

on that reservation. We understand that just the basics we expect don't exist for them—the basic mental health treatment. When they reach out, there is no one there. One woman was in tears as she said: We don't have proper mental health treatment. We don't have enough of it here. In order to transport a kid who needs to see a professional, I would need to borrow a car. I would need to beg somebody to give me a car to take them to someone who can see them.

That is what is going on. This country can do better than that. We have a responsibility to do better than that. We have a trust responsibility for these health care needs. My hope is that today the Senate will agree by unanimous consent to pass the Indian Health Care Improvement Act, the reauthorization that is so long overdue.

Mr. President, I yield the floor.

UNITED STATES-OMAN FREE TRADE AGREEMENT IMPLEMENTATION ACT

ORDER OF PROCEDURE

Mr. DORGAN. Mr. President, on behalf of the Republican leader, I now ask that the Senate proceed to Calendar No. 565, H.R. 5684, as provided for under the order of September 14, 2006; provided further that at the conclusion of my remarks on H.R. 5684, the Senate proceed to a period of morning business with Senators permitted to speak up to 10 minutes each.

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

The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 5684) to implement the United States-Oman Free Trade Agreement.

The PRESIDING OFFICER. Under the previous order, the Senator from North Dakota controls up to 60 minutes.

Mr. DORGAN. Mr. President, that probably isn't good news to some, but that is the way it is. I want to talk about the Oman Free Trade Agreement.

It is unbelievable to me that in a week in which there was an announcement, on Thursday morning, that the trade deficit for 1 month has now reached \$68 billion—a \$68 billion 1-month trade deficit—in that week we bring to the floor of the U.S. Senate the Oman Free Trade Agreement. We must have a bowling alley in our brain or something. The Oman Free Trade Agreement. What on Earth can be rattling around in the collective brains of public servants? Well, maybe I should modify that. Maybe I shouldn't be quite so harsh.

Look, we are up to our necks. We are choking as a country on trade deficits. Last year it was over \$700 billion a year; \$2 billion a day every single day. We don't owe that to ourselves, as you can make the case with respect to the budget deficits. We owe that to other

countries, and we are going to have to repay it. Over one-half is owed to the Chinese and the Japanese. Yet, interestingly enough, when it is announced this week that we have a \$68 billion monthly trade deficit, the highest in history, this Congress snored right through it, just yawned right through it, snored through it. So did the White House. Did you hear anybody talk about it? No. I came to speak about it briefly, but the fact is, it doesn't matter. Be happy. It is OK. It will be better tomorrow. In fact, let's do more of the same. Let's bring another free-trade agreement to the floor of the Senate.

We are now negotiating nine of them—nine new trade agreements. This free-trade stuff—you know, the next time I hear people use that term—and it is used all the time—free trade, I will want to put a robe on them and get them on a street corner and give them one of those cymbals and they can chant. It is nonsense—free trade. It means nothing to me.

What means something to me is fair trade. Yes, I believe in trade, and plenty of it. Let's expand in trade. Let's demand as a country that it be fair. I have on so many occasions given dozens of examples in which we sell out this country's interests in trade negotiations. I am not going to go through all of that today because I am going to talk about this so-called Oman Free Trade Agreement. But I will, as I reserve a portion of my 60 minutes, come back Monday and provide the rest of the demonstration of how bankrupt our trade strategy has become and how determined virtually all of those who support it are to ignore the bankruptcy of that policy.

On June 29 of this year, we sent the Oman Free Trade Agreement from this Chamber, and now it comes back in the form of a conference report. Oh there are lots of things going on in the world we probably ought to talk a little bit about. We could talk about Iraq, perhaps North Korea, Iran, or terrorism. We have enormous foreign policy challenges, unlike any we have ever seen in our lifetimes. We can talk about domestic policies such as energy prices. We could talk about rising health care costs. We could talk about the fact that the Federal Government is going to borrow on fiscal policy, budget policy, very close to \$600 billion in the coming year. The Federal Government is going to borrow from foreign countries in trade debt somewhere close to \$800 billion in the coming year. That is well over \$1.3 trillion in 1 year, or 10 percent of the entire GDP of this country.

