

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows: The Senator from Utah [Mr. HATCH] proposes an amendment numbered 641.

Mr. HATCH. I ask unanimous consent that further reading be dispensed with.

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

The amendment is as follows:

(Purpose: To make the effective date of the amendments expanding the trade adjustment assistance program contingent on the enactment of the United States-Korea Free Trade Agreement Implementation Act, the United States-Colombia Trade Promotion Agreement Implementation Act, and the United States-Panama Trade Promotion Agreement Implementation Act)

On page 31 of the amendment, between lines 7 and 8, insert the following:

**SEC. 231. EFFECTIVE DATE FOR TRADE ADJUSTMENT ASSISTANCE CONTINGENT ON ENACTMENT OF CERTAIN FREE TRADE AGREEMENT IMPLEMENTING BILLS.**

Notwithstanding section 201(b) or any other provision of this subtitle, the amendments made by this subtitle shall take effect on the date on which the United States-Korea Free Trade Agreement Implementation Act, the United States-Colombia Trade Promotion Agreement Implementation Act, and the United States-Panama Trade Promotion Agreement Implementation Act have been enacted into law.

Mr. HATCH. Madam President, I am prepared to proceed.

#### EXECUTIVE SESSION

NOMINATION OF JOHN ANDREW ROSS TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MISSOURI

NOMINATION OF TIMOTHY M. CAIN TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF SOUTH CAROLINA

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will go into executive session and the clerk will report the nominations.

The legislative clerk read the nominations of John Andrew Ross, of Missouri, to be United States District Judge and Timothy M. Cain, of South Carolina, to be United States District Judge.

The ACTING PRESIDENT pro tempore. The Senator from Vermont.

Mr. LEAHY. Madam President, while I am pleased we are going to confirm the nominations today, they have been pending in the Senate for 117 days for no reason or justification.

More troubling, the time of vacancies in courts around the country have remained at or above 90 for 2 years. We should be acting on the other 27 judicial nominations reported favorably by the Judiciary Committee and ready for an up-or-down vote. Never during ei-

ther Republican or Democratic administrations have I seen a time when nominations, approved unanimously by the Judiciary Committee, then wait month after month after month to be considered on the floor.

Mr. President, President Obama came to Congress 2 weeks ago and made a compelling case for passing the American Jobs Act. The bill he asked us to pass includes bipartisan proposals that have received broad approval in the past from members of both parties, including extensions of tax relief for businesses to encourage hiring. They are consensus proposals we can enact today. We should answer the President's call and act right away to help get Americans back to work and grow the economy. With the unemployment rate at an unacceptable 9 percent, we in Congress should be doing all we can to help our fellow Americans.

There is another unacceptable rate that we can help change to the benefit of all Americans. That is the judicial vacancy rate. It now stands at 11 percent, with 94 vacancies on Federal courts around the country. We can act today to bring down that rate dramatically by considering and confirming 29 judicial nominations approved by the Senate Judiciary Committee that are awaiting final Senate action. With very few exceptions, the judicial nominations now on the calendar are not controversial and could be confirmed today.

Twenty-five of the 29 judicial nominations on the Senate Calendar were reported unanimously, and all but 1 of the 29 was reported with significant bipartisan support. All 28 of these consensus nominees have been favorably reported after a fair but thorough process, including an extensive background material on each nominee and the opportunity for all Senators on the committee, Democratic and Republican, to meet with and question the nominees. They have a strong commitment to the rule of law and a demonstrated faithfulness to the Constitution. These are the kinds of consensus nominees that in past years would have been considered and confirmed within days or weeks of being reported, not delayed for weeks and months.

Certainly this was the practice we followed during President Bush's two terms, when consensus judicial nominees reported without any objection by the Judiciary Committee were confirmed an average of 28 days after they were reported. In President Obama's nearly 3 years in office that wait time for unanimously reported nominees to be considered by the Senate has nearly tripled to 78 days, and that number continues to climb as the delays continue. It is taking nearly three times as long for nominees that are by every measure consensus, noncontroversial nominations. They are nearly all confirmed unanimously when the Senate is finally allowed to vote. We should act today and not delay further.

