

FINAL VERSION

Election 2006: No to Staying the Course on Trade

***Demand for New Trade Policy, Rejection of
NAFTA Model a Winning Issue Nationwide with
Fair Traders Making Unprecedented Gains***



November 8, 2006

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SUMMARY

Net fair trade gain of 2006 mid-term election:

House races where fair traders beat anti-fair trader incumbents: **19**

Senate races where fair traders beat anti-fair trader incumbents: **6**

House races where fair traders took open seats vacated by retiring anti-fair traders: **11**

Senate races where fair traders took open seats vacated by retiring anti-fair traders: **1**

House races where anti-fair traders replaced fair trade incumbents: **0**

Senate races where anti-fair traders replaced fair trade incumbents: **0**

House races where anti-fair traders took open seats vacated by retiring fair traders: **0**

Senate races where anti-fair traders took open seats vacated by retiring fair traders: **0**

Fair Trade Highlights:

- *Senate: Trade was a top and winning issue in campaigns that tilted Senate towards Democratic control (winner in bold):*
 - **Missouri: Claire McCaskill** (D) vs. incumbent Jim Talent (R)
 - **Montana: Jon Tester** (D) vs. incumbent Conrad Burns (R)
 - **Ohio: Sherrod Brown** (D) vs. incumbent Mike DeWine (R)
 - **Pennsylvania: Bob Casey, Jr.** (D) vs. incumbent Rick Santorum (R)
 - **Rhode Island: Sheldon Whitehouse** (D) vs. incumbent Lincoln Chafee (R)
 - **Virginia: Jim Webb** (D) vs. incumbent George Allen (R)
 - **Plus: Vermont: Bernie Sanders** (I) defeats Rich Tarrant (R), taking anti-fair trader Jim Jeffords' open seat
- *House Campaigns where trade was a top and winning issue (select examples):*
 - **California's 11th: Jerry McNerney** (D) vs. incumbent Richard Pombo (R)
 - **Connecticut's 5th: Chris Murphy** (D) vs. incumbent Nancy Johnson (R)
 - **Georgia's 8th: Incumbent John Barrow** (D) vs. Max Burns (R)
 - **Indiana's 2nd: Joe Donnelly** (D) vs. incumbent Chris Chocola (R)
 - **Iowa 1st: Bruce Braley** (D) vs. Mike Whalen (Nussle open seat)
 - **Iowa's 2nd: Dave Loebsack** (D) vs. incumbent Jim Leach (R)
 - **Pennsylvania's 8th: Patrick Murphy** (D) vs. incumbent Mike Fitzpatrick (R)
 - **Wisconsin's 8th: Steve Kagen** (D) vs. John Gard (R) (Green open seat)
- *Winning campaigns running paid ads on trade (select examples):^a*
 - **Indiana's 8th: Brad Ellsworth** (D) vs. incumbent John Hostettler (R)
 - **Kentucky's 3rd: John Yarmuth** (D) vs. incumbent Anne Northup (R)
 - **North Carolina's 11th: Heath Shuler** (D) vs. incumbent Charles Taylor (R)
 - **Ohio's 6th: Charlie Wilson** (D) vs. Chuck Blasdel (R) (Strickland open seat)
 - **Ohio's 18th: Zack Space** (D) vs. Joy Padgett (R) (Ney open seat)
 - **The Brown, Casey, Sanders and Debbie Stabenow (Michigan incumbent)** Senate campaigns; **the Barrow and Braley** House campaigns, and at least three others

^a For a full list, with links, see <http://www.citizen.org/trade/articles.cfm?ID=15892>. For a full description of methodology, see Annex III.

Introduction

From New England to Ohio to Hawaii and all parts in-between, the midterm election results reveal a growing trend of candidates winning by advocating positive alternatives for American workers, farmers and the environment and actively rejecting expansion of the status quo NAFTA-WTO model.

Trade and off-shoring was a top issue in dozens of key campaigns nationwide that determined the outcome of the 2006 midterm congressional elections, showing that fair trade is not only good policy, but also good politics. The midterm election resulted in a net gain of 37 congressional seats: 7 in the Senate, and 30 in the House for the fair trade movement. (For a full list of monitored races and the candidates positions on trade, please see our Appendix at <http://www.citizen.org/documents/AppendixElection2006.pdf>.)^b

Beltway pundits have frequently pooh-poohed the idea that trade is a winning issue with voters, despite the overwhelming evidence from polls and several successful trade vote-based challenges of incumbents in the past.¹ “There is precious little evidence that high-profile congressional trade votes have much electoral impact,” wrote Beltway election columnist Stuart Rothenberg.² “The NAFTA vote had about a two-week half-life. Even today trade has very little political impact in the country,” said Clinton administration NAFTA-WTO czar Mickey Kantor.³ Following last year’s CAFTA vote, a National Republican Congressional Committee spokesman said that “I don’t really expect [CAFTA] to be a big issue in *any* race next year.”⁴

And even Senator John Kerry, whose 2004 presidential campaign received a boost in the polls when he started talking about trade-related off-shoring of jobs and “Benedict Arnolds,” was at best tepid on trade. When presidential debate moderator Bob Schieffer asked Kerry what he would say to “someone in this country who has lost his job to someone overseas who’s being paid a fraction of what that job paid here in the United States,” Kerry waffled and then dodged the issue completely, switching instead to a discussion of education policy.⁵ In retrospect, seeing the 2006 sweep in Ohio by Democrats who systematically made changing the failed U.S. trade policy a top issue, it is not surprising that Kerry lost the key state of Ohio, a state especially hard-hit by trade-related manufacturing job losses.



^b As of press time, the Florida race between Vern Buchanan (R) and Christine Jennings (D) is going to a recount. If the outcome of the recount changes the end result, this report will be updated. Check www.tradewatch.org for updates.

In 2006, a wide array of candidates ignored the pundits and sided with the public to advocate for alternatives to the NAFTA-WTO trade model. Focus on trade became a national trend which columnist John Nichols and progressive blogger David Sirota picked up on early in the campaign season.⁶ By fall of 2006, the story spread from conservative columnist David Brooks⁷ to *The New York Times*, *Los Angeles Times*, *Des Moines Register*,⁸ and beyond: whatever doubts remained that trade was a politically salient U.S. issue evaporated into thin air in 2006.

In closing weeks of the election, political reporters and pundits agreed that the corporate trade agenda and those supporting it were this year's sleeper issue largely – a nationwide phenomenon whose coverage had been largely obscured by focus on the Iraq war and GOP scandals. This was also reflected in prominent pre-election day polls and exit polls conducted on the day of the election, which showed the economy to be a top concern of voters.⁹ Indeed, *The Associated Press* reported that, “eight in ten voters called the economy very important to their House vote, and those who said it was extremely important – about four in ten voters – turned to Democrats.”¹⁰

One need look no further than the massively successful fair trade campaigns in key presidential



states – Florida (Tim Mahoney), Iowa (Bruce Braley, Dave Loebsack), New Hampshire (Paul Hodes, Carol Porter Shea), and Ohio (Sherrod Brown, Ted Strickland) – to understand that the electoral and political impact of trade is huge... and will have serious implications for both the 2008 presidential race and the future course of U.S. trade policy. Perhaps most interesting about the trade electoral trend beyond its national scope is that it busted the myth of the trade debate being divided into “pro-traders” and “protectionists.” The candidates who ran and won on trade explicitly advocated *for* better trade policies and not *against* trade per se, but against the

specific avoidable damage delivered by over a decade of the NAFTA-WTO model.

The Democratic sweep is not the cause of the fair-trade pick up, although partisanship is relevant because trade has become a differentiating issue between the GOP and Democrats. Democrats generally have coalesced in favor of trade policy reform over the past decade as President Clinton's NAFTA, WTO and China trade deals not only failed to deliver the promised benefits, but caused real damage. The GOP “stayed the course” on a failed trade policy and conducted high-profile fights to expand a status quo most Americans reject.

U.S. Voters reject NAFTA-WTO Model based on a decade-plus of lived damage

With waves of Iraq war fallout crashing loudly in many races, pocket book issues were minimized by many political commentators. However, savvy political observers described how the disconnect between positive macro economic growth data and most Americans' daily lives was causing an undercurrent of economic anxiety in many states. Polling data show that for diverse demographics of Americans, the growing export of U.S. jobs to low wage overseas venues – increasingly including professional and high wage service sector jobs – is a large factor underlying this anxiety.

