thing. Major League Baseball can choose to resolve this issue and, can give these players a small token for their achievements.

I sincerely hope Major League Baseball will.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. I thank my colleague from Florida for his very eloquent statement. Second, I thank the minority leader, Senator LOTT from Mississippi, for his graciousness in letting me proceed. I will try to be brief.

HEALTH INSURANCE ASSISTANCE

Mr. WELLSTONE. Mr. President, last week I said to people in northern Minnesota—specifically northeast Minnesota on the Iron Range—that I thought we had a real breakthrough. I thought it was part of fast track on trade adjustment authority, including legacy costs, and a 1-year bridge where health care costs would be covered. Through no fault of any of the retirees, a lot of these companies, including LTV, declared bankruptcy and walked away from health care benefits, which is terrifying to people in their older age.

Yesterday, the administration came out with a statement about this trade adjustment assistance package:

> Specifically, the administration opposes the Daschle substitute last-minute addition of health insurance assistance for steel retirees.

There is a nightmare. I say to my colleague from Mississippi that this is an absolute nightmare for people on the range.

The President talked about how concerned he is. But this is just a 1-year bridge to help pay for these retirees' health care costs until we put together a package that deals with the legacy costs for the future.

The President crushed the hopes of people with this position that the White House has now taken.

The President says: Look what I have done for the steel industry. He talks about section 201, but now there are 1,000 exceptions to the kind of trade relief we thought we were going to get through section 201.

In Minnesota, we were concerned about what was happening to the taconite industry. We were talking about the unfair competition from semi-finished slab steel.

Basically, the administration came up with a tariff quota, and it was 7 million tons of slab steel a year, which is what is being dumped right now on the range. It didn't give us any relief whatsoever.

But, most important of all, what is happening now with this statement of position by the administration is they are just walking away from dealing with the legacy costs.

Jerry Fowler, who testified before the HELP committee a couple of weeks ago, president of Local 4108, talked about the pain on the range, and talked about all of these people. Gosh. You talk about what we say we believe in—people who have just worked their heads off all of their lives, taconite workers, helping to produce steel, which is so critical to our national security, and a part of all of our military efforts. People are really proud and are proud of their families. They are proud of the range. Through no fault of their own, 32 steel companies have declared bankruptcy, and then they walk away from these people.

They say they can no longer cover their health care benefits, nor their retiree benefits. Many people are afraid of no longer having prescription drug coverage.

People were really hopeful, and I was able to report last week, and I was proud. I thank Senators ROCKEFELLER, MIKULSKI, STABENOW, LEVIN, and certainly my colleague MARK DAYTON. We worked hard to have iron ore and taconite included.

This was a pragmatic part of the trade adjustment assistance—only a 1-year bridge, but it was a start. It would give people some security, and it was the right thing to do.

The President has talked about his concern for steelworkers. Over and over again, he professed his concern for steelworkers. Then, specifically, the administration opposes the Daschle substitute last-minute addition of health insurance assistance for steel retirees.

We know there is going to be a point of order and a budget challenge on this amendment. I believe what the White House has now done is basically sealed its fate. We are not going to be able to have this bridge. We are not going to be able to have this assistance for people.

I question this fast track for a lot of reasons, but, at the very minimum, when people are out of work through no fault of their own—or people work for an industry that has been besieged with unfair trade—the only thing they are asking for is a bridge to make sure retirees don't lose their benefits.

All of us have worked so hard together—Senator SPECTER and Senator DEWINE—to get this done. Now the administration comes out yesterday and torpedoes the whole thing.

Mr. President, are you for the taconite workers on the Iron Range? Are you for the steelworkers? You say you are.

We will be back on this over and over again. But this is a huge blow for the Iron Range in Minnesota and for me as a Senator from Minnesota trying to do my best to represent people.

Yesterday the President made it very clear that all of his talk about helping the hard-working men and women of the U.S. steel industry is just that—talk. His latest pronouncement is that steelworker retirees don't need the assistance this bill would have provided to help them for 1 year to pay for health insurance they are losing because their company has gone bankrupt.

