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House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. DANIEL E. LUNGREN of California).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
June 13, 2005.

I hereby appoint the Honorable DANIEL E. LUNGREN to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2005, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from Florida (Mr. STEARNS) for 5 minutes.

TIME FOR REAL REFORM AT THE UNITED NATIONS

Mr. STEARNS. Mr. Speaker, last December we created an independent panel to simply come up with ways to make the United Nations more transparent and more effective. Today it is being reported that the panel's work is done, and their 174-page report will soon be made available to all of us. I am very interested to see what this bipartisan panel has to say about changing and reforming the United Nations.

I understand from this report that its recommendations perhaps do not go far enough. It does criticize the U.N. for being too bureaucratic, but it hardly lays the blame where I think we all know it belongs, of course, to the Secretary General Kofi Annan. It squarely should be on his shoulders.

Here is what has occurred at the U.N. under Mr. Annan's watch: We have had genocide in the Sudan; countries such as Cuba, Libya, and China are on the U.N. Commission on Human Rights; kicking the United States off the U.N.'s Narcotic Trafficking Commission; claims of sexual harassment in the United Nations; an attempt to impose global gun control. The U.N. even thought about sending observers over here to assess and evaluate our election process here in the United States.

It is noted also that our Supreme Court Justices are using a U.N. treaty to justify abolishing capital punishment for minors. And, of course, there is the infamous Oil For Food Program. This is a scandal. It is a program which has resulted in over \$20 billion being stolen from those who need it in Iraq and which enriched the totalitarian regime of Saddam Hussein. And most recently, U.N. peacekeeping soldiers in the Congo have been discovered soliciting sex from local girls, some as young as 12 years old, in exchange for money and food.

Mr. Speaker, too many times the United Nations has gone against American values. I happen to believe that the American people should not be required to pay for this organization unless there is a huge amount of reform and change. We are the biggest donor to the United Nations, contributing 22 percent of the regular operating budget and nearly 27 percent of the peacekeeping budget.

How many American taxpayer dollars went to Saddam Hussein or are paying for immoral U.N. peacekeepers?

Now more than ever we need to reassess our involvement with this trou-

bled organization. This week we will debate two measures that have to do with the United Nations. First, we will be debating the Science, State, Justice and Commerce appropriations bill in which we propose to pay the United Nations over \$400 million in our annual dues. I plan on speaking on this and perhaps introducing an amendment to make sure that none of these funds go to pay for new headquarters that Kofi Annan desires. This headquarters is estimated to cost \$1.2 billion.

I have previously introduced legislation to move the United Nations headquarters out of New York City and out of the United States altogether. I still believe, in the aftermath of all of these scandals and all of these corruptions and all of this anti-Americanism, and this massive waste of U.S. taxpayer dollars, that Turtle Bay is no longer an appropriate place for the United Nations. There are many other cities in Europe that perhaps could have the headquarters, such as Paris, France; Geneva, Switzerland; or Bonn, Germany that would be perfect hosts for the United Nations. We should give these countries the opportunity to have the United Nations. I just hope they do not plan on collecting for parking tickets from the diplomats who do not pay.

Later this week we will also consider the Hyde proposal to enact serious and substantive reform at the United Nations. This bill appears to provide real reform with teeth, and I look forward to debating and discussing this measure.

Last, Mr. Speaker, in other U.N. reform related news, hopefully this week John Bolton may finally get his up or down vote in the Senate. The President's choice to be Ambassador to the United Nations is the right man at the right time to shake up the U.N. establishment and provide real reform to the institution before it becomes even more obsolete and outdated.

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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It is critically important that we enact these serious and substantive reforms, both for America and the rest of the world. As John Bolton once said, "American leadership is critical to the success of the United Nations, an effective U.N., one that is true to the original intent of its charter's framers."

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m.

Accordingly (at 12 o'clock and 36 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. GINNY BROWN-WAITE of Florida) at 2 p.m.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Almighty and merciful Lord, Father of all, Your ways are inscrutable, Your glory without blemish, Your compassion for Your people without limits and Your forgiveness for all our faulty judgments is inexhaustible. In the mystery of Your presence we find peace.

Hear our prayer which rises before You from a world scorched by violence and desperation because You are forgotten, Your holy name is not invoked with reverence, Your laws are questioned and Your presence is doubted. Because we do not know You, we have no peace.

Help this Nation and the leaders of government to resolve inner contradictions that words may again contain meaning; deliberated actions may give evidence to words, by providing vision; and agreements may unify the energies of Your people.

In You, O Lord, we place our hope for peace now and forever. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Ohio (Mr. BROWN) come forward and lead the House in the Pledge of Allegiance.

Mr. BROWN of Ohio led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, June 10, 2005.

Hon. J. DENNIS HASTERT,
The Speaker, U.S. House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on June 10, 2005 at 10 a.m.

That the Senate passed without amendment H. Con. Res. 159.

Appointments: Mexico-United States Interparliamentary Group.

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
Clerk of the House.

RESTORING ORDER TO THE UNITED NATIONS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Madam Speaker, Saddam Hussein was able to siphon off almost \$10 billion from a UN-administered program that was designed to provide food and care to the Iraqi people. As Iraq continues to recover from Hussein's rule of dictatorship, I will urge the United Nations to recover these funds for the Iraqi people.

Unfortunately, the Oil-for-Food scandal was only one example of a long litany of scandals associated with the United Nations. This week Congress will vote on the United Nations Reform Act of 2005, which will ensure efficiency, accountability and effectiveness at the U.N. If the organization fails to enact these changes, America's contributions to the U.N. assessed budget will be reduced by 50 percent.

These reforms will assure the American people that their dollars are used only for legitimate and valuable U.N. projects. When we contribute billions of American dollars to the United Nations each year, the United States should not continue to pay for U.N. programs that operate with essentially a blank check.

In conclusion, God bless our troops, and we will never forget September 11.

TIME TO RENEGOTIATE CAFTA

(Mr. BROWN of Ohio asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROWN of Ohio. Madam Speaker, the administration, desperate after a series of failed attempts to gin up support for the Central America Free Trade Agreement, now has resorted to making all sorts of fantastic promises: bridges, highways and other pork projects, and outrageous threats.

The Washington Post reported yesterday that Tom Donohue, President of the United States Chamber of Commerce, warned a group of Hill leaders and business people, "If you are going to vote against it, it is going to cost you."

We know from past experience that if CAFTA comes to the House floor, it will come in the middle of the night, when votes are held open, threats are made on the House floor and a one-vote margin is secured to force through what most of us in Congress agree is bad policy.

Fast track won by only one vote. The same Mr. Donohue said back then, "A one-vote margin is all that we could afford."

Madam Speaker, this agreement has languished in Congress for more than a year. It is time for the President and Ambassador Portman to stop wasting time with toothless, meaningless side deals. It is time to renegotiate a better Central American Free Trade Agreement.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered or on which the vote is objected to under clause 6 of rule xx.

Record votes on postponed questions will be taken after 6:30 p.m. today.

PATIENT NAVIGATOR OUTREACH AND CHRONIC DISEASE PREVENTION ACT OF 2005

Mr. GILLMOR. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1812) to amend the Public Health Service Act to authorize a demonstration grant program to provide patient navigator services to reduce barriers and improve health care outcomes, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1812

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Patient Navigator Outreach and Chronic Disease Prevention Act of 2005".

SEC. 2. PATIENT NAVIGATOR GRANTS.

Subpart V of part D of title III of the Public Health Service Act (42 U.S.C. 256) is amended by adding at the end the following:

"SEC. 340A. PATIENT NAVIGATOR GRANTS.

"(a) GRANTS.—The Secretary, acting through the Administrator of the Health Resources and Services Administration, may make grants to eligible entities for the development and operation of demonstration programs to provide patient navigator services to improve health care outcomes. The Secretary shall coordinate with, and ensure the participation of, the Indian Health Service, the National Cancer Institute, the Office

of Rural Health Policy, and such other offices and agencies as deemed appropriate by the Secretary, regarding the design and evaluation of the demonstration programs.

“(b) USE OF FUNDS.—The Secretary shall require each recipient of a grant under this section to use the grant to recruit, assign, train, and employ patient navigators who have direct knowledge of the communities they serve to facilitate the care of individuals, including by performing each of the following duties:

“(1) Acting as contacts, including by assisting in the coordination of health care services and provider referrals, for individuals who are seeking prevention or early detection services for, or who following a screening or early detection service are found to have a symptom, abnormal finding, or diagnosis of, cancer or other chronic disease.

“(2) Facilitating the involvement of community organizations in assisting individuals who are at risk for or who have cancer or other chronic diseases to receive better access to high-quality health care services (such as by creating partnerships with patient advocacy groups, charities, health care centers, community hospice centers, other health care providers, or other organizations in the targeted community).

“(3) Notifying individuals of clinical trials and, on request, facilitating enrollment of eligible individuals in these trials.

“(4) Anticipating, identifying, and helping patients to overcome barriers within the health care system to ensure prompt diagnostic and treatment resolution of an abnormal finding of cancer or other chronic disease.

“(5) Coordinating with the relevant health insurance ombudsman programs to provide information to individuals who are at risk for or who have cancer or other chronic diseases about health coverage, including private insurance, health care savings accounts, and other publicly funded programs (such as Medicare, Medicaid, health programs operated by the Department of Veterans Affairs or the Department of Defense, the State children's health insurance program, and any private or governmental prescription assistance programs).

“(6) Conducting ongoing outreach to health disparity populations, including the uninsured, rural populations, and other medically underserved populations, in addition to assisting other individuals who are at risk for or who have cancer or other chronic diseases to seek preventative care.

“(c) PROHIBITIONS.—

“(1) REFERRAL FEES.—The Secretary shall require each recipient of a grant under this section to prohibit any patient navigator providing services under the grant from accepting any referral fee, kickback, or other thing of value in return for referring an individual to a particular health care provider.

“(2) LEGAL FEES AND COSTS.—The Secretary shall prohibit the use of any grant funds received under this section to pay any fees or costs resulting from any litigation, arbitration, mediation, or other proceeding to resolve a legal dispute.

“(d) GRANT PERIOD.—

“(1) IN GENERAL.—Subject to paragraphs (2) and (3), the Secretary may award grants under this section for periods of not more than 3 years.

“(2) EXTENSIONS.—Subject to paragraph (3), the Secretary may extend the period of a grant under this section. Each such extension shall be for a period of not more than 1 year.

“(3) LIMITATIONS ON GRANT PERIOD.—In carrying out this section, the Secretary—

“(A) shall ensure that the total period of a grant does not exceed 4 years; and

“(B) may not authorize any grant period ending after September 30, 2010.

“(e) APPLICATION.—

“(1) IN GENERAL.—To seek a grant under this section, an eligible entity shall submit an application to the Secretary in such form, in such manner, and containing such information as the Secretary may require.

“(2) CONTENTS.—At a minimum, the Secretary shall require each such application to outline how the eligible entity will establish baseline measures and benchmarks that meet the Secretary's requirements to evaluate program outcomes.

“(f) UNIFORM BASELINE MEASURES.—The Secretary shall establish uniform baseline measures in order to properly evaluate the impact of the demonstration projects under this section.

“(g) PREFERENCE.—In making grants under this section, the Secretary shall give preference to eligible entities that demonstrate in their applications plans to utilize patient navigator services to overcome significant barriers in order to improve health care outcomes in their respective communities.

“(h) DUPLICATION OF SERVICES.—An eligible entity that is receiving Federal funds for activities described in subsection (b) on the date on which the entity submits an application under subsection (e) may not receive a grant under this section unless the entity can demonstrate that amounts received under the grant will be utilized to expand services or provide new services to individuals who would not otherwise be served.

“(i) COORDINATION WITH OTHER PROGRAMS.—The Secretary shall ensure coordination of the demonstration grant program under this section with existing authorized programs in order to facilitate access to high-quality health care services.

“(j) STUDY; REPORTS.—

“(1) FINAL REPORT BY SECRETARY.—Not later than 6 months after the completion of the demonstration grant program under this section, the Secretary shall conduct a study of the results of the program and submit to the Congress a report on such results that includes the following:

“(A) An evaluation of the program outcomes, including—

“(i) quantitative analysis of baseline and benchmark measures; and

“(ii) aggregate information about the patients served and program activities.

“(B) Recommendations on whether patient navigator programs could be used to improve patient outcomes in other public health areas.

“(2) INTERIM REPORTS BY SECRETARY.—The Secretary may provide interim reports to the Congress on the demonstration grant program under this section at such intervals as the Secretary determines to be appropriate.

“(3) REPORTS BY GRANTEES.—The Secretary may require grant recipients under this section to submit interim and final reports on grant program outcomes.

“(k) RULE OF CONSTRUCTION.—This section shall not be construed to authorize funding for the delivery of health care services (other than the patient navigator duties listed in subsection (b)).

“(1) DEFINITIONS.—In this section:

“(1) The term ‘eligible entity’ means a public or nonprofit private health center (including a Federally qualified health center (as that term is defined in section 1861(aa)(4) of the Social Security Act)), a health facility operated by or pursuant to a contract with the Indian Health Service, a hospital, a cancer center, a rural health clinic, an academic health center, or a nonprofit entity that enters into a partnership or coordinates referrals with such a center, clinic, facility, or hospital to provide patient navigator services.

“(2) The term ‘health disparity population’ means a population that, as determined by the Secretary, has a significant disparity in the overall rate of disease incidence, prevalence, morbidity, mortality, or survival rates as compared to the health status of the general population.

“(3) The term ‘patient navigator’ means an individual who has completed a training program approved by the Secretary to perform the duties listed in subsection (b).

“(m) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—To carry out this section, there are authorized to be appropriated \$2,000,000 for fiscal year 2006, \$5,000,000 for fiscal year 2007, \$8,000,000 for fiscal year 2008, \$6,500,000 for fiscal year 2009, and \$3,500,000 for fiscal year 2010.

“(2) AVAILABILITY.—The amounts appropriated pursuant to paragraph (1) shall remain available for obligation through the end of fiscal year 2010.”

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. GILLMOR) and the gentleman from Ohio (Mr. BROWN) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. GILLMOR).

GENERAL LEAVE

Mr. GILLMOR. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1812, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. GILLMOR. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in strong support of H.R. 1812, the Patient Navigator Outreach and Chronic Disease Prevention Act of 2005.

After the House passed similar legislation last fall, I would like to commend the initiative of the gentleman from Texas (Chairman BARTON) in bringing H.R. 1812 before us again for consideration. I was very pleased to be a cosponsor of that bill last year, and I want to commend both the gentleman from New Jersey (Mr. MENENDEZ) and the gentlewoman from Ohio (Ms. PRYCE) for their sponsorship of the legislation this year.

H.R. 1812 authorizes a 5-year demonstration program to evaluate the use of patient navigators. Patient navigator programs provide outreach to communities to encourage more individuals to seek preventative care and coordinate health care services for individuals who are at risk for or have a chronic disease.

Specifically, the legislation requires trained individuals, or “patient navigators,” to coordinate health care services and provider referrals, facilitate involvement of community organizations to provide assistance to patients, facilitate enrollment in clinical trials, help ensure prompt diagnostic care and treatment, and to coordinate with health insurance programs and conduct ongoing outreach to rural or health disparity populations for preventative

care. H.R. 1812 authorizes a total of \$25 million over a 5-year period to conduct the demonstration project.

Furthermore, this measure will be particularly helpful to sprawling districts such as my own in northwest Ohio, in which patients must drive or be driven by friends or family long distances for basic medical care and services.

Madam Speaker, I again urge my colleagues to join me in supporting H.R. 1812.

Madam Speaker, I reserve the balance of my time.

Mr. BROWN of Ohio. Madam Speaker, I yield myself such time as I may consume.

Too many Americans, as my friend from Ohio said, face financial barriers to health care. The American Cancer Society and other patient advocates support H.R. 1812 because they know that many Americans also face serious nonfinancial barriers; racial, cultural, linguistic and geographical barriers; barriers that have contributed to striking disparities across racial and ethnic lines in the incidence and treatment of cancer and other serious diseases.

This is by no means a minor or inconsequential issue. It is a crisis, and addressing it should be one of our Nation's highest priorities. According to former Surgeon General David Satcher, more than 80,000 African Americans die every year because of continuing disparities in health care; 80,000.

African American and Latino adults are disproportionately more likely than whites to suffer from chronic conditions such as heart disease, cancer, asthma, depression, diabetes and high blood pressure. Modern medicine can combat these conditions, but only if it is available to those that need it. The earlier people receive preventative, diagnostic and treatment services, the better.

Prevention and timely treatment are not only optimal from a public health perspective, they are optimal from a budget perspective. Timely care is cost-efficient care. The complexity and fragmentation of our health care system is perhaps the most daunting barrier of all. It exacerbates racial and ethnic disparities and reduces the efficiency of health care across the board.

The patient navigator bill lays out a comprehensive strategy designed to foster prevention, early diagnosis and efficient treatment of serious illnesses. The goal is twofold: To reach those who are currently disenfranchised from the health care system, and to help ease the way for those who face a serious illness, an intimidating array of treatment options and uncertainty about the best course of action.

This bill establishes a year-round community outreach program to promote cost-effective preventive services, including cancer screening. Early detection saves dollars, and, more importantly, saves lives.

The program features culturally and linguistically competent patient navigators

who are trained to assist and empower patients, serve as their advocates in negotiating our complicated and too often impersonal health care system, and help patients overcome barriers to health care services.

With this legislation's passage, we can expect to see increased enrollment in clinical trials, greater community involvement and health awareness, a more coordinated approach to health care delivery, and enhanced access to timely health care services for racial and ethnic minorities.

H.R. 1812 has the endorsement of the American Cancer Society, the National Association of Community Health Centers, the National Council of La Raza, the American Diabetes Association and the American Medical Association.

I want to commend the gentleman from New Jersey (Mr. MENENDEZ) and the gentlewoman from Ohio (Ms. PRYCE) for their hard work on this legislation. I am pleased to support it.

Mr. DINGELL. Madam Speaker, I rise in strong support of H.R. 1812, the Patient Navigator, Outreach, and Chronic Disease Prevention Act of 2005. This legislation establishes a five-year, \$25 million demonstration grant program to evaluate the use of "patient navigators," who are individuals trained to assist persons who are at risk for or who have cancer or other chronic diseases. Assistance provided by patient navigators would include coordinating health care services for patients such as enrollment in clinical trials, facilitating community involvement, and coordinating health insurance ombudsman programs to improve health care options. Simply put, this bill reduces barriers to access and improves health care outcomes.

H.R. 1812 ensures year-round outreach to target communities and funds culturally and linguistically competent patient navigators to conduct outreach, build relationships, and educate the public, while encouraging prevention screenings and follow-up treatment. It also ensures that navigators are available to help patients make their way through the health care system—offering a wide variety of services including translating technical medical terminology, making sense of their insurance, making appointments for referral screenings, following-up to make sure the patient keeps that appointment, or even accompanying a patient to a referral appointment.

This bill will support the placement of patient navigators in a variety of health care settings. Eligible entities for patient navigators include community health centers, cancer centers, rural health clinics, academic health centers, and facilities operated by the Indian Health Service.

This bill is supported by many patient advocate organizations, health care providers, and others, including the American Diabetes Association, the American Cancer Society, the National Hispanic Medical Association, the National Rural Health Association, and the National Association of Community Health Centers. I know that the bipartisan support for this bill involved the work of many of my colleagues. I would especially like to thank Representatives MENENDEZ and SOLIS for their hard work on this legislation. I will support H.R. 1812 and I encourage all of my colleagues to do the same.

Mrs. CHRISTENSEN. Madam Speaker, I rise today in support of H.R. 1812, the Patient Navigator, Outreach, and Chronic Disease Prevention Act of 2005. I applaud my colleague, friend and chair of the Democratic Caucus, Congressman ROBERT MENENDEZ of New Jersey for introducing this bill and getting it to the floor today. I also want to thank Chairman BARTON and Ranking member DINGELL for their support of measure.

As you know, Madam Speaker, I have come to this floor on numerous occasions call attention to the racial and ethnic health disparities in this Nation. For years, research has told us that minorities and low-income populations are the least likely to receive the health care they need to live a long, healthy life. There are many barriers to access which go beyond just the complex nature of the system.

While I am pleased that today we have a bill that will begin to break down these barriers, and open up access to healthcare for many who might otherwise be left out, I would have to say though that I am deeply disappointed that the Committee did not see it fit to include some of the provisions that specifically addressed the additional barriers that people of racial and ethnic minority populations face, such as those related to language and unique cultural factors.

Considering that people of this color bear such a disproportionate share of ill health and premature death, and that our lack of access contributes greatly to the skyrocketing cost of health care, it would have seemed to me to be only natural that a bill such as this would have sought to include the extra provisions that would ensure that every American would have the extra help, according to their need to get the health care services they need.

Nevertheless the bill we are passing today while greatly modified meets an important need and I join the many organizations which support it in asking my colleagues to pass this bill, and then continue to work with Democrats and the minority caucuses to address all of the other deficiencies in the health care system that keep wellness out of the reach of people of color in this country.

The bill before us provides that navigators will be available to help patients make their way through the health care system—whether it's translating technical medical terminology, making sense of their insurance, making appointments for referral screenings, following up to make sure the patient keeps that appointment, or even accompanying a patient to a referral appointment.

Madam Speaker, I also want to acknowledge that the original concept for the legislation comes from Dr. Harold Freeman's "navigator" program, which he created while he was Director of Surgery at Harlem Hospital. It is our hope that Dr. Freeman's navigator concept and its laser shape focus on comprehensive modeling of prevention services will eventually be fully translated in legislative terms.

I would also want at this time to recognize Brenda Pillars, the chief of staff to Congressman TOWNS who labored hard on this bill and who passed away last evening. Her passion for the health of all Americans but particularly the African American community, and her work in this body will be missed but long be remembered.

In closing, Madam Speaker, I also want to thank Karissa Willhite of Mr. MENENDEZ's office and John Ford and Cheryl Jaeger of the

Energy and Commerce Committee along with other staff that enabled this bill to come to the floor. I urge my colleagues to vote for its adoption.

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise today to speak in support of The Patient Navigator, Outreach and Chronic Disease Prevention Act of 2005. As a cosponsor of the bill last year, I am fully aware of the benefits the bill will provide. Specifically, the bill would establish a 5-year, \$25 million demonstration program for patient navigator services through Community Health Centers, National Cancer Institute centers, Indian Health Service centers, and Rural Health Clinics, as well as certain non-profit entities that provide patient navigator services.

Further, the goal of a patient navigator is to improve health outcomes by helping patients, particularly in underserved communities, to overcome the barriers they face in getting early screening and appropriate follow-up treatment.

Patient navigators are individuals who know the local community and can help patients navigate through the complicated health care system. They help with referrals and follow-up treatment and direct patients to programs and clinical trials that are available to help them get the treatment and care they need to fight cancer and other chronic diseases. In addition, the patient navigator guides patients to health coverage that they may be eligible to receive. They also conduct ongoing outreach to health disparity communities to encourage people to get screenings and early detection services.

