standards we long ago have required in this country. That has not been the case, and I think that because it is not the case, it raises a great many questions. I also, as I indicated earlier, believe at the very time we are seeing all of these products coming into this country that can cause serious problems for human health, at the very time we see that, to see this administration decide to retract on those issues and begin to actually inspect fewer rather than more products, at a time when we are inspecting only 1 percent of all of that which comes in, I think that is a serious step in exactly the wrong direction.

Mr. President, I yield the floor and make a point of order that a quorum is not present.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

IRAQ

Mr. SCHUMER. Mr. President, I rise today to discuss the situation in Iraq and the continuing efforts of this administration to paint a rosy picture and to cling to straws when the situation on the ground and common sense suggest just the opposite.

Some have argued that the surge in Iraq is working, but all you have to do is look at the facts to know that is not the case. The President went to Anbar Province, which at the moment he is touting as a place of success, but we all know what is happening in Iraq. Many other provinces are in terrible shape. In Iraq, in a certain sense, when you push on one end of the balloon and make things a little better, something pops out at another end.

The fallacy of the President's new policy is amazing. Are we placing our faith in the future of Iraq in the hands of some warlords, some tribal leaders who at the moment dislike al-Qaida more than they dislike us? Make no mistake about it: They are no friends of Americans. Is this the vaunted clarion cry for democracy in the Middle East that the President announced when he started the buildup in Iraq? Obviously not. This is a policy of last resort. This is a policy of desperation. To say at the moment that some warlords in one province in Iraq happen to be shooting at al-Qaida when 6 months from now they could easily turn around and resume shooting at Americans, which they did in the past, is nothing to base a policy on. What kind of policy is it? What are the odds that 6 months from now, the fragile and perilous situation in Anbar will reverse itself and collapse? We have heard of success stories every 6 or 8 months: This province, this town, this city—they are clear, they are safe. Then, because of the basic facts on the ground, we revert to the old situation.

Let me be clear. The violence in Anbar has gone down despite the surge, not because of the surge. The inability of American soldiers to protect these tribes from al-Qaida said to these tribes: we have to fight al-Qaida ourselves. It wasn't that the surge brought peace here; it was that the warlords took peace here, created a temporary peace here, and that is because there was no one else there protecting them.

As I said, we have heard about successes in the past. They are temporary. They are not based on any permanent structural change or any permanent change in the views of Iraqi citizens. We have heard about success in Baghdad. We have heard about success in Fallujah. We have heard about success in this province and that province, and it vanishes like the wind. So now, at a time when the people of America are crying out for a change in course, are some going to base a temporary situation in one province—Anbar—based on a few warlords who don't believe in democracy and who don't like America, as a way to continue the present misguided policy? It makes no sense.

It makes no sense because the fundamentals in Iraq stay the same. There is no central government that has any viability. The Shiites, the Kurds, and the Sunnis dislike one another far more than they like or want any central government, and these two facts doom the administration's policy to failure. Only 7 or 8 months ago when the President began the surge, he said it was to give the present Government breathing room, to strengthen the Maliki government. Today, we have more troops, more military patrols, more death, and the Iraqi Government grows weaker. How can we regard the Bush-Petraeus surge as a success when its central goal—to strengthen the Government—has failed? Again, more troops, more American deaths this summer than any other, and yet the Government is weaker, when the very purpose of the surge was to strengthen the Government and, in the President's words, to give it breathing room. By the President's own words, the Government is suffocating while the surge goes on. It doesn't have breathing room.

Why isn't it apparent to the President? Why isn't it apparent to my colleagues on the other side of the aisle that the stated goal of the surge is failing? Strengthening the central government has not happened. As the surge and the number of troops goes up, the strength of the central government goes down. That equation says failure in the Bush-Petraeus surge.

The goal is not a military goal. In the President's own words, it is to give the Government of Iraq greater stability, greater breathing room, and that Government, by just about every standard, is worse off than it was before. Again, because a few warlords and tribal leaders are now temporarily on our side for the moment, even though they are not loyal to us, they don't like us and they dislike the central government, that is why we should continue the present course in Iraq? It makes no sense.

Then those on the other side of the President say, give us a chance; you are already declaring defeat. If this were 2003 or 2004 or 2005 or maybe even 2006, maybe those words would have some resonance with the American people. But there has been new plan after new plan, new hope after new hope, and they all are dashed within months. Why? Why? Again, because the fundamentals on the ground don't change. The Kurds, the Shiites, the Sunnis dislike one another more than they like any central government.

If you look at the benchmarks, they show that. The independent GAO report showed little progress being made in meeting the 18 military and political benchmarks set out by Congress. The draft report from last week showed only three of the benchmarks had been met. However, over the weekend, the Pentagon revised the report and now miraculously an additional four benchmarks were ''partially met.'' Despite the apparent efforts by the Pentagon to edit this independent report, it will sadly take much more than a red pen to correct the failures of the President's Iraq policy.

So the surge, by the President's own stated goal, has failed. The central government is weaker. The fundamentals on the ground continue to deteriorate. There continues to be no loyalty to a central government in Iraq and no loyalty to Maliki, who seems to almost revel in his incompetence. The bottom line is very simple: We are worse off, not better off, not even the same, in Iraq today than we were 6 months ago. The position of America, the position of democracy, the position of stability, continues to erode.

If there was ever a need for a change of course in Iraq, it is now. I plead with my colleagues from the other side of the aisle. You know we have to change course. The President has thrown you this magical sort of temporary solution—Anbar Province. Don't be fooled. It is no different than Fallujah was a few years ago, or Baghdad, or all of these other ''successes.'' They are not successes because the facts on the ground are the same.

The American people—three-quarters—cry out for a change of course in Iraq. The President doesn't hear them. The President doesn't look at the facts on the ground. The very same fallacies that led us into this war—that there were weapons of mass destruction and Iraq was at the center of a nexus of terrorism—are now blinding my colleagues on the other side of the aisle from changing course in Iraq—the same types of false statements and pretenses. It is time to change course for the sake of the soldiers who are valiantly defending us; for the sake of moving on and having America focus

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 barbecue 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