

controlled between the two leaders or their designees.

The Senator from Tennessee.

### ECONOMIC STIMULUS

Mr. CORKER. Mr. President, I rise today to talk about the Colombia Free Trade Agreement. I would like to say, just listening to our two leaders, there are certainly a lot of issues that our country needs to deal with. I would say that this body has lost a great deal of credibility as it relates to stimulus packages by virtue of the one we just passed.

While I know there will be people throughout our country who will be gleefully receiving checks in this election year, which certainly will make them feel good about us for a week or two, I think most of them realize our previous attempts at stimulating the economy did more to stimulate the good will toward us than the economy. I think all of us should be very slow to try to move toward a stimulus package, in that our past efforts, to me, have lacked the kind of credibility necessary in these difficult times.

### COLOMBIA FREE TRADE AGREEMENT

Mr. CORKER. Mr. President, I actually rise today to talk about the Colombia Free Trade Agreement. I had the tremendous opportunity this weekend to travel to Colombia and spend time in Medellin with our Secretary of Commerce, our Secretary of Labor, the head of our SBA, Mr. Steve Preston, and also a bipartisan group of congressional Members.

Mr. President, I know you realize that just this last week, this body passed, on a voice vote, the Andean Trade Preference Agreement, which allows Colombia, along with other South American countries, to actually send goods into this country tariff free. Let me say that one more time. Last week, by voice vote, unanimously, this body agreed to extend the Andean Trade Preference Agreement that was first put in place in 1991 that allows Colombian companies to ship into this country tariff-free products for sale in our country.

The Colombia Free Trade Agreement would actually allow American companies—American companies, which employ Americans—to ship goods into Colombia. It is amazing to me we have not been able to vote on this agreement. I realize this has actually been used as a leverage point, if you will, by some of the major unions in our country to leverage us into maybe doing some other things.

I realize the other body, on the other side of the building, is the body that needs to take up this agreement. But I think most people realize what is taking place at this point in time.

I would like to go back in history and cause the American people to remember that Plan Colombia, where we, as a

country, have invested \$5.7 billion into the country of Colombia, is something that has been done on a bipartisan basis. This was started under President Clinton with a country that had a very fragile existence due to security, due to narcotics. It was something that was put in place to help our country be more secure. This has been carried through with the Bush administration.

Mr. President, I have to tell you, it has been incredible the progress that has taken place in Colombia, especially since the year 2002, under President Uribe's leadership. During that period of time, the country has become far more secure.

We were in a city that just a decade ago we would not have been able to travel to. Economic growth has continued; 32,000 members of paramilitary groups have actually put down their arms and come back into civil society in this country.

So we are at a point in time where this country has made tremendous strides. This country has made remarkable progress. They focused on human rights. Just in February of last year, they set up special prosecutors to focus on violence as it relates to union officials and have made tremendous progress.

As a matter of fact, today in Colombia, a place where union officials in the past had to worry about their safety, it is actually safer—by virtue of violence against union officials—it is safer to be a union official than it is another member of society: a teacher or someone else.

It makes no sense for any of us in this body to not want the Colombia Free Trade Agreement to come into existence because today they are able to sell products into our country tariff free, but we are not able to sell products into their country. If this trade agreement were to come about, Colombia would actually be held to international labor standards. So, in fact, the plight of labor there would be lessened. As a matter of fact, to have American companies playing a role in Colombia would also be something that would enhance human rights.

Over the weekend, a leader of one of the terrorist groups, FARC, which has wreaked havoc on the citizens there, was killed. It was something that was done certainly to create even more security there. We have seen the reaction today and yesterday of the leader of Venezuela, who has 4,000 to 6,000 troops on the Colombian border—in essence, a threat to that country.

Colombia has been a friend of our country for many years. They had people fighting side by side with us in the Korean war. They have been loyal friends. They have lived up to what we have asked them to do and are making even greater progress in some cases than we ever expected. This is about us honoring our friendships. This is about us honoring our commitments.

I will just say, as it relates to my own State, we have increased trade

with Colombia, even under the arrangements that we have now where our companies have to pay tariffs on goods going into their country. In my own State, we would increase tremendously the amount of agricultural exports going into Colombia if this agreement were passed.

In conclusion, we have an ally in South America, an ally that is under immediate threat today but is under continual threat from countries nearby that harbor terrorists who commit terrorist acts against their country.

We have worked with them for years and have invested \$5.7 billion or \$5.8 billion into that country. Trade, we know, is a stabilizing factor. Right now, I think all of us understand that the leadership of the AFL-CIO and other organizations by virtue of their political relationships have been able to keep this treaty from passing, from being a part of our agreement with Colombia.

I think it is important for all of us to understand the negative impact that is having on our own States. As I mentioned earlier, farmers in my own State would benefit tremendously. Manufacturers of equipment would benefit tremendously. Chemical and pharmaceutical manufacturers would benefit tremendously. The fact is, in 2006, our trade with Colombia in my own State was up 49 percent, even with these tariffs in place.

So I hope the leadership of the body across the Hall will very soon allow the Members of that body to vote their conscience on this particular trade agreement; to not have a vote where they, in essence, direct people to vote against this agreement but allow people to vote for it because this is good for people all across America as it relates to employment. It is good for Colombia in that it shows that they are, in fact, our friend. It is good for our national security.

It is important for us to have in South America allies who think like we think and want to see democracy flourish, who want to see free trade, who want to see relationships with our people.

I think at this critical time, especially with the turmoil that is existing in that part of the world, it is important for us to pass this Colombia Free Trade Agreement.

Mr. President, I thank you for allowing me to express my views today. I hope we, as a body, will have the opportunity to pass this bill in the near future.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I commend my colleague from Tennessee for bringing up this very important issue. We know from what has happened in Colombia in just the last 2 days that it is so important our country help them in every way as they struggle to get rid of the drug trafficking and trade that has plagued

their country for so long. Free trade would be an excellent way for our country to help them build their economy and keep their democracy alive and stable.

So I say thank the Senator from Tennessee for talking about that issue, which is very appropriate at this particular time.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar No. 439, the nomination of Mark Filip; that the nomination be confirmed, and the motion to reconsider be laid upon the table; that any statements relating to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate resume legislative session.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

The nomination considered and confirmed is as follows:

#### DEPARTMENT OF JUSTICE

Mark R. Filip, of Illinois, to be Deputy Attorney General.

Mr. REID. Mr. President, this is Mukasey's chief deputy. We have been trying to get this nomination cleared for quite a long time.

Mr. LEAHY. Mr. President, today we continue the process of rebuilding the integrity and independence of the Justice Department by confirming the nomination of Mark R. Filip to be the new Deputy Attorney General, the number two position at the Department of Justice, who acts as the Attorney General in the absence of the Attorney General.

Regrettably, this important nomination has been stalled for over a month due to the bad faith of the Bush-Cheney administration in failing to process Democratic recommendations to independent boards and commissions, and Senate Republicans' rejection of up-or-down votes on nominations to the Federal Election Commission.

I commend the majority leader for his efforts to resolve this impasse. I also thank him for agreeing with me to allow the Filip nomination to proceed at this time. It is a demonstration of good faith on his part and I thank him. I strongly support the majority leader in his efforts to make progress by calling up Judge Filip's nomination today.

A little more than a year ago, the Judiciary Committee began its oversight efforts for the 110th Congress. Over the next 9 months, our efforts revealed a Department of Justice gone awry. The leadership crisis came more and more into view as Senator SPECTER and I led a bipartisan group of concerned Senators to consider the U.S. attorney firing scandal, a confrontation over the legality of the administration's

warrantless wiretapping program, the untoward political influence of the White House at the Department of Justice, and the secret legal memos excusing all manner of excess.

