

Assembly Majority Leader James E. Rogan of Glendale and Orange County Dist. Att. Michael R. Capizzi.

In an effort to unplug the nomination, Trott, who earlier served as a high-ranking official in the Justice Department under President Reagan, recently wrote to Senate Majority Leader Trent Lott (R-Miss.).

"I know you are concerned, and properly so, about the judicial philosophy of each candidate to the federal bench. So am I. I have taken the oath, and I know what it means: follow the law, don't make it up to suit your own purposes. Based on my own long acquaintance with Margaret Morrow, I have every confidence she will respect the limitations of a judicial position."

In their letters, some of Morrow's backers have sought to clearly establish their bona fides with conservative senators.

"I am a lifelong Republican from Orange County, California," Costa Mesa attorney Andrew J. Guilford wrote Hatch. "I have never voted for a Democrat in any presidential campaign. . . . I did not believe Anita Hill, I am happy that Justice Clarence Thomas is on our Supreme Court and I regret that [Robert] Bork is not on our Supreme Court. It is partly my concern over the unfair destruction of Judge Bork's judicial career that causes me to enthusiastically endorse Margaret Morrow."

Backers of Morrow cite her intellect, character and record of public service. As president of the Los Angeles County Bar Assn., she instituted a voluntary program urging attorneys to provide at least 35 hours of free legal services yearly for the poor. And she was a member of the commission that drafted an ethics code for Los Angeles city government.

Morrow's advocates also assert that her speeches and writings have been distorted beyond recognition by her foes, particularly one sentence in a 1988 article on the initiative process that is cited as prime evidence of her "activist" proclivities.

In the Los Angeles Lawyer magazine article, Morrow wrote: "The fact that initiatives are presented to a 'legislature' of 20 million people renders ephemeral any real hope of intelligent voting by a majority."

The article was written in the wake of one of the most expensive initiative campaigns in state history, highlighted by five complicated measures dealing with insurance and attorney's fees. At the time, many charged that that television advertising about the measures was misleading, prompting widespread calls for reform.

Morrow's article did not call for abolition of initiatives. The article noted that use of the initiative had escalated dramatically in the 1980s, discussed possible reforms of the initiative and legislative processes and urged lawyers to play a role in improving government.

Croskey, an appointee of Deukmejian, said he was stunned that the article was cited as evidence that Morrow would improperly legislate from the bench.

"She was making a profound and useful criticism of the initiative process and how it could be improved," Croskey said. "To metamorphose that into the conclusion that she is a judicial activist has no foundation."

On Friday, Croskey faxed a letter to Lott urging the senator to bring the nomination to the floor for a vote. But it seems unlikely that will happen before Congress adjourns in the next few weeks. Lott, who has the power under Senate procedure to hold up the nomination indefinitely, said a few days ago that he felt no pressure to take any action on judicial nominees during the remainder of the year.

The White House declined to comment last week on Morrow's nomination.

## RECIPROCAL TRADE AGREEMENT OF 1997—MOTION TO PROCEED

The PRESIDING OFFICER (Mr. AL-LARD.). The clerk will report the motion to proceed.

The assistant legislative clerk read as follows:

Motion to proceed to the consideration of S. 1269, a bill to establish objectives for negotiating and procedures for implementing certain trade agreements.

The Senate resumed consideration of the motion to proceed.

Mr. DORGAN addressed the Chair.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. DORGAN. Mr. President, the Senate, as I understand it, will be voting in about 50 minutes on the confirmation of a judge. Between now and that time, there will be time for debate on the motion to proceed to the fast-track legislation, and I intend to take a few minutes of that time. I believe Senator WELLSTONE will be here as well to speak. I wanted to begin, again, discussing this question because there seems to be a substantial amount of misinformation and there is a substantial misimpression by many people about what this debate is.

