

have chosen to champion. That is why I come here tonight to take a few moments and ask America not to forget our heroes and not to forget the heroes in this war on terror.

On June 28, my community in Tennessee lost a son when Sergeant James "Tre" Ponder's MH-47D helicopter was shot down by enemy fire in eastern Afghanistan. Tre, his wife Leslie and their two daughters, Samantha and Elizabeth, live in Clarksville, near Fort Campbell, where Tre served at the 160th Special Operations Aviation Regiment, Airborne. Tre's parents, Mr. and Mrs. James Ponder, Junior, reside in Clarksville. And Leslie's parents, Mayor and Mrs. Tom Miller, reside in Franklin, Tennessee. They are all constituents of Tennessee's Seventh Congressional District.

Mr. Speaker, a military family lives with the kind of stress most of us cannot comprehend, especially in times like these. Tre and Leslie and their families lived with this stress, and they did so with grace and courage. If you want to know why America is strong, you only have to know people like the Ponders and the Millers, and that is why we have to be sure that all of us stop and honor Tre's life and, in so doing, honor our men and women in uniform.

I want to read a statement Leslie made about Tre. This is what she said, and I am quoting, "Tre spent the majority of his Army career supporting a unit he loved. The 160th was like a second family to him. He believed firmly in the principles ingrained in him from an early age: Loyalty, perseverance, and an overwhelming sense of patriotism. Tre would want to be remembered as someone who died the way he lived, providing support for some of America's finest young men."

Mr. Speaker, in the midst of this agonizing loss, Leslie has issued a statement recognizing Tre's service and reminding us all that it was his dedication to America and our soldiers that gave him the courage and strength to do what he had to do, what he felt called to do.

God bless our military families. They are absolutely incredible men and women. Mr. Speaker, medals and commendations alone cannot capture all that Tre meant to our community or what he did for America. The Nation has awarded him the Purple Heart and the Bronze Star medal. Medals and awards only tell us what we already know, that Tre Ponder was a brave and good man, one of the finest.

To Tre's wife, Leslie, and his daughters, Samantha and Elizabeth, we offer our tears and our thanks. We are so sorry for their loss, and we are thankful for their service and sacrifice.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

Mr. BURTON of Indiana addressed the House. His remarks will appear

hereafter in the Extensions of Remarks.

#### CAFTA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Ohio (Mr. BROWN) is recognized for 60 minutes as the designee of the minority leader.

Mr. BROWN of Ohio. Mr. Speaker, last year, during the 2004 election season, the Republican leader, the gentleman from Texas (Mr. DELAY), the most powerful Republican in the Congress, in the House or Senate, promised that this Congress would vote up or down on the Central American Free Trade Agreement. December 31 rolled around, and there was no vote.

Majority Leader DELAY again promised earlier this year there would be a vote on the Central American Free Trade Agreement by Memorial Day. Memorial Day came and went, and there was no vote.

Majority Leader DELAY, again the most powerful Republican member of this body or the other body, again promised there would be a vote on CAFTA, the Central American Free Trade Agreement, and he promised it prior to the July 4th break. Again, July 4th came and went, and there was no vote on the Central American Free Trade Agreement.

Now, the gentleman from Texas (Mr. DELAY) says there will be a vote before the end of July up or down on the Central American Free Trade Agreement.

There is a reason that Congress did not vote on it by December 31, did not vote on it by Memorial Day, did not vote on it by July 4th, and still has not scheduled it for a vote even this month. That is because there is strong bipartisan opposition to the Central American Free Trade Agreement. It is Democrats on this side and Republicans on that side. It is business leaders, small business leaders especially, and labor unions. It is religious leaders. The Catholic bishops in Central America and other religious leaders, Lutherans, all kinds of Protestants, Catholics and Jewish groups, all kinds of religious groups in America that oppose this.

Environmentalists, food safety advocates and people who think the Central American Free Trade Agreement is not working and does not work for the United States of America and does not work for the five Central American countries and the Dominican Republic; they understand we do not want this CAFTA. We want a new CAFTA. We want to renegotiate CAFTA so it will work for small farmers and ranchers, for small manufacturers in my State of Ohio, in Cincinnati and Dayton and Portsmouth and Chillicothe. They understand that this was a trade agreement that was negotiated by a select few for a select few.

Sure, Mr. Speaker, there are people that support the Central American

Free Trade Agreement in addition to Majority Leader DELAY and President Bush. The pharmaceutical companies love this agreement because they helped to negotiate it. As I said, it was crafted by a select few for a select few, and the drug industry is one of the select few. The insurance industry loves CAFTA. Again, it was crafted by a select few, the insurance industry and a few others, for a select few. The banks and the other financial institutions love CAFTA. It was negotiated by a select few, and they were at the table, for a select few, for them and a few others.

The largest corporations in the country, many of them like CAFTA because it was negotiated by a select few for a select few, not for small manufacturers in Akron, Ohio; not for small manufacturers in Steubenville, Ohio; but for large corporations that can move their production overseas and exploit cheap labor.

When you think about it, the major reason that Americans are opposed to the Central American Free Trade Agreement in every poll you look at and that a majority Members of Congress are against CAFTA is, look what has happened with our trade policy in the last 15 years.

Mr. Speaker, I am joined by my colleague, the gentleman from New Jersey (Mr. PASCARELL), who understands this so very well, and my colleague, the gentlewoman from Ohio (Ms. KAPTUR) will be here in a moment. If you look at 1992, the year I just happened to run for Congress the first time and get elected, in 1992, our trade deficit was \$38 billion. That means the United States imported \$38 billion more than we exported. We had a negative trade balance, import versus export, of \$38 billion. Last year, our trade deficit was \$618 billion. It went from \$38 billion to \$618 billion in the space of 12 years. It is hard to argue we should do more of the same.