Perhaps the most interesting early indication that the results of the status quo trade and globalization model were building diverse U.S. opposition to more-of-the-same was a 2004 poll by University of Maryland's Project on International Policy Attitudes (PIPA), which showed that nearly three-quarters of Americans making more than \$100,000 a year thought that that the trade status quo was a net negative. The result was in sharp contrast to the findings of the group's survey in 1999 (before the effects of the model were being fully felt), which found that the majority of wealthy Americans supported NAFTA-style trade deals.¹¹

The candidates who ran on trade connected to this public anxiety. Winning candidates not only reaffirmed the public's opinion that the status quo trade and globalization regime is harming their interests, but also provided hope by smashing the myth that no alternatives exist. By describing new approaches for American workers, farmers and businesses to win in the global economy, winning candidates made clear that good trade policy can improve outcomes.

Indeed, the actual experience of twelve years of NAFTA and eleven years of the WTO for most Americans has not been positive and for many this model has done direct damage. As many candidates have repeated, it was not foremost the polling data, but the constant questioning on trade and off-shoring by people at campaign events that led them to focus on promoting alternative trade policies. "What decent jobs will be available to my children?" was a common refrain heard by candidates at public forums across the country.



100% Fair Trade Candidates Up For Re-Election 100% Re-Elected: The Politically Smart Long Term Investment in Good Trade Policy

Ten incumbent members of Congress voted the fair trade position 100 percent of the time, and each of these – which include 8 Democrats, 1 Republican, and 1 Independent – were handily re-elected or promoted with wide victory margins. (Senator Russ Feingold (D-Wis.) is the only senator with an 100 percent fair trade record, and he did not face re-election this year.)

Here's our Fair Trade Hall of Fame.

Sherrod Brown (D-Ohio), Ohio's senator-elect – 12 point margin
Peter DeFazio (D-Ore.) – 26 point margin
Raúl Grijalva (D-Ariz.) – 24 point margin
Jesse Jackson, Jr. (D-Ill.) – 77 point margin
Walter Jones (R-N.C.) – 38 point margin
Marcy Kaptur (D-Ohio) – 48 point margin
Tim Ryan (D-Ohio) – 60 point margin
Linda Sánchez (D-Calif.) – 32 point margin
Bernie Sanders (I-Vt.), now Vt.'s senator-elect – 33 point margin
Ted Strickland (D-Ohio), now Ohio's governor-elect – 23 point margin

The public's concern about where our current trade policies are leading is real. First, the United States lost over three million (or one-in-six) manufacturing jobs during the NAFTA-WTO decade,¹² while wage growth for the majority of Americans stagnated.¹³ The U.S. trade deficit ballooned to over \$717 billion, or nearly six percent of GDP,¹⁴ a figure that economists universally agree poses a threat to global stability.¹⁵ The exploding negative balance between what we buy and what we sell is not only in manufactured goods: in August 2006, the U.S. agricultural balance went into deficit,¹⁶ a reality totally at odds with the image sold to Midwestern voters that the United States is "breadbasket to the world." Meanwhile, income growth is stagnating while poverty has risen in the majority of developing countries, who were also promised that the coming of the WTO era would be a boon to their development.¹⁷ Even in the United States, income for the bottom four-fifths of U.S. households has actually dropped in the 2000-05 period, or since China has joined the WTO.¹⁸

The balance of power between everyday people and corporations shifted dramatically in employers' favor when CEOs could use trade agreements' foreign investor privileges to re-locate overseas with an array of new rights and protections in their new low-wage venues. Products made by these relocated operations were guaranteed duty-free or low-tariff re-entry to the United States. Meanwhile, at home, corporations increasingly invoked the threat of moving overseas to squash everything from wage-increase demands to unionization drives.¹⁹ As the threat of off-shoring has moved rapidly up the job ladder, with academic studies and even corporate consultancies projecting that tens of millions of U.S. professional and service sector jobs could be off-shored in the foreseeable future,²⁰ concern about where our current trade policies are leading has expanded.

Furthermore, state- and local- elected officials and communities working on sweat-free procurement policies and environmentally-friendly land-use began learning the hard way that the NAFTA-WTO model – along with Congress’ delegation of trade policy-making power to the executive branch through the undemocratic Fast Track mechanism – represented an unprecedented stealth attack on the U.S. system of federalism. As various U.S. policies were successfully challenged before WTO and NAFTA tribunals and chills were cast on crucial U.S. policy innovations, many learned that the pacts were about much more than simple trade issues. NAFTA’s investor rights regime awarded foreign investors greater substantive and procedural rights than domestic investors, and set up secret tribunals where foreign investors could challenge U.S. domestic non-trade policies. Defending just one case – Methanex vs. the United States – has cost over \$3 million in taxpayer funds.²¹

Meanwhile, residents of border states fear the imminent Bush administration NAFTA-ordered opening of U.S. roads to Mexican-domiciled trucks despite Mexico’s refusal to accept U.S. safety inspections.²² Similarly, the WTO has created a permanent forum for other countries to target U.S. policies for challenge. Successful challenge of U.S. dolphin protections, Clean Air Act regulations, and Endangered Species Act turtle protections turned millions of environmentalists against the current “trade” regime.²³ More recently, trade pact illegality has been used as a basis to veto a California bill that would have given road builders tax incentives to use recycled tires in asphalt for state roads,²⁴ and even to threaten morally-inspired divestment campaigns like those which churches and human rights groups are currently calling for with respect to genocide-wracked Sudan.²⁵

Voter ire over flawed trade deals has also been showing up in prominent polls:

- Off-shoring of jobs was the top concern of Americans – even above the Iraq War, according to a 2006 poll by Greenberg Quinlan Rosner Research.²⁶
- 87 percent of voters are concerned about off-shoring and 81 percent gave the government a C, D, or F in its handling of the issue, found a 2006 Public Agenda poll.²⁷
- Another 2006 poll tested voter responses to two generic candidates: one that espoused a “free trade” position and another that spoke critically about trade deficits, off-shoring and creating jobs in the United States. 71 percent of those polled would be more likely to vote for the latter candidate.²⁸
- Only 16 percent of those polled on CAFTA by PIPA said that they both supported the growth of international trade *and* approved of the way the U.S. government is going about expanding it.²⁹
- A vast majority of U.S. voters – 74 percent – opposed CAFTA if it meant a trade off between U.S. jobs and lower prices.³⁰

New election-focused fair trade groups emerge

In 2006 as never before, fair trade organizations helped translate popular discontent over failed trade policy into electoral gains. In addition to trade playing a prominent role in the pervasive political work of organized labor,³¹ newer specifically fair trade-focused electoral efforts operated nationwide this year – showing again the growing public saliency of the NAFTA-WTO critique.

In 2006, the Citizens Trade Campaign (CTC), a fair trade grassroots coalition initially founded in 1992 by consumer, labor, environmental, family farm and religious groups to fight NAFTA, formed an affiliated political action committee (PAC) to place grassroots organizers in the campaigns of nearly a dozen fair trade candidates around the country to get out the fair trade vote.^c The help was widely lauded by the candidates themselves. According to Patrick Murphy, who defeated pro-CAFTA incumbent Mike Fitzpatrick (R-Pa.), “I’m proud to have received the endorsement of the Citizens Trade Campaign,” adding that, “Congressman Fitzpatrick... betrayed his district by voting for CAFTA, and he has shown that he supports sending good American jobs overseas. I will always stand up for hard working Pennsylvania families.”³² In addition to Murphy’s campaign, CTC PAC helped remove five additional anti-fair trade incumbents by supporting the fair trade challengers in these races:

- **California’s 11th district:** Jerry McNerney against last-minute CAFTA flip-flopper Richard Pombo;
- **Connecticut’s 5th district:** Chris Murphy against Ways and Means NAFTA and WTO-booster Nancy Johnson;
- **Indiana’s 2nd district:** Joe Donnelly against 100% bad trade voter Chris Chocola;
- **North Carolina’s 11th district:** Heath Shuler against CAFTA’s missing-in-action Charles Taylor who failure to vote enabled CAFTA’s passage by one vote; and
- **Pennsylvania’s 10th district:** Chris Carney against four-term, 100% bad trade voter Don Sherwood.



Ad for Iowa’s 1st district fair trade candidate, highlighting a key campaign promise on trade policy.

The race in **North Carolina’s 8th district**, where Larry Kissell faced incumbent Robin Hayes, who provided the single deciding vote to pass both Fast Track in 2001 and CAFTA in 2005, was exceptionally close and only finally called weeks after the election. In this heavily GOP District, it is news in itself that the race was close. Kissell, a former textile worker, ran a campaign that focused on Hayes’ bad trade flip-flops, and has pledged to run again in 2008.

