

line right now could very well, and likely will, result in a very bad trade agreement that will not allow our country to continue to have the edge, a bad trade agreement that will allow others to continue to cheat the international system, and a bad agreement for the people who are working hard at this moment, counting on us to get it right, counting on us to fight for a level playing field, so whether they own a business or whether they work for a business or whether they grow crops in the field, they can count on the rules being fair, the playing field level, and that we will enforce those rules on their behalf.

South Korea is really the first test of this administration with the new Congress. Will this administration sell out American workers? Will they ignore the history of bilateral agreements with South Korea? Or will they work with us to get it right? The American people are counting on us to get it right. Eighty-two percent of the trade deficit with South Korea is in the automobile industry. Coming from the great State of Michigan, that matters to me. I hope it matters also to all of my colleagues, since this is the industry on which the middle class of this country has been built.

Eighty-two percent of the trade deficit with South Korea is in the auto industry. That is because we have had two failed agreements with South Korea which have allowed cars to come into the United States while South Korea keeps its markets virtually closed. That doesn't make any sense. In fact, South Korea is the least open market for autos of any industrialized country. Meanwhile, South Korea continues to export 7 out of 10 of their vehicles. So they make 10 and ship 7 out-side of the country.

The United States has a 12-year history and two auto-specific bilateral agreements with South Korea in an attempt to open their auto import market so we can sell to them. In 1995 and 1998, the United States attempted to level the playing field by instituting two memoranda of understanding that clearly stated the need to increase "foreign-made vehicle market access." But despite these attempts from the U.S. Government, both Republican and Democratic Presidents, nothing has changed with South Korea as it relates to our automobile industry.

This chart is pretty clear as to what has happened. In 2006, Korea imported to us 749,822 automobiles. That is what came to us. And how many were we allowed to ship to them, built in America? Mr. President, 4,556 vehicles. I don't think it takes a rocket scientist to figure out that is not a level playing field, that is not fair. Who in their right mind would negotiate a continuation of that situation? I can assure my colleagues, if that is what comes back or anything even close to it from this agreement, this Senator from Michigan will do everything I can possibly do to stop it from being enacted.

In addition, South Korea has an 8-percent tariff on U.S. auto imports, three times the U.S. tariff, which is 2.5 percent. We have had two different agreements to fix this situation, and instead, we continue with tariffs that are so different: 8 percent that we pay, 2.5 percent that they pay. Then on top of that, they do things such as make sure that our automobiles, foreign imports, have higher insurance rates or get audited or have other kinds of barriers on them, while we have an open marketplace and they come in unimpeded.

I remind our negotiators, we have plenty of time to develop a good trade agreement. If we fix this situation, if we have something that truly is in the interest of Americans, of American workers, businesses, and farmers, I will be first on the floor to support it. But this is not fair. Something that maybe inches this up from 4,500 to 5,000 or 6,000, while Korean imports continue to go up will not be fair.

We have to have an open process so we have the same kind of access to their market that they have to ours. I thought that is what trade agreements were supposed to be about.

There is no need to rush. There is no need to sell out our auto industry in America or our workers or any other group.

I know there are other concerns as well from rice farmers and beef interests and others. Certainly, I don't think we should be in a situation where any of our American interests are put at risk because of a trade agreement. All we want is a level playing field. All we want is the ability to have the same rules apply no matter where one lives, and to have those rules enforced.

Right now, as I said before, we have a 48-hour time period. We know at this moment there are people negotiating, trying to beat the clock in the next 48 hours. It won't work unless this is an agreement that works for America. And from my standpoint, it won't work unless it works for the American auto industry. These kinds of numbers make no sense whatsoever.

I am very hopeful folks will stop and take a deep breath for a moment and look at what needs to be done, and then have faith in us, in Congress, that we will work with the administration to put together a good deal. If it is a good deal, if it is a good deal for American businesses, if it is a good deal for American workers, then it will sail through. But if it continues the bad deal we have had now for the last 12 years trying to work with South Korea, there are going to be serious objections.