CAFTA, the Central American Free Trade Agreement, is a dysfunctional cousin of NAFTA, the North American Free Trade Agreement. NAFTA passed here in 1993. Look what happened. Then PNTR for China and a whole host of trade agreements as the trade deficit got worse and worse and worse and worse. It has clearly not worked for our country.

Let's look back for a moment at CAFTA to see what has happened. Thirteen months ago, the President signed the Central American Free Trade Agreement with the other six countries, five in Central America and the Dominican Republic. Every other trade agreement the President signed was voted on, Morocco, Chile, Australia, Chile, and Singapore, was voted on within 60 days of the President's signature. CAFTA was signed in May of 2004. It has been more than 13 months, six times plus, six times longer than any of these other trade agreements. Again, because Americans and their congressional representatives, and that is why we are called representatives,

we are supposed to represent what our people want us to do, the American people and this Congress understand that CAFTA is an extension of NAFTA. It is more of the same bad trade agreements, and it is simply not working for our country.

Now, these are just numbers. These are trade deficit numbers. Who cares about these kind of numbers? Well, here is what they mean, Mr. Speaker. If you look at this chart, the States in red are those States which have lost 20 percent of their manufacturing jobs in the last 5 years. The State of New Jersey, my colleague's State, 104,000. More than 20 percent of the manufacturing jobs in that State. The gentlewoman from Ohio (Ms. KAPTUR) and my State, 217,000 jobs lost in 6.5 years. Michigan, over 200,000. Illinois, 224,000. Pennsylvania, 200,000. New York, 222,000. The Carolinas, hit by textile job losses, combined 315,000 jobs lost. California, the blue States, have had 15 to 20 percent of their manufacturing jobs lost in the last 6.5 years. California, 354,000 manufacturing jobs. Texas, 201,000. Florida, 72,000. And Georgia, 110,000.

State after State after State are losing their manufacturing jobs not only because of bad trade policies but certainly principally because of bad trade policies. These trade policies simply are not working.

Now, Mr. Speaker, in the face of this overwhelming opposition, the administration and Republican leadership have tried every trick in the book to pass this CAFTA. They have tried linking CAFTA to help democracy in the developing world. Defense Secretary Rumsfeld and Deputy Secretary of State Zoellick have said that CAFTA will help in the war on terror. I am not sure how, and they do not explain how, but I do know that 10 years of NAFTA has done nothing to improve border security between the United States and Mexico. So that argument simply does not sell.

Then, in May, the U.S. Chamber of Commerce flew on a nice little junket around the country the six Dominican and Central American presidents, around our Nation hoping they might be able to sell CAFTA to newspapers, to the public and ultimately to the Congress. They went to Albuquerque. They went to Los Angeles. They went to Cincinnati in my State. They went to New York and Miami, and again, they failed. In fact, the Costa Rican president at the end of the trip said, I am not going to sign this, I am not part of this until I really see what CAFTA is going to do for working people in my country.

Now, as the gentleman from New Jersey (Mr. PASCRELL) and I have talked, the administration is opening up the taxpayers' bank. Desperate, after failing to gin up support for the agreement based on its merits, because they know they cannot pass, with this kind of trade policy failure for a dozen years, they know they cannot pass it on the merits, so what they are doing is the

President of the United States is promising fundraising for Members of Congress. He is promising bridges and highways, more pork than you can imagine in district after district after district. He is promising all kinds of jobs to his people later, people that might be lame ducks in Congress. Who knows the kinds of promises he is making.

They have made these promises before to pass other trade agreements, and they are making them again. But again, Mr. Speaker, we know Republicans and Democrats, business and labor groups, farmers, ranchers, religious leaders, environmental, and human rights organizations are all saying: Vote no on CAFTA. Renegotiate and get a better CAFTA.

Before turning to my colleague from New Jersey, I want to point out one other argument that those supporting CAFTA like to put out there. Every time there is a trade agreement, the President makes three major promises: There will be more jobs in the U.S.; the U.S. will send more manufactured goods, export them out of the U.S. to other countries; and the standard of living in the poorer countries in the developing world will go up. Every time he makes those promises, they fall flat on their face. It never happens.

Benjamin Franklin once said the definition of insanity is doing the same thing over and over and over again and expecting it to come out differently. They make the same promises, and they never work. And here is why. The President says the Central American countries are going to buy American products, they are going to buy American manufactured goods, and they are going to buy American farm produce. Let's look at this chart. The United States average income is \$38,000.

□ 2000

The average income in El Salvador is \$4,800; Guatemala, \$4,100; Honduras, \$2,600; Nicaragua, \$2,300. The average worker in Nicaragua who earns \$2,300 a year is simply not making enough money to buy any kind of goods that we export. A worker in Honduras cannot afford to buy a car made in Dayton, Ohio. A worker in Guatemala cannot afford to buy software made in Seattle or Northern California.

A Nicaraguan worker cannot afford to buy textiles or apparel from North Carolina or South Carolina. An El Salvadoran worker making \$4,800 a year is not going to buy prime cut beef grown in Nebraska. The combined economic output of these CAFTA countries is equivalent to that of Columbus, Ohio, or Orlando, Florida. The combined economic output of these six countries is equivalent to that of Columbus, Ohio, or Orlando, Florida.

