

After that is done, we will clarify what will happen on Veterans Day.

We have all come to the floor many times to express our desire to finish our work at the earliest opportunity and, in my mind, we have 3 weeks—actually, it is less than 3 weeks—now to complete our work. In order to do that, we will have to work together. We will have to have full, productive days, including Mondays and Fridays. It may well be we have to even consider weekends in order to complete our business. We will monitor the schedule and progress closely over the next day or so and make those final decisions regarding scheduling next week. At this time, I think all Members should prepare for a very busy 2½ weeks.

Again, I would like very much for us to work together to shoot for a total of 3 weeks, around November 21, to depart.

Mr. REID. Mr. President, let me say on behalf of the minority that we are most happy to work on all the items the majority leader has mentioned. We look forward to working with the chairman of the Appropriations Committee and Senator BYRD to move more of these appropriations bills. I think we have a really outstanding record working with the majority on appropriations bills and will continue to do that. We feel it is vitally important. The conference which was completed last week was extremely difficult and long. But we now have a bill which the President has.

We finished the Interior appropriations conference report. I am happy to hear we have a completed military construction conference report. That wasn't easy. Everyone had to take their projects in their States and cut back from what they had.

We look forward to a productive 2½ weeks. I hope we will do everything we can to complete our business before Thanksgiving.

We are here to work nights, weekends, whatever it takes, to complete that work.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business for 60 minutes, with the first 30 minutes under the control of the Democratic leader or his designee and the second 30 minutes under the control of the Senator from Texas, Mrs. HUTCHISON, or her designee.

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

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

Mr. DORGAN. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. DORGAN. My understanding is we are in morning business.

The PRESIDENT pro tempore. The Senator is correct.

JOBS IN AMERICA

Mr. DORGAN. Mr. President, I bring to the attention of the Senate an issue dealing with jobs. It is a story about international trade, unfair competition, and the impact it has had on countless of our workers.

There was great euphoria a week or so ago about the economic growth numbers for the past quarter, some 7-percent economic growth. The problem is, it was accompanied by a loss of jobs.

Jobs are the kind of thing that families talk about in the evening as they sit around the supper table: Do I have a good job? Does it pay well? Do I have job security? Do I feel good about the company I am working for?

Our country, regrettably, has lost nearly 3 million jobs in the past several years.

This is a picture of a bicycle. This happens to be a Huffy bicycle. Huffy is a well-known brand. It is sold at Wal-Mart, KMart, Sears. This Huffy bicycle used to be made in the United States. In Celina, OH, some 850 U.S. workers worked manufacturing bicycles.

When a bike came off the Ohio plant's assembly line, they would put a little decal on, of an American flag.

That was then, this is now. In the last couple of years, those jobs have all moved to China, Taiwan, and Mexico. There were about 1,850 workers at Huffy plants in the United States as of 1998. And all those folks were fired, as their jobs were moved overseas.

In Celina, OH, Huffy workers were paid \$11 an hour plus benefits. These are decent manufacturing jobs. Nobody was getting rich on \$11 an hour plus benefits, but these were good, solid jobs.

Then they were told one day they would not be working those jobs any longer because Huffy bicycles would be produced in China.

My understanding is that the very last assignment for these U.S. workers was to take off that decal from Huffy bikes, and slap on a decal that had a picture of the globe.

Let's talk a little about why a company would decide to shut its plant in Ohio and make bicycles in China.

Huffy started to manufacture its bikes at a plant in China, where workers have to put in 13½- to 15-hour shifts, from 7 a.m. to 11 p.m., 7 days a week.

Let me say that again: 93 hours a week, 7 days a week, from 7 a.m. to 11 p.m.

They are paid between 25 cents an hour and 41 cents an hour. Failure to work overtime is punished with a fine of 2 days' wages.

There are strong chemical odors in the plant from the painting depart-

ment, excessively high temperatures from the welding section, no health insurance, no social pension, strict factory rules, harsh management, no talking during working hours.

Twelve workers are housed in each dark, stark dorm room. They have two meals a day, with poor quality food. If the workers complain or attempt to raise a grievance about harsh working conditions, or excessively long, forced overtime hours or low wages, they are immediately fired.

In this particular plant, in late 1999, all the workers in the delivery section went on strike and were fired immediately.

So the question is, if we cannot produce bicycles in Ohio for 25-cent-an-hour to 41-cent-an-hour wages, do U.S. workers lose? Under current circumstances, yes, we do, because companies decide that if U.S. workers can't compete with slave-like conditions, tough luck. If you can't compete, you are out.

So people who were working in this company in Celina, OH, making bicycles for our marketplace, could not compete because they were expecting a liveable wage. They worked hard, and they were able to take a paycheck home that meets the needs of their families: \$11 an hour plus benefits. But they were told that this was an outrageous level of compensation: \$11 an hour—far too much.

