

has caused, several times in our history, a Presidential candidate to get the most votes but the other candidate is the one who wins because of the Electoral College votes?

What I am saying is we ought to put all these ideas on the table. We ought to make voting easier. We certainly ought to reform the Presidential nominating process. And we ought to consider letting the majority rule in this country.

We have had a reminder in the chaos of this year. Americans are dissatisfied with this process. We need to make it better.

I yield the floor.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. FEINSTEIN. Mr. President, I would like to commend the distinguished Senator from Florida. I have watched him over these months, and no one has tried harder than he to move toward a solution with respect to the Florida situation. He has told me on several occasions that never before have as many people voted in an election as did in Florida. I think the Senator mentioned some 2 million people voting in some primary election. It is inconceivable to you, and therefore to us, I believe, to have a convention where Florida is not represented. Of course, the same comments would go for the great State of Michigan.

I just want the Senator to know that I am very appreciative of the efforts he has made to try to settle the situation. I only wish they could have been successful. I do not believe the door is closed. I think the more the people of this country understand how important Florida and Michigan are to the democratic process, there will be strong support to reach some accommodation.

I thank the Senator for all he has done.

(The remarks of Mrs. FEINSTEIN pertaining to the submission of S. Res. 504 are located in today's RECORD under "Submission of Concurrent and Senate Resolutions.")

The PRESIDING OFFICER (Ms. STABENOW). The Senator from North Dakota.

Mr. DORGAN. Are we currently in morning business?

The PRESIDING OFFICER. We are.

#### COLOMBIAN FREE TRADE AGREEMENT

Mr. DORGAN. Madam President, today President Bush announced he was sending the Colombian Free Trade Agreement to the Congress. He expects and demands that we take it up and pass it. I regret he has taken that action because he proposes that we continue failed trade practices of the past. That makes precious little sense for this country's interests. I am in favor of trade and plenty of it. Trade advances our interests provided it is fair and mutually beneficial between our country and those with which we have agreements. But I want to cite the

record of President Bush in the last 7 years because when I say our trade policy is a failure, let me describe it this way.

When President Bush took office in 2001, our trade deficit was \$429 billion. That is way too high. But 7 years later, our trade deficit is \$815 billion. When the President took office, our trade deficit was \$429 billion. Now it is almost double, \$815 billion. In 7 years, this President's trade policies have doubled the trade deficit. We are not only collecting a massive amount of debt around the necks of the American people, they are encouraging the shipping of U.S. jobs overseas.

Now the President says: I have a new policy. Let's do more of the same. If you have trade policies that double the trade debt in this country, and you say let's do more of the same, there is something wrong with that.

Last month we lost 80,000 jobs in this country. Just last week it was announced, last month we lost 80,000 jobs. And what do we get this week from the President? Another proposal of a free-trade agreement.

Let me describe. We have had plenty of practice with these trade agreements. Some long while ago, we had a proposal: We have to have a free-trade agreement with Mexico. At the time we had a \$1.5 billion trade surplus with Mexico. The first President Bush began negotiating a free-trade agreement with Mexico. He had a bunch of economists tell us how wonderful this would be; if we can just have a free-trade agreement with Mexico, it would be nirvana. So we did. I didn't vote for it. I led the opposition. But we went from a \$1.5 billion trade surplus with Mexico to now a \$74 billion trade deficit with Mexico. Think of that. We went from a \$1.5 billion surplus to a \$74 billion deficit. We are borrowing money from the Mexicans in trade. It is unbelievable. Talk about failed agreements.

This agreement with Colombia is modeled after NAFTA. It is the same. You have a failure. Let's do more of it, the President says. I don't understand that at all. It is a curious strategy to decide: OK, let's hold up a failure and let's suggest we should double it. I don't understand it.

I was watching CNN this afternoon. Wolf Blitzer, who is a terrific broadcaster—kind of breathless from time to time—was describing the President coming out in his announcement and essentially demanding that the Congress pass this free-trade agreement. Wolf Blitzer put up on the screen the description the President offered, saying: Most of Colombian-made goods come into this country with no tariff on them. Many of American goods go to Colombia with a tariff as high as 35 percent.