As I said so many times before, American workers and American businesses can compete with anybody, but we have to have a level playing field. We have to require that other countries play by the same rules we do and that we negotiate agreements that make sense, where the tariffs are the same and the rules are the same and

the market access is the same. That is all I wish to see happen as a Senator from Michigan, and I know that is what we are all hoping will happen for those we represent.

The next 48 hours are critically important for our working men and women in this country and American businesses, doing business here, that want to remain here, that want to remain in the business of providing good work with good pay and good benefits in the United States. That is what this is about.

Again, we want to export our products, not our jobs. What happens in the next 48 hours will determine whether we are going to be able to work together with the administration to get this right.

I yield the floor and suggest the absence of a quorum.

THE PRESIDING OFFICER (Ms. KLOBUCHAR). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. MCCONNELL. Madam President, I assume we are in morning business.

THE PRESIDING OFFICER. We are.

#### EMERGENCY SUPPLEMENTAL APPROPRIATIONS

Mr. MCCONNELL. Madam President, 2 months ago, GEN David Petraeus came to Capitol Hill to explain the situation in Baghdad and to outline his plan for improving it. And then we ratified that plan. A Democratic-controlled Senate sent General Petraeus to Iraq—without dissent.

There were no illusions about what the mission would involve: We would demand greater cooperation from the Iraqi Government, and they would get greater security in return. If they gave us room to help secure the capital city, they would have room to build a civil society.

Now that mission is underway. Security is improving and political reforms have followed.

We were told there would be no political reforms in Iraq without basic security first. But if we could secure the capital, then we could expect to see reforms. That is what General Petraeus told us. That is the story he told us we could hope to see unfold, and if it did, we would have reason to hope for success, we would have a chance to win this.

Right now we have that chance. The question is, will we fan this spark of hope or will we smother it?

The Democratic leadership has a different view. They do not seem to think situations can change. They have made no allowance for improvements in Iraq. They call for a change in course, but the only change in course they seem to approve of is retreat.

The bill they sent the President today says one of two things: It says they are either determined to lose this war or they are convinced it is already lost. There is no other way to look at it.

Nothing good can come from this bill. It all but guarantees a delay in the delivery of supplies and equipment to the troops on the ground. It is loaded with pork that has no relation to our efforts in Iraq or Afghanistan. And it includes a deadline for evacuation that amounts to sending a "save the date" card to al-Qaida—a date that is not tied to circumstances on the ground, a date that is completely arbitrary—pulled out of thin air—a date the terrorists have already marked on their calendars.

This bill is the document of our defeat. That is why the President has said for weeks he would not sign it. Because it has no chance of becoming law, because the Democrats knew it never had a chance of becoming law, it is nothing more than a political statement—a political statement that says the Democrats have traded in the possibility of military victory for the promise of political victory here at home.

They have said as much. Earlier this week, one of the Democratic leaders said this about the emergency supplemental bill. He said:

It's not one battle. It's a long-term campaign.

So what is the aim of this long-term campaign? To pressure the President to retreat. The Democratic leadership is telling the President to retreat through a spending bill that is meant to deliver emergency equipment and supplies to our troops.

But I ask you: If the war is already lost, if it is already time to declare defeat, then why wait another year to do it? Why not simply vote against funding now? Would anyone disagree that it is wrong to ask American soldiers to stick it out for another year if you think the battle is already over? If Democrats want to end this war, they should vote against funding it. That would clearly end the war. But apparently that is not what is going to happen. They will wait another year. They will supply and equip our soldiers to fight a war they think we have already lost, and they will use the spending bill that funds that extra year of fighting as a vehicle for pork.

There is more than \$20 billion of spending in this bill that has nothing whatsoever to do with the war in Iraq or Afghanistan, and most of it simply should not be there.

The senior Senator from Nevada has said repeatedly that this spending bill is serious.

How serious is \$2.5 million for tours of the Capitol? Is \$3 million for sugar-cane serious? Is \$22.8 million for geothermal research or \$13 million for ewe replacement and retention? Is all of that serious?

