

Triangle region, I have witnessed the transformative impact of trade on our state's economy, and I have supported free trade agreements that help create a truly level playing field for American workers through the inclusion of robust labor and environmental standards. When agreements have failed to meet this test, I have opposed them, as I did the Central American Free Trade Agreement.

I am keenly aware of the unique challenges that Colombia has faced throughout its history and the relationship between these challenges and international trade. The country has only recently emerged from a long period of civil conflict and political instability, one of the darkest features of which has been a campaign of intimidation, violence, and murder against Colombian labor leaders. At best, the Colombian government failed in the past to adequately respond to this campaign, and at worst officials turned a blind eye to, or were even complicit in, the violence.

This left me with a fundamental decision to make when the Bush Administration proposed a free trade agreement with Colombia: I could reflexively oppose the agreement from the outset, notwithstanding the potential benefits it could bring to both of our countries. Or, using the relationships I have built through my work in Colombia, I could help shape the agreement, using it as a source of leverage to achieve meaningful progress on issues such as labor violence. I chose the latter.

From the beginning, I have been very clear about what it would take for me to support the agreement in the end. Any agreement that failed to strengthen Colombia's labor and environmental standards or to ensure meaningful progress toward addressing labor violence would be unacceptable. And, in the current economic environment, I wanted assurance that no agreement would be approved without an extension of Trade Adjustment Assistance for displaced workers.

In two subsequent visits to Colombia, and in regular consultations with the Obama Administration, I have carried this message to the highest levels. During a visit in 2007, in addition to meeting with President Uribe, members of the Colombian parliament, and Colombian labor leaders, I requested a briefing by the special Attorney General unit that was created to prosecute labor violence cases. I was not impressed with what I heard, and I made this clear to the Colombian government.

When I returned in 2009 and received a similar briefing, the progress made over the past two years was significant and encouraging. Since then, and particularly since President Santos came to office, the Colombian government has made further strides in prosecuting incidents of labor violence, legislating improved labor protections, adopting judicial reforms, and enforcing its new labor law. Colombia has welcomed an ILO office to Bogota to monitor labor violations and appointed a Ministry of Labor to guide the executive on pressing labor issues and reforms.

Has Colombia done enough to solve this problem? No. One incident of labor-related violence is too many. I believe it is critical for us to continue to hold the country's leaders accountable for prosecuting labor violence and protecting labor rights. I was among the group of Democratic Members of Congress urging the Obama Administration to go beyond the text of the free trade agreement on the issue of labor rights.

The result was the Labor Action Plan negotiated between the Obama and Santos administrations, which represents an unprecedented mechanism to hold a trading partner accountable to a set of concrete commitments on labor rights. The Obama Administration has made its commitment clear to ensure compliance with this Action Plan for as long as it takes, a commitment I confirmed with Ambassador Ron Kirk as recently as this morning.

I remain concerned about the potential impact of this agreement on Colombia's subsistence farmers, particularly among Afro-Colombians and other indigenous communities. The land reform law recently approved by the Colombian Congress is a step forward, and the agreement before us today (unlike NAFTA) allows Colombia to protect its most sensitive agricultural commodities for up to 19 years. But we must do more to mitigate any displacement caused when reduced trade barriers are combined with subsidized imports, leaving local farmers unable to compete. This means addressing the significant threat to small farmers in Colombia and around the world posed by the distortive agricultural subsidies some of our own farmers receive.

On balance, however, I believe the labor and environmental protections in the agreement, along with the Labor Action Plan and the extension of Trade Adjustment Assistance, largely meet the demands I made when I decided to participate in the negotiations surrounding this agreement. The Colombian government has made undeniable progress and continues to move in the right direction. By any metric, labor violence in Colombia is down. Colombia's land and agricultural reforms are working, albeit slowly. Progress on these fronts is much more likely with an agreement than it would be without.

We also have to consider the best way to encourage further reforms and further progress. Is it by walking away from an agreement at a time when Colombia is expanding trade with China, Canada, the EU, and other partners? Or is it by using a free trade agreement with the United States as a catalyst, as leverage, for further reforms to address the underlying causes of the country's conflict: poverty, inequality, and a lack of economic opportunity.

The best way forward is to support a robust and vibrant Colombian economy. A higher standard of living in Colombia results in greater social stability and a lower crime rate. It is important that we remain a powerful and progressive force in the development of its democracy and economy, and I believe the best way to do that is to approve the Colombia FTA. For me, to oppose this agreement now, after encouraging—even demanding—that the Colombian government enact reforms, would amount to changing the rules in the middle of the game.

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THE KOREA, COLOMBIA AND PANAMA FREE TRADE AGREEMENTS

**HON. HOWARD L. BERMAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 12, 2011*

Mr. BERMAN. Mr. Speaker, as the House considers the Korea, Colombia and Panama trade agreements, I would like to set forth my

analysis of the effects that these agreements will have on my home state of California. In all three cases, the facts are overwhelming that California will benefit from these agreements.

