

Now, that will strike fear in any country, won't it? They will not allow our beef in Europe, but we are going to make it tough for them. We are going to take action against truffles, goose livers, and Roquefort cheese. Good for us.

When, on Earth, will we have the nerve to say to other countries, we demand—we insist—on fair trade?

Twelve years ago we reached an agreement with Japan on beef. All the trade negotiators celebrated as if they just won the 100-yard dash in the Olympics, as if they were all wearing gold medals because we reached a trade agreement with Japan on beef. But 12 years later, every single pound of American beef going into Japan still bears a 38.5-percent tariff.

Try to send T-bones to Tokyo, a 37.5-percent tariff—every pound of beef. We have a \$60 to \$70 billion trade deficit with Japan, yet we cannot get beef into Japan without a tariff near 40 percent. It doesn't make any sense to me.

This issue goes on and on. In my part of the country, we face an avalanche of unfairly subsidized Canadian grain coming in from a monopoly called the Canadian Wheat Board. We can't do a thing about it because the last trade agreement that came through here limited our remedies under section 301. We don't do a thing about it, so this grain floods into our country from Canada. It is unfair.

Our Canadian friends, they are good friends of ours, but they are not playing fair with respect to trade and grain. So U.S. wheat producers, family farmers, put together the information to file a complaint. They won the complaint. The U.S. Trade Representative judged that the Canadians, through the Canadian Wheat Board, are engaged in unfair trade.

What is the remedy? Well, apparently, according to our trade ambassador, the remedy is just to say that the Canadians ought to really watch it. No tariffs. No effective actions. No sanctions. Just: You had better watch it. That is not the way to deal with international trade.

When this so-called fast-track authority agreement was reached in conference, the committee of jurisdiction issued a memorandum describing what they did in conference and what a terrific deal it is.

Trade adjustment assistance: They tripled it. That provides assistance with health insurance for displaced workers. So if you lose your job because of these trade agreements, guess what? We are going to exchange for your job some health insurance for you. Boy, that is quite a deal, isn't it?

We are going to expand coverage to secondary workers who are affected by a firm moving overseas. These trade agreements make it easier to move a firm overseas, so if you lose your job, and if you are not a primary worker but a secondary worker, we are going to cover you for the first time. That is going to make you feel really good as

you go home and tell your family: I have lost my job. But guess what. I am a secondary worker, and I think I am covered with some health insurance for a while. I think I am going to get a little health insurance here.

There is a pilot program for providing wage insurance for older workers, realizing the difficulty for older workers to change careers. Why would you to have change a career? Because your job just went to Sri Lanka or Bangladesh or Indonesia, where they are going to do for 20 cents an hour what you did for a living wage in this country.

There is a new benefit for farmers and ranchers who have been losing money hand over fist because of price collapses. If they lose money now because of these new trade agreements, there is a little help for them. Somebody takes their market away, we give them just a little bit of help in trade adjustment assistance. Lose your job? Lose your farm? Lose your ranch? Guess what. We will help you out a little.

The issue, according to these folks, is not about fair trade. The fight is about how can we provide assistance to Americans who are going to lose their jobs.

For me, the question is this: What are the elements of fair trade? What is price for admission to the American marketplace? We fought for a century about fair labor standards, about not having children go down in coal mines, and not having children work in factories, about requiring safe workplaces, about a minimum wage, about the right to organize. Then some companies decided: We can skip all of that. We can pole vault over all those things. We can hire someone in Indonesia and pay them 24 cents an hour to make shoes. We don't have to worry about all those things we had to worry about in the United States.

When we in the Senate were debating the current fast track bill in May, the Presiding Officer offered an amendment which I cosponsored, the Dayton-Craig amendment. It said: If in the next negotiation, there is any attempt to weaken the remedies for American producers, countervailing duties, any number of remedies to take action against unfair trade, if that is the case, there is going to be a separate vote in the Congress on that. The amendment passed in the Senate by a wide, bipartisan vote. Sixty one Senators voted for it. But when the bill got to conference, the provision got dropped, just got dropped. Instead, we got the right to do a sense-of-the-Senate vote. Well, thank you very much. You could do that before, and the new provision does nothing to defend our trade laws. It doesn't mean anything. If you just like to be here and put your suit and necktie on to vote for the heck of it, be our guest, come and do it, but this doesn't mean anything. They dropped an effective provision from the Senate version of the trade bill, one that would have helped producers in this country.

