

the floor for the remainder of the debate on S. 1637, the JOBS Act: Shannon Augare, Jane Bergeson, Simon Chabel, Tyson Hill, Jeremy Seidlitz, Trace Thaxton, Steve Beasley, Justin Bonsey, Jodi George, Scott Landes, Pascal Niedermann, Matt Stokes, and Chris Knopes.

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

Mrs. MURRAY. Mr. President, I ask unanimous consent Sara Hagigh of Senator LIEBERMAN's staff have privilege of the floor during debate of S. 1637.

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

TROOP TRAVEL REIMBURSEMENT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Armed Services Committee be discharged from further consideration of S. 2057 and that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The assistant journal clerk read as follows:

A bill (S. 2057) to require the Secretary of Defense to reimburse members of the United States Armed Forces for certain transportation expenses incurred by the members in connection with leave under the Central Command Rest and Recuperation Leave Program before the program was expanded to include domestic travel.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill be read the third time and passed; that the motion to reconsider be laid upon the table; and that any statements relating to the bill be printed in the RECORD.

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

The bill (S. 2057) was read the third time and passed, as follows:

S. 2057

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REIMBURSEMENT OF CERTAIN TRANSPORTATION COSTS INCURRED BY MEMBERS OF THE UNITED STATES ARMED FORCES ON REST AND RECUPERATION LEAVE.

The Secretary of Defense shall reimburse a member of the United States Armed Forces for transportation expenses incurred by such member for one round trip by such member between two locations within the United States in connection with leave taken under the Central Command Rest and Recuperation Leave Program during the period beginning on September 25, 2003, and ending on December 18, 2003.

ORDERS FOR THURSDAY, MARCH 4, 2004

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. Thursday, March 4. I further ask unanimous con-

sent that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate then begin a period for the transaction of morning business until 10:30 a.m., with the time equally divided in the usual form, with the first half of the time under the control of the Democratic leader or his designee and the second half of the time under the control of the majority leader or his designee; provided, that at 10:30 a.m., the Senate resume consideration of S. 1637, the FSC/ETI bill.

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

PROGRAM

Mr. MCCONNELL. Mr. President, following morning business, the Senate will resume consideration of S. 1637. When the Senate resumes the bill in the morning, the Dodd amendment on outsourcing will be the pending business. It is my expectation that a second-degree amendment will be offered to the Dodd amendment tomorrow morning.

For the remainder of the day, we will continue to work through amendments to the bill. Under the previous order, following the disposition of the Dodd amendment, the Senate will take up an amendment by Senator BUNNING which would accelerate manufacturing sector tax cuts. Senators will be notified when the first vote is scheduled.

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order following the remarks of Senator DODD for up to 20 minutes and Senator HATCH for up to 15 minutes.

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

Mr. MCCONNELL. I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. I express my gratitude to my friend from Kentucky for his eloquent description of my less than eloquent remarks. I appreciate that.

The PRESIDING OFFICER. The Senator from Connecticut.

OUTSOURCING OF AMERICAN JOBS

Mr. DODD. Mr. President, I may not use all of my 20 minutes. I have been talking at some length this afternoon, although it is my custom to do so. I might point out, for those who are interested, this is not a filibuster. I am prepared to vote on this amendment right now. I was prepared to vote on it an hour and a half ago, but there are those who want to analyze what I am proposing.

I suppose it is more than analysis that is occurring. They are trying to

figure out how to defeat it, and I regret that because I do not think it is complicated. I think it is straightforward. I think it makes sense.

I would not be offering this if this was not a problem sweeping across the country. Concerns are being expressed everywhere by Americans of varying incomes and positions. I know in my own State I have had meetings with people I could not put in the same town or county together a year ago who are coming to us now and saying, would you please do something here. I am talking about my chambers of commerce.

I had a meeting last week at a Teamsters Local that included the chambers of commerce, the Manufacturers Association, the International Association of Machinists and Teamsters. I do not need to remind the Chair what a unique circumstance that is when a crowd like that gets together—by the way, all asking me to do the same thing.

They were not just asking me but asking us what we were going to do, because they have watched the alarming decline of manufacturing jobs in the country, and it seems to be accelerating at a dramatic pace.

Also the problem they foresee, and I agree with them on this outsourcing of jobs, which is very appealing, and I understand it from a corporate standpoint, when one sees their competitors, neighbors, and businesses are outsourcing and cutting their budgets by huge amounts because they can hire someone for \$7 a day or \$2 an hour, as opposed to paying them \$40,000, \$50,000 or \$60,000 a year, then the lure is remarkable.