I started yesterday by saying this debate is not about whether we should have free trade or expanded trade or more trade. It is not about that. I think we should have expanded trade. I think we should lower barriers, lower tariffs—in fact, eliminate barriers, lower tariffs, and have a world in which we have more opportunity to trade. It's not about those who believe in trade and those who don't. It is a debate about whether our current trade strategy is working for this country. Does the current trade strategy work? Or is this country embarking on a trade strategy and are we in the middle of a trade strategy that, in recent years, has failed us, hurt our economy, injured our manufacturing base, has moved American jobs overseas and put us in a weaker position? I happen to think that is the case.

I want to go through some of this to describe why I am concerned about not just this fast-track proposal, but our trade policy generally. Mr. President, this is a chart that shows our net export balance. All of this red below the line represents deficits. We have had the largest net export deficits in the history of this country for 3 years in a row, and this year will make it the fourth year in a row. These are the largest trade deficits in the history of this country.

Now, I would ask the question of those trotting out here supporting the current trade strategy and saying, "let's again pass fast-track trade authority." Is this going in the right direction? Is this the right trade strategy? Is this producing the right results? If so, where do you intend to go with this? Do you want to take the chart out here and go down to \$350 billion a year in net trade deficits, as some are predicting will happen? Be-

cause if you think this is working, the logical extension of this is larger and larger deficits.

We are now the largest debtor nation in the world, and a significant part of that debt comes from the contributions of these trade deficits. So if you think the current trade strategy is working real well and you like this chart and you love debt, then you need to be out here saying, gee, let's pass fast track and continue doing what we are doing because it is really good for this country.

Now, Mr. President, I have said before that I used to teach economics, briefly, in college. But I was able to overcome that experience and go on to do other things in life. I am told that in the old days in ancient China, those who would travel from one region to another giving advice of the type we now get from economists had to be careful about it. That is because if they gave the wrong advice and stuck around the province too long and it was discovered what they had suggested would happen didn't happen, they were boiled, cut in two, or put on the sides of two chariots and pulled apart. We have no such dilemma posed to the economists of today.

Economists of today tell us what they think, for example, on trade. They say if you pass a trade agreement with Canada and Mexico, we will substantially increase American jobs. We passed a trade agreement with Canada and Mexico, called NAFTA, and we lost 395,000 American jobs. Where are the economists who predicted these enormous gains for our country? They are off predicting the results of fast-track and new trade agreements. It's just fine for them to keep predicting, despite the fact that they are consistently wrong.

The components of this country's economy are personal consumption—you see where that is. That is personal consumption and expenditures. That is one component. There is gross private domestic investment. Then, we have Government expenditures and investments. The fourth component of this economy is the balance of net exports. Now, if you look at this chart, is this balance of net exports a net positive or a net negative? This shows red. Why? Because it is a net negative. It is a drag on our economy. It pulls our economy down, not lifts it up.

So when the President or Members of the Senate come to this Chamber and say, gee, we are doing so well, we have more exports and we are doing so well, and it boosts our economy, they are dead flat wrong. They would not pass the beginner's course in economics, preaching that message, because net exports and the current balance of net exports is a drag on our economy. It is not a contribution to our economy.

In fact, yesterday, somebody said, well, since we have negotiated the agreement with Mexico under NAFTA, we now get more cars into Mexico that are produced in the United States.

That is true, we do. It is absolutely true. Conclusion: Was it a good agreement for our country? No, not at all. While we get a few more cars into Mexico, they send far more cars into the United States. So the net balance of auto trade between the United States and Mexico is completely out of kilter. In fact, we now import more cars from Mexico than the United States exports to the entire rest of the world. So the next time somebody stands up and talks about automobiles, and talks about what a great deal it is in terms of automobile trade with Mexico, I say tell the whole story. If you are describing a checkbook, don't just stand here and crow about the deposits. Tell us about the withdrawals. Tell the whole story.

So, Mr. President, the circumstances of trade are this. We are involved in a great deal of international trade. I support that. I insist that trade be fair to our country, to our producers, to our businesses, and to our workers. And, it is not fair. We don't have the nerve and will to require it be fair with China, with Japan, with Mexico—yes, with Canada. That is the problem. The result is huge deficits.