CTC PAC also worked on the successful open-seat campaigns of:

- Betty Sutton (**Ohio’s 13th district**); and
- Zack Space (**Ohio’s 18th district**).

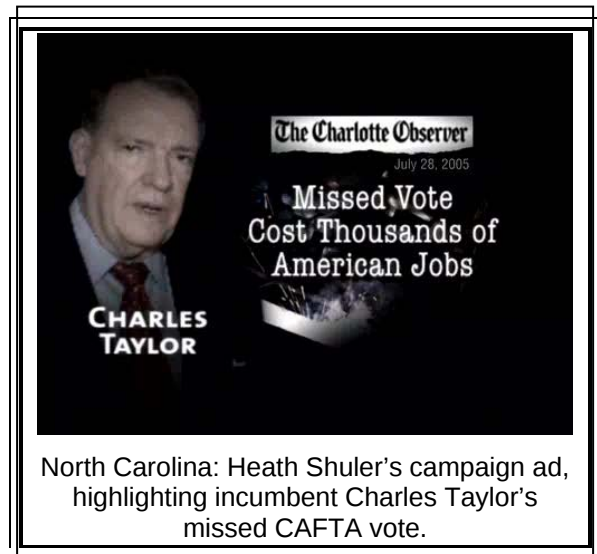
CTC PAC gave money in-kind to the winning campaigns of Bruce Braley (**Iowa’s 1st district, open seat**) and incumbent Representative John Barrow (**Georgia’s 12th district**). Additionally, CTC

^c Disclosure: Public Citizen’s Global Trade Watch serves on the executive board of the Citizens Trade Campaign, but is not part of the CTC PAC operation.

endorsed challenger Steve Kagen (**Wisconsin's** 8th district), and incumbent Walter Jones (**North Carolina's** 3rd district). "These are candidates in tune with the majority of Americans who want a new trade policy and are done with the status quo NAFTA/CAFTA model. In several of these close races, trade is proving to be an issue that motivates people to get out to vote, especially independent voters," said CTC PAC director Chris Slevin.³³

Working Families Win (WFW), a project of Americans for Democratic Action (ADA), a public interest lobbying organization founded in 1948 by Eleanor Roosevelt, renowned economist John Kenneth Galbraith, and former Senator and Vice President Hubert Humphrey,³⁴ also ran a major field program aimed at raising the visibility of economic issues, including fair trade, the minimum wage and universal healthcare. WFW focused its efforts on **Iowa, Minnesota, New Hampshire, North Carolina, Ohio, Pennsylvania, Washington and Wisconsin.**

Regional fair trade groups also played a major role in key elections. The Washington Alliance of Technology Workers (Wash Tech) has played a leading role in addressing issues of high-tech off-shoring as well as the impact of FTA-enforced intellectual property rights regimes on the United States and developing nations.³⁵ This year, the group worked against **Washington** state's 8th district incumbent Representative Dave Reichert (R-Wash.), who in one term managed to vote for CAFTA, and FTAs with the monarchies of Bahrain and Oman, as well as against withdrawal from the WTO. WashTech recruited 7,000 voters who have identified themselves as being concerned about off-shoring of jobs to vote for Reichert's Democratic challenger Darcy Burner, making this an especially close race in which Reichert just barely prevailed. Marcus Courtney, Wash Tech's president and organizer, said "The mission of this project is to demonstrate that voters are concerned about the outsourcing of jobs overseas and are willing to vote for or against candidates based upon their positions when it comes sending jobs overseas."³⁶



2006 “Fair Trade” Impact Chart, Part I

140 races monitored: 15 Senate and 100 House (and 25 gubernatorial in Annex I)^d

SENATE LEVEL FAIR TRADE GAINS (15 being monitored)

Anti-fair trade incumbents vs. fair trade challengers (9)

State	Anti-fair trade Incumbent	Fair Trade Challenger	+1 if gain; 0 otherwise
Arizona	Jon Kyl (R)	Jim Pederson (D)	0
Connecticut	Joe Lieberman (Lieberman Party)	Ned Lamont (D)	0
Missouri	Jim Talent (R)	Claire McCaskill (D)	1
Montana	Conrad Burns (R)	Jon Tester (D)	1
Ohio	Mike DeWine (R)	Sherrod Brown (D)	1
Pennsylvania	Rick Santorum (R)	Bob Casey, Jr. (D)	1
Rhode Island	Lincoln Chafee (R)	Sheldon Whitehouse (D)	1
Virginia	George Allen (R)	Jim Webb (D)	1
Washington	Maria Cantwell (D)	Mike McGavick (R), unknown	0
		1. Total	6

Senate open seats and trade effect (4)

State	Fair trade cand., unless noted	Opponent of fair trade candidate	Previous Holder	Effect: If gain (+1), if wash (0), if loss (-1)
Maryland	Ben Cardin (D), good	Michael Steele (R), bad	Paul Sarbanes (D), good	0
Minnesota	Amy Klobuchar (D), good	Mark Kennedy (R), bad	Mark Dayton (D), good	0
Tennessee	Harold Ford, Jr. (D), mixed	Bob Corker (R), bad	Bill Frist (R), bad	0
Vermont	Bernie Sanders (I), good	Rich Tarrant (R), bad	Jim Jeffords (I), bad	1
			2. Total	1

Senate Fair Trade Incumbents, unless noted (2)

State	Fair Trade Incumbent	Opponent of fair trade incumbent	If incumbent is displaced, -1; otherwise, 0
Michigan	Debbie Stabenow (D)	Mike Bouchard (R), bad	0
New Jersey	Bob Menendez (D)	Tom Kean, Jr. (R), bad	0
		3. Total	0

$$\text{TOTAL SENATE GAIN} = (\text{Totals 1} + \text{2} + \text{3}) = \mathbf{7}$$

^d See Annex III for a full description of methodology. Winners are written in **boldface**.

Elections where trade debate was a focus

U.S. Senate:

Traditionally, the margins on trade votes in the U.S. Senate have been wider than in the House, although with the 55-45 CAFTA vote in 2005, the popular shift against the NAFTA model resulted in the closest Senate trade vote ever. Now, the 2006 election completes the transformation of trade politics in the Senate, with a net gain of 7 new fair trade votes in the Senate. (Two new fair trade senators, Cardin and Klobuchar, replace retiring pro-fair trade senators and are thus not counted as a net gain.)

Representative Sherrod Brown (D-Ohio), who led the congressional fight against CAFTA and wrote a book called *The Myths of Free Trade*, is the senator-elect from Ohio. Representative Bernie Sanders (I-Vt.), one of the House's sharpest critics of the WTO, is the senator-elect from Vermont. Brown and Sanders both replace legislators (Senators Mike DeWine of Ohio and Jim Jeffords of Vermont) who were consistent votes for expanding the NAFTA-WTO model;^e trade was a focal point of the Ohio and Vermont campaigns.

Other incumbent senators who have *never voted the fair trade position* were ousted in favor of candidates who made opposition to the NAFTA-WTO model a centerpiece of their campaign. Lincoln Chafee of Rhode Island, for instance, was beaten by fair trader Sheldon Whitehouse (D). Chafee, despite being considered a moderate Republican, voted the corporate trade position nine-out-of-nine times since taking his father's seat in 1999. Whitehouse argued, "It's time that we change the priorities of the Senate from serving the biggest corporations and wealthiest Americans to supporting the working family...It's time to reject trade deals like NAFTA and CAFTA that fail to protect American jobs."³⁷



Pennsylvania fair trader Bob Casey will replace the defeated Senator Rick Santorum (R-Pa.), who in 1993 explained his vote in the House against NAFTA by saying that, "You have to stare in the face of the folks you represent ... I couldn't see my way past the economic misery my district has suffered these last 15 years to inflict more."³⁸ Santorum apparently had been ignoring these faces in recent years, as he voted against the fair trade position in every trade vote since he became a senator in 1994. In Missouri, Democrat Claire McCaskill, who promised to "block the outsourcing of Missouri jobs" and "support fair trade policies,"³⁹ beat incumbent Senator Jim Talent (R-Mo.). Like Santorum, Talent voted against NAFTA, but for every bad trade policy since being elected to the Senate.

^e For a full list of the 18 major trade votes since 1990, see Annex II.