Nobody seems very alarmed about that. They don't want to talk about it even. We could talk about all of those things, and perhaps we should. That ought to be the bull's-eye of public policy in terms of doing what we should do in matters that are important, but are we doing that? No. No, we are not doing that. We don't quite have time to

do that. We have to deal with the Oman Free Trade Agreement.

Let me tell my colleagues, there are about 400 organizations across this country that oppose this free-trade agreement: organized labor, communications workers, Defenders of Wildlife, Friends of the Earth, League of Rural Voters, National Farmers Union, the Presbyterian Church, the Sierra Club, the United Methodist Church, United Students Against Sweatshops, the Western Organization of Resource Councils. So it is a pretty significant group of interests around this country that oppose this trade agreement. Not that they have anything against the country of Oman; most of us have never been to Oman. It is just that this country has a responsibility to start fixing the massive problems it has created in previous trade agreements before negotiating new ones. As I said, there are nine being negotiated, and they are all going to come through here, and we will have compliant Members of the Senate deciding that.

Before they come, do you know what we would like to do? We would like to put a straightjacket on ourselves so that we can be prevented from offering amendments. God forbid that we have an original thought and actually offer an amendment to improve a free-trade agreement. We will do something called fast track and prevent ourselves from offering any amendments. So that is what will happen.

Let me tell my colleagues about the ugly side of free trade, if I might. It is called sweatshops, sweatshops in Jordan. This is from the New York Times, by the way. It says that we did a free-trade agreement with Jordan, which is the only trade agreement done under the Clinton administration, the only trade agreement that had labor protections in the agreement—the only one. Oman doesn't, and none of the others do, but this one had protections for workers in the agreement, which I very strongly support.

But let me tell my colleagues about workers in Jordan. Despite the fact this trade agreement with Jordan actually had protections for workers, here is what was happening in Jordan. We had people coming over to Jordan, being sent over to Jordan from Bangladesh and from other very poor countries, and they were working in sweatshops. They were promised \$120 a month and, in some cases, they were hardly paid at all. One worker was paid \$50 for 5 months of work. At some factories, 40-hour shifts were common.

Let me say that again. Not 40-hour workweeks—40-hour shifts. So we had people not being paid, or being paid miserably poor wages, and being worked 40-hour shifts. There were frequent beatings of workers who complained. And these factories in Jordan were flying in plane loads of workers from countries such as Bangladesh to work in slave-like conditions. Then they fly in Chinese materials, in this case textiles, to those same factories,

and what you end up with is workers who are working, in many cases, 120 hours a week, turning Chinese cloth into clothing to be sent to the United States.

So the consumer says: Isn't that nice. Well, it is not nice. The consumer doesn't understand where it is made and the conditions under which it is made. If it happened here today, we would get law enforcement, drive down the street, open those factories' doors and arrest the folks who were employing those people. We have already had these examples which have been highly embarrassing to people who want to market products made in sweatshops. We all heard Kathy Lee Gifford cry when her products were made in sweatshops, and even Puff Daddy, I guess he actually changed his name to Puff Daddy and then just Diddy. I don't know what that is about. But Sean Combs—Puff Daddy—who was having his clothes made in Honduras—and we had two women from that factory in Honduras come and testify here about the conditions.

Now, contrary to many others, let me say a word for Puff Daddy, P. Diddy or Diddy or whatever his name might be. He actually took an interest. When he discovered those contracting to produce his clothing were putting people in conditions like that, he actually changed things in Honduras where those shirts were made. So I say: Good for him. But my point is, this is going on all over the world. When we see these examples of sweatshops, this is being done in the country of Jordan where we have these labor standards in our agreement. It didn't matter. They flew in Bangladeshi workers and Chinese textiles to produce products to send to the United States to be sold to big box retailers. And we are supposed to compete against that? And we lose half our textile industry in this country. Why? Because they can't compete. They are told: You can't compete; it is over. That is why we don't make one pair of Levi's in America. Did you know that? There is not one pair of Levi's made in America.