The effects of these unnecessary delays have been dramatic and dam-

aging. During the first years of the Bush and Clinton administrations, we were able to reduce vacancies significantly by confirming judges. The vacancies that had numbered over 100 early in those administrations were dramatically reduced by this juncture. By early September in the third year of the Bush administration judicial vacancies had been reduced to 54. By early September in the third year of the Clinton administration they had been reduced to 55. In contrast, the judicial vacancies now in September of the third year of the Obama administration stand at 94, with a vacancy rate of 11 percent, nearly double where it stood at this point in President Bush's third year.

As the Congressional Research Service confirmed in a recent report, this is a historically high level of vacancies, and this is now the longest period of historically high vacancy rates on the Federal judiciary in the last 35 years.

Even though Federal judicial vacancies have remained near or above 90 for more than 2 years, the Senate's Republican leadership continues to delay votes on qualified, consensus nominations. Republican obstruction has led to a backlog of over two dozen judicial nominations pending on the Senate's Executive Calendar, nearly half of them to fill judicial emergency vacancies. No consensus nomination to fill a judicial vacancy should be left to languish on the calendar 1 day longer than necessary, let alone for months and months.

Millions and millions of Americans are directly affected by this obstruction. More than half of all Americans—nearly 170 million—live in districts or circuits that have a vacancy that would be filled today if the Senate would act. More than half of all States—27—are served by courts that have nominations currently pending on the Senate's Executive Calendar. The Republican leadership should explain to the millions of Americans in these States why they will not vote. They should explain to the people of Louisiana, Maine, New York, Texas, Arkansas, Pennsylvania, Florida, Wyoming, Alaska, California, Delaware and Arizona why there continue to be vacancies on the Federal district courts in their States that could easily be filled if the Senate would vote on the President's qualified, consensus nominees. They should explain to the people of the many States that comprise the Second Circuit—Vermont's circuit—and the Fourth, Fifth and Ninth Circuits why those important Federal appeals courts are short on badly needed judges who could be confirmed today.

These 170 million Americans should not have to wait more weeks and months for the Senate to fulfill its constitutional duty and ensure the ability of our Federal courts to provide justice to Americans around the country. They should not have to bear the brunt of having too few judges available to do the work of the Federal courts. At a

time when judicial vacancies remain above 90, these needless delays perpetuate the judicial vacancies crisis that Chief Justice Roberts wrote of last December and that the President, the Attorney General, bar associations and chief judges around the country have urged us to join together to end. The Senate can and should be doing a better job working to ensure the ability of our Federal courts to provide justice to Americans across the country.

Some have pointed to delays on judicial nominations in the past, real or imagined, to justify the continuing failure to take serious action to address the vacancies crisis. They recall selected instances where Democrats voted against some of President Bush's controversial nominees to justify the across the board freeze on dozens of consensus nominees. They forget the progress we were able to make in those years to confirm judicial nominees and fill vacancies. We confirmed 100 judges in the 17 months I chaired the Judiciary Committee in 2001 and 2002. The Senate has yet to confirm 100 judges in this, the 32nd month of the Obama administration. This is another issue on which I hope that we can rise above what the President called "the political circus" to return to Senate's tradition practice of quickly considering and confirming consensus judicial nominations.

At the end of President Bush's first 4 years in office, the Senate had confirmed 205 of his judicial nominees. We have a long way to go to reach that total before the end of next year. At this point in the Presidency of George W. Bush, 149 Federal circuit and district court judges had been confirmed. On September 19 of the third year of President Clinton's administration, 162 Federal circuit and district court judges had been confirmed. By comparison, although there are 29 judicial nominees stalled and awaiting final consideration by the Senate—many of them stalled since May and June—we have yet to confirm even 100 of President Obama's circuit and district court nominees.

I hope that we can come together to return to regular order in the consideration of nominations as we have on the Judiciary Committee. I have thanked the Judiciary Committee's ranking member, Senator GRASSLEY, many times for his cooperation with me to make sure that the committee continues to make progress in the consideration of nominations. Regrettably, it has not been matched on the floor, where the refusal by Republican leadership to come to regular time agreements to consider nominations has put our progress—our positive action—at risk.