At the outset, it is important to note that these agreements are mis-labeled. They do not provide "free trade" in the sense of unfettered, unregulated commerce. In reality, these agreements are a set of detailed rules that provide for regulated commerce in terms that apply to both parties. They specify the tariffs that may apply, the non-tariff restrictions that may be imposed, the rules of origin to prevent third-countries from benefiting, and the enforcement and dispute resolution procedures that will provide discipline and order.

KOREA-U.S. TRADE AGREEMENT

CALIFORNIA BENEFITS

With regard to the Korea-U.S. agreement (KORUS), California stands to benefit substantially. California already exports \$8 billion a year to South Korea, accounting for one-fifth of all U.S. exports to that country. For California's 60,000 exporting companies, there is potential for growth; in 2010 only 6 percent of California's total \$143 billion in exports went to South Korea. The U.S. International Trade Commission estimates that KORUS will lead to increases in 9 of the 10 products that now account for \$6 billion of California's exports to South Korea. Of these, 5 categories are high value-added products, produced by skilled California workers: semiconductor manufacturing equipment, computers, electrical equipment, optical and other medical equipment and aircraft and aircraft engines.

In addition, KORUS will increase exports of California-grown edible fruit and nuts, in particular walnuts and almonds. We will sell more chemicals. And, we will sell more reusable iron, steel and aluminum scrap.

According to the U.S. Trade Representative, some 6,000 jobs are supported for every \$1 billion in manufactured exports and some 4,500 jobs are supported for every \$1 billion in services exports.

INTELLECTUAL PROPERTY PROTECTIONS

KORUS has important benefits for California's entertainment industry. KORUS relaxes a number of Korean content quotas and should increase the U.S. motion picture and television industries' opportunities to compete in the Korean market. KORUS obligates South Korea to decrease the domestic content quota on films and animation products. KORUS improves the opportunity for U.S. ownership in the broadcast sector, by permitting U.S. firms that establish Korean subsidiaries to have 100 percent ownership of program providers, phased in over 3 years.

In a side letter, South Korea has agreed to place a priority on enforcement against Internet piracy, aimed not only at direct infringement but also those who profit from services that induce infringement. KORUS also obligates South Korea to implement the World Intellectual Property Organization Internet Treaties and expands intellectual property protections and penalties against unlawful decoding of encrypted satellite TV signals. It also covers cable and satellite signals that are retransmitted without authorization of the signal distributor. Further, the side letter to KORUS ensures that copyright owners have the exclusive right to make their works available online.

LOS ANGELES COUNTY ECONOMIC DEVELOPMENT  
CORPORATION ANALYSIS

There have been many analyses and position statements issued for and against the Korea trade agreement. In particular, the analysis by the Los Angeles County Economic Development Corporation is persuasive. In its conclusion, the LACEDC said:

"KORUS would create multiple opportunities for both U.S. goods and services. On the goods side, the agreement opens the 12th largest economy's large middle class of consumers to American-made goods. On the services side, the agreement opens up South Korea's \$560 billion services market to American and Los Angeles area based companies."

"The agreement also creates new opportunities for the U.S. manufacturing industry. And the manufacturing capital of the U.S. is Los Angeles County. Thus the local economy has a lot to look forward to in the coming years, as increased exports will boost economic growth and create new and well paid jobs in the Los Angeles region."

## COLOMBIA-U.S. TRADE AGREEMENT

There are compelling foreign policy reasons to pass the Colombia-U.S. Free Trade Agreement (FTA). Colombia is an important U.S. ally in the Western Hemisphere, and this agreement will help cement our relationship. The FTA will also increase American exports, providing a needed economic boost for the U.S. economy and the creation of new jobs here at home.

I've listened very carefully to the debate on issues of human rights and labor rights in Colombia, the horrific levels of violence, and its deplorable track record in bringing to justice those accused of violating these rights. These issues are profoundly important to me and I will continue to work with the government of Colombia to ensure that the Labor Action Plan is fully implemented. I believe it is in the interests of both the United States and Colombia to subject this FTA to labor rights and human rights conditions.

President Obama deserves credit as the first President to shine such a sharp spotlight on labor issues in Colombia, and it is fair to say that this FTA addresses labor issues more fully than any FTA before it. The Action Plan agreed to by the White House and the government of Colombia on April 7 was comprehensive and highlighted specific areas where it could improve its record on labor issues. And in his October 3 letter transmitting the FTA to Congress, the President pledged that he would not bring the agreement into force until key elements of the Action Plan are implemented.

Results matter and the kinds of fundamental changes we seek from and wish for Colombia and its people will be a long term process. I have derived great comfort in the positive sea-change that President Santos has represented for Colombia, but I will be watching closely for progress and whether this transformative President fulfills his promises to change the labor and human rights environment in Colombia.