In Montana, Democrat Jon Tester beat out 18-year incumbent Senator Conrad Burns (R-Mont.), who had voted for China PNTR and NAFTA-expansion agreements to Australia, Chile, Oman, and Singapore. Tester's campaign slammed recent trade agreements, saying they "put our jobs and the viability of family farms and ranches across Montana in jeopardy by handing off trade advantage to foreign interests."⁴⁰

And in Virginia, 100% wrong-on-trade incumbent Senator George Allen (R-Va.) was beaten by Democrat Jim Webb, who consistently pointed out that "Free trade is not fair trade."⁴¹ Webb wrote that, "This country is splitting into three pieces. As a result of the internationalization of the economy, the people at the top have never had it so good. The middle class is continuing to get squeezed by stagnant wages and rising cost of living. And we are in danger of creating a permanent underclass. We must reexamine our tax and trade policies and reinstitute notions of fairness, and also enforce our existing trade laws so that free trade becomes fair trade."⁴²

In fact, in the only seriously contested Senate race in which the Democrats did not prevail was in Tennessee, where Representative Harold Ford, Jr. (D-Tenn.) – who voted wrong on 12/15 trade votes – lost to Republican Bob Corker. That Senate seat, which was abandoned by outgoing Senate Majority Leader Bill Frist (R-Tenn.), who was 100% bad on trade, will probably represent a wash in net fair trade terms.⁴³



This Sherrod Brown campaign ad highlights Brown's "fighting against the Mexico and China trade deals that sent countless jobs overseas."



Another Sherrod Brown ad counts on voter anger with Mike DeWine's anti-fair trade votes.

2006 “Fair Trade” Impact Chart, Part II

140 races monitored: 15 Senate and 100 House (and 25 gubernatorial in Annex I)^f

HOUSE LEVEL FAIR TRADE GAINS (100 being monitored)

House anti-fair trade incumbents vs. fair trade challenger (55)

State-District	Anti-fair trade incumbent	Fair Trade challenger, unless noted	+1 if gain; 0 otherwise
Arizona-1	Rick Renzi (R)	Ellen Simon (D)	0
Arizona-5	J.D. Hayworth (R)	Harry Mitchell (D)	1
California-4	John Doolittle (R)	Charles Brown (D)	0
California-11	Richard Pombo (R)	Jerry McNerney (D)	1
California-50	Brian Bilbray (R)	Francine Busby (D), unknown	0
Colorado-4	Marilyn Musgrave (R)	Angie Paccione (D)	0
Connecticut-2	Rob Simmons (R)	Joe Courtney (D)	1
Connecticut-4	Chris Shays (R)	Diane Farrell (D)	0
Connecticut-5	Nancy Johnson (R)	Chris Murphy (D)	1
Florida-8	Ric Keller (R)	Charlie Stuart (D), unknown	0
Florida-22	Clay Shaw (R)	Ron Klein (D)	1
Illinois-8	Melissa Bean (D)	David McSweeney (R), unkno	0
Illinois-10	Mark Kirk (R)	Daniel Seals (D), bad	0
Indiana-2	Chris Chocola (R)	Joe Donnelly (D)	1
Indiana-3	Mark Souder (R)	Thomas Hayhurst (D)	0
Indiana-9	Mike Sodrel (R)	Baron Hill (D), claims good	0
Iowa-2	Jim Leach (R)	Dave Loebsack (D)	1
Kansas-2	Jim Ryun (R)	Nancy Boyda (D)	1
Kansas-3	Dennis Moore (D)	Chuck Ahner (R), good	0
Kentucky-2	Ron Lewis (R)	Mike Weaver (D)	0
Kentucky-3	Anne Northup (R)	John Yarmuth (D)	1
Kentucky-4	Geoff Davis (R)	Ken Lucas (D), claims good ^g	0
Louisiana-2	William Jefferson (D)	Karen Carter (D)	0
Minnesota-1	Gil Gutknecht (R)	Tim Walz (D)	1
Nevada-3	Jon Porter (R)	Tessa Hafen (D)	0
New Hampshire-1	Jeb Bradley (R)	Carol Shea-Porter (D)	1
New Hampshire-2	Charles Bass (R)	Paul Hodes (D)	1
New Jersey-7	Mike Ferguson (R)	Linda Stender (D)	0
New Mexico-1	Heather Wilson (R)	Patricia Madrid (D)	0
New York-3	Peter King (R)	David Mejias (D), unknown	0
New York-19	Sue Kelly (R)	John Hall (D)	1
New York-20	John Sweeney (R)	Kirsten Gillibrand (D)	1
New York-25	James Walsh (R), mixed	Dan Maffei (D)	0
New York-26	Tom Reynolds (R)	Jack Davis (D)	0
New York-29	Randy Kuhl (R)	Eric Massa (D)	0
North Carolina-8	Robin Hayes (R)	Larry Kissell (D)	0
North Carolina-11	Charles Taylor (R)	Heath Shuler (D)	1
Ohio-1	Steve Chabot (R)	John Cranley (D)	0
Ohio-2	Jean Schmidt (R)	Victoria Wulsin (D)	0
Ohio-12	Patrick Tiberi (R)	Robert Shamansky (D)	0
Ohio-15	Deborah Pryce (R)	Mary Jo Kilroy (D)	0

^f See Annex III for a full description of methodology. Winners are written in **boldface**.

^g Baron Hill in Indiana and Ken Lucas in Kentucky were 100% bad on trade while in the House previously, but claim to have “seen the light” of fair trade.

Oregon-5	Darlene Hooley (D)	Mike Erickson (R), unknown	0
Pennsylvania-4	Melissa Hart (R)	Jason Altmire (D)	1
Pennsylvania-6	Jim Gerlach (R)	Lois Murphy (D)	0
Pennsylvania-7	Curt Weldon (R)	Joe Sestak (D), unknown	0
Pennsylvania-8	Mike Fitzpatrick (R)	Patrick Murphy (D)	1
Pennsylvania-10	Don Sherwood (R)	Chris Carney (D)	1
Texas-23	Henry Bonilla (R)	Ciro Rodriguez (D)	1
Utah-2	Jim Matheson (D)	LaVar Christensen (R), unkn.	0
Virginia-2	Thelma Drake (R)	Phil Kellam (D)	0
Virginia-10	Frank Wolf (R)	Judith Feder (D), unknown	0
Washington-2	Rick Larsen (D)	Doug Roulstone (R), unknown	0
Washington-5	Cathy McMorris (R)	Peter Goldmark (D)	0
Washington-8	Dave Reichert (R)	Darcy Burner (D)	0
Wyoming-At Large	Barbara Cubin (R)	Gary Trauner (D)	0
		i. Total	19

House Open Seats and trade effect (33)^h

State and District	Fair Trd Cand., unless noted	Opponent of Fair Trade candidate	Previous holder	gain=1, wash=0, loss=-1
Arizona-8	Gabrielle Giffords (D), good	Randy Graf (R), good	Jim Kolbe (R), bad	1
California-22*	Sharon Beery (D), good	Kevin McCarthy (R), bad	Bill Thomas (R), bad	0
Colorado-5	Jay Fawcett (D), good	Doug Lamborn (R), bad	Joel Hefley (R), bad	0
Colorado-7	Ed Perlmutter (D), good	Rick O'Donnell (R), bad	Bob Beauprez (R), bad	1
Florida-9	Phyllis Busansky (D), good	Gus Bilirakis (R), unknown	Mike Bilirakis (R), bad	0
Florida-11*	Kathy Castor (D), good	Eddie Adams (R), unknown	Jim Davis (D), bad	1
Florida-13	Christine Jennings (D), good	Vern Buchanan (R), unknown	Katherine Harris (R), bad	Going to recount
Florida-16	Tim Mahoney (D), good	Joe Negron (R), good	Mark Foley (R), bad	1
Georgia-4*	Hank Johnson (D), good	Catherine Davis (R), unknown	Cynthia McKinney (D), good	0
Hawaii-2*	Mazie Hirono (D), good	Bob Hogue (R), unknown	Ed Case (D), bad	1
Idaho-1	Larry Grant (D), good	Bill Sali (R), unknown	"Butch" Otter (R), good	0
Illinois-6	Tammy Duckworth (D), unknown	Peter Roskam (R), unknown	Henry Hyde (R), bad	0
Illinois-17	Phil Hare (D), good	Andrea Zinga (R), bad	Lane Evans (D), good	0
Iowa-1	Bruce Braley (D), good	Mike Whalen (R), bad	Jim Nussle (R), bad	1
Maryland-3*	John Sarbanes (D), good	John White (R), unknown	Ben Cardin (D), good	0

^h Open seat races not considered competitive by Cook Political Report are marked with an *.