I have talked before about the dancing grapes of Fruit of the Loom underwear. There was one guy dressed up as white grapes, another guy dressed up as red grapes, and they danced on television and sung about how wonderful their Fruit of the Loom underwear was. Not one pair of Fruit of the Loom underwear is now made in the United States, and not one pair of Levi's. I actually brought a picture of the grapes. We don't know who these guys are. All I know is they are no longer American grapes, they are Mexican grapes because Fruit of the Loom went to Mexico and they went to China.

So the point is this: We have a serious trade problem. It is not just textiles, it is not just manufacturing. One-half of the Fortune 500 companies are now outsourcing software development.

I told the story on the floor of the Senate about Natasha Humphreys, a

young woman I spoke to on the phone not too long ago. She did everything right. She is a young African-American woman who went to Stanford. She got her college degree and then went to work for Palm Pilot. By the way, her last job at Palm Pilot before she lost her job was to train her successor from India who would work for one-fifth of the price. So my point is, it is not just manufacturing and textiles, it is high tech, it is many other jobs as well.

In fact, there are some leading economists who say there are 40 million to 50 million additional American jobs that are subject to outsourcing. So what do we do? We negotiate new free-trade agreements, this one with Oman.

Let me talk about Oman for a moment. Oman is a country of 3 million people. One-half of the people—excuse me—one-half of 1 million of those people are actually foreign guest workers. And the majority of Oman's workers involved in manufacturing or construction are not from Oman. The majority of workers are foreigners brought in from Bangladesh and Sri Lanka, Indonesia, under labor contracts to work construction and factories.

So here is what the 2004 U.S. State Department said about human rights in Oman. Our U.S. State Department cited the country of Oman for cases of forced labor, and in 2004 put out this 2004 report on human rights in Oman:

The law prohibits forced or compulsory labor, including of children. However, there were reports that such practices occurred. The government did not investigate or enforce the law effectively. Foreign workers at times were placed in situations amounting to forced labor.

So we now do a free-trade agreement with Oman. It doesn't matter to us. Whatever happens, happens, I guess. By the way, the Sultan of Oman, 2½ years ago, issued a Sultanic decree which categorically denies workers the right to organize. So we are going to sign up to a free-trade agreement with them. The Sultan of Oman, however, has written to the USTR and promised he will improve labor laws by October of this year—coincidentally, 1 month after we vote on the Oman Free Trade Agreement.

The Finance Committee of the Senate held a mock markup, I guess it was. They called it a mock markup; they marked up the Oman Free Trade Agreement. When they did that, Senators CONRAD and BINGAMAN offered an amendment that said sweatshop products made in Oman under slave-like conditions would not be allowed under this free-trade agreement. That passed unanimously in the mock markup.

It is pretty unbelievable that we have a mock markup. In fact, with some markups, we may not even have to name them "mock markups," but nonetheless they named this a "mock markup."

In the mock markup, two of my colleagues offered an amendment that said sweatshop products made in Oman under slave-like conditions will not be

allowed under the Oman trade deal. That passed unanimously. But this trade deal which is before the Senate now, just a couple of months later, doesn't have that. It just got dropped. Is there somebody out there who is supporting having products coming in made under slave-like conditions in Oman? Is that how it got dropped? If that is so, who is that? Might we have their names? Is there anybody in this Chamber, anybody in the Senate who would volunteer that they support products being produced in sweatshops under slave-like conditions, and because they support that they objected to this amendment and demanded the amendment be dropped, an amendment which was passed unanimously in a mock markup? It is unbelievable to me, what is going on around here.

Let me mention something else. As you know, earlier this year we had a situation where a company owned by the United Arab Emirates, called Dubai Ports World, got the contract to manage American ports at six American cities. The contract to manage America's seaports became very controversial. I was involved in it because I don't think we ought to have a company owned by the United Arab Emirates managing our seaports. No aspersions against the United Arab Emirates. It seems to me, at a time when we are talking about the issue of security at America's seaports, which can be among the most vulnerable of American targets, it doesn't seem to be very smart to say: Let's turn the management of our seaports over to the United Arab Emirates or to a company owned by them. It just doesn't seem smart to me.

There were objections. There was a firestorm of objection from the Congress, Republicans and Democrats. The President said: I endorse the takeover of the shipping operations at six major U.S. seaports, and he pledged to veto any bill Congress might approve that would block the agreement. He said: If you pass a bill that says the UAE company, Dubai Ports World, can't manage seaports, I am going to veto the bill. But then they got, I think, Dubai Ports World to agree to back away somehow. They have not yet divested, but they are trying to find someone else to manage these ports.