As we know, in fact, the Indian government is providing tremendous incentives to lure call centers, providing corporations with tax exemptions and building western-style technology parks fitted with telecom infrastructures.

What are we doing? Are we doing anything to try and compete with that or are we just saying that is the way the world is and we better get used to it because that is what is going to happen for the foreseeable future, and maybe something will come along that will all of a sudden fill this vacuum, that will restore these manufacturing jobs or information technology and the like?

I can only hope that would be the case because in the absence of doing anything else, we are going to find a continuing decline in this area.

I worry about this from the standpoint of national security. In my State, I have over 5,000 small manufacturers. I have major corporations as well. I probably have more large Fortune 500 corporations in my State than any other State in the country on a per-capita basis, given the size of my State. My State is the home of major corporations. Many of them are major defense contractors, and those 5,000 small manufacturers in many cases are

suppliers of very sophisticated technologies for my defense contractors and others who produce sophisticated products.

I do not need to tell the Presiding Officer, we have lost 35,000 jobs now in 36 months in this area. When those are lost, they are not reconstituted. Once they are gone offshore, the idea that you are going to rebuild that, my experience is—and I am prepared to listen to others who want to contradict me—I think it is unlikely.

So the question I have to ask, as we stand here and receive this news almost on a daily basis, is there not some danger in losing this manufacturing capability for a time in the 21st century when we may find ourselves confronted with the fact these jobs we gave away are now being held by people in countries that do not agree with us on certain matters, and all of a sudden they do not want to supply us with certain component parts that may be necessary to build jet engines, submarines, Black Hawk helicopters or something else my State or the State of Tennessee or some other part of the country produces?

We are watching this tremendous outflow occurring. The Presiding Officer was the former Secretary of Education, as I pointed out earlier, and again I understand the budget constraints. This is a very difficult time. Putting aside whether one agrees or disagrees on how we got to this situation, we have a terrible fiscal situation on our hands and yet even in the area of job training and assistance we are wiping out the manufacturing extension partnerships; we are cutting the SBA by millions of dollars; we are cutting vocational education by \$316 million; we are cutting the Workforce Investment Act by \$448 million.

We are not only not trying to compete with what India is doing on its creation of call centers, by offering tax incentives for businesses to stay here, we are even cutting back in the area that might offer some hope to someone in this area who is losing their job because it has been outsourced some place.

On every front, we seem to have nothing to say to this issue right now, except this is the way life is; get over it, America. You just have to live with this. This is the way the world is going to be.

I do not think it has to be that way. I think we can do better. I think that is what the American people ask us when we come here—try to do better.

I have to look in the eyes of my own child, an infant, and I wonder what kind of a century she is going to grow up in. She will look back someday and ask herself, or hopefully me, what did you do back at the turn of this century when you knew this was going on, when you saw thousands of jobs leaving our country, when you saw manufacturing declining, what did you do? This was not some sneak attack. You were all aware of it. Your local papers wrote

about it every day. Did you offer any ideas and suggestions on how we might compete in a global marketplace—because we should, we must—while simultaneously not losing the human investments, the human capital, that are critical for any successful society to succeed? What did you do?

I am afraid if we go back and she looks at what we are doing at the outset of this century, then she would be startled to learn we are cutting back in the areas that might provide some educational opportunity for people in vocational areas, that we had nothing really to say to a hemorrhaging of jobs going out of the country, and that we were basically silent except to bemoan the fact that 2.8 million manufacturing jobs in 36 months disappeared in the country. And there is every indication those numbers are going to increase, and the impact on other sectors of our economy will be very profoundly affected.

I mentioned already we are now being told the outsourcing of American jobs will probably exceed 3 million, close to 4 million over the next decade, unabated. That is a loss of \$136 billion to \$140 billion in salaries and wages in the United States, not to mention the human and societal impact.

So I do not apologize to my colleagues for feeling as strongly as I do about this. I am a free trader. I voted for NAFTA. I thought it was the right thing to do. I voted to give fast track authority. I voted for the Jordanian agreements and others. I have opposed some as well. I have not been exclusively for them, but I believe in free and fair trade. I also believe a self-respecting nation cannot allow its human capital intelligence to be lost without standing up and trying to do something about it.

The subject matter of this amendment very simply says at this juncture, look, let's stop. At least when it comes to the expenditure of Federal taxpayer money, those dollars ought not to be used to pay for outsourcing jobs until we figure out a better way to answer this problem. I do not think that is complicated.