The two judicial nominations we consider today are the kind of nominees we can and should consider more quickly.

The nomination of Timothy Cain to fill a judicial emergency in the District of South Carolina has the support of

both his Republican home State Senators—Senators GRAHAM and DEMINT. Senator GRAHAM was a law partner with Judge Cain in the 1990s, and he has spoken to the committee with enthusiasm about Judge Cain's experience and qualifications. During his 25-year legal career, Judge Cain has served as a city and county attorney, as an assistant prosecutor and a public defender, and as a judge in family court for the past 11 years. He has been selected to sit by designation on the South Carolina Supreme Court on five occasions. Judge Cain has seen the practice of law from all sides, and he will be a strong addition to the Federal bench.

John Ross is nominated to fill a judicial emergency in the Eastern District of Missouri and has the bipartisan support of his home State Senators. Judge Ross has served as a State judge in Missouri for over a decade. Since 2009, he has been the presiding judge for Missouri's 21st Judicial Circuit. He previously spent 9 years as the St. Louis County counselor, and 12 years as a State prosecutor, where he rose through the ranks to become the chief trial attorney in the St. Louis County Prosecutor's Office. Judge Ross has served the people of Missouri for his entire professional career. I am glad that the Senate will vote on his nomination today.

Both of these nominees will fill judicial emergency vacancies. Both have the support of their home State Republican Senators. Both were reported by the Senate Judiciary Committee unanimously, without any objection from a single Republican or Democratic member of the committee. They are both by any measure consensus nominees. Yet, their nominations have been pending on the Senate's Executive Calendar for 117 days, since May 26, with no reason or justification given for the delay.

While I am pleased we will consider these two nominations today and confirm them, this has taken far too long. More troubling still, these nominations are only 2 of the 29 judicial nominations reported favorably by the committee and ready for final Senate action. Despite a serious judicial vacancies crisis on Federal courts around the country, where vacancies have remained at or above 90 for over 2 years, Senate Republicans refuse to consent to consider nominations more efficiently. I hope that this month Senators will finally join together to act to bring down the excessive number of vacancies that have persisted on Federal courts throughout the Nation for far too long. We can and must do better for the nearly 170 million Americans being made to suffer by these unnecessary delays.

#### VERMONTERS HELPING VERMONTERS

Mr. President, I will continue because I am not taking time from anybody on this. The time has been reserved to talk some more, to talk about what has been happening in Vermont.

I have spoken many times about my native State and what we went through with Tropical Storm Irene.

I was born in Vermont. My family came to Vermont in the 1800s. Nothing in my lifetime has approached the devastation we see in our State. Vermonters have continued to struggle to regain a sense of normalcy. Bridges, railroads, and roads remain damaged or wiped out. Those many homes, businesses, and schools that were not entirely washed away are in need of profound repairs. Farmers are struggling to salvage what they can of their livelihoods.

It is late September. In Vermont, October can bring snow. But amid the din and destruction of the debris of this horrific natural disaster come hundreds of heartening stories of either things I have seen firsthand or I have heard about Vermonters rising to the occasion to help their neighbors and friends, even strangers, to mobilize to recover.

I saw a man shoveling out a store. I asked him if it was his store. He said: No. I said: Do you live here? He said: No; I live two towns over. I said: Do you know the store owner? He said: No. But, he said, I wasn't damaged. I wasn't hurt; he was. I would hope that if I was hurt, somebody would help me.

Vermonters are known for our sense of community. We are known for our plentiful determination. Our State's people have proven their fortitude tenfold in the aftermath of this disaster.

The Weston Playhouse, a renowned playhouse, where actors from around the country come in the summertime, had half their theater performance stage wiped out by the floods. The theater group stripped the entire playhouse, set up a temporary stage so they could perform their upcoming show.

The Town Meeting House in Pittsfield has been converted into a medical clinic. The Air National Guard dropped more than 14,000 Meals Ready to Eat in the town so that those stranded had enough food. In addition to those meals, many others have donated meat and other goods so there is plenty of food to go around. Schools have fundraised to help provide free hot breakfasts to students, and Vermonters around the State have opened their homes to those who have lost theirs during the storm.