So instead Huffy found a place where it could pay 25 cents an hour, and then shipped its bikes back to Celina, OH, so that some young kid in Celina, OH, could go into a Wal-Mart or a Sears or a KMart, and with a gleam in their eye buy his first bicycle. A bicycle now made by somebody who is making 25 cents an hour, working 93 hours a week, 7 days a week.

I guess this so-called globalization is globalization without rules. It means it does not matter that Americans lose their jobs to somebody making 25 cents an hour.

I have given other examples of 12-year-olds working 12 hours a day, making 12 cents an hour. I am talking about Huffy bicycles today to drive home a point, because Huffy is a household name.

If we fought for a century on the issue of a safe workplace or child labor laws or minimum wages or the conditions of production, then the question should be, Is there an admission price to the American marketplace? Is there any admission price at all?

What about bicycles made in a plant where workers are working 93 hours a week, where workers are working from 7 a.m. to 11 p.m., 7 days a week? Is that fair trade—25 cents an hour, 93 hours a week, 7 days a week, working in a factory that does not meet the basic conditions of fairness or safety for workers?

Is that fair trade? It is not where I come from. Yet no one will say a word about it. In this town, you are either blindly for free trade, unfettered free

trade, globalization, or else you are considered some xenophobic isolationist stooge who does not understand it all.

It is so tiresome to see people in this Chamber and the people who write the editorials and the op-ed pieces to continue to make excuses for the thousands, and, yes, millions of jobs lost in this country by people who worked hard but who could not make it because they made too much money. They could not compete with somebody making 25 cents an hour in Asia. It is so tiresome to see and read and hear the excuses from those who continue to support a failed trade policy.

If this is a race to the bottom, with corporations deciding they want to circle the globe to find out, "Where can I produce the cheapest? Where can I find 12-cents-an-hour production by 12-year-olds?" if that is what this is a race towards, we lose, this country loses.

More and more families in this country will lose their jobs, not because they are not great workers, not because they do not know their job well, but because someone else in other parts of the world—where they are not able to form labor unions, where they are not able to complain about unsafe working conditions, where they are not able to stop a plant from dumping chemicals into the air and the water, and where they are not able to complain about being paid 12 cents or 20 cents an hour—will get the jobs.

That product will then be made and sent back to the store shelves here. I will guarantee you, it will not be cheaper, it will simply represent more profit for those who took jobs away from Americans to give them to people in other parts of the world who will work for pennies an hour.

We can continue to pretend it does not happen. We can continue to act like ostriches. But the fact is, this country is losing economic strength as a result of trade policies that are, in my judgment, incompetent.

We will have on the floor of this Senate, very soon we hear, additional free trade agreements—the Australia agreement, the Free Trade Agreement of the Americas. In fact, this administration is now working on additional free trade agreements. We just did one with Singapore which itself was incompetent. But that is another story for another time.

This country, it seems to me, has a great deal at stake. This economic engine of ours will work provided we have jobs for American families. When you see the decimation of our manufacturing base, and now our high-tech industry, as well, with jobs moving wholesale overseas—in the manufacturing base, moving to Indonesia, China, and other parts of Asia; in the high-tech industry, jobs moving to India and other countries, and moving en masse—then this country's economy is going to have trouble because the engine of progress in this country is jobs.

You can talk all you want about percentages—7 percent economic growth;

that is all great—but it does not mean a thing if we are losing jobs. The engine of progress for the American family, the engine of progress for this country's economy, is jobs, good jobs that pay well, that have decent benefits, that give a family confidence and hope about the future, because that hope and confidence is what expands the economy. That is all the economy rests on.

The great minds involved in international trade tell the 850 workers in Celina, Ohio: you are paid too much money. You cost \$11 an hour to build bicycles. Shame on you. We can do this for 25 cents an hour in China. So say goodbye to your jobs. We are taking them to China.

Is that what we want for our country? Is that what we are willing to stand for? Well, I am telling you something, year after year after year, the majority of the people in this Chamber are willing to stand for it. At some point we better get a backbone to stand up and insist and demand that there is an admission price to the American marketplace. We are open and free, but we require fairness.

There are thousands of examples like the one involving Huffy bicycles, all over this country—of someone coming home saying to their husband or wife: Honey, I have lost my job. They are shipping our manufacturing to China, or Indonesia, or Bangladesh, or Sri Lanka. Why? Because I didn't do a good job? No. Because I am making \$11 an hour, and they say that is too much. They can get it for 15 cents an hour or 31 cents an hour somewhere else.

This is not going to save the American consumers any money; they will charge the same price for the products. It is about profit—international profit.

