

There is also a feature on the Federalist Papers and a special section featuring books about the Constitution for children. There is a beautiful color reproduction of the mural unveiled in the Senate wing of the Capitol Building just a few days ago. The mural depicts the authors of the Connecticut Compromise of 1787—also known as the Great Compromise—that led to creation of the Senate and the House of Representatives. There is also a Virtual Reference Desk that can guide visitors to further reading and resources to help them learn more about our—our, our—Constitution.

I commend the Secretary of the Senate, the Sergeant at Arms, and their staffs, who collected and posted this array of constitutional material in such an attractive and easy-to-use format. Their work reflects well on the Senate and offers a real service to the Nation. It embodies the spirit of Constitution Day, which I am proud to have had a hand in establishing. I also commend the many other organizations that have made an abundance of educational material available to all those seeking greater knowledge of the Constitution. Notable among these are the Web sites of the National Constitution Center in Philadelphia, Justice Learning, the Center for Civic Education, the Constitutional Rights Center, the Constitution Project, and the Freedom Forum. They have all done fine work that deserves widespread attention.

Our Constitution is what sets the United States—yes, our Constitution is what sets the United States, a star, above other nations. Our Constitution is what makes the United States such a shining beacon, such a shining star for the people of other nations, for those still struggling to establish democratically elected representative governments.

Our Constitution empowers our leaders but also places limits on our leaders to prevent autocratic rule. “If men were angels, no government would be necessary.” James Madison wrote in the Federalist Papers, “If men were angels, no government would be necessary.” “If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty is this: You must first enable the government to control the governed; and in the next place, oblige it to control itself.”

The self-control mechanism in our Constitution and therefore in our governmental structure comes first from the competition between and among the three branches of Government, the famous “checks and balances.” Ultimately, the self-control mechanism in our Government comes from the powers and the responsibilities placed by the Constitution upon the people of the United States. In order to effectively play our safeguarding role as citizens, we each—each of us; you, Mr. Presi-

dent, me, each of us—has an obligation to be informed. The system of checks and balances between and among the three branches of Government and the ideals of freedom and of rights and liberties set forth and realized in our Constitution are our greatest contributions to the world—our greatest contributions to the world.

My hope is that observances of Constitution Day—yesterday, today, this year, and in future years—will encourage all citizens, all citizens high and mighty and low, to learn more about our Constitution and Government. Certainly there is no better way for people to start than by clicking on the U.S. Senate’s Web site. I hope many people listening today, many people watching today, will be inspired to use the Internet today—yes, today—to visit the Senate’s Web site and see the marvelous collection of information about the most marvelous document, the Constitution of the United States.

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

The PRESIDING OFFICER (Mr. ENZI). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from North Dakota.

Mr. CONRAD. I thank the Chair.

OMAN FREE TRADE AGREEMENT

Mr. CONRAD. Mr. President, I come to the floor today to oppose the so-called Oman Free Trade Agreement. There are two primary reasons that I oppose this agreement. First, the Oman agreement is a continuation of an utterly failed trade policy. I believe we must change direction, and we need to change direction now before our record trade and budget deficits cripple our economy.

Mr. President, this chart shows the trend in the U.S. trade deficit. This chart shows the trade deficit per month, and if we go back to 1992, we can see the trade deficit was running about \$3 billion a month—a little over that. The total trade deficit that year for the entire year was \$40 billion.

Now we fast track to this year. After 10 trade agreements and 14 years, we are now at a trade deficit, as of last year, of \$718 billion. And we are headed for a trade deficit of over \$800 billion based on the most recent trade deficit. In July, we saw a trade deficit approaching \$70 billion for the month.

When are we going to conclude that we are on a course that is leading nowhere?

Mr. President, NAFTA provides one vivid example of how these trade deals have affected our trade deficits. In 1993, the year before NAFTA took effect, we had a small trade surplus with Mexico—as this chart shows, about \$1.7 billion. Last year, after 12 years of

NAFTA, our trade deficit with Mexico exceeded \$50 billion. In other words, before NAFTA, we had a trade surplus, albeit a small one. Now we have a massive trade deficit, and some say this is a success. I would hate to see a failure. If this is a success, what would be a failure?

Agriculture provides another clear example. When this administration took office, we had a trade balance in agriculture of a positive \$15 billion. That was in 2001. Every year, this balance has gone down: to \$13 billion in 2002, \$10 billion in 2003, just under \$10 billion in 2004, last year it slipped to under \$5 billion, and this year they are now anticipating a trade balance in agriculture of only \$2 billion. That is stunning, absolutely stunning. We used to run a trade surplus in agriculture of over \$25 billion a year. Now we are very close to having no trade balance in agriculture. Yet we keep going down the same path, trumpeting every one of these trade deals as another great success.

