

Mr. OTTER. Mr. Speaker, I join the three previous speakers tonight, and I rise today in the urgent interest of America's sovereignty and the primacy of our laws and the Constitution. They are under attack, Mr. Speaker, by the Central American Free Trade Agreement that will soon be considered by this Chamber.

In fact, even referring to CAFTA as a "trade agreement" is a misnomer. Yes, it involves trade; but its influence on our economy, our legal system, and our way of life would be much more serious and sweeping than the benign term "trade agreement" suggests.

At its core, CAFTA is a document that uses more than 1,000 pages of the international vernacular of diplomacy to cede the right of the American people to be governed by their representatives that they elect according to the laws of their land and under the legal system established by their Constitution.

Specifically, CAFTA brazenly requires the executive branch of the United States Government, as well as this Congress, our State Governors, State legislators, and even local authorities to conform all existing and future Federal, State, and local laws to a new set of international statutes and standards that go beyond trade matters. Make no mistake: only one thing would be worse than approving and living under CAFTA, and that would be to approve it and then find ourselves unwilling to comply with its provisions, which demonstrably contravene every principle of Federalism that is at the basis of our form of government.

Such exercises of sovereign authority on the part of the United States Government on behalf of the American people we are entrusted to represent could subject our policies, our laws, our court judgments, and even our land to the will of an international tribunal empowered to impose the trade sanctions for our intransigence.

This is not a matter of opinion, Mr. Speaker. It is a matter of fact. Precedents established by judgments rendered under NAFTA-related cases leave no room for doubt that CAFTA will open us to all forms of statutory globalization that is singularly not in the best interests of the United States.

Let me be more blunt. Requiring U.S. domestic laws to conform to the extensive nontrade provisions in CAFTA is a direct violation of the Constitution as well as an abuse of trust placed in this government by the people of the United States. This is an intrusion upon the sovereign rights of the duly elected representatives in Federal, State, and local positions. But more importantly, it is nothing short of an abdication of the rights of those who elected us.

Let us look at some specifics. Under CAFTA, a tribunal empowered to resolve a dispute would be made up of judges from three countries; two countries, one each, representing those in the dispute, as well as a judge from a third country from the CAFTA trade

agreement. Now, no matter how you do the math, it adds up to one voice for the United States against two judges from Central American countries without the tradition of constitutional jurisprudence or democracy of which we are justifiably proud. Those odds simply are unacceptable.

Beyond the CAFTA tribunal, this agreement would submit the United States to an even greater degree of unreasonable and unwarranted offshore jurisdictional control in the guise of the United Nations and the World Bank. CAFTA would empower them to order payments of U.S. tax dollars to foreign investors who claim that the U.S. business laws and regulations are too strict by international standards. Neither our Constitution nor our courts have ever legitimately contemplated such a circumstance and to do so now would be, once again, entirely unacceptable.

U.S. businesses already must marshal all the ingenuity and technological advantages that they can to compete in the global marketplace. In addition, they are subject to severe and growing regulatory burdens placed on them by our own country's laws. Under CAFTA, they will find themselves at even greater disadvantage to foreign investors. The United States will only be a good place to do business if you are not from the United States. Our own businesses and entrepreneurs, our economic warriors will be stripped of their weaponry and sent to fight in a losing battle without protection.

These prospects terrify me. And, yet, we have heard talk lately from some who do not find any of this to be a matter of concern. They say that CAFTA's implementing language would do nothing to change current U.S. law. To believe that you would have to be looking at CAFTA with blinders on, unable or unwilling to see beyond today and into the potential effects years down the road. While today's laws may be safe, all future laws intended to protect America and their interests are indeed in jeopardy.

All this might sound a bit farfetched and overly dramatic. Unfortunately, there are numerous examples of times when they have been forced to change our laws and our ways of doing business after submitting to the authority of an international court.

For example, under NAFTA, a tribunal similar to the one proposed in CAFTA ordered the United States to allow Mexican trucks to operate throughout the United States because NAFTA included the right of foreign transportation firms to operate in our country. We in Congress have regularly expressed our concern about the considerable safety problems associated with Mexican trucks that do not meet the U.S. safety requirements.