## PANAMA-U.S. TRADE AGREEMENT

While Panama's trade with the U.S. is small, the U.S.-Panama trade agreement includes enforceable labor standards for Panamanian workers, compulsory Panamanian membership in multilateral environmental agreements—both included at the behest of the U.S. administration and Congress. Under this agreement,

88% of U.S. commercial and industrial exports would become duty-free upon implementation, with remaining tariffs phased out over a 10-year period.

More than 50% of U.S. farm exports to Panama also would achieve immediate duty-free status, with tariffs and tariff rate quotas (TRQs) on select farm products to be phased out by year 17 of the agreement (year 20 for rice). The agreement also contains provisions on telecommunications, services trade, government procurement, investment, intellectual property rights and tax transparency—the latter to address Panama's significant problems with money laundering.

UNITED STATES-KOREA FREE  
TRADE AGREEMENT IMPLEMENTATION ACT

## SPEECH OF

## HON. MADELEINE Z. BORDALLO

## OF GUAM

## IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 11, 2011*

Ms. BORDALLO. Mr. Speaker, I rise today in strong support of H.R. 3080, the United States-Korea Free Trade Agreement Implementation Act. The United States-Korea Free Trade Agreement, or KORUS, is the most significant trade agreement our country has entered into since NAFTA sixteen years ago, and it would help stimulate the U.S. economy at no cost to the American taxpayers.

Trade liberalization is a consistent precursor to global economic growth, and when done with a fair and close trading partner, could prove critical to American economic recovery. The current fiscal environment facing the federal government requires that we pursue all available options to create jobs and spur economic growth. Currently, the Republic of Korea is the world's twelfth largest economy and our seventh largest trading partner. This trade agreement will remove nearly 95 percent of tariffs on consumer and industrial goods within three years, create approximately 70,000 jobs nationwide, and increase U.S. GDP by an estimated \$10 to \$12 billion.

Further, Korea's strong record on labor rights and environmental protection ensures that American firms will compete on a level playing field with their Korean counterparts. By increasing trade with Korea, American businesses will have greater access to a nearly \$1.5 trillion economy. The provisions included in the agreement will improve intellectual property rights protections and benefit businesses across all sectors of the American economy.

KORUS would also strengthen our relationship with a critical democratic ally and reaffirm our nation's commitment to the Asia-Pacific region. As the first trade agreement between the United States and a North Asian country, KORUS underscores this strategic alliance and may serve as a model for future agreements across the region. Moreover, the benefits of this longstanding partnership are evident on Guam, where Korea was first accepted into the Guam Visa Waiver Program. To date, Korean visitors remain the second largest group to visit Guam annually.

The United States-Korea Free Trade Agreement would stimulate the U.S. economy, create jobs, and increase economic competitiveness of the United States in East Asia. I

strongly support the passage of H.R. 3080, and I urge my colleagues to vote in favor of this bill.

CONGRATULATING MARTIN'S  
POINT HEALTH CARE MEDICARE  
ADVANTAGE PLANS

## HON. CHELLIE PINGREE

## OF MAINE

## IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 12, 2011*

Ms. PINGREE of Maine. Mr. Speaker, today I am thrilled to congratulate Martin's Point Health Care Medicare Advantage plans for receiving five-star quality ratings from the Centers for Medicare and Medicaid Services.

Martin's Point Health Care is a not-for-profit health care organization that provides primary care services, health plans, and wellness services in Maine and other parts of northern New England.

Under the direction of their president and chief executive officer, Dr. David Howes, Martin's Point has established a long tradition of providing high quality, efficient, and affordable care to thousands of veterans, seniors, and families in Maine.

Today CMS announced that Martin's Point has received five-star ratings for both its Value and Prime Medicare Advantage plans—the highest possible rating granted by CMS.

High quality care is not new to Martin's Point: for the last 3 years, Martin's Point has had the highest rated Medicare Advantage plan in Maine. But I am particularly proud to say that it is one of only nine Medicare Advantage organizations in the entire country to receive the CMS five-star designation for 2012.

The five-star rating system helps Medicare beneficiaries compare available plans and make meaningful choices about which plans are right for them based on quality of care and customer service. As a five-star plan, Martin's Point will be able to assure potential patients that they offer the highest quality, patient-centered care. And thanks to the Patient Protection and Affordable Care Act, this five-star rating will make Martin's Point Health Care eligible for quality bonus payments from CMS to help bolster their good work and ensure that patients in Maine will continue to benefit from their services for years to come.

I want to congratulate Dr. Howes and the entire team of health care providers and support staff at Martin's Point for this tremendous accomplishment. Their commitment to delivering quality health care and service excellence is second to none.

As we continue to work to shift our health care system to one that better values quality outcomes and patient experience, Martin's Point will stand as a model for health care organizations across the country, and a real asset to the people of Maine.

## PERSONAL EXPLANATION

## HON. SAM GRAVES

## OF MISSOURI

## IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 12, 2011*

Mr. GRAVES of Missouri. Mr. Speaker, on Tuesday, October 11, I missed a couple of