My steel plant is the most productive in the world, and they are dumping steel at less than cost and criticize the President for moving on this particular score. He was right. He is right. We have to maintain that.

We have to get a value-added tax to pay for this war on terrorism that is costing the country and offset the 17-percent value added tax advantage. For example, in Europe where it is rebated, it is costing us a 17-percent differential in trade right there.

Enforce our dumping laws, but please do not say you have to get more productive. What is not producing is not the industrial worker in the United States, it is the U.S. Congress. We haven't produced. We have been running around like lemmings: Free trade, free trade, fast track, fast track—having no idea in the Lord's world what we are doing; whereas we are exporting jobs faster than we can create them.

My time is up. I yield the floor.

Mr. REID. Madam President, we are, in a minute or 2, going to turn to two judicial nominations. We have had a number of Senators wishing to speak on the motion now before the Senate, so I ask unanimous consent that when the votes are completed this afternoon on the two judges, the Senator from Texas, Mrs. HUTCHISON, be recognized for up to 15 minutes; following her remarks, Senator WELLSTONE be recognized for up to 1 hour; following that hour, someone designated by the Republican leader would speak for 1 hour; and following that, Senator BAUCUS, chairman of the Finance Committee, would be recognized for 1 hour.

The majority leader wanted to have a vote on this tonight with the consent of Senator HOLLINGS and others, but it appears now there are a significant number of people who want to speak so that will probably necessitate carrying the vote over until tomorrow. I have not checked with the leader on that for sure.

I propound the request for the speakers who have been lined up. I have checked this out with the minority.

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

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

EXECUTIVE SESSION

NOMINATION OF MICHAEL M. BAYLSON, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA

NOMINATION OF CYNTHIA M. RUFÉ, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA

The PRESIDING OFFICER (Mrs. CLINTON). Under the previous order, the Senate will now go to executive session to proceed to the consideration of Executive Calendar Nos. 778 and 779.

The Senator from Nevada.

Mr. REID. Madam President, the two managers, Senators LEAHY and HATCH, are not here. I therefore ask unanimous consent that during the quorum call I will suggest in just a minute the time be charged—equally against the two managers—on the motion.

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

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

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

Mr. LEAHY. Madam President, is the Senator from Vermont correct that fol-

lowing the two parties' caucuses this afternoon there will be two rollcall votes on judicial nominees?

The PRESIDING OFFICER. The Senator is correct.

Mr. LEAHY. Madam President, I will speak about that, but, first, I compliment the distinguished Presiding Officer and her colleague from New York for their invaluable help behind the scenes as we were fighting for the farm bill. As a result, the dairy farmers in my State of Vermont and in her State of New York are better off. I thank both Senator CLINTON and Senator SCHUMER for their help in that regard.

With today's votes, the number of federal judges confirmed since the change in Senate majority fewer than 10 months ago now exceeds 50 and totals 52. Under Democratic leadership, the Senate has confirmed more judges in fewer than 10 months than were confirmed by the Republican-controlled Senate in the 1996 and 1997 sessions combined. We have accomplished in less than one year what our predecessors and critics took two years to do.

The number of judicial confirmations over these past 10 months—52—exceeds the number confirmed in four out of six full years under Republican leadership, during all 12 months of 2000, 1999, 1997 and 1996. And we are ahead of the pace for all the years of Republican control. It exceeds the number of confirmations in the first year of the Reagan Administration by a Republican Senate majority. It is almost double the number of confirmations in the first year of the Clinton Administration by a Democratic Senate majority. And it is more than triple the number of judges confirmed for the George H.W. Bush Administration by a Senate of the other party.

The confirmation of Judge Rufe and Mr. Baylson today illustrates the progress being made under Democratic leadership, and the fair and expeditious way in which we have considered nominees. With today's confirmations, we will have confirmed three district court judges to the Eastern District of Pennsylvania in fewer than four months. On April 18th, the Senate confirmed, by a vote of 94 to zero, Judge Legrome Davis to the U.S. District Court for the Eastern District of Pennsylvania. Judge Legrome Davis was first nominated to the position of U.S. District Court Judge for the Eastern District of Pennsylvania by President Clinton on July 30, 1998. The Republican-controlled Senate took no action on his nomination and it was returned to the President at the end of 1998. On January 26, 1999, President Clinton re-nominated Judge Davis for the same vacancy. The Senate again failed to hold a hearing for Judge Davis and his nomination was returned to the President on December 15, 2000, after two more years of inaction in a second full Congress while the Senate was controlled by a Republican majority. Under Republican leadership, Judge

Davis languished before the Committee for 868 days without a hearing, notwithstanding the strong support of Senator SPECTER. But he was unable to get the support he needed for him to go through.

This year we have moved expeditiously to consider Judge Davis. Judge Davis was nominated by President Bush in late January 2002 and he received a unanimous vote by the Judiciary Committee on April 11th—fewer than three months after his nomination and less than one month after his paperwork was completed. The saga of Judge Davis recalls for us so many nominees from the period January 1995 through July 10, 2001, who never received a hearing or a vote and who were the subject of secret anonymous holds by Republicans for reasons that were never explained. Judge Davis was a nominee held up for almost three years and when the Senate was finally allowed to vote on his nomination, he was confirmed by a vote of 94 to 0.

Judge Rufe and Mr. Baylson help fill vacancies on the Pennsylvania District Courts that existed long before the majority shifted last summer. One of the two vacancies has existed since December 31, 1998. Despite the fact that President Clinton nominated David Fineman to fill this judicial vacancy, Mr. Fineman never received a hearing and his nomination was returned to the President without action at the end of 2000. In contrast, we have moved expeditiously, as with Judge Davis, to consider Judge Rufe and Mr. Baylson. Both nominees were nominated by President Bush in January, received a hearing within days of their files being complete, and are being confirmed approximately three months after their nominations. Both nominees have been practicing law for more than 25 years and have a distinguished history of public service.

As our action today demonstrates, again, we are moving at a fast pace to fill judicial vacancies with nominees who have strong bipartisan support. I have a chart—I always have a chart, Madam President—and it demonstrates, that we are moving at a fast pace to fill judicial vacancies, especially with those nominees who have strong bipartisan support.

Partisan critics of these accomplishments ignore the facts. The facts are that we are confirming President Bush's nominees at a faster pace than the nominees of prior presidents, including those who worked closely with a Senate majority of the same political party. I again point out these are nominees who, by and large, are Republicans, by and large, are conservative Republicans, but, by and large, have bipartisan support.

As long as I am Chairman of the Senate Judiciary Committee, I will do everything possible to protect the integrity and the independence of the Federal judiciary. I will not support an effort by any President—Republican or