In other words, Mr. Speaker, they simply cannot buy our products. So what this agreement is all about, it is not about them buying our products that we export. This agreement is about U.S. companies moving plants to

Honduras, outsourcing jobs to El Salvador and exploiting cheap labor in Guatemala. That is what this agreement and every other agreement has led to. It has led to U.S. companies moving to China, moving to Mexico, moving to Guatemala, moving to Pakistan, moving overseas, exploiting cheap labor, doing nothing to raise the standard of living in those countries, and depressing the standard of living in our country.

Mr. Speaker, we want a new CAFTA, a renegotiated CAFTA. When the world's poorest people can buy American products, not just make them, when the world's poorest people can buy American products, then we will know that our trade policies are working. That is why we must renegotiate the Central American Free Trade Agreement and this time do it right.

Mr. Speaker, I yield to the gentleman from New Jersey (Mr. PASCRELL) who has, ever since his initial term in Congress, been a leader on trade issues.

Mr. PASCRELL. Mr. Speaker, the Congress must defeat unfair trade agreements until we start forming trade policy rationally and in our best interest. I am not afraid to say that I opposed both the trade policies of the former President, a member of my own party, President Clinton; and I oppose this President's trade policies, President Bush, and I do so not through perceptions but through facts. What has happened to these trade policies as was promised when they were passed and signed?

The folks in my district did not send me to Washington to surrender my rights under the Constitution. article I, section 8 is very clear. It is the Congress that will declare war; it is the Congress that will deal with matters of commerce. We have surrendered that. This legislative body has surrendered that right to both Clinton and Bush. We say, we voted that way, I did not, the majority voted, that the President of the United States is solely responsible for the so-called free trade deals and that the Congress can either vote them up or down.

Now this is what we have done. In diminishing the power of the legislative body, we have inflated the power under the Constitution, and this is not what our forefathers intended. If Members read what went into article I, section 8, it is very, very clear, very succinct.

In New Jersey, we have lost in the last 14 years 241,000 manufacturing jobs. We have been told not only in New Jersey but in the New Jerseys across this greatest of all Nations, that those jobs will be replaced by service jobs, and we have seen what has happened. We have seen these jobs replaced by part-time jobs, filled with underemployed people, many times working with none of the benefits reflected in what was decent manufacturing, decent-paying jobs.

So when one looks at the facts, the trade deals have not been fair, and they certainly have not been free. We want

to help other countries grow, but not at the detriment and expense of the American worker. We are not opposed to trade. The gentleman from Ohio (Mr. BROWN) is not opposed to trade. The Members of the other side of the aisle, the Republicans who oppose CAFTA like I oppose it and like many of us who oppose it on our side, are not against trade. Trade is a necessity. We live in a global village, but we want that trade to be fair. We want that trade to be a two-way street and not a one-way street.

I give just two basic examples: the only trade deal that I voted in favor of was the trade deal with the country of Jordan. I did not vote for the Australian free trade agreement. Many of us opposed it. The Australian free trade agreement provided for countries enforcing their own labor laws. There is a history here. If you are going to enforce your own labor laws, you are not going to be able to deal in a free trade concept on the agreement you sign. It means nothing, in other words. This is unacceptable.

In section 18.2 of the deal we made with Australia, very specifically it says: "The parties recognize that each party retains the right to exercise discretion with respect to investigations, prosecutorial, regulatory, compliance matters, and to make decisions regarding the allocation of resources to enforcement."

In other words, in the Australian so-called free trade agreement we signed, the President of the United States signed, signed on the dotted line and blinked and winked at the Australians as to how that deal would be enforced. It means absolutely nothing, and it will not be enforced because of the language.

Yet in the Jordanian trade deal, very specifically article 6, The parties reaffirm their obligations as members of the International Labor Organization, the ILO, and their commitments under the ILO Declaration of Fundamental Principles and Rights at Work and its follow-up. The parties shall strive to ensure that such labor principles and the internationally recognized labor rights set forth in paragraph 6 are recognized and protected by domestic law. There is the teeth. That is the basic difference between the Australian deal and the Jordanian free trade agreement. Standards. We need standards in any trade agreement not only to protect the workers in the other country, but to protect the workers in the United States of America.

We should not give up that sovereignty. We should not give up that ability to protect our own workers, and that is not what is happening. We become a Wal-Mart economy. These people are underemployed, regardless of what we hear on the plethora of TV and radio commercials. These people are underemployed with very few benefits. And the fact of the matter is that it is a rotating system. People leave in a very short period of time.

The Catholic bishops got it right. The Catholic bishops got it right on CAFTA. They said we believe that in an increasingly interdependent world, it is essential that economic globalization be made more human by globalizing solidarity among people everywhere. If this is not done, and they quoted Pope John Paul II, the poorest appear to have little hope. If globalization is ruled merely by the laws of the market, applied to suit the powerful, the consequences cannot but be negative:

"We are concerned," the bishops wrote, "about the ability of CAFTA to increase opportunities for the poorest and most vulnerable and to enhance the prospect that they will genuinely benefit from increased trade."

Mr. Speaker, I intend in the coming days to show pictorially and narratively one example of what is happening in Nicaragua. This is an absolute disgrace. These countries have not told or shared with their citizens what is in the CAFTA agreement. In fact, the bishops point this out. Folks need to be educated before any two countries sign any kind of agreement. Do not keep folks in the dark. This is the multinational corporation agreement. This is not an agreement that is going to help the folks in that country or this country.

And how many folks have come across the Rio Grande River from Mexico in just the last few years that NAFTA went into effect? The promise of NAFTA on this floor in 1993 was that it would stop the flow of illegal immigration that come across the Rio Grande into this country. We have doubled the amount of people because the companies that went to Mexico have now gone to China. We have participated in this vicious circle. I am glad the gentleman brought up that famous quote regarding the definition of insanity is doing something over and over and over again and expecting different results.

