

This mechanism is not necessary for a pact between two countries with well-established rules of law. We didn't do that in the U.S.-Australia Free Trade Agreement. It did not include these investor-state provisions. Why would we do it now with Korea, which is also a country that operates under a rule of law?

One more reason this Korea Free Trade Agreement undermines our sovereignty, weakens our environmental laws, weakens our food safety laws, and dilutes what we stand for in the American values we hold so dear is about jobs, and it is about these investor-state provisions which undermine our sovereignty.

Before pursuing more of the same style of trade agreements that caused our trade deficit to balloon to more than \$600 billion, why not focus on enforcing existing trade laws? We know some things we ought to be doing before we look at passing new trade agreements. We need to better enforce trade laws. We have done that.

President Obama, to his credit—and again, I don't agree with him on these trade agreements. I think he is wrong. But to his credit, more than any President I think in at least 25 years, President Obama has begun to enforce some trade rules. He enforced on oil country tubular steel. His decision created hundreds of jobs in Youngstown and Lorain, OH. His decision on Chinese tires created hundreds of jobs in Findlay, OH, and other places around the State in tire-building. His and the Commerce Department's decision on the Chinese gaming the system on coated paper, an industry that still exists in this country—not what it used to be, but it meant jobs in southwest Ohio and all over my State and all over States where paper is still manufactured in this country.

Another thing we should do before a new trade agreement is we should consider reintroducing Super 301 so that we have the tools to fight back when countries such as China game the system.

I am working with the Republican Senator from Ohio, the Republican Senator from Missouri, the Democratic Senator from Missouri, and the Democratic Senator from Oregon, Chairman WYDEN of the Finance Committee's subcommittee, to begin to enforce customs duties and make sure companies in countries that evade these customs duties can no longer evade them. That will make a huge difference in job creation.

Those are the kinds of things we should be doing.

Paul Krugman, who has been a free-trader most of his life, a columnist for the New York Times, back in December said:

If you want a trade policy that helps employment, it has to be a policy that induces other countries to run bigger deficits or smaller surpluses. A countervailing duty of Chinese exporting would be job creating here; a deal with South Korea, not.

This comes from a Nobel Prize-winning economist, somebody who has in the past been supportive of these free-trade agreements, believing that they have created jobs. He realizes Korea won't create jobs. Beginning to enforce our trade laws is the way to go.

I will close with this. Some years ago, President Bush said that for every billion-dollar trade surplus or every billion-dollar trade deficit a country has, it translates into 13,000 jobs. In other words, if we have a trade deficit with China of \$1 billion, that would mean we are selling to them \$1 billion less than we are buying from them, and the manufacture of those products we buy versus the ones we manufacture and sell is a net loss to the United States of 13,000 jobs. So for every \$1 billion trade surplus or trade deficit, it translates into 13,000 jobs for that country.

The trade deficit with China last year was \$273 billion. The trade deficit we have with the entire world, the so-called multilateral trade deficit, was \$634 billion.

Mr. President, travel my State. Travel this country. See the kinds of manufacturing job loss we have had. We have lost manufacturing jobs from 1998, the last 2 years of the Clinton administration, all 8 years of the Bush administration, and the first year and a half of the Obama administration. We were losing manufacturing jobs through that whole process. Now we are starting to gain manufacturing jobs, but we can't continue to gain manufacturing jobs when we pass free-trade agreements that clearly cause more companies to shut down in our country and more of those companies to move abroad.

The Korea Free Trade Agreement is a bad idea. It is imperative that we do what the President has said we should do and what so many of my colleagues have asked us to do; that is, pass trade adjustment assistance with a health coverage tax credit for those workers who have already lost jobs from trade agreements and from trade policy. It is the right thing to do. It is good for our country, it is good for our economy, and it is especially good for workers.

EXTENSION OF MORNING BUSINESS

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the period for morning business be extended until 6:30 p.m., with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER (Mr. BENNET). Without objection, it is so ordered.

FOOD SAFETY ACCOUNTABILITY ACT

Mr. LEAHY. Mr. President, in April, the Senate unanimously passed the Food Safety Accountability Act. If enacted, this important bill will hold criminals who poison our food supply

accountable for their crimes. Now more than ever, it is critical that the House pass this noncontroversial legislation.

A recent *E. coli* outbreak in Germany—identified by scientists as a new, deadly strain of the bacteria—has killed at least 35 people and spread to 10 countries. Thankfully, this particular outbreak has not yet hit the United States, but this tragedy, on the heels of several major outbreaks in the United States in recent years, highlights the importance of ensuring that we take every step to protect our food supply. The Food Safety Accountability Act promotes more accountability for food suppliers by increasing the sentences that prosecutors can seek for people who violate our food safety laws in those cases where there is conscious or reckless disregard of a risk of death or serious bodily injury.

Current statutes do not provide sufficient criminal sanctions for those who knowingly violate our food safety laws. Knowingly distributing adulterated food is already illegal, but it is in most cases merely a misdemeanor right now, and the Sentencing Commission has found that it generally does not result in jail time. The fines and recalls that usually result from criminal violations under current law fall short in protecting the public from harmful products. Too often, those who are willing to endanger our American citizens in pursuit of profits view such fines or recalls as merely the cost of doing business.

Last summer, a salmonella outbreak caused hundreds of people to fall ill and triggered a national egg recall. Salmonella poisoning is all too common and sometimes results from inexcusable, knowing conduct like that carefully targeted by the Food Safety Accountability Act. The company responsible for the eggs at the root of the last summer's salmonella crisis had a long history of environmental, immigration, labor, and food safety violations. It is clear that fines are not enough to protect the public and effectively deter this unacceptable conduct. We need to make sure that those who knowingly poison the food supply will go to jail. This bill will significantly increase the chances that those who commit serious food safety crimes will face jail time, rather than merely a slap on the wrist.

Food safety received considerable attention last year, and I was pleased that Congress finally passed comprehensive food safety reforms, but our work is not done. A provision almost identical to the Food Safety Accountability Act was passed by the House with strong, bipartisan support but failed to make it into the final legislation that ultimately passed because of Republican objections in the Senate. Now that the Senate has unanimously passed this bill, it is again time for the House to act.

The American people should be confident that the food they buy for their families is safe. The uncertainty and fear caused by the current *E. coli* outbreak in Europe only reinforces the