

stage, support these four bills being moved forward at the same time and then the process can begin of legislating. If we do not—if he does not do that, then it is going to be very difficult to get to the guts of the bills that are reported out of committee.

#### MORNING BUSINESS

**THE PRESIDING OFFICER.** Under the previous order, the Senate will be in a period of morning business until 12:30 p.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided in the usual form.

The Senator from Oregon.

#### TRADE

**MR. WYDEN.** Mr. President, I listened carefully to the remarks of the Senate majority leader, and I believe the majority leader's statement provides potential—potential—to find the bipartisan common ground on trade that we found in the Senate Finance Committee. In the Senate Finance Committee, we passed the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 by a 20-to-6 vote and the Trade Adjustment Assistance Act of 2015 by a 17-to-9 vote. We passed a robust trade enforcement measure and package of trade preferences by voice vote.

Respectfully, I hope that the majority leader would take this morning to work with those on my side of the aisle who are supportive of trade to find a similar bipartisan approach to ensure that all four of the measures I have described are actually enacted.

I yield the floor.

**THE PRESIDING OFFICER.** The Senator from California.

#### THE MIDDLE CLASS

**MRS. BOXER.** Mr. President, I appreciate the leadership of Senator WYDEN on this, because if you leave out certain bills that help workers, then what you are left with, essentially, is a package that ignores their needs.

I do want to say that I hope we will not proceed to this debate on this free-trade agreement. I stand here as someone who comes from California, where I had voted for half of the trade agreements and I voted against half. I think I am a fair voice for what we should be doing.

If there is one unifying principle about the economics of today, it is this: the middle class is having a very hard time in America today, perhaps the worst time in modern history.

A new University of California study released last week makes it clear how our middle class is being hollowed out. In my State, we have a dynamic workforce. We have dynamic entrepreneurs. We are doing very well. But this study found that the lowest paid 20 percent of California workers have seen their real wages decline by 12 percent since 1979.

Think about that. This is a great country. We always say we have to be optimistic about tomorrow. You do everything right, you play by the rules, and your income for your family, in real terms, goes down by 12 percent. There is something wrong with this. I think everyone will say they want to do more for the middle class, and there is a straightforward agenda we could turn to, to do just that. But instead what do we turn to: a trade agreement that threatens the middle class—that threatens the middle class. What should we be doing here? Not confabbing in a corner over there about how to push a trade bill on this floor that doesn't help working America, we should pass a highway bill. The highway bill is critical—good-paying jobs, businesses that thrive in all of our communities. More than 60,000 of our bridges are structurally deficient, more than 50 percent of our roads are not in good condition. But, oh, no, even though the highway bill expires—we have no more authority to expend money out of that fund come the end of May—they are bringing forward a trade bill that is a threat to the middle class.

Why don't we increase the minimum wage? The minimum wage needs to be raised. Oh, no, they do not want to do that. They have not done it in years. The States are doing it. Oh, no, let's keep people working full time in poverty. So instead of confabbing over there on how to push a trade bill onto this floor, we ought to be raising the minimum wage.

What else should we be doing? We should make college more affordable. We have people here on Social Security in this country who are still paying off their student loans. That is a shame upon America. They cannot even refinance their student loans.

Instead of confabbing in the corner about how to bring a trade bill to this floor, why don't we fix the student loan problem? Why don't we raise the minimum wage? Why don't we pass a highway bill that is funded to help middle-class people?

It is all a matter of perspective, my friends. We still have not done equal pay for equal work, so women are not making what they should. That hurts our women when they retire. They have lost more than \$400,000 in income.

Instead of standing in the corner and figuring out how to bring a trade bill to the floor, they ought to be fixing equal pay for equal work. They ought to be fixing student loans for our students. They ought to be passing a highway bill. They ought to be increasing the minimum wage. They ought to deal with currency fairness because our trading partners play with their currency in order to push forward their products. But oh, no, that is not on the agenda.

We could have an agenda for a vibrant middle class. But instead of that, we are moving toward a trade bill.

I know there are some who disagree with me and who come down to this

floor and say: We are going to create jobs with this trade bill; it is going to be great. Let them explain how we are not going to see some of the 12 million jobs that are manufacturing jobs in America not move to countries that pay 56 cents an hour; another country, \$1.19 an hour.

