

on other international problems and not have them be exacerbated by the war in Iraq; for the sake of the \$500 billion to \$600 billion we spent that could be spent here on education and health care and infrastructure; for the sake, ultimately, of the greatness of this great country of ours, we must change course in Iraq. We must do it now.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

DEFECTIVE PRODUCTS FROM CHINA

Mr. DURBIN. Mr. President, over the August recess, my wife and I were invited to a friend's house for a barbeque. A number of young couples were there with their toddlers. It was a lot of fun watching these kids take their first steps and laughing as they played with one another. One of the fathers turned to me during the course of the barbeque and said, "Well, it looks like it is going to be a Christmas without toys; there is nothing safe that we can buy anymore." I thought to myself that many of the headlines that occupy our attention here in the Congress are headlines ordinary families are not watching closely. But when it comes to something as basic as the toys they buy for their kids and whether they are safe, a lot of families are tuned in.

All across America, there is a growing concern. What this father said to me was, "Dick, I thought if they put the stuff on the shelf, it had to be safe, right?" I wish I could answer yes. The honest answer is no. What is put on the shelf across America isn't necessarily safe. We are learning that over and over again. It comes down to some basic concepts of whether Government has an important role to play when it comes to toys and other parts of our lives. We can certainly ask the people who live, or used to live, in New Orleans, whether Government is important. When Hurricane Katrina hit and the levees broke and they lost their homes, families had to move hundreds of miles away. They understand that when Government fails you, as it did in New Orleans, life can be very difficult. Or, of course, you can go to Minneapolis now and see what is left of an interstate highway bridge built to Government standards, subject to Government inspection, which collapsed, killing innocent people and causing havoc all across that great part of our Midwest.

The same thing, unfortunately, is true when it comes to the Consumer Product Safety Commission. This is a commission created back in the 1970s when people started asking hard questions about things they were buying and driving, whether they were safe. A movement started that led to passage of legislation creating this watchdog agency. There was a huge mandate we gave them: Make sure the things we put on the shelf for Americans are safe, that the products are not defective or unsafe. That may be too big a task for any one agency.

Over the years, what has happened is that this agency, instead of growing to meet the challenge, has been shrinking as the challenge grows. Today, there are 401 people working at this agency, responsible for reviewing trillions of dollars worth of products made in the United States and imported into the United States to make certain they are safe. I am familiar a little with this agency because I recently became chairman of a subcommittee that handles its appropriation. When you look at the amount of money we are spending there, the President asked for about \$63 million for the Consumer Product Safety Commission. This agency has been limping along for years with hardly any money being infused into it and very few employees being added to the payroll. So, as a result today, the 401 employees have a huge mandate. I am hoping, in the next appropriation cycle, to improve and include additional money for this commission. In fact, our full committee reported \$70 million, which is about a 10-percent or more increase in the appropriation for this agency. Seventy million dollars is still not enough, but it is significant at a time when we are spending \$12 billion a month in Iraq—\$12 billion a month. Here we are arguing about what is small change—what is lost with single-bid contractors in Iraq every day. We are worrying about whether we can come up with \$10 million for an agency that is responsible for the safety of products we buy.

The Consumer Product Safety Commission finds that of the defective and unsafe products sold to Americans, two-thirds of them are imported, and two-thirds of those come from one country, which is China. Over and over again, month after month, year after year, China continues to send us defective products. This isn't a new thing. It reflects what is going on as the Chinese economy moves from the Dark Ages into the 21st century global economy and tries to accommodate differences in culture and taste and consumer appetite around the world. So we see a lot of problems. The problems didn't come to our attention until earlier this year. It is interesting how that happened. The first thing that caught our attention was pet food, the dog and cat food we were giving to our pets. Families across America found out it was unsafe, and these helpless animals were dying. A little investigation found out it was traced back to a food product sent from China that was injected with the chemical called melamine for the purpose of making it appear to be more valuable. It was economic fraud. Somebody in China put this melamine chemical into this protein product to make more money, even though melamine is unfit for human or animal consumption. Well, all across America, millions of pet owners went into a panic. They pulled pet foods from the shelves and worried about whether there was more in the chain and whether more animals were going to die. It was an interesting

psychology there. We knew all along that the Chinese were sending us suspect products. But at this point in time animal owners across America, feeling a special responsibility to that helpless pet they loved and is a member of their family, were up in arms. Why are we letting the Chinese do this, send these products to America?