But I want to make sure everybody understands. In this free-trade agreement—here is what is in the free-trade agreement with Oman, and it has been in previous free-trade agreements as well. There is a provision in this agreement that says we cannot block Oman from acquiring some things. Under the free-trade agreement, we cannot block Oman from acquiring landside aspects of port activities, including operation and maintenance of docks, loading and unloading of vessels, marine cargo handling, operation of piers—in effect, we have a provision that protects, for example, Oman's right to be managing America's seaports.

I don't understand how this works. Maybe somebody looking at me and listening to me will say: Hey, you don't. But I really don't understand the logic of putting in a free-trade agreement preferred activities that say we are going to protect the right of Oman to run America's port system; they have a right to do that.

Someone else will say to me: That is true, that is what is in the free-trade agreement, but there is also a circumstance where the President can override that as a result of national security.

Yes, but this President has already said he fully supports having a foreign government-controlled company running America's seaports. He is wrong about that; he is just dead wrong. He needs to rethink that position. But if we have a President who already said: I believe we ought to have a foreign company run America's seaports, and it is fine with me whether it is the UAE or Oman, there is no provision here that is a failsafe provision so that the President will decide: OK, I understand it is in the free-trade agreement they can do that, but I am going to invoke some sort of national security objection.

My sense is that most people do not know this is here, or if they know it is here, either they do not care or they think it is fine, to turn over the ports in New York and New Jersey and Florida and Louisiana to foreign control, foreign management.

We have spent a lot of time here this week talking about port security. I think we have 7 million containers coming into this country on container ships. We are going to spend \$10 billion this year, roughly, to protect us against an incoming missile with a nuclear warhead on it. We are worried about a rogue nation or terrorist group acquiring an intercontinental ballistic missile and putting a nuclear weapon on the tip, so we are trying to create a catcher's mitt, in effect trying to hit a bullet with a bullet. We are going to spend \$10 billion this year.

The most likely threat, of course, is that 1 of the 7 million containers that comes into this country has in it a weapon of mass destruction, perhaps a stolen nuclear weapon from the Russian arsenal, and it pulls up to an American dock—not at 17,000 miles an hour, but it pulls up at 2 or 3 miles an hour and it pulls up to a pier at a major American city and we have a detonation of a nuclear weapon. That is far more likely than having a rogue nation or terrorist group acquire an ICBM. But we spend pennies on that and spend billions of dollars trying to create a catcher's mitt, trying to hit a bullet with a bullet in the sky. It is beyond me how this fits any thoughtful logic, and it is beyond me how this provision in a trade agreement provides individuals any security for this country at all. It does not. It injures this country's opportunity for good security, in my opinion.

This trade agreement really needs to be defeated. It will probably not be because we don't have thoughtful debates. We by and large have pretty thoughtless minidebates about trade these days. But I think one of these days, when the trade deficit is announced—this week at \$68 billion just for 1 month, \$800 billion a year—one of these days, the American people are going to say: Wait a second, doesn't that mean we are selling our country?

And the answer is yes. Today is Friday. We will import from other countries about \$2 billion more in value of property than we will export to other countries. That means we will pay for that by putting currency in the hands of others. Over half of it will be in the hands of the Chinese and Japanese. With that currency, they then buy part of our country—stocks, bonds, companies, real estate. We are literally selling part of our country every single day to the tune of \$2 billion a day.

Don't take it from me; take it from Warren Buffett and many others who understand that this is unsustainable. Two years ago, Alan Greenspan said that when you reach 5 percent of your GDP as a trade deficit, you are reaching waters—levels that are unsustainable and are going to cause serious economic harm. Now we are well over that 2 years later. He was right then, and he is right now.

We have to take action. This country has to care and begin to take action. You can't continue to sell part of your country. You can't consume 6 percent more than you produce year after year and then pay foreigners to produce it for us and put it in their hands, currency with which they buy this country.

