

Permanent Normal Trade Relations for China, and other flawed trade measures, I did so in great part because I believed they would lead to a significant loss of jobs. But even as an opponent of those agreements, I don't think I could have imagined just how bad things would get in so short a time.

The trade policy of this country over the past several years has been appalling. The trade agreements into which we have entered have contributed to the loss of key employers, ravaging entire communities. But despite that clear evidence, we continue to see trade agreements being reached that will only aggravate this problem.

This has to stop. We cannot afford to pursue trade policies that gut our manufacturing sector and send good jobs overseas. We cannot afford to undermine the safeguards we have established for workers, the environment, and our public health and safety. And we cannot afford to chip away at our democratic heritage by entering into trade agreements that supercede our right to govern ourselves through open, democratic institutions.

The legislation I am introducing today addresses this problem, at least in part. It establishes some minimum standards for the trade agreements into which our Nation enters. It sets forth principles for future trade agreements. It is a break with the so-called NAFTA model, and instead advocates the kinds of sound trade policies that will spur economic growth and sustainable development.

The principles set forth in this resolution are not complex. They are straightforward and achievable. The resolution calls for enforceable worker protections, including the core International Labor Organization standards.

It preserves the ability of the United States to enact and enforce its own trade laws.

It protects foreign investors, but states that foreign investors should not be provided with greater rights than those provided under U.S. law, and it protects public interest laws from challenge by foreign investors in secret tribunals.

It ensures that food entering into our country meets domestic food safety standards.

It preserves the ability of Federal, State, and local governments to maintain essential public services and to regulate private sector services in the public interest.

It requires that trade agreements contain environmental provisions subject to the same enforcement as commercial provisions.

It preserves the right of Federal, State, and local governments to use procurement as a policy tool, including through Buy American laws, environmental laws such as recycled content, and purchasing preferences for small, minority, or women-owned businesses.

It requires that trade negotiations and the implementation of trade agreements be conducted openly.

These are sensible policies, and will advance the goal of increased international commerce.

The outgrowth of the major trade agreements into which we have entered has been a race to the bottom in labor standards, environmental standards, health and safety standards, in nearly every aspect of our economy. A race to the bottom is a race in which even the winners lose.

For any who doubt this, I invite you to ask the families in Wisconsin who have watched their jobs move to China.

We can't let this continue to happen. We need to turn our trade policies around. We need to pursue trade agreements that will promote sustainable economic growth for our Nation and for our trading partners. This resolution will begin to put us on that path, and I urge my colleagues to support it.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 264. Mr. CHAMBLISS (for himself and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; which was ordered to lie on the table.

SA 265. Ms. COLLINS submitted an amendment intended to be proposed to amendment SA 259 submitted by Mr. WARNER (for himself, Mr. LEVIN, Ms. COLLINS, Mr. NELSON of Nebraska, Mr. HAGEL, Ms. SNOWE, Mr. SMITH, Mr. BIDEN, and Mr. SALAZAR) and intended to be proposed to the joint resolution H.J. Res. 20, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 264.** Mr. CHAMBLISS (for himself and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after "**SEC.**" and insert the following:

#### — . ADDITIONAL AMOUNTS TO ADDRESS SCHIP FUNDING SHORTFALLS FOR FISCAL YEAR 2007.

(a) IN GENERAL.—Section 2104 of the Social Security Act (42 U.S.C. 1397dd) is amended by adding at the end the following:

"(i) ADDITIONAL REDISTRIBUTION OF AMOUNTS NECESSARY TO ADDRESS FISCAL YEAR 2007 FUNDING SHORTFALLS.—

"(1) REDISTRIBUTION OF CERTAIN UNUSED FISCAL YEAR 2005 ALLOTMENTS.—

"(A) IN GENERAL.—Subject to subparagraphs (C) and (D), with respect to months beginning during fiscal year 2007 after April 30, 2007, the Secretary shall provide for a redistribution under subsection (f) from amounts made available for redistribution under paragraphs (2) and (3) to each shortfall State described in subparagraph (B), such amount as the Secretary determines will eliminate the estimated shortfall described in such subparagraph for such State for the month.