This chart shows that the imports of manufactured goods now in this country equal 51 percent of our total manufacturing in America. Just 16 or 18 years ago it was down to about 25 percent of our manufacturing base. Now imports equal over 50 percent of our manufacturing base.

Is that moving in the right direction? I don't think so.

Here is a chart that shows all of the fast-track authority that we have given Presidents. When the Tokyo round took effect, we had a \$28 billion trade deficit at that point. We had fast track for the United States-Canada Free Trade Agreement. When it took effect we had a \$115 billion trade deficit. We gave fast track for NAFTA. At that point we had a \$166 billion trade deficit. Then we gave fast track to the Uruguay round. Then, we were up to \$173 billion in trade deficits. Now we are at \$191 billion in net merchandise trade deficits.

It is going to go higher. Do people think we are moving in the right direction? I have no idea what town they grew up in. They think this is success. It is not success. It is burdening this country with an obligation this country must repay. This country will repay and must repay nearly \$2 trillion of accumulated net trade deficits with a lower standard of living in our future. That is not conjecture. It must be done because other people now have claims in the form of American dollars against our future.

Let me talk for just a moment about one of the more recent agreements, the United States-Canada Free Trade Agreement. I talked about the descriptions of the NAFTA agreement. I have told previously of the folks in ancient Rome who used to predict the future. We now call them economists. They

used to call them augurs. It was the practice of augury. The practice of augury was to read the flight of birds, and evaluate the entrails of cattle, among other things, in order to portend the future. In our country we have economists. They tell us, on the one hand, and on the other hand. That is why Harry Truman said that he preferred a one-armed economist. Then they could tell us with one hand. What did the economists tell us with respect to NAFTA? They said if we would pass NAFTA with Canada and Mexico, we would have nearly 400,000—I guess 250,000, first, and some said 350,000—new jobs in America. NAFTA was passed. What we lost was 167,000 jobs to Canada, according to the Economic Policy Institute, and 227,000 jobs to Mexico.

Is that moving in the right direction? Not where I come from. We were told the trade that would come into our country from Mexico would be the product of low-skilled labor. What are the largest imports into the United States from Mexico? Automobiles, automobile parts, and electronics. That is not the product of low-skilled labor.

This last chart shows that the United States has become the world's largest debtor nation. It might not matter to people here. I don't see people coming into the Chamber worried about this. Three or four of us talk from time to time about the growing trade deficit. To most people it doesn't seem to matter. They say, "Look at the cars we send to Mexico. Isn't that a wonderful thing?"

They come here and talk about the deposit slips in their checkbook. They don't talk about the expenditures. The net balance of trade has been negative for our country, and growing worse. It is causing substantial trouble in our country. The question is: Will we solve this? Will someone decide this is not good for our country and decide to solve it? Need it be solved by starting a trade war? Should it be solved by putting walls around our country and describing ourselves as protectionists? No, I don't think so. That is not the point. That is not what we are here arguing.

The point we are debating is that those who come here with this mantra chant of "free trade"—just a mantra chant. You are either for free trade, or you are some xenophobic isolationist stooge who doesn't understand it. You just do not understand what the world has become. You are either for free trade, and you, therefore, understand all of the implications of that, or you just don't get it. You are for free trade, or you are a blatant protectionist, and shame on you. We are going to call you "Smoot and Hawley." That is the way this debate moves very quickly. Almost, instantaneously, it moves into that kind of a discussion.

The discussion that ought to be among all of us is this. We now have the largest merchandise trade deficit in the history of this country. Is it good

for this country? The answer is no. The question is, What will we do about it? Does anyone here have a plan to deal with this growing, mushrooming trade deficit that hurts this country? Anybody? Has anybody heard anybody come to the floor of the Senate who chants this mantra of free trade who says anything about dealing with these mushrooming deficits? Or is it for them just the act of chanting that satisfies their soul? Is it just the act of chanting that satisfies their desire to serve?