Mr. Speaker, our policies are insane. They do not help the workers of this Nation. It is sad. But listen to what the bishops have had to say. They have had a lot to say.

This is the time to stop these unfair agreements. We need a trade policy in this Nation that is fair before it is free. There are no free lunches here. We want a policy that the Members in the Congress of the United States are going to be able to vote upon and discuss and amend. I want my rights back under article I, section 8 of the Constitution. I demand them back or else we might as well go home and let us have a monarchy.

The Forefathers fought this. They argued and debated one another. They said we should have three branches of government as a checks and balance. What checks and balances do we have on the trade agreements that both President Clinton and President Bush have put before the Congress with very little debate and we have given the

store away? That is a fact of life. That is the truth. I ask anybody to come to this floor to deny it.

Our current trade policy is not working, President Bush. It has not been functional for some time, I say to the past two Presidents. The Bush administration and the Clinton administration have only continued and increased its support for multinational imports over domestic industry. No wonder the containers come into this country filled, and they stay on the docks empty going nowhere. That is part of the trade deficit. Look at the empty containers. Congress must take the initiative and stop blindly approving free trade agreement after agreement.

As we hemorrhage family-wage manufacturing jobs, how dare we say on the floor of this House that these trade agreements are going to bring better paying jobs, are going to sustain benefits to those workers, are going to sustain this economy. Our trade deficits grow and grow. Finally, Mr. Greenspan, in a moment of resiliency, has spoken out on this. Finally, we have two cups of coffee maybe instead of one.

We cannot ignore that we live in a global economy. We must also use our strength to help improve the living conditions of those living in our partner nations and not just wink when we say it.

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This Congress must defeat unfair trade agreements until we start forming trade policy rationally and fairly. You look at what happened to the Mexicans who came across the Rio Grande, our brothers and our sisters who came across that river. The promise that was given to them in 1993 was that you would not have to do that anymore. You will have a job. You will have a job that pays. You will have a job that gives you benefits. Your family will be able to live. How come they have come here? Because the jobs are not there.

Who made money? Not those people. The multinational corporations made the money. CAFTA as drafted is not an agreement to accomplish these goals. It needs to be renegotiated. We do not want to bury it. We want to renegotiate it so that it is fair, so that it does have teeth, so that it protects the sovereignty of the United States and every other country who wishes to participate. I intend to show pictorially, and I will keep my word, on what has happened in Nicaragua, that poorest of all poor nations; \$2,200 a year they make. They are going to buy American products? Is this reality TV or is this reality?

I see my other friend from Ohio (Ms. KAPTUR), and I want to yield to her so that perhaps, when she finishes, we will have a triumvirate here.

Mr. BROWN of Ohio. Mr. Speaker, I yield to the gentlewoman from Ohio.

Ms. KAPTUR. I thank my dear colleague the gentleman from Ohio (Mr. BROWN) who has brought us together

this evening to discuss the pending vote on CAFTA, godchild of NAFTA, and my dear friend the gentleman from New Jersey (Mr. PASCARELL) who has been such a leader on all economic concerns that face our country, and indeed they are daunting, this one among them.

As I listened to the gentleman from New Jersey and the gentleman from Ohio discuss this pending CAFTA vote, I could not help but think NAFTA. In a bullet, 1 million lost jobs for our country, of jobs all over this country, Ohio, New Jersey, California, Oregon. The list goes on and on. I think Ross Perot talked about the great sucking sound 10 years ago, and we certainly have seen that. This is going to be the last few inches left in the tub, are going to go down to Central America now on this continent.

I usually talk about the economic dimension of NAFTA and CAFTA, but tonight for just a brief moment I wanted to talk a little bit about the political issues involved, most importantly freedom. If America's goal really is to export products, that is a good secondary goal. The first goal ought to be exporting freedom and finding a way to make sure that any agreement that we enter into advances the cause of freedom globally. If we look at NAFTA as a model of what happened economically, this chart very clearly demonstrates every single year since NAFTA's signing, we have moved into greater and greater job loss and greater movement of the deficit with Mexico as well as Canada. So it is negative; negative, negative, negative in exponential proportions. This is just an example in the automotive industry post-NAFTA. We had many more cars coming into our country from Mexico than exports going out. So it is pretty clear what it did economically.

But politically, we ask ourselves, will CAFTA support growing democracy in Central America? Will we export freedom first? Do we consider trade more important than freedom?

This agreement is going to undermine democracy in our neighboring Central American countries. Central America without question faces serious challenges in the consolidation of democracy and the protection of human rights. Peace accords in some of the countries that the gentleman from New Jersey and the gentleman from Ohio have been talking about tonight, peace accords in El Salvador and Guatemala and the end of the Contra war in Nicaragua signaled the beginning of a hopeful era for Central America, but the implementation of reforms there has been incomplete, and many democratic institutions remain weak. Increasing political violence, in Guatemala in particular, is a grave reminder that the conflict of previous decades has not been laid to rest.

Just last week in another country, as high school and college students in El Salvador protested an increase in bus fare, Salvadoran riot police attacked

the protesters, seriously injuring and detaining high school students. Riot police followed students as they retreated inside the gates of the university, setting off bombs of tear gas at them and opening fire on the students with what they claim were safe bullets. Four high school students were hospitalized, and others were arrested. To even try to freely assemble in these countries is met with great resistance. Still, civil society in Central America struggles to gain voice, and hundreds of thousands of small farmers, workers, women and young people have gathered in these countries to protest this CAFTA agreement as not contributing to the advancement of freedom in those nations. In recent months, there have been 10 significant protests in Guatemala. You have to be very courageous to demonstrate there. Thirteen in El Salvador. Twelve protests in Honduras. Six protests in Nicaragua. Seven in Costa Rica. They have ranged in attendance from 10,000 to 250,000 people. The people of these countries are saying: United States, pay attention. This agreement will not help us. Hear our voices. Still, their voices are ignored by their own legislatures. They are doing this in order to try to get our attention.