Racial and ethnic minorities benefit from patient navigators because they ensure that patients will have someone at their sides who understands their language, culture, and barriers to care, helping them get in to see a doctor early and work their way through our complicated health care system to get the coverage and treatment they need to stay healthy. The same applies to those in rural communities who face significant geographic barriers and limited access to care.

Again, I strongly support this legislation and I hope my colleagues will do the same.

Mr. GENE GREEN of Texas. Madam Speaker, I rise today in support of HR 1812, the Patient Navigator legislation. This legislation would help reduce health disparities and barriers to health care through the increased use of patient navigators.

Under the program, Community Health Centers, National Cancer Institute centers, Rural Health Clinics and other non-profit groups can utilize federal funding to help patients navigate through the complex health care system. Patient navigators can help to stem the rising number of uninsured in our country by helping individuals understand their eligibility for health care coverage. These kinds of services are needed throughout the country, but they are particularly helpful in underserved communities, where uninsured individuals too often put off health care either because of a lack of coverage or due to the difficulties in finding the appropriate health care home.

In my hometown of Houston, patient navigators have made tremendous strides in helping patients find an appropriate health care home. Our Harris County Community Access Collaborative has implemented a Navigation Services program that has helped 31,000 patients find health care homes.

In a related navigation service, the collaborative began an Ask Your Nurse phone serv-

ice, whereby nurses are available 24 hours a day, 7 days a week to steer patients to the best providers for their health care needs. Studies have shown that 57 percent of the diagnoses in Harris County safety net hospitals' emergency rooms could have been treated in our clinics and primary care physician offices. With this kind of ER overutilization, the Ask Your Nurse services are a welcome addition to the public health care infrastructure in our county and steer an average of 2,700 patients each month to the best health care provider for their condition.

This legislation we consider today would allow other communities to replicate the successes we've achieved in Harris County. In addition, the legislation places an important emphasis on patient navigator services for individuals with cancer and other chronic conditions. For these diagnoses, it is extremely important that patients receive the scheduled follow-up treatment, and patient navigators can play a critical role in ensuring that patients receive the necessary care to successfully manage their health care conditions.

I would like to thank my friend and Chairman, JOE BARTON, for the bi-partisan nature in which he shepherded this bill through committee. I offer particular thanks to Mr. BARTON for his willingness to work with me to eliminate an unnecessary reference in the bill to the H-CAP program—a program that is important to me and my constituents. This is just one example of the lengths he will go to seek consensus, and I thank him for those efforts. With that, Madam Speaker, I encourage my colleagues to join me in supporting this bi-partisan legislation that will help many more Americans gain access to quality health care.

Mr. MATHESON. Madam Speaker, thank you for the opportunity to share my remarks on H.R. 1812, the Patient Navigator Outreach and Chronic Disease Prevention Act. I rise in strong support of this important legislation.

H.R. 1812 would authorize the Department of Health and Human Services to make grants for the development and operation of a pilot "patient navigator program." This demonstration project would provide Community Health Centers, National Cancer Institute centers, Indian Health Service centers, Rural Health Clinics, and other health providers with funding to help patients "navigate" what can often be a complicated and confusing health care system.

Under this legislation, patient navigators would help individual patients and their families overcome obstacles to the prompt diagnosis and treatment of their diseases by helping them understand the processes for receiving medical care and insurance, helping them coordinate referrals between different providers and specialists, helping them identify and possibly enroll in life-saving clinical trials, and even helping them manage their treatment plans.

The bill ensures that particular attention is paid to patients with significant barriers to high-quality health care services including those who are geographically isolated, those with cultural or linguistic barriers, and the uninsured. In their endorsement of this important legislation, the American Cancer Society noted that despite notable advances in prevention interventions, screening technologies, and high-quality treatments, a disproportionate burden of cancer falls on the uninsured, those who live in rural areas, and minority and other

medically underserved populations. These populations have higher risks of developing cancer and poorer chances of early diagnosis, optimal treatment, and survival.

I believe that this pilot project will be helpful in providing patients with much-needed information. As receiving a diagnosis of cancer or another chronic disease can be overwhelming for an individual and their family members, this pilot project should ensure that information is available in an accessible, understandable format. I encourage my colleagues to support this legislation.

Mr. BROWN of Ohio. Madam Speaker, I yield back the balance of my time.

Mr. GILLMOR. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. GILLMOR) that the House suspend the rules and pass the bill, H.R. 1812, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1415

AMENDING AGRICULTURAL CREDIT ACT TO REAUTHORIZE STATE MEDIATION PROGRAMS

Mr. LUCAS of Oklahoma. Madam Speaker, I move to suspend the rules and pass the Senate bill (S. 643) to amend the Agricultural Credit Act of 1987 to reauthorize State mediation programs.

The Clerk read as follows:

S. 643

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REAUTHORIZATION OF STATE MEDIATION PROGRAMS.

Section 506 of the Agricultural Credit Act of 1987 (7 U.S.C. 5106) is amended by striking "2005" and inserting "2010".

The SPEAKER pro tempore (Ms. GINNY BROWN-WAITE). Pursuant to the rule, the gentleman from Oklahoma (Mr. LUCAS) and the gentlewoman from South Dakota (Ms. HERSETH) each will control 20 minutes.

The Chair recognizes the gentleman from Oklahoma (Mr. LUCAS).

Mr. LUCAS of Oklahoma. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in strong support of S. 643. S. 643 will reauthorize USDA's Certified State Mediation Program through 2010.

The State Mediation Program provides agricultural producers and the government with the means to allow a neutral third party to settle disputes between producers and USDA instead of going through potentially costly and time-consuming court cases.

I have introduced S. 643's companion bill in the House, H.R. 1930. Since the bills are identical, it would be the most expedient thing to simply pass S. 643 so

that the bill can go on to the White House for the President's signature.

What is the Certified State Mediation Program? When producers and the USDA are in disagreement regarding loans, wetlands remediation, conservation compliance, grazing, pesticides, and other issues deemed appropriate by the Secretary of Agriculture, any State with a program can allow a mediator to help solve the differences between the producers and USDA. Both sides must agree to the mediator chosen to help resolve the dispute.

Mediators can only help reach an agreement that both sides agree to abide by. The mediators are not arbitrators whose decisions are legally enforceable. The mediators work to find consensus. If the two sides involved in the dispute cannot reach agreement, they still have all the legal options available to them. States that decide to participate in the program must go through a certification process and provide 30 percent of the program's operating costs.

The program is authorized to spend up to \$7.5 million per year but, in 2004, only \$3,950,000 was needed to operate the program in over 30 States. The program provides a great deal of bang for the buck and has been highly successful and useful.

The USDA's Farm Service Agency, FSA, works with States to ensure that their mediation programs are meeting all required standards, and it also helps those States that are interested in becoming certified to navigate and complete the approval process. One of the most important aspects of the program is that it provides strict confidentiality for those who decide to use the mediation program.

I have a breakdown of the States that are currently certified mediation States and the amount of money they received in 2004, I am happy to make that information available to any interested Member.

I urge my colleagues to vote "yes" on S. 643 to ensure that an extremely practical and cost-efficient program continues to be utilized.

Madam Speaker, I reserve the balance of my time.

Ms. HERSETH. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I also rise today in strong support of S. 643, which is the companion legislation of H.R. 1930 introduced by my distinguished colleague on the Committee on Agriculture, the gentleman from Oklahoma (Mr. LUCAS).

This legislation would extend the authorization for the State Mediation Grant Program carried out by USDA's Farm Service Agency to provide Federal matching grants to State mediation programs.

Currently 32 States, including my home State of South Dakota, are certified to receive matching funds under this program, and two more States are working on becoming certified. To re-

ceive Federal funding, a State program must meet certain criteria and have at least a 30 percent match in State funding.

This program was created in 1987 as a result of the credit crisis facing agriculture in the mid-1980s. Since its inception, an original intent of dealing with credit and loan disputes, Congress has expanded its scope to cover a number of other issues stemming from farm program participation, everything from wetland determinations to commodity program eligibility and pesticide drift.

Early on, leaders in South Dakota recognized the value that such a program could provide to the farmers, ranchers, and lenders in our State, and they created a program in 1988 to deal with agricultural credit disputes. It has been a resounding success. In the more than 16 years that the South Dakota Department of Agriculture has operated its mediation program, it has received more than 4,500 requests for mediation.

In South Dakota, mediation is available for agricultural credit disputes involving any amount of money. However, a creditor must submit to mediation in any credit dispute involving more than \$50,000.

This popular program provides many benefits to both agricultural borrowers and lenders in many States across the country. We all know that lending disputes can become contentious, and this program enables participants to negotiate and create their own mutually agreeable solutions to such disputes.

Also, the cost of mediation is much less than the formal appeals process at USDA, averaging less than \$700 per year, as opposed to the thousands of dollars it can cost to go through the National Appeals Division. The length of time to reach conclusions is also much shorter, normally several days, in contrast to appeals cases that can stretch for months.

Mediation works because it is a time-saving and affordable alternative to litigation and appeals. It also promotes communication between disputing parties rather than confrontation and animosity. And, in my communications with the South Dakota Department of Agriculture staff, mediation generally results in more successful and enduring resolution to most credit disputes.

This program has worked for farmers and agricultural lenders in South Dakota and across the country for almost 20 years, and I am pleased to support S. 643 to extend the authorization of this program through 2010.

Madam Speaker, I yield back the balance of my time.

Mr. LUCAS of Oklahoma. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oklahoma (Mr. LUCAS) that the House suspend the rules and pass the Senate bill, S. 643.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. LUCAS of Oklahoma. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

GENERAL LEAVE

Mr. LUCAS of Oklahoma. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on S. 643, the bill just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

COMMENDING THE ESTABLISHMENT IN COLLEGE POINT, NEW YORK, OF THE FIRST KINDERGARTEN IN THE UNITED STATES

Mr. KLINE. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 47) commending the establishment in College Point, New York, of the first kindergarten in the United States, as amended.

The Clerk read as follows:

H. CON. RES. 47

Whereas in 1854, Conrad Poppenhusen, a successful businessman from Germany, built a factory in College Point, Queens, New York, and, breaking with many entrepreneurs of his time, worked to create an environment beneficial to the immigrant community, which included schools;

Whereas the Poppenhusen Institute was established in 1868 with a \$100,000 donation;

Whereas the Poppenhusen Institute was to serve the fundamental educational needs of the community and began as a free adult evening school for the residents of Flushing Town;

Whereas in 1870, the Poppenhusen Institute's services expanded to serve as the first free, public kindergarten in the United States for the children of Mr. Poppenhusen's factory and the community;

Whereas children who attend a high-quality kindergarten demonstrate higher levels of reading and mathematics knowledge and skills than those who do not attend kindergarten;

Whereas a number of studies, including studies commissioned by the Department of Education, demonstrate that children enrolled in kindergarten more rapidly acquire the knowledge and skills integral to succeed in school and life;

Whereas the United States is a stronger, better place because of the children who are able to enrich their academic and social development through free kindergartens across the country;

Whereas for some children, kindergarten is the first common ground where they interact with students from a myriad of cultural, economic, racial, and religious backgrounds to learn about their world, each other, and themselves; and

Whereas universal, free, high-quality kindergarten for the Nation's children provides benefits both to these children and to society at large: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That—

(1) the Congress commends the Poppenhusen Institute and the College Point community for establishing the first free, public kindergarten in the United States; and

(2) the Congress supports the strong beginnings kindergartens across the United States provide for the Nation's children.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. KLINE) and the gentleman from Missouri (Mr. SKELTON) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota (Mr. KLINE).

GENERAL LEAVE

Mr. KLINE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Con. Res. 47.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. KLINE. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today in support of H. Con. Res. 47 commending the establishment of the first free public kindergarten in the United States. Madam Speaker, we can all agree on the merits of early education to the academic success of America's children. From the time that Conrad Poppenhusen offered free, public kindergarten to his community in College Point, New York, millions of American children have benefited from a foundational first year of school.

Kindergarten is a common experience for most American children. Today, 98 percent of children of kindergarten age in America attend kindergarten programs for at least half of the school day, and a growing number of schools, today about 60 percent, now offer full-day kindergarten programs. At age 5, the age at which most children enter kindergarten, children's development varies greatly. Because they often begin with a range of knowledge and skills, the kindergarten experience can substantially reduce educational disparities and help build a foundation for future school success.

Research demonstrates that children generally develop both cognitive and noncognitive knowledge and skills during the kindergarten year. In the year 2000, the National Center For Education Statistics, a research arm of the U.S. Department of Education, published findings from a large-scale study to evaluate the effectiveness of kindergarten. The study showed that after a year of kindergarten, children demonstrate a greater understanding of reading and mathematics concepts, as well as specific knowledge and skills. By the end of the kindergarten year, nearly all children recognized letters,

numbers, and shapes, and an increased number of children can add and subtract numbers.

Madam Speaker, in closing, I would like to thank the gentleman from New York (Mr. CROWLEY) for recognizing the importance of kindergarten and the contribution of Conrad Poppenhusen for establishing the first free, public American kindergarten.

Madam Speaker, I reserve the balance of my time.

Mr. SKELTON. Madam Speaker, I yield myself such time as I may consume.

I rise today in support of House concurrent resolution 47, which recognizes the establishment of the first free, public kindergarten in the United States located at College Point, Queens, New York.

I am pleased to manage the time on this legislation, which is offered by my good friend and colleague, the gentleman from New York (Mr. CROWLEY) who represents College Point, Queens, here in the House of Representatives.

The history of kindergarten in America has been colorful. Many areas of the country can claim credit for advancing education of our youth through kindergarten classes. From Wisconsin to Massachusetts to New York, many folks have had a hand in developing kindergarten. However, Queens, New York is home to the first free, public kindergarten class, and it is proper today, Madam Speaker, that we honor that achievement. Public kindergarten has played a meaningful role in the lives of many Americans, including the gentleman from New York (Mr. CROWLEY), the author of this legislation, as well as me.

For many children in Missouri, in New York, and throughout the countryside, kindergarten is the first place in which students interact with youth from many cultural backgrounds and where they learn about the world into which they were born. Kindergarten also reinforces and builds reading and math skills which are important tools for our children to have when advancing through the educational system.

The establishment of the first free, public kindergarten in College Point, Queens, New York, has made our Nation stronger.

I thank the gentleman from New York (Mr. CROWLEY), and I thank the House for considering this bill today.

Mr. PETRI. Madam Speaker, today the House considers H. Con. Res. 47, Commending the Establishment in College Point, New York, of the First Kindergarten in the United States.

The resolution honors the first free Kindergarten established in the United States in 1870 by Conrad Poppenhusen. I would like to note for the record that Margarethe Meyer Schurz—wife of Carl Schurz—opened the first Kindergarten in the United States in Watertown, Wisconsin in 1856.

The following is an article from the August 19, 1998 Capital Times (Madison, WI) detailing the work of Margarethe Schurz that led to the first U.S. Kindergarten in Watertown, Wisconsin.

[From the Capital Times, Aug. 19, 1998]

AUG. 27, 1832: 1ST KINDERGARTEN SPROUTS; SCHURZ WANTED THE BEST EDUCATION FOR HER DAUGHTER

(By Kathy Maeglin)

As a young mother in Watertown in 1856, Margarethe Schurz wanted her little daughter to have the educational advantages she would have had back in their native Germany.

So Margarethe invited four little cousins to come to the house each day for games, singing and crafts. She had been an early student of the "kindergarten" movement in Germany, and now she was employing what she had learned in her own frontier home.

As word of Margarethe's "class" spread, friends petitioned her to let their own children join in. The group moved to a more convenient location downtown, and thus the first kindergarten in America was created.

As Hannah Werwath Swart wrote in her biography "Margarethe Meyer Schurz," Margarethe's background likely would have led her to establish the first American kindergarten even if she had not had any children of her own.

Margarethe Meyer was born on Aug. 27, 1832, to a wealthy merchant family in Hamburg, Germany.

In 1850, when she was a teenager, her older sister Bertha became involved in a Jewish-Christian women's group that had decided to focus on training young children as a way to promote idealism and understanding among all people.

The group invited Friedrich Wilhelm August Froebel, the man who created the first kindergarten in 1840, to come to Hamburg to help them establish one there. Margarethe listened to Froebel's lectures for two years, thereby gaining the knowledge and inspiration that would motivate her later in life.

When she was 19, she moved to London to run a kindergarten that had been established there by her sister Bertha. It was there that she met Carl Schurz, a German revolutionary who had fled his native country.

Carl Schurz was determined to migrate to America, where he could have the free citizenship he so desired and where much of his family had already gone. So after their marriage, the two idealistic young Germans set sail for America.

After living in Philadelphia for a few years, the couple eventually settled in Watertown, which at the time was the second largest city in Wisconsin.

It was shortly after they arrived in Watertown that Margarethe started the activities that would result in the kindergarten (which is German for "children's garden").

But Watertown did not turn out to be the major railroad center that Carl had hoped when he chose to settle there. So Carl made the most of his speaking skills and passion for politics, and he ended up serving as a minister to Spain, a general in the Civil War and finally a U.S. senator from Missouri.

Since her husband's career took her away from Wisconsin, Margarethe entrusted the continuation of her kindergarten to Carl's cousin, Miss Juessen.

Others took over the school in later years and it continued until World War I, when it was closed because the teacher refused to teach in any language other than German, which had become unpopular.

Margarethe Schurz died at the age of 43 on March 15, 1876, in Washington, D.C. But her legacy lives on in schools throughout the country as young minds are cultivated in kindergartens, which Margarethe once described as gardens "whose plants are human."

Mr. CROWLEY. Madam Speaker, I rise today in strong support of the Resolution H.

Con. Res. 47, which recognizes the establishment of the first, free public kindergarten in the United States, located in College Point, Queens, New York.

As a native of Queens, I grew up learning about the history of this community, which includes the creation of the first free public kindergarten in the United States.

The community of College Point, just a stone's throw from LaGuardia Airport, Shay Stadium—home of the Mets—and Flushing Meadows-Corona Park—the home of the U.S. Open Tennis tournament—this community was one of the first seeds in the creation of public education in America. Something that represents the Great Equalizer in American society.

It all started in 1854, when Conrad Poppenhusen, a businessman from Germany, built a factory in College Point.

There, he stressed an environment in which his immigrant workers could educate themselves in order to succeed financially, socially, and, most significantly, intellectually.

Just as Henry Ford paid his employees high wages so they, in turn, could purchase his cars, Conrad Poppenhusen represented another industrial genius—that if educating his workforce to make them and their families more successful people in the community.

Fourteen years later, in 1868, Mr. Poppenhusen continued his illustrious educational work by donating \$100,000 and establishing the Poppenhusen Institute.

His Institute sustained his original educational mission and expanded on it, by promoting the education of all adults from the greater community—not just his employees.

In 1870, the Poppenhusen Institute once again expanded its educational services to include the first, free, public kindergarten in the United States, a seminal moment in American education and something we celebrate today with this resolution.

The history of kindergarten has been a colorful one in America . . . and one that is big enough for all of us to share, recognize, and honor today.

My friends from Wisconsin will happily point out that the first kindergarten in the United States was based in Watertown, Wisconsin and was founded in 1856 by Margarethe Meyer Schurz.

This private, German-language kindergarten represented a landmark in the educational development of young Americans and we all salute her accomplishments.

Additionally, any debate on the history of kindergarten would be incomplete without reference to the works of Elizabeth Palmer Peabody, a Massachusetts educator who opened the first English-language kindergarten in the United States in 1860.

When she opened her kindergarten in 1860, the concept of providing formal schooling for children younger than six was largely confined to German practice.

These educational pioneers led to the creation, by Conrad Poppenhusen, of the Nation's first, free public kindergarten—a sweeping educational development and a strong basis for the kindergartens we all know and recognize in our country today.

It has always been known that education is the Great American Equalizer—the first step in young Americans lives to live the American Dream.

The actions of Conrad Poppenhusen and his revolutionary kindergarten—the first kinder-

garten free and open to all, helped engrain the idea of free and public kindergartens throughout our great Nation—opening up the ideals of the American Dream to tens of millions of Americans since then.

The American Dream of using education as a foundation for supporting oneself, one's family. The American Dream of using education as a foundation for a good job, home ownership, and a brighter future overall.

This important moment, when this kindergarten opened in 1870 in College Point, Queens, NY, is all the more profound today, as Department of Education studies show the impact of kindergarten on the children that attend.

Children who are enrolled in kindergarten benefit immensely from the knowledge and skills they learn, while simultaneously profiting from their interaction with children of a similar age.

The reading and math skills, which students learn in kindergarten, are invaluable to a child's later education.

Moreover, for many children, kindergarten is one of the first places in which they interact with students from a multitude of cultural, economic, racial, and religious backgrounds. These early interactions are pivotal in establishing relationships, which promote awareness of the importance of numerous cultures and ideas, something particularly important in Queens, New York, which is seen as one of the most diverse areas of the country.

The effort that began in College Point today remains a significant feature of our education system.

One of the greatest aspects of our nation is that through education, which often starts in kindergarten, each successive generation of children can succeed.

Quite simply, the establishment of the first free, public kindergarten in College Point has made our nation a stronger, better place for generations.

I want to close by recognizing the continued importance of the Poppenhusen Institute and those who serve it. This notable list extends from the first days of class to the work that persists. This list must include the first teacher, Bertha Ploedterl, all the way to Susan Brustmann, the current Executive Director, and James Trent, the President of the Board of Directors.

Today, the work of these individuals and this community has resulted in activities, exhibits, and programs for people of all ages. Programs cover the fields of music, drama, karate, stress reduction.

There are exhibits, such as one on the tragic events of September 11th as well as another on Native Americans.

Individuals can take tours reviewing the archives of College Point to learn, not only about the history of this community, but about our shared American history, in this area, one of the most diverse and welcoming in the world.

Additionally, the Institute collects the living histories of area seniors, so that they are documented for future generations.

While the earliest days of this kindergarten will be remembered for being truly significant to New York and our nation, the true testament to the significance of this Institute is in the proud legacy that continues to live on through its works.

Mr. SKELTON. Madam Speaker, I yield back the balance of my time.

Mr. KLINE. Madam Speaker, I have no further speakers, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. KLINE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 47, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

The title of the concurrent resolution was amended so as to read: "A concurrent resolution commending the establishment in College Point, New York, of the first free, public kindergarten in the United States."

A motion to reconsider was laid on the table.

□ 1430

HONORING THE SIGMA CHI FRATERNITY ON THE OCCASION OF ITS 150TH ANNIVERSARY

Mr. KLINE. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 163) honoring the Sigma Chi Fraternity on the occasion of its 150th Anniversary, as amended.