They also dropped my amendment that said on investor dispute resolutions in NAFTA, proceedings must be open, they must be transparent. The door must be open. The public must see it. Now it is done in secrecy.

They dropped my amendment. They dropped anything that was good. Then they put a sort of chocolate coating on things that were bad, sent it out here, and said: Hope that tastes good. Well, it doesn't taste good. This doesn't make any sense to us.

It is interesting, there is only one view of trade that you can embrace these days. We have the largest trade deficit in history; last month over \$41 billion—last month alone. A lot of major papers won't run a piece on the trade deficit on their op-ed page because there is only one view on their op-ed pages: You are either for global trade or you are against it. If you are against it, you are some sort of xenophobic isolationist stooge who just doesn't get it. Everybody else sees over the horizon. Those who oppose fast track don't.

That is one of the most thoughtless approaches to a trade debate I can imagine. We will have a lengthier discussion on this, this week. I will have much more to say.

Let me say again, I believe expanded trade is helpful to this country provided expanded trade is fair trade. We have been victimized in so many ways by so many trade agreements—recently, NAFTA and the WTO. You name it, I will show you the trade agreement that has expanded our trade deficit, hurt our producers, moved our jobs overseas, and nobody seems to care very much. Do you hear one peep on the floor of the Senate about the largest trade deficit in history? Just one? I don't hear a thing. Yet it hurts this country. It is going to cause this country serious economic problems in the future.

I have so much more to say today, and so little time to say it. I want the Senator from Alaska to have the opportunity to speak for the last 5 minutes. So when this legislation comes to the floor of the Senate, I will speak at greater length later in the week. In the meantime, suffice it to say, some of us don't celebrate as much as others when they talk about the ingredients of this conference report on fast track. This is not advancing our country's interest. It is not fair to producers and to workers.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Alaska.

Mr. STEVENS. I thank Senator DORGAN for his courtesy.

COMMEMORATING THE 50TH ANNIVERSARY OF THE UNITED STATES EUROPEAN COMMAND HEADQUARTERS

Mr. STEVENS. Mr. President, I, along with General Joe Ralston, the Supreme Allied Commander Europe,

commend the past success and continued contributions of those men and women of our Armed Services who comprise the United States European Command.

This Thursday, August 1, the U.S. European Command will celebrate its 50th anniversary. Over the last 50 years the European Command has played a critical part in the successful preservation of peace and stability in and around Europe, and they continue to do so today.

For more than 35 years during the cold war, the primary mission of the European Command Headquarters, established in Frankfurt, Germany in 1952, was to fulfill United States treaty obligations to NATO by providing combat ready forces to counter the Soviet threat and ensure peace in Europe, Africa and portions of the Middle East.

With the collapse of the Soviet empire, the responsibilities of the European Command changed dramatically. Since that time, it has engaged in a wide spectrum of security cooperation activities that have helped ensure stability and promote Democratic and market-oriented governments in countries emerging from Communism and other authoritarian regimes.

Simultaneously, it has conducted numerous operations to end regional wars, reduce ethnic conflict and limit the suffering caused by man-made and natural disasters.

Our European Command continues to make valuable contributions today. To conduct security cooperation activities and respond to regional threats to our national interests, The Command typically has approximately 117,000 service members, or about eight percent of the U.S. active duty military. This is a small investment by any measure for such a vast range of responsibilities across Europe, the Middle East and two-thirds of Africa.

As I speak, the European Command is involved in five on-going combat operations. Its forces are patrolling the skies over the northern no-fly zone to enforce United Nations Security Council Resolutions against Iraq as part of Operation Northern Watch.

In Bosnia and Kosovo, the European Command contributes with our NATO allies in Operations Joint Forge and Joint Guardian respectively, to ensure security, promote stability and allow those fragmented societies to rebuild their civil institutions and restore the rule of law.

In the former Yugoslav Republic of Macedonia, it is providing on-call support to the international community's monitors working there as part of Operation Amber Fox. And, U.S. European Command is making substantial contributions to Operation Enduring Freedom and to the global war on terrorism in general. Most recently, it deployed a small force to the Republic of Georgia to train and equip their forces to more effectively protect their own territorial integrity.

The invaluable contributions of our military men and women working at

the Headquarters—today located in Stuttgart, Germany—have continued without interruption.

The legacy of their service, dedication and accomplishments is to be highly commended, and the importance of their continued contributions to future regional peace and to the preservation of our national interests cannot be overstated.

On the 50th anniversary of the establishment of the U.S. European Command, it is fitting that we honor the millions of dedicated American men and women who have served, and continue to serve our Nation overseas.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. NELSON of Nebraska). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, has 5:30 p.m. arrived?

The PRESIDING OFFICER. It has.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF JULIA SMITH GIBBONS TO BE UNITED STATES CIRCUIT JUDGE—Resumed

The PRESIDING OFFICER. Under the previous order, the Senate will now go into executive session and proceed to vote on Executive Calendar No. 810, which the clerk will report.

The legislative clerk read the nomination of Julia Smith Gibbons, of Tennessee, to be United States Circuit Judge for the Sixth Circuit.

CONFIRMATION OF JUDGE JULIA SMITH GIBBONS

Mr. LEAHY. Mr. President, with today's vote, the Senate will confirm the 12th judge to our Federal courts of appeals and our 61st judicial nominee since the change in Senate majority last summer. In little more than 1 year, the Senate Judiciary Committee has already voted on 75 of this President's judicial nominees, including 15 nominees to the courts of appeals. This is more circuit and district court nominees than in any of the previous 6½ years of Republican control. In fact, we have given votes to more judicial nominees than in 1996 and 1997 combined, as well as in 1999 and 2000 combined.

Despite the partisan din about blockades and stalls and inaction as well as

absurd claims that judicial nominees are being held "hostage"—the fact is that since the change in majority last summer the Senate, and in particular the Judiciary Committee, has been working at a much faster rate than in the 6½ years of Republican control. With respect to courts of appeals nominees, we confirmed the first of President Bush's nominees last July 20 and today we confirm the 12th. That is a confirmation rate of approximately one circuit court nominee confirmed per month. By contrast, in the 76 months in which Republicans were in charge, only 46 courts of appeals judges were confirmed, at a rate closer to one every two months. Thus, despite the additional obstacles and roadblocks that the partisan practices of the new administration have created and the partisan rhetoric of our critics, we are actually achieving almost twice as much as our Republican counterparts did. With a little cooperation from the administration and the nomination of more moderate, mainstream candidates, we would be even further along.

During the 76 months under the Republican control before the Judiciary Committee was allowed to reorganize, vacancies on the Federal courts rose from 63 to 110. Vacancies on the Courts of Appeals more than doubled from 16 to 33. That is the situation created by Republican inaction and that is the situation we inherited. Since the change in majority, confirmations have gone up and vacancies have been going down.

Courts of Appeals vacancies are being decreased rather than continuing to increase, despite the high level of attrition since the shift in Senate majority last summer.

Indeed, in the last year the Judiciary Committee held the first hearing on a Fifth Circuit nominee in 7 years, the first hearing on a Tenth Circuit nominee in 6 years, the first hearing on a Sixth Circuit nominee in almost 5 years, the first hearing on a Fourth Circuit nominee in 3 years, the first hearing on a Ninth Circuit nominee in 2 years. This week we held hearings on a third nominee to the Fifth Circuit in less than a year. This contrasts with the lack of any confirmation hearing on any of President Clinton's nominees to the Fifth Circuit in the last 5½ years of Republican control of the confirmation process, despite three qualified nominees to vacancies there.

The nominee being considered today is the first nominee to the Sixth Circuit to be given a vote by the Senate since 1997.

After that, the Republican majority locked the gates and despite a number of well-qualified nominees sent to the Senate by President Clinton between 1995 and 2001, none were allowed to receive a hearing or a vote for all of 1998, 1999, 2000 and the first 3 months of 2001. Most of the vacancies that exist on the Sixth Circuit arose during the Clinton administration and before the change in majority last summer.