Now, I gather K Street in town is going ballistic at this very hour because obviously major corporations, 400 out of 1,000 top ones in the country, are doing it. Forty of fifty States are doing it right now. So they want to continue doing it because it is a great saver of money if you are focused on quarterly reports.

That is their job on K Street and that is their job in the corporate board rooms, to worry quarter by quarter by quarter. I don't think that is right, but that is what they do. Thank the Lord there are many corporations who do think longer than that.

Our job is not to think in quarters, not to be unmindful that corporations should and must. But our obligation is to have a broader, deeper vision; to think about longer term effects of decisions we make, no matter how attrac-

tive and how appealing they may be to someone who has to explain to a group of shareholders why it is that they have or have not exceeded last quarter's profit margins—bottom line.

Certainly outsourcing will help do that on any given day. If you can hire someone for a couple of bucks and lay off that person in Connecticut, Tennessee, California, Ohio, Pennsylvania, you are going to save money, I promise you. Quarterly reports are going to look great.

But my question is, What does America look like? What does our Nation look like in the coming generation? In fact, if we lose these jobs, which are critical to our own well-being and success, if we lose manufacturing that we cannot replace, if we squander the ability to produce vital components and parts that are essential to contribute to our national defense structure, what does my country look like in 5 years, 10 years, 20 years down the line?

That is the question I am asking. That is why I am offering this amendment, to see if we cannot at least step up and say when it comes to the taxpayer's dime, that we should not be taking your tax dollar and subsidizing this outsourcing of jobs. If a private company, with its own money, wants to do it, that is their business. I regret it, but if they want to do it they have a right to do it. I think we ought to have tax incentives to discourage them one way or the other, but at the end of the day if they want to do it, they ought to be given the right to do it. I can't stop that. That is their dime.

But on the taxpayer's dime, I think we ought to say something else. What my amendment does is say you cannot use that dime. You cannot use that dime to lay off somebody and hire someone 14 time zones away to do a job that a hard-working American ought to be able to hold and do in order to provide for their family.

I don't think that is outrageous. I don't think that is isolationist or protectionist. I think that is standing up for the people of this country who expect nothing less from those of us who represent them in this Chamber. That is why I am offering this amendment. My hope is tomorrow morning we can get to it and vote on it and dispose of it one way or the other. If you want to vote against it, vote against it. But I ask you to join with my colleague from Minnesota, Senator COLEMAN, and others who have been a part of this effort, to say this is our way of saying to people out there we hear you.

We are not suggesting this amendment is perfect. I would be the last person to say that. I am sure it is not perfect. But at least it says to voters and to constituents out there who are worrying every day whether they are going to become one of those statistics, that we are going to try to do something about this, so you need to know your Government, your Congress is doing what it can to stop this.

Our obligation is not exclusively to them. We have obligations to others as

well, including those who serve and work in these corporations. I am not against them at all, but they are making their decisions in what they determine is in their best interests and the best interests of their shareholders. I respect that.

But I have a higher obligation. I have an obligation, not only to that shareholder but to the people who work for them as well. I respect those who only have to worry about the narrow constituency, but I wasn't elected by the people of Connecticut to come here and merely worry about that narrow constituency. I have another obligation. I serve in the Senate, not just a State legislature. When I am here and I vote and I cast ballots, they don't just affect the people who live in my State, that I represent; they are part of the 280 or 290 million people across this country.

I look at the 2.8 million who have lost their jobs in manufacturing, the close to 3 million who will lose their jobs to outsourcing in the coming days, maybe as many as 14 million, we are being told, over the next couple of years. I didn't dwell on this particular chart at this moment, but 14 million additional jobs are in danger of being shipped overseas. Those people want to know whether or not we have anything to say to them.

So I urge my colleagues to support this amendment. I don't know of another issue that is more important to the American public at this hour than this one. We have seen it all across the country in the last number of days. National news programs talk about it every single night and report nightly about corporations that are outsourcing more and more jobs.