In addition, just last year Congress had to pass legislation repealing U.S. tax laws because the World Trade Organization decided that they were not in accordance with international policy. Changes to our tax policy

should be based on our own laws and our own practices, not forced upon us by the whims and biases of international tribunals.

I am a strong believer in free and fair trade, and I believe that developing good trade policies will benefit U.S. farmers and manufacturers. But I cannot support new trade agreements if we do not maintain an effort to enforce existing agreements. Ineffective, uneven enforcement of NAFTA has led to existing tensions between the United States and the Canadian beef, potato and softwood lumber industries, as well as the Mexican bean and sugar beet industries, significantly affecting producers in my State. While we refuse to take other countries to task over their exploitations of NAFTA, we allow our own sovereignty to be continually assaulted by the NAFTA tribunal.

Having worked as an Idaho businessman for most of my life, I know that exporters in my State can compete and win on a level playing field; however, NAFTA has become a double-edged sword being used to undermine and ultimately destroy industry and jobs in my State. Rather than fixing old problems, CAFTA merely adds insult to injury by continuing this downward spiral toward a complete loss of U.S. sovereignty.

In closing, Mr. Speaker, I just would say that once again, there are many numerous opportunities for us to take a look at how we have been disadvantaged under NAFTA; and CAFTA, as has been said before, is just an ugly relative of NAFTA.

SMART SECURITY AND FOREIGN RELATIONS AUTHORIZATION BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, today and tomorrow, we are debating the foreign relations authorization bill, a comprehensive piece of legislation dealing with matters that are important, even if they are not headline grabbers: passports, scholarships for international students, death benefits for American foreign service officers, just to name a few.

I intend to vote for this bill on final passage, Mr. Speaker, but not without some reservation and not without a great deal of disappointment.

□ 1815

Here we are essentially affirming American foreign policy for the next 2 years. And what does the bill have to say about Iraq, the greatest foreign policy challenge of our time? Virtually nothing. Three hundred-plus pages of legislative language and not a word about Iraq until the very end of the bill where it calls on the President to transmit a plan to provide for a stable and secure government of Iraq and an Iraqi military and police force that will allow the United States military presence in Iraq to be diminished. That is it. This is like writing an essay about the significance of December 25 and saying at the end, oh, by the way, it is Christmas too.

Some amendments have been offered that address aspects of the Iraq war. These amendments only serve to advance the current failed policy. Instead of giving us the new direction and the fresh thinking that we so badly need, this policy, these amendments continue what already exists.

I oppose, for example, one amendment mandating that we must turn over Iraq's security to the Iraqis only when they are ready for that responsibility and that we must not, and I quote, withdraw prematurely the U.S. Armed Forces from Iraq, unquote. Prematurely.

Mr. Speaker, do more than 2,000 Americans have to die, or 2,000 more Americans have to die before we recognize that bringing our troops home is not premature, but a fact that is long overdue?

This amendment also states that troop withdrawal cannot happen until we are close to realizing a free and stable Iraq that is at peace and not a threat to its neighbors. I fear, Mr. Speaker, that such a policy would make this an endless war because the amendment has it exactly backwards. There can be no stability in Iraq while our troops are still there. It is our very military presence and the resentment that it is breeding that is emboldening the insurgency. It is only by ending the occupation that we can hope to quell the violence and give the Iraqi people some hope for peace and security.

As I said, I will vote for H.R. 2601 because I believe there is plenty that is good and important in this bill. The architects of the legislation should be commended for authorizing billions in foreign aid that will go a long way toward improving lives around the globe.

But once again, and I repeat, this bill represents a missed opportunity to completely reexamine Iraq and foreign policy more generally. With this bill we could have charted a new course, launched a new and more peaceful strategy for helping Iraq stand on its own two feet. But all we have done on Iraq is declared it U.S. policy to extend our military presence indefinitely.