I noticed the other day that we sold Wham-O to the Chinese. It is probably not a big deal—Hula Hoops, Frisbees, and Slip 'N Slide. Every kid knows Wham-O. But if you take a look at what is being transferred from this country—our assets, company after company—to the Chinese and then you evaluate whether this is sustainable and whether this is the course on which America wants to remain, the answer should be no.

I haven't talked much about jobs. I will do that, I believe, on Monday prior to the time we will have a vote on the Oman Free Trade Agreement. But this is about the economic health and strength of our country. No country will long remain a world economic power without a strong manufacturing base, and no country will remain a world economic power without being able to expand its middle-class people. We have done that in a century. We have expanded the middle class and created economic growth unlike we have ever seen on this Earth. And now we are beginning to see that taken apart, people having more trouble finding a good-paying job.

Incidentally, of all the things we work on in this Chamber, there is no social program as important as a good

job that pays well. We are now seeing American workers being told: You are going to compete against others who will work for 30 cents an hour. That means lower wages for you. We require higher productivity; we are going to give you lower wages and less retirement.

It takes apart the social compact we built in this country, that expansion of the middle class which created the economic expansion which created the greatest economy on the face of this Earth.

For all those reasons, this is a horrible trade agreement. I just touched on a part of it. I will finish on Monday. This is another chapter in a sad book of failures that no one wants to read very carefully. But my hope is that one of these days this Senate will wake up, this Congress will wake up, this President will wake up and decide: No more free-trade agreements. Let's fix the problems we have created before we negotiate new ones. Yes, let's have a goal of expanding trade. Trade can be good, but trade between trading partners must be mutually beneficial, and trade agreements that are free but not fair undermine this country's interests. We should aspire to have fair trade agreements that expand our opportunities, not retard our capabilities; help lift others up, not push us down. That ought to be our goal.

Mr. GRASSLEY. Mr. President, I would like to dispel claims being put forward by some that the U.S.-Oman Free Trade Agreement will threaten U.S. national security. These critics of the agreement claim that it will give foreign port operators an absolute right to establish or acquire operations to run port facilities in the United States. They contend that, in this way, the U.S.-Oman Free Trade Agreement could harm our national security. These claims are just plain wrong.

First of all, the U.S.-Oman Free Trade Agreement provides no new rights for Omanis or others to supply port related services in the United States. Omani companies are presently able to supply such services. The Oman agreement simply mirrors current U.S. law. So it is incorrect for anyone to claim that this trade agreement creates new rights for Omanis or others to contract with U.S. port owners to perform port services.

In addition, U.S.—law specifically the Exon-Florio amendment to the Defense Production Act of 1950—authorizes the President to block foreign investment that would threaten our national security, including investments in port operations. The President delegates the authority to monitor and review foreign investments to the Committee on Foreign Investment in the United States, or CFIUS. This free-trade agreement will not change the process of CFIUS in reviewing proposed investment in the United States. Thus, if the President determines that the investments of Oman or other countries in port services in the United States

will threaten our national security, U.S. law provides that he can block such investments. The U.S.-Oman Free Trade Agreement in no way changes this existing law.

Moreover, the U.S.-Oman Free Trade Agreement at article 21.2 contains a "national security" exception. This article provides that nothing in the agreement can prevent the United States from taking any action that we consider necessary to protect our essential security interests. This exception is self-judging, which means that solely the United States can decide what constitutes our essential security interests. Contrary to the claims of some critics, neither an investor-state arbitration tribunal nor a dispute settlement panel has the authority to second-guess what the United States determines to be in its essential security interest. After all, once the United States invokes the national security exemption, there's nothing for a tribunal or panel to review.

So it is clear that the U.S.-Oman Free Trade Agreement doesn't diminish the right of the United States to determine whether to block any foreign investment in our country, including in port services. It is also clear that the Oman trade agreement doesn't create any new rights for Oman to supply port related services in the United States. Anyone who says otherwise is ignoring the facts.

The U.S.-Oman Free Trade Agreement will benefit the United States. It will not pose security threats for the United States. If it did, I wouldn't be supporting it. I urge my colleagues to vote for H.R. 5684, the U.S.-Oman Free Trade Agreement Implementation Act.

I yield the floor.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will return to morning business.

