referendum instead of going to the legislature. Legislators not unlike our peers in Congress did not want to face voters in their home district if they voted for the pact.

The agreement must be implemented as domestic law—meaning Costa Rica has to enact new laws in order for the trade agreement to take effect. That bothers hundreds of thousands of Costa Ricans because they have in place today strong laws on health, on the environment, on education, on privatization, on generic drugs, on all the kinds of issues that have helped to build the middle class in Costa Rica.

Costa Rica is a progressive country. More than a third of its land is protected in national parks. More than 90 percent of its electricity comes from renewals. Costa Rica's high literacy rates are well known, and it has a strong health care system. Its life expectancy is not too different than our own in this country.

Costa Rica's citizens have also seen what NAFTA—the North American Free Trade Agreement—did to Mexico's middle class, and what especially it has done to Mexican farmers, small peasant family farmers.

These factors have created strong resistance to entering into an agreement that can handcuff policymakers from setting progrowth, prodevelopment policies in their own country.

As this Chamber knows, NAFTA/CAFTA-style deals are about a whole lot more than just tariffs and quotas. These agreements are top-down pacts that lock in new rules on investment, on food safety, on services, and on procurement.

This month, the United Nations Conference on Trade and Development issued a report warning developing countries to be wary of bilateral and regional free-trade deals as they are currently written. They warned them against signing these agreements.

The U.N. report cited NAFTA as an example of a trade agreement that may have short-term benefits but does long-term harm. You hear a lot of talk from the Bush administration that free trade is necessary to address poverty. You hear that the ''people,'' as they say, of these mostly poor countries want trade deals like NAFTA.

But what we are seeing in Costa Rica right now is what we are seeing around the globe when it comes to trade deals that purely and simply give too much power to multinational corporations. What we are seeing is a loud and clear demand for change.

We see it in the WTO negotiations, which continue to falter as developing countries resist WTO expansion. We see it in Ohio—in Lorain and Mansfield, in Youngstown and Lima, in Dayton and Chillicothe—where hard-working men and women who have made America the strongest Nation in the world are betrayed by Washington's trade policy.

Presidents from both parties have entered into trade agreements, agreements such as NAFTA, promising they would create millions of new jobs and enrich communities. Instead, too many of these agreements, too often, have cost millions of jobs and devastated communities.

Two years ago, when I served in the House, we created a bipartisan coalition against the Central American Free Trade Agreement. Religious organizations, labor unions, environmentalists, small businesses, human rights advocates, and small manufacturing companies were part of this bipartisan opposition.

The opposition that was evident in Washington and, more importantly, in congressional districts around the country caused the Bush administration to make deals and promises and—in the words of one sympathetic lawmaker to the Bush administration—helped us so that we ''twist[ed] arms until they break into a thousand pieces.''

The Bush administration got what it wanted when it pushed NAFTA through. But we won the debate. Today in Costa Rica, we are seeing similar scare tactics taken by the pro-CAFTA administration.

A memo was leaked to the Costa Rican press, and it has caused an uproar for good reason. In this memo, the Costa Rican Vice President and a Member of Congress outlined a plan to President Arias that uses fear, threats to local officials, and attacks on CAFTA opposition as tactics to win the referendum.

The Second Vice President, one of the memo's authors, had to resign from his government office while officials investigate whether any laws had been broken.

The memo states clearly:

> The mayor that does not win his canton—
>
> Which is their political jurisdiction—
>
> The mayor that does not win his canton (precinct) will not get a penny from the government in the next three years.

It is pretty simple. The memo says the government then needs to ''stimulate fear'' among Costa Ricans. It even lists the kinds of fear that are effective: Stimulate fear. Create fear of the loss of jobs if CAFTA is not approved. Stimulate a fear of violence and civil strife. Stimulate a fear of Chavez and Castro if Costa Rica does not approve CAFTA.

Specifically, there has been an informational campaign in Costa Rica that if this agreement fails, then the United States will punish Costa Rica by revoking the existing trade benefits that Costa Rica has under the Caribbean Basin Initiative. That is simply patently false.

Costa Rica will continue to benefit from CBI because it is the law. It is a permanent program. Its existence depends on the U.S. Congress, not an edict from the Bush administration.