I know they will disagree with me. They are making all of these promises. The more I hear it, the more I hear the echoes of the NAFTA debate. That was a long time ago, and I was here then. In 1988, I voted for fast-track authority to allow the administration to negotiate the North American Free Trade Agreement. Then, 5 years later, I saw the deal. It was a bad deal, and I voted no, but it was too late—because when I saw the deal, I knew I could not fix it because that is what fast-track is.

What this majority today is saying to us is vote for fast-track and give up your right, Senator BOXER, to amend this trade agreement. They say: Well, it is very transparent. Go down and look at it.

Let me tell you what you have to do to read this agreement. Follow this: You can only take a few of your staffers who have to have a security clearance—because, God knows why, this is secure, this is classified. It has nothing to do with defense. It has nothing to do with going after ISIS. It has nothing to do with any of that, but it is classified.

I go down with my staff whom I can get to go with me, and as soon as I get there, the guard says to me: Hand over your electronics.

OK. I give over my electronics.

Then the guard says: You cannot take notes.

I said: I cannot take notes?

Well, you can take notes, but you have to give them back to me, and I will put them in a file.

I said: Wait a minute. I am going to take notes, then you are going to take my notes away from me, then you are going to have them in a file and you can read my notes—not on your life.

So instead of standing in a corner trying to figure out a way to bring a trade bill to the floor that does not do anything for the middle class, that is held so secretively that you need to go down there and hand over your electronics and give up your right to take notes and bring them back to your office, they ought to come over here and figure out how to help the middle class, how to extend the highway bill, how to raise the minimum wage, how to move toward clean energy, how to fix our currency manipulation that we see abroad.

Anyway, I take you back to 1988. I voted for fast-track for NAFTA. Instead of the millions of new jobs that were promised, by 2010 the United States had lost 700,000 jobs.

Instead of standing in a corner figuring out how we are going to lose more jobs, we ought to do something that works for the middle class.

Let me tell you what happened with NAFTA. Instead of improved pay for

our workers, which was promised, NAFTA pushed down American wages. It empowered employers to say to their workers: Either accept lower wages and benefits or we are moving to Mexico. Instead of strengthening our economy, it increased our trade deficit to Mexico, which now this year hit \$50 billion. Before NAFTA we had a trade surplus with Mexico. Now we have a trade deficit.

So instead of standing in the corner and figuring out how to have more trade deficits with countries, we ought to do something to help the middle class.

I want to talk about something that happened in California—in Santa Ana—right after NAFTA. The city had worked hard to keep a Mitsubishi plant that assembled big-screen TVs, securing tax credits to help the plant stay competitive. Even after NAFTA passed, company officials promised they would keep the plant in Santa Ana. But guess what, folks. Three years later, Mitsubishi closed the plant. Company officials said they had to cut costs, especially labor costs, so they were moving their operations to Mexico.

We lost 400 good-paying, middle-class jobs, even though everyone promised NAFTA would never do that. This is going to be wonderful. I got suckered into voting yes on fast-track. I fear we see this pattern again.

The definition of “insanity” is doing the same thing over and over and expecting a different outcome. We have 12.3 million manufacturing jobs in this country. We are looking at a trans-pacific partnership deal, the largest trade deal in history, covering 40 percent of the world’s economy. Tell me, what chance do our people who work in manufacturing have against countries that pay less than \$1 an hour? In one case, I think it is 70 cents an hour.

Of the 12 countries in the TPP, 3 have minimum wages that are higher than ours, Australia, New Zealand, and Canada, but most of the countries have far lower wages, including Chile, with a minimum wage of \$2.14; Peru, with a minimum wage of \$1.38; and Vietnam, with a minimum wage of 70 cents. Brunei and Singapore don’t even have a minimum wage.

I think I have laid out the argument as to why all of these promises about better wages and more jobs fall flat on their face when we look at that last free trade deal—and this one involves more countries.

Then there is the investor-state dispute settlement, or ISDS, which will allow polluters to sue for unlimited money damages. For example, they could use it to try to undo the incredible work in California on climate change by claiming that they were put at a disadvantage by having to live with California’s laws.

Polluters could seek to undermine the President’s Clean Power Plan or the toxic mercury pollution under the Mercury and Air Toxics Standards or they could sue because they had to

spend a little money to make sure they didn’t dump toxins into our waterways—drinking water.