The Clerk read as follows:

H. CON. RES. 163

Whereas the Sigma Chi Fraternity was founded in 1855 by 7 young men at Miami University in Oxford, Ohio in order to establish "an association for the development of the nobler powers of the mind, the finer feelings of the heart, and for the promotion of friendship and congeniality of feeling";

Whereas the Founders of the Fraternity believed that admission to the Fraternity should include men of good character and fair ability with ambitious purposes, congenial dispositions, good morals, a high sense of honor, and a deep sense of personal responsibility;

Whereas for 150 years, the Sigma Chi Fraternity has played an integral role in the positive development in the character and education of hundreds of thousands of young men;

Whereas the brothers of Sigma Chi, being of different talents, temperaments, and convictions, have shared countless friendships and a common belief in the founding ideals of the Fraternity;

Whereas the Sigma Chi Fraternity experience has served as a foundation for post-collegiate success and achievement in all fields of endeavor, from the sciences to education to business to professional athletics to public service;

Whereas the Sigma Chi Fraternity has 202,600 active brothers in 219 active chapters at colleges and universities in 2 countries, making it one of the most highly respected and well-regarded national fraternities in the world; and

Whereas Sigma Chi brothers continue to enrich and contribute to the quality of life in their communities by volunteering innumerable hours of service to nonprofit activities and organizations locally and, at the national level, to the Children's Miracle Network, an alliance of 165 hospitals and healthcare facilities across the United States and Canada that provide needy children with critical healthcare services: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress recognizes and honors the Sigma Chi Fraternity on its 150-year anniversary; commends its Founders and all Sigma Chi brothers, past and present, for their bond of friendship, common ideals and beliefs, and service to community; and expresses its best wishes to this most respected and cherished of national fraternities for continued success and growth.

The SPEAKER pro tempore (Ms. GINNY BROWN-WAITE of Florida). Pursuant to the rule, the gentleman from Minnesota (Mr. KLINE) and the gentleman from Missouri (Mr. SKELTON) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota (Mr. KLINE).

GENERAL LEAVE

Mr. KLINE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Con. Res. 163.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. KLINE. Madam Speaker, I yield myself such time as I may consume.

I rise in support of H. Con. Res. 163 offered by my colleague, the gentleman from Pennsylvania (Mr. GERLACH). House Concurrent Resolution 163 honors the Sigma Chi Fraternity on the occasion of its 150th anniversary.

The Sigma Chi Fraternity was founded in 1855 at Miami University in Oxford, Ohio, by seven young men that wanted to establish, and I quote, "an association for the development of the nobler powers of the mind, the finer feelings of the heart, and for the promotion of friendship and congeniality of feeling," close quote.

Today the Sigma Chi Fraternity continues to thrive. Its membership has grown to 202,600 active brothers in 219 chapters at colleges and universities throughout the United States and Canada. Its members continue to enrich and contribute to the quality of life in their communities by volunteering countless hours of service to nonprofit activities and organizations at the national and local levels.

The members of Sigma Chi exemplify the characteristics that the founders of the fraternity believed they should have for admission to the fraternity, good character and fair ability with ambitious purposes, congenial disposition, good morals, a high sense of honor and a deep sense of personal responsibility.

The Sigma Chi Fraternity has also played an integral role in the positive development in the character and education of these young men that have served as a foundation for success and achievements in all fields of endeavor, from the sciences to education to business to professional athletes and to public service.

Madam Speaker, it is my pleasure to recognize and honor the Sigma Chi Fraternity on the celebration of its 150th anniversary and commend the

fraternity and its members for its service and achievements over the years.

I urge my colleagues to support House Concurrent Resolution 163.

Madam Speaker, I reserve the balance of my time.

Mr. SKELTON. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, it is an absolute privilege and thrill for me to take this opportunity to cosponsor this resolution.

Madam Speaker, I am a Sigma Chi. My father was a Sigma Chi. My next younger brother is a Sigma Chi. And each of our three sons are Sigma Chis. So this moment, when we honor the fraternity of our choice on the occasion of the 150th anniversary, it has added meaning to me and to us.

I also wish to thank the gentleman from Pennsylvania (Mr. GERLACH) for introducing this resolution, which is cosponsored by other Sigma Chis, the gentleman from California (Mr. FARR), the gentleman from Maryland (Mr. HOYER), the gentleman from Illinois (Mr. HYDE), the gentleman from Ohio (Mr. OXLEY), the gentleman from Mississippi (Mr. PICKERING), the gentleman from Michigan (Mr. SCHWARZ), the gentleman from Pennsylvania (Mr. SHUSTER), as well as me.

I also wish to thank the Education and Workforce Committee and the House leaderships for bringing this resolution to the House floor so very quickly.

Sigma Chi Fraternity was established by its seven founders on commencement day at Miami University June 28, 1855. These seven young men broke away from the Delta Kappa Epsilon Fraternity to form "an association for the development of the nobler powers of the mind, the finer feelings of the heart, and for the promotion of friendship and congeniality of feeling."

In 1951, I had the opportunity to pledge this fraternity at the University of Missouri at Columbia, and from that time on I have been aware of the many outstanding members of our fraternity through the years, people like Andy Grabau, people like John Wayne, Larry McMullen, Ed Matheny, Herbert Shouse Jones, John Alden Tower, Governor James Blair and so many, many others.

Sigma Chi currently has 202,600 active brothers in 219 active chapters at colleges and universities in two countries.

It is one of the most highly respected and well-regarded national fraternities in the world. It also encompasses not just our country, but the country of Canada.

Sigma Chi brothers continue to enrich and contribute to the quality of life in their communities.

Perhaps tie something in regard to the House of Representatives to the people working together with their colleagues in which they learn of good character and fair ability and ambitious purposes, congenial dispositions,

good morals, a high sense of honor and a deep sense of personal responsibility. All of this has added to our country.

The history of Sigma Chi is long and interesting. Being founded in 1855 at Oxford, Ohio, it went through the War Between the States and went through the First World War where 103 brothers of the fraternity lost their lives and gave the full measure of devotion to World War I. It also went through the Second World War where so many members of the fraternity fought, some who died and some who were missing. One who received the Medal of Honor, a Captain Maurice Britt from Arkansas received such an honor.

On a more personal level, the chapter to which I belong at the University of Missouri in Columbia was founded on September 26, 1896. At that time one of the founders, a former brigadier general in the Union Army, Benjamin Piatt Runkle, who, by the way, is buried over here at Arlington Cemetery, gave a speech to that crowd and to those new fraternity members. In that speech he spoke to them by saying, you are the offspring of the grandest civilization the world has ever seen. High places are vacant, and men filled with a fraternal spirit must take them. Go forward, faithful, patient, courageous and obedient, ever remembering that the hope of the Nation is in her young men, and that behind the great unknown stands God keeping watch over his own. And what Benjamin Piatt Runkle said on that day in September 1896 in Columbia, Missouri, is just as true today.

So it is a real privilege and honor for me to cosponsor and represent this side of the aisle in honoring the Sigma Chi Fraternity on the occasion of its 150th anniversary, which will be celebrated on the 24th and 25th of this month in Cincinnati, Ohio.

THE SIGMA CHI FRATERNITY: A HISTORICAL PERSPECTIVE

1855—Sigma Chi Fraternity is founded at Miami University, Oxford, Ohio

1861—During the Civil War, 265 of the 432 total Sigma Chi membership (That's 60%) fight in the conflict. Of this number, 147 were in the Union forces, and 118 were with the Confederacy.

1861—"In Hoc Signo Vincas," a secret motto since 1856, becomes the official public motto.

1870—The eighth Grand Chapter, held in Philadelphia, adopts blue and gold as the fraternity's colors. These colors are now standardized as Blue and Old Gold.

1881—The Fraternity's first magazine, "The Sigma Chi" is established under the supervision of the Theta Chapter at Gettysburg College, Pennsylvania. In 1926 it became "The magazine of Sigma Chi."

1882—Delegates of the 14th Grand Chapter, held in Chicago, elect John S. McMillin, DePauw 1867, as the first Grand Consul.

1893—Honorary Sigma Chi, President Grover Cleveland, is initiated on January 26. He is the only Sigma Chi to have held the office of President of the United States.

1911—"The Sweetheart of Sigma Chi" song was written in June for the 25th Anniversary Reunion of Alpha Pi Chapter at Albion College, Michigan. Byron D. Stokes, 1913, wrote the words in one afternoon in class. He then

gave them to F. Dudley Vernor, 1914, who set them to music

1914—The Fraternity adds 103 Brothers to its Fraternity Gold Star Honor Roll for giving their last full measure of devotion during World War I.

1922—After 67 years as a national organization, Sigma Chi becomes international when it installs the Beta Omega Chapter at the University of Toronto on April 22.

1929—L.G. Balfour, Indiana 1907, establishes the Balfour Award, the highest undergraduate honor in the fraternity. The annual award recognizes the most outstanding graduating senior of each undergraduate chapter, province and International Fraternity of that Academic Year.

1929—Past Grand Consul George Ade, Purdue 1887, writes "The Sigma Chi Creed"

1935—The Fraternity creates the Significant Sig Award. This award would be presented at Grand Chapter to alumni whose achievements brought honor and prestige to the Fraternity. Seven Medals were presented at the 42nd Grand Chapter held in Chicago.

1942—Several thousand Sigs, stationed all over the world, serve in the Armed Forces during World War II. Congressional Medal of Honor winner Captain Maurice L. Britt, Arkansas, 1941, becomes the war's most decorated United States Officer. During the War the Fraternity lost 724 members, seven times as many as it lost in World War I.

1948—Sigma Chi commences the Order of Constantine, the fraternity's highest honor, which is bestowed upon alumni members who have devoted long and distinguished service to Sigma Chi

1955—The Fraternity celebrates its Centennial in June 28 in Oxford, Ohio, as a part of the 50th Grand Chapter, which met in Cincinnati.

1971—The Grand Chapter marks the climax and resolution of the nearly 15 years of internal strife in the Fraternity over the proposed initiation of minority groups. Grand Chapter delegates voted to remove the restrictive passages in the Fraternity's Governing Laws, validating earlier actions of the Executive Committee and granting active chapters increased autonomy in membership selection.

1977—The Fraternity recorded its 150,000 initiate.

2001—Eleven Sigma Chis die in the September 11th terrorist attacks on the United States.

2005—Grand Consul Lee Beauchamp announces the Fraternity's zero tolerance policy for hazing, alcohol abuse, and substance abuse. The Executive Committee approves a new statement of Position on Academic Performance. Among other provisions, it requires members to attain a GPA of 2.5 out of 4.0 (or the equivalent), or a GPA that is above the campus' all-men's average, whichever is lower.

2005—Sigma Chi celebrates its 150th birthday with a grand celebration in Cincinnati.

Madam Speaker, I yield back the balance of my time.

Mr. KLINE. Madam Speaker, I yield myself such time as I may consume. I will be very brief. I just want to add my congratulations to the gentleman from Missouri (Mr. SKELTON) on being a proud member of this fraternity. And it is exciting, I am sure, to see a father-to-son tradition established there. So I extend my congratulations to the gentleman from Missouri (Mr. SKELTON) and all my colleagues who are fortunate enough to be a member of this very great fraternity.

I urge all my colleagues to support this resolution.

Mr. HOYER. Madam Speaker, I am proud to rise today in strong support of H. Con. Res. 163, honoring the Sigma Chi Fraternity on its 150th anniversary.

Like hundreds of thousands of men across the country I am honored to be a member of the Sigma Chi Fraternity.

Although I was a Sigma Chi at the University of Maryland, I share a strong bond with my brothers across the country and around the world, including my fellow Sigma Chi men in Congress. We are connected by the shared tenants of our fraternal organization and we try to live our life by the "Jordan Standard"—the Cornerstone of the Sigma Chi Fraternity.

Sigma Chi played an important role in my personal development and provided me with relationships that will last a lifetime. These experiences are not unlike the experiences that millions of other men and women have had with their respective fraternities and sororities.

Although sometimes ridiculed, the Greek system on the whole—without question—has made countless positive contributions to society.

Many of our Nation's leaders, from those in business to those in public service, are members of fraternities or sororities, including our current President. The benefits to our communities from these individuals—whose first leadership and service experiences were often through their involvement with the Greek System—are immeasurable.

Furthermore, beyond planting the seeds of leadership, fraternities and sororities compel their members to conduct themselves in accordance to the highest standards of honor, morality, and academic excellence.

Since its inception in 1855 at Miami University in Oxford, OH, Sigma Chi has helped young boys develop into strong, well-rounded, Sigma Chi men. I am proud to be a part of this fine organization and I congratulate Sigma Chi on its 150th year anniversary. May its good deeds and reputation of excellence endure for the next 150 years.

I ask my colleagues to join me and the other original cosponsors, Representatives GERLACH, FARR, HYDE, OXLEY, PICKERING, SCHWARZ, SHUSTER, and SKELTON, in support of this legislation.

Mr. KLINE. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. KLINE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 136, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

FLOYD LUPTON POST OFFICE

Mr. DUNCAN. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2326) to designate the facility of the United States Postal Service located at 614 West Old County Road in Belhaven, North Carolina, as the "Floyd Lupton Post Office".

The Clerk read as follows:

H.R. 2326

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FLOYD LUPTON POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 614 West Old County Road in Belhaven, North Carolina, shall be known and designated as the "Floyd Lupton Post Office".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Floyd Lupton Post Office".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. DUNCAN) and the gentleman from California (Mr. WAXMAN) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee (Mr. DUNCAN).

GENERAL LEAVE

Mr. DUNCAN. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2326.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. DUNCAN. Madam Speaker, I yield myself such time as I may consume.

On behalf of the Committee on Government Reform, I rise in support of H.R. 2326. This bill would designate the postal facility located at 614 West Old County Road in Belhaven, North Carolina, as the "Floyd Lupton Post Office." Floyd Lupton, who passed away on Tuesday, May 10th of this year, was chief of staff to former Congressman Walter Jones, Sr., who served with such great distinction in this body from 1966 until 1992.

H.R. 2326 was authored by Mr. Jones' son, the distinguished current Member from North Carolina, Congressman WALTER JONES, Jr., one of my closest friends in this body and one of our finest Members. All Members of the North Carolina State delegation have cosponsored this legislation, and I join them in strong support.

Madam Speaker, Floyd Lupton, Sr., was born and raised in the town of Pantego, North Carolina, near the Atlantic coast in 1922. He went to college at North Carolina State University, but like so many of his generation, his education was interrupted by World War II. Floyd left home to heroically serve in the Army's 99th Infantry Division, with which he fought in the Battle of the Bulge, among other combat experiences. For his heroism Floyd earned the Bronze Star, and he was honorably discharged as a first lieutenant.

After the war, Floyd Lupton returned home to work on the family farm in Pantego. He later worked stints with Norfolk Western Railroad, the State Wildlife Commission and the Beaufort County Sheriff's Department.

But most notably, Madam Speaker, Floyd served for 26 years as the top aide to the late Congressman Walter Jones, Sr. Floyd Lupton earned a tremendous reputation with Members of Congress, staff and constituents as both a very dedicated adviser to Congressman Jones and an empathetic liaison with the people of North Carolina's First Congressional District.

One of the most difficult jobs in this Nation is to work on a congressional staff, and Mr. Lupton did it with great honor for 26 years. He took very seriously his responsibility working in the people's House and greatly valued all opportunities to help his friends and neighbors throughout his years of public service.

Mr. Lupton retired after 26 years on Capitol Hill in December of 1991 and returned home to Belhaven. There he enjoyed an active retirement with his beloved wife, Doris Ambrose. Floyd and Doris were married nearly 48 years before Doris unfortunately passed away on June 24th of 1996. Floyd passed away on May 10th of this year, but this post office will memorialize his career of service to the State of North Carolina and to the country that he loved so much.

Madam Speaker, I thank my distinguished colleague from North Carolina (Mr. JONES) for working to honor his father's trusted assistant, Floyd Lupton. I support this meaningful piece of legislation.

Madam Speaker, I reserve the balance of my time.

Mr. WAXMAN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, H.R. 2326 would designate the facility of the United States Postal Service located at 614 West Old County Road in Belhaven, North Carolina, as the Floyd Lupton Post Office.

As the ranking member of the Committee on Government Reform, I am pleased to join my colleagues in the consideration of this bill, legislation designating this facility in Belhaven, North Carolina, after the late Floyd Lupton. This measure was introduced by the gentleman from North Carolina (Mr. JONES) on May 12, 2005, and it was unanimously reported by the Government Reform Committee on May 26, 2005. It enjoys the support and cosponsorship of the entire North Carolina State delegation.

Floyd Lupton, a native of North Carolina, grew up in Pantego, North Carolina. He attended North Carolina State University when he left to join the Army. He served in the 99th Infantry Division, received a Bronze Star and was honorably discharged.

After serving in the military, he returned home to Pantego. In 1966, he began working for the late Congressman Walter Jones, Sr., as his administrative assistant. He held that position for 25 years until his retirement in 1991. As administrative assistant Fred earned the reputation as a person who was dedicated to the Congressman, the

district and the constituents. He was always available to all, night or day, and never forgot who he was or where he was from.

□ 1445

Upon his return, Mr. Lupton served on numerous boards, associations and community organizations. At the time of his death, he was serving as a member of the Beaufort County Community College Board of Directors. Sadly, he passed away on May 10, 2005.

Madam Speaker, I commend my colleague for honoring the legacy of the late Floyd Jackson Lupton, Senior, and I urge the swift passage of this bill.

Madam Speaker, I reserve the balance of my time.

Mr. DUNCAN. Madam Speaker, I yield for such time as he may consume to the gentleman from North Carolina (Mr. JONES), my colleague, the author of H.R. 2326.

Mr. JONES of North Carolina. Madam Speaker, I want to thank the gentleman from Tennessee and the gentleman from California. His remarks were absolutely excellent and to the point, a very fine public servant.

I am only going to take a few minutes. I certainly want to thank the chairman and the ranking member of the committee in getting this legislation to the floor.

Madam Speaker, as fate would have it, Floyd Lupton and my father were a team. I do not know anyone that knew anything about the congressional office that would not say the same thing because my daddy, as many of my colleagues remember, who served with him on the floor of the House, at one point in his career became chairman of the Merchant Marine and Fisheries Committee, and it took a great deal of his time. Floyd always was there to take care of the needs of the people of the 1st Congressional District and to make sure that the office was running as smooth as a congressional office can.

I think about the personal relationship that my family had with Floyd Lupton. We were like family, quite frankly.

Floyd would drive my daddy home most of the weekends from Washington, D.C., to eastern North Carolina, and I would know that my father was coming home. My mother would call and say, "Walter, your dad is going to be here pretty soon with Floyd; don't you want to come up here and have a bit of time with him and socialize?" I did that so many times.

Those days of being there with my father and Floyd, when they were driving back from Washington, in a house in a little town of Farmville, 5,000 people, were very special times for me and my family because we were a family.

When Floyd came to Washington, Madam Speaker, he spent I do not know how many hours after the Congress had finished of staying out at 7:30, 8:30, 9:00 at night, calling constituents back home to say hello, trying to

help someone who had a problem that they finally had answers and/or they could at least listen to that constituent to see if they could find answers.

Floyd, as has been said by the gentleman from California (Mr. WAXMAN) and the gentleman from Tennessee (Mr. DUNCAN) never, not one time, did he seek anything for himself. His only concern were the people of the 1st District of North Carolina, and I think about how humble a man Floyd Lupton was, a man that always had time. He never would look past anybody when he was talking to them. He would look them straight in the eye. He would always take time when maybe he did not have the time, but no one ever realized that he had something else to do as he always had a way about himself so that people knew that he cared.

Sadly, at his funeral, which I know that he is in heaven, there is no question in my mind about that, with his lovely wife Doris, but they asked me to speak at his funeral. It was an extremely emotional time for me, and I remember when one thing I did say that if anybody wanted to know the definition of public service, all they would have to know is Floyd Lupton because he exemplified exactly what a public servant is.

I have just a couple of more comments and then I will yield back my time. Too many times when buildings, and whether it be a post office or a Federal building or State building, we always seem to think about someone who was elected to public life and, therefore, it is easier for that person who was elected to public life to be remembered, but in this case, I want to say again to the ranking member and to the Chamber that I am grateful that today we will hopefully pass legislation that will remember a public servant that never held public office. He could have probably if he had been a younger man, but he gave 26 years, as has been stated, to serving my father and to serving the people of the 1st District at the same time.

This is so fitting, and I know I speak on behalf of thousands of people in eastern North Carolina who knew Floyd Lupton when I say thank you to the committee of jurisdiction for getting this legislation to the floor. I know also I speak for his family as well. They will be thrilled and excited that we got this legislation to the floor of the House, and hopefully it will pass this evening.

Secondly, I want to say that this Congress, I have the greatest respect for this institution and the fact today that we will hopefully pass H.R. 2326 on behalf of a man who never asked anything but what can I do to help you. That is the legacy of Floyd Lupton.

Mr. WAXMAN. Madam Speaker, I yield myself such time as I may consume.

I have no other requests for time, but I do want to say how moved I was by the gentleman's presentation. I have

known Floyd Lupton only through the descriptions and the information, the cold statistics, that have been furnished to us, but the gentleman from North Carolina (Mr. JONES) has given us a picture of a man who, through his service and his availability and his commitment to the public good, is well deserving of the tribute that we are bestowing upon him by naming this facility after him. I hope it will stand as an example for others to look at, the plaque that will be posted there, as a tribute to a man that they should remember as an example for all people to be committed to the kinds of ideals that he stood for.

Madam Speaker, I yield back the balance of my time.

Mr. DUNCAN. Madam Speaker, I yield myself such time as I may consume.

I want to thank our colleague the gentleman from North Carolina (Mr. JONES) for his very moving and heartfelt tribute to Mr. Floyd Lupton who obviously was a great American, and I am proud to be associated with this legislation. I, again, urge passage of H.R. 2326.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Ms. GINNY BROWN-WAITE of Florida). The question is on the motion offered by the gentleman from Tennessee (Mr. DUNCAN) that the House suspend the rules and pass the bill, H.R. 2326.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. DUNCAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

NET WORTH AMENDMENT FOR CREDIT UNIONS ACT

Mr. BACHUS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1042) to amend the Federal Credit Union Act to clarify the definition of net worth under certain circumstances for purposes of the prompt corrective action authority of the National Credit Union Administration Board, and for other purposes.

The Clerk read as follows:

H.R. 1042

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Net Worth Amendment For Credit Unions Act".

SEC. 2. CLARIFICATION OF DEFINITION OF NET WORTH UNDER CERTAIN CIRCUMSTANCES FOR PURPOSES OF PROMPT CORRECTIVE ACTION.

Subparagraph (A) of section 216(o)(2) of the Federal Credit Union Act (12 U.S.C. 1790d(o)(2)(A)) is amended—

(1) by inserting "the" before "retained earnings balance"; and

(2) by inserting " , together with any amounts that were previously retained earnings of any other credit union with which the credit union has combined" before the semicolon at the end.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alabama (Mr. BACHUS) and the gentleman from California (Mr. SHERMAN) each will control 20 minutes.

The Chair recognizes the gentleman from Alabama (Mr. BACHUS).

GENERAL LEAVE

Mr. BACHUS. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1042.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BACHUS. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in strong support of this legislation, H.R. 1042, the Net Worth Amendment for Credit Unions Act, which I and the gentleman from Vermont (Mr. SANDERS), the ranking member, introduced along with 16 other cosponsors, evenly divided between Republicans and Democrats, including ranking members of both committees.

It is a so-called technical amendment, but it is also a very important piece of legislation designed to address the potentially harmful and unintended consequences of the recently proposed FASB accounting rules of mergers of financial institutions and, in particular, credit unions.