These tactics should sound familiar to my colleagues who recall the CAFTA debate. These tactics make it very clear that what is at stake—in Costa Rica this week and when this Chamber takes up issues of trade and globalization—is that there are very different competing ideologies. There is the NAFTA ideology and there is the fair trade ideology.

In truth, I believe the defeat of this referendum may actually do more to improve Costa Rican-U.S. relations because it is clear that there is a fair trade movement on the rise in this Chamber, in the House of Representatives, and surely across the land. Look at elections last year in the Presiding Officer's State of Rhode Island, in Ohio, in Pennsylvania, in Missouri, and in Minnesota and Virginia and Montana, because it is clear there is a fair trade movement on the rise in this country and in Costa Rica.

We have reason to hope. If the referendum is defeated, we can create a new trade agreement that benefits workers and communities, small businesses, religious folks, people who care about an economy that works for more of us, that helps us to create a solid, strong middle class, not just supporting the multinational corporations.

We have a choice. The people of Costa Rica have a choice there this week. We can continue with the fair trade model or we can reject the NAFTA and CAFTA models and work together on a new trade deal, a fair trade deal.

Mr. President, I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant 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.

BURMA

Mr. MCCONNELL. Mr. President, for the past week the world watched the people of Burma rise up against the oppressive regime that rules that country.

Then, the tyrannical junta that has held power for some 40 years, the State Peace and Development Council, brought out its soldiers and it brought out its guns. They arrested, brutalized, and killed many who bravely stood up to the misrule of this junta.

So while last week the streets were filled with brave monks adorned in saffron robes demonstrating for freedom, today those same streets are occupied by uniformed thugs and lined with barbed-wire barricades. For now the people of Burma have largely fallen silent. But the silence in Burma is a deafening one that we can still hear. Even if the freedom-loving people of Burma had been temporarily quieted, the rest of us can still lend our voices to their cause.

Earlier today, Senator KERRY and I introduced a sense-of-the-Senate resolution condemning the SPDC for its brutality in snuffing out these cries for

freedom. We have already been joined by scores of our colleagues on both sides of the aisle, and I know we will be joined by many more. The House of Representatives is slated to pass a similar measure later this week. In this way, the entire Congress of the United States will be able to speak, when the Burmese citizen, the Buddhist monk, the democracy leader Aung San Suu Kyi herself are forced to be silent.

I urge all of my colleagues to join me and join Senator KERRY on this resolution.

I yield the floor.

TRIBUTE TO MAYER MITCHELL

Mr. SHELBY. Mr. President, I rise today to pay tribute to Mayer Mitchell, a great American and human being who passed away on Wednesday, September 26, 2007. A highly successful businessman and remarkable philanthropist, Mayer Mitchell was a personal friend, and along with the entire city of Mobile, I mourn his passing.

Mayer was born in New Orleans in 1933 and grew up in Mobile, AL. He earned his bachelor of science degree in economics at the University of Pennsylvania's Wharton School of Finance in 1953. He then served as an Army first lieutenant in Korea, earning a commendation ribbon with medal pendant for meritorious service.

Returning home to Mobile with his wife Arlene in 1958, Mayer founded, with his brother Abe, the Mitchell Company, a commercial and residential real estate development firm. He went on to serve as its chairman and chief executive officer for the next three decades, selling his interest in the Mitchell Company in 1986.

The company's final total under the oversight of the Mitchell brothers was remarkable, with 25,000 single family homes, 20,000 apartments and 175 shopping centers built throughout the Southeast.

In fact, the current Mitchell Company that descended from a partnership of Mayer and his brother remains the largest private firm in Mobile and is among the top 40 in Alabama. Mayer's business success earned him an induction into the Alabama Business Hall of Fame in 2006.

Mayer Mitchell leaves a legacy of tremendous philanthropy, touching the lives of many residents of south Alabama. Mayer was a tireless proponent of education and health care, serving more than 32 years on the University of South Alabama's Board of Trustees, including a term as chairman.

He was awarded the University of South Alabama's National Alumni Association Distinguished Service Award in 2005 and an honorary doctorate of humane letters in 2007.

The Mitchell family's philanthropy reached all aspects of the campus at the University of South Alabama, from business and medicine to athletics. Mayer will forever be remembered as a legendary figure in the growth of the University. The Mitchell Cancer Institute, the Mitchell College of Business and the Mitchell Center sports and performance complex, proudly bear the family name.