"(B) SHORTFALL STATE DESCRIBED.—For purposes of this paragraph, a shortfall State described in this subparagraph is a State with a State child health plan approved

under this title for which the Secretary estimates, subject to subsection (h)(4)(B) and on a monthly basis using the most recent data available to the Secretary as of April 30, 2007, that the projected expenditures under such plan for such State for fiscal year 2007 will exceed the sum of—

"(i) the amount of the State's allotments for each of fiscal years 2005 and 2006 that was not expended by the end of fiscal year 2006;

"(ii) the amount, if any, that is to be redistributed to the State in accordance with subsection (h); and

"(iii) the amount of the State's allotment for fiscal year 2007.

"(C) FUNDS REDISTRIBUTED IN THE ORDER IN WHICH STATES REALIZE FUNDING SHORTFALLS.—The Secretary shall redistribute the amounts available for redistribution under subparagraph (A) to shortfall States described in subparagraph (B) in the order in which such States realize monthly funding shortfalls under this title for fiscal year 2007. The Secretary shall only make redistributions under this paragraph to the extent that such amounts are available for such redistributions.

"(D) PRORATION RULE.—If the amounts available for redistribution under paragraph (3) for a month are less than the total amounts of the estimated shortfalls determined for the month under subparagraph (A), the amount computed under such subparagraph for each shortfall State shall be reduced proportionally.

"(2) TREATMENT OF CERTAIN STATES WITH FISCAL YEAR 2005 ALLOTMENTS UNEXPENDED AT THE END OF THE FIRST 7 MONTHS OF FISCAL YEAR 2007.—

"(A) IDENTIFICATION OF STATES.—The Secretary, on the basis of the most recent data available to the Secretary as of April 30, 2007—

"(i) shall identify those States that received an allotment for fiscal year 2006 under subsection (b) which have not expended all of such allotment by April 30, 2007; and

"(ii) for each such State shall estimate—

"(I) the portion of such allotment that was not so expended by such date; and

"(II) whether the State is described in subparagraph (B).

"(B) STATES WITH FUNDS IN EXCESS OF 200 PERCENT OF NEED.—A State described in this subparagraph is a State for which the Secretary determines, on the basis of the most recent data available to the Secretary as of April 30, 2007, that the total of all available allotments under this title to the State as of such date, is at least equal to 200 percent of the total projected expenditures under this title for the State for fiscal year 2007.

"(C) REDISTRIBUTION AND LIMITATION ON AVAILABILITY OF PORTION OF UNUSED ALLOTMENTS FOR CERTAIN STATES.—In the case of a State identified under subparagraph (A)(i) that is also described in subparagraph (B), notwithstanding subsection (e), the amount described in subparagraph (A)(ii)(I) shall not be available for expenditure by the State on or after May 1, 2007, and shall be redistributed in accordance with paragraph (1).

"(3) TREATMENT OF CERTAIN STATES WITH FISCAL YEAR 2006 ALLOTMENTS UNEXPENDED AT THE END OF THE FIRST 7 MONTHS OF FISCAL YEAR 2007.—

"(A) IDENTIFICATION OF STATES.—The Secretary, on the basis of the most recent data available to the Secretary as of April 30, 2007—

"(i) shall identify those States that received an allotment for fiscal year 2006 under subsection (b) which have not expended all of such allotment by April 30, 2007; and

"(ii) for each such State shall estimate—

"(I) the portion of such allotment that was not so expended by such date; and

“(II) whether the State is described in subparagraph (B).

“(B) STATES WITH FUNDS IN EXCESS OF 200 PERCENT OF NEED.—A State described in this subparagraph is a State for which the Secretary determines, on the basis of the most recent data available to the Secretary as of April 30, 2007, that the total of all available allotments under this title to the State as of such date, is at least equal to 200 percent of the total projected expenditures under this title for the State for fiscal year 2008.

“(C) REDISTRIBUTION AND LIMITATION ON AVAILABILITY OF PORTION OF UNUSED ALLOTMENTS FOR CERTAIN STATES.—

“(i) IN GENERAL.—In the case of a State identified under subparagraph (A)(i) that is also described in subparagraph (B), notwithstanding subsection (e), the applicable amount described in clause (ii) shall not be available for expenditure by the State on or after May 1, 2007, and shall be redistributed in accordance with paragraph (1).

“(ii) APPLICABLE AMOUNT.—For purposes of clause (i), the applicable amount described in this clause is—

“(I) the amount by which the amount described in subparagraph (A)(ii)(I), exceeds the total of the amounts the Secretary determines will eliminate the estimated shortfalls for all States described in paragraph (1)(B) (after the application of paragraph (2)) for the fiscal year; multiplied by

“(II) the ratio of the amount described in subparagraph (A)(ii)(I) with respect to the State to the total the amounts described in subparagraph (A)(ii)(I) for all such States.”.