One would hope that those who come to the floor talking about the need for expanded trade—not with some chant—with some thoughtful analysis of this country's needs would also understand the need for balanced trade and the need for fair trade, and the demand that when we say to our trading partners, "You are strong, tough, worthy competitors of ours in the international marketplace, and we demand of you fair free trade."

As a nation, we need to say to China, "We demand of you that if you access the American marketplace and we will allow you to continue to do that, but when you do it you have a responsibility to this country. That responsibility is to open your marketplace to our goods." Don't tell us that you want to flood our marketplace with Chinese goods and then keep China's marketplace largely closed to American goods. Don't tell us that you want us to be your cash cow for hard currency, China, and you want to ship all of your goods to our country. But when it comes time to play by the book and compete, don't displace America as the largest wheat seller to China. That is not what we expect of a mutually beneficial trade relationship.

We need to say to Japan, "Don't tell us that you want a \$60 billion a year trade surplus and deficit with us every year as far as the eye can see. Don't tell us you want to access our marketplace and then tell us we can't get American goods into yours."

That is not fair trade in any town in this country. And we ought to expect on behalf of the American economy and the American people and American workers and producers that we demand fair trade treatment from our allies and our trading partners.

Canada—we had a free trade agreement with Canada. We had an \$11 billion trade deficit with Canada. We passed a free trade agreement. Now, the trade deficit has more than doubled.

In my part of the country we have a flood of unfairly subsidized Canadian grain coming through the borders. It is a virtual flood. It is sent to this country by a state trading enterprise called the Canadian Wheat Board. That would be illegal here in America. It has secret pricing. No one knows the price. It is sold by a state trading enterprise. That is a monopoly enterprise. The result is an avalanche of Canadian grain coming in undercutting our market and undercutting our farmers. It is patently unfair. And, we can't do a thing about it

because it is in the trade agreements that were negotiated with Canada. Those negotiations were done in secret, behind closed doors. These secret negotiations pulled the rug out from under our producers. So now when trade is patently unfair you still cannot stop it.

I ask someone to come to the Senate floor today or tomorrow and tell us what you propose to do to demand that Canada stop that flood of unfairly subsidized grain. What do you propose to do to demand that?

What do you propose to do to demand that China open its markets? What do you propose to do to demand China open its markets completely to American imports when it buys airplanes made and manufactured in the United States of America rather than demanding that it wants United States airplanes manufactured in China?

What do you intend to do to say to Japan that the trade agreement 10 years ago with them on beef represents the lowest expectations of trade behavior that this country has? We negotiated trade on beef. And even our cattlemen jumped for joy because we finally reached an agreement with Japan on beef. Guess what the agreement is? There remains nearly a 50-percent tariff on all American beef getting into Japan. Is that a fair agreement? No. It represents the lowest expectations we have of our abilities to require our trading partners to treat us fairly. We still have a nearly 50-percent tariff on American beef going into Japan.

What on Earth are we doing? Why is this country lacking the nerve and the will to stand up to our trading partners and say to them, "Here is a mirror; treat us fairly because we are going to treat you like you treat us?" From our trade standpoint, our leadership is ready for us to say our market is open to you. We lead in the spirit of free and fair trade. We lead in the spirit of expanded trade. But, we demand more of our trading partners. We demand that our trading partners provide opportunities to American producers, American businesses, and American workers to access your marketplace just as you access ours.

Is this all theory? No, it is not all theory. Those who come to the floor and talk about free trade will talk in the abstract all day long. But what this is about is who will have the jobs and the economic growth and the opportunity 5 years, 10 years, 20 years, and 50 years from now.

I have no quarrel with those who come to the floor of the Senate and say that our future is in global trade. We have a global economy. Our future requires expansion of trade opportunities. I have no quarrel with those who have read the economic textbooks that describe the doctrine of comparative advantage, and the teachings of Ricardo, and others, who describe a world in which some can more appropriately produce one product and others can more appropriately raise one commodity. To the extent there are natural ad-

vantages to each, they should trade with each other. That becomes the doctrine of comparative advantage. Each does what it is their advantage to do and, therefore, trade with each other. I have no quarrel with that.