I do not think there is much credibility left in that argument. I would be the first to admit I have voted for some of these trade agreements. I voted against NAFTA, and I voted against the CAFTA agreement, the most recent agreement entered into here. I voted against the so-called Canadian Free Trade Agreement, but I supported the agreement with China, I supported WPO, and I believed that it would advance the cause that is so important to the international economy.

At some point we have to deal with facts. We have to deal with reality. We have to deal with what is really happening, not some academic argument. We have to deal with the reality that our country is going deeper and deeper into debt. We are now the world’s largest debtor nation, and by a large margin.

I believe the Oman agreement continues that failed trade policy. We are now getting more than we are giving. When you read the fine print in the study that was done by the U.S. International Trade Commission, the non-partisan U.S. agency in charge of analyzing trade agreements, you discover that this agreement will increase our trade deficit with Oman. So here we go again, one more time of failed negotiations leading to more deficit, more debt, and the United States borrowing more money.

In the fine print of the analysis that has been done what you find is that imports of apparel from Oman will increase by more than \$42 million a year, but the exports of all products to Oman will increase only between \$14 to \$41 million. So, once again, we are asked to approve a deal that is the product of a failed negotiation. Once again those who negotiated on behalf of the United States have brought back a loser, claiming all the while it is a great success.

At some point you have to check the record. At some point you look at what

has actually happened, and you compare the claims to the results. When we do that on the trade agreements, what we find is that they have been a miserable failure for this country. Perhaps it should not be surprising that this agreement would increase our trade deficit. It is produced by the administration, an administration that has said at various times that outsourcing is a good thing. It is produced by an administration that does not believe in having other countries improve their labor standards so that it is fair competition. In fact, this administration has repeatedly rebuffed the efforts of the House of Representatives to strengthen labor laws in Oman so that they meet the core international standards.

I do not believe this is a good agreement on the merits. But in addition, this process is horribly flawed. The way this bill has been brought to the Senate floor makes a complete mockery of the fast-track process.

Why do I say that? Well, as every Member of this body knows, the Constitution gives the Congress, not the President, the responsibility for regulating foreign trade. Yet in recognition that we cannot have 535 trade negotiators—435 Members of the House and 100 Members here—Congress has agreed to the fast-track process for considering trade agreements.

In agreeing to fast track, each Senator gives up the most fundamental rights of a U.S. Senator. The most fundamental rights of any Senator are the right to amend and the right to extended debate. Those are the two things that distinguish this body from any other parliamentary body in the world. And most analysts have said it is a key to the importance of the U.S. Senate.

In return for our giving up those core rights of any Senator—the right to amend, the right to extended debate—there is supposed to be a detailed consultation with the Congress in negotiating trade agreements and developing the implementing legislation.

In practice, the Finance Committee, of which I am a member, is the focus of this consultation because the Finance Committee has jurisdiction over trade policy. In theory, the committee has extensive input during the process of negotiating agreements. Theoretically, it does not then need to amend the implementing bill once it is formally introduced.

When it comes to developing the implementing bill, this consultation occurs through what is known as the mock markup process. It is like a regular legislative markup, only it is a mock markup in that it is not proceeding under the regular legislative course. The mock markup is the Finance Committee's opportunity to amend the implementing bill before it is formally introduced and then cannot be amended under fast-track rules. This informal process has a long history. During consideration of previous

trade agreements, the process has lasted months and produced a host of changes.

On the Oman agreement, I offered an amendment to prevent products made with slave labor, or under sweatshop conditions so egregious as to be tantamount to slave labor, from benefiting from the agreement. I did so because of a sad history, a sad history with the agreement with Jordan that failed to prevent horrific sweatshops in that country. I did so because it is not free trade when foreign workers are locked in factories and forced to work 100 hours a week for pennies an hour. Can anybody argue that represents free trade? That is not what Members of this body support when they vote in favor of free trade, but a recent study in Jordan found that is precisely what is happening.

Workers from Bangladesh, China, and other parts of Southeast Asia were promised much greater pay than they could earn in their home countries. Not surprising, thousands went to Jordan. They paid hundreds of dollars to recruiters to get the jobs in the Jordanian apparel industry, but when they got to Jordan, their passports were taken away so they could not leave or change jobs. They were then forced to work 90 to 120 hours a week. They were paid far less than Jordan's minimum wage and were denied what they had been promised. And if they complained, they were beaten or jailed.

Now, these are unpleasant facts, but they are facts, and we can either choose to turn away or be condemned by history for allowing this to occur when we served in a position of responsibility.