Michigan-7	Sharon Renier (D), good	Tim Walberg (R), unknown	Joe Schwarz (R), mixed	0
Minnesota-5*	Keith Ellison (DFL), good	Alan Fine (R), unknown	Martin Olav Sabo (DFL), good	0
Minnesota-6	Patty Wetterling (DFL), good	Michele Bachmann (R), bad	Mark Kennedy (R), bad	0
Nebraska-3	Scott Kleeb (D), good	Adrian Smith (R), bad	Tom Osborne (R), bad	0
Nevada-2	Jill Derby (D), good	Dean Heller (R), unknown	Jim Gibbons (R), bad	0
New Jersey-13*	Albio Sires (D), good	John Guarini (R), unknown	Bob Menendez (D), good	0
New York-11*	Yvette Clark (D), good	Stephen Finger (R), unknown	Major Owens (D), good	0
New York-24	Mike Arcuri (D), good	Raymond Meier (R), bad	Sherwood Boehlert (R), bad	1
Ohio-4*	Richard Siferd (D), good	Jim Jordan (R), unknown	Mike Oxley (R), bad	0
Ohio-6	Charlie Wilson (D), good	Chuck Blasdel (R), unknown	Ted Strickland (D), good	0
Ohio-13	Betty Sutton (D), good	Craig Foltin (R), good	Sherrod Brown (D), good	0
Ohio-18	Zack Space (D), good	Joy Padgett (R), bad	Bob Ney (R), bad	1
Oklahoma-5*	David Hunter (D), good	Mary Fallin (R), unknown	Ernest Istook (R), bad	0
Tennessee-1*	Rick Trent (D)	David Davis (R), bad	Bill Jenkins (R), bad	0
Tennessee-9*	Steve Cohen (D), good	Mark White (R), bad	Harold Ford, Jr. (D), mixed	1
Texas-22	Nick Lampson (D), good	Shelley Sekula Gibbs (R), unknown	Tom DeLay (R), bad	1
Vermont-At Large	Peter Welch (D), good	Martha Rainville (R), bad	Bernie Sanders (I), good	0
Wisconsin-8	Steve Kagen (D), good	John Gard (R), bad	Mark Green (R), bad	1
			ii. Total	11 (one pending)

House fair trade incumbents, unless noted (12)

State and district	Fair trade incumbent, unless noted	Opponent of fair trade incumbent	If incumbent is displaced, -1; otherwise, 0
Colorado-3	John Salazar (D)	Scott Tipton (R), unknown	0
Georgia-8	Jim Marshall (D)	Mac Collins (R), mixed	0
Georgia-12	John Barrow (D)	Max Burns (R), bad	0
Indiana-7	Julia Carson (D)	Eric Dickerson (R), unknown	0
Indiana-8	John Hostettler (R)	Brad Ellsworth (D), good	0
Iowa-3	Leonard Boswell (D), mixed	Jeffrey Lamberti (R), bad	0
Louisiana-3	Charlie Melancon (D)	Craig Romero (R), good	0
South Carolina-5	John Spratt (D)	Ralph Norman (R), unknown	0
South Dakota-At	Stephanie Herseth (D)	Bruce Whalen (R), unknown	0

Large			
Texas-17	Chet Edwards (D), mixed	Van Taylor (R), unknown	0
West Virginia-1	Alan Mollohan (D)	Chris Wakim (R), good	0
West Virginia-2	Shelley Capito (R), mixed	Michael Callaghan (D), good	0
		iii. Total	0

$$\text{TOTAL HOUSE GAIN} = (\text{Totals i} + \text{ii} + \text{iii}) = \mathbf{30}$$

U.S. House:

In the House, there were 30 net fair trade gains. Among the high profile upsets of GOP anti-fair trade leaders: Representative Clay Shaw (R-Fla.) the Ways and Means Trade Subcommittee chair, and Ways and Means committee members Melissa Hart (R-Penn.), J.D. Hayworth (R-Ariz.), Nancy Johnson (R-Conn.) and Chris Chocola (R-Ind.). Each was replaced by a fair trader: FL-22: Ron Klein; PA-4: Jason Altmire; AZ-5: Harry Mitchell; CT-5: Chris Murphy; and IN-2: Joe Donnelly.

The fair trade sweep was a national phenomenon. Among some of the top victories:

- In **California**, fair trade Jerry McNerney (D) beat out House Resources Committee Chair Richard Pombo (R), who had provided crucial votes for CAFTA, Fast Track (three times) and FTAs with Bahrain, Chile, Oman, and Singapore. McNerney writes, “I am deeply worried about the way this nation is plunging head-long into the global economy without a plan or a national consensus ...While this newly emerging global economy has benefited many large US corporations and investors, it has had a largely negative impact on local businesses and the average American wage earner. The de-industrialization of our nation has lowered our wage-base, and has been a major component of our growing trade deficit. By moving to Mexico, China or other ‘free trade’ zones, US companies not only get cheaper labor, but also avoid paying many US taxes. This is costing America billions of dollars every year – and setting in motion a ‘race to the bottom’ of the wage scale. We have to re-think how we participate in globalization.”⁴⁴
- In **Connecticut**, Chris Murphy (D) beat out 12-term incumbent Nancy Johnson (R), who had an 100% anti-fair trade voting record. Murphy’s Citizens Trade Campaign PAC questionnaire response read, “I will oppose NAFTA/CAFTA-modeled trade agreements and work to ensure that new trade agreements include binding protections for workers rights and the environment. It is unfortunate that my opponent, Nancy Johnson, has supported these deficient trade agreements, and the recent Oman trade agreement that could open up our ports to foreign ownership. I would not support trade agreements that had the potential to threaten our national security or privatize essential public services. I would support an alternative to fast-track that would allow for free debate on trade agreements. Providing the executive branch – no matter what party is in control of that branch of government – unlimited authority to negotiate these agreements and then severely limit the amount of time that Congress has to review the agreement sets a dangerous precedent for our system of checks and balances. Fast-track is another example of the current leadership in Congress abandoning its oversight role of the executive branch.”

- In northern **Indiana**, incumbent Representative Chris Chocola (R-Ind.) was beat out by Joe Donnelly, who made Chocola's support for eight-out-of-eight awful trade pacts in just two terms a major focus of his campaign.⁴⁵ Donnelly said, "Standing for fair trade means standing up for American workers and voting against trade agreements that pit American workers against workers in countries with no labor or environmental laws – it's not a fair fight."⁴⁶
- In **Iowa**, 100% anti-fair trade incumbent Jim Leach (R) was ousted by Dave Loebsack (D). Loebsack writes, "It is time for fair trade agreements that help open markets abroad and guarantee labor and environmental protections in other countries. The second district of Iowa has suffered dramatically over the years as a result of Republican policies. We know that globalization has led to companies abandoning many communities in this part of the state. Republicans, including the incumbent, have championed free trade pacts that have only made this problem worse. It is time to take stock of the effects of previous free trade agreements and place a moratorium on more such pacts that do not include the necessary labor and environmental provisions."⁴⁷
- In **North Carolina**, eight-term Representative Charles Taylor (R-N.C.) was ousted by a challenge from former NFL quarterback Heath Shuler (D). Taylor, who said that he would oppose CAFTA, was counted as not voting even though he was present at the session where the pact was voted on. His office later created a host of varied explanations to explain the non-vote, but these did not sway voters in the district or his Democratic challenger. Shuler said Taylor's CAFTA stunt was a "perfect example" of how Taylor is out of touch with the region, which has suffered dramatic trade-related job losses. "When it really came down to supporting people in this district, he chose not to," Shuler said.⁴⁸
- In **Pennsylvania's** Philadelphia suburbs, incumbent Representative Mike Fitzpatrick (R-Pa.) was ousted by Democrat Patrick Murphy, who attacked Fitzpatrick in debates for "crippling" the local economy by voting for the CAFTA. "He was the deciding vote... for CAFTA," Murphy chided as he cited the thousands of U.S. manufacturing jobs that had been lost to lower-wage Central America in just the first few months of the pact.⁴⁹