They put up on the screen this zero and 35 with two arrows, Colombia, United States. I am thinking to myself, it is curious that the President uses this to say we have to have this trade agreement with Colombia, as if we

have no leverage with Colombia. We are sending a lot of money to Colombia, and have for a long while, to help President Uribe fight the insurgents, the FARC, the insurgent organization. We are sending American tax dollars down there in substantial quantity. We don't need to do a bad trade agreement with a failed NAFTA strategy with Colombia to get them to reduce their tariffs, if they have tariffs on American goods going to Colombia. All we have to do is say: Look, we are sending a lot of money down here to help you. Get rid of your tariffs. If we don't have tariffs on your goods coming north, don't you put tariffs on American goods going south.

We don't have to pass a bad trade agreement to get that result. We just have to say to President Uribe: We have been bankrolling a fair amount of the effort that you are making, and we are doing it because we want to help you. But in the process of wanting to help you with American tax dollars, we expect you to remove the tariffs.

I have met with President Uribe. I have been in his office in Colombia. I have a lot of respect for him. It is a tough job down there. They have real problems. Some say: This discussion about labor issues and trade agreements is not so relevant. It is pretty relevant in a country where one labor leader is killed every week on average this year. It is pretty relevant when 97 percent of the killings of Colombia labor leaders going back to 2001 have been unpunished—97 percent. It is pretty relevant, it seems to me. I accept that President Uribe has a lot of issues, a lot of problems. We as a country have tried to help him. But it seems to me it doesn't help anybody for this country and for President Bush to try to push through a bad trade agreement.

While I have respect for President Uribe of Colombia, I don't have great happiness about President Uribe being involved in America's political system. He decides apparently that he believes he should comment on our Presidential race. He says, of one of our Presidential candidates, "I think it is for political calculations that he is making a statement," referring to a statement that one of the political candidates for President said that he didn't support this trade agreement with Colombia. So the President of Colombia says:

I think it is for political calculations that he is making a statement.

I don't think we need the President of Colombia describing motives of our Presidential candidates. There is a perfectly reasonable approach to support or perhaps oppose the Colombian Free Trade Agreement. The reasonable approach is to say we like failure. We want to do more of the same. So give us what you gave us in NAFTA and run a small trade surplus up to a huge deficit.

But there is also a perfectly logical reason for a Presidential candidate or a Member of Congress who may wish to

say at some point: We ought to do a U-turn and say this country is for trade. We are for trade and plenty of it. We believe in trade and plenty of trade. But we demand and insist at long last that it be fair to our country. I don't think the Colombia agreement by itself is some sort of pivotal moment. I don't allege that. But I do say I don't think we ought to sit here with a President who has doubled the trade deficit in 7 years and take advice about what we do in the next 90 days.

These trade agreements have not worked in our country's interest. Trade agreements should be mutually beneficial when we negotiate them, whether it is with China, Mexico, Canada, Europe, or Japan. They ought to be mutually beneficial. I am flatout tired of seeing the results of bad trade agreements.

I guess some may say if you have an \$815 billion trade deficit, it doesn't matter. That means over \$2 billion a day we are putting in the hands of foreigners because that is what we are buying every day that exceeds our ability to export. We are importing \$2 billion a day more than we are exporting in goods. That debt someday will have to be repaid with a lower standard of living in the United States. You would think at long last someone would say this strategy isn't working.

It is true that whether it is the Colombian Free Trade Agreement, the free-trade agreement with Mexico or Canada or the agreements we have with China, it is true that no one in this Chamber is going to lose their job to a bad trade agreement. It is other people who will lose their jobs—people working in manufacturing plants making bicycles or wagons or producing textiles or in high tech.

I wrote a piece once about Natasha Humphries who lost her job. She wasn't a textile worker. She went to Stanford and did everything right, a young African-American woman who did everything right and then went to work for Palm Pilot. Regrettably, her last job was to train the engineer from India who was hired at one-fifth the salary they were paying Natasha Humphries.

So should American youngsters who come out of our colleges, should American workers coming out of our colleges, aspiring to work in engineering, be willing to work for 20 percent of the salary that is paid in this country in order to compete with an engineer from India? Those are questions we ought to start asking in this country.

Everybody says we need to train more engineers and scientists. That is true but not if their first job and their last job is to train their successor who is an engineer in India making one-fifth the salary.