Of course, when Ricardo wrote that, incidentally, there was only nation-to-nation trading. There were no corporations when that doctrine was described. It is not the same now when the doctrine is interpreted to mean that a comparative advantage is a political advantage rather than a natural advantage, a natural resource advantage, or some sort of production advantage.

What is a political comparative advantage? A political advantage is a government over in some recess of the world when it describes the conditions of its production as a method of production in which you can hire 12-year-olds and pay them 12 cents an hour, and you can dump the pollution into the air and the water, and you can work the kids in unsafe factories. There is a political advantage in which that kind of production is acceptable and tolerated, and produces the commodities that are then traded in the international marketplace. But, that has nothing to do with the doctrine of comparative advantage. Absolutely nothing.

The question I asked yesterday about trade is one this country needs to continue to ask. Is there a requirement for admission to the American marketplace which, incidentally, has no substitute on the face of this globe. There are more people in other countries. China has far more people than we. But there is no substitute to having access to the American marketplace.

Is there any admission to the American marketplace? I am not talking about cash, or paying money to access the American marketplace. I ask is there an admission price at all? Will the admission price be, for example, a requirement that you not employ 8-year-olds or 10- or 12-year-olds to produce in a production factory and work them 12 hours a day and pay them little or nothing?

Could we at least start way back right at the first step and say, "Well, at least we will not accept the production of prison labor from a foreign country to come into our country and have the socks that are produced in a foreign prison hanging on a discount wall for sale to the American public?"

So we must decide what is right. We should not allow the work of foreign prisoners to come into our country because clearly that is unfair trade. So then let's step up the chain a bit, and ask ourselves: If not from foreign prisons—and I think most of us would agree that is certainly not fair trade—what about foreign factories that hire young kids, young children? I mentioned 12-year-olds. How about 8-year-olds? How about 250 million children producing around the world? Is there something that we find difficult in this country in our trade relationship in

saying to another country, "Look, you have to meet certain standards?"

We are not demanding you pay the same minimum wage they pay in Pittsburgh or Denver. We are not demanding that. But you have to meet some standards in order to access our marketplace because we don't believe American producers who risk their money to build their plant, hire their workers, and then manufacture their goods ought to have to compete against someone who manufactures the same product for one-hundredth of the price or one-twentieth of the price because they don't have the responsibility to deal with air pollution and water pollution, child labor laws, and safe workplaces, minimum wages, and all of those kind of things.

Is there any standard that represents some standard of behavior that we expect in being able to access the American marketplace? Or is this a circumstance where we have decided that those corporations, the largest in the world who are now international corporations—not national enterprises but international corporations—have decided that the expectation they have of this system is to be able to look at their corporation and evaluate where in this world can they produce most cheaply. Where can they produce least expensively? Where can they produce it, and then where can they ship that product to the most affluent marketplace and therefore expect maximum profit?

Is that the construct of this new system, the new global economy? Buy a Gulfstream; travel around the world; look out the window and find where could you produce with the least possible expense? What corner is it? Sri Lanka, Indonesia, Bangladesh? What corner of the world is it that would allow you to take that manufacturing plant that you have in Ithaca, NY, shut it down, fire the workers, move it overseas, and produce at the least possible cost, paying the least amount of money, having a factory that has the least compliance with air and water pollution, no bother about worker safety issues, and so on, no OSHA, and then produce the same product and ship it back to Ithaca to be sold on the hardware store shelf? Is that the construct?

I am afraid that is what most of our institutional discussion has been in this country about, the new global reality. The new global reality is we should not worry about what percent of the manufacturing, in terms of our consumption, is done in the United States. We should not worry about our manufacturing base. We should not worry about whether we have a strong manufacturing base. What we should worry about is consumption. How are we doing as consumers?