This is outrageous—these are hard-working, decent, compassionate men and women who have devoted their lives to the steel industry—an industry that is essential to our national security—and now they find themselves without health insurance they were promised in their retirement because their companies have gone bankrupt, they're out in the cold without the resources to pay for health insurance, and the President says, oh, no, they don't need the 1-year lifeline this bill offers.

Frankly, President Bush talks about what he's done for the steel industry and for steel workers. But there is not a lot of substance there.

First, we had a section 201 decision that is looking more and more cosmetic. It may have brought relief to some sections of the steel industry, except that now the administration is entertaining all sorts of exceptions—there are over 1,000 exceptions to the President's section 201 decision and Secretary O'Neill is reported as saying that ''a significant portion of them will be favorably decided.''

Then there is the fact that the decision did nothing to help Minnesota's Iron Range—nor the iron industry as a whole—deal with import surges of semi-finished slab steel. While the President imposed tariffs on every other product category for which the International Trade Commission had found injury, for steel slab he decided to impose ''tariff rate quotas.'' This brings us virtually no relief. Nearly 7 million tons of steel slab can continue to be dumped on our shores before any tariff is assessed. For folks on the Iron Range, the injury will continue.

Then, the President in his section 201 decision—and subsequently—has totally ducked the serious legacy cost problem that is suffocating the domestic steel industry. In the last 2 years, 32 U.S. steel companies have filed for bankruptcy, and these companies represent nearly 30 percent of our domestic steel making capacity. These failures weren't the fault of the workers at these companies. These failures resulted from unfair and predatory practices of our trading partners over an extended period. Yet despite the moral and economic imperative to do something about this legacy cost problem so that the steel industry, so essential to our national security, can rebuild and revitalize itself, the President has washed his hands of the matter. It is somebody else's problem he says.

And now there is the current bill. Those of us who are serious about this legacy cost problem, and it is a bipartisan group, have introduced S. 2189, the Steel Industry Retiree Benefits Protection Act of 2002, to address the legacy cost question in a comprehensive way. In the meantime, however, recognizing that every day steelworker retirees whose companies are going bankrupt are losing their heath insurance, Senator DASCHLE introduced provisions to provide stop gap assistance—

1 year of health insurance to retirees who right now are losing their benefits—to tide folks over while we work on the larger problem.

And that, incredibly, is what President Bush yesterday announced his opposition to. It is now abundantly clear, if there had been any doubt, that this President is not interested in health and well-being of our steelworker families.

In Minnesota, on the Iron Range, there are several thousand retirees who find themselves in desperate need of assistance and this administration is turning its back on them.

Earlier this year, the HELP Committee held hearings on the need for legacy cost legislation both for retirees and for the industry. The testimony was riveting. The need compelling. My good friend, Jerry Fallos, president of Local 4108 of the United Steelworkers of America, testified at those hearings. The stories he had to tell were grim indeed.

As Jerry said, the people of the Iron Range are used to hard times. They have weathered any number of challenges over the years. They are good people, proud, hard working—the best you can find anywhere. They are survivors—and they will get through these difficult times as well. They have given much to their country, and now they need our help.

The good people of the range have responded to their country in its times of needs. Over the years our Nation's economy flourished and our manufacturing industries boomed from the iron ore produced through the labors of steelworkers on the range.

Yesterday, when President Bush announced his opposition to helping these steelworker retirees he said it would cost too much. We think his $800 million estimate is way off, but even if you accept it at face value, it pales in comparison to the billions and billions of dollars of tax giveaways this administration is happy to make available to multinational corporations and the wealthy.

We are talking about $120 billion over 10 years to make the estate tax permanent, and $400 billion over 10 years to make all of the tax cuts permanent. Are these our priorities—$400 billion to multinational corporations and wealthy individuals as opposed to $400 million to help steelworker retirees keep their health insurance for 1 year?

I have asked many time before: Where are our priorities; where are our values? How can we tolerate such choices—tax breaks to help multinationals over health insurance for steelworker retirees?

These families need our help. I urge my colleagues not to turn our backs on these men and women who have served their country so well.

The PRESIDING OFFICER. The Republican leader.

Mr. LOTT. Mr. President, how much time do we have remaining?

The PRESIDING OFFICER. Fourteen minutes.

JUDICIAL NOMINATIONS

Mr. LOTT. Mr. President, I have been wanting to speak about the situation with regard to the President's judicial nominations. I have a number of points I wish to make.

