

## ELECTION REFORM

Mr. THOMAS. Mr. President, I will now talk a little bit about election reform. Of course, that is the bill that is before us now, but we have not been able to move it forward in the last day and a half or so. Whether we will be able to or not, I do not know. No one disagrees, of course, with seeking to do something to make elections fair; to make the changes, if there need to be changes made, to make elections available to everyone on a free basis, an open basis, and a legal basis.

I am glad the Senate has taken up this bill. I happen to believe the major responsibility for voting, whether it be in Florida or whether it be in Wyoming, lies with the State. Where there are problems with voting, the State election officers, it seems to me, have the primary responsibility to do that.

One of the issues that has come up—not unusually, I suppose; it comes up in many areas such as health care, education—there is a difference between how you do things in New York City and Meeteetsi, WY. That has kind of become an interesting issue with regard to setting up voting standards and the requirements that need to be made for voting precincts. When one has a precinct that has thousands of people in it, that is one thing. Go to Wapiti, WY, with a precinct that may only have 30 to 40 people in it; that is quite different.

When I went home last weekend, we were talking about the proposal initially that there had to be a paved parking lot and access for the disabled. Everyone wants the disabled to be able to vote, and they were saying sometimes we have to look hard to find a place that has a toilet, so we need to do something about that.

I have talked with the chairman, and certainly we could, I think, come to some kind of an agreement. This bill currently requires each polling place to have a machine that is adaptable for ADA. I am a great supporter of ADA, as a matter of fact, and have worked very hard on that, but I think we have to be realistic about how it is dealt with. We have curbside voting, for example. We can do that for people who are disabled. We have these certain kinds of machines in every county seat, but to require that in some 400 rural polling places, as we have in Wyoming, would be extremely difficult. Even though the return sometimes is, "Well, the Government is going to pay for it," regardless of who pays for it, some of it is not good use of taxpayer dollars.

I do not know exactly how it will end up. Perhaps we will not be having a bill if we cannot move it any more than we have. Perhaps we can continue to talk to the chairman, who seems to be receptive, knowing there are differences in how it is dealt with in one place or another.

I do want to say we have talked with the elected officials in Wyoming. As I said, our voting has been very satisfactory. We have a good many registered

voters. We had more voters last time than we had registered before the election who came in and could register on election day. It is really quite simple.

We are concerned, if we were required to have very complicated machines in every polling place, that that would not be appropriate. Instead, if we could offer the flexibility to where they could make proposals as to how to deal with voting for disabled and other voters, those could be viewed, and if they were acceptable, then they could do it the way they wanted to do it in that community.

In any event, I do not know whether we will have an amendment. If that becomes necessary—or perhaps we could have a colloquy with the chairman to deal with this in the conference committee—we can do that.

## TRADE AUTHORITY

Mr. THOMAS. Mr. President, I have to respond just a little bit to my friend from North Dakota who talked about trade. Obviously, trade is very important for all of us. I am a little interested in how he thinks 435 people could negotiate a trade agreement. The idea is that the trade agreement needs to be negotiated and then brought to the Congress for approval. If it is not approved, it is not approved. I cannot imagine us trying to set up a trade bill and 435 folks trying to deal with that.

So I am not in agreement entirely that we ought to take away the trade authority to negotiate and then bring it to the Congress. Presidents have had that, and hopefully they will continue to have that.

The main constituency of the Senator from North Dakota, of course, is agriculture. Forty percent of agricultural products go into foreign trade. Obviously, we all want trade agreements to be fair and advantageous.

I also have to respond a little bit to the molasses issue. We worked on that for several months, and it has been cured, as a matter of fact. The idea that nobody stood up to it is not accurate. The court has ruled, and that is no longer being done. It was being done, and it was wrong, but we brought it up through the court, and it is no longer the case.