I suppose we are doing fine as consumers. We have ample credit cards available. In fact, just wait at home today and open your mail box. You will get another invitation for 10 more, preapproved, with substantial limit,

and if you are lucky, you can go to a discount store somewhere and probably buy something that was produced in a country that used kids to produce it, produced it less expensively, and you might—not always, but you might—be able as a consumer to purchase it less expensively at the expense of a diminished manufacturing base in this country, at the expense of a larger trade deficit, and at the expense of a lower standard of living later when this country will have to reconcile these huge and growing trade deficits.

Mr. President, let me end where I began. I know Senator WELLSTONE from Minnesota is waiting to speak. I started today by asking the question, can someone come to this Chamber in the next day or so and look at this ocean of red ink, of net trade deficits that are growing worse year after year after year, not better—can someone come here today, someone who thinks we are on the right path, who wants us to keep doing what we are doing and tell me how they believe this represents success? How do they believe this contributes to this country's well-being?

If they believe, as I do, that this ocean of red ink has made this country the largest debtor nation on Earth and it is destructive to this country's best interests. Then I say, let's in the coming hours talk about what we can do to fix this and don't tell me more of the same because that's what you are saying: We want more of the same.

This is what has happened. We have big, big deficits, getting worse. "Let's keep doing more of the same," they say. I say, let's change. Let's expect more and demand more of our trading partners. Let's have open foreign markets. Let's have the nerve and the will to stand up for this country's economic interests, and let's not move quickly to the thoughtless debate that this is between those who support free trade and those who do not.

That is not what this is about. It is about those of us who believe this country has an abiding and growing trade problem and is choking on trade deficits and must stand up and do something about it for this country's sake and those who believe things are just fine and we ought to keep doing more of what we have been doing. That is what the debate is about.

I will have more to say. Let me yield such time as he may consume to the Senator from Minnesota.

The PRESIDING OFFICER (Mr. INHOFE). The Senator from Minnesota.

Mr. WELLSTONE. I thank the Chair. I thank my colleague from North Dakota for his very important leadership in what is really a historic debate.

Let me say at the beginning that I don't think this is a debate where two positions are either we have walls that we put on the border of our country or we are involved in an international economy. We are a part of an international economy.

That's a false dichotomy. The question is, Are there any rules that go with this?

Let me, first of all, start out with one of the major reasons I oppose the motion to proceed to S. 1269, this reciprocal trade agreement of 1997.

I oppose it on the principle of democracy and representative accountability alone. I am opposed to fast track for that reason alone. It seems to me that we ought to understand that what we are talking about is a trade agreement which will crucially affect the quality or lack of quality of lives of the people that all of us represent, that will affect our domestic laws, everything in the world to do with wage levels, with consumer protection, with environmental protection, and it is difficult for me to understand how we could surrender our rights as Senators to an unlimited debate and the right to amendments to an important piece of legislation, indeed, to some legislation that will come before us, other agreements that will come before us up to the year 2001 that we have not even seen. Before we have even seen these agreements, we are supposed to agree to a procedure whereby we can't come to the floor and fight for the people we represent, we can't come to the floor and try to improve a trade agreement and make it work better for working families in our States. I would oppose this agreement just on this principle alone.

S. 1269 would lock us into fast-track rules for debates and votes that we are going to be taking later on in the Congress. This will lock us in until the year 2001. That is the duration of the bill's provisions. So what we are deciding right now is whether or not we are going to establish highly restrictive rules which will govern our debate and votes later on implementing bills for agreements, the contents of which we do not know at this time.

That is profoundly antidemocratic. On the principle of democracy, on the principle of being here to represent people in Minnesota, I would oppose this fast-track legislation just on this idea alone.

Let's talk a little bit about what could happen between now and 2001. We could bring Chile into NAFTA. It may be good; it may not be good. We could broaden what we call NAFTA to include additional countries in Latin America and the Caribbean, turning NAFTA eventually into a free-trade area for the Americas, FTAA. We could look to the Asian Pacific Economic Cooperation Forum, and we could negotiate these privileges as well, which could be NAFTA-like privileges, vis-à-vis countries in Asia. We might complete a worldwide multilateral agreement on investment which would be called the NIA. We could do all of these things.