Because this new accounting rule is expected to become effective early next year, it will impact, going forward, credit union mergers, and it is essential that we have in place H.R. 1042 prior to that time. This legislation has been endorsed by FASB. It has the endorsement of the Federal credit union regulators.

I had testimony which I would like to introduce from NCUA chairman Joanne Johnson who testified before the Committee on Financial Services this past Thursday in strong support of this legislation. In fact, she said without this legislation, it would be hard to, in cases of mergers, provide the safest, most efficient and most beneficial mergers to the benefit of credit union consumers, and she says this legislation is essential for credit union consumers and for their protection.

It has no opposition that I know of. As far as explaining the rule, I am going to submit in its entirety two different pieces on actually what the issue is, what the solution is. The solution is 1042, and then I would like to introduce this two-page summary.

Let me briefly try to very briefly state what this does.

Under the current FASB rule, credit unions are able to use the pooling of in-

terests method of accounting for mergers; however, the new rule will require use of the purchase method.

In doing that, they did not anticipate the current definitions in the National Credit Union Act. Under the new approach that FASB will be instituting, an institution is not permitted to bring over the retained earnings of the acquired institution onto its own balance sheet as retained earnings, but rather as acquired equity. Thus, the surviving institution, the institution which is taking the other institution into its corporate being, would not be able to count the retained earnings of the merged institution in its net worth for purposes of prompt corrective action purposes under the Federal Credit Union Act.

□ 1500

And the Prompt Corrective Action, as those of us on Committee on Financial Services know, is the mechanism to bring credit unions into compliance as far as safety and soundness. This change, therefore, would have the unintended effect of lowering the merged credit union's net worth category classification.

We have taken testimony of Board members of FASB who say this was not their intent; and as I said, they are in favor of the current legislation. So the practical effect of FASB's directive changing the accounting treatment of credit union mergers from the pooling method to the purchase method are perhaps illustrated by a simple hypothetical.

Under the pooling method previously used to account for a combination of two credit unions, if a credit union with \$2 million in retained earnings merged with a credit union with \$2 million in retained earnings, the surviving credit union would have \$4 million in retained earnings, simply, two plus two equals four, which counted as its net worth for purposes of applying the Prompt Corrective Action capital requirements outlined above.

However, under the new purchase method of accounting mandated by the new FASB rule, if a credit union with \$2 million in retained earnings merges with another credit union with \$2 million in retained earnings, the surviving credit union would only have \$2 million in retained earnings, not a result that makes any sense, and our legislation simply preserves the two plus two equals four.

As I say, Madam Speaker, the legislation simply amends the Federal Credit Union Act's definition of net worth to include retained earnings of both credit unions that merge in the net worth of the credit union that continues after the transaction. Failure to make this statutory change will create major disincentives to otherwise merged credit unions.

We took testimony last week from George Reynolds, Senior Deputy Commissioner of the Georgia Department of Banking and Finance, and I would

like to include his statement, but what he and others have pointed out to the committee is that oftentimes, whether it be a bank or a thrift or a credit union, if you have one credit union that is sound and one that may be in need of corrective action, one of the alternatives is to merge the weaker institution into a stronger institution for the protection of the members of that credit union.

The NCUA, and also the different State commissioners of banking and bank supervisors, and credit union supervisors had not been able to do this because of the anticipation of the FASB rules. It has resulted in a lot of hesitancy in merging these institutions and, in many cases, is slowing corrective action because of this. So failure to make the statutory change will, as I say, create major disincentives.

A credit union seeking to merge with another union institution would be faced, in many situations, with a marked decline in its capital for PCA purposes once the merger went through, giving rise to a supervisory intervention by the NCUA designed to limit its growth and restore its now depleted capital to acceptable levels when actually there would have been no depletion of capital at all.

Madam Speaker, I reserve the balance of my time.

Mr. SHERMAN. Madam Speaker, I yield myself such time as I may consume, and I rise today to urge the House to suspend the rules and adopt H.R. 1042, the Net Worth Amendment For Credit Unions Act. I would like to commend my colleague, the gentleman from Alabama (Mr. BACHUS), the chairman of the Subcommittee on Financial Institutions and Consumer Credit, for bringing this issue before the Committee on Financial Services in a timely manner. I would also like to thank the ranking member, the gentleman from Vermont (Mr. SANDERS), and members of the committee who joined with Chairman Bachus and me in sponsoring this somewhat technical but important legislation.

H.R. 1042 addresses a potential problem for a growing number of credit unions that arises under the Basel II negotiations on international capital accounting standards. In 1996, the Financial Accounting Standards Board, known as FASB, and the International Accounting Standards Board, initiated a joint project to develop a single uniform standard for assessing the value of the assets and liabilities acquired in business mergers and acquisitions.

The effort resulted in the issuing of FASB statement 141 back in June of 2001. This statement required the use of the "purchase method" of accounting as the most appropriate standard for assuring that the assets of an acquired business will be uniformly measured at their fair market value at the time of acquisition.

Thus, FASB abolished the then very popular "pooling method" of accounting, which had been widely used to

measure the assets of surviving credit unions in credit union mergers. The pooling method had permitted the combining of the retained earnings of both the surviving and the merged credit unions to determine the net worth of the surviving credit union. Under the purchase method, which is now required under FASB 141, the retained earnings of the merged credit union must be listed as "acquired equity," a concept that did not exist at the time the Federal Credit Union Act was last amended on this issue.

Currently the Credit Union Act recognizes only retained earnings in calculating a credit union's net worth and its net worth ratio. Accounting procedures that fail to recognize that the retained earnings of the merged credit union would seriously reduce the postmerger net worth ratio of the surviving credit union. This could have the effect of discouraging a number of needed mergers between smaller or weaker credit unions with a healthy credit union, and it could result in determinations that the surviving credit union in the merger is technically undercapitalized, even when that surviving credit union has a large amount of capital. It is simply that some of that capital is listed as "acquired capital," or "acquired equity" a term that did not previously exist in our law, and some of it is listed as "retained earnings."

H.R. 1042 provides a narrow technical fix for the problem of postmerger accounting of credit union net worth. It amends the current definition of net worth for purposes of the Federal Credit Union Act to allow both retained earnings of a credit union and "any amounts that were previously retained earnings of any other credit union with which the credit union has combined" to be included in calculating a credit union's net worth and its net worth ratio.

Where the FASB 141 standard became effective for most business combinations initiated after June 30, 2001, FASB had agreed to defer the implementation for mergers and acquisitions among so-called mutual business enterprises, including credit unions, until the end of 2005. The National Credit Union Administration approved 330 mergers involving federally insured credit unions in 2004, many of which could have resulted in technically undercapitalized credit unions if FASB 141, imposing the purchase method, had been applicable. The Agency projects a similar number of mergers in 2006 that would be adversely affected unless we pass this legislation.

Madam Speaker, H.R. 1042 is bipartisan legislation which addresses a potential problem for credit unions that needs to be resolved this year, because next year FASB 141 will be applicable to mutual businesses, including credit unions. It is supported by the National Credit Union Administration, the National Association of State Credit Union Supervisors, and also by both

national credit union trade associations, the Credit Union National Association, CUNA, and the National Association of Federal Credit Unions, NAFCU.

I am aware of no opposition to this bill, and I urge the House to suspend the rules and adopt the Net Worth Amendment for Credit Unions Act.

Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BACHUS. Madam Speaker, I yield myself such time as I may consume, and let me simply conclude by saying that when the NCUA seeks a healthy credit union, or when there is a troubled credit union and the NCUA seeks a healthy credit union to rescue it through merger, the pooling of potential White Knights is presently limited because of the present interpretation. And as they have said, "They are limited by the prospect of a significant postmerger reduction in capital for the acquiring credit union under the present interpretation, if the FASB rule goes forward without this legislation." It goes on to say, NCUA, that "this will inevitably make NCUA-assisted mergers more difficult to execute, resulting in more credit union failures and a higher cost to the National Credit Union's Share Insurance Fund, which insures the deposits to credit union members."

So I conclude by saying that for this reason, among others, not only the NCUA but also the National Association of Federal Credit Unions, NAFCU, and the Credit Union National Association, CUNA, strongly support this legislation to ensure an accurate depiction of net worth in credit union mergers and to avoid creating unintended obstacles to mergers that would otherwise benefit credit union members.

In addition, FASB has stated that, while it does not take positions on public policy initiatives unless they could impair the mission and independence of FASB, it believes H.R. 1042, and I quote, "does not propose to establish or change general purpose standards of financial accounting and reporting and, therefore, has no impact on the standard-setting activities of FASB."

I would like to again thank, and I will name as I close, the cosponsors of this legislation: Introduced by the gentleman from Vermont (Mr. SANDERS), myself, the gentlewoman from Florida (Ms. GINNY BROWN-WAITE), the gentleman from Florida (Mr. FEENEY), the gentlewoman from Oregon (Ms. HOOLEY), the gentlewoman from New York (Mrs. KELLY), the gentlewoman from New York (Mrs. MALONEY), the gentleman from Kansas (Mr. MOORE), the gentleman from Texas (Mr. PAUL), the gentleman from California (Mr. ROYCE), the gentleman from California (Mr. SHERMAN), the gentleman from Michigan (Mr. CAMP), the gentleman from Illinois (Mr. GUTIERREZ), the gentleman from Pennsylvania (Mr. KANJORSKI), the gentleman from Ohio (Mr. LATOURETTE), the gentlewoman from

New York (Mrs. McCARTHY), the gentleman from Ohio (Mr. NEY), the gentleman from Arizona (Mr. RENZI), and as I said, the main cosponsor, ranking member of the committee, the gentleman from Vermont (Mr. SANDERS).

So that, I think, illustrates not only what the gentleman from California (Mr. SHERMAN) said, that there is no opposition to this legislation, but also the strong bipartisan support that this has across this Congress.

Madam Speaker, I submit for the RECORD herewith the various documents referred to throughout my remarks:

NASCUS

[Written Testimony of George Reynolds, Senior Deputy Commissioner, Georgia Department of Banking and Finance on behalf of the National Association of State Credit Union Supervisors Before the Subcommittee on Financial Institutions and Consumer Credit, United States House of Representatives, April 13, 2005]

NASCUS HISTORY AND PURPOSE

Good afternoon, Chairman Bachus, and members of the Subcommittee. I am George Reynolds, Senior Deputy Commissioner for the Georgia Department of Banking and Finance. I appear today on behalf of the National Association of State Credit Union Supervisors (NASCUS), the professional state credit union regulators association. NASCUS represents the 48 state and territorial credit union supervisors, dedicated to defending the dual chartering system for credit unions and advised by the NASCUS Credit Union Council, which is comprised of more than 500 state-chartered credit unions.

In addition to being a state regulator, I am a certified public accountant allowing me to study and understand the accounting standards recommended by the Financial Accounting Standards Board (FASB). Today I have made recommendations on behalf of NASCUS regarding the impact of changes to the accounting standards regarding mutual institutions.

The mission of NASCUS is to enhance state credit union supervision and to advocate policies that ensure a safe and sound state credit union system. We achieve those goals by serving as an advocate for a dual chartering system that recognizes the traditional and essential role that state government plays as a part of the national system of depository financial institutions.

NASCUS applauds the introduction of H.R. 1042, the Net Worth Amendment for Credit Unions Act, which amends the definition of net worth to include the net worth of a credit union merged with a surviving credit union. We appreciate the earnings" after the merger, period. There is no room, then, for discretion and that has pros and cons.

Other federal banking regulators have authority to exclude items from measures of pre-merger equity that do not have value to the insurance fund in a liquidation scenario, e.g., core deposit intangibles, goodwill, etc., thus not "overvaluing" resulting postmerger capital. The language provided by NCUA last year was intended to provide NCUA a comparable capital (GAAP equity) starting point and comparable authority to subtract similar items from "retained earnings" in mergers.

However, concern surfaced with the earlier language that somehow NCUA might be put in the position of adding to what qualifies as "net worth" and consequently the more precise language of HR 1042 was agreed upon.

5. How is "secondary capital" accounted for in mergers currently, and will this change under HR 1042?

Post merger, secondary capital counts as part of PCA net worth only if continuing FISCO is low income designated.

6. Is NCUA seeing an unusual rise of voluntary mergers of insured credit unions this year, in anticipation of the FASB rule being implemented for credit unions?

No

7. Does NCUA support SFAS 141?

It's fair to say that the credit union industry is not welcoming the accounting rule change from the pooling to the purchase method for financial accounting purposes. However, that is not what we are addressing or trying to influence here today or in HR 1042. NCUA and the credit union industry are trying to prepare for and adjust to the pending implementation of SFAS 141—and conform to the options provided to others by FASB to bring capital over as "acquired equity" when there are business combinations.

NCUA and the credit union industry are grateful to FASB for their consideration of mutual enterprises (thus, cooperative credit unions) by providing an exception to the rule when it was implemented in 2001 for others—this has given all of us time to explore ways to address the unexpected consequences.

Is 8. NCUA trying to interfere with FASB's accounting rulemaking authority?

Absolutely not. NCUA has nothing to do with financial accounting reporting standards and FASB will proceed as it deems appropriate. NCUA's interest is limited to supporting a solution to the unintended consequences that impact our proper safety and soundness role under the prompt corrective action provisions of the FCUA. The FCUA needs to be amended so NCUA can recognize the retained earnings of a merging credit union, and this is comparable to what Congress permits in its statutes for other financial institutions.

I would also point out that our reform proposal addresses an important technical amendment needed to the statutory definition of net worth. NCUA anticipates that the Financial Accounting Standards Board (FASB) will act soon to lift the current deferral of the acquisition method of accounting for mergers by credit unions, thereby eliminating the pooling method and requiring the acquisition method. When this change to accounting rules is implemented it will require that, in a merger, the net assets on a fair value basis of the merging credit union as a whole, rather than retained earnings, be carried over as "acquired equity," a term not recognized by the "Federal Credit Union Act" (FCUA). Without this important change, only "retained earnings" of the continuing credit union will count as net worth after a merger. This result would seriously reduce the post-merger net worth ratio of a federally insured credit union, because this ratio is the retained earnings of only the continuing credit union stated as a percentage of the combined assets of the two institutions. A lower net worth ratio has adverse implications under the statutory "prompt corrective action" (PCA) regulation. This result will discourage voluntary mergers and on occasion make NCUA assisted mergers more difficult and costly to the National Credit Union Share Insurance Fund (NCUSIF). Without a remedy, an important NCUA tool for reducing costs and managing the fund in the public interest will be lost. Thus, our reform proposal provides for a revised definition of net worth to include any amounts that were previously retained earnings of any other credit union.

PRESERVING CREDIT UNION CAPITAL IN MERGERS CURRENT LAW

Current law and FASB rules permit the recognition of the "retained earnings" of

both the surviving and merged credit union after a merger. In 2004, there were 338 mergers involving federally insured credit unions (237 voluntary, 7 assisted and another 94 mergers pending). In 2003, there were 299 mergers (294 voluntary, 5 assisted).

THE PROBLEM

The Financial Accounting Standards Board (FASB) is expected to act in 2005 to lift the current deferral (and use of the pooling method) and thereby begin the use by credit unions of the acquisition method of accounting in mergers by early 2006. This will eliminate the practice of accounting for mergers as a pooling of interests which credit unions have relied upon. When this change to accounting rules is implemented it will require, in a merger, that the retained earnings-like component of one credit union be carried over as "acquired equity," a term that is not recognized by the FCUA.

Without a change to the Federal Credit Union Act, only the "retained earnings" of the continuing credit union will count as net worth after the merger for purposes of PCA. This can seriously reduce the post-merger net worth ratio of combined federally insured credit unions. A lower net worth ratio has adverse implications under the statutory "prompt corrective action" provisions in the Federal Credit Union Act, and it is this result that will strongly discourage voluntary mergers and, on occasion, make NCUA assisted mergers more difficult and costly to the National Credit Union Share Insurance Fund (NCUSIF).

H.R. 1042 "NET WORTH AMENDMENT FOR CREDIT UNIONS ACT"

On March 2, 2005, Representative Spencer Bachus (R-AL) and Bernard Sanders (I-VT) introduced H.R. 1042, the "Net worth Amendment for Credit Unions Act." They were joined by the following original co-sponsors: Representatives Ed Royce (R-CA), Paul Kanjorski (D-PA), Steven LaTourette (R-OH), Luis Gutierrez (D-IL), Sue Kelly (R-NY), Carolyn Maloney (D-NY), Rick Renzi (R-AZ), Carolyn McCarthy (D-NY), Brad Sherman (D-CA), Bob Ney (R-OH), Tom Feeney (R-FL), Darlene Hooley (D-OR), Ginny Brown-Waite (R-FL).

WHY THIS LEGISLATION SHOULD BE ADOPTED

This amendment to the Federal Credit Union Act (FCUA) is needed to provide certainty for the recognition of pre-merger "retained earnings" for purposes of PCA as necessitated by SFAS 141.

The FASB has expressed support for a legislative solution and has indicated that a legislative redefinition of capital (net worth) in the FCUA will not affect their standards-setting activities.

When crafting the prompt corrective action provisions of the FCUA in 1998 applicable to federally insured credit unions that only recognized "retained earnings" of a single credit union as net worth, the drafters did not anticipate this merger accounting policy change by FASB.

The consequence of not making this change will dramatically alter the treatment of retained earnings and net worth in a manner that will make it difficult or impossible for many credit unions to consider combining their strengths through merger. This seriously reduces the post-merger net worth ratio, because that ratio is the retained earnings stated as a percentage of the combined assets of the institutions. Potential acquiring credit unions would naturally find the prospect of being demoted to a lower net worth category, and potentially subject to more supervisory actions, too high a price to pay to merge with another credit union.

Failure to make this change will undermine the purpose of "prompt corrective action" which is to resolve the problems of

credit unions while minimizing losses to the National Credit Union Administration Share Insurance Fund (NCUSIF). Fewer willing merger partners mean fewer opportunities to avert losses to the NCUSIF by merging a troubled credit union. Credit union mergers have traditionally been effective in accomplishing both objectives while preserving the continuity of credit union service to the target credit union's members.

Banks and their insurers do not have the same concerns because their existing capital definition under relevant law is broader. The FASB rule, in combination with their broader statutory definition of capital, would not result in similar problems for banks and thrifts because they are allowed to include virtually all components of "equity" in their capital.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Ms. GINNY BROWN-WAITE). The question is on the motion offered by the gentleman from Alabama (Mr. BACHUS) that the House suspend the rules and pass the bill, H.R. 1042.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 3 o'clock and 14 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. GILCHREST) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 8, rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

S. 643, by the yeas and nays.

H.R. 2326, by the yeas and nays.

This will be a 15-minute vote followed by a 15-minute vote.

AMENDING AGRICULTURAL CREDIT ACT TO REAUTHORIZE STATE MEDIATION PROGRAMS

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the Senate bill, S. 643.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from Oklahoma (Mr. LUCAS) that the House suspend the rules and pass the Senate bill, S. 643, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 371, nays 2, not voting 60, as follows:

[Roll No. 241]
YEAS—371

Abercrombie	Davis, Tom	Jefferson
Ackerman	Deal (GA)	Jindal
Aderholt	DeFazio	Johnson (CT)
Akin	DeGette	Johnson (IL)
Alexander	DeLauro	Johnson, E. B.
Allen	DeLay	Johnson, Sam
Andrews	Dent	Jones (NC)
Baca	Diaz-Balart, L.	Jones (OH)
Bachus	Diaz-Balart, M.	Kanjorski
Baird	Dicks	Kaptur
Baldwin	Doggett	Kelly
Barrett (SC)	Doolittle	Kennedy (MN)
Barrow	Doyle	Kildee
Bartlett (MD)	Drake	Kind
Barton (TX)	Dreier	King (IA)
Bass	Duncan	King (NY)
Bean	Edwards	Kingston
Beauprez	Emanuel	Kirk
Becerra	Emerson	Kline
Berman	Engel	Kolbe
Berry	English (PA)	Kucinich
Biggert	Eshoo	Kuhl (NY)
Bilirakis	Etheridge	Langevin
Bishop (GA)	Evans	Lantos
Bishop (NY)	Everett	Larson (CT)
Bishop (UT)	Farr	Latham
Blackburn	Feeney	LaTourette
Blumenauer	Ferguson	Leach
Blunt	Filner	Levin
Boehlert	Fitzpatrick (PA)	Lewis (CA)
Boehner	Foley	Lewis (KY)
Bonilla	Forbes	Linder
Bonner	Ford	Lipinski
Bono	Fortenberry	LoBiondo
Boozman	Fox	Lofgren, Zoe
Boren	Frank (MA)	Lowe
Boucher	Franks (AZ)	Lucas
Boustany	Frelinghuysen	Lungren, Daniel
Boyd	Gallegly	E.
Bradley (NH)	Garrett (NJ)	Lynch
Brady (PA)	Gerlach	Mack
Brady (TX)	Gibbons	Maloney
Brown (OH)	Gilchrest	Manzullo
Brown (SC)	Gillmor	Marchant
Brown, Corrine	Gingrey	Markey
Brown-Waite,	Gohmert	Marshall
Ginny	Gonzalez	Matheson
Burgess	Goode	Matsui
Burton (IN)	Goodlatte	McCarthy
Butterfield	Gordon	McCaul (TX)
Calvert	Granger	McCollum (MN)
Camp	Graves	McCotter
Cannon	Green, Al	McCreery
Cantor	Green, Gene	McDermott
Capps	Grijalva	McGovern
Capuano	Gutknecht	McHenry
Cardin	Hall	McHugh
Carnahan	Harman	McIntyre
Carson	Harris	McKeon
Carter	Hart	McKinney
Castle	Hastings (FL)	McMorris
Chabot	Hastings (WA)	McNulty
Chandler	Hayes	Meehan
Chocola	Hayworth	Meeke (NY)
Clay	Hefley	Melancon
Cleaver	Hensarling	Menendez
Coble	Herger	Mica
Cole (OK)	Herseth	Michaud
Conaway	Higgin	Millender-
Conyers	Hinche	McDonald
Costa	Hobson	Miller (FL)
Costello	Hoekstra	Miller (MI)
Cox	Holden	Miller (NC)
Cramer	Holt	Miller, Gary
Crenshaw	Honda	Miller, George
Cubin	Hooley	Mollohan
Cuellar	Hostettler	Moore (KS)
Culberson	Hunter	Moran (KS)
Cummings	Hyde	Moran (VA)
Cunningham	Inglis (SC)	Murphy
Davis (AL)	Inslee	Musgrave
Davis (CA)	Israel	Myrick
Davis (IL)	Issa	Napolitano
Davis (KY)	Jackson (IL)	Neugebauer
Davis (TN)	Jackson-Lee	Ney
Davis, Jo Ann	(TX)	Northup

Norwood	Roybal-Allard	Taylor (NC)
Nunes	Royce	Terry
Nussle	Ruppersberger	Thomas
Obey	Ryan (OH)	Thompson (CA)
Olver	Ryan (WI)	Thompson (MS)
Ortiz	Ryun (KS)	Thornberry
Osborne	Sabo	Tiahrt
Otter	Salazar	Tiberi
Pallone	Sanders	Tierney
Pastor	Saxton	Turner
Pearce	Schakowsky	Udall (NM)
Pelosi	Schiff	Upton
Pence	Schwartz (PA)	Van Hollen
Peterson (MN)	Schwarz (MI)	Velázquez
Petri	Scott (GA)	Visclosky
Pickering	Scott (VA)	Walden (OR)
Pitts	Sensenbrenner	Walsh
Platts	Serrano	Wamp
Poe	Shadegg	Wasserman
Pombo	Shaw	Schultz
Pomeroy	Sherman	Watson
Porter	Sherwood	Watt
Price (GA)	Shuster	Waxman
Price (NC)	Simpson	Weiner
Pryce (OH)	Skelton	Weldon (FL)
Putnam	Slaughter	Weldon (PA)
Rahall	Smith (NJ)	Weller
Ramstad	Smith (TX)	Westmoreland
Rangel	Smith (WA)	Wexler
Regula	Snyder	Whitfield
Rehberg	Sodrel	Wicker
Reichert	Solis	Wilson (NM)
Renzi	Souder	Wilson (SC)
Reyes	Spratt	Wolf
Reynolds	Stearns	Woolsey
Rhodes (AL)	Stupak	Wu
Rogers (KY)	Tancredo	Wynn
Rogers (MI)	Tanner	Young (AK)
Rohrabacher	Tauscher	
Ross	Taylor (MS)	

NAYS—2

Flake

Paul

NOT VOTING—60

Baker	Istook
Berkley	Jenkins
Boswell	Keller
Buyer	Kennedy (RI)
Capito	Kilpatrick (MI)
Cardoza	Knollenberg
Case	LaHood
Clyburn	Larsen (WA)
Cooper	Lee
Crowley	Lewis (GA)
Davis (FL)	Meek (FL)
Delahunt	Moore (WI)
Dingell	Murtha
Ehlers	Nadler
Fattah	Neal (MA)
Fossella	Oberstar
Green (WI)	Owens
Gutierrez	Oxley
Hinojosa	Pascrell
Hoyer	Payne
Hulshof	Peterson (PA)

Radanovich
Ros-Lehtinen
Rothman
Rush
Sánchez, Linda
T.
Sanchez, Loretta
Sessions
Shays
Shimkus
Simmons
Stark
Strickland
Sullivan
Sweeney
Towns
Udall (CO)
Waters
Young (FL)

□ 1854

Mr. WATT changed his vote from "nay" to "yea."