This crisis of leadership has taken a heavy toll on the tradition of independence that has long guided the Justice Department and provided it with safe harbor from political interference. It shook the confidence of the American people. Through bipartisan efforts among those from both sides of the aisle who care about Federal law enforcement and the Department of Justice, we joined together to press for accountability that resulted in a change in leadership at the Department, with the resignations of the Attorney General and many high-ranking Department officials—including then-Deputy Attorney General Paul McNulty, whose successor we consider today.

The tired, partisan accusations the President engaged in at the White House recently, in which he used Republican Senators and nominees as political props, are belied by the facts. They are about as accurate as when President Bush ascribed Attorney General Gonzales' resignation to supposed "unfair treatment" and suggested "his good name" was "dragged through the mud for political reasons." The U.S. attorney firing scandal was of the administration's own making. It decimated morale at the Department of Justice. A good way to help restore the Justice Department would be for this administration to acknowledge its wrongdoing.

We need a new Deputy Attorney General. We need someone who understands that the responsibilities and duties of that office are not to act as a validator for the administration, or as the chief defense lawyer for the White House. We are reminded by the examples of Elliot Richardson and William French Smith from the Watergate era—and more recently the examples of James Comey, Jack Goldsmith, and Alberto Mora—that law enforcement officials must enforce the law without fear or favor to their benefactors at the White House. We have now seen what happens when the rule of law plays second fiddle to a President's agenda and the partisan desires of political operatives.

The truth is that it was the President who deferred the critical work of restoring the Department's independence and credibility by delaying this nomination for half a year. This administration knew from at least May 14, 2007, when Mr. McNULTY announced that he was resigning, and should have known for weeks before, that there was to be a vacancy in the important position of Deputy Attorney General. Yet even after the former Deputy announced his resignation and proceeded to resign months later, the administration failed to work with the Senate to fill this vital position.

The President did not nominate Judge Filip until last December. I announced that the Judiciary Committee

would hold a hearing less than 2 weeks later, before Congress adjourned for the year, immediately upon receiving the necessary background materials from the White House. The committee moved as expeditiously as possible and we reported out Judge Filip's nomination at our first executive business meeting of the 2008 session.

What is being ignored by the President and Senate Republicans as they play to a vocal segment of their Republican base is that we have worked hard to make progress and restore the leadership of the Department of Justice. In the last few months, we have confirmed a new Attorney General, and held hearings for the number two and number three positions at the Department of Justice, as well as for several other high-ranking Justice Department spots.

It is vital that we ensure that we have a functioning, independent Justice Department. A month ago, the Judiciary Committee held our first oversight hearing of the new session and the first with new Attorney General Michael Mukasey. We will hold another oversight hearing this week with FBI Director Mueller. These are more steps forward in our efforts to lift the veil of White House secrecy, restore checks and balances to our Government, and begin to repair the damage this administration inflicted on the Department, our Constitution, and fundamental American values.

We continue to press for accountability even as we learn startling new revelations about the extent to which some will go to avoid accountability, undermine oversight, and stonewall the truth. We find shifting answers on issues including the admission that the CIA used waterboarding on detainees in reliance on the advice of the Department of Justice; the destruction of White House e-mails required by law to be preserved; and the CIA's destruction of videotapes of detainee interrogations not shared with the 9/11 Commission, Congress or the courts. The only constant is the demand for immunity and unaccountability among those in the administration. This White House continues to stonewall the legitimate needs for information articulated by the Judiciary Committee and others in the Congress, and contemptuously to refuse to appear when summoned by congressional subpoena.

In spite of the administration's lack of cooperation, the Senate is moving forward with the confirmation of Judge Filip today. In spite of the partisan, political display at the White House last month, staged while a convention of right-wing activists were in town, we are proceeding today.

With Judge Filip's confirmation, we will have confirmed 23 executive nominations, including the confirmations of nine U.S. attorneys, four U.S. marshals, and the top two positions at the Justice Department so far this Congress.

We could be in a position to make even more progress if the Republican