Then do you know what came next? Toothpaste. This was a good one. We discovered antifreeze in toothpaste made in China. Antifreeze. It turns out that they used, instead of glycerin, a form of glycol—close enough, I guess—which is a component of antifreeze. When the Chinese were confronted with toothpaste with antifreeze in it being sold around the world, they had an ingenious response. They said: As we understand it, you are not supposed to swallow toothpaste. What a great defense that was.

Then more scandals followed. Along came the toy scandal, which we are in the middle of right now. The Chicago Tribune ran a lengthy series about a toy that caught my attention because I bought one for my grandson, called Magnetix. It is kind of cool. It looked like old erector sets with magnets. My grandson jumped on it, making elaborate creations because the magnets stuck to one another. The tiny magnets were about the size of a little pill. If you looked at them, you might mistake them as something you could eat if you are a 1- or 2-year-old. You might pop them in your mouth. If you swallow one, no problem. If you swallow two, it is a big problem because the magnets would adhere in your intestines, requiring surgery and, in some cases, cause death. It turned out to be a design flaw in the product. I know my kids and grandson are pretty tough on their toys. If you were tough on the Magnetix toys, these magnets would pop out, and toddlers, not knowing better, would stick them in their mouths and swallow them like candy, not knowing the dire consequences that could follow.

The Consumer Product Safety Commission was called into the case and the Chicago Tribune story tells us that what happened was not encouraging because the laws are so weak in America, and the commission had to sit down and negotiate with the company that made this deadly toy on a press release announcing that the toy should be recalled. The lawyers for the commission sat down with the lawyers for the toy company and got into this long battle about what exactly they would say in the press release to recall the toy. Meanwhile, of course, it is still being sold in America while the debate continues. So the laws fundamentally, when it comes to the protection of American consumers, are not strong enough. They don't require the kind of notification of defect and danger we should expect as consumers. They don't put the burden on the manufacturer of a defective product to recall it immediately. They give that manufacturer

too much leeway when it comes to even taking a product off the shelf or putting a warning label on the shelf. It turns out that with this administration, the Bush administration, they have appointed people to the Consumer Product Safety Commission who have been leaning more toward the makers of toys and products and away from protecting consumers. There was a gentleman—a former attorney general of New Mexico named Harold Stratton. He came on and, frankly, reassured the National Association of Manufacturers that they didn't have to worry about this Consumer Product Safety Commission getting out of hand. He appointed a Mr. Mullan as the agency's general counsel, who time and again seemed to find reasons not to recall defective products and give those making them a little more time to make more money off of something that may be a little dangerous. The commission didn't do too much in terms of helping consumers.

Today, it is a commission that limps along because it doesn't have the three commissioners it needs to operate. It only has two. Promulgating new rules and coming up with new initiatives is hampered because they don't have enough people to do it. Had the Bush administration tried to fill the vacancy? Who did they send? A person who, unfortunately, had a resume that showed he was following on in the tradition of Mr. Stratton and Mr. Mullan. He was a person with a background on the manufacturing side and not the consumer side.

This is an agency for consumers that we have to count on. So when the administration doesn't fill the vacancy, it creates a problem in the administration. I have been disappointed by the Consumer Product Safety Commission recently. Mattel today has a third toy recall. They are recalling millions of toys because of lead paint and other dangers. Bob Eckert, the CEO of Mattel, made a special trip to meet with me in Chicago over the break. I respect him. He understands that if his company is going to succeed, parents have to trust the products they buy with the name Mattel on the box. He gave me his assurance—proven by today's press release—that they are going to pull every unsafe and dangerous toy off of the shelf that his company had anything to do with.

You might ask yourself, why do we have lead paint coming in on toys from China? Let's get down to basics. It is not because lead paint is cheaper in China. No. It is because the workers who are making the toys are paid about \$75 or \$80 a month. It is because those workers have no idea what those toys are all about. They never see these in the world they live in. They don't have any idea what America is about. They may not have any concept of what we consider to be safe and healthy. They are being told to make this toy, paint it, and move it down the line. The companies have a responsibility

to watch these workers and have certain standards, but the bottom line is this: When we go to the lowest cost workers in the world to make our products, we should not be surprised when oftentimes those products are unsafe, unhealthy, and defective. With the Chinese, the list of products they send to us that are unsafe goes far beyond those that are the jurisdiction of the Consumer Product Safety Commission.

The Food and Drug Administration looks at food products, such as pet food and other food products, imported from all over the world, and each month they report to Americans which countries are sending the most dangerous food products to America. Guess which country ranks No. 1 or No. 2 every single month? China. Same issue. Time and again, we find that the Chinese are not living up to standards we expect in America.

When I think back to this barbecue I attended, most American families think the Senate and the House, Congress and the President are protecting them, that we are doing our job. When 1 out of every 100 shipments coming into this country is inspected, when we have some ports where the volume of imports overwhelm the one or two inspectors on the job, then, frankly, we are not keeping faith with the American people, and that is the reality.

I say to my colleagues in the Senate that we have voted for expanding global trade, and I think we must. America cannot get rich doing business just among ourselves and doing one another's laundry, but we never voted to compromise the health and safety of American families, and we shouldn't now.

The Consumer Product Safety Commission has to accept its responsibility to be more forward thinking, to use their statutory authority to protect people, particularly children. Families who walk into toy stores in America should not have to play Chinese roulette when they are buying toys for Christmas, and that is the reality today. It is time for the Consumer Product Safety Commission to use their statutory authority effectively. It is time for the President to fill the vacancy on that Commission with a person who is truly a consumer advocate. It is time for Congress to put the resources into the Consumer Product Safety Commission so it can start doing the job it promised it would do when it was created almost 40 years ago. Until then, we are going to have to rely on importers, manufacturers, and retailers in America to restore the confidence of American families in the toys they will buy for this holiday season.

Mr. President, I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mr. CASEY). Morning business is now closed.

MILITARY CONSTRUCTION AND VETERANS AFFAIRS APPROPRIATIONS ACT, 2008

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 2642, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2642) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes.

The Senator from Rhode Island.

Mr. REED. Mr. President, I am pleased to resume consideration of the fiscal year 2008 Military Construction, Veterans Affairs, and related agencies appropriations bill.

To recap the essentials which I discussed yesterday, the bill provides \$109.2 billion in funding, including \$44.5 billion in mandatory spending and \$43 billion in discretionary funding for the Department of Veterans Affairs. Overall discretionary funding in the bill totals \$64.7 billion. That is a \$4 billion increase over the President's budget request. Most of the increased funding is targeted at expanding and improving veterans health care, which is an essential requirement for our obligation to the veterans, and also it recognizes that as generations of veterans are aging, those veterans from Korea and World War II and the Vietnam conflict, we also have a new era of veterans from Afghanistan and Iraq, and this money is essential.

This bill represents a landmark commitment to our troops and their families and our Nation's veterans by investing in urgently needed military construction projects and in expanding health care services to our veterans.

For the Department of Veterans Affairs, the bill includes \$29 billion for direct medical services for veterans. This level of funding is equal to the amount requested by the veterans service organizations in the independent budget. Each year, our veterans service organizations prepare an independent budget, not based upon what the administration thinks they can afford but what veterans need. This is one of the few times we have been able to meet that objective of the veterans service organizations within their independent budget. It will allow the Department to increase its resources for both physical and mental health care for veterans, and it will give the Department the resources it needs to expand research and treatment of traumatic brain injury and post-traumatic stress disorders. At a time when scores of veterans are returning from the wars in Iraq and Afghanistan with these often invisible wounds, this increased funding in this regard is urgently needed. It has been estimated that perhaps 30 percent of those who have served in Iraq or Afghanistan have received either traumatic brain injuries or have post-traumatic stress or both, and we have to be able to respond to those concerns.

The bill also includes needed funding for military construction of facilities