So (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FLOYD LUPTON POST OFFICE

The SPEAKER pro tempore (Mr. GILCHREST). The pending business is the question of suspending the rules and passing the bill, H.R. 2326.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. DUNCAN) that the House suspend the rules and pass the bill, H.R. 2326, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 370, nays 0, not voting 63, as follows:

[Roll No. 242]

YEAS—370

Abercrombie	Diaz-Balart, L.	Kind	Pomeroy	Schwarz (MI)	Thornberry
Ackerman	Diaz-Balart, M.	King (IA)	Porter	Scott (GA)	Tiahrt
Aderholt	Dicks	King (NY)	Price (GA)	Scott (VA)	Tiberi
Akin	Doggett	Kingston	Price (NC)	Sensenbrenner	Tierney
Alexander	Doolittle	Kirk	Serrano	Shadegg	Turner
Allen	Doyle	Kline	Putnam	Shaw	Udall (NM)
Andrews	Drake	Kolbe	Rahall	Shays	Upton
Baca	Dreier	Kucinich	Ramstad	Sherman	Van Hollen
Bachus	Duncan	Kuhl (NY)	Rangel	Sherwood	Velázquez
Baird	Edwards	Langevin	Regula	Shuster	Visclosky
Baldwin	Emanuel	Lantos	Rehberg	Simpson	Walden (OR)
Barrett (SC)	Emerson	Larson (CT)	Reichert	Skelton	Walsh
Barrow	Engel	Latham	Renzi	Slaughter	Wamp
Bartlett (MD)	English (PA)	LaTourette	Reyes	Smith (NJ)	Wasserman
Barton (TX)	Eshoo	Leach	Reynolds	Smith (TX)	Schultz
Bass	Etheridge	Levin	Rogers (AL)	Smith (WA)	Watson
Bean	Evans	Lewis (CA)	Rogers (KY)	Snyder	Watt
Beauprez	Everett	Lewis (KY)	Rogers (MI)	Sodrel	Waxman
Becerra	Farr	Linder	Rohrabacher	Solis	Weiner
Berman	Feeney	Lipinski	Ross	Souder	Weldon (FL)
Berry	Ferguson	LoBiondo	Roybal-Allard	Spratt	Weldon (PA)
Biggett	Filner	Lofgren, Zoe	Royce	Stearns	Weller
Billirakis	Fitzpatrick (PA)	Lowe	Ruppersberger	Stupak	Westmoreland
Bishop (GA)	Flake	Lucas	Ryan (OH)	Tancredo	Wexler
Bishop (NY)	Foley	Lungren, Daniel E.	Ryan (WI)	Tanner	Whitfield
Bishop (UT)	Forbes	Lynch	Ryun (KS)	Tauscher	Wicker
Blackburn	Ford	Mack	Sabo	Taylor (MS)	Wilson (NM)
Blumenauer	Fortenberry	Maloney	Salazar	Taylor (NC)	Wilson (SC)
Blunt	Fox	Manzullo	Sanders	Terry	Wolf
Boehler	Frank (MA)	Markey	Saxton	Thomas	Woolsey
Boehner	Franks (AZ)	Marshall	Schakowsky	Thompson (CA)	Wynn
Bonilla	Frelinghuysen	Matheson	Schiff	Thompson (MS)	Young (AK)
Bonner	Galleghy	Matsui	Schwartz (PA)		
Bono	Garrett (NJ)	McCarthy			
Boren	Gerlach	McCaul (TX)			
Boucher	Gibbons	McCollum (MN)			
Boustany	Gilchrest	McCotter			
Boyd	Gillmor	McCreery			
Bradley (NH)	Gohmert	McDermott			
Brady (PA)	Gonzalez	McGovern			
Brady (TX)	Goode	McHenry			
Brown (OH)	Goodlatte	McHugh			
Brown (SC)	Gordon	McIntyre			
Brown, Corrine	Granger	McKeon			
Brown-Waite,	Graves	McKinney			
Ginny	Green, Al	McMorris			
Burgess	Green, Gene	McNulty			
Burton (IN)	Grijalva	Meehan			
Butterfield	Gutknecht	Meeks (NY)			
Calvert	Hall	Melancon			
Camp	Harman	Menendez			
Cannon	Harris	Mica			
Cantor	Hart	Michaud			
Capps	Hastings (FL)	Millender-			
Capuano	Hastings (WA)	McDonald			
Cardin	Hayes	Miller (FL)			
Carahan	Hayworth	Miller (MI)			
Carson	Hefley	Miller (NC)			
Carter	Hensarling	Miller, Gary			
Castle	Herger	Miller, George			
Chabot	Herseth	Mollohan			
Chandler	Higgins	Moore (KS)			
Chocoma	Hinche	Moran (KS)			
Clay	Hobson	Moran (VA)			
Cleaver	Hoekstra	Murphy			
Coble	Holden	Musgrave			
Cole (OK)	Holt	Myrick			
Conaway	Honda	Napolitano			
Conyers	Hoolley	Neugebauer			
Costa	Hostettler	Ney			
Costello	Hunter	Northup			
Cox	Hyde	Norwood			
Cramer	Inglis (SC)	Nunes			
Crenshaw	Inslee	Nussle			
Cubin	Israel	Obey			
Cuellar	Issa	Olver			
Culberson	Jackson (IL)	Ortiz			
Cummings	Jackson-Lee	Osborne			
Cunningham	(TX)	Otter			
Davis (AL)	Jefferson	Pallone			
Davis (CA)	Jindal	Pastor			
Davis (IL)	Johnson (CT)	Paul			
Davis (KY)	Johnson (IL)	Pearce			
Davis (TN)	Johnson, E. B.	Pelosi			
Davis, Jo Ann	Johnson, Sam	Peterson (MN)			
Davis, Tom	Jones (NC)	Petri			
Deal (GA)	Jones (OH)	Pickering			
DeFazio	Kanjorski	Pitts			
DeGette	Kaptur	Platts			
DeLauro	Kelly	Poe			
DeLay	Kennedy (MN)	Pombo			
Dent	Kildee				

NOT VOTING—63

Baker	Hulshof	Pence
Berkley	Istook	Peterson (PA)
Boozman	Jenkins	Radanovich
Boswell	Keller	Ros-Lehtinen
Buyer	Kennedy (RI)	Rothman
Capito	Kilpatrick (MI)	Rush
Cardoza	Knollenberg	Sánchez, Linda T.
Case	LaHood	Sanchez, Loretta
Clyburn	Larsen (WA)	T.
Cooper	Lee	Sessions
Crowley	Lewis (GA)	Shimkus
Davis (FL)	Marchant	Simmons
Delahunt	Meek (FL)	Stark
Dingell	Moore (WI)	Strickland
Ehlers	Murtha	Sullivan
Fattah	Nadler	Sweeney
Fossella	Neal (MA)	Towns
Gingrey	Oberstar	Udall (CO)
Green (WI)	Owens	Waters
Gutierrez	Oxley	Young (FL)
Hinojosa	Pascarell	
Hoyer	Payne	

□ 1912

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BOOZMAN. Mr. Speaker, on rollcall No. 242, I was detained concerning a pressing legislative matter, Base Realignment in the 3rd District of Arkansas, and unable to vote. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent from this Chamber today. Had I been present, I would have voted "yea" on rollcall votes 241 and 242.

NO CHILD LEFT BEHIND SUCCESSES

(Mr. PRICE of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PRICE of Georgia. Mr. Speaker, in classrooms across the country, schools are making the grade when it

comes to No Child Left Behind. In my home State, Georgia is making significant gains. The achievement gap is narrowing as students in schools are held accountable for their performance. Educators know that merely promoting students to the next grade level is not the solution to low test scores.

In 2002, 64 percent of African American fifth-graders passed the State math test compared with 86 percent of white students, a 22 percentage point gap. Now, thanks to No Child Left Behind, 80 percent of African American students passed the test, compared with 92 percent of white students, a 10 percent improvement.

In 2002, 71 percent of Hispanic third-grade students passed the State reading test compared with 90 percent of white students, a 19 percentage point gap. This year, 86 percent of Hispanic students passed the test compared with 96 percent of white students. Again, nearly a 10 percent improvement.

Mr. Speaker, No Child Left Behind is working. Student test scores are rising. But more importantly, students are leaving the classroom with the fundamental skills necessary to succeed at the next level and in life.

□ 1915

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. KUHLE of New York). Under the Speaker's announced policy of January 4, 2005, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

SMART SECURITY AND IRAQ WITHDRAWAL PLAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, one would not travel to a foreign country without making a plan. And one would not buy a house without first making a plan, so why does the Bush administration insist on fighting a quarter trillion dollar war without a plan to end it? It is totally irresponsible for the White House to ask 150,000 United States troops to serve in a dangerous country halfway around the world without a plan to bring them home.

With over 1,700 American soldiers killed in action thus far, representing more than 1 percent of our total force in Iraq, our government owes them the courtesy of planning on how we are going to bring them home.

Unfortunately, the government has failed our troops in Iraq from the very beginning. First, we did not have a plan on going in and why we were going in.

Next, the Pentagon neglected to provide life-saving body armor for each and every one of our troops. A study by the Pentagon released last year stated that nearly one-quarter of those killed

during the first year of the war could have been saved with the proper body armor; but we did not plan to protect them well.

Now with over 1,700 American soldiers dead, the government has continually neglected to plan for an end to this disastrous war. President Bush likes to talk about the importance of high troop morale, but he needs to talk to the Veterans Against the Iraq War. They will tell Members the best way to ensure high morale, and they will say the best way is for our soldiers to be assured they will actually be coming home, they will leave Iraq and there will be a plan to make it happen.

The way to ensure that and to raise their morale is by starting to bring them home. Why then has President Bush not stated America's long-term intentions in Iraq? His comments on the subject have been limited to statements like, We will stay until the mission has succeeded and not one day longer.

Mr. Speaker, how does he define the mission as succeeded when he will not even acknowledge that there is an actual end to the mission?

Even if the President will not create a plan to end the war in Iraq, there are many in Congress and around the country who will. Earlier this month nearly one-third of the House voted for the amendment I offered to the defense authorization bill to urge the President to create a plan for the withdrawal of troops from Iraq. This sensible amendment would not have whisked our troops out of Iraq prematurely, it simply asked the President to get busy and develop a plan for the end of this war.

Believe me, if he does not, we will because the people of this country want to bring our troops home. Fortunately, there is a plan that would secure America for the future, SMART Security. SMART is Sensible, Multilateral American Response to Terrorism for the 21st Century. SMART will help us address the threats we face as a Nation and will make war the last option.

SMART Security will prevent acts of terrorism in countries like Iraq by addressing the very conditions that allow terrorism to take root: Poverty, despair, resource scarcity and lack of educational opportunity.

SMART Security encourages the United States to work with other nations to address the most pressing global issues. SMART addresses global crises diplomatically instead of by resorting to armed conflict.

Efforts to help the Iraqi people must follow the SMART approach, humanitarian assistance coordinated with our international allies to rebuild Iraq's war torn physical and economic infrastructure.

Mr. Speaker, the American people clearly prefer the SMART approach to our current policies in Iraq. Nearly 60 percent of Americans believe the war in Iraq has been handled poorly and that the United States should immediately begin withdrawing some or all

of our troops. Let us support our troops in Iraq and the will of 60 percent of the American people. We can do both by beginning to bring home our troops serving in Iraq. The time is now. The time is now to end the United States military occupation of Iraq.

PRESCRIPTION DRUG PRICES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. GUTKNECHT) is recognized for 5 minutes.

Mr. GUTKNECHT. Mr. Speaker, I rise again tonight on the floor of the House to talk about the issue of prescription drugs and how much Americans pay relative to consumers in the rest of the industrialized world. What we have on this chart are the prices effective February 7, 2005, so they are relatively new. We have prices here from the Metropolitan Pharmacy in Frankfurt, Germany, and a local pharmacy in my hometown of Rochester, Minnesota.

Over the last year, we expected the prices to narrow because of what has happened to the dollar relative to the euro, but, in fact, the price difference between what Americans pay and Germans pay has actually gotten worse.

Let me give a couple of examples. A drug called Norvasc, 30 tablets, 5 milligrams, in Rochester, Minnesota, \$54.83. In Germany, only \$19.31.

Drop down to another drug, and these are 10 of the most commonly prescribed drugs in the United States and in Europe. Zocor, \$85.39 for a month's supply in the United States, and in Germany it is \$23.83.

Mr. Speaker, what is important about that particular drug is for many of the programs, including many of the Federal employees, the copay here in the United States for that drug is \$30. You can walk in off the street and buy it at the Metropolitan Pharmacy in Frankfurt, Germany, for less than the copay in the United States.

Mr. Speaker, the chart speaks for itself. The total for the 10 most commonly prescribed drugs in Germany is \$455.57. In the United States it is more than double that at \$1,040.04.

The question is how does this happen? The answer is Americans are held hostage because pharmaceutical companies get a special provision that nobody else gets. They deal with intellectual property, and the cost of that first product coming off the line is very expensive and that is why they have to have these high prices. I understand that. The cost of the research for a new drug is extremely high. That first new pill can cost 350, 400, maybe even \$500 million. But it is the same thing for Intel when they develop a new chip, but Intel does not get the same protections. They cannot sell their chips to Germans for half the price they sell them to Americans because the suppliers would start selling them back in the United States. That is what is called parallel trade, and that is what they have had in Germany for a long time.

Throughout the European Union, a pharmacist in Germany can buy their supplies from Spain or from Norway or wherever they can buy that Zocor cheaper. As a result, they have a competitive marketplace over there. If Members want to learn more about that, we have a videotape by Dr. Peter Rost, who is an M.D. and he is an executive with one of the largest pharmaceutical companies in the world, and he has come out in favor of parallel trading.

He is very strongly in favor of the bill I have introduced which is cosponsored by a wide range of Members of the House which would open up the pharmaceutical markets, much as we do with everything else.

I also want to say a special tribute to Minnesota's governor, Governor Tim Pawlenty, because he was one of the first governors to recognize that Minnesotans should not be held hostage. And now he has opened up not just the drugs from Canada, but we have actually opened up to Great Britain as well.

One of the things that he often says is the industry says this is unsafe. He says if it is really unsafe, show me the dead Canadians and the dead Europeans and the dead Germans.

The truth of the matter is they do this every day and they are not genetically smarter than we are. We ought to have the same ability to use parallel trade to reduce these outrageous prices here in the United States.

I also want to show a letter that I, and 220 of my colleagues, sent to the Speaker of the House recently. A majority of the Members of this House want to have a vote to allow Americans to have access to world-class drugs at world market prices, and we are going to continue to put pressure on the leadership, on the administration, on the FDA, whoever it takes to make certain Americans get fair prices.

Mr. Speaker, ultimately we do not want something for nothing. We do not believe we ought to take advantage of somebody else, but we do not think we should be taken advantage of either, and it is time Americans get fair prices. It really is time that the world's best customers have access to the world's best drugs at world market prices.

I hope more Members will join me in this effort because I believe the time has come to make that certain we open up these markets so we get fair prices for consumers. Whatever their particular condition, we want fair prices and we want them now.

AMERICAN FOREIGN SERVICE ASSOCIATION AWARD WITHDRAWN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. Mr. Speaker, I rise this evening to express my disappointment with the American Foreign Service Association, and its decision to

withdraw awarding a "Constructive Dissent" award to U.S. Armenian Ambassador John Evans.

Ambassador Evans was due to receive the Christian A. Herter Award for intellectual courage, initiative, and integrity later this week. The award was as a result of courageous statements he made regarding the recognition of the Armenian genocide.

In a series of public statements, Ambassador Evans, who has studied Russian history at Yale and Columbia and Ottoman history at the Kennan Institute stated, "I will today call it the Armenian genocide."

Mr. Speaker, Ambassador Evans has studied history of Armenia, and based on his substantial studies of the issue, he is willing to go on the record and define the actions taken Armenians as genocide. The Armenian genocide was the systematic extermination, the murder, of 1.5 million Armenian men, women and children. To this day, the Republic of Turkey refuses to acknowledge the fact that this massive crime against humanity took place on soil under its control, and in the name of Turkish nationalism.

Unfortunately, some 90 years later, the U.S. State Department continues to support Turkey's demands and denials despite all evidence to the contrary. It is not likely that the State Department was happy that their Ambassador to Armenia acknowledged the Armenian genocide. And, therefore, Ambassador Evans retracted his remarks after receiving substantial pressure from the State Department.

Well, now the selection committee at the American Foreign Service Association has decided to withdraw the award with no reason for its actions. I find the timing of the decision peculiar. The sharp turnaround came right before Turkish Prime Minister Erdogan arrived in Washington for a meeting with President Bush. Based on past history, it is clear that the State Department, the Bush administration, and the pro-Turkish lobby pressured AFSA to withdraw Ambassador Evans' award.

It is simply unacceptable for this administration to continue to penalize the ambassador for his comments. Ambassador Evans did a courageous thing. His statements did not contradict U.S. policy, but rather articulated the same message that this administration has sent to the public. The only difference in this case is that Ambassador Evans assigned a word to define the actions taken against the Armenians.

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This was a refreshing break, I must add, from a pattern on the part of the State Department of using evasive and euphemistic terminology to obscure the full reality of the Armenian genocide. Ambassador Evans pointed out, and I quote, that no American official has ever denied it, and went on to say, and I quote, I think we, the U.S. Government, owe you, our fellow citizens, a more frank and honest way of discussing this problem.

Ambassador Evans was merely recounting the historical record, which has been attested to by over 120 Holocaust and genocide scholars from around the world. By doing this, he earned a prestigious award that was taken from him because of politics and denial.

Mr. Speaker, I want to add my voice to all those who, in Ambassador Evans' own words, and again I am quoting, think it is unbecoming of us as Americans to play word games here. I believe in calling things by their name. Evans was right, and the American Foreign Service Association was correct in awarding him the Christian A. Herter Award. We should encourage our Ambassadors to speak the truth, and, more broadly, end, once and for all, our complicity in Turkey's campaign of genocide denial.

Mr. Speaker, Ambassador Evans has been penalized for simply telling the truth. The American Foreign Service Association has set a terrible example by retracting Ambassador Evans' award. I guess, even in America, the Turkish Government is able to stifle debate.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2862, SCIENCE, STATE, JUSTICE, COMMERCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

Mr. GINGREY, from the Committee on Rules, submitted a privileged report (Rept. No. 109-122) on the resolution (H. Res. 314) providing for consideration of the bill (H.R. 2862) making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes, which was referred to the House Calendar and ordered to be printed.

The SPEAKER pro tempore (Mr. KUHLMANN of New York). Under a previous order of the House, the gentleman from Nebraska (Mr. OSBORNE) is recognized for 5 minutes.

(Mr. OSBORNE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

CAFTA: A LOSE-LOSE PROPOSITION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GENE GREEN) is recognized for 5 minutes.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise tonight during the 5-minute time in opposition to the flawed free trade agreement the administration signed with the Dominican Republic and Central American countries. My colleague from Ohio (Mr. BROWN) has an hour later, but I wanted to do a 5-minute on the Central American Free Trade Agreement and the Dominican Republic.

Over the past year we have continued to learn about this agreement. During this time the opposition to CAFTA, as it is called, has only grown stronger. The more we learn, the more we realize that CAFTA is a lose-lose proposition. It is no secret that CAFTA is modeled after the NAFTA agreement that was supposed to create new markets for U.S. products and lift up the low-income people in Mexico. The unfortunate result of NAFTA was the loss of 50,000 jobs and a widening of the income gap in Mexico.

Make no mistake, wealth in Mexico has increased since NAFTA, but it has not been evenly distributed. Since NAFTA, an additional 19 million Mexicans are impoverished, and President Vicente Fox has stated that 54 million Mexicans are too poor to meet their basic needs. With 10 percent of the Mexican population controlling half of the nation's wealth, it is easy to see that the average Mexican worker has not benefited from NAFTA. One would think our country would learn from the many failures of NAFTA instead of applying the nearly identical trade provisions to the Central American and Dominican Republic.

I have long opposed free trade agreements with countries with substantially lower standards of living than we have here in the United States. I am proud to represent the third most blue-collar district in our country. The workers in our district benefit from the labor laws on the books of our country. While our labor laws could certainly be strengthened, they ensure that our blue-collar workers receive a living wage and make up a thriving middle class in our country, although a shrinking middle class in our country, might I add.

I have no doubts whatsoever about the skills and productivity of our American workers, but they cannot compete against similar workers in Nicaragua, for example, where wages average about \$200 a month. This salary differential puts the American worker and American products at a disadvantage, one that this country should not allow to be exploited through a free trade agreement.