In Iraq, and around the world, I believe we need to adopt what I call a SMART security plan. SMART stands for sensible multilateral American response to terrorism. It would make military action not a reflex, but a very last resort. SMART would fight terrorism with brains, not brawn, with stronger multilateral alliances, improved intelligence capabilities and vigorous weapons inspections. It would forbid the sale and transfer of weapons to regions of conflict. The agreement reached yesterday with India most certainly would not meet the standards of SMART.

SMART also calls on the United States to set an example for the world by living up to its own nuclear non-proliferation commitments, something H.R. 2601 clearly does not mandate. SMART would divert resources from Cold War weapons systems, reinvesting

them in Homeland Security and energy independence. And SMART would attack terrorism at its roots with an ambitious international development plan for the troubled regions around the world.

Democracy building support, human rights education, education programs, small business development, these are the cures to the poverty, oppression and hopelessness that breed terrorism in the first place.

Mr. Speaker, I reiterate my support for H.R. 2601. But I lament its failure to substantially or realistically address the most pressing foreign policy challenge in our generation, the supremely misguided war in Iraq.

The SPEAKER pro tempore (Mr. FORTENBERRY). 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.)

EXCHANGE OF SPECIAL ORDER TIME

Mr. EMANUEL. Mr. Speaker, I ask unanimous consent to take the time of the gentleman from Indiana (Mr. BURTON).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

LEAKS FROM THE WHITE HOUSE

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

Mr. EMANUEL. Mr. Speaker, a lot has been made lately about leaks coming from the White House, and the outing of CIA Agent Valerie Wilson was admittedly an egregious act.

But I, for one, would like more leaks, not less from this White House. And let me quote the President. Bring it on.

Let me be clear. I am not looking for more of the kind of leaks that have tripped up Karl Rove and Scooter Libby. It is generally not a good idea to out undercover CIA agents working on behalf of America's national security. Those are the types of leaks that can lead to unfortunate consequences, like people getting killed and national security being breached.

Even if you leak on double super secret background you might get caught. And if there is a special prosecutor involved, well, look out. You could end up, as the old cliché in the book says, the former White House official is doing time in Allenwood.

The kind of leaks I am thinking about might include like the real cost of the prescription drug bill for Medicare or the secret plan for Social Security solvency. Those are the types of

leaks that I wish this White House would provide and knew. It would have been useful, for example, if someone had leaked the true cost of the Medicare prescription drug program before Congress had voted to commit future generations to twice the obligation we were told.

Originally they told us that the prescription drug bill would cost \$394 billion over 10 years. The American people are going to pay \$800 billion. The administration actually kept secret the extra \$400 billion from the Congress and the American people. And they even threatened to fire the government actuary who wanted to just simply tell the truth. All along they knew that it was going to be \$800 billion and all along they repeated that it was \$394 billion.

Now that was the type of leak that is worthy of a good Washington leak. And I think I know something about leaks.

And it certainly would have been nice if some brave soul in the White House had told the American people that the President's tax cuts would raid the Social Security Trust Fund for \$639 billion, explode the deficit, all the while benefiting the wealthiest Americans. Instead they told us we could have a big tax cut, balance the budget and strengthen Social Security. Of course, former Secretary of Treasury Paul O'Neill eventually blew the whistle on what the real cost of the tax cut was. But by that time it was too late for him and too late for the American people, and Social Security is \$639 billion less today in the trust fund, all because nobody wanted to tell the truth when they knew it.

But these are not the only examples of not willing to tell the truth to the American people, and wanting to hold back information when they should have done what their instincts were, which was to leak. Remember when we had the terrorist report from the State Department and somebody actually had to doctor the data to say that in fact there was a decline in terrorism when all along they knew there was an increase in terrorism. And Secretary Powell had to come back with a new report, a fresh report to show what the actual data said originally, which was there was a rise in terrorism in the last number of years.

Then there was the mercury report from the EPA which was doctored and played with, and they tried to doctor up; as the British like to say, they had to fix the data. Well, they had to go back and fix the data again and come back with the truth.

But really who can blame this White House for not leaking? Karl Rove knows that if the American people knew the facts they would not support the policies of this administration. No, this White House is silent about everything it should leak and loose lipped about matters better kept secret. They actually have a bad case of having it all backwards.

So next time when you see the truth, my recommendation, try leaking it.