But the point is that under this provision, if we enter into these agreements up until the year 2001, all of this will come to the floor of the Senate with an expedited procedure. No

amendments will be in order and there will be a limited number of hours. How can we as Senators represent consumers in our States, how can we represent working families in our States, how can we be out here fighting for decent jobs and decent wages, how can we, for that matter, represent people in other countries who want to see their standard of living lifted, not depressed, and at the same time agree to these kinds of agreements—we don't even know what will be in them—with this procedure that there will be limited debate and no amendments.

This is a basic principle of democracy. I say to my colleagues we should not vote for this fast-track procedure because it denies us the ability to be out here representing the people in our States. That is what fast track is all about—an up-or-down vote on a giant bill which has a critical impact on numerous laws, these laws having a dramatic impact on the quality or lack of quality of life of the people we represent. That is one of the reasons I opposed NAFTA and one of the reasons I opposed the creation of the WTO as well.

Let me point out that one administration official testified last year that negotiators had effectively concluded 200 trade agreements since President Clinton took office in 1993—nearly 200 trade agreements—and only two of those utilized fast-track procedures. So if trade agreements can be so readily reached without the benefit of fast track, then I question the need to impose these kinds of procedures which are inherently undemocratic. They shorten the debate. We cannot come out here with amendments. We cannot come out here to represent people in our States the way we should. Therefore, I would oppose this, and I hope my colleagues will as well.

This whole idea of trade policy, which is so important, is supposed to be good for all of us, including consumers. Have the representatives of consumer groups been involved in this discussion? Certainly corporations and various economic sectors have helped to decide what our goals are, which is appropriate. But how about consumers? Consumers might be worried about downward harmonization of standards. Consumers might be worried about food safety standards and how this will affect their children. They might be worried about or oppose in principle deplorable child labor conditions in other countries. They might be worried about or oppose in principle deplorable violations of human rights of people in other countries.

Consumers, the people we represent, may say, look, we would like to make sure that this is a part of a trade agreement. But the position the administration has taken in fast track is that these concerns are excluded as trade objectives. But they probably would be included as objectives if we had a more democratic process for negotiating and considering trade agreements.

What I am trying to say is it becomes, I think, a Catch-22. If we as Senators are going to say, ipso facto, we give approval to any number of different trade agreements up through the year 2001, the provisions of which we do not even know about yet, then quite clearly what we are saying is we will not be able to come out here with amendments to protect consumers and working families, in which case I think we are going to get the same response from the administration, which is we will not make these agreements part of a trade agreement, basic protection on fair labor standards, on consumer protection, on environmental protection.

I think that is the tragic mistake we will be making if we approve fast track.

My second reason for opposing the motion to proceed is that I am not at all confident—in fact, unfortunately, I am quite certain—that as opposed to improving the standard of living and the quality of life for a majority of Americans, these trade agreements will have precisely the opposite effect.

Let me also say that I am equally concerned about trade agreements that will lead to an improvement of the quality of life and living standards of people in other countries. I am all for trade agreements that lead to an improvement of the standard of living of people in our country and people in other countries. I am not in favor of a trade agreement that ends up not being global village but global pillage, where what you have instead is a systematic violation of the rights of children, of basic human rights, of basic fair labor standards and of basic environmental standards leading to profits for the few large multinational corporations and misery for way too many people throughout the world.

Mr. President, we have had extensive debate on NAFTA, which was approved, and also extensive debate on the General Agreement on Tariffs and Trade, which ultimately led to the creation of the World Trade Organization, the WTO. I voted against implementing these trade agreements because I was concerned that these trade agreements would not take our country in the right direction. Now, as I think about it, I am afraid that the empirical evidence supports this view as well.

Let me say again, I didn't oppose NAFTA or WTO because I am a protectionist. I am an internationalist. I don't have any interest in building walls on the borders of our country to keep out goods and services. Nor do I fear fair competition from workers and companies operating in other countries. I am not afraid of our neighbors. I don't fear other countries nor their people. I am in favor of open trade, and I believe the President should negotiate trade agreements which lead, generally, to more open markets here and abroad.