This bill was intended to fund and equip American men and women who

have left their families to risk their lives overseas. But in some ways, it has become a bit of a joke. It has ballooned into a gravy train for Members. It absurdly broadcasts to our enemies a date certain for the withdrawal of U.S. troops from Iraq. And it is designed to draw a veto, risking that the very supplies it means to deliver would not even get there in time.

The American people are watching this charade. They have reason to be confused. They even have reasons to be angry.

I am pleased my colleagues voted against this bill to show it is right for the President to veto it and to show we will proudly sustain that veto. Then we can get about our real mission to fund the troops. Let's hope the President gets this bill as quickly as possible, so he can do with it what it deserves. No bill has deserved the veto pen more than this one.

Madam 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. DURBIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### GENOCIDE ACCOUNTABILITY ACT OF 2007

Mr. DURBIN. Madam President, with the beginning of this new Congress, Senator PATRICK LEAHY, chairman of the Judiciary Committee, honored my request to create a new subcommittee, entitled Human Rights and the Law. It is the first time in Senate history we have designated a subcommittee with that jurisdiction. Of course, the Foreign Relations Committee has responsibility for foreign policy, but what we are trying to focus on in this subcommittee I chair are laws that relate to fundamental human rights.

The subcommittee's first hearing, seven weeks ago, was on the law relating to genocide and the situation in Darfur. We had spectacular witnesses: Diane Orentlicher, an American University law school professor; Sigal Mandelker, a representative from the administration; Don Cheadle, the star in "Hotel Rwanda," who has become a strong advocate for ending the genocide in Darfur; Romeo Dallaire, a Senator in Canada, who in 1994 was the head of the U.N. Peacekeeping Force in Rwanda during the onset of the massacre. Their testimony was electrifying. It pointed not only to the experience in Rwanda but to what we face today in Darfur.

I still recall—and it bears repeating every time I come to the floor—that at the time of the Rwanda genocide, there were very few Senators paying attention.

One of my mentors and friends, Paul Simon, my predecessor, was the chair-

man of the Africa Subcommittee of the Foreign Relations Committee. He knew what was happening. He turned to his friend, Jim Jeffords, then a Republican from Vermont, and said: We have to do something. They called General Dallaire in Kigali, Rwanda, and asked: What can we do? The general said: If you would send me 5,000 armed soldiers, I can stop this massacre right now. So Senators Jeffords and Simon called the Clinton White House and asked for help. Sadly, there was no response.

Later on, President Clinton, after he finished his term in office, said it was the biggest mistake of his administration not to respond to the Rwandan genocide. It was a reminder to me that we do have the power as Senators and Congressmen, and many others, to make a difference, and we should never accept as inevitable things such as the genocide that occurred in this faraway country of Rwanda.

I was reminded of that during testimony just a few weeks ago. We talked about Darfur and the fact that 4 years ago, President Bush declared a genocide in Darfur. It is rare that the United States acknowledges a genocide. I applauded President Bush and his leadership for making this acknowledgment, but I have said to the President and on this floor many times: It is not enough to just declare a genocide. If innocent people are being killed, if they are being displaced from their homes and you have the power to do something about it, how can you stand by and do nothing? Sadly, that is what has happened for 4 straight years. We have done nothing—declaring a genocide and doing nothing.

I am reminded of a personal experience I had many years ago as a student at Georgetown University. I was in the School of Foreign Service and had as a professor Dr. Jan Karski from Poland. He was an inspiring man. He spoke with an accent. He came to his class with a suit and tie on every day, ramrod, military bearing, and told the story of his life in between lessons.

His story was that he was a member of the Polish underground fighting the Nazis in World War II. He saw Polish people swept out of the Warsaw ghetto, taken away. He finally realized that they were taken to concentration camps to be killed.

Determined to do something about it, Jan Karski found his way to Washington in the 1940s, even found his way to the office of President Franklin Roosevelt, and told him about the Holocaust, told him what was happening in the concentration camps.

Unfortunately, just as in Rwanda, the President at that time did nothing. Jan Karski returned to Poland crestfallen that he had finally alerted this great power, the United States of America, and nothing was going to be done.

I sat there as a student at the time and thought: How can that be? How can you hear that thousands of people are