So trade is always difficult, and certainly I feel strongly about it from time to time, too. We are in a world where billions of dollars move around the world every day. We are going to have to trade. We are behind other countries in making trade agreements in South America, for example. So hopefully we can find a way to come up with agreements that will allow us to trade with other countries and, at the same time, of course, be as fair as possible.

I suggest the absence of a quorum.  
The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

## EXTENSION OF MORNING BUSINESS

Mr. REID. Madam President, I have been meeting with Senator SCHUMER, Senator DODD, and others. There is some hope we can resolve this vexatious issue that has been so troublesome on this legislation. We are in the process of trying to work this out now. Senator DODD has been conferring with members of the minority all day in hopes that something can be resolved.

I ask unanimous consent that morning business be extended until the hour of 4 p.m. today.

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 assistant legislative clerk proceeded to call the roll.

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

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

## EXTENSION OF MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that morning business be extended until 4:30 p.m.

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 senior assistant bill clerk proceeded to call the roll.

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

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

Mr. SPECTER. Mr. President, I ask unanimous consent that I be allowed to speak up to 15 minutes in morning business.

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

## DUMPED STEEL

Mr. SPECTER. Mr. President, I have sought recognition to comment on a meeting which has been held with President Bush and Members of Congress from steel States concerning the plight of the steel industry and the decision which the President is scheduled to make on or before March 6, 2002. The President has initiated proceedings under Section 201, which activated an inquiry by the International Trade Commission. The International Trade Commission has made a recommendation that there be remedies to stop subsidized and dumped steel from coming

into the United States in violation of U.S. law and international trade law. The President granted our request for a meeting so that we could state to him our views on this important subject.

The Senate Steel Caucus has 34 members from 24 States. The House Steel Caucus has 133 members. I was Chairman of the Senate Steel Caucus until Senator JEFFORDS made his famous declaration. Now I am Vice Chairman with Senator JAY ROCKEFELLER serving as Chairman.

Senator ROCKEFELLER and I were at the meeting with the President, as were Senator SANTORUM, Senator DURBIN, Senator SESSIONS, and Congressman ENGLISH, Chairman of the House Steel Caucus. We presented the case to the President that this is really the critical stage, that it is not inaccurate to say at this time that it is a do-or-die situation.

There have been tens of thousands—really hundreds of thousands—of jobs lost in the steel industry. There have been bankruptcies literally too numerous to count from the steel companies, and there has been an onslaught of steel coming into the United States which is subsidized and dumped.

When the term “dumping” is used, it means that steel is sold in the United States at a price lower than it is sold, for example, in Brazil where it is manufactured. So it is a calculated effort to sell at a cost so low that it undercuts the legitimate costs of American steel, and the costs are customarily calculated at the cost of production, plus a reasonable profit. The steel which comes into the United States, in addition to being dumped, is subsidized very heavily by foreign governments, so an American steel company is compelled to compete against a foreign government. That is something you cannot compete with, leading to the characterization of the playing field, which is not level.

We presented to the President the consideration that it really require what Commissioners on the International Trade Commission have recommended. The President said: Where did you come up with the idea of a 40 percent tariff for 4 years? The response was: Well, that is what the Republican members of the International Trade Commission said. That is necessary in order to give the American steel industry an opportunity to restructure itself.

There have been very extensive conversations with Mr. Leo Gerard, President of the United Steelworkers of America, and Mr. Tom Usher, President of USX, regarding the steel tariffs. In discussing the remedy, one of the critical parts about imposing a tariff is that it will call upon the foreign steel companies to restructure their steel. There is excess capacity in the world at the present time, and it comes to the United States where it is dumped because we are a great market. We have an open market. We believe in free trade, and I believe in free trade.

An essential ingredient of free trade is to not allow subsidies or dumping, which is illegal. Free trade also has the critical component of fair trade, which is a part of free trade.