Here is what the workers reported, according to the New York Times earlier this year:

We used to start at 8 in the morning, and we'd work until midnight, 1 or [even] 2 a.m., seven days a week. . . . When we were in Bangladesh they promised us we would receive \$120 a month, but in the five months I was there I only got one month's salary—and that was \$50."

These stories are repeated over and over and over.

Mohammed Saiful Islam, a Bangladeshi, said that several times the workers had to work until 4 a.m., then sleep on the factory's floor for a few hours, before resuming work at 8 a.m. "The workers got so exhausted they became sick," he said. "They could hardly stay awake at their machines."

Several workers said that when they were sick they did not receive medical care, but were instead punished and had their pay docked.

Hazrat Ali said he sometimes worked 48 hours in a row and received no pay for the six months. "If we asked for money, they hit us," he said.

Nasima Akhter said that the Western factory gave its workers a half-glass of tea for breakfast and often rice and some rotten chicken for lunch. "In the four months I was in Jordan, they didn't pay us a single penny," she said. "When we asked management for our money and for better food, they were very angry at us. We were put in some sort of jail for four days without anything to eat. And then they forced us to go back to Bangladesh."

These conditions are appalling, but they are all confirmed. This happened. And the question is, Are we going to allow this to continue? We would not ask American workers here at home to compete with these sorts of practices. Is it reasonable to expect our workers to compete with work conditions like these abroad? I think not. And we certainly—we certainly—should not be giving special trade benefits to products made under these conditions. That is immoral.

In the case of Oman, its labor laws fall far short of the core ILO standards, the International Labor Organization standards. Oman, like Jordan, relies heavily on guest workers who are often at a serious disadvantage in trying to assert their rights. Oman has been cited by our own State Department for human trafficking. And according to the International Trade Commission, the Oman Free Trade Agreement is expected to greatly increase apparel production and exports to the United States from Oman.

The warning signals are before us. Are we going to act? I hope we do. That is why I offered an amendment in the Finance Committee that clarified that goods produced with slave labor or de facto slave labor of the sort that occurred in Jordan will not benefit from this agreement. The administration raised objections at the time, but the committee rejected the administration's advice and unanimously adopted my amendment—unanimously adopted my amendment.

I believe it adopted my amendment because the members believe that products manufactured in these sorts of abusive conditions should not get special benefits under this free-trade agreement. The Finance Committee spoke loudly and clearly. By an 18-to-0 recorded vote, the committee disagreed with the administration and said that we need to add protections in this agreement because local labor laws and U.S. laws did not work in the case of Jordan and may well not work in the case of Oman.

Yet the bill before us today does not include these protections. It does not include an amendment passed unanimously in the Senate Finance Committee. This process is now so broken and such a sham that we can pass an amendment in the so-called mock markup by a unanimous vote and it means absolutely nothing. This process has lost its credibility. This process cannot be taken seriously.

Every Member of this body should know that in giving up their core rights—the right to amend, the right to extended debate—in return for a program that is supposed to include consultation between the Congress and the administration—consultation that is supposed to go through the Finance Committee, through the mock markup process that is our ability to change things, that is our ability to offer amendments to alter the final outcome—it means nothing—nothing.

Two years ago, we debated the Australian FTA, and the Finance Committee adopted an amendment I offered then to protect our ranchers. It went through procedural contortions to drop the amendment. I said at the time:

This precedent strikes me as dangerous. It opens the process to abuse, and it reduces the Committee's role in crafting trade policy and trade legislation. It may have been expedient. . . . But I believe that we will come to regret this precedent. It invites a future President to ignore any recommendations made by the Committee on future trade implementing legislation.

Unfortunately, that prediction has come true. Here we are with another trade agreement, this time a trade agreement which was amended in the Finance Committee, the committee of jurisdiction, by a unanimous vote, and that amendment appears nowhere in the final product.

This process has become a sham. It is a snare and a delusion for Members here to think that Congress has any effect. There is no need for a Congress of the United States if this administration or any administration arrogates to itself the full power of the Government of the United States. That is what has now happened with trade agreements. The Congress may as well not exist. We may as well not be here because we have no ability to alter the outcome.

The only ability we have remaining is to reject the agreement outright. I have reached the conclusion that is the proper course. I believe we ought to reject this agreement on two bases: No. 1, it is a continuation of a failed trade policy that is driving us deeper and deeper into debt; and second, it is the product of a process that has become a complete sham. The facts speak for themselves.

Let me conclude. The Oman Free Trade Agreement promises few, if any, benefits to the U.S. economy and will actually make our trade deficit worse. Moreover, the safeguards that were supposed to protect against imports made under abusive sweatshop conditions have been summarily dropped from the bill, despite a unanimous vote in the committee of jurisdiction.