(b) CONFORMING AMENDMENTS.—Section 2104(h) of such Act (42 U.S.C. 1397dd(h)) is amended—

(1) in paragraph (4), by inserting “or subsection (i)” after “this subsection” each place it appears;

(2) in paragraph (5)(A), by inserting “and subsection (i)” after “and (3)”;

(3) in paragraph (6), by inserting “or subsection (i)” after “this subsection”; and

(4) in paragraph (7), by inserting “and subsection (i)” after “this subsection”.

(c) EFFECTIVE DATE; APPLICABILITY.—The amendments made by this section take effect on the day after the date of enactment of this Act and apply without fiscal year limitation.

**SA 265.** Ms. COLLINS submitted an amendment intended to be proposed to amendment SA 259 submitted by Mr. WARNER (for himself, Mr. LEVIN, Ms. COLLINS, Mr. NELSON of Nebraska, Mr. HAGEL, Ms. SNOWE, Mr. SMITH, Mr. BIDEN, and Mr. SALAZAR) and intended to be proposed to the joint resolution H.J. Res. 20, making further continuing appropriations for the fiscal year 2007, and for other purposes; which was ordered to line on the table; as follows:

On page 7, between lines 11 and 12, insert the following:

(23) Congress and the American people will continue to support and protect the members of the United States Armed Forces who are serving or who have served bravely and honorably in Iraq.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition and Forestry be authorized to conduct a hearing during

the session of the Senate on Tuesday, February 13, 2007, at 9:45 a.m. in 328A, Russell Senate Office Building. The purpose of this committee hearing will be to consider “Rural Development—Challenges and Opportunities.”

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

##### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to hold a business meeting during the session of the Senate on Tuesday, February 13, 2007, at 10 a.m., in room 253 of the Russell Senate Office Building.

The purpose of this meeting will be to consider and approve the following legislation following bills: S. 184, S. 509, S. 385, S. 93, S. 84, S. 39, and to make nominations for promotion in the United States Coast Guard.

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

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to hold a hearing during the session of the Senate on Tuesday, February 13, 2007, at 10 a.m. in room SD-106 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the Stern Review of the Economics of Climate Change, examining the economic impacts of climate change and stabilizing greenhouse gases in the atmosphere.

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

##### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet for a hearing on Tuesday, February 12, 2007, at 10 a.m. in SD-106. The purpose of the hearing is to review the report and recommendations of the U.S. Climate Action Partnership.

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

##### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to hold a hearing during the session of the Senate on Tuesday, February 13, 2007, at 10 a.m. in SD-430.

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

##### COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet on Tuesday, February 13, 2007, at 10 a.m. for a hearing titled “The Homeland Security Department’s Budget Submission for Fiscal Year 2008.”

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

##### COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate for a hearing entitled “Alternatives for Easing the Small Business Health Care Burden,” on Tuesday, February 13, 2007, beginning at 10 a.m. in room 428A of the Russell Senate Office Building.

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

##### COMMITTEE ON VETERANS’ AFFAIRS

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Veterans’ Affairs be authorized to meet during the session of the Senate on Tuesday, February 13, 2007, to hold a hearing on Veterans Programs for Fiscal Year 2008.

The hearing will take place in room 418 of the Russell Senate Office Building beginning at 9:30 a.m.

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

##### SELECT COMMITTEE ON INTELLIGENCE

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Intelligence be authorized to meet during the session of the Senate on February 13, 2007, at 2:30 p.m. to hold a closed hearing.

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

#### APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the President of the Senate, and after consultation with the majority leader, pursuant to Public Law 106-286, appoints the following Members to serve on the Congressional-Executive Commission on the People’s Republic of China. The Senator from Montana (Mr. BAUCUS), the Senator from Michigan (Mr. LEVIN), the Senator from California (Mrs. FEINSTEIN), the Senator from North Dakota (Mr. DORGAN), Co-Chairman; and the Senator from Ohio (Mr. BROWN).

#### AUTHORIZING LEGAL REPRESENTATION

Mr. CARDIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 80, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 80) to authorize testimony, document production, and legal representation in State of Oregon v. Rebecca Michelson, Michele Darr, and Vernon Huffman.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, this resolution concerns a request for testimony,