These considerations were presented. The issue arose as to what the impact would be upon the American consumer. It has been carefully calculated. A tariff of 40 percent would lead to a price increase on steel to around 8.4 percent, a negligible cost on the purchase of an automobile or a refrigerator. It is not going to change the American economy, but it is shortsighted for consumers to seek that kind of cheaper steel because we know for sure that if, as, or when the American steel industry is unable to meet domestic demands, we are at the mercy of foreign steel prices, which are going to go up. It is a boomerang consideration. It is not in the consumers' interest in the long run to have that kind of illegal competition come in and drive the American steel industry out of business.

All of these arguments were presented to the President, a meeting which lasted for the better part of an hour. The President was noncommittal, subjective as to how he was regarding the arguments. He made a number of comments. I think it is fair to say that he was sympathetic to the arguments. He made the point that he was prepared to make the tough decision without regard to political costs or whether Europe was going to be mad over what the decision would be.

President Bush has shown a remarkable tendency to be willing to make his own judgment, to go his own way. He has shown that in the War on Terrorism. He has sometimes been criticized for unilateralism by the United States, but he is a person who studies a situation very carefully, a very good listener who makes up his mind and then is prepared to make a judgment, in accordance with what his conscience says is in the national interest.

Overall, I thought it was a very good meeting, and I am optimistic. It is hard to say much more than that without creating false hope or false impressions.

Earlier in the day there was a rally on the Ellipse, which was calculated to be within earshot of the President. The speaker's stand was set up. The Chair was there, as were many of our colleagues in the Senate. We heard quite a number of speeches, and an enormous number of steelworkers, men and women, were there. The crowd was estimated to be at 25,000. I think that was a conservative estimate. Mr. Leo Gerard, President of the United Steelworkers of America, said they gave out 18,000 tokens. They had to bus people into RFK Stadium—there was no place to park the buses—and have them take the subway. Even when the rally had run for almost an hour, there were still people streaming in.

As I was on the speaker's podium and looked over at the South Portico, I

could not tell if the President was there listening or not. However, I think he was within earshot. One of the great things about America is our right to assemble, even within earshot of the White House, as well as the right to freedom of speech and the right to petition the Government.

This whole issue has had a very thorough hearing. It is a matter of great importance. It is a matter of importance to America to have a steel industry. Without a steel industry, what do you do for national defense in time of a national emergency? Without a steel industry, what do you do if you are at the mercy of foreign suppliers? We have laws to stop dumping in subsidy. They are not enforced.

Years ago, I introduced legislation for a private right of action. It has been very difficult to get enforcement proceedings. Through the International Trade Commission, they are laborious. They can be upset easily. By the time they take effect, the critical period has passed. They have not been adequate.

Now, that the President has introduced, to his credit, the Section 201 proceedings, there is a chance for real action. Under the law, the decision has to be made by March 6, 2002, which is next Wednesday. To repeat, I am optimistic there will be a good result.

I suggest the absence of a quorum. The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### NOMINATIONS

Mr. SPECTER. Mr. President, I have sought again recognition to comment on the pending nomination of District Court Judge Charles Pickering who is up for consideration for the Court of Appeals for the Fifth Circuit. I had spoken briefly on this subject yesterday and had stated my intention to support Judge Pickering because he is a different man in 2002 than he was in the early 1970s when he was a Mississippi State senator.

The world has come a long way in the intervening 30 years. Attitudes have evolved. Judge Pickering has evidenced his sensitivity to civil rights issues. He has been praised broadly by people who know him from Laurel, MS, for taking on the leader of the Ku Klux Klan in a way which was physically endangering to Judge Pickering himself.

I noted yesterday, and I think it worth commenting today, the votes probably will not be there to send Judge Pickering from the Judiciary Committee with an affirmative vote. It looks to me as if it will be a party-line vote of 10 to 9. Regrettably, there is a great deal of partisan politics in the way judges are confirmed by the Senate. Regrettably, that is a practice regardless of which party is in control of