Other key pick-ups include the Louisville, Kentucky seat of Representative Anne Northup (R), an 100% anti-fair trader who was defeated by columnist John Yarmuth (D), who ran paid ads attacking Northup's track record on trade; and the Pennsylvania defeat of Representative Don Sherwood (R) at the hands of Chris Carney (D), who wrote that "I will be a strong voice for fair trade for our workers and for our environment."⁵⁰ Even NRCC chair Tom Reynolds (R-N.Y.) – the man responsible for getting Republicans re-elected – narrowly won re-election himself, in a race where his challenger based his campaign almost exclusively on rejection of Reynolds' and the GOP's support for NAFTA-style trade deals. Maverick Republican-turned-Democrat Jack Davis just recently entered electoral politics. The triggering event was when Vice-President Dick Cheney's staff ousted Davis from a Republican fundraiser because he was talking at the event with reporters about his opposition to NAFTA-style trade policy.⁵¹ In his challenge to Reynolds, who has voted wrong on every single bad piece of trade legislation since being in office (15 out of 15), Davis promised to "fight to cancel all free-trade agreements."⁵²

The "fair traders win" trend also dominates the House open seats:

- In the **Hawaii** seat opened by Representative Ed Case's (D) unsuccessful corporate-backed Senate primary bid to oust fair trader Daniel Akaka (D), Democrat Mazie Hirono, who now claims the open seat, argued on the campaign trail that "We cannot support policies that

encourage businesses to take advantage of underpaid foreign workers and lax environmental standards while moving jobs out of the United States. Any new trade agreements we enter into must have strong protections for workers and for the environment.”⁵³ Case, in contrast, voted wrong on trade bills 75 percent of the time in his two terms.

- In **Iowa**, the open seat vacated by 100% anti-fair trade voter Representative Jim Nussle (R-Iowa, who lost his gubernatorial race), Democrat Bruce Braley handily beat his Republican opponent in a re-fight of the NAFTA debate – though this time a debate based on NAFTA’s actual outcomes, not fanciful promises of benefits. The narrator in Braley’s campaign ads said, “Under George Bush, over 20,000 manufacturing jobs have left Iowa. Bruce Braley says it’s time for a change. Braley supports rolling back unfair trade deals like NAFTA and CAFTA because they cost us jobs in Iowa.”⁵⁴
- In **Wisconsin**, Democrat Steve Kagen held back his GOP opponent and claimed the open seat previously held by 100% anti-fair trader Mark Green (R), who lost his gubernatorial bid. Kagen’s Citizens Trade Campaign PAC questionnaire response: “There is often an irrational belief in our nation that the free market can solve any problem. Unfortunately, there are some services which cannot be appropriately priced or are too essential to be given to the lowest bidder. There are other harms which can sometimes occur alongside privatization, such as a withdrawal of worker protections or degradation of the environment. It is with concerns like these in mind that I would oppose trade agreements which include ‘service’ sector provisions.”



John Yarmuth's (D) ad attacking Anne Northup's (R-Ky.) support for trade deals that outsource jobs. "Big corporations enjoy record profits by shipping our jobs overseas, leaving factories like this one empty."

Trade played in seats “opened” by anti-fair traders’ scandal-forced retirement

Anti-fair trade representatives forced into early retirement include Representatives Tom DeLay (R-Texas), Mark Foley (R-Fla.), and Bob Ney (R-Ohio).

- **Texas’ 22nd:** In addition to DeLay’s more public ethical problems, he was also known as a master ring-leader on tight trade votes. As *The Financial Times* reported, the anti-fair trade agenda “is missing the presence of Tom DeLay. The political demise of the former House majority leader in a tornado of political scandal is mourned by few outside the rock-ribbed tribalists of the Republican Party. But his regimental control over the Republicans in the House did at least deliver Yes votes on politically difficult bilateral and regional trade deals such as the Central American Free Trade Agreement (Cafta).”⁵⁵ In DeLay’s former district, ex-representative and Fast Track opponent Nick Lampson triumphed over DeLay stand-in Shelley Sekula Gibbs.
- **Florida’s 16th:** In June 2005, Foley had called CAFTA “not a good deal,” and promised to defend the interest of his district, the third-largest sugar producer in the country. But just weeks later, Foley flip-flopped for the agreement under pressure from DeLay. Foley’s CAFTA betrayal⁵⁶ was a major campaign theme for challenger and Democrat Tim Mahoney. Before the page scandal broke, Mahoney had told the press that, “Instead of voting for trade agreements that can hurt Florida’s sugar industry and send more jobs overseas, Foley should be working on policies that foster job creation.”⁵⁷ Mahoney handily won over Foley stand-in Joe Negron.
- **Ohio’s 18th:** And finally, Democrat Zack Space claimed the seat vacated by Representative Bob Ney (R-Ohio), who pleaded guilty to charges of accepting tens of thousands of dollars in illegal gifts from lobbyists.⁵⁸ Ney, while voting against CAFTA, voted for the pro-corporate trade position approximately half of the time while in office. He was one of the last minute flip-floppers who passed Fast Track in 2002 by a two-vote margin. Space, on the other hand, “believes the leaders in Congress should be doing everything in their power to ensure that companies from countries such as China, India and Mexico comply with fundamental principles like paying a living wage, requiring environmental accountability and providing for worker safety and security.”⁵⁹

Conclusion: Fair trade 2006 victories to shape 2008 and beyond

Given the major fair trade pick-up in the 2006 midterm elections, the saliency of the trade issue will have significant ramifications for the 2008 presidential election and beyond. The 2006 midterms show that to win, future national tickets cannot feature those touting the NAFTA-WTO trade model.

That this shift is occurring is demonstrated by shifting voting patterns of prospective presidential candidates in Congress. All six U.S. senators rumored to be considering a bid for the Democratic nomination for president voted against CAFTA, including the former chair of the pro-NAFTA Democratic Leadership Council Evan Bayh (Ind.), Joe Biden (Del.), John Kerry (Mass.), Barack Obama (Ill.), Hillary Rodham Clinton (N.Y.) and Russ Feingold (Wis.).ⁱ Perhaps the 2006 election results will improve presidential aspirants' consistency in trade votes, given Kerry, Obama and Rodham Clinton all supported an agreement identical to the Central American pact with the much-less democratic country of Oman in July 2006.

The 2006 election cycle itself may have resolved some of the Democratic party's uncertainty on the trade issue. Columnist David Brooks noted the trend when he wrote that "Hillary Clinton is the front-runner for the next Democratic presidential nomination, but suddenly this is John Edwards's party. If you look across the states where the party is being defined in 2006, you find candidates who sound a lot more like him than her... the candidates are running as factory-floor populists who would throw up if they had to sit through a Renaissance Weekend."⁶⁰

The focus on the need for a different trade policy by Democratic candidates and the political success of this approach is correcting the political dislocation wrought in 1993 by President Bill Clinton's pushing of NAFTA that then contributed to the historic Democratic losses in 1994. Democratic support for NAFTA was identified as a key factor in the major drop in midterm election voting by labor households in the 1994 midterm elections.⁶¹ This shift also is evidenced by the continual popularity among Democratic bloggers and rank-and-file Democrats of pro-fair trade candidates like Edwards and Feingold, and also by the fact that Rodham Clinton has to take seriously the under-financed primary challenge by fair trade candidate Jonathan Tasini.⁶²

Meanwhile, Senator John McCain (R-Ariz.), the most likely Republican presidential nominee in 2008, supported NAFTA, WTO, China PNTR and CAFTA, and Governors Mitt Romney (R-Mass.) and Mike Huckabee (R-Ark.), the other leading rumored Republican presidential candidates, are also unreconstructed anti-fair traders.⁶³ So it seems like the course is set for trade to become a major wedge issue in the 2008 presidential election.^j

ⁱ Outgoing Governor Tom Vilsack (D-Iowa) announced on Thursday a presidential bid. Vilsack has been a leading governor on fair trade issues. According to the *Associated Press*, Vilsack "told U.S. trade negotiators not to promise foreign companies access to millions of dollars in state purchasing contracts, [noting] the state's loss of manufacturing jobs over the past three years and said such purchases should be used to help Iowa companies as much as possible. In 'this time of crisis,' Vilsack wrote, 'I believe that Iowa must have maximum flexibility to use our state tax dollars to create good jobs.'" See Ryan J. Foley, "Vilsack objects to purchasing rules in trade agreements," *Associated Press*. In related news, Feingold has announced he will not seek the presidency.

^j Representative Duncan Hunter (R-Calif.) has just recently announced an exploratory committee for a presidential bid. Hunter was a leader in corralling GOP votes against NAFTA.