Various fundraisers, including some college students who are classmates of my son, have a group called Phish. They did their first live concert in years and they raised over \$1 million—just one thing after another. But then, there are also bake sales and car washes to raise money.

One way where the indomitable Vermont spirit has endured is through the remarkable efforts of Vermont students and schools. Schools have started. I know; I have grandchildren going to school there. The schools faced tremendous challenges to open their doors just days after Irene descended on us. Many had to delay opening for a few

days because the school buildings were serving as community centers for families who had lost their homes and children who had lost everything in the storm. But let me show a couple examples of students making the most.

Look at this New York Times picture. This is the Barstow Memorial School students in Chittenden. Chittenden is actually in Rutland County, down in the southwest part of our State. They used this trail to navigate on their way to school. They were going to go to school. They were cut off. There was no road to go to school, to get to the schoolbus. The parents of these children said: They are going to school.

Look at the mud on this child's legs. Look at the people. Look at them walking, carrying things. "We are going to school."

The washout on Route 4 took weeks to fix, so these students slogged along a muddy trail to meet vans and cars half a mile away, whether it was raining or dark or cold or anything else, and these cars carried the students to buses to take them the rest of the way to school. Community members helped chaperone the children on the trail. The whole community turned out. They stood there and they passed out snacks and refreshments.

When these students arrived at school, they were caked with mud. They didn't look like the children who normally come to school, but they were proud of their twice-a-day routine. They made it to school.

Moretown Elementary. This is one town over from where I live. I had a grandmother born there. They fared worse than many schools in the State. The buildings sustained damage and flooding overtook the school's septic system. The principal and teachers came together. They organized a series of field trips to get the kids out of the devastated town so they could continue in their studies. They visited Shelburne Farms and Montshire Museum, just to name two venues. Last week, with the school still closed, they met. They met. Look at that. The baseball field was covered by donated tents, as seen in this photo from the Web site of the Vermont Public Radio, where teachers held classes. The school's offices operated from popup trailers. Kids took well to their new school schedule, and teachers there are glad to provide the support they need.

The children of Vermont and their families and teachers are doing their utmost to make their way through these extremely difficult times. But these inventive measures are not permanent solutions. Vermonters are doing all they can and more to help each other recover, which makes it all the more dismaying that some in Congress seemed determined to play politics with disaster relief. Millions of American families and businesses, not just in Vermont but across the country have been devastated by an unprecedented series of floods, tornadoes, hur-

ricanes, wildfires and other natural disasters this year, reaching into nearly every single State of our Union. This is no time to dawdle or to ignore the urgent needs of fellow Americans. We are one Nation, and until now we have willingly and generously come to the aid of our fellow Americans in times of need.

This is the time to help our fellow Americans who have suffered tremendous losses. Many of our states will take years to recover. I am pleased the Senate passed this essential bill last week, and I urge the House to send this emergency disaster relief bill to the President, without further delay.

We Americans are spending hundreds of billions of dollars to rebuild Iraq and Afghanistan. Let's spend this money amount to rebuild America for Americans.

I yield the floor.

The PRESIDING OFFICER (Mr. CASEY). The Senator from Iowa.

Mr. GRASSLEY. Mr. President, we are on judicial nominees; is that right?

The PRESIDING OFFICER. The Senator is correct.

Mr. GRASSLEY. I would like to, first of all, yield such time as he might consume, before I speak, to the Senator from South Carolina so he can speak about one of the judges that are up for nomination.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. I wish to thank you and Senator LEAHY for bringing the nomination to the floor.

Very quickly, colleagues, this is a confirmation vote for Timothy Cain to be a Federal judge in South Carolina. Tim was my law partner, so I will just put my biases right out on the table.

He has been a family court judge since 2000 in the Tenth Judicial Circuit, dealing with the most complicated and emotional issues in the law, and we will not find one person who has practiced before Tim Cain as a lawyer who has anything other than high praise for the way he handles himself.

Tim has been a prosecutor, a public defender. He was assistant county attorney. He has a very distinguished record in the law. But, more important, he is one of the most decent people I have ever met. His wife Renee and son Martin are the most charming, decent people one could ever hope to meet. I thank President Obama for nominating him. I appreciate the support from Senator LEAHY and Senator GRASSLEY working this nomination through the process.