The labor laws of the CAFTA countries do not come close to meeting international standards. Each of the DR-CAFTA countries has been cited by the International Labor Organization for policies which provide inadequate protection against antiunion discrimination. Four of the five countries have laws on the books that significantly impede workers' ability to strike, and each of the countries has laws that restrict union formation or union leadership.

Mr. Speaker, free enterprise includes not only me as a businessperson, but also me as a person to be able to collectively bargain for my wages and my working conditions. What is worse, the CAFTA agreement has no real enforcement mechanism to force a change in these labor laws. True, the agreement

technically requires the enforcement of all labor laws, and as a penalty for failing to enforce its labor laws, a CAFTA country must pay a fine to improve the labor conditions. However, the agreement contains no guarantee that the fine will be used for that purpose. In fact, as a party to the CAFTA agreement, the U.S. has the ability to withdraw trade benefits only based on whether that fine is paid, not on how that money is used.

This provision violates the spirit of the fast track negotiating authority under which Congress will consider CAFTA. Under fast track, all parts of an agreement must be subject to equal remedies. Yet under CAFTA, the penalties for labor violations are much weaker than those involved in commercial disputes, whether it be copyright or some other commercial dispute.

Make no mistake about it, this agreement is not in the interest of the Central American worker or the American worker. This agreement would just open the door for American multinational corporations or other countries' multinational corporations to shift their operations overseas for cheap Central American labor. In the interest of both American workers and the Central American workers, I encourage my colleagues to join me, and a majority of this House, in opposition to DR-CAFTA.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

IRAQ

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. EMANUEL) is recognized for 5 minutes.

Mr. EMANUEL. Mr. Speaker, a few weeks ago, this Congress approved an additional \$82 billion for the wars in Iraq and Afghanistan. That is on top of the other \$220 billion that we had appropriated, raising the total cost of this war to more than \$300 billion. If that was not enough, this week we are about to approve another \$45 billion as a bridge loan for the operations in Iraq, bringing the cost up to \$350 billion. What have we gotten ourselves and what have we accomplished in the last 2 plus years and after nearly now \$350 billion of American taxpayer money?

We defeated Saddam Hussein's regime, but today we find ourselves mired in an endless occupation with the inability to find a way out of our occupation of Iraq. In fact, the generals there say we are years off from ever being able to extricate ourselves from Iraq. Operation Iraqi Freedom was a war of choice. As President Kennedy once said, "To govern is to choose."

One can only hope that the war in Iraq was the right choice.

Every President in the middle of a war has thought and laid out a vision of America after that war, how to see of all the sacrifices that America made, how the benefits of the war would come home. President Lincoln thought of the land grant colleges and the transcontinental railroad system in the midst of a civil war. He saw a way of building America when it became clear we were going to win that war. President Roosevelt, the GI bill and universal health care; President Truman, the minimum wage, universal health care; President Eisenhower, on the heels of the beginning days of the Cold War as well as the closing days of the Korean War, the Interstate Highway System today. President Kennedy, in the midst of Vietnam and the early days of his administration of a cold war, envisioned a man on the moon and NASA, where America would dominate space and all the benefits that would come from that. President Johnson saw health care as his vision, Medicare and Medicaid.

While we are fighting in Iraq and Afghanistan, while Americans have lost 1,700 of their fellow citizens, over 10,000 who have been wounded and cost us \$350 billion of taxpayer-funded entities and a taxpayer-funded war, what is our vision? What has this President said? How does he see America down that horizon, that point out there on the horizon as you look forward? What are we going to build? What vision do we lay for the next generation for all the sacrifices Americans have made, not just in blood and in treasure, but for our sense of our country?

As I said, President Lincoln saw an intercontinental railroad system. This President wants to eliminate Amtrak. President Eisenhower built highways. The highway system we have today was laid out by President Eisenhower. President Bush is threatening to veto the highway bill. President Kennedy saw a man on the Moon. The President has walked away from his vision of putting a man on Mars. President Roosevelt saw a GI bill for the troops to come home. Just this last week we cut or eliminated the opportunity for our National Guard and reservists to get health care.

Every President during the midst of a war has had a vision of America after that war that was bigger, grander and worth all the sacrifice that said the benefits of that war, America's prestige, would come home in material benefits to America. That is why we have an intercontinental highway system. That is why we had a railroad system. That is why we had the land grant colleges. That is why we put a man on the Moon. We saw a vision, every President that led this country both through war and then through peace.

It is at this time that this President needs to lay out a vision, and, let me tell you, it needs to be larger than a tax cut. That is not a vision. Somehow,

do we have a universal broadband, so America leads again technologically? Would you see in the midst of a war a President who submits a budget that cuts the National Institutes of Health, a President who eliminates from the National Science Foundation \$100 million from its budget, yet we placed 16th for the first time in computer sciences? That is not a vision of America that goes forward. That is a smaller, a reduced America, an America that does not see itself in the grand scheme of things.

When President Bush ran for the nomination in 2000, he announced that he was against nation-building. You look sometimes at this budget, you look at what he has done, and who knew it was America he was talking about when it came to nation-building? It is time for this President to lay out a vision that says, with all the sacrifices, his vision for America, what we are going to do. We are going to build in the science, we are going to build in the medical field, we are going to provide universal health care. What is it? It has got to be more than a veto of a highway bill, and it has got to be more than the elimination of 60 vocational programs. It has got to be more than walking away from landing a man on Mars. It has got to be a vision that says the sacrifice was worthy of this country and its great commitment to democracy around the world.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WATERS) is recognized for 5 minutes.

(Ms. WATERS addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

CAFTA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. SOLIS) is recognized for 5 minutes.

Ms. SOLIS. Mr. Speaker, today I also rise to join my colleagues in opposition to the Dominican Republic Central American Free Trade Agreement, known as CAFTA. The gentleman from Ohio (Mr. BROWN) and other Members of Congress will shortly be speaking for a special hour to take note of the negative effects that CAFTA will have not only on the American public, but also our relatives and friends that live in Central America.

I have the distinction of being one of the few Members of Congress with family that lives in Central America. I have seen firsthand for myself the conditions that people are currently living in there right now, in a small country known as Nicaragua where the poverty levels are just outrageous. There is no relief that will come through CAFTA, in my opinion.

As I see it right now, what we have learned from the NAFTA trade agreement that was passed some 10 years

ago, before I came to this House, we will see the same pillaging occur with individuals who represent Central American countries, particularly young women. The pattern does not change.

In my visit there 2 years ago, I had a chance to see women outside at 5 o'clock in the morning, over 300 women lining up to enter into these maquilas, these assembly plants, if you will, in free trade zones that were set up in El Salvador and Nicaragua. In El Salvador they were lined up to begin their work of 12 to maybe 14 hours a day, gaining maybe less than \$30 a week, living far from their families in areas that would not provide them with decent housing or even sanitation. And I am concerned because when we talk as a country, a great Nation protecting the rights of our workers here, we also set an example for those individuals that represent other foreign countries when we say we want to open up fair trade agreements.

In my opinion, this is not an agreement that I support. I can tell you by hearing from people there firsthand that have told me that they do not believe that they are going to reap any benefits; that the profits will go to the big corporations, whether they are U.S. or other foreign entities. That money, I do not believe, will stay there to help restabilize and provide infrastructure, clinics, education and decent housing for the people that will be working there for many years to come.

In fact, what we have seen occur in Mexico is that, yes, we set up our maquiladoras there along the border in an area like Ciudad Juarez, and soon we found that they could go for cheaper labor by leaving there, almost half of those maquilas, and transporting their factories to China where they could get a lower cost for wage labor and provide less protections for people in the workplace. Meanwhile, those products are coming back to this country.

My question is, why is it that this country feels somehow that it is good to provide incentives for big corporations who do not pay taxes here and allow for the squalor and mistreatment of people in an inhumane way abroad, yet we are supposed to be setting an example?

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I know that the President a year ago introduced this proposal, and he has yet to bring it up because I understand that his own party is not in support. He has many Members that are very reluctant to support CAFTA because we have seen a number of jobs, over 750,000, that have left this country. In my district alone during NAFTA, we lost more than 1,000 jobs, many in the textile and agricultural industry, many of those low-paying jobs that were held by Latinos.

So when I think about CAFTA, I think about what is going to happen again to those individuals in this country, people who are right now trying to

make a living and will see soon their jobs leave this country and go abroad. What will they then be left with holding the bag?

All I can tell everyone is that there are many of us here, including the Congressional Hispanic Caucus, 14 members, a good majority of our Members, who voted against CAFTA, and I hope that everyone here is paying attention because we are not just speaking from our own districts, but we are talking also about individuals representing those different countries who have come here on different pilgrimages to come and talk and inform us as legislators. They too will be here this week to talk to us about what they see in terms of the wrongness about this CAFTA agreement.

And I hope that Members in our party as well as the other side of the aisle will come to some reason that we could maybe put this aside and maybe renegotiate this whole effort because I do believe, Mr. Speaker, that we are heading down a wrong path. I do not want to see any more of our jobs leaving and then bringing about what I would call a suppression of the workforce in those Central American countries, particularly when it affects women. When we see 14- and 15-year-old women having to work for 14 and maybe 16 hours a day, 6 days a week, not being able to go to school, not having any health care coverage, not having a decent wage to help support their own families, then I have to ask the question why are we heading down that path? And that is something that I truly believe my constituents support me on, and I have heard from them as well. We had a forum at Cal State Los Angeles recently where we had ten individual witnesses speak, and there is a resounding no for CAFTA.

So I would urge my colleagues to pay attention and to heed the concerns that we have here in the Congress such as the gentleman from Ohio (Mr. BROWN) and other Members that have been leading the cause.

THE UNITED NATIONS REFORM ACT OF 2005

The SPEAKER pro tempore (Mr. KUHLMAN of New York). Under a previous order of the House, the gentlewoman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, I appreciate the opportunity to speak to the Members about the United Nations Reform Act of 2005, which the House will be considering on Thursday of this week. I would like to commend the gentleman from Illinois (Chairman HYDE), whose skillful leadership was essential in both crafting and moving this important bill through committee, and I would like to thank the House leadership, whose commitment and support to this legislation of global importance has been critical to moving it swiftly to the House floor for consideration.

The United Nations Reform Act of 2005, Mr. Speaker, aims to institute long-overdue U.N. reforms by addressing and correcting the numerous scandals and institutional failings that have characterized the United Nations, a flawed structure that gives rise to discrimination and negligence at best, and corruption, profiteering, and collusion at worst.

The Oil-for-Food scandal is a primary example of these failings. As a result of the mismanagement of the contracts, out right graft and corruption when the administration of the Oil-for-Food program by the U.N. staff and by Saddam Hussein was implemented, it not only made a mockery of the humanitarian aid program, but it collected an estimated \$20 billion while the U.N. turned its head. Yet the Oil-for-Food program is but one example of an institution that is rife with financial scandal.

Some other notable examples include in 1995, for example, scandal consumed the Kenya office of UNICEF, the U.N. body created to provide assistance to the world's disadvantaged children, when that office defrauded or squandered up to \$10 million in agency funds. Another example, in 1996, a senior U.N. official at the United Nations Conference on Trade and Development, the body providing technical assistance for the least developed countries, was investigated on suspicion of embezzling between \$200,000 and \$600,000.

Another example, in 1997, 16 past or present employees of the United Nations Development Programme, which was created to help countries design and carry out development programs in poverty eradication, employment creation, and sustainable livelihoods, they were placed under investigation after more than \$6 million was siphoned off over an 8-year period.

To combat these deficiencies, the United Nations Reform Act before us this week has built in budget certification requirements, accountability provisions to address the mismanagement and the corruption, including: holding the United Nations Secretary General accountable to certify that the United Nations' budget is maintained at the approved level; two, requiring that the U.N. budget be more transparent by requiring more details on the budget categories; three, creating an Office of Internal Oversight Services and the Board of External Auditors, including the ability to appoint a special investigator and staff to investigate matters involving senior United Nations officials and also creating an Office of Ethics which will be responsible for creating and managing a code of ethics for all United Nations employees, including education and annual training and publishing of U.N. staff salaries.

The scandals involving U.N. peacekeeping are even more horrible than these. One example, Mr. Speaker, while

I finish this Special Order, of these terrible crimes is appalling and unacceptable, but, unbelievable, the appearances of crimes involving sexual misconduct on the part of U.N. peacekeepers over the past decade have become frequent to include incidents of, for example, the Congo, where the U.N. peacekeepers and civilian personnel stand accused of widespread exploitation in a sexual manner of refugees; two, Burundi, where two U.N. peacekeepers were suspended following allegations of sexual misconduct; three, Sierra Leone, where U.N. peacekeepers were accused by Human Rights Watch of systematic rape of women; and, four, Bosnia, where the U.N. police mission was accused of misconduct, of corruption, and sexual trafficking.

This is just horrendous. The U.N. repeatedly and reportedly quashed an investigation into involvement of U.N. police in enslavement of Eastern European women in Bosnian brothels.

In response, the bill before us, Mr. Speaker, is going to have some provision to deter these horrible incidents and bring a level of respect to the United Nations, and I hope that our colleagues will support this Hyde bill this week.

Among others, it includes provisions that mandate the: adoption of a minimum standard of qualifications for senior leaders and managers; adoption of a uniform Code of Conduct which applies equally to all personnel serving in U.N. peacekeeping operations regardless of category or rank; written acknowledgement by personnel sent as peacekeepers that misconduct may include immediate termination of participation in an operation; and establishment of a permanent, professional, and independent investigative body dedicated to United Nations peacekeeping.

It is monstrous that an international organization charged with operating peacekeeping missions around the world and with assisting nations to rebuild after major turmoil has experienced an alarming number of scandals involving sexual exploitation, rape, sex trafficking, misconduct, harassment, and other criminal acts.

However, not only has systemic mismanagement and corruption been a recurring characteristic of the United Nations, but the U.N. organization is being corroded by discrimination against Israel and anti-Semitism as never before.

The viciousness with which Israel continues to be attacked at the U.N., and the reluctance of Member states to defend Israel or to accord it the same treatment as other countries, suggests that there is a considerable anti-Semitic component behind the policies pursued in U.N. forums.

In addition to multiple manifestations of anti-Semitism at the U.N., the most notorious being the 1975 U.N. General Assembly resolution equating Zionism, the national liberation movement of the Jewish people, with racism, Israel continues to be subject to debilitating forms of discrimination within that organization.

Israel is not allowed to present candidacies for open seats in any U.N. body, is not able to compete for major U.N. bodies, and cannot participate in U.N. conferences on human rights, racism and a number of other issues.

By contrast, there are several U.N. groups devoted to "Palestinian Rights," and a disproportionate representation of Palestinian issues through different committees and commissions.

This Act seeks to end discrimination against Israel in the United Nations system and ensure fairness and objectivity in the United Nations' handling of Israeli-Palestinian issues by: expanding WEOG to afford Israel permanent membership in this group with full rights and privileges; mandating a State Department review and assessment of the work performed by the various United Nations commissions, committees, and offices focusing exclusively on the Palestinian agenda, followed by the submission of a report recommending areas for reform, including proposals for the elimination by the U.N. of such duplicative entities and efforts; and withholding proportional U.S. contributions to the United Nations until such time as the recommendations are implemented.

The Commission on Human Rights and its feeder body, ECOSOC, are also emblematic of these deficiencies within the U.N. system.

There remains great difficulty in securing support for condemnations of gross human rights violators, when the worst offenders sit on the actual Committee, dictate the agenda and block any meaningful resolutions from being adopted.

Yet, there have been few condemnations and measures, if any, addressing the continuing gross human rights violations by serial abusers such as Iran and Syria.

While gross human rights offenders such as Syria, Libya, Iran, and Saudi Arabia have been members of this U.N. human rights body, these regimes have not been censured, condemned, or held accountable in any way for their deplorable human rights record.

In response, among other provisions, this Act stipulates that: a Member State that fails to uphold the values embodied in the Universal Declaration of Human Rights or are under U.N. Security Council sanctions be ineligible for membership on any United Nations human rights body; secret voting in the Economic and Social Council should be abolished, and a recorded vote must be conducted to determine such membership of the Commission; and countries that meet that criteria should be ineligible for membership on the Commission.

Similarly at the IAEA we remain concerned that serial proliferators continue to be accorded full rights and responsibilities within this organization.

A few years ago, proliferators such as Iran and Iraq, who was under Security Council sanctions at the time, were scheduled to serve as Chairs of the Conference on Disarmament.

Iran, a nation who continues to be under investigation by the International Atomic Energy Agency (IAEA) due to its breaches and failures of its safeguards obligations, served on the Board of Governors of the IAEA.

Countries who are in non-compliance of their obligations under international agreements and in violation of the rules that serve as the basis for individual U.N. bodies, cannot and must not be entrusted with the enforcement of those very rules and obligations.

This Act addresses these and other concerns by seeking the establishment of: an Office of Compliance and Enforcement within the Secretariat of the IAEA to function as an independent body of technical experts that will as-

sess the activities of Member States and recommend specific penalties for those that are in breach or violation of their obligations; and a Special Committee on Safeguards and Verification to advise the IAEA Board of Governors on additional measures necessary to enhance the agency's ability to detect undeclared activities by member nations.

Furthermore, it seeks the suspension of privileges for Member States that are under investigation, or are in breach or non-compliance of their obligations, and seeks to establish Membership criteria that would keep such rogue states as Iran and Syria from serving on the IAEA Board of Governors.

The IAEA section of this Act reinforces U.S. priorities concerning the safety of nuclear materials and counter proliferation by: calling for U.S. voluntary contributions to the IAEA to primarily be used to fund activities relating to Nuclear Security or Nuclear Verification and inspections; by seeking to prioritize funding for inspection to focus on countries of proliferation concern; by seeking to prevent states-sponsors of terrorism, proliferations, and countries under IAEA investigation from benefiting from certain IAEA assistance programs.

The United Nations Reform Act of 2005 also ensures transparency in the IAEA budget process by calling for a detailed breakdown of expenditures.

The U.N. is accountable to neither taxpayers nor voters.

As a safeguard, the United Nations Reform Act of 2005 targets crucial areas of the U.N. organization to ensure that U.S. taxpayer money hauled off to Turtle Bay is spent in an efficient, transparent, and accountable manner.

Additionally, the bill empowers the Administration to fix the U.N. by making it very clear that U.S. funding to that body will be drastically cut unless the U.N. takes the appropriate actions to save itself.

I look forward to Thursday's debate and ask my colleagues to render their full support to this much-needed legislation.

CAFTA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Ohio (Mr. BROWN) is recognized for 60 minutes as the designee of the minority leader.

Mr. BROWN of Ohio. Mr. Speaker, at a White House news conference 2 weeks ago, President Bush called on Congress to pass the Central American Free Trade Agreement this summer. Last week in this Chamber, the gentleman from Texas (Mr. DELAY), the most powerful Republican in the House, promised a vote by July 4. Well, he actually promised a vote last year, and then he promised a vote again in May, but this time he means it, I think, and we are going to actually vote on this by July 4.

I am joined tonight by the gentleman from Niles, Trumbull County, Ohio (Mr. RYAN) and the gentlewoman from Toledo, Ohio (Ms. KAPTUR), two of my colleagues from my State; and there will be the gentlewoman from Illinois (Ms. SCHAKOWSKY) and others coming along later.

Mr. Speaker, many of us who have been speaking out against the Central American Free Trade Agreement have a message for the President, and that is we should renegotiate CAFTA.

President Bush signed CAFTA more than a year ago. Every trade agreement negotiated by this administration has been ratified by Congress within 2 months of its signing. Australia, Singapore, Chile, Morocco, each of those trade agreements the President signed was passed, was ratified, was voted on by Congress within a couple of months. CAFTA, however, has languished in Congress for more than a year without a vote because this wrong-headed trade agreement offends both Republicans and Democrats. It offends small manufacturers and labor. It offends environmentalists and food safety advocates. It offends religious organizations in Central America and in our country.

But most importantly, Mr. Speaker, look at what our trade policy has brought us. In 1992 the United States trade deficit, in other words, how much we import versus how much we export, our trade deficit was \$38 billion, the year I first ran for Congress, in 1992. Last year this trade deficit was \$618 billion. It went from \$38 billion to \$618 billion in literally a dozen years. It is hard to argue our trade policy is working when the deficit goes from \$38 billion to \$618 billion in just a dozen years.

Tomorrow, Mr. Speaker, the Senate Finance Committee is scheduled to take up CAFTA in what is called a mock markup. In tomorrow's mock markup, 10 legislators from Central America will attempt to offer statements on behalf of the hundreds of thousands of Central Americans who oppose this dysfunctional cousin of the North American Free Trade Agreement. I say these legislators will "attempt" because they have not been asked nor, the word we get, will they be allowed to offer any official remarks at any hearings on CAFTA.

Instead, the administration and CAFTA supporters in Congress crafted a one-sided plan to benefit multinational corporations at the expense of U.S. workers and businesses, U.S. farmers and ranchers, and Central American workers and businesses and Central America's farmers and ranchers. Opponents to CAFTA know it is simply an extension of NAFTA, which clearly, as the gentlewoman from Ohio (Ms. KAPTUR) has pointed out on this floor for a dozen years, has not worked for our country.

It is the same old story, Mr. Speaker. Every time there is a trade agreement, the President says it will mean more jobs for the U.S., it will mean increased manufacturing in the U.S., increased exports of American-produced goods to other countries, and better wages for developing countries.

But look at this chart, Mr. Speaker. The States here in red are States that in the last 5 years have lost 20 percent

of their manufacturing. Michigan, 210,000 jobs, more than 20 percent of their manufacturing base; Illinois, 224,000; Ohio, 216,000; Pennsylvania, 200,000 jobs; North Carolina, 228,000; Mississippi and Alabama combined, about 130,000 jobs. In State after State after State, we have lost 20 percent of our manufacturing base. In many of the other States, we have lost thousands of jobs also.

So they continue to promise more jobs, more manufacturing, more exports, a higher standard of living in the developing world. But with every trade agreement, their promises fall by the wayside in favor of big business interests that send U.S. jobs overseas and exploit cheap labor abroad. In the face of overwhelming bipartisan opposition, the administration and Republican leadership have tried every trick in the book to pass this CAFTA.

As I said earlier, we in this body could agree on a Central American Free Trade Agreement, but not one that is tilted against American workers, not one that is tilted against workers in Central America, not one that is tilted for the drug industry and against the environment and against worker rights.

But this year, because nothing else seems to be working in convincing Congress, Republicans and Democrats alike, the administration is linking CAFTA to helping democracy in the developing world. Defense Secretary Rumsfeld, Deputy Secretary Zoellick, both have said CAFTA will help in the War on Terror. I am not sure how. They have never really explained that. But that is what they claim.

Ten years of NAFTA, Mr. Speaker, has done nothing to improve border security between Mexico and the United States; so that argument does not wash. Then in May, the U.S. Chamber of Commerce, in one of their famous junkets that we hear more and more about from some of our friends in this body, flew the six presidents from Central America and the Dominican Republic around our country, hoping they might be able to sell CAFTA to newspaper editors, to our country's voters, to our country's Congress. They flew to Albuquerque. The Chamber of Commerce flew these six presidents to Albuquerque and to Los Angeles; to New York; to Miami; to Cincinnati, my home State of Ohio.