CAFTA passed under very undemocratic procedures in Honduras and Guatemala and El Salvador; with an early morning surprise vote in Honduras, we had parliamentarians from Honduras who just came here and told us that; and an emergency session in the Congress in Guatemala because, if they had considered it under regular order, it simply would not have passed. The public would have come into those chambers. They would have stood around the buildings and made their voices heard.

Not only does CAFTA do nothing to promote democracy among our neighbors, but in fact, it undermines democratic processes here at home. For example, CAFTA's chapter 10 undermines our ability to uphold our living standards because, under this proposed agreement, corporations have the right to sue a government directly if they feel their ability to earn a profit has been undermined, for example, by a public health law or regulation. Is safe drinking water not important? Not having streams polluted, is that not important?

CAFTA's chapter 10, which is modeled on NAFTA's investor right provisions, goes way beyond the rights granted to U.S. companies in the law. Under NAFTA's rules, indirect expropriation and loss of future profits constitute grounds for a NAFTA case. These rules have been reproduced in CAFTA, and they threaten a wide array of legitimate public health and environmental protections.

Under NAFTA's investor provisions, several attacks have already been made on our democratically passed laws. For example, and I will just go through two of these, a Canadian gold

mining company under NAFTA recently sued the United States to escape the cleanup and reclamation of a mine site in the United States, claiming this would have interfered with the Canadian company's profits. Well, too bad. Why should they leave behind squalor in this country or any other one? Another example, a Canadian company challenged California's right to ban the gasoline additive MTBE. California banned that ingredient because it leaks from underground gasoline storage tanks and polluted drinking and surface water throughout that water-short State. The Canadian company, Methanex, sued California for almost \$1 billion because, they said, their profits were allegedly harmed by California's MTBE ban. Now, what sense does that make? Do we not have a social compact here? Do we not have the right to protect people and under freedom's institutions make sure that our laws reflect that?

CAFTA aims to constrain local and national procurement laws that could otherwise address off-shoring, which I know my colleagues are concerned about, or promote economies that serve our communities, promoting living wage jobs and healthy ecosystems. What is wrong with that?

In closing my opening remarks today, I guess I would have to say, what is next? What will be left of our democracy here at home after more trade agreements like CAFTA? What kind of model are we exporting, where freedom is shortchanged, where profits are given the green light? We should only have free trade among free people. We should use trade as a lever to raise living standards, and we should place freedom first. It is truly a joy to be with my colleagues here this evening and to try to fight in freedom's cause.

Mr. BROWN of Ohio. I thank the gentlewoman from Toledo, Ohio, who has been on this floor for literally more than 20 years arguing, fighting for American workers and fighting to lift up standards, everything from food safety to environment to workers' standards and standards of living in the poorest countries in the world and trying to get trade agreements that work for everybody.

One thing that I particularly liked that the gentlewoman from Ohio said is that it is pretty clear that the opposition to these trade agreements is not just a few Democratic Members of Congress or Republican Members of Congress, it is also a wide swath of Americans who are against this. It is labor. It is working people and small manufacturers. It is environmentalists. It is religious leaders, but also, as the gentlewoman from Ohio points out, it is religious leaders in all of the CAFTA countries. It is workers in all of the CAFTA countries. It is poor people in all of the CAFTA countries. They had to pull late-night shenanigans, as they have on occasion in this body, in several countries in Central America to even pass this agreement.

We hear the people for CAFTA saying, Well, the people of Central America need this. It will make them more prosperous. It will help them. It will help keep them from being so poor. It will help raise their standard of living. But we do not see any evidence that people in Central America want this agreement except for the wealthiest in those countries. And as we all have said in our opening remarks, this agreement is negotiated by a select few for a select few. It is negotiated by the largest corporations for the largest corporations. It is negotiated by the drug industry, the insurance industry, the banks, the financial institutions because they, in fact, will benefit. The wealthy corporate interests in Guatemala will benefit as they do in the United States. But workers in both countries will not benefit. Religious leaders in both countries think this is a bad idea, environmentalists, all kinds of people.

Mr. PASCRELL. Trade agreements, as I learned about them through school and reading on my own, used to be about tariff levels and quotas. That was the basis of trade agreements. But the modern trade agreement is about much more than just importing and exporting goods. I agree that foreign policy and trade go together. This is very critical. These agreements, and specifically the one we are talking about now, include entire chapters on foreign investor rights.

If I may, I want to talk about that just for a few moments, the ownership in domestic regulation of services and even how tax dollars can be spent on procurement, buying things. We have had debates on the floor of the House in the last 2 months which have centered upon the sovereignty, the independence of our country in the world. Just last month, we saw a comprehensive United Nations reform measure pass this House. In that debate, we heard about how the U.N., the International Criminal Court, and other global bodies can undermine policies set by this Congress and this Federal Government. How any of those same critics can support CAFTA is beyond me. These agreements include, as I said, whole chapters on foreign investor rights. Over the past 10 years, NAFTA, which is the model for this piece of legislation, has been a disaster for American sovereignty and has undermined the intent of our Constitution.