This will be a big win for the State of South Carolina and all who come before Judge Cain. He is a total package of intellect, character, integrity, common sense, judicial disposition and demeanor, and I could not be more proud. This is probably one of the most satisfying moments I have had as a Senator, to get up and recommend to my colleagues the approval of Tim Cain to be a Federal judge in the State of South

Carolina. I just can't wait to see him take over in our courts and administer justice.

So I say to Senator GRASSLEY and Senator LEAHY, thank you both.

I yield the floor.

Mr. GRASSLEY. Mr. President, today the Senate will vote on the nomination of John Andrew Ross to be U.S. district judge for the Eastern District of Missouri, and also Timothy M. Cain, to be district judge for the District of South Carolina.

Both seats have been deemed to be judicial emergencies. With these votes, we have confirmed 67 article 3 judicial nominees during this Congress. Of these, 23 have been for such judicial emergency type districts. I am pleased that we continue to have great progress in lessening the burden of our overworked courts, particularly concentrating upon judicial emergencies.

I am somewhat surprised in the delay in bringing these votes we are going to have today to the full Senate, at the majority leader's request.

Senate Republicans cleared these votes nearly 2 weeks ago, with the anticipation that the Senate would vote on these nominees last Monday, September 12. So I hope everyone understands these nominees could have been confirmed 8 days ago. It was not the Republicans then holding up these for the last 8 days.

As I noted, we continue to make great progress in proceeding to President Obama's judicial nominees. These votes today are somewhat of a milestone. They are the 99th and 100th confirmation of President Obama's judicial nominees. As of today the Senate has confirmed 63 percent of President Obama's judicial nominees since the beginning of his Presidency.

Earlier today the Senate Judiciary Committee held its 14th nomination hearing. We have now heard from 82 percent of President Obama's judicial nominees this Congress. At this point in the 108th Congress, only 79 percent of President Bush's judicial nominees had received a hearing. We have also reported 69 percent of President Obama's judicial nominees compared to 67 percent of President Bush's.

I am pleased with the progress and will continue to move forward with consensus nominees.

Now I would like to say a few words about these two nominees.

John Ross is nominated to be U.S. district judge for the Eastern District of Missouri. He presently serves as a circuit judge for the 21st Judicial District in Missouri. Appointed to that position by the Governor in January 2000, Judge Ross was retained by the voters in Missouri in the retention elections of 2002 and 2008. During his tenure, Judge Ross was elected assistant presiding judge by his judicial colleagues in that circuit and served in that office from 2005 to 2009. He was subsequently elected as presiding judge and has served in that capacity from 2009 until now.

Prior to his appointment to the State bench, Judge Ross served as county counselor for St. Louis County and in the St. Louis County's Prosecuting Attorney's Office. He is a graduate of Emory University and the Emory School of Law. The American Bar Association Standing Committee on the Federal Judiciary unanimously rated Judge Ross "well qualified."

Timothy M. Cain is nominated to be U.S. district judge of South Carolina. Judge Cain presently serves as a South Carolina Family Court judge in the Tenth Judicial Circuit. The South Carolina General Assembly elected him to that position in 2000 and reelected him in 2004 and 2010. In 2005 the chief justice of South Carolina's Supreme Court appointed Judge Cain to serve as the chief administrative judge for the Family Court of the Tenth Judicial Circuit. By designation of the chief justice, Judge Cain also served as acting associate justice for the South Carolina Supreme Court on several occasions.

Prior to his judicial service, Judge Cain had a distinguished private practice in South Carolina. He maintained a general practice and assisted in representing several local governments and municipal clients. During his years of private practice he also served the public sector. Judge Cain served as a part-time assistant public defender with the Oconee Defender Corporation in that State.

From 1988 to 1990 he served as assistant solicitor general for the Solicitor's Office of the Tenth Judicial Circuit, where he represented South Carolina in prosecuting child abuse and neglect cases and various criminal cases.

In 1992 the county supervisor appointed Judge Cain as county attorney for that home county.

He is a graduate from the University of South Carolina and the University of South Carolina School of Law. The ABA Standing Committee on the Federal Judiciary unanimously rated Judge Cain "qualified."

I congratulate both nominees and yield the floor.

The PRESIDING OFFICER. Under the previous order, Calendar No. 169 is confirmed.

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Timothy M. Cain, of South Carolina, to be United States District Judge for the District of South Carolina?

Mr. LEAHY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. BINGAMAN) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 99, nays 0, as follows:

[Rollcall Vote No. 140 Ex.]

YEAS—99

Akaka	Gillibrand	Mikulski
Alexander	Graham	Moran
Ayotte	Grassley	Murkowski
Barrasso	Hagan	Murray
Baucus	Harkin	Nelson (NE)
Begich	Hatch	Nelson (FL)
Bennet	Heller	Paul
Blumenthal	Hoeben	Portman
Blunt	Hutchison	Pryor
Boozman	Inhofe	Reed
Boxer	Inouye	Reid
Brown (MA)	Isakson	Risch
Brown (OH)	Johanns	Roberts
Burr	Johnson (WI)	Rockefeller
Cantwell	Johnson (SD)	Rubio
Cardin	Kerry	Sanders
Carper	Kirk	Schumer
Casey	Klobuchar	Sessions
Chambliss	Kohl	Shaheen
Coats	Kyl	Shelby
Coburn	Landrieu	Snowe
Cochran	Lautenberg	Stabenow
Collins	Leahy	Tester
Conrad	Lee	Thune
Coons	Levin	Toomey
Corker	Lieberman	Udall (CO)
Cornyn	Lugar	Udall (NM)
Crapo	Manchin	Vitter
DeMint	McCain	Warner
Durbin	McCaskill	Webb
Enzi	McConnell	Whitehouse
Feinstein	Menendez	Wicker
Franken	Merkley	Wyden

NOT VOTING—1

Bingaman

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid on the table.

The President shall be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

EXTENDING THE GENERALIZED SYSTEM OF PREFERENCES—Continued

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I ask unanimous consent that there be 2 minutes equally divided prior to the next vote.

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

The Republican leader.

AMENDMENT NO. 626

Mr. MCCONNELL. Mr. President, my amendment on which we are about to vote would grant to the President something no President has had since trade promotion authority expired back in 2007. Without trade promotion authority, there will be no other trade agreements. We all know that. If America wants to be the leader of the world in trade, we have to have trade agreements.

What I have done here is offered trade promotion authority—what we used to call fast-track—as an amendment to trade adjustment assistance. They have been historically linked going back to 1974. I think it is a big

mistake for our country, even if we provide trade adjustment assistance, to just operate as if there are not going to be any more trade agreements in the United States. We used to be the leader in world trade.

My party does not occupy the White House. I want the President of the United States, whoever that is, to have trade promotion authority because I would like to see us have an opportunity to have trade agreements in the future. All of our competitors have taken advantage of the fact that we have not had a trade agreement for years.

These three agreements were actually negotiated by the previous administration. So if we would like for this President or the next President—because this would extend TPA to the end of 2013, so it will grant this authority to the next President, whoever that is, in addition to this President—if my colleagues think we ought to have another trade agreement sometime in the future for the United States of America, I urge them to support my amendment.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I agree with much of what the minority leader said. I very much believe we should negotiate free-trade agreements with other countries. I think we are behind the curve. Other countries are negotiating. We are being left behind. We should negotiate agreements that are good agreements.

The amendment offered by the Senator from Kentucky, however, is the 2002 version. A lot has changed in the last 10 years. There are environmental provisions, labor, and China is very much a competitor. I think it would be unwise to extend TPA because there are changes in the world today that this version does not reflect. It has to be updated to the current times.

Second, if this amendment would pass, then we wouldn't be getting free-trade agreements. The Speaker has made it very clear he wants a clean bill and then he will take up TAA—this bill—which many of us support by a large margin, and then he will take up the free-trade agreements. So if this body wants TAA and wants the FTAs, we have to vote against this amendment at this time.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 626, as modified, offered by the Senator from Kentucky, Mr. MCCONNELL.

Mr. MCCONNELL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 45, nays 55, as follows: