

Today, for me, as I greeted the Pope in Washington, DC, at the White House, I was reminded about the hope and optimism which is part of the legacy John Paul II left when he came to visit in Colorado now some 15 years ago.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. BOXER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SCHUMER.) Without objection, it is so ordered.

Mrs. BOXER. Mr. President, the majority leader will be coming out shortly to let Members know what is happening. But I can tell everybody that this bill is being slow walked. This is a simple bill. This is a mini-economic stimulus bill. It would release \$1 billion of highway trust fund moneys to build roads, to fix bridges, to run transit systems, and it got caught up in Presidential politics, investigations—everything you can think of—while the people wonder what we are doing.

This bill, simple as it is, would create about 50,000 new jobs at a time when we know—it is worse than a middle-class squeeze. It is really a middle-class struggle that is going on, and people are worried. They are worried about their homes, they are worried about everything, and this bill will create jobs.

So what we have is a classical slowdown, with Presidential politics being involved dealing with the gas tax that funds the highway trust fund. That is fine, but just let everybody know from where it is coming. The only amendments to this bill—the only amendments—come from the Republican side. I offered one as a side-by-side to Senator COBURN's, which I think is a good amendment. My amendment will not bring down this bill. Others will.

Here is where we are. We have a simple bill. It passed a year ago in the House. It passed, I believe it was June of 2007, under the leadership of Senator INHOFE. Actually, it was under my leadership but with the work of Senator INHOFE, both of us working together, bipartisan, bicameral.

I want to show you, Mr. President, who is strongly supporting this bill: the American Association of Highway and Transportation Officials, that is departments of transportation officials of all 50 States; the American Highway Users Alliance, millions of highway users throughout the country; the American Public Transit Association, transit systems from across the country; the American Road and Transportation Builders Associations, more than 5,000 members of the transportation construction industry; Associated General Contractors, more than 32,000 contractors, service providers, and suppliers; the Council of University Transportation Centers, more than

30 university transportation centers from across the country; the National Stone, Sand and Gravel Association, companies producing more than 92 percent of crushed stone and 75 percent of sand and gravel used in the U.S. annually; the National Asphalt and Pavement Association, more than 1,100 companies that produce and pave with asphalt.

These are real people who are willing, ready, and able to build and rebuild our infrastructure, to build and rebuild our transit systems. This bill is a no brainer. Instead, it is caught up in all of these negotiations right now. Whether we vote tonight or not, we are going to find out soon enough from Senator REID. But, Mr. President, let me say to my colleagues on both sides of the aisle, Senator INHOFE and I really wanted to get them a good bill. Senator INHOFE and I really wanted to get this work done quickly. We did all our homework. We put everybody's name on the Web site, so we complied with the new ethical rules. Senator DEMINT said he was very pleased with the standard we set for transparency.

These projects are ready to go. They are ready to go in Brooklyn, they are ready to go in Manhattan, they are ready to go in San Francisco, they are ready to go in Atlanta, and they are ready to go in Oklahoma. They are ready to go in every State of the Union. I say to all these good people who told us how much they want this bill to move: Please contact the Republican leadership and tell them to play Presidential politics another day with amendments that are not germane, with amendments that don't belong on this bill. Today pass this legislation.

There is too much talk around here and not enough action. We passed a stimulus bill. We did it in a bipartisan way, but we all know there is more to be done. This little bill will create tens of thousands of good-paying jobs in America, doing something that has to be done. But, no, we cannot finish it. We had one vote so far on an amendment by Senator DEMINT. We defeated it, which was important because it was a killer amendment. It says to me people want this bill.

This is the status. We are waiting for some type of agreement. This whole thing is being slow walked. We look forward to hearing from the majority leader as to whether there will be any more votes this evening. But as far as this Senator is concerned—I know I speak for Senator INHOFE—we want to get this bill done. But people are slow walking this bill. We are going to do our best to see if we can get this logjam stopped. But at this point, we have not been able to do it.

Tens of thousands of jobs are in jeopardy, and 500 various transit projects already paid for are in jeopardy. What a shame we cannot go forward. What a shame we are in another slowdown by my friends from the other side of the aisle. It is very discouraging.

Again, as the eternal optimist, I will return to this place tonight, if we can

continue working, or tomorrow after we come in after we pay our respects to the Pope.

#### MORNING BUSINESS

The PRESIDING OFFICER (Ms. CANTWELL). The Senator from California.

Mrs. BOXER. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. Madam President, I ask unanimous consent to speak up to only 5 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### TRADE POLICY

Mr. BROWN. Madam President, there has been a lot of controversy in the last couple of weeks about the President's sending the Colombia so-called free trade agreement to the House of Representatives. Under this unusual law, there is something called fast track procedure. Fast track procedure—this is a lot of inside baseball—changes the way we do business in the House and Senate. Trade law is the only issue that changes the way that we do business. On no other issue that comes in front of the House and Senate, except the budget, are there limits on amendments, are there limits on required up-or-down votes, timetables—all of that. The Senate rules do not apply on that legislation. It is the only time—in part because of who has written trade policy in this country in the last 20 years.

We have seen trade agreements that always look out for the interests of the drug industry, look out for the interests of the insurance industry, of banking interests, of energy interests. But we have not seen trade policy written in this country, negotiated by the President of the United States, the U.S. Trade Representative, that has shown any of the same concern for workers, for the environment, for food safety, for the safety of consumer products. That is why we have seen what happened with all the toys that came into this country from China. It should not have been a surprise to us that at Eastertime, that at Christmas, that at Halloween last year, that consumer products, especially toys for small children, came into this country that were dangerous. It should not have surprised us because it was somewhat inevitable because of the way we do trade policy in this country.

Professor Jeff Weidenheimer, a professor of chemistry at Ashland University, about 10 miles from where I grew up in north central Ohio, took his class to test children's toys last fall at Halloween and then did it again at Christmas and did it again at Easter. In case after case, they would go to a toy store

or a discount store and they would buy a bunch of toys, very inexpensive toys, and they would test them for lead. Every one of these batches of toys had significant numbers of toys that had lead content—lead in the paint that covered these toys—lead content way above on average what is considered safe. What is considered safe is about 600 parts per million. These were, in some cases, thousands of parts per million.

What should not surprise us about that is the way we set up trade policy in this country. We don't write trade policy to protect our children or to protect our communities or to protect our workers. We don't write trade policy to protect our food supply. We write long trade agreements—this isn't one, but I have to gather these papers to show how long they are. We pass trade policies that are this long. If we wanted to eliminate tariffs, we would pass trade policies that are this long. You could write a schedule of eliminating tariffs in the Colombian free trade agreement of 2 or 3 pages. Instead, we write agreements that are hundreds, if not in some cases over a thousand pages, because they are full of protections—not for workers, not for communities, not for children, not for our kitchen tables, our families—but these are trade policies that are chock-full of protections for the drug industry, the insurance industry, the oil companies, the banks. That is what our trade policy is all about. That is why.

Go back to Jeff Weidenheimer's class at Ashland University and look what happened. American companies decide they are going to shut down in this country because they would rather pay Chinese workers low wages and not have environmental laws and not have worker safety laws and not have to worry about consumer protection laws, so they shut down plants such as Huffy Bicycle in Sidney, OH, and they move to China where it is a whole lot cheaper. You don't have to worry about treating Chinese workers well because they are disposable. They did have to worry about treating American workers well, frankly, because many of them were union, and even if they were not, we have consumer protection laws, safe drinking water, clean air, environmental laws—all of those kinds of things. So these companies in Ohio and in the State of Washington where the Presiding Officer is from, all over our country, these companies shut down and they move to China.

A company such as Hasbro, a toy manufacturer, moves their production to China. Hasbro then subcontracts with a Chinese company, they subcontract their work. They go to a country, China, that does not have the same environmental safety, worker safety, consumer safety, and wages we have in this country, and then they deal with Chinese contractors and they push those Chinese contractors to cut costs: You have to cut costs; you have to cut costs. Every year they cut costs

over the year before, because that is good business. These American companies, when they outsource their jobs to China, force those Chinese contractors to cut costs.

Do you know what happens? They use lead-based paints. Do you know why? Because lead-based paint is cheaper to apply, it is cheaper to buy, it dries faster. These toys, then, all of a sudden, instead of having a coating that is safe for little children instead now have a coating that has lead base in them, making them dangerous to children. But they do that because these American companies are pushing these subcontractors to cut costs.