Mr. DORGAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT

Mr. OBAMA. Mr. President, today marks a victory for government transparency and a victory for democratic accountability. By passing the Federal Funding Accountability and Transparency Act of 2006, the House of Representatives and the Senate have brought a little much-needed sunlight to the world of government spending.

This bill requires the Office of Management and Budget to ensure that a

free, searchable Web site is available to Americans to access information about Federal grants, contracts, loans, and other financial assistance. The Web site will make public important oversight information including the name and location of an entity receiving an award, a description of the purpose of the funding, the amount of funding, the type of transaction, the primary location of performance under the award, the funding agency, and any other relevant information specified by the Office of Management and Budget. Existing Federal databases, such as the Federal Procurement Data System, FPDS, the Federal Assistance Award Data System, FAADS, and Grants.gov, contain other public information that may also be made available through the new Web site.

Current law requires that certain information related to the use of competitive or noncompetitive procedures in procurements be included in FPDS. Executive agencies must provide competition information for each procurement transaction, including the extent to which the procurement was subject to competitive procedures, the type of solicitation procedure used, whether the procurement was awarded using a socioeconomic program set-aside, and, when applicable, the reason for a noncompetitive procurement. This information is available to the public through FPDS.

It is my expectation that the Office of Management and Budget will ensure that all relevant information on the use of competitive or noncompetitive procedures will be included in the information made available through the Web site. Since the collection of this information is already mandated and the information is made publicly available, its inclusion on the searchable, user-friendly Web site should not cause any additional burden or complexity.

Mr. President, I would like to ask my friend from Oklahoma and the author of this legislation, who has tirelessly fought to improve government accountability, if he shares my expectation that the new Web site will include information on the use of competitive procedures.

Mr. COBURN. I thank the Senator from Illinois. I share his understanding of this legislation and also his expectation that the Web site will include information about the use of competitive procedures.

Mr. OBAMA. I thank the Senator from Oklahoma for his leadership on this issue. I am grateful for our partnership to improve the efficiency and effectiveness of government services. I am confident that our efforts to reduce the use of noncompetitive procedures will save taxpayer money and improve the quality of contracted goods and services.

I would also like to inquire of the distinguished chair and ranking member of the Homeland Security and Governmental Affairs Committee who were instrumental in bringing this legislation

through committee and ensuring its passage by the Senate.

I would ask Madam Chairman, if it is her expectation that information on the use of competitive or noncompetitive procedures for the financial transactions reported on the Web site created through the Federal Funding Accountability and Transparency Act of 2006 will be available on the Web site, so that citizens will have straightforward access to comprehensive information on federal awards?

Ms. COLLINS. I would assure the Senator from Illinois that that is indeed my expectation.

Mr. OBAMA. I thank the distinguished chairman of the Homeland Security and Governmental Affairs Committee. The American people are well served by her leadership and the diligence of her excellent staff. Let me further note that all of us are well served by the productive working relationship that the chairman shares with the ranking member. The bipartisan nature of this bill is a testament not only to the broad support for the idea itself but also to the cooperative manner in which the Homeland Security and Governmental Affairs Committee conducts its business.

So let me ask the committee's ranking member and my good friend from the State of Connecticut, who has long been a champion of good government and transparency, whether he shares our understanding that this new Web site will include information on the competitive or noncompetitive procedures used in government contracting for goods and services.

Mr. LIEBERMAN. Mr. President, I agree with the Senator from Illinois and do expect that publicly available information about the procurement procedures used in government contracting will be made available through the Web site.

Mr. OBAMA. I thank the Senator from Connecticut. It has been my privilege to work with him on this issue. Transparency is the first step to holding government accountable. We can't reduce waste, fraud, and abuse or improve fairness and efficiency without knowing how, where, and why Federal money is being spent. And we cannot ensure that Americans are getting the best quality and the best prices on government contracts without being able to evaluate the types of procedures used to procure goods and services. Whether you believe the government ought to spend more money or spend less, we can all agree that the government ought to spend every penny efficiently and transparently. If the procedures by which the government spends money, or those expenditures themselves, can't withstand public scrutiny, then the taxpayers' money shouldn't be spent. The American people deserve no less.