To date, the Mitchell family holds the distinction of having contributed more than any other single family to a public university in Alabama State history.

The Mitchell Cancer Institute alone is a powerful legacy, providing state-of-the-art cancer care to people throughout the gulf coast region. Mayer always explained his deep commitment to cancer treatment through a personal connection. At the age of 36, he was diagnosed with Hodgkin's disease and was given 6 months to live. After 2 years of treatments, Mayer made an extraordinary recovery.

This victory not only shaped his life, but shaped the future of the Mobile region as well. He never forgot that he had to leave Mobile for his own cancer treatment in Rochester, NY, and he vowed to make certain Mobile had its own cancer center in the future.

This experience shaped his generosity and will to persevere in the form of improved quality of health care for every resident in south Alabama.

Although Mayer Mitchell and his family were critical to the tremendous growth of the University of South Alabama, this was not the only object of Mayer's patronage.

A strong friend to Israel, he served a term as president of the American Israeli Public Affairs Committee and served on the board of the Washington Institute for Near East Policy and the Jewish Seminary of America, which awarded him an honorary doctorate.

Mayer supported several other schools and numerous social and religious organizations. His philanthropic service included work with Alabama Power Company, Wright School, Bishop State Community College, Leukemia Society of America, USA Foundation, AmSouth Bank, Altus Bank, Mobile Area United Way, Mobile Area Chamber of Commerce, Mobile Jewish Welfare Fund, Mobile Federation of Jewish Charities, Mobile County Real Estate Association, Archives of American Art, Anti-Defamation League and the Banc Corporation.

His honors include: Jewish Welfare Fund Man of the Year, Outstanding Young Men of America, Prichard Honorary Citizen of the Year, Mobile County Realtor of the Year, and numerous high honors from the Boy's Club of Mobile, Bishop State Community College, University of Rochester, New Orleans Chapter of Hadassah, Alabama Institute for the Deaf and Blind, Mobile Kiwanis Club and the American Hellenic Educational Progressive Association.

Mayer is loved and will be missed by his wife of 54 years, Arlene; his son Richard; his three daughters, Melinda Wertheim, Joy Grodnick and Lisa Bukstein; and eight grandchildren.

He was an inspiration to many and will be remembered for his dedication and many contributions to Mobile and the University of South Alabama.

I ask the entire Senate to join me in recognizing and honoring the life of Mayer Mitchell.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I ask the indulgence of the Senator from Vermont. I know Senator SESSIONS wishes to add a few words of tribute to Mr. Mitchell, and then Senator SANDERS will have his 10 minutes.

The ACTING PRESIDENT pro tempore. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I thank my colleague Senator SHELBY for recalling the remarkable facts of the life of Mayer Bubba Mitchell, one of Mobile's great citizens, a national leader, as well as a local leader, someone who has friends throughout the country and the world. It is remarkable, the extent of his reach and impact. He had a clear vision. He wanted his life to be a life that made the world a better place. He worked at that. He had a strong will to do that. Senator SHELBY and I were talking about that this morning. It was remarkable. He had an ability to get things accomplished. To me, one of his most remarkable characteristics was the fact that he could have many different activities going on, but he always seemed to complete each one of them and get it done successfully.

At a final AIPAC banquet he attended, realizing it would be his last—it was recalled at his funeral service Friday—he asked these questions about himself but really applying to others. I think it would apply to all of us in the Senate. Knowing that he would not be back, he asked: Have I done enough? Have I done my best? Have I made a difference? All of us ought to ask those questions more and would probably be better performers when we do.

His wonderful partner Arlene is such a fabulous person, so well liked, a former Mobilian of the year. She is so gracious. His son Richard spoke so movingly at his memorial service. His son-in-law Jimmy Grodnick likewise, married to his wonderful daughter Joy, made remarks. His grandchildren read from the Talmud such wonderful passages that reflected his values. His brother Abe, who has been a partner in business and in so many of these activities, told me afterwards it wasn't over. He still had things he wanted to do and he would continue to work at them. I know that is exactly what Mayer would have liked.

The business school I visited at the University of South Alabama is so well endowed by the Mitchell family. The athletics center, the Mitchell Center, is where his memorial service was held, the sports complex. And perhaps in the long term, the greatest financial investment he and his family made is in the Mitchell Cancer Center that will be a place for research as well as treatment of those who have suffered with