The much reviled NAFTA chapter 11 was designed to grant special legal protection and new rights to corporations from one NAFTA country that invests in another NAFTA country. Again, we see multinational corporations winning out over the little guy. We have surrendered our independence as a nation. Extraordinarily, NAFTA chapter 11 provided for the private enforcement of these investor rights by the investors themselves outside of the nation's domestic court system and in a closed-door trade tribunal. How can you be so

concerned about what the U.N. is imposing upon the United States and not look at what CAFTA is doing to the sovereignty of this greatest of all democracies? Secret tribunals have the ability to override our Federal courts. They have the ability to exact fines from the Federal Treasury. They have the ability to make new Federal policies outside the congressional process.

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In the 2002 Fast Track law, we attempted to add some assurances that trade agreements could no longer replicate this dangerous chapter 11 precedent outlined in NAFTA. We did not succeed. The language enacted in the final Fast Track bill was weak at best. The act did state that foreign investors should have no "greater substantive rights with respect to investment protections than U.S. investors in the United States." This is unbelievable. The investment provisions of CAFTA failed to satisfy even the modest congressional requirement. And I must say on this point, this CAFTA agreement provides greater rights to foreign investors and businesses than provided to the United States citizens and the United States businesses. Read it. Do not take my word for it. Go to the document.

How anybody could stand on this floor, and I know those that did, and beg us to make sure the United Nations does not undermine the sovereignty of the United States and not have the same standard in looking at the CAFTA agreement and chapter 11 in the NAFTA agreement and not say we have surrendered. The United States has surrendered under this agreement.

Ms. KAPTUR. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Speaker, I want to compliment the gentleman for his passion and for placing the net result of the architecture of NAFTA and all succeeding agreements that follow in its path like this proposed CAFTA because what we see is a system, an economic system, that is really very cruel, foisted upon societies that do not have the legal system nor the financial system nor the political systems to really allow the voices of the people to be heard in their chambers of government.

In Mexico, after people's wages were cut by 40 percent, the value of their buying power down by 40 percent post-NAFTA, nearly 2 million people in the countryside thrown off their land, what happened there, they got so angry, there have been protests in Mexico City of a million people. A million people. That is three times as many people as live in the major city that I represent. They could not have their voices heard any other way. There was a group of farmers that got on their horses from the different states in northern Mexico and central Mexico. They literally rode into the parliament to try to say stop it, this is hurting us too much.

That is about all they can do to make their voices heard unless they can change over their government. They come here and say to us, America, do you not realize what you are doing to us, whom you are in partnership with? They are begging us to help them improve their societies. Do we not have the greatness as a Nation that believes in freedom and the liberty for all people that we would use our powers, political, economic, moral, whatever they might be, to help these poor people? What is wrong with us? We have been hurt ourselves greatly by our jobs moving to Mexico and other places. We know how tough it is.

Mr. PASCRELL. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from New Jersey.

Mr. PASCRELL. Mr. Speaker, may I suggest to the gentlewoman from Ohio that it is not the Congress that is making the trade agreements. I have pointed that out before. We have surrendered that right, that power. I do not even think it is the President. What do my colleagues know about that? We have surrendered to many multinational corporations. They are making the trade deals at our expense.

Ms. KAPTUR. Mr. Speaker, if the gentleman from Ohio would continue to yield, I think what the gentleman from New Jersey said is absolutely accurate, and they expect that through the institutions that are set up, these NAFTA tribunals or CAFTA tribunals or WTO or they meet in places that most people had never heard of. Right? Davos, who can get there? Do people want to go to a meeting somewhere on the west coast of Mexico around Cancun or whatever that was? The roads are blocked off.

They tried to pass something here on GATT. When did they do it? In a lame duck session after midnight. In these countries, by special session, early in the morning, late at night, and the people in those societies even have less opportunity to try to impact the legislative process, as I have spoken about this evening. So we have surrendered, we have surrendered to the largest, most powerful private corporations on the face of the Earth: oil companies, automotive companies, electrical companies, and agricultural companies, people that need cheap labor whether it is to make clothing or whether it is to pick sugar beets, whatever it is. What we have done is we have let that big bulldozer ride over all of us.

And here we stand in the citadel of freedom this evening and we say to ourselves, is this the best we can do? Is this the best we can do, a Nation that rebuilt Europe after the Second World War, a Nation that worked for 50 years to see the collapse of the Soviet regime? Is this the best we can do in the modern age in the 21st century?

Mr. PASCRELL. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from New Jersey.

Mr. PASCRELL. Mr. Speaker, would it not be great if we put an end to it in this Congress on both sides of the aisle? The gentleman from Ohio knows better than anybody there are a number of people, I cannot count the ones and I am not taking them for granted, I never do that, but there are a number of people on the other side who see through this fantasy and are willing to stand up for it. We know that pressure is going to be put on them. Two administrations past, pressure was put on folks right here, right here. And I supported President Clinton on most of what he ever wanted.

But on trade, I think the administration and the executive branch of government are selling our intellect short, and our responsibilities, I want those responsibilities back. I believe that Congress should be part of a negotiating team to negotiate these agreements and then bring them to the floor, we debate them, and we pass it. We need to do something to make these agreements fair. Up until now we have not.

Mr. BROWN of Ohio. Mr. Speaker, re-claiming my time, both the gentleman from New Jersey (Mr. PASCRELL) and the gentlewoman from Ohio (Ms. KAPTUR) have pointed out how these agreements are not fair. They are written by a select few for a select few, and the gentlewoman from Ohio (Ms. KAPTUR) writes about how especially working people in Central America and the Dominican Republic simply cannot figure out how to get their voices heard. They ride their horses from the far end of the capital and try to tell their legislators this agreement is not working for them.