I know there were some discussions about the nominations earlier this morning and even this afternoon. The major point we are trying to make today is that today is the 1-year anniversary of eight of the President's nominations to serve on circuit courts. These minorities, men and women, have not even had the courtesy of a hearing, let alone a vote in the Judiciary Committee.

I have learned over the years that when you are talking about judges and judicial nominations each side will have their statistics about what happened in the Clinton years, what happened in the Reagan years, and what happens right now. But the fact is, these eight nominees have not even had a hearing; they have been pending for a full year.

There are actually 11 nominees who were sent forward in a group—the first nominations of President Bush. Three of those have been confirmed. Two of those, I might add, were recycled, in effect, because they were Democrats, or were selected by Democrats, and they were qualified. The President resubmitted their names. They got through the process. But these eight have not had any further consideration for a full year.

You can argue statistics. But usually Presidents get their circuit nominations confirmed within a year of having them sent forward.

The President sought men and women of great experience and who meet the highest standards of legal training, temperament, and judgment—for all of his nominations, but particularly for this first group of circuit court nominees.

He sought out nominees who respect the powers given to them by the Constitution and who will interpret the law—not make the law. He sought out nominees who have reputations as lawyers of skill, discernment, and high character. He even sought out nominees who had a great deal of experience in arguing cases before the Supreme Court. In this group of eight nominees, they have collectively appeared before the Supreme Court over 60 times. One of the nominees has alone argued before the Supreme Court 30 times. In terms of their education, their experience, and their integrity, this group is unimpeachable and quite remarkable.

Here are these individuals' pictures. I think a picture helps inform our debate, because it takes the debate away from the realm of just statistics or mere names.

Mr. President, when we are talking about judges who have been delayed, we are talking about Miguel Estrada, who was born in Honduras, and has lived the American dream. He has tremendous experience in his profession, including serving as Assistant U.S. Solicitor General under President Clinton, a Supreme Court law clerk, arguing 15 cases before the Supreme Court, and working as a Federal prosecutor. He also graduated magna cum laude from Harvard Law School—not an institution known for turning out conservative lawyers, or judges—but certainly an eminently respected institution as far as quality, high standards, and academic rigor are concerned. Yet Estrada has been denied a fair hearing.

Why? Noone has suggested he is not qualified by education, by experience, or by professional or personal integrity.

Does he have a conservative philosophy? Does he believe in strict construction of the Founder's intent in interpreting the Constitution? Yes. Does that disqualify him? It should not.

I voted for Justice Ginsburg when she came before the Senate. I did not agree with her judicial or legal philosophy. I knew she would rule quite often in ways with which I would not agree. While most justices exercise discretion, you can't always count on how they may rule. But she was qualified by experience, by education, and by personal integrity and demeanor and I voted for her regardless of the fact that her philosophy was contrary to my own.

Unfortunately, I cannot think of any other reason than ideological prejudice for why Miguel Estrada has not had a hearing and an opportunity to be voted on—despite the fact that he was unanimously given the ABA's highest rating, ''well qualified'' by the American Bar Association which is supposed to be the Democrat's Gold Standard for evaluating nominees judicial qualifications. Yet, Miguel Estrada has not even had a hearing.

Another example, which is clearly one that is hard to understand, is the delay in considering Justice Priscilla Owen, a nominee to the Fifth Circuit Court of Appeals. I have a special feeling in my heart about this circuit because it does include my State of Mississippi. Judge Owen has served on the Texas Supreme Court since 1994. She has been involved in business in the private sector. She is an outstanding graduate of Baylor Law School in Texas.

Again, by education, by experience, and by personal integrity, this is a lady who should have been accorded a hearing and a vote by now in the Judiciary Committee and on the floor of the Senate.

Mr. President, why do we need another pound of flesh concerning the Fifth Circuit Court of Appeals? Is Judge Charles Pickering who has already been voted down in the Judiciary Committee not enough. If we are looking for tit for tat, how about just saying: OK, good, take that, Mr. President, TRENT LOTT, Republicans, we repaid you what you deserved from the past? But how does all of that apply to Priscilla Owen? Why has this lady not been accorded a hearing? Remember,