This is hurting our country. These trade rules injure this country and we have to change them. I serve notice again that, as we negotiate these new trade agreements—and they are being negotiated in Australia, the free trade agreement with the Americas, and others. Be aware that some of us in the Senate are going to continue to fight as hard as we can possibly fight to say that what is happening to American jobs is wrong.

If we are inefficient and cannot compete, that is our problem. But don't tell me the workers in Ohio making \$11 an hour, building a good bicycle, with an American flag insignia on the front of it, are inefficient.

We fought for a century over these issues—fair pay, safe workplaces, the ability to organize as a labor union. We worked for a century on these things, and now you wipe it all out by pole-vaulting over those nettlesome little laws in the United States and say: We can avoid that. We will ship our bicycle production to—in this case, China; it could have been Sri Lanka or Indonesia.

We ought to think long and hard about how to save our jobs in this country. Our marketplace can cer-

tainly be enhanced by having goods and services come from other countries, but only when they are produced under some basic element of decency and fair play.

There is an organization I want to give credit to that has done excellent work in this area. The National Labor Committee investigates unfair labor practices in various parts of the world. They have investigated the dismal labor conditions at the Huffy factories in China, as an example.

Look, I think these are really important issues. We talk about the economy, expansion, jobs, and opportunity. All of this, in my judgment, comes down to the basic premise that when American families in this country have a job, they have security, and they feel good about the future, our economy thrives. But we are increasingly seeing jobs in this country, which have been the bulwark of support for American families, moved overseas and the American families are told: We are sorry, you don't have a job anymore, so you can find two or three part-time jobs to make up the difference and have all of the members of your family working, and you can make it that way.

That is a quick way to undermine the strength of this country. No country will long remain an economic power or world economic power without a strong, vibrant, growing manufacturing sector. Ours is being decimated.

I yield the floor.

The PRESIDING OFFICER (Ms. MURKOWSKI). The Senator from Florida.

Mr. NELSON of Florida. Madam President, how much time remains?

The PRESIDING OFFICER. Three minutes.

FOREIGN OIL

Mr. NELSON of Florida. Madam President, I wish to follow the comments of the Senator from North Dakota about jobs going overseas and point out another vulnerability we have as a result of dependence overseas, and that is our dependence on foreign oil.

Today, we are importing over half of our daily consumption of oil. That is moving toward 60 percent of our daily consumption of oil that is coming from foreign shores. As a result, not only does that put us in a precarious economic position, but it puts us in a precarious defense position. Look at the difference in how we would be able to operate in the Middle East, in the Persian Gulf region, if we did not have the delivery of that oil. Look at the potential strike of a terrorist taking down a supertanker in the 19-mile-wide Strait of Hormuz and what that would do to the world economy if that oil could not flow out to the industrialized world. Yet what do we do about an energy policy here?

The Senator from North Dakota and I tried to do a simple little thing such as get increased mileage for SUVs phased in over the next decade, and we only got some votes—in the thirties

out of 100 Senators—to do that. When we try to look down the road at alternative ways, where is most of our energy consumed? It is consumed in the transportation sector. In transportation, where is most of our energy consumed in this country? It is in our personal vehicles. Today, we have vehicles made by Honda and Toyota that are getting in excess of 50 miles per gallon; they are called hybrid vehicles. It is a computer that runs between an electric motor and a gasoline engine, and they get over 50 miles per gallon. They cannot make enough of these for the demand of the American consumer. Yet we do not have a lot of these hybrid cars that are offered to the public.

What are we doing for the future? We could wean ourselves from dependence on foreign oil if we started a crash course to develop a hydrogen engine that was cheap enough and efficient enough for the American people. Years ago, in the early sixties, when this Nation made up its mind, after the President declared we were going to develop the technology and the American ingenuity to go to the Moon and return safely within that decade, don't you think that with that kind of perseverance and will, we could have ended up with an engine that would have been an alternative to oil and we would have started to wean ourselves from our dependence on this foreign oil that leaves this country all the more vulnerable defensewise?

Indeed, we could, but it takes leadership. It takes the will of the American people to say there is going to be a different way.

I have discussed this issue in terms of defense. I have discussed this issue in terms of economic vitality as well as defensewise, and certainly environmentally it would make a significant difference as well.

SENATOR BOB GRAHAM

Mr. NELSON of Florida. Madam President, in the minute I have remaining, I wish to say that, of course, the junior Senator from Florida was sad to hear the announcement of the senior Senator from Florida announcing his retirement.

Senator BOB GRAHAM is one of the most distinguished public servants who has ever come out of the State of Florida: a two-term Governor, a former State legislator, and now a many-term Senator who has given great leadership to our State.

I will have more to say about this later, but I am proud to stand to thank my friend for his years and years—a lifetime—of public service for the United States and the people of Florida.

I thank the Chair.

The PRESIDING OFFICER. Who yields time?

The Senator from Georgia.