But what we are seeing this week is there are a handful of Central American legislators that have come here to say this is a bad idea for our country and various different countries in Central America. We are seeing a Central American Roman Catholic cardinal join with American Catholic leaders and Lutheran and Presbyterian leaders in our country saying this is bad for the poor in all seven countries. It is bad for the poor in the United States. It is bad for the poor in Costa Rica and the Dominican Republic, in El Salvador and Guatemala, in Honduras and Nicaragua.

This agreement, if we want to talk about economic justice and social justice, as all of us, and I know faith is important to the gentleman from New Jersey (Mr. PASCRELL) and the gentlewoman from Ohio (Ms. KAPTUR) as it is to me, if we want to talk about what faith is all about, any religious faith to which one ascribes, it is clear that faith is about social and economic justice.

That is why the cardinal is here talking to Members of Congress about how this hurts his flock in Central America. That is why Lutheran and Presbyterian leaders and activists in our country are here talking to their Members of Congress, saying this is not fair to our

communities, it does not work for our families, it does not work for our workers, it does not work for the environment, it does not work for anybody but those large companies that the gentlewoman from Ohio (Ms. KAPTUR) talked about, the large oil companies, the banks, the insurance companies, the drug companies, the big multinationals, that will use this agreement to not lift standards up in any country but to outsource jobs, to ship jobs overseas.

Mr. Speaker, I yield to the gentleman from New Jersey.

Mr. PASCRELL. Mr. Speaker, I ask either one of my colleagues what are the circumstances that allow us to vote for a bill where foreign investors and foreign firms are granted greater rights than U.S. citizens and United States firms? What is the rationale? I will listen very carefully.

I have read the document. To those who are going to vote for it and do not want to read it, they do not know what is there, please read the document. How can they vote for a surrender of sovereignty? They took the oath of office to uphold the Constitution of the United States. How can they surrender sovereignty of this Nation? Do my colleagues think folks understand that in this Chamber?

Ms. KAPTUR. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Speaker, I want to thank the gentleman from New Jersey for so effectively raising that issue this evening because I do not think the public fully understands who can take whom to court and how our basic legal rights are undermined through the NAFTA agreement and the CAFTA agreement. We basically abdicate that to these bodies that have no transparency. They have no regular right for an individual citizen, for example, to take a claim. We end up with big corporations taking the laws of the State of New York to court or the United States of America to court.

I mentioned the instance where a Canadian company, a company, challenged California as a State their right to ban MTBE from their gasoline because it was polluting their water, of which they have a limited amount.

Mr. PASCRELL. Mr. Speaker, if the gentleman will continue to yield, there is no question in my mind that we are surrendering the sovereignty of this Nation if we vote "yes" on this legislation. There is a legitimate debate in this Nation about what public interest functions are inherently governmental. Governments choose at what times and with what vendors they wish to procure goods and services. The procurement issue is a very central point in the CAFTA debate. The votes are there to outsource some tasks and not there for others. They are there to purchase locally made products in some cases, import services in other cases. On a State and local level, these same debates are

considered every day as the Constitution properly allows them to be considered. Democracy lives.

But under CAFTA, under CAFTA, whether a state privatizes its auto inspection program, whether we give preferences for a local construction firm, whether a city privatizes its water system, Nicaragua, is not necessarily a local decision. It is potentially an international case. How can we accept these conditions?

Globalization is here. We do not and cannot deny that fact. But that does not mean we must give up the values we hold dear to us. That does not mean that we must take what we are given by this administration. Congress has rights too. I thank my friend from Ohio, my two friends from Ohio. Why is it that folks from Ohio are always there to protect the American worker? And I thank each of them for all they have done through all of these years.

We are not going to take one step backwards on this deal. We are going to say this is the end of it.

Ms. KAPTUR. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Speaker, the gentleman so effectively raises the issues of sovereignty and of protecting our legal system based on a rule of law with individual rights embedded in those very deeply, and I wanted to thank him for his constant leadership, as well as the gentleman from Ohio's (Mr. BROWN) leadership in this whole anti-CAFTA effort, and say that, in addition to the sovereignty issue, following on something the gentleman from Ohio (Mr. BROWN) said, I think one also has to look at the morality of what is being done here, and his reference to the religious leaders that are coming here from Central America this week, certainly I think of the Roman Catholic Guatemalan cardinal and his tremendous letter that he wrote.

But according to Christian teaching, we remember the words: "As you do unto them, the least of my brethren, so you do unto me." And we, as the most powerful Nation in the world, have to think about the impact of what we are doing as a country on the least among us not just at home but abroad. And without question, as the gentleman from Ohio has stated, the net income and the earning power of those in these Central American countries, in El Salvador, Guatemala, we put them all together, they are so poor. They are so low income. Our predilection should be to have a preference for the poor, that, in fact, we should make it no worse than they already have it.

And we can see the women who are working in those banana packing houses who earn pennies a day, bitten by spiders, and they are told to pack 40 boxes; no, pack 50 boxes an hour; no, pack 100; no, pack 200, until they wear out, and then there is another person lined up. They have no rights.

And how about in the places that sew clothing? Those are largely women

ANSWERING THE CALL FOR  
FREEDOM

The SPEAKER pro tempore (Mr. PRICE of Georgia). Under the Speaker's announced policy of January 4, 2005, the gentlewoman from Florida (Ms. GINNY BROWN-WAITE) is recognized for 60 minutes as the designee of the majority leader.

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise this evening to highlight one of the most under-reported and freedom-affirming policies that the world has seen since the end of World War II.

For centuries, the world has heard the oppressed, the downtrodden and the vulnerable cry out for their freedoms, for their rights and for a chance to emerge from the shadows of the tyranny and bloodshed that they had lived with. Those yearning for basic liberties and for basic rights have occasionally been led by vocal and dedicated women of the world. Their's has been too often a silent battle, however, with no clear voice, no champion and no opportunity to cry out for their freedom.