Again they failed. And after the trip, the Costa Rican President broke off from the group and announced that his country would not ratify CAFTA unless an independent commission could determine the agreement will not hurt the working poor.

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In addition, Mr. Speaker, we have seen demonstration after demonstration in Central America, 45 demonstrations with more than 150,000 workers, opposing this agreement. Some of their Presidents might be for it, some of them might be, but their workers cer-

tainly are not. In this case, this was in Guatemala, when the police went up against 8,000 workers, two of these workers were killed by their country's security forces.

Now the administration is trying something different. They have opened up the bank. Desperate after failing to gin up support for the agreement based on its merits, CAFTA supporters now are attempting to buy votes with fantastic promises. If history is any example, should the promises fail, they will try and force votes their way with outrageous threats.

Instead of wasting time with toothless side deals, U.S. Trade Ambassador Portman should negotiate a CAFTA that will actually pass Congress. Republicans and Democrats, small manufacturers and labor groups, farmers, ranchers, faith-based groups in all seven countries, religious leaders, environmental human rights organizations and workers are all speaking with one voice: Renegotiate CAFTA; give us a CAFTA, but one very different from this.

This CAFTA will not enable Central American workers to buy cars made in the district of the gentleman from Ohio (Mr. RYAN) or the district of the gentlewoman from Ohio (Ms. KAPTUR.) They will not enable Central American workers to buy software developed in Seattle, or prime beef in Nebraska.

A Nicaraguan worker, Mr. Speaker, earns \$2,800 a year. The combined economic output of the Central American nations is equivalent to that of Columbus, Ohio, or New Haven, Connecticut, or Orlando, Florida, or Memphis, Tennessee. Workers in the United States make \$38,000 a year on average.

Workers in Costa Rica make \$9,000; Dominican Republic, \$6,000; Nicaragua and Honduras, the average makes significantly less than \$3,000 a year. They are not going to buy the cars made in the district of the gentleman from Ohio (Mr. RYAN) or the gentlewoman from Ohio (Ms. KAPTUR). They are not going to buy steel made in my district. They are not going to buy apparel made in North Carolina. They are not going to buy software from Seattle, or prime beef from Kansas. They simply cannot afford to do this.

This CAFTA is not about exporting American products. It is about U.S. companies moving plants to Honduras, paying \$2,600 a year; outsourcing jobs to El Salvador, where workers make less than \$5,000; exporting cheap labor in Guatemala where workers make \$4,000 a year.

Mr. Speaker, when the world's poorest people can buy American products and not just make them, then we will know that our trade policies are working.

Mr. Speaker, we should renegotiate; defeat this Central American Free Trade Agreement, start again and renegotiate a CAFTA that will lift up workers and environmental standards in all the involved countries.

I would like to yield to my friend from Toledo, the gentlewoman from

Ohio (Ms. KAPTUR), and thank her for her terrific work for years on trade issues.

Ms. KAPTUR. Mr. Speaker, I want to thank the able Member the gentleman from Ohio (Mr. BROWN) for spearheading this Special Order this evening and for the great work he always does, and the gentleman from Youngstown, Ohio, and the surrounding areas, for being so much a part of our efforts to change America's trade policy so it again works for America's communities, America's workers and America's farmers.

If you loved NAFTA, you are going to love CAFTA, and I cannot think of a single American that really loves NAFTA, because we have lost so many jobs, nearly 1 million jobs, since that agreement was passed in 1993.

It is really amazing to me to think about everything that is needed in this country and what the Bush administration is trying to push through this Congress. Just look at rising gas prices. Is this administration and Congress really trying to do anything to help America become energy-independent again? No, not really. We continue to become more dependent on imported petroleum than before this administration took office.

All of our pension funds are underfunded. The Pension Benefit Guarantee Corporation, which is supposed to undergird all of our Nation's pension funds in private industry, needs over \$23 billion to try to restore just the current needs in that bill. Are we getting a bill to fully fund the Nation's pension guarantee fund? No. The bill is not coming up here on that.

What about Social Security? Well, their answer is privatize it. Try to divert money from the regular trust fund, rather than finding a way to make sure that Social Security is healthy long term.

Health care, is anything really being done to insure America's families and to try to take care of all those in our nursing homes who do not have enough nurses at bedside? No, that bill is not coming up here.

Or veterans, to make sure we have enough money in the accounts of this country to take care of all the disabled veterans returning home? We see our Family Assistance Centers having to raise money to buy special access ramps to people's houses and to try to take care of families because we lack TRICARE when our veterans come home. No, we are not getting a bill to do anything about that.

What we are getting is we are getting a bill that would expand NAFTA to include five more countries, actually six more countries if you count the Dominican Republic. What it would do is add over 50 million more people into this NAFTA union, people who have hands to do work, but who through that work cannot really increase their own standard of living, as the gentleman from Ohio (Mr. BROWN) has said, who could buy the goods that are

made in this country, because they do not earn enough to afford them. But it would add 50 million more people to this trade effort.

That means that our jobs, as happened with NAFTA, would continue to be outsourced, shipped out, even in greater quantity than they already are, to Guatemala, Costa Rica, the Dominican Republic, El Salvador, Honduras, Nicaragua, all these places so very far from home, and more of our agricultural production as well.

So we are literally being asked in this agreement to add a State the size of California, 50 million people, or four States the size of Ohio, actually five Ohios, if you look at the population of the countries that they are trying to add to this DR-CAFTA agreement, add that many more people to our union and then say it is all going to work.

This is an example of what has happened since NAFTA was passed back in the early 1990s and what has happened to our trade deficit, if you add NAFTA, if you add the special agreement with China and all these other trade agreements. We have fallen every year into deeper and deeper and deeper deficit. We are now over half a trillion dollars a year more goods coming into this country than exports going out.

I just wanted to place the record as I begin my comments this evening that in the last official count in March-April of this year, the overall U.S. trade deficit in goods and services rose another 6.34 percent from March to April, climbing from \$53.6 billion to \$57 billion overall, on top of all of the deficit we already had from last year, and this represents the fourth highest combined monthly deficit on record for our whole country.

The deficit with Mexico in that period of time rose to \$4.4 billion, up another 3.29 percent, and the deficit with Canada rose to \$5.4 billion, just for that month, another 8.9 percent increase.

If I could just demonstrate these other two charts as I begin this evening, the gentleman from Ohio (Mr. BROWN) referenced the trade deficits in various countries.

With Canada, since NAFTA was signed, the proponents said, just like they are saying now, if we sign this agreement, we are going to have all the trade. Except it is modeled after the NAFTA accord. And after we signed NAFTA with Canada, though we already had a deficit with NAFTA, after the signing of NAFTA it just went deeper and deeper to where it doubled and tripled, more production in Canada than here in the United States. With Mexico, the very same pattern.

This type of accord provides America with lost jobs, lost income, more imports coming in here than exports going out. With Mexico when NAFTA was signed, we actually had a little trade surplus with Mexico. We have fallen into heavy, heavy deficit, now nearly \$50 billion a year in the hole with Mexico.

Finally, before I yield back the time the gentleman was kind enough to give

me, we already have today a \$1.9 billion deficit in goods with these nations already. All CAFTA is going to do is push those numbers further down, which means more lost jobs in Ohio, more workers who cannot afford to own their home, these increasing bankruptcies we see across our country, and the same-old-same-old being thrust upon the American people voted on here in this Congress by some of the most powerful economic interests on the face of the globe.

So I am very thankful that the gentlewoman from California (Ms. SOLIS) was speaking earlier this evening, the gentleman from Texas (Mr. GENE GREEN), now the gentleman from Ohio (Mr. BROWN), the gentleman from Ohio (Mr. RYAN), to talk about, you know what, it is time to draw a line in the sand and say if an agreement has been out of whack, seriously in deficit for more than 3 years, it ought to be renegotiated, and we should not add any more pain to the American economy than we already have.

I want to thank the gentleman for allowing me to speak this evening.

Mr. BROWN of Ohio. Mr. Speaker, reclaiming my time, I thank my friend for her terrific work representing American workers.

I yield to my friend the gentleman from Ohio (Mr. RYAN).

Mr. RYAN of Ohio. Mr. Speaker, I thank the gentleman from Ohio (Mr. BROWN) and the gentlewoman from Ohio (Ms. KAPTUR) for their leadership on this issue. For years and years you guys have been at the forefront of this issue, and now it is becoming a little more trendy, a little more popular, to be against some of these trade agreements. I would like to thank you as a new Member, second term. I am a lucky guy to have two Members in the Ohio delegation with such strong leadership on this issue.

As we talked about the trade deficits, whether they are with one country or the overall trade deficit, I think it is important, and this is the real disconnect that I think the administration and many of the people who are supporting CAFTA are missing. The disconnect is with those people who are in our district, those people who lose manufacturing jobs, those people who lose textile jobs, whether in the Southern States, those are the people we are here to represent.

If the trade agreements that we have been signing, whether it was NAFTA or PNTR or Most Favored Nation with China over years and years and years, if they are not working for everyone, then they are not good trade agreements for the United States of America.

I am sure both of you represent counties that probably have the same kind of situations that the counties in my districts have. They cannot pass a sales tax; they cannot pass police and fire levies, library levies, school levies. I think two-thirds of the school levies that were on the ballot in Ohio last year failed, two-thirds.

So years ago we were promised when we had the debate, we are going to pass NAFTA, but we are going to invest in education. We are going to trade with the Chinese, but we are going to make sure that our workers are the most skilled, educated and healthiest workers on the planet. We failed to do that on this end, and at the same time we sign agreements that do not have the labor standards, do not have the environmental standards to help lift these people up.

As the gentleman from Ohio (Mr. BROWN) pointed out earlier, with the average wage of a Nicaraguan worker, what are they going to buy here? What are they going to buy that comes out of the United States? Not a Jeep from Toledo, not a Cobalt from Lordstown, Ohio. They cannot afford it. It would take them 10, 15, 20 years to come up with the kind of money that they would need to just buy a car coming out of the United States of America.

I think it is important, because it is not just about CAFTA. If we take a step back and we try to look at how the world is going to look in the next 10 or 20 years, we have high-tech jobs making their way to India and China, and we have a lot of our manufacturing going to China that has come from Mexico, first it went down to Mexico and then over to China, and everyone keeps talking about this new economy and what is it going to be.

Well, we do not really know what it is going to be. Nobody seems to know what this new economy is going to be like. We are going to have the high-tech jobs, and our people are going to work, and it is going to be great. It will be like America is going to be one big country club. Everybody is white collar, everybody gets to golf and go to the swimming pool, and it is going to be great. That was the idea they were trying to pitch to us in the 1990s, and it did not work out that way.

So it is important for us, I think, not only those of us against the trade agreements, but as Democrats, to say this train is so far down the track, we do not even know how much we are going to be able to stop it. I think it starts with CAFTA would be a good place for putting our stake in the ground and trying to go in another direction.

But at the same time, we have got to invest in education, we have got to make sure we have healthy citizens. Eighty-five percent of the students that go to Youngstown city schools qualify for free and reduced lunch. That is probably the same, if not higher, in Cleveland and Toledo. Fifty or sixty percent of those kids live in poverty.

So even if we just, for the sake of argument, say these trade agreements are great, let us all compete; let us educate our kids; let us do what we have to do to compete with them, free markets, which we do not always buy, but let us for the sake of argument say that. How are we going to have the

kids in Youngstown able to compete against these workers in the other countries if we are not investing in education and not making sure they are healthy, lifted out of poverty and on the playing field?

I will say this before I yield back: We are going on the global field of competition with less than half a team because these kids are not getting the kind of education, the kind of health care that they need.

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So here we are trying to compete with the Chinese, now we want to do it with some other countries, and we just are not making the proper investments to even come to the point where we are going to be able to lift all of our citizens up to compete with over a billion Indians and 1.3 billion Chinese. And until we do that, fix these trade agreements and make those investments, we are going to see these trade deficits continue, we are going to see other countries like the Chinese and the Indians outpace us with engineers, computer scientists, and all of these other high-tech workers and, eventually, every community is going to be like some of the communities we represent, struggling to fund their schools, struggling to fund basic police and fire, libraries, the basic services that government needs to provide.

So I am happy to join my colleagues here tonight, and I thank the gentleman again for his leadership, and I yield back.

Mr. BROWN of Ohio. Mr. Speaker, I thank my friend, the gentleman from Ohio (Mr. RYAN). One of the things that the gentleman pointed out is talking about school kids in Youngstown or talking about police and fire in his community, and we do a lot of talking about statistics and numbers and the trade deficit going from \$13 billion to \$618 billion in a dozen years, but then we think about what this means. When President Bush, Senior, said for every billion dollars in trade surplus or trade deficit, that translated into 12,000 jobs; for every billion-dollar trade surplus, it is 12,000 more jobs for our country; for every 12 billion-dollar trade deficit, it is 12,000 fewer jobs, many of those manufacturing jobs.

So when we have this kind of trade deficit of \$618 billion, you multiply that times 12,000 jobs, according to President Bush, Senior, however you do the math, these are a lot of people that lose jobs, communities that experience plant closings, a lot of police and fire who protect our communities who get laid off when these plants close. These are a lot of cuts to public education. As the gentleman from Ohio (Mr. RYAN) says, you then need to pass school levies and it is so hard to pass school levies when people have lost their homes and lost their jobs and are barely able to make ends meet, and have taken a job where they were making \$35,000 a year and are now making \$17,000 a year, and they cannot afford a

property tax increase, so schools lose out and kids lose out, and it is just a downward spiral.

So when you see these numbers, you think about people in our communities, it does not matter if they are Democrats or Republicans, because these job losses, as we have pointed out, these job losses in manufacturing alone, particularly throughout the Midwest and the south, North and South Carolina, Alabama, Georgia, Mississippi, and States from Pennsylvania, Ohio, Michigan, Indiana and Illinois, up into Wisconsin, think of these 200,000 per State manufacturing job losses is a whole lot of people, a whole lot of bread winners and families that come home to their kids and cannot do what they were able to do before they lost their jobs. Their schools are hurting, their public safety is hurting, they are not able to send their kids on to school, all the kinds of things that go with lost jobs. That is why this is so important.

Mr. RYAN of Ohio. Mr. Speaker, the gentleman makes a great point. The whole idea of us representing the whole country is that these agreements are benefiting the very few people who are doing really well, and they are the same people who are qualified for the tax cut that goes to the top one percent. So there is a philosophical debate here: is the legislation and the trade deals that come out of this Chamber going to represent everyone, going to be good for everyone, or are they going to be good for the very few.

That is the kind of philosophy. It has been divide and conquer down here for the last few years, and hey, if you get screwed out of your job, then so be it, that is where you are; my friends are doing good and they get to donate to my campaign, so we are just going to ignore you.

Mr. BROWN of Ohio. Mr. Speaker, I would point out that the States in white, and there are two of them, actually had manufacturing job growth. In these two States, total population is about 2 million people out of a country of 280 million, so these two States represent less than one percent of our country. Not that they are not important if you live in those two States, but they are the only States that have had manufacturing job growth.

All of the States in red have lost 20 percent of their manufacturing, 20 percent, hundreds of thousands of jobs in many of these States. The States in blue have lost up to 20 percent, 15 to 20, so it is State after State after State has just been hurt badly by this. And as we have all talked, it clearly translates into people's lives.

Ms. KAPTUR. Mr. Speaker, people in our country intuitively know something is wrong. They go to the store and they try to buy something and they see "made in China," or they see "assembled in Mexico." And they also know that the quality of production is going down, that the metals that are used are not as good as they used to be;

that the clothing is comprised of fabrics that do not breath as well and they do not wear as well. People know this.

Shoes. They know that the shoes, most of which are imported now, they are not good quality. There is not rubber on the bottoms anymore on good leather. Now we have these combination fabrics and your feet hurt.

We think about, and at least I, of the three this evening who are talking, am old enough to remember when America made American-made, quality goods. We used to even make American flags. And when they had that rally over here, the Speaker handed out flags made in China.

Mr. Speaker, I can remember an America where there really was an America here, where we really made things, and we were proud of what we made. When you have these kinds of trade deficits that are massive, over a half a trillion dollars a year in deficit, more imports coming in here than exports going out, you are displacing production.

I had an experience this past week in my district where I went through an old power plant, and the innards are being taken out because it is passe, its technology is passe. I said, well, now, where are we sending the copper to be reprocessed and used? They said oh, the copper was bought up by China. I said, oh. Well, what about the turbines? Well, the turbines are going down to Argentina. I said, you mean there is nobody in America that even wants to use the scrap metal?

We look at the prices of steel and, in terms of coking, there are no coking operations here. The Chinese have us around the neck because they have been charging \$43 a ton for coke and making steel production so expensive in our country. We are seeing parts of us being dismantled and sent somewhere else.

I was down in North Carolina talking with some of the producers of hogs and turkeys and chickens down there, and the grains, rather than coming from the Midwest, is coming from Argentina delivered at the Port of Wilmington. The farmers in North Carolina and South Carolina want to buy grain from the Midwest, but yet it is coming from Argentina. It is very interesting to think what is happening to our country.

Then, on the side of some of these nations, take the Dominican Republic. We had a couple of young people come to Toledo from the Dominican Republic a couple of years ago from one of our church groups, and they actually worked in a company making apparel; it was a South Korean contractor on contract to the government of the Dominican Republic, and these young women were making T shirts that were to be sold in the United States, all of their production came here. They were paid 12 cents a T-shirt. They worked 14 to 18 hour days, 7 days a week; they had absolutely no say in their company, nothing, forget it. They were just

bonded workers. If they spoke up, they were fired. They worked behind barbed wire fences and gates, the plant was inside, it was like a reservation, actually.

When they came to Toledo, we took them to a couple of shopping centers to try to find the shirt that they had made and, sure enough, we did. We found the T shirts hanging on a rack. This young woman, she just went up to it, she pulled it off and then we looked at the price tag. It was \$20. I cannot forget her face. She just stood there. She said, you mean in America it is sold for \$20 and I earn 12 cents? She could not even, she could not even fathom it.

I said, yes, and let us think about who made the money off the sweat of your brow. This was actually sweat shop goods coming into the United States from the Dominican Republic by way of a special contract signed with the South Korean manufacturer who is doing business and, really, whose practices cannot be monitored well, and these young women were earning nothing.

Now, is that the kind of world that we want to create? We are.

Mr. RYAN of Ohio. Mr. Speaker, we hear the word "freedom" come out of this Chamber a lot. Is that young girl free? She is trapped. She is an indentured servant just like there has been throughout the history of, many times in this country, and many others. She is not free.

So we use freedom when it is convenient for us, but in the instance where it may hurt some corporation to reduce their profits, freedom does not mean anything.

Ms. KAPTUR. As the gentleman says, it ought to be called not free trade, because it is not free trade. It is not good trade, we know that. It certainly is not positive trade, because all we are yielding are deficits. Maybe we should call it sweat shop trade or indentured trade. There is some other word that should go here.

Mr. BROWN of Ohio. Mr. Speaker, the gentleman from Ohio (Mr. RYAN) mentions freedom. Another word or phrase that is thrown around here a lot is Christian values and fair play and morality. And when we pass a trade agreement that throws American workers in these numbers out of jobs and then exploits a worker that the gentlewoman from Ohio (Ms. KAPTUR) talked about making 12 cents that makes a product that sells in the United States for \$20, what kind of exploitation, what kind of family values, what kind of morality that does describe our actions?

Yet, it is pretty clear to an awful lot of people in this body, I think, and it is pretty clear to a whole lot of Americans that the values that we hold dear, no matter what your religion or your faith, if your religion or your faith is based on our country doing the right thing, it simply does not fit, to pass a trade agreement that costs people

these kinds of jobs, that exploits the most defenseless people in the developing world, the people that the gentleman from Ohio (Mr. RYAN) says are trapped, the women that the gentlewoman from Ohio (Ms. KAPTUR) describes, and then go home and talk about practicing our faith and family values and morality. It just does not work.

Mr. RYAN of Ohio. Mr. Speaker, we may have developed a new word or new phrase. We are advocating for value-centered trade, trade that represents our values and, hopefully, what we are trying to spread around the world, value-centered trade.

Ms. KAPTUR. And part of that I think is the development and sustenance of the middle class.

We know that the workers in these other countries, because of the way the countries operate, are not creating a middle class. They are endowing the very top. In fact, they have a word for this, they call it oligarchies or plutocracies, they are endowing the wealthy, and the vast majority of people are poor. In Mexico, post-NAFTA, more people are poor today than before NAFTA was passed, and many of their small businesses were drummed out of existence, and many of their independent farmers are wandering across North America trying to find even enough to eat.

In our country, we have been drumming down the middle class. These other countries do not have a chance to build a middle class. Who is really benefiting off of the pain that is felt by the workers of our country and these other countries? It is very clear. There are a few extraordinarily powerful corporations that are trading workers off against one another.

And we as a Congress have a responsibility to stand for the development of the middle class and trade agreements that sustain the middle class in our country and help these other countries develop economies where their wealth comes from demand-led growth inside their own countries, not exporting everything they make to other places, paying their workers nothing, and then charging us high prices for those goods here in this country.

We do not have that kind of trade regimen. That is why we need to stop CAFTA and go back and renegotiate NAFTA, and any other trade agreement where we have sustained massive deficits over the last 3 years. That ought to be the priority of the President of the United States and of this Congress.

Mr. BROWN of Ohio. Mr. Speaker, CAFTA specifically protects, if you look at the text of CAFTA, it specifically protects the prescription drug companies, but offers no real protection to workers. It specifically protects and supports Hollywood films and CD-ROMs, but does not have protection for the environment and for food safety. I mean, if that does not tell us something about values; we will write a

trade agreement that will help the most privileged, wealthiest people in both our country and the six CAFTA countries, but we will not protect the workers, we will not protect and help and enhance the environment, food safety, safe drinking water, clean air, all of that.

We are joined by my friend, the gentleman from Michigan (Mr. STUPAK) who also has been in this Chamber, came with me in 1992 and has been a part of these discussions on trade for many, many years, and I thank the gentleman for joining us.

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Mr. STUPAK. Mr. Speaker, I thank the gentleman from Ohio (Mr. BROWN) for asking me to come down and speak with him and speak out against the Central America Free Trade Agreement called CAFTA. I am pleased to be here with the gentleman from Ohio (Mr. RYAN) and the gentlewoman from Ohio (Ms. KAPTUR), all from the great State of Ohio. As we continue to look at just your map there, the job loss is 216,000 in Ohio, 210 in Michigan.

Just one slight correction, if I may, on your map. The Upper Peninsula of Michigan still belongs to Michigan, not to Wisconsin. But anyone saw me down here arguing this from my district and knowing that I live in the Upper Peninsula, they would say, whoa, what happened here?

Mr. RYAN of Ohio. If the gentleman from Michigan (Mr. STUPAK) would yield, we left Ann Arbor in Michigan.

Mr. STUPAK. But, you know, if CAFTA passes, there might as well not be an Upper Peninsula of Michigan just because we have lost so much. In fact, Michigan, right now our unemployment remains the highest in the State at about 7 percent. The small and the medium-sized manufacturing jobs are gone. We just have great difficulty with it.