We have seen this happen before. SD Myers, Lone Pine Resources, and the Renco Group sued. They notified Peru in 2010 and intended to launch an \$800 million investor-state claim against the government because they said the fair-trade agreement was violated because it said they did not really have to install all of these antipollution devices. Yet Peru forced them to do it, and what happened was that “polluters pay” turned into “polluters get paid.”

So we have a trade agreement that threatens 12 million manufacturing jobs. We have a trade agreement that is pushing all of the things we need to do for our middle class off the floor. We have a trade agreement that sets up this extrajudicial board that can overcome America’s laws.

As former Labor Secretary Robert Reich has warned, the consequences could be disastrous. He calls the TPP “a Trojan horse in a global race to the bottom, giving big corporations and Wall Street a way to eliminate any and all laws and regulations that get in the way of their profits.”

We should set this aside and not go to this today. Let’s work together as Democrats and Republicans for a true middle-class agenda, for a robust investment in our roads, bridges, and highways, and to fix our immigration system.

I see Senator LEAHY is on the floor. He put together a comprehensive immigration reform bill that was amazing, but it was stopped and never happened. We have workers in the dark who are afraid to come out into the sunlight, and that puts a downward pressure on wages. Let’s pass that. Let’s make college more affordable, ensure equal pay for equal work, and fight for currency fairness. We can do it.

#### TOXIC REFORM

Mrs. BOXER. Mr. President, I will take about 3 minutes to talk about my last issue today, and that is the toxic reform bill that passed out of the Environment and Public Works Committee.

Mr. President, I have some great news about the toxic bill. The original Vitter-Udall bill was slain and is gone and in its place is a better bill. That is the great news. The bad news is it is still not a really good bill. We have to do better, and we can do better.

What we did in this bill is to understand that we had to negotiate certain items out of it, and one of the items we had to negotiate was how far the original bill went in preempting State laws, which we have now addressed. Credit goes to 450 organizations that—although they still oppose this bill—pushed hard for those changes. Credit also goes to Senators WHITEHOUSE, MERKLEY, and BOOKER, who told me they wanted to try to negotiate some changes. I blessed them, and they went

and did it. For that I have to thank a Senator who is no longer with us, Ted Kennedy. He taught me that, as a chairman, you need to understand that sometimes you have to turn to your colleagues and let them move forward. And I was happy to do that.

The changes that came back included a part-way fix on preemption, a full fix on preempting air and water laws when it comes to toxics. And enforcement has been fixed. So we are very, very pleased.

What is not really fixed, however, is that we want to make sure States have even more latitude to move if they see a danger. If there is a cancer cluster among kids or adults around this country, we want to make sure that the Federal Government will move to help them. We want to make sure that asbestos is addressed directly in this bill because 10,000 people a year die from asbestos exposure. If there is a chemical stored near a drinking water supply, we want to make sure that it, in fact, will receive priority attention.

What chemical is in there? We saw it happen in West Virginia. Senator MANCHIN wrote a really good bill with me. We should address that, and I was happy to see that we had some bipartisan votes on those last two fixes.

We have to fix this bill, and I just don’t agree with anyone who comes to the floor and says it is perfect. But what I think is not important. What is important is what 450 groups think, and they think the bill has to be fixed.

Let’s be clear. The people who say we have to fix the bill with perfecting amendments include the American Public Health Association and its Public Health Nursing Section, the Asbestos Disease Awareness Organization, the Consumers Union, the Institute for Agriculture and Trade Policy, the National Disease Clusters Alliance, the National Hispanic Medical Association, the Birth Defect Research for Children, Physicians for Social Responsibility, the Maryland Nurses Association, the Massachusetts Nurses Association, the National Association of Hispanic Nurses, the Association of Women’s Health, Obstetric and Neonatal Nurses, the Breast Cancer Action, the Breast Cancer Fund, Huntington Breast Cancer Coalition, Kids v Cancer, and the Lung Cancer Alliance. It goes on and on. A full list of the organizations can be found at saferchemicals.org/coalition.

I say to my colleagues that the Vitter-Udall bill is much better now than when it was introduced, and these 450 groups did everything in their power to help us fix the bill. We are halfway there. I hope we can negotiate some more fixes—and maybe we can do that.

If we can pass four or five of these amendments, we are on our way. But if we cannot fix the bill and it does come here, there will be a lot of talking about how to fix it. There will be a lot of talking, a lot of standing on our feet, and a lot of rallies with 450 groups. That is the choice the Senate