The American people want to know what we have to say to them. So I regret we have not been able to vote on this earlier. I didn't intend to take this time. I was prepared to vote 2 hours ago, 3 hours ago, but there are those who do not want to vote on this amendment right now. My hope is we will be able to do so first thing in the morning and say with a very loud, clear, and my hope is a unanimous voice that we stand with those who worry about whether America is squandering its wealth and its treasury, not just the treasury of dollars and cents but a far more important treasury, the human capital that is the American workforce.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I respect the distinguished Senator from Connecticut, as he knows. I will certainly look at this amendment. But throughout this day I have seen others on the other side continually talk about jobs and loss of jobs like we are not doing anything about it. Nothing could be farther from the truth. This very bill, FSC/ETI, is a very important bill. We call it the Jumpstart Our Business Strength on Jobs bill because it will

help us to increase the number of jobs in this country by huge dimensions. It also is a smart thing to do. It also saves us \$4 billion in assessed costs with the E.U. in international trade, if we get this done. That is very important.

Some of the comments I have heard today, not those of the distinguished Senator from Connecticut—in fact, I exclude his comments—some of the comments I have heard today would have you believe the only way you are going to get jobs is more of the same: More Government, more Government support, more and more controls, more and more approaches towards unionizing America.

I am one of the few Members of this body who ever held a union journeyman's card. I worked 10 years in the building construction trade unions and earned my journeyman lather's card. The laths trade was one of the most interesting trades. In the early days it was wood lathing, little partitions of woods that you put on partitions and ceilings that you would plaster over. In my day it was metal lath, which was a much more high-tech approach towards putting up partitions and ceilings and elliptical arches and Gothic arches, and it was a very skilled trade and I was fortunate that I was able to do that and I am proud I was able to do that.

Today, the lathing trade is no longer in existence because we priced ourselves out of the marketplace. Today, all of the lathers who used to work in this very skilled trade had to transition into the carpenters' union because their trade no longer could pay for itself.

As a matter of fact, you don't see many buildings plastered today. The reason you don't, it is just too expensive. So drywall has become the norm. I am not criticizing anybody. What I am saying is, we can price ourselves out of the marketplace.

I can remember time after time, my fellow union lathers would say: Hey, kid, slow down. We are not going to have any work if you keep working so fast.

My father was one of the best lathers in the world and taught me the trade.

He said: Look, you give an honest day's work for an honest day's dollar and you work as hard as you can.

It was anathema to me to slow down so we could have more work. That is what happened. They slowed down and the work dissipated and, of course, the trade no longer exists.

I think we are worse off because we don't have lath and plaster in a lot of our buildings today. I am not blaming my fellow union members, but sometimes we have to acknowledge that there are gives and takes in the business world. The fact that some businesses do their business offshore is not necessarily bad because in many cases we get even more jobs onshore. Sometimes we don't. Sometimes it is bad. But by and large, business in this country has always worked because we be-

lieve in the free market system. We believe in competition. We believe in high productivity.

My feeling is that this country cannot be beat in productivity. If we really work hard and we continue to do the best we can, we are always going to be able to compete.

But where we cannot compete because of low wages and government subsidization and violations of international trade laws, then, my gosh, let's not quit. Let's go and find new jobs.

This administration inherited some terrifically bad times. The whole last year of the Clinton administration was headed into recession, and everybody knows it. Anybody who says otherwise is not telling the truth. Everybody knows that. So this President inherited that.

I don't particularly blame the Clinton administration. We do have cycles. But I have to say I think they could have done some things to have prevented it. But that is probably true of everything. He then inherited this recession, and on top of that comes September 11, which created magnificent problems for all of us. It was very costly and expensive and put pressure on the budget. It cost us in so many ways, even from a productivity and jobs standpoint.

But economic growth for the third quarter of last year was up over 8 percent. In the fourth quarter, it was 4.1 percent. I know years here when we would have killed for 4.1 percent. Frankly, I believe the first quarter of this year is going to be all right too, even though normally it is a slow quarter.

I think all we have to do is do our best to work together as Democrats and Republicans without all the screaming and shouting like one side has all the answers and the other side doesn't, which I have heard a lot of today, and put aside the politics and do what is best for our country. Unfortunately, some just can't seem to do that.

I believe the President is doing a great job. I believe his various Cabinet-level officials are doing great work. In fact, I have never seen better in my 28 years in the Senate. I believe it is time to be fair, decent, and honorable.

THE FAIRNESS IN ASBESTOS INJURY RESOLUTION ACT

Mr. HATCH. Mr. President, I rise today to support the comments from the distinguished majority leader of last Friday with respect to the asbestos legislation. This is an absolutely vital issue for this country's civil justice system and, most importantly, to our economy.

If you want to have jobs, then let us get this asbestos reform bill through and we will get hundreds of thousands, if not millions, of jobs back, and perhaps the 70 large companies which have gone into bankruptcy will be able to