Mr. CHAMBLISS. Madam President, I join with the now-junior Senator from Florida—a border State with

Georgia—soon to be senior Senator, in commending the now-senior Senator from Florida, BOB GRAHAM. I, too, saw his announcement yesterday.

Senator GRAHAM and I have had the opportunity to work on many issues together since our States border each other. He has been a great public servant for this Senate, his State, and for America. He is one of those folks we greatly admire, and we will miss him.

I have great respect for Senator GRAHAM. I certainly respect his decision to go back to Florida and enjoy his family. He has a farm in Albany, GA, which is close to my home. We are going to get him over there more often because he and I enjoy bird hunting together. I, too, join with Senator NELSON in commending Senator GRAHAM.

JUDICIAL NOMINATIONS

Mr. CHAMBLISS. Madam President, I rise this morning to speak about a grave injustice that has befallen this Chamber, and that is the denial by a minority of Senators of the right to an up-or-down vote on four of the President's judicial nominees.

Last week, the Senate voted 54 to 43 to move forward with a vote on Judge Charles Pickering who now serves on the District Court for the Southern District of Mississippi and who was selected by the President as one of his nominees for the Fifth Circuit Court of Appeals. Fifty-four Senators—a majority, in other words—voted to allow Judge Pickering's nomination to proceed to a vote, and yet because of the way the Senate rules are presently being misapplied, a majority of Senators cannot even bring about a vote on the merits of a judge. That is wrong, and it is unconstitutional.

There is nothing in the Constitution that requires a supermajority—that is, three-fifths, two-thirds, or anything more than a simple majority of Senators—to give advice and consent. The Constitution spells out only five instances where a supermajority is required. Those five instances are: the ratification of a treaty, impeachment, expulsion of a Senator, the override of a Presidential veto, and adoption of a constitutional amendment. These five situations should occur infrequently, which is why the Framers of the Constitution made them difficult to achieve.

In contrast, the approval of Federal judges should occur frequently; I dare say 100 percent of the time, when you have qualified nominees. That is why there is no requirement in the Constitution for more than a simple majority to confirm these nominees. Advice and consent often requires debate, always requires deliberation, and always requires a decision. Each Senator should decide how to vote on a given nominee. Vote yes, vote no, but vote.

For the first time in our country's history, the filibuster is now being used by a minority of Senators to block the President's nominees to the

Federal bench. By shirking their duty to make a decision on the merits of the President's nominees—Priscilla Owen, Bill Pryor, Caroline Kuhl, and now Charles Pickering—a minority of this Chamber keeps the Senate as a whole from performing its duties under the Constitution.

It is not as though the Senators who are blocking an up-or-down vote can object to the qualifications of these nominees. Let's go down the list. Let's start with Priscilla Owen who, like Judge Pickering, is nominated to the Fifth Circuit Court of Appeals, which hears appeals on Federal cases in Texas, Louisiana, and Mississippi.

Justice Owen graduated cum laude from Baylor Law School and then proceeded to earn the highest score on the Texas bar exam that year. She practiced law for 17 years before being elected to the Supreme Court of Texas in 1994. Justice Priscilla Owen was elected by the people of Texas, the second most populous State in this country, to its highest court. In her last reelection in the year 2000, she was reelected with 84 percent of the vote, along with the endorsement of every major newspaper in the State of Texas.

When the opponents of a fair vote on the merits cannot attack a nominee's qualifications, they come up with excuses: She is not in the "mainstream of legal reasoning." Out of the mainstream? The people of Texas obviously don't think she is out of the mainstream. She received 84 percent of the vote in her reelection in 2000.

Next we have Caroline Kuhl who is one of President Bush's nominees to the Ninth Circuit Court of Appeals, which handles Federal appeals in many of the States out west. Caroline Kuhl has been a State trial judge in California since 1995. Judge Kuhl is another well-qualified nominee who is being denied an up-or-down vote on her nomination. But you don't have to take my word on her qualifications. The American Bar Association, the gold standard, has rated her as "Well Qualified." Yet, despite her credentials, Judge Kuhl has also been branded as "outside the mainstream."

Then there is Bill Pryor, the attorney general for the State of Alabama, a dedicated public servant who has shown time and again that he can separate his personal beliefs from his professional duties. Again, "outside of the mainstream." That is, sadly, what you will hear about Bill Pryor.

It doesn't matter that Thurbert Baker, the attorney general for my State of Georgia, Mr. Pryor's counterpart in my State, an elected Democrat, has said that Bill Pryor possesses the qualities and experience needed to serve the people of Georgia on the Eleventh Circuit.

Earlier this year, Attorney General Baker wrote a letter to Senators SHELBY and SESSIONS of Alabama to express his support for Bill Pryor. In support of Bill Pryor, Thurbert Baker wrote, and I quote: