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RENEGOTIATE CAFTA

Mr. Speaker, what is so ironic about that is that we are in the same situation today. Our Nation is in so much debt, the deficit is about \$417 billion, \$7 trillion in debt itself; the average citizen of America owes about \$26,000 if they were going to pay off the debt of this Nation. How can we continue to send jobs overseas? Already, China has 1.5 million jobs since 1989. NAFTA itself, since we joined in 1993, in North Carolina alone, we have lost 200,000 manufacturing jobs; the United States has lost over 2.5 million manufacturing jobs.

Let me tell my colleagues what is so ironic. So many times when we have these debates, they say, well, if you create a better opportunity down in Guatemala, or whatever country it might be, then they are going to stay home. Let me tell my colleagues how ironic and ridiculous that is. The number of aliens has grown from 1.3 million people in 1992; that was the one year before NAFTA. Since NAFTA, 5.9 million illegal aliens have come across the border, and that is just for the year 2004. That is a 350 percent increase. It does not work. It only works if you are going to increase the livelihood of those people in those countries. It did not happen in Mexico, and it is not going to happen in these five countries in Central America.

Let me talk a little bit about CAFTA. CAFTA is the cousin of NAFTA. Eighty-five percent of the language in CAFTA is identical to the language in NAFTA; and, therefore, it is not going to do what needs to be done to help the American people and the American workers.

Let me talk about TPA, Trade Promotion Authority, which became the law of the land in August of 2002. My State of North Carolina, since that happened, 52,000 manufacturing jobs lost, and over 600,000 manufacturing jobs in the United States of America. CAFTA will not do what is being proposed by those who say we should pass CAFTA.

CAFTA is also going to be a way to allow the Chinese to back-door their goods to these five Central American countries, have them manufacture the product or put the product together, and then sell these duty-free over into America.

Mr. Speaker, I again want to say that I hope that we as a Congress will not pass CAFTA as it is drawn. If they want to go back to the table and redraw this legislation so that it is good for America and then good for these other countries, then we will look at it again. But as it is now, it is not good for the American government, it is not good for the American people, and I stand with my Republican friends, I stand with my Democratic friends, and I hope and believe that we will defeat CAFTA. It needs to be defeated.

The SPEAKER pro tempore (Mr. FORTENBERRY). Under a previous order of the House, the gentleman from Ohio (Mr. BROWN) is recognized for 5 minutes.

Mr. BROWN of Ohio. Mr. Speaker, last year, this Congress was promised a vote on the Central American Free Trade Agreement by the end of 2004. December 31 came and went. Then, at a White House news conference, the President called on Congress to pass the Central American Free Trade Agreement by Memorial Day. May 31 came and went. In June, Congress was again promised a vote, which was supposed to have been before July 4. Independence Day came and went.

Why, Mr. Speaker? Because dozens of Republicans and Democrats, including my friends who are joining us tonight, the gentleman from Idaho (Mr. OTTER) and the gentleman from North Carolina (Mr. JONES), earlier the gentleman from Oregon (Mr. DEFAZIO) and the gentlewoman from Ohio (Ms. KAPTUR) and others, because of the strong opposition by both parties, from small farmers and ranchers to organized labor, from small manufacturers to environmentalists, from religious leaders, from Catholic bishops in Central America and the Dominican Republic, to Lutheran and Presbyterian and Jewish and Episcopal leaders in our country, all of us speak with one strong, united voice: renegotiate the Central American Free Trade Agreement.

Those of us opposed to this CAFTA do want a trade agreement with Central America; but we want a trade agreement, as the gentleman from North Carolina (Mr. JONES) says, that benefits our whole Nation, not just a few; not one crafted, negotiated by a select few for a select few.

As the President travels the Nation trying to sell this CAFTA to the American public, he is hearing firsthand from U.S. workers, from small business owners and family farmers and family ranchers and religious leaders that they do not want this CAFTA, either. Their message, as is the message coming from us in this body in both parties, is loud and clear: renegotiate this Central American Free Trade Agreement.

In response to the President's trip this past Friday to North Carolina, a newspaper headline read: "Bush Sells Trade Pact in Hostile Territory." A Huntsville Times Alabama editorial on Sunday reads: "Say No to the Central American Free Trade Agreement." A Wall Street Journal headline, a newspaper traditionally very supportive of trade agreements, a Wall Street Journal headline yesterday read: "Cafta is No Cure-All For Central America."

This CAFTA represents more than a decade of failed trade policies. Just look what has happened with our trade policies just since the gentlewoman from California (Ms. WOOLSEY) and I in 1992 came to this Congress. In 1992 we

had a trade deficit in this country of \$38 billion. That means we sold \$38 billion less, exported, than we imported. In 2004, last year, that trade deficit was \$618 billion. It went from \$38 billion to \$618 billion in just a dozen years. How do we argue that our trade policy is working when our trade deficit has gone from \$38 billion to \$618 billion, and all of the lost manufacturing jobs in North Carolina and Idaho and California and Illinois and all over this country, including my State of Ohio? How do you argue that our trade policy is working?

CAFTA, Mr. Speaker, has languished in Congress for more than a year. Normally, trade agreements are voted on within 60 days. It passed the Senate by the narrowest margin ever of any trade agreement in that body. That is because we know this agreement is a continuation of the North American Free Trade Agreement, a dysfunctional cousin of NAFTA, a trade agreement which failed to live up to its lofty promises.

It is the same old story. Every time there is a trade agreement, whether it is Bill Clinton or whether it is George Bush, they tell us three things: they say more jobs for Americans, they say more manufactured products exported from the U.S. overseas, and they say that it will mean better wages for workers and a higher standard of living for people in the developing world. With every trade agreement, these promises fall flat.

Benjamin Franklin said the definition of insanity is doing the same thing over and over and over and expecting a different outcome. That is what has happened with our trade agreements. This CAFTA will not enable Central American workers to buy cars made in Toledo, Ohio or software developed in Seattle or textiles and apparel from North Carolina or prime beef from Nebraska. This CAFTA is about U.S. companies moving plants to Honduras, outsourcing jobs to Guatemala, exploiting cheap labor in El Salvador.

I will make one prediction, Mr. Speaker. If CAFTA comes up next week, they will call it up in the middle of the night, they will hold the rollcall open for several hours, they will twist arms to try to get this agreement passed. Instead, we should throw out this failed agreement, go back to the drawing board, renegotiate a CAFTA that lifts workers up, that makes sense for workers in all seven CAFTA countries, including our own.

When the world's poorest people, Mr. Speaker, can buy American products and not just make them, then we will know that our trade policies are finally working.

CAFTA PUTS U.S. SOVEREIGNTY AND CONSTITUTION UNDER ATTACK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Idaho (Mr. OTTER) is recognized for 5 minutes.

Mr. OTTER. Mr. Speaker, I join the three previous speakers tonight, and I rise today in the urgent interest of America's sovereignty and the primacy of our laws and the Constitution. They are under attack, Mr. Speaker, by the Central American Free Trade Agreement that will soon be considered by this Chamber.

In fact, even referring to CAFTA as a "trade agreement" is a misnomer. Yes, it involves trade; but its influence on our economy, our legal system, and our way of life would be much more serious and sweeping than the benign term "trade agreement" suggests.

At its core, CAFTA is a document that uses more than 1,000 pages of the international vernacular of diplomacy to cede the right of the American people to be governed by their representatives that they elect according to the laws of their land and under the legal system established by their Constitution.

Specifically, CAFTA brazenly requires the executive branch of the United States Government, as well as this Congress, our State Governors, State legislators, and even local authorities to conform all existing and future Federal, State, and local laws to a new set of international statutes and standards that go beyond trade matters. Make no mistake: only one thing would be worse than approving and living under CAFTA, and that would be to approve it and then find ourselves unwilling to comply with its provisions, which demonstrably contravene every principle of Federalism that is at the basis of our form of government.

Such exercises of sovereign authority on the part of the United States Government on behalf of the American people we are entrusted to represent could subject our policies, our laws, our court judgments, and even our land to the will of an international tribunal empowered to impose the trade sanctions for our intransigence.

This is not a matter of opinion, Mr. Speaker. It is a matter of fact. Precedents established by judgments rendered under NAFTA-related cases leave no room for doubt that CAFTA will open us to all forms of statutory globalization that is singularly not in the best interests of the United States.

Let me be more blunt. Requiring U.S. domestic laws to conform to the extensive nontrade provisions in CAFTA is a direct violation of the Constitution as well as an abuse of trust placed in this government by the people of the United States. This is an intrusion upon the sovereign rights of the duly elected representatives in Federal, State, and local positions. But more importantly, it is nothing short of an abdication of the rights of those who elected us.

Let us look at some specifics. Under CAFTA, a tribunal empowered to resolve a dispute would be made up of judges from three countries; two countries, one each, representing those in the dispute, as well as a judge from a third country from the CAFTA trade

agreement. Now, no matter how you do the math, it adds up to one voice for the United States against two judges from Central American countries without the tradition of constitutional jurisprudence or democracy of which we are justifiably proud. Those odds simply are unacceptable.

Beyond the CAFTA tribunal, this agreement would submit the United States to an even greater degree of unreasonable and unwarranted offshore jurisdictional control in the guise of the United Nations and the World Bank. CAFTA would empower them to order payments of U.S. tax dollars to foreign investors who claim that the U.S. business laws and regulations are too strict by international standards. Neither our Constitution nor our courts have ever legitimately contemplated such a circumstance and to do so now would be, once again, entirely unacceptable.

U.S. businesses already must marshal all the ingenuity and technological advantages that they can to compete in the global marketplace. In addition, they are subject to severe and growing regulatory burdens placed on them by our own country's laws. Under CAFTA, they will find themselves at even greater disadvantage to foreign investors. The United States will only be a good place to do business if you are not from the United States. Our own businesses and entrepreneurs, our economic warriors will be stripped of their weaponry and sent to fight in a losing battle without protection.

These prospects terrify me. And, yet, we have heard talk lately from some who do not find any of this to be a matter of concern. They say that CAFTA's implementing language would do nothing to change current U.S. law. To believe that you would have to be looking at CAFTA with blinders on, unable or unwilling to see beyond today and into the potential effects years down the road. While today's laws may be safe, all future laws intended to protect America and their interests are indeed in jeopardy.

All this might sound a bit farfetched and overly dramatic. Unfortunately, there are numerous examples of times when they have been forced to change our laws and our ways of doing business after submitting to the authority of an international court.

For example, under NAFTA, a tribunal similar to the one proposed in CAFTA ordered the United States to allow Mexican trucks to operate throughout the United States because NAFTA included the right of foreign transportation firms to operate in our country. We in Congress have regularly expressed our concern about the considerable safety problems associated with Mexican trucks that do not meet the U.S. safety requirements.

In addition, just last year Congress had to pass legislation repealing U.S. tax laws because the World Trade Organization decided that they were not in accordance with international policy. Changes to our tax policy

should be based on our own laws and our own practices, not forced upon us by the whims and biases of international tribunals.

I am a strong believer in free and fair trade, and I believe that developing good trade policies will benefit U.S. farmers and manufacturers. But I cannot support new trade agreements if we do not maintain an effort to enforce existing agreements. Ineffective, uneven enforcement of NAFTA has led to existing tensions between the United States and the Canadian beef, potato and softwood lumber industries, as well as the Mexican bean and sugar beet industries, significantly affecting producers in my State. While we refuse to take other countries to task over their exploitations of NAFTA, we allow our own sovereignty to be continually assaulted by the NAFTA tribunal.

Having worked as an Idaho businessman for most of my life, I know that exporters in my State can compete and win on a level playing field; however, NAFTA has become a double-edged sword being used to undermine and ultimately destroy industry and jobs in my State. Rather than fixing old problems, CAFTA merely adds insult to injury by continuing this downward spiral toward a complete loss of U.S. sovereignty.

In closing, Mr. Speaker, I just would say that once again, there are many numerous opportunities for us to take a look at how we have been disadvantaged under NAFTA; and CAFTA, as has been said before, is just an ugly relative of NAFTA.

SMART SECURITY AND FOREIGN RELATIONS AUTHORIZATION BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, today and tomorrow, we are debating the foreign relations authorization bill, a comprehensive piece of legislation dealing with matters that are important, even if they are not headline grabbers: passports, scholarships for international students, death benefits for American foreign service officers, just to name a few.

I intend to vote for this bill on final passage, Mr. Speaker, but not without some reservation and not without a great deal of disappointment.

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Here we are essentially affirming American foreign policy for the next 2 years. And what does the bill have to say about Iraq, the greatest foreign policy challenge of our time? Virtually nothing. Three hundred-plus pages of legislative language and not a word about Iraq until the very end of the bill where it calls on the President to transmit a plan to provide for a stable and secure government of Iraq and an Iraqi military and police force that will allow the United States military presence in Iraq to be diminished. That is it. This is like writing an essay about the significance of December 25 and saying at the end, oh, by the way, it is Christmas too.