

The DISCLOSE Act also has a provision that says political decisions cannot be influenced by foreign-owned companies. We are putting a prohibition in this bill that a foreign-owned company cannot come to America and buy elections. I am incredulous that my Republican opponents—who always talk about nationalism, always challenge patriotism of people with whom they do not agree, always are talking about our national interests, always bashing immigrants—would not agree with us that foreign companies ought not be able to come in and buy American elections. I guess that is OK to them too, because our bill says foreign-owned corporations may not participate in American elections in this way.

To me, it is bad enough that a company based in the United States—this is the case where a company that is based in the United States but owned by a European interest can still contribute. That is what the Citizens United case said. We are saying no to that. Think of a U.S.-based, Chinese-owned company spending millions to influence a trade or manufacturing bill.

One of the things I fought for—and I know the Presiding Officer agrees with this, and it has been supported—is made-in-America provisions. We have seen in downstate Illinois, in suburban Chicago, in Dayton and Springfield, OH, Cleveland and Toledo, a significant erosion of our manufacturing base. One of the reasons for that is that companies have moved offshore because of bad trade agreements and bad tax law that we are trying to fix even though it has been blocked by the other side. We also know most Americans would love to buy clothes made in the United States, would like to buy products. They go to stores and cannot find products made in the USA. Tell me that a foreign-owned corporation that spends political money, comes in and gives hundreds of thousands of dollars to a conservative political candidate, tell me that corporation is not going to lobby that Member of Congress against some of our made-in-America laws we have tried to enact. You can bet those conservative politicians who love to trumpet their patriotism and accuse others who disagree of not being so patriotic will find a way to oppose strengthening made-in-America rules.

If anything should bear the label “Made in America,” it should be our elections. I am amazed that Republicans in this body do not agree with that.

It used to be that the disclosure of campaign expenditures was bipartisan, Republicans and Democrats. It is bipartisan in the public; it is just not bipartisan here. We should not want to see our democratic system become the puppet of corporate America or any special interest. Transparency matters. People ought to know from where these dollars come. Disclosure matters. Companies should have to disclose and take responsibility for those ads and those

contributions. By enabling Americans to see behind the curtain, the DISCLOSE Act ensures Americans will not be left in the dark.

The bill restores some of the integrity and the transparency that the Citizens United decision stripped from our political process. Let’s not forsake this opportunity. I know it will not affect the tens of millions of dollars Karl Rove and his friends in the Bush administration are spending in campaigns this year, but if we do this bill right, it can affect elections in the future in a positive way so that elections, one, will be made in America; and second, for people who give money, there will be transparency and disclosure so the public knows which corporations are putting how much money into whose campaigns, and it will mean ultimately that corporations take responsibility for the decisions they make and the money they spend in the American political system. It is what the rest of us have to do. CEOs should have to do the same.

Mr. President, I yield the floor and suggest the absence of a quorum.

The assistant legislative clerk proceeded to call the roll.

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

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

#### CHINA PNTR

Mr. BROWN of Ohio. Mr. President, I wish to mention something else after talking about the, perhaps, Chinese influence on American elections and other countries’ influence on American elections and how Republicans do not seem to want to stand up for the American people’s first amendment rights and national interests. I wish to talk about something that is more bipartisan, in a sense, and is every bit more disturbing; that is, 10 years ago this month, the Senate sold out American manufacturing. Ten years ago this month, by a vote of 83 to 15, the Senate passed a bill establishing permanent normal trade relations with the People’s Republic of China. I remember. I was in the House of Representatives, and I opposed this measure. We were joined by most of the Democrats and a number of Republicans, but we were unable to defeat it. It was a fairly close vote.

The proponents of China PNTR came to our office, the people who wanted to give these extra benefits to China. It was initially called most-favored-nation status for China. The supporters thought that did not sound very good, even though we had used that term for years, and called it permanent normal trade relations with China. They put another name on it; they put lipstick on that pig. What the supporters said to us—the CEOs who came to Congress and one at a time talked to us—was that they could not wait to pass PNTR because they would then have access to

1 billion Chinese consumers, so those consumers could purchase American-made products. They wanted access to 1 billion Chinese consumers. It sounded pretty good. As you know, it was not quite the story because as soon as PNTR passed, as soon as they changed the rule, the story became not 1 billion Chinese consumers about whom they were excited, it was 1 billion Chinese workers about whom they were excited. You could see American companies crossing the ocean—shutting down a plant in Dayton, OH, and moving to China; shutting down a plant in Youngstown, OH, and moving to Shanghai; shutting down a plant in Toledo, OH, and moving to Wuhan; shutting down a plant in Lima, OH, and moving to Beijing or Quang Chau.

I think it is the first time since colonial days—maybe ever—the first time when a business plan—get this—when a company’s business plan is this: The first thing you do is lobby Congress to change the rules. The second thing you do is start to shut down plants in your home country with your home country’s workers, where your entire company was established and grew. You have shut down production in your country. You move several thousand miles away, set up production, understanding that the workers work more cheaply, the workers work for less pay, the country does not have strong environmental rules and has very few protections for workers.

They make the product, and then they sell the product back to the home country. This business model, after getting the law changed—PNTR—10 years ago this month, was to move overseas, make the products there, then sell them back to the original home country. That is bad for the environment, first of all. It is bad for our workers and bad for our communities when a plant shuts down.

Look what has happened. We have seen since PNTR passed a 170-percent trade deficit increase in the last 10 years. China continues to undermine free market competition, and it leaves American workers and manufacturers in severe disadvantage. Instead of helping U.S. companies export more products to China, our trade policies have permitted China to manipulate its currency, provide illegal subsidies to Chinese exporters, and artificially price Chinese goods, so U.S. manufacturers have to compete against a flood of cheap imports.

Do you know what happens? When I see people supporting this—people talking about small businesses—here is how wrong they are. When a large company leaves Akron or Canton, OH, and pulls up stakes and moves to Mexico or China—a large assembly company, an auto plant, for example—you know what happens to all the small companies and small manufacturers. They don’t have the wherewithal or the sophistication to move to China or Mexico so they lose 30 percent of their business—a little tool and die shop in

Akron, a little machine shop in Hamilton, OH, whatever—because they have lost their major customer. Look what happens to them and to their workers. So big companies move overseas and all the component manufacturers are out of luck, all because of this trade policy and this tax policy which makes it more attractive for a company and a CEO—well, the CEO doesn't move, he or she still lives here—to move their company to China and then sell back into the United States.

Second, our Nation's trade policy—this PNTR bill that passed 10 years ago—sold out American manufacturers and undermined our Nation's ability to lead the world in clean energy. China, which barely had a wind turbine or solar manufacturing presence at all a decade ago, by the end of this year may be making, or close to making, half of all wind turbines and solar panels in the world—in 10 years. And they are not making them—most of them—to sell in China but to export, much of which comes back to the United States. More than 70 percent of the world's clean energy components are manufactured outside the United States.

We know how to make things in my State. Ohio is the third biggest manufacturing State. We know how to make things. We invented and developed most of the wind and solar panel technology. In fact, 30 miles from my house is a taxpayer-funded NASA facility that developed the technology we use in wind turbines, most of which is built in China and Spain and other places around the world.

Supporters of this China trade policy will make the argument that everything is about exports. I agree, we have to boost our exports, but we have a \$226 billion trade deficit per year. That is about \$600 million a day. That means \$600 million every single day, 7 days a week. It means we buy \$600 million more from China than we sell to China. So how do you argue this trade policy is working for us? It means, in essence, that \$600 million disappears from our shores every day going to China, and that is not going to work long term for our country when you build up those types of trade deficits.

We can do a couple of things about this. First of all, we have to do much better at enforcing trade laws and to revive the Super 301 mechanism that lapsed under the Bush administration that requires the administration to establish enforcement priorities for the most pressing trade barriers, including currency manipulation, restrictive procurement policies, and intellectual property theft. It would ensure that our government helps open foreign markets to U.S. exporters.

