cases—the lowest percentage of any other circuit—and dismisses 87 percent of its appeals in brief, unsigned opinions according to the Washington Post. While efficiency is laudable, justice is the goal.

On June 30, 2000, the President nominated Roger Gregory to fill the vacancy on the Fourth Circuit that has been open for a decade. Roger Gregory is a highly qualified and well respected attorney from Richmond, Virginia. He graduated summa cum laude from Virginia State University and received his J.D. from the University of Michigan. He has an extensive federal practice, is an accomplished attorney, and was described by Commonwealth Magazine as one of Virginia's ''Top 25 Best and Brightest.''

When he is confirmed, Roger Gregory will fill the longest-standing vacancy in the nation. He will bring energy and insight to the Fourth Circuit. In addition, as an African-American, he will bring much-needed diversity to the bench.

The Fourth Circuit Court of Appeals does not look like America, and it never has. No African-American has ever served on the Fourth Circuit. In fact, it is the only circuit court in the nation without minority representation.

This should trouble all of us. Justice cannot be served without a diversity of views and experiences expressed in the rooms where decisions are made.

As the Supreme Court noted when it barred discrimination in the selection of juries, the exclusion of minorities or women from the deliberative process removes ''qualities of human nature and varieties of human experience, the range of which is unknown or perhaps unknowable.''

The absence of minority representation on the Fourth Circuit is especially troubling, however, since the Fourth Circuit has the largest percentage of African-Americans of any circuit in the nation. In our circuit, twenty-three percent of our population is African-American. Yet not one of the judges on the Fourth Circuit is African-American. Mr. President, it's time for a change. In fact, it's past time.

There have been several efforts in the past to integrate this circuit, but these efforts have been blocked. The Administration has tried since 1995 to integrate this circuit, but the ''blue slips'' for these nominees simply weren't returned, effectively thwarting those nominees.

I have argued for years that Virginia deserves another seat on the bench. Finally late last fall, we in Virginia were given an opportunity to fill one of the vacancies. We seized the opportunity and after an extensive and thorough search and vetting process—including time-consuming ABA screenings and FBI background checks—Roger Gregory was nominated by the Administration. We now have a chance to correct this gross inequity on the Fourth Circuit. Roger Gregory has the support of both Senators from Virginia.

There is time to move this nominee. Immediately before we began our August recess, the Judiciary Committee held a hearing and three judges were voted out of the Committee just six days after they were nominated. Of the last 12 judges confirmed by the Senate, 11 were confirmed within three months of nomination.

In 1992, another presidential election year in which the White House was controlled by one party and the Senate by another, Senate Democrats confirmed 66 nominees to the federal bench. Eleven of those were Circuit Court judges, and six of the Circuit Court judges were confirmed later than July of that year. Three were confirmed in August, two in September, and one in October.

And presidential candidate George W. Bush has called on the Senate to approve judicial nominees within 60 days. The sixty days for Roger Gregory passed on August 30. It is time to grant Mr. Gregory the courtesy of a hearing.

The late, renowned Judge Spotswood Robinson integrated the D.C. Circuit in 1966. He, too, came from Richmond, Virginia. It is time for another Richmonder, Roger Gregory, to break another barrier. We have already waited too long.

I urge the Judiciary Committee to move the nomination of Roger Gregory, and grant him a hearing.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate will now stand in recess until the hour of 2:15 p.m.

Thereupon, the Senate, at 12:40 p.m., recessed until 2:18 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. ENZI).

TO AUTHORIZE EXTENSION OF NONDISCRIMINATORY TREATMENT TO THE PEOPLE'S REPUBLIC OF CHINA—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the postcloture debate on H.R. 4444, which the clerk will report.

The assistant legislative clerk read as follows:

A motion to proceed to the bill (H.R. 4444) to authorize extension of nondiscriminatory treatment (normal trade relations treatment) to the People's Republic of China, and to establish a framework for relations between the United States and the People's Republic of China.

The PRESIDING OFFICER. Under the previous order, the Chair recognizes the Senator from North Carolina.

Mr. HELMS. Mr. President, with deep respect, I ask unanimous consent to yield first to the distinguished chairman, Mr. ROTH.

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

Mr. ROTH. Mr. President, I thank the distinguished Senator from North Carolina for his usual courtesy.

Mr. President, I rise today to encourage my colleagues to support the motion to proceed to H.R. 4444 and to pass this legislation without amendment. Our vote on normalizing trade relations with China will mark the most significant vote we take in this Congress. Indeed, it will be one of the most important votes we will take during our time in the Senate.

At the outset, I want to be clear—because of PNTR's significance and because we have so little time left before the 106th Congress adjourns, I will oppose all amendments to PNTR, regardless of their merit.

The House bill takes the one essential step that we must take to ensure that American workers, American farmers and American businesses reap the benefits of China's market access commitments.

There is nothing that we can add to this bill that will improve upon its guarantee that our exporters benefit from the agreement it took three Presidents of both parties 13 years to negotiate with the Chinese.

I ask my colleagues to join me in adopting this approach because the risks of going to conference on this bill, in this political season, are too great. Bluntly, a vote to amend is a vote to kill this bill and, with it, any chance that U.S. workers, farmers, and businesses will benefit from China's accession to the WTO.

The significance of this vote is due both to the economic benefits that will flow from opening China's market to our exports and the broader impact that normalizing our trade will have on our relationship with China. I want to address each of those points in turn.

Let me clarify, first, what this debate is about. The vote on PNTR is not a vote about whether China will get into the World Trade Organization, as some have said. I assure you that China will get into the WTO whether we vote to normalize our trade relations with China or not.

What this vote is about, as I indicated at the outset, is whether American manufacturers, farmers, service providers, and workers will get the benefits of a deal that American negotiators under three Presidents of both parties fought for 13 years to achieve. Or, will we simply concede the benefits of that deal to their European and Japanese competitors for the Chinese market?

As I explained just prior to the August recess, my reason for supporting this legislation is first and foremost because of the benefits that normalizing trade with China will offer my constituents back home in Delaware.

China is already an important market for firms, farmers, and workers located in my state. Delaware's exports to China in many product categories nearly doubled between 1993 and 1998. Delaware's trade with China now exceeds $70 million.