Forgetting for a moment—because these American companies don't seem much to care and the Chinese contractors don't seem to care much—forgetting for a moment these people in China are working in these factories and are probably ingesting all kinds of toxic lead themselves—forget that for a moment, as bad as that is. These toys then come back to the United States. Do you know what the Bush administration did? The Bush administration has weakened consumer protection laws and cut the number of inspectors so these products come through the American regulatory system that used to be the best regulatory system, the best consumer product safety system in the world, the best Food and Drug Administration system in the world—agencies that protected consumer products, about toys, especially—and agencies that protected food products that came into this country. And what do we end up with? We end up with toxic toys coming to our children's bedrooms, we end up with contaminated vitamins and other contaminated food coming into our kitchens. That is the result of American trade policy. It doesn't look out for our families, it doesn't look out for our children, it doesn't look out for our workers, it doesn't look out for our communities. Instead, it looks out for the drug companies, it looks out for the big toy manufacturers, it looks out for the big insurance companies, it looks out for the banks, it looks out for the oil industry. That is what is wrong with our trade policy.

President Bush's answer is let's send another free trade agreement to the Senate, to the House of Representatives, the Colombia free trade agreement. It is more of the same. It will not work.

The last point, Madam President, and I think we are pretty ready to adjourn for the night. When I came to Congress—I was elected the same year the Presiding Officer was elected, 1992—we had a \$38 billion trade deficit. That means our country bought \$38 billion more than our country sold to other countries around the world. Today, that trade deficit exceeds \$800 billion—from \$38 billion to \$800 billion in a decade and a half. President Bush the First said for every \$1 billion trade surplus or trade deficit, it amounted to

13,000 jobs. That means if we had a \$1 billion trade surplus, if we were selling more than we were bringing in, it meant 13,000 net gain of jobs in country. If we had a \$1 billion trade deficit, it meant we bought \$1 billion more than we sold, we had a 13,000 jobs net loss. We have an \$800 billion plus trade deficit. Do the math. Think about that.

As we adjourn for the evening, think about what this trade policy is doing. It continues to fail the American people, continues to fail our communities, and it kind of begs the issue about which Albert Einstein once said: The definition of insanity is to do the same thing over and over and expect a different result.

We are getting the same result. It hurts our communities, it doesn't protect our families—consumer protection and food safety and all of that. These trade agreements are a bad idea. We can fix them. I, like Senator DORGAN, who has spoken on the floor many times about this, want more trade. We want plenty of trade. We just want it under a very different set of rules, rules that protect our families, protect our communities, that protect our workers—not just protecting the drug industry and the oil industry and the energy companies and those toy manufacturers that sort of forget about the safety of our children.

#### HONORING OUR ARMED FORCES

**Mrs. BOXER.** Madam President, today I rise to pay tribute to 19 young Americans who have been killed in Iraq since November 6, 2007. This brings to 831 the number of servicemembers who were either from California or based in California who have been killed while serving our country in Iraq. This represents 21 percent of all U.S. deaths in Iraq.

SPC Peter W. Schmidt, 30, died on November 13, in Mukhisa, Iraq, of wounds suffered when an improvised explosive device detonated during dismounted combat operations. Specialist Schmidt was assigned to the 2nd Battalion, 23rd Infantry Regiment, 4th Stryker Brigade Combat Team, 2nd Infantry Division, Fort Lewis, WA. He was from Eureka, CA.

SSgt Alejandro Ayala, 26, died November 18, of injuries sustained as a result of a vehicle accident in Kuwait. Staff Sergeant Ayala was assigned to the 90th Logistics Readiness Squadron, F.E. Warren Air Force Base, WY. He was from Riverside, CA.

SGT Kyle Dayton, 22, died December 3 in Ashwah, Iraq, of injuries suffered from a noncombat-related incident. Sergeant Dayton was assigned to the 2nd Battalion, 504th Parachute Infantry Regiment, 1st Brigade Combat Team, 82nd Airborne Division, Fort Bragg, NC. He was from El Dorado Hills, CA.

CPO Mark T. Carter, 27, died December 11 as a result of enemy action while conducting combat operations in Iraq. Chief Petty Officer Carter was permanently assigned as an East Coast-based