I am a member of the President's U.S. Export Council. There are about 10 House and Senate Members on this council—both parties, both Houses—and a number of American CEOs are on the council as well. We all want to export more. But as we try to export

more, sell more U.S. products abroad, we have to enforce U.S. trade laws so those companies aren't selling things into our country illegally.

President Obama has done that, to some degree. He has done more on that than any previous President. He has not done close to enough. He has stepped forward on oil country tubular steel goods, which is the steel pipes that are used for gas and oil drilling. The Chinese were cheating on that. The President made the right trade decision on that, the right enforcement decision. We saw hundreds of new jobs in Mahoning Valley, in northeast Ohio. The President made a similar decision on Chinese tires that were sold in this country illegally. After the President made that decision, 100 people were hired at the Findlay Cooper tire plant in Findlay, OH, in northwest Ohio, and in other places around the State.

I would close with this. We hear a lot of talk from both parties about Made in America. What that means is standing up for American workers and manufacturers who are too often undercut by imports made in countries that violate the law. We are just asking to have the law enforced. So my challenge to my colleagues—and to the President—is to ensure American manufacturing grows rather than contracts during the next decade of the 21st century.

Thirty years ago, almost a third of our gross domestic product was manufacturing. Today, it is only 11 percent. Thirty years ago, 11 percent of our GDP was financial services. Today, that is 25 percent. So as not to overwhelm people with numbers, we have seen basically a flipping of our national priorities. Think back to 30 years ago: Almost a third of our GDP was manufacturing and only 11 percent financial services. That has flipped. Look where it has gotten us. It has gotten us the financial crisis that almost brought our economy down, if we hadn't stepped in on banking and autos to stabilize the economy. It has also robbed many Americans of a chance to join the middle class, because manufacturing has always been the ticket in this country for working-class men and women to get a chance to work in manufacturing, to buy a decent home in a decent neighborhood, to buy a car and send their kids to school so their kids would have a better life. That is the goal of all of us.

I close by saying that I hope we remember the China PNTR. I would hope that maybe we would even invoke some buyer's remorse; that some of my colleagues would come to the Senate floor and want to discuss this and maybe learn from the mistakes of the last 10 years. Maybe we could achieve a truly normal relationship with China. I want a good strong trade relationship with China. I want us to sell products to China. I think we should buy products from China. But I want to do it on a level playing field, with rules that work for the workers in both countries,

not just the big corporations that move companies to China, and not just for the Chinese Communist Party and the Chinese military, which have benefited greatly from our trade policy. It is time to learn from the last 10 years and to move forward in a very different way.

Mr. President, I yield the floor, and 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. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### JUDICIAL NOMINATIONS

Mr. SESSIONS. Mr. President, I wish to speak about the Senate's processing of judicial nominations, and I ask you to forgive me if I am a bit irritable, but we have had a lot of complaints about how fast President Obama's nominations are going forward. I think they are moving rather well. I think some people who are now complaining have forgotten how they handled President Bush's nominees—and in a much more unacceptable fashion.

I wish to emphasize that all of this is not to lay the groundwork for some sort of payback, because I think we all ought to rise to the challenge of handling nominations properly, but to set the record straight, because there has been a lot of misinformation and some of our newer Senators don't know how things have happened.

Allegations of unprecedented obstruction and delay have been bandied about—some in the press also—but the reality is that the Democrats' systematic obstruction of judicial nominees during the Bush administration was unprecedented then and it is unmatched now. Soon after President Bush was elected, a group of well-known liberal professors—Laurence Tribe, Marsha Greenberger, and Cass Sunstein—met with the Democratic leadership in the Senate. The New York Times reported on that meeting. I believe it was in January, before the session began, and the Times reported that they proposed “changing the ground rules” of the confirmation process. They proposed that with a Republican President and Democrats in the Senate, Senators consider a nominee's ideology—their personal political views, I suppose, they meant. For the first time in the history of the country, they proposed that the burden be shifted to the nominee to prove they are worthy of the appointment instead of having the Senate respect the presumptive power of the President to make the nomination and then object if there was a disagreement.

As time went on, it became clear that a majority of the Democratic Members of the Senate began to execute their unprecedented obstruction