So I went further than talking about Colombia, except to say this: This is not new. We in this Congress have been for so long a catcher's mitt of bad trade agreements from Presidents—for years and years and years—and this trade agreement is the model of

NAFTA. It is the same old thing. There are a couple labor provisions and environmental provisions in it, but it is largely the same old strategy.

I just remind my colleagues what happened with Mexico. Nobody writes much about it. Nobody speaks much about it. But we did a trade agreement with Mexico. We had all of these claims, all of these boosts, all of these suggestions of what was going to happen. We had a \$1.5 billion surplus with Mexico in our trade relationship; in other words, it was about balanced. Now it is a \$74 billion United States trade deficit with Mexico. We end up, some years later, borrowing money from the Mexicans, even as we ship our jobs across the line. That is a trade strategy that I think is bankrupt for our country.

My hope is the U.S. House, which likely will deal with this first, will make short work of it and simply send a message. The message to the President is simple: This country stands for trade. Yankee ingenuity and shrewd Yankee business stand for trade. It is in our blood. But we also stand for fairness, and at last—at long last—this country will begin to write fair trade agreements with other countries that stand up for our country's economic interests as well. Yes, we want to pull up others, but we will not any longer allow trade agreements that push down this country's standards. That has been the case for too long.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. At this time, morning business is closed.

#### NEW DIRECTION FOR ENERGY INDEPENDENCE, NATIONAL SECURITY, AND CONSUMER PROTECTION ACT AND THE RENEWABLE ENERGY AND ENERGY CONSERVATION TAX ACT OF 2007

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 3221, which the clerk will report.

The bill clerk read as follows:

A bill (H.R. 3221) moving the United States toward greater energy independence and security, developing innovative new technologies, reducing carbon emissions, creating green jobs, protecting consumers, increasing clean renewable energy production, and modernizing our energy infrastructure, and to amend the Internal Revenue Code of 1986 to provide tax incentives for the production of renewable energy and energy conservation.

Pending:

Dodd/Shelby amendment No. 4387, in the nature of a substitute.

Sanders amendment No. 4401 (to amendment No. 4387), to establish a national consumer credit usury rate.

Cardin/Ensign amendment No. 4421 (to amendment No. 4387), to amend the Internal Revenue Code of 1986 to allow a credit against income tax for the purchase of a principal residence by a first-time home buyer.

Ensign amendment No. 4419 (to amendment No. 4387), to amend the Internal Revenue Code of 1986 to provide for the limited continuation of clean energy production incentives and incentives to improve energy efficiency in order to prevent a downturn in these sectors that would result from a lapse in the tax law.

Alexander amendment No. 4429 (to amendment No. 4419), to provide a longer extension of the renewable energy production tax credit and to encourage all emerging renewable sources of electricity.

Nelson (FL)/Coleman amendment No. 4423 (to amendment No. 4387), to provide for the penalty-free use of retirement funds to provide foreclosure recovery relief for individuals with mortgages on their principal residences.

Lincoln amendment No. 4382 (to amendment No. 4387), to provide an incentive to employers to offer group legal plans that provide a benefit for real estate and foreclosure review.

Lincoln (for Snowe) amendment No. 4433 (to amendment No. 4387), to modify the increase in volume cap for housing bonds in 2008.

Landrieu amendment No. 4404 (to amendment No. 4387), to amend the provisions relating to qualified mortgage bonds to include relief for persons in areas affected by Hurricanes Katrina, Rita, and Wilma.

Sanders amendment No. 4384 (to amendment No. 4387), to provide an increase in specially adapted housing benefits for disabled veterans.

The PRESIDING OFFICER. The Senator from Washington.

AMENDMENT NO. 4478 TO AMENDMENT NO. 4387

Mrs. MURRAY. Madam President, I ask unanimous consent that the pending amendment be temporarily set aside so I may call up amendment No. 4478.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Washington [Mrs. MURRAY], for herself, Mr. SCHUMER, Mr. CASEY, and Mr. BROWN, proposes an amendment numbered 4478 to amendment No. 4387.

Mrs. MURRAY. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To increase funding for housing counseling with an offset)

At the appropriate place in the bill, insert: SEC. . Notwithstanding any other provision of this Act, the amount appropriated under section 301(a) of this Act shall be \$3,900,000,000 and the amount appropriated under section 401 of this Act shall be \$200,000,000.

Mrs. MURRAY. Madam President, it is not my desire to debate this amendment at length at this time. I only