Indeed, I am aware of the benefits of trade for the economy of Minnesota, and I am told about that constantly.

We have an extremely internationally minded community of corporations, larger companies, small businesses, working people and farmers in our State. And we have done relatively well in this international economy. I am very proud of Minnesota's performance in this international economy.

We have lost some jobs to trade, as have most States, but we have also benefited from trade. We benefit both from the exports and the imports: The exports create the jobs, as we all know, but the imports are not necessarily a bad thing. They provide the competition for consumers and they can push our own domestic companies to do better, to be more productive and to be more efficient. Open trade can contribute significantly to the expansion of wealth and opportunity, and it can reward innovation and productivity. It can deliver higher quality goods and services at better prices.

So, what I am saying is not that we should not be involved in international trade, not that our country doesn't have a major role—we have a major role and play a major role in the international economy. But what I am saying is that the Congress should exercise its proper role in regulating trade, which is what trade agreements do, so that the rules of this international trade reflect American values. That is how America can lead in the world and it is how America should lead in the world.

What American values are we talking about when it comes to trade? What are the American values when it comes to trade? We believe in open markets at home and abroad. But we also think there is a role for Government to play, especially when it comes to the protection of fundamental labor rights for working women and men, when it comes to the protection of children in the labor force, when it comes to environmental standards, when it comes to food and other consumer protections. These are important values in our country. When it comes to fundamental standards dealing with human rights and when it comes to democracy, these are important American values. The question is, how can we pursue these values when we are negotiating trade agreements?

The Clinton administration believes that the commercial issues are primarily in the body of the trade agreements, which are enforceable with trade sanctions, and that the environmental and the labor rights issues and the human rights issues are secondary. A majority of the Senate appears to agree. I do not, and I don't believe most Americans agree with the President and the majority of the Senate on this question. I believe, and I think most Americans believe, that fundamental standard-of-living and quality-of-life issues are exactly what trade policy should be all about. That is why strong and enforceable labor rights, environmental and consumer protections belong directly in the agreements

themselves. And if trade agreements do not help to uphold democracy and respect for human rights, then they are deficient. That is my position and, as we enter the 21st century, these should be the pillars of American leadership in the world.

At the same time we are told that America must lead on the issue of trade, we are also told that if we don't negotiate trade agreements, even ones that do not live up to our own principles, then other countries will do so with each other in our absence; we will be left out. That is what we are told. What a contradiction. We must lead but we must do so by weakening our values, by leaving enforcement of labor rights out of agreements we negotiate, by leaving protection of the environment out of agreements we negotiate, by surrendering our principal linkage of human rights concerns to trade policy.

Are we saying that when it comes down to it, that money is basically all that matters? Is that how America should lead the world? Not in my view. Our trade policy should seek to create fair trading arrangements which lift up the standards of people in all nations. It should foster competition based on productivity, quality, and rising living standards—not competition based on exploitation and a race to the bottom.

As one Minnesotan, Larry Weiss, wrote in our State's largest newspaper earlier this week, "What we want is a global village, not global pillage." Protection of basic labor and environmental and food safety standards are just as important and just as valid as any other commercial or economic objective sought by the U.S. negotiators in trade agreements. We need to be encouraging good corporate citizenship, not the flight of capital and the dissemination of good-paying jobs from the United States.

The PRESIDING OFFICER. If the Senator will suspend his remarks for a moment?

Mr. WELLSTONE. Mr. President, since I have to interrupt my remarks, I ask unanimous consent that I be recognized for additional comments immediately after the vote.

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

#### EXECUTIVE SESSION

NOMINATION OF JAMES S. GWIN, OF OHIO, TO BE U.S. DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF OHIO

The PRESIDING OFFICER. Under a previous order, the Senate will now proceed to executive session and the clerk will report the nomination.

The legislative clerk read the nomination of James S. Gwin, of Ohio, to be United States District Judge for the Northern District of Ohio.

The PRESIDING OFFICER. There are now 10 minutes equally divided on the nomination.