One industry we still have left in Michigan, and a little bit that it is, but it is vitally important, a new part of my district down there by the thumb area, as we call it, is the sugar industry. And CAFTA will just really wipe out the sugar industry in Michigan.

We recently just have been declared a disaster area because of higher than normal temperatures in the region, where we lost 200,000 tons of sugar. That cost \$33 million to our farmers. But now if we pass this trade agreement, and if it goes into effect, U.S. markets will be flooded with sugar imports, striking an even greater blow to our Michigan economy, especially our agriculture and sugar. And sugar actually ranks fourth in the country in production, Michigan sugar does. So we have a vital stake in the sugar industry in this Nation, being fourth in the country in production.

And our sugar comes from sugar beet. And the sugar beet economy in Michigan, if you will, is about 2000 farms, employs thousands of people, and annually it is a \$300 million prod-

uct to agriculture in Michigan. Michigan farmers know how damaging CAFTA would be to them. We will also endanger many of the thousands of jobs at the mid-Michigan-based Michigan Sugar Company. That is a cooperative, and they have worked very hard to maintain their jobs. And if CAFTA goes through, we think the Michigan Sugar Company would be history.

We in Congress we need to send a strong signal to the Bush administration that this is one instance where sugar, if you will, does not belong on the table, so to speak.

What can we expect from CAFTA? And I know all my colleagues here joined me in that fight in NAFTA about some 10 years ago. A significant job loss. Over the past 10 years we have 766,000 jobs lost here in the United States. And where did they go? They went to Mexico and other places for lower wages and labor standards that are appealing to big corporations.

How many more American jobs can we afford to lose as a result of CAFTA? Why would CAFTA, under the same labor and environmental framework as NAFTA, be anything better for our manufacturing industry, our sugar industry or the American worker?

CAFTA would allow foreign corporations to challenge U.S. environmental laws once again by establishing a three-member panel of international judges who meet behind closed doors with the power to award billions of dollars of U.S. taxpayers to multinational corporations.

CAFTA's environmental provision is a sham. The agreement says that nations would simply enforce existing environmental laws, even though many of those laws are inadequate. Even that provision, the environmental provision, even that one fails to have a meaningful enforcement mechanism. CAFTA does not ask other nations to better preserve or protect their environments. It just says whatever laws you have is fine.

In the U.S. we have many environmental laws to protect our food, other residents, our natural resources. Yet if CAFTA passes, we will import goods from countries that do not have the same safety standards.

We all know about the food. I know the gentleman from Ohio (Mr. BROWN) has helped on the Energy and Commerce Committee where we both sit on food safety issues, whether it is tomatoes out of Mexico versus Florida tomatoes. In this country we still, we pass every year a labeling law to label our food. So we could say, okay, these tomatoes are from Florida. We know what standards they are grown by. These are from Mexico. We do not know what standards they are grown by. We pass it, but yet it is never implemented by the current administration. People are willing to pay a few extra pennies, if you will, on their fruits or vegetables or beets or seafood just to know where it comes from, because our standards, our environ-

mental standards, our consumer standards, our health standards, our safety standards are so much greater in this country than elsewhere.

So CAFTA, in a way, wipes out all these protections for the American worker, for the American homeowner, for our American family. CAFTA also fails to protect Americans workers. It fails to offer protections to Central American workers who fall victim to their country's own diminishing standards.

CAFTA does have its benefits. The only benefits I can find are to companies that would leave the U.S. to exploit cheap labor in countries with minimal protections. We need to be promoting business development and jobs in the U.S., not sending more of them overseas.

Michigan, as I said, has lost, and on the gentleman from Ohio's chart there, 210,000 manufacturing jobs. Just since NAFTA alone, we can draw a direct line between NAFTA, the North American Free Trade Agreement, and 130,000 manufacturing jobs, just manufacturing jobs in Michigan. Companies are practically crawling all over one another to leave the U.S. for cheap labor in countries with little protection for their workers or the environment.

Now I want to be clear, and I am sure all of us here tonight, we support fair trade agreements; however, CAFTA is unfair at its worst. It is unfair to workers both at home and in Central America. It is unfair to small businesses. It is unfair to our communities, unfair to our environment. So I would urge the administration and this Congress to stop the exodus of jobs from the U.S., stop the challenges to our environmental protection laws.

And when I came down here tonight to join you, you were talking a little bit about what about a faith base or a moral basis for some of these agreements, especially here in the United States. When you take a look at the United States Catholic Conference and the United States Catholic Bishops and the Catholic Relief Services have all come out opposing this trade agreement on basic fundamental human rights issues. Trade is all about people, their livelihood and how they live their lives. And they found CAFTA, you know, Catholics for Faithful Citizenship, they found that CAFTA is a trade investment agreement negotiated between the United States and six countries, and they are, Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Dominican Republic. And the President wants us to pass this trade agreement. But before we go ahead and do it, just from a moral and faith-based perspective, we have to ask questions like how will CAFTA address the needs of small and medium-sized manufacturing and farms here in the United States and Central America?

How will CAFTA protect the rights of worker and the environment?

How will CAFTA impact the lives of people throughout this hemisphere, be it U.S. and Central America?

What is the intellectual property provisions for protection of your intellectual property? What does CAFTA have? Very little.

What is CAFTA's purpose, or how does CAFTA promote really human development and human rights, especially amongst poor people in Central America?

If you start asking these questions, it is very clear this trade agreement is not negotiated in the best interests of the American people. It is not negotiated in the best interests of faith-based people. It is not negotiated in the best interests of people who come to this floor or go to work every day with a moral purpose of what they do.

I have always been taught you work hard, you play by the rules, and good things will happen. Unfortunately, with these trade agreements, you work hard, you play by the rules, not only do you lose your job, but your job is shipped overseas, and it is sort of a race to the bottom, because the job you had before, now you earn so much less when you try to pick up a new job because there is just not the jobs there.

I mentioned Michigan at about 7 percent unemployment. A month or two ago it was 7.5 percent. The tourism industry is starting to take off, so we are starting to see a little bit of an improvement in our economy, but still at 7 percent. We just cannot. The auto industry is hurting terribly in this Nation, and as we ship more and more jobs south to produce more and more cars, to produce our sugar, to produce our meats, our vegetables, our fruits, what is left for the farmers?

And you cannot tell me these farmers in Central America are making the money. They really are going to be squeezed. The small and medium-sized farmers will be squeezed out in these countries as the big international conglomerates will take over, and they will reap the profits, and these people will continue to live in poverty and in misery.

So when the United States Catholic Bishops and the Catholic Relief Services come out against a trade agreement because they do not believe it will do anything to lift the workers, the farmers, the peasants out of poverty in Central America, at the expense of U.S. jobs, that is a strong statement.

So I would hope people would take a very close look at CAFTA. Take a look at it from just your own job in our own district. Take a look what it does to the United States. But take a look at it from a moral and ethical perspective and say, is this the kind of trade agreement I can honestly vote for and go to church this Sunday and say, you know, I did the right thing?

I think when we examine the questions put forth by all of you here tonight, I think the American people would agree that this CAFTA is just a bad deal not just for U.S. sugar, but for all of the United States and all of our manufacturing, and does nothing to help the people it professes to help in

the Central America region of this hemisphere.

So I would hope that people would not support this agreement. There is a lot of pressure being applied by the White House right now. There are meetings going on all the time. There is actually a picnic this Wednesday at the White House. I am sure they will be asking Members there in between their enjoyment to vote for this trade agreement. The President has sort of staked part of his administration upon it, and I hope we would see through all this and see what is done to our Nation, all these trade agreements that are really unfair. Again, not against trade agreements, but they have to be fair to both countries, to all the countries involved, and they have to be enforceable, and we are just not enforcing it.

I mentioned the intellectual property rights. We have had hearings in our committee on China where they just openly are manufacturing these games that we see that young people play, whether it is their Gameboy or all of these video games, openly doing it in front of the Chinese officials. And they say, yeah, but they will not crack down on it. The intellectual property rights. The movies. The intellectual property rights is one of the last few industries we have left in this country where we have world supremacy on it, but yet we cannot get countries like China to enforce it, to protect it, even though it is part of all these trade agreements. It is just amazing. It is just simply amazing that we have these trade agreements we know are being violated, nothing is being done.

Let us not do another trade agreement, this one being the Central America Free Trade Agreement, that is going to harm us not just from an agricultural point of view and manufacturing point of view, but even our intellectual property rights. If they cannot protect something like a video game, how are they going to protect your best interest when it comes down to these trade agreements? So I would hope that this House would reject this CAFTA. And remember, it is an agreement, and when it comes to the floor we cannot amend it, we cannot change it, we cannot alter it. It is either a yes or no vote.

Mr. BROWN of Ohio. I thank the gentleman from Michigan (Mr. STUPAK). And before calling the gentlewoman from Illinois (Ms. SCHAKOWSKY), I would like to reiterate a couple of things that the gentleman from Ohio (Mr. STUPAK) said, talking about people playing by the rules, and American workers who played by the rules and were involved in their community and raised their kids and worked their jobs and put their time in, that they lose their jobs; people who have played by the rules in Central America, who have been exploited in these jobs that have been outsourced; and all the groups, all the religious leaders and all six of these, the six Central American countries and including the Dominican Re-

public; and the United States religious leaders that oppose these because they know that people that have played straight and played by the rules have been hurt by these trade agreements in the past.

And I want to mention one thing before turning to the gentlewoman from Illinois (Ms. SCHAKOWSKY) because of what the gentleman from Michigan (Mr. STUPAK) said and the gentleman from Ohio (Mr. RYAN), and the opposition to these agreements from the public. People know they are getting hurt by these agreements, people in Niles, Ohio, that work at Lordstown, people in Lorain or in the Upper Peninsula of Michigan or in Chicago that have been hurt by these agreements, people in Central America that have been hurt by these agreements. Because of that it is clear if this vote were to come to the House today, there is no doubt that we would defeat this trade agreement by 30 or 40 votes. But that is today. And the gentleman from Ohio (Mr. STUPAK) pointed out the White House is beginning all kinds of ways to convince this Congress to do something to vote for the agreement.

Just a couple of days ago Tom Donahue with the Chamber of Commerce told a bunch of Members of Congress, if you vote against CAFTA, it will cost you. Those kinds of threats. At the same time the President and his people are now putting out carrots, not just sticks. They are, in a sense, bribing Members of Congress with everything from promising highways and bridges and other kinds of pork to now saying that they are going to put \$20 million in labor enforcement assistance into something called the Department of Labor's Bureau of International Affairs.

Now the administration cut the ILAB from \$148 million in 2001 down to \$12 million, from 148- to \$12 million. Now they are saying they are going to add 20 million to it, as if that is helping something, when they have no interest, they have written a trade agreement that does not enforce labor standards or provide labor standards. Now they are saying they are putting a little money in even after they have cut it. At the same time something called the International Labor Organization, which is a multinational group that sets labor standards, were one of, I believe, two countries out of 80 that said we are going to vote against the funding for that international body.

So it is pretty clear all the promises they want to make about enforcing labor standards, they wrote weak standards, they cut funding on enforcement. Now they are trying to buy off a few Members' votes by promising to put a little money in enforcing labor standards.

I yield to the gentlewoman from Illinois (Ms. SCHAKOWSKY), who has been a stellar outspoken advocate for workers' rights and the environment, both internationally and in the gentlewoman's Illinois district and around this country.

Ms. SCHAKOWSKY. Well, I thank the gentleman from Ohio (Mr. BROWN) so much for the opportunity to join the gentleman tonight, and thank the gentleman for his leadership. As I have said, I have learned a lot from the gentleman. Actually wrote the book on trade agreements called the Myths of Free Trade. You can get it at a book store. If they do not have it, order it. It is a good read and educational.

What we are seeing right now is a growing bipartisan consensus that CAFTA is not a good idea.

□ 2045

I realize there are all kinds of pressures going on on the side to get Members to vote for it, and I think the reason is very simple.

Why do we have trade agreements? Well, of course, we have now an increasing global economy. That is inevitable. It is going to happen as the world gets smaller, because of technology, because of our capacity to trade with each other across borders, and that is a good thing. But we are at a point now where we have to decide what are the beneficiaries, who are going to be the winners and the losers of this international trade.

Clearly, we are talking about businesses being able to sell their products and import products and to set a level playing field, but we want to make sure that it is not just multinational corporations, the huge companies that benefit from this global marketplace, but that it is consumers, that it is workers, and that at the same time we are not damaging our environment. The thing about trade agreements is that it is possible to craft trade agreements that are not only good for business, but they are also good for workers and that they do take into consideration the environmental impact.

We had a trade agreement with Jordan that, if we used it as kind of a template for how we write these agreements, could have been a model for how we do it around the world, but instead, this trade agreement speeds up or at least contributes to what we call the race to the bottom; that is, the kind of agreement that does nothing to lift the wages or the living standards of people in the Central American countries and the Dominican Republic, and makes it easier to actually lower the standards of workers here in the United States. It starts pushing down wages, pushing down working conditions, and that is not the kind of globalization we want, where the whole world is diminished in terms of its workers by these trade agreements.

I went to Ciudad Juarez right across from El Paso at the 10th anniversary of NAFTA, and it was a trip that was organized in large part by the gentleman from Ohio (Ms. KAPTUR). When I went there, what I saw were workers living in the packing crates of the products that they were manufacturing, often American companies, who had crossed the border and set up shop

there so that they could pay very low wages to Mexican workers who were benefiting hardly at all.

I mean, yes, they wanted some kind of a job, but their standard of living was to live in packing crates without health care, without certainly any kind of a living wage. In fact, we saw children who looked pretty sick, but they could not afford to take them to the doctor or even to send their children to school.

Is this the kind of world that we want to help create with these trade agreements? Is this good for the people in Mexico? Is this good for Americans? Because then those jobs go to places where there are low wages and where it is dangerous to try and organize for higher wages and higher benefits. It is dangerous to talk about unions. In our country, every 23 minutes a worker gets fired for trying to organize a union. In some of those places, you can get killed if you try to organize a union. It can be very, very dangerous.

So the United States is the richest country in the history of the world. It could be a leader in saying we want to establish rules that lift all people, that make it possible for our workers to have a living wage here at home, to have our consumers be able to buy products from other countries where the people who produce them are not living in slave or near slave labor conditions. I feel bad because often it is posed, you are either for trade agreements or you are not; you are an isolationist; you do not want to.

It is not that at all. We could craft an agreement. We could go back to the drawing board, and we could craft an agreement that would work for workers here and workers there, too.

Mr. BROWN of Ohio. Mr. Speaker, I thank the gentleman from Illinois (Ms. SCHAKOWSKY). She is exactly right. I think the point she made is so important.

First of all, at the beginning of her comments, she said there is a growing bipartisan group, and it is clearly way larger than a majority of this Congress, large numbers of people in both parties, who do not like our trade policy, who see that we have seen this incredible growth in the deficit from \$38 billion to \$618 billion in 12 years. It is clear our policies are not working.

We have seen the kind of job loss that the gentleman from Michigan (Mr. STUPAK) and others have talked about, particularly in these red States, with losing 200,000 jobs.

She talked about that we are not against trade agreements; we are against this Central American Free Trade Agreement. We are against this trade agreement because we know who the winners and losers are. The winners have been the drug companies, the largest most powerful corporations. The losers are small manufacturers that are from my district and in Chicago or in the upper peninsula of Michigan. The losers are workers all over the country.

When these workers lose, it is not just 216,000 Ohioans who lost their jobs. It is the families. It is the children. It is the school districts, the police and fire protection, and the safety of these communities.

It is clear, Mr. Speaker, that we can simply do better, that we should reject the Central American Free Trade Agreement as presented to us for this vote; renegotiate CAFTA; come back here and pass a trade agreement that lifts standards up, that lifts workers' standards up in our country and Central America; that protects and preserves the environment; that speaks to food safety and all the things that matter in our lives.

In closing, I would add both comments from the gentleman from Michigan (Mr. STUPAK) and the gentlewoman from Illinois (Ms. SCHAKOWSKY) about what do we stand for as a Nation, what kind of values, and when I look at the fact that religious leaders in all seven of these countries, the six countries south of us and our country, religious leaders have spoken out saying they are not against trade either, but they can do better, they believe we can do better and come up with a negotiated trade agreement so that working families and the poor in these countries, the environment benefits, food safety benefits. We do better with all of those things that we care about.

So I thank my friends for joining us tonight, the gentleman from Ohio (Mr. RYAN), the gentlewoman from Ohio (Ms. KAPTUR), the gentleman from Michigan (Mr. STUPAK), the gentlewoman from Illinois (Ms. SCHAKOWSKY), and just again saying we should renegotiate CAFTA, start again. It has been a year and a month since this agreement was signed by the President. We can do better. Let us start again and do it right this time.

BYRNE-JUSTICE ASSISTANCE GRANT AMENDMENT

The SPEAKER pro tempore (Mr. REICHERT). Under the Speaker's announced policy of January 4, 2005, the gentleman from Nebraska (Mr. TERRY) is recognized for 60 minutes as the designee of the majority leader.

Mr. TERRY. Mr. Speaker, I rise tonight in favor of the Byrne-Justice Assistance Grant, JAG, amendment that we will debate and discuss in tomorrow's appropriation, Justice appropriations tomorrow.

This is a grant that our local police and sheriffs have relied on to form task forces, multijurisdictional task forces to fight our drug problems in our communities, particularly meth. At least in Nebraska, the State that I have the responsibility and honor to represent, meth is by far the number one drug of choice. It started mostly as a rural drug where the ingredients were fairly easy to get, anhydrous ammonia, pseudoephedrine from your local grocery store or pharmacies. The Sudafed that they can break down, the components, and using a variety of other

chemicals, even ammonia, they would be able to manufacture in small labs using basic chemistry sets to make this drug.

This drug has spread throughout the rural communities across our Nation, devastating these communities, devastating families. The drug is highly addictive. Part of the symptoms of the drug while you are high on this drug is the tendency to be violent, staying up for long periods of time, and in fact, because of the toxicity of this, it even breaks down your skin. It breaks down your gums and your teeth and your hair. You can have open sores. As I mentioned a minute ago, the consequences of this highly addictive drug run deep in our social and family infrastructure.

I am pleased that we have so many Members on both sides of the aisle that are coming forward to help our local police and sheriffs with their part being on the front lines in the drug war.

I have the honor now of recognizing the gentleman from Michigan (Mr. STUPAK) who represents the Law Enforcement Caucus and is a great supporter of our local law enforcement, and I yield to the gentleman from Michigan (Mr. STUPAK).

Mr. STUPAK. Mr. Speaker, I thank the gentleman from Nebraska (Mr. TERRY) for yielding and thank the gentleman for his leadership on this issue.

We have had this issue a couple of times come before the Congress, and each time we have been pretty successful in trying to defeat the changes and the cuts in the appropriations to the Byrne grants because, as all my colleagues know, the Byrne-Justice Assistance Grants are of great importance to all of our States, to our local, our city police, especially in the fight against drugs because of the drug task force that they do fund.

Our law enforcement officers who are in our communities who serve and protect us every day have asked repeatedly that we not cut this one vital program, which gives them discretion at the State level on where to put these justice grants, these Byrne grants, if you will, and how to use them in their States.

Unfortunately, this program is grossly underfunded in the bill that we will have up this week, and it is going to cut funding from \$634 million that was provided last year to \$348 million for this fiscal year. That is about a 40, 45 percent cut.

So, tomorrow, I look forward to joining with my colleague, the gentleman from Nebraska (Mr. TERRY) and the gentleman from Minnesota (Mr. RAMSTEAD), my other co-chair of the Law Enforcement Caucus, and others to offer this important amendment.

Our amendment will ensure that our local law enforcement has the resources it needs to control and eliminate drug threats, keep our court systems up and running smoothly and provide funding for anti-terrorism train-

ing. As a former city police officer and a Michigan State police trooper, as well as the co-chair of the Law Enforcement Caucus, I understand how much our local communities need and rely upon the Byrne grants. In fact, we had hearings in the Law Enforcement Caucus earlier this year about what these Byrne grant cuts would mean to law enforcement, and law enforcement from Maryland, Illinois and all over the country came and testified the devastating effect it would have.

So what our amendment would do to tomorrow is restore the \$286 million that is being cut out of the Byrne grants by making a .448 percent cut, that is less than a half a percent, from every agency in this bill to fully fund Byrne grants. Why should every agency take a hit? Because this is how important the Byrne grants are to law enforcement and our continuing fight against drugs in this country.

So I am hopeful that the entire House of Representatives will take to heart the importance of the funding of the Byrne grant program and vote for this amendment.

Most of us are well aware that the funding this grant provides is instrumental to our law enforcement teams, but this Byrne grant does so much more that is often overlooked.

In fact, the Byrne grants actually provide funding for 29 different programs, vital programs such as anti-drug education programs, treatment programs, alternative sentencing initiatives, giving the States the ability to choose the programs where funding would be most useful to them back at home.

The Byrne grants also fund programs important to our court and prison systems. It provides funding to improve the operational effectiveness of the court process by expanding judicial resources and implementing court-delay reduction programs such as automated fingerprint identification systems.

□ 2100

The Byrne grants provide long-range corrections and sentencing strategies and fund programs that teach inmates to acquire marketable skills and to make restitution payments to their victims.

Byrne grants can also be used to implement antiterrorism training programs, enforce child abuse and neglect laws, improve the criminal justice system's response to domestic and family violence, and, finally, the grants can also be used to establish cooperative programs between law enforcement and the media, such as the AMBER alert system, which we use when there is an abduction or a missing child or young adult. We flash it across the highways, the byways, the TVs, and radios. That is all funded by the Byrne grants. So why would we put a 40, 45 percent cut in that system that we seem to be relying upon, unfortunately, more and more each day?

As most of us have been hearing from our local drug enforcement teams back

home, and the gentleman from Nebraska (Mr. TERRY) certainly articulated those needs, we have to provide the funding so our drug enforcement officers can do their jobs. We can do this only by fully funding the Byrne grants. We have a list we are putting out, and the gentleman from Nebraska has worked on this, and all of us who are supporting this amendment tomorrow. If you look at California, our largest State, it has 58 drug enforcement teams, task forces. If these cuts go through, they will be down to 32. They will lose 26 drug task forces; Georgia, 16; Louisiana, 17; New York will lose 34 of their 76 teams; Ohio will lose 14 of their 32; Texas will lose 21 of the 46 drug enforcement teams; and Wisconsin, my neighboring State, will lose 15 of their 34. Basically, of the 828 drug enforcement teams we have across this Nation, we will lose 373, or 45 percent of them.

So really, if we are to keep our communities safe and drug free, we really have to fund this. Local drug enforcement teams are crucial to keeping our communities drug free. If the Byrne grants are funded at the level currently in the bill, as I said, our teams would not be able to hire the officers they need to sustain drug enforcement teams. In my home State of Michigan, we would lose 11 out of our 25 drug enforcement teams. Losing the task forces would have a devastating and far-reaching effect on Michigan, especially in rural communities like I represent.

Let me be clear. When it comes to drug abuse, no community, urban or rural, in this country is immune from the problem. The methamphetamine problem alone, as the gentleman from Nebraska just spoke