Finally, the process the Finance Committee followed sets a terrible precedent. No Senator should welcome the precedent that the administration can simply ignore the will of the Finance Committee on a particular trade issue important to the people we represent, secure in the knowledge that the trade implementing bill can be pushed through as part of a larger take-it-or-leave-it package.

So I hope my colleagues, even those who generally support trade agreements, will think long and hard about how they cast this vote. This vote is going to set another precedent—one more precedent—that says the fast-track process is completely broken.

If you believe the Senate and the Finance Committee should not have a voice on trade agreements and trade implementing bills and you support the

use of slave labor, human trafficking, and egregious, abusive sweatshops, you should vote for this bill. But if you believe that consultation under fast track should be meaningful, if you believe the mock markup process should not be a mockery, and if you oppose slave labor, you should vote against this bill.

I urge my colleagues to stand for a new direction in trade policy, to stand for agreements that benefit the American economy, and to vote against the Oman Free Trade Agreement.

As someone who has supported many trade agreements, I come to this conclusion reluctantly. I come to this conclusion only after 20 years of service in the U.S. Senate, seeing one after another of these trade agreements entered into, each one of them heralded as another great success, only to find that we are on course to running up the greatest trade deficit in the history of the United States—\$700 billion of trade deficit last year, headed for \$800 billion this year. Mr. President, if this doesn't send a message that we are on the wrong course, I don't know what would.

Finally, this is a process that is completely bankrupt—absolutely, completely bankrupt. I entered into the chance as a member of the Finance Committee to offer amendments in good faith. I did so responsibly. My amendment passed unanimously. Yet it is summarily dropped by the administration for no good reason.

Mr. President, this fast-track process is fast track all right; it is a fast track to decline. It is a fast track to rising deficits and debt. It is a fast track to the centralization of power in this country in the hands of a few in the administration, without regard to congressional input.

That is not the history of this institution. That is not the constitutional history of our country. We were not designed to be a government of only one branch, the executive branch. Our constitutional history suggests that this is to be a government of shared powers, with an executive branch, a legislative branch, and judicial branch, all with their appropriate roles.

Increasingly, with respect to trade, the role of the Congress is the role of a rubber stamp. Our Founding Fathers would be spinning in their graves seeing how the fast-track process has been contorted into a process that allows the administration to make the decisions with respect to the trade policy of this country, without an ability of Members of Congress to alter its course. That is a profound mistake, and we will regret it in the future.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

PROUD TO FIGHT FOR OUR FREEDOMS

Mr. ENZI. Mr. President, every day when the Wyoming papers come out, my staff in Wyoming looks through them and makes sure that information that is in them reaches me here in Washington in a timely way so that action then can be taken or information can be received or questions can be answered or people's personal problems that have been caused by the Federal Government can be taken care of.

Recently, there was a letter to the editor from a young man in our military. It appeared in the Torrington Telegram. It has a very important message for our country that I wanted to share with the country. These are the feelings of a young man serving in the military. I appreciate his effort in putting this letter in a Wyoming paper. I hope it makes several papers in Wyoming. I am going to make sure the people across America hear the message he is delivering to Americans. It is an important message for Americans, but apparently it is one on which the media is reluctant to report. So I am going to work to help him deliver the message.

Here is his letter. It is from Lee Freeburg:

I am a U.S. Navy Corpsman, having returned home for some relax time. I was reading through the Telegram and came across a letter to the editor titled "Bush using fear tactics."

I am appalled by the disrespect to the president of the great nation and the U.S. troops in Iraq and Afghanistan.

The president is doing his best to guide our country and keep us free. He is not the only one who makes decisions, (hence we are not a dictatorship.) Have we forgotten that we also have a House of Representatives and a Senate? This collection of Americans is Congress. For the president to send our troops, our sons (me) and daughters to war, it takes an act of Congress.

Sailor Freeburg continues:

I am proud to serve my country and my president, defending and bringing freedom to people all around the world.

I am outraged by people's attitudes toward this war; have we so soon forgotten 9-11? They attacked us first on our soil. . . .

Have you ever seen the look of gratitude in people's faces for the liberation from a dictatorship?

Then you do not understand what we (the U.S. troops stationed abroad) are doing.

We as Americans take our freedom so lightly and we need to stop and think. How did we come about to have these freedoms? Well, war. War earned our freedom, and war has kept it, from the American War for Independence to Operation Iraqi Freedom. Men have fallen, paid the ultimate price so that we as Americans can enjoy living without dictators like Hitler, Stalin and Saddam Hussein.

Sailor Freeburg goes on to write:

While other countries are building fences to keep people in, we have to build fences to keep people out. Now if the president were a dictator, would people be trying to float 90