I am proud to say tonight that this Congress and this President have heard those cries. We have recognized the unmistakable voice of freedom rumbling across the ocean and into these hallowed chambers, and we have answered that call.

Too often, this House has dealt with the aftermath of turning a blind eye to the horrors of present regimes and of past despots. This Republican-led Congress has said, "no more," to those policies. No longer should women be denied the right to vote, no longer should women be treated as second class citizens, no longer should women not be allowed to be a citizen at all.

The world today is changing rapidly, and we are helping to make it better for our children's future. Since President Bush took office in 2001, this Congress has supported an agenda of democracy, freedom and expansion of rights for all peoples throughout the world. The list of non-democratic regimes that have seen significant reforms since 2001 is long and significant. Iraq, Afghanistan, Libya, Egypt, Lebanon, Kuwait, Georgia, the Ukraine and others have all held elections, increased minority rights or have committed to democratic reforms.

We have before us a picture of an Iraqi woman who voted. She was so proud that she was able to vote. We see the ink-stained finger that told everyone that at last she had the opportunity to vote.

While all of these are important and significant events, it is the United States' foreign policy that furthers the advancement of freedoms and rights for women that is the most striking for me. The world watched October 19 as 19-year-old Mokadasa Sidekey cast the first vote in Afghan's landmark presidential election. Here we have some more women participating in the Iraqi elections proudly holding up their ballots.

workers. They have no voice. They earn pennies. It takes them 2 weeks of work to even afford one pair of the trousers they make that are sold in this country for \$39. What is right about that?

□ 2045

What about those people? Are we not to think about them as well? Yes, those jobs were lost in South Carolina or Mississippi, or they moved somewhere from this country, and we fought that with these unfair trade advantages that some of these multinationals have.

Now, what this is doing is it is putting a Good Housekeeping Seal of Approval on a system that we know is so exploitative. It is bad for our people and horrendous for those doing the work in these packing sheds and these hot, dusty textile companies that no one will ever see.

I remember hearing a letter written by one woman working in a company that was headed by a South Korean who was making the women work faster and faster and faster and faster with no rights. That is where our country was 70 years ago, and we got rid of that kind of sweatshop condition, or at least we got the laws on the books to allow people to have some dignity in their work.

We should not be giving any Good Housekeeping Stamp of Approval to a system which will approve that kind of sweatshop labor that is going down in Central America, which this will exacerbate.

We should listen to the people, listen to those who are demonstrating, listen to those traveling here, listen to their religious leaders and using our power, which is our marketplace. They all want to take their stuff in here. So let us lift standards elsewhere as a condition of market entry, and let us make sure, by raising living standards, we do not keep washing out jobs in this country more and more.

Mr. BROWN of Ohio. Mr. Speaker, reclaiming my time, I thank the gentlewoman from Toledo, Ohio (Ms. KAPTUR).

As we wrap up in the last 60 or 90 seconds, what I again point out, what the gentlewoman from Ohio (Ms. KAPTUR) said, working conditions and the standard of living in all of these CAFTA countries. Nicaragua, people are making \$2,300 a year; Honduras, \$2,600 a year. This agreement does nothing to lift up living standards in those countries.

It means, one, they cannot buy American products as the gentleman from New Jersey (Mr. PASCRELL) has said, but it also means they continue to live in abject poverty. And this agreement does nothing to lift them up. That is why the opposition to CAFTA is so broad. That is why the cardinal is here this week. That is why Central American legislators have come up here and paid their own way to get here, I believe. That is why reli-

gious leaders in our country who see this issue, this agreement, as a moral question, what we do to the least among us, and so many people, religious leaders, advocates for the poor, advocates for working people, unions, small businesses that care about their communities, Republicans and Democrats alike, have joined against this agreement.

That is why if this vote on CAFTA were held tonight, if it were held right now, this agreement would go down by 20 or 25 votes. I will make a prediction, and I have heard the gentleman from New Jersey (Mr. PASCRELL) and the gentlewoman from Ohio (Ms. KAPTUR) say the same sort of thing, we know that in the next 2 weeks, if this comes up to a vote, that the majority leader, the gentleman from Texas (Mr. DELAY), the most prominent and most powerful Member of this body, will put immense pressure on Republican Members to change their votes, to vote against what they were going to do, to change their vote and vote for this agreement. And the prediction I would make is if this comes to a vote, if in fact they think it is close enough for a vote, they will bring it up in the middle of the night; the roll call will stay open not the regular 15 minutes, but for an hour, 2 hours or 3 hours, as they have done before; and if it in fact passes, it will pass by no more than two or three votes.

That is the way business is all too often done here. And when this agreement so clearly runs counter to what most Americans want, it runs counter to what most Central Americans and Latin Americans want, it runs counter to what is good for business and what is good for workers in our country, the only way that they can possibly pass it is to twist arms, exert all kinds of pressures, open up the taxpayer bank and give out all kinds of pork projects to Members so they can get this agreement through. If it passes, it will pass by no more than two or three votes, we can count on that.

But if this Congress, this House of Representatives, follows what the word "representative" means and really represents the people whom we are supposed to represent, this agreement will be defeated and Members of this body will look for a new, renegotiated CAFTA that will lift living standards up in the six Latin American countries and in the United States and will actually be a win for everyone involved.

Mr. Speaker, I particularly thank my friend, the gentlewoman from Ohio (Ms. KAPTUR), who has been so stalwart in this for so many years, and the gentleman from New Jersey (Mr. PASCRELL), who speaks so eloquently about our constitutional rights and sovereignty and where we should go as a Nation.