Still, the message of 2006 – supported by several trends – is that politicians of any party can count on popular support so long as they are consistent in their support of fair trade. Exhibit A is of course the 30-seat Democratic House and 6-seat Democratic Senate pick-up, where in race after race candidates emphasized their fair trade credentials. Exhibit B is the re-elections of consistent GOP fair traders Senator Olympia Snowe (R-Maine) and Representatives Virgil Goode (R-Va.), Walter Jones (R-N.C.), and Ron Paul (R-Texas) – and the Idaho gubernatorial win of Representative C.L. “Butch” Otter (R) – which show that members of Congress who stick up for ordinary Americans on trade votes win. Indeed, only one congressman with a consistent fair-trade voting record was defeated (Rep. John Hostettler (R-Ind.)), and he was replaced by another fair trader.^k

Exhibit C is that many Democrats who are bad on trade issues, such as Senator Maria Cantwell (D-Wash.) and Representatives Ed Towns (D-N.Y.), Henry Cuellar (D-Texas), and Melissa Bean (D-Ill.), have had to face extra-difficult re-election campaigns after alienating their bases and drawing trade-related challenges in Democratic primaries and from Independents.

- Cantwell, who has a 100% anti-fair trade voting record and who narrowly survived a Republican challenge in the general election, had to contend with both Democratic primary and general election third party challengers who made fair trade an issue.⁶⁴
- In late 2004, Towns made one of the most blistering attacks on CAFTA of any member of Congress in a speech entitled “Multinationals Will Emerge as Main Winners from CAFTA Ratification.”⁶⁵ But in 2005, in the year’s most bizarre flip-flop, Towns became a last-minute CAFTA supporter, angering his constituents who proceeded to protest the representative for several months after the vote.⁶⁶ This popular anger fueled electoral challenges in 2006, when Towns faced a slew of anti-CAFTA challengers in the Democratic primaries – including New York City councilmember Charles Barron and MTV’s *The Real World*’s Kevin Powell. The 12-term incumbent barely survived the race, winning only 46 percent of the vote despite being the only candidate in the race with a significant campaign organization.⁶⁷ Barron, who came within eight points of defeating Towns, vowed to return for future electoral challenges.⁶⁸
- Cuellar too was forced into a close re-match in Texas’ Democratic primaries in March 2006 with former representative Ciro Rodriguez, who ran almost exclusively on an anti-CAFTA platform.⁶⁹ Cuellar’s fair trade nightmare continued for the rest of the year, as he was forced – due to Texas’ redistricting debacles – to face a second anti-CAFTA electoral challenge from lawyer Frank Enriquez.⁷⁰
- And Bean, who was first elected to the House in 2004 in a traditionally Republican district based on massive support from organized labor, quickly managed to alienate her labor base by voting wrong on not one, not two, but on all four trade votes in the 109th Congress. Following Bean’s CAFTA vote, her local Central Labor Council rescinded her “Person of the Year” award⁷¹ and the Illinois State AFL-CIO refused to endorse her re-election. Bean’s 2006 re-election race, universally cited as one of the tightest in the country, was made even tighter by the labor-backed, third-party candidacy of Bill Scheurer,⁷² who along with Republican candidate David McSweeney made Bean’s CAFTA betrayal a major campaign issue.⁷³

^k Hostettler repeated his past tactic of not running a “modern” campaign meaning he conducted no fund raising, polling and had no paid political professionals or ads. Also, as noted, Representative Charles Taylor (R-N.C.) also had a fair trade voting record and had pledged to oppose CAFTA. At the last moment, however, he failed to cast his vote against the agreement, allowing the pact’s one-vote passage. Taylor’s non-vote may be the main reason for his loss to fair trader Democrat Heath Shuler, who made it a priority campaign issue.

And Exhibit D is the successful decades-long career of Independent Bernie Sanders, now Vermont's senator-elect, which shows that consistent opposition to corporate trade power-grabs can even make up for a lack of major party infrastructure.

Equally important as the actual candidates however is the emergence of the fair trade *movement* as a potent electoral force. Politicians hoping to advance or even retain their elected office must contend with this force, since the 2006 election showed that fair traders and the issues they care about are here to stay.

Annex I: Fair trade trend not only a federal phenomenon; statehouses taken by critics of federal trade policy, while CAFTA lovers kept at bay

Fair trade is not just an issue in federal campaigns. Candidates in state races are increasingly running on fair trade as well. This makes a great deal of sense, as today's "trade" agreements go far beyond traditional trade matters, delving deeply into the state and local regulatory sphere. In 2006, trade pacts have enormous potential to quietly erode state sovereignty, placing limitations on the kinds of domestic laws states can or cannot enact, from how states decide to spend citizens' tax dollars to zoning, land-use, anti-off-shoring, health care, gambling, education, environmental and food safety policies.⁷⁴

The stage was set for the 2006 fair trade statehouse trend with 2004's high-profile election of Montana Governor Brian Schweitzer, who very publicly rails against flawed trade policies and is regularly cited as a bellwether of an anti-corporate shift in national politics. "I was a critic of Nafta, I was a critic of Cafta and I'll be a critic of Shafta," he recently told *The New York Times Magazine*.⁷⁵

The view that Schweitzer was an indication of things to come at the state political level was vindicated in 2006 with the election of Representative Ted Strickland (D-Ohio) to the Ohio statehouse. Strickland is one of only five members of the House who has voted the fair trade position in 18 out of 18 major trade votes since 1990. His 23 point victory in the key swing state of Ohio is also a rebuttal to the common claim that Schweitzer's victory was a local phenomenon in a sparsely populated rural backwater.¹

Fair trade gubernatorial victories crossed the country and party lines. In Idaho, Republican fair trader C.L. "Butch" Otter beat out his Democrat opponent Jerry Brady. Otter had rallied GOP opposition to CAFTA last year, declaring that "CAFTA outlines a system under which foreign investors operating in the United States are granted greater property rights than U.S. law provides for our own citizens! That's not encouraging free trade. That's giving away our natural resources and our national sovereignty."⁷⁶

¹ In Mark Sundeen's words, "The Democrats' enthusiasm for their new hero seemed to overlook the fact that the governor of a state as sparsely populated as Montana simply does not wield a lot of national clout. Schweitzer governs fewer than a million people, in a state with a single Congressional representative, only three electoral votes and a Legislature that meets for just 90 days, every other year." See Mark Sundeen, "The Big Sky Dem," *New York Times Magazine*, Oct. 8, 2006.

Other incumbent governors who have been leaders on fighting bad federal trade policy also won re-election.

- Governor Jennifer Granholm of Michigan (D) blasts NAFTA, which “we call... SHAFTA in the state of Michigan” she says, and beat off an electoral challenge from a pro-NAFTA Republican.⁷⁷
- Governor John Baldacci of Maine (D), the governor most actively fighting to safeguard state sovereignty and authority under attack through Bush’s trade agenda, won re-election. Baldacci has been a national leader in fighting for trade policies that harvest trade’s benefits without invading states’ non-trade regulatory space. As a House member he was a fair trader.
- Governor Ed Rendell of Pennsylvania (D) rescinded his consent for Pennsylvania to be bound by CAFTA’s procurement rules, explaining that he needed to take action in order to ensure that “companies based in [Pennsylvania] can compete in an increasingly unfair international trade system.”⁷⁸ He was re-elected with 60% of the vote.
- Kansas’ Governor Kathleen Sebelius (D) also rescinded her consent for Kansas to be bound by CAFTA’s procurement rules, stating that “fair trade is essential to our economic well-being.”⁷⁹ She was re-elected by a 17 point margin, in the prototypical “red state” of Kansas.
- Governor John Lynch of New Hampshire (D) rescinded his predecessor’s consent to be bound by CAFTA and various other trade agreements’ procurement rules, in order to safeguard New Hampshire’s right to set its own procurement policies.⁸⁰ Lynch cruised back into office with 74% of the vote.

At the same time, pro-NAFTA model members of Congress that were gunning for a promotion to governor were rejected by voters. CAFTA supporter Mark Green (R-Wis.)⁸¹ was defeated by incumbent Governor Jim Doyle (D) in the Wisconsin gubernatorial race. CAFTA supporter Ernest Istook (R-Okla.) was defeated by incumbent Brad Henry in the Oklahoma gubernatorial race. Their corporate compatriot Bob Beauprez in Colorado (another CAFTA supporter in the House) was also rebuffed by the voters in his gubernatorial run. *The Rocky Mountain News* pointed out that Beauprez was backed strongly by the Chamber of Commerce and “has been most consistent in supporting issues important to the business community, like supporting lower taxes and free-trade agreements.”⁸² In Iowa’s gubernatorial race, pro-corporate trader Representative Jim Nussle – “a reliable supporter of Bush’s trade policy” according to *The Des Moines Register*⁸³ – was beaten by Chet Culver, a self-described proud progressive on economic issues.⁸⁴ The punishment of pro-corporate trade congressmen seeking gubernatorial offices was bipartisan as well, with Democrat Jim Davis of Florida (who voted against the fair trade position 12 out of 13 times while in Congress) also being rejected by Florida’s voters – many of whom saw their agricultural livelihoods decimated by NAFTA.

Some incumbent governors who never had the opportunity to vote on federal trade policy in Congress nonetheless were consistently anti-fair trade in other ways and thus rejected by voters. Maryland governor Bob Ehrlich, who vetoed legislation that restored the Maryland General Assembly’s constitutional right to create and maintain procurement policies that could be undermined by trade pacts like CAFTA,⁸⁵ was handed his pink slip. Democrat Martin O’Malley, who triumphed in that race, blasted the decision, saying, “Bob Ehrlich supports flawed international trade agreements which will outsource jobs and provide unfair competition for Maryland’s working families.”⁸⁶

STATEHOUSE LEVEL FAIR TRADE GAINS (25 being monitored)^m

Anti-Fair Trade Incumbents vs. Fair Trade Challengers (7)

State	Anti-Fair Trade Incumbent	Fair Trade Challenger	+1 if gain; 0 otherwise
California	Arnold Schwarzenegger (R)	Phil Angelides (D)	0
Georgia	Sonny Purdue (R)	Mark Taylor (D), unknown	0
Maryland	Bob Ehrlich (R)	Martin O'Malley (D)	1
Minnesota	Tim Pawlenty (R)	Mike Hatch (D)	0
Rhode Island	Donald Carcieri (R)	Charlie Fogarty (D)	0
Texas	Rick Perry (R)	3 candidates, all better	0
Vermont	Jim Douglas (R)	Scudder Parker (D)	0
		A. Total	1

Governor Open Seats and trade effect (10)

State	Fair Trade candidate, unless noted	Opponent of Fair Trade candidate	Previous Holder of Seat	Effect: If gain (+1), if wash (0), if loss (-1)
Alaska	Tony Knowles (D), good	Sarah Palin (R), unknown	Frank Murkowski (R), bad	0
Arkansas	Mike Beebe (D), good	Asa Hutchison (R), bad	Mike Huckabee (R), bad	1
Colorado	Bill Ritter (D), bad	Bob Beauprez (R), bad	Bill Owens (R), bad	0
Florida	Charlie Crist (R), bad	Jim Davis (D), bad	Jeb Bush (R), bad	0
Idaho	"Butch" Otter (R), good	Jerry Brady (D), unknown	James Risch (R) / Dirk Kempthorne (R), bad	1
Iowa	Chet Culver (D), unknown	Jim Nussle (R), bad	Tom Vilsack (D), good	0
Massachusetts	Deval Patrick (D), unknown	Kerry Healey (R), unknown	Mitt Romney (R), bad	0
Nevada	Dina Titus (D), bad	Jim Gibbons (R), unknown	Kenny Guinn (R), good	0
New York	Eliot Spitzer (D), good	John Faso (R), bad	George Pataki (R), bad	1
Ohio	Ted Strickland (D), good	Ken Blackwell (R), bad	Bob Taft (R), bad	1
			B. Total	4

Governor fair trade incumbents (8)

State	Fair Trade Incumbent	Opponent of Fair Trade Incumbent	If incumbent is displaced, -1; otherwise, 0
Illinois	Rod Blagojevich (D)	Judy Baar Topinka (R), unknown	0
Kansas	Kathleen Sebelius (D)	Jim Barnett (R), unknown	0
Maine	John Baldacci (D)	Chandler Woodcock (R), bad	0
Michigan	Jennifer Granholm (D)	Dick DeVos (R), bad	0
New Hampshire	John Lynch (D)	Jim Coburn (R), unknown	0
Oregon	Ted Kulongoski (D)	Ron Saxton (R), unknown	0
Pennsylvania	Ed Rendell (D)	Lynn Swann (R), bad	0

^m See Annex III for methodology. Winners in **boldface**.

Wisconsin	Jim Doyle (D)	Mark Green (R), bad	0
		C. Total	0

$$\underline{\text{TOTAL GUBERNATORIAL GAIN} = (\text{Totals A} + \text{B} + \text{C}) = 5}$$

Annex II: Public Citizen's Global Trade Watch's scored trade votes

The 18 House votes that Public Citizen's Global Trade Watch scored since 1990 are listed below, along with their date of House passage. The Senate voted on identical measures (except for items 4, 8 and 15, which never advanced to the upper chamber).

- 1) H.R. 1876: Fast Track Authority for Negotiating the WTO (06/22/93)
- 2) H.R. 3450: NAFTA implementation bill (11/17/93)
- 3) H.R. 5110: Approving WTO (11/29/94)
- 4) H.R. 2621: Fast Track 1998 - voted on in House 9/25/98, where it was defeated
- 5) H.R. 434: Africa Growth and Opportunity Act (AGOA) (07/16/99)
- 6) H.R. 434: AGOA Conference Report (5/4/00)
- 7) H.R. 4444: China Permanent Normal Trade Relations (5/24/00)
- 8) H.J.Res.90: WTO Withdrawal Resolution (6/21/00)
- 9) H.R. 3005: Fast Track 2001 (12/6/01)
- 10) H.R. 3009: Fast Track + Andean trade preferences (6/27/02)
- 11) H.R. 2739: Singapore FTA (7/24/03)
- 12) H.R. 2738: Chile FTA (7/24/03)
- 13) H.R. 4759: Australia FTA (7/14/04)
- 14) H.R. 4842: Morocco FTA (7/22/04)
- 15) H.J.Res. 27: WTO Withdrawal Resolution (6/9/05)
- 16) H.R. 3045: CAFTA (7/27/05)
- 17) H.R. 4340: Bahrain FTA (12/7/05)
- 18) H.R. 5684: Oman FTA (7/20/06)

Annex III: Methodology

Trade policy history was researched for both candidates in any open congressional seat or congressional race described as competitive by the Cook Political Report of November 6, 2006. Candidates were assigned trade policy positions as "fair traders," "anti-fair traders," unknown, or in some cases, mixed, based on close examination of voting and policy records, as well as on-the-record statements to the press or in candidate survey responses.

Races were then categorized and rated in the following ways:

1. **Races where an anti-fair trade incumbent was facing a serious electoral challenge from a fair trader.** If the incumbent was dislodged, the fair trade cause picks up one net point. Otherwise, no points are given.

2. **Open seats.** If fair trade candidates pick up a seat previously held by an anti-fair trader, one point is given. If anti-fair traders pick up a seat previously held by fair trader, one point is removed. When like replaces like (or where the effect is unknown), no points are given.
3. **Races where incumbent fair traders were facing serious electoral challenge.** If the incumbent fair trader is dislodged, one point is taken away. Otherwise, no points are given or taken away.

ENDNOTES

¹The 2002 unseating of former Representative Tom Sawyer, a seven-term Ohio Democrat, was one of the more high-profile examples of festering trade vote anger playing out in an incumbent's defeat. Sawyer had voted repeatedly for trade agreements deeply opposed by his Akron constituents – NAFTA, WTO, and in 2000, China PNTR (Permanent Normal Trade Relations). In 2002, when primary voters were given a choice between Sawyer and then 29-year old state senator, Tim Ryan, who made opposition to retrograde trade deals a top campaign issue, Ryan beat Sawyer by 41 to 21 percent. Another glaring example of bad trade votes costing incumbents their election is that of 18-year incumbent Matt Martinez, a Democrat who represented part of Los Angeles. Martinez lost a primary bid in 2000 to then- State Senator Hilda Solís, who ran a campaign that included repeated attacks on Martinez's votes for trade policies harming the district, including his support for "Fast Track" in 1997. Martinez, who usually won by impressive margins, lost to Solís, 29 to 62 percent. See Gregory L. Giroux, "Remap, Trade Issues Sink Rep. Sawyer in Ohio Democratic Primary," *Congressional Quarterly Daily Monitor*, May 8, 2002; Richard Simon and Antonio Olivo, "Two Incumbent Congressmen Facing Tough Challenges; 31st District: For Martinez, The Fight Is In The Primary--And In The Family," *Los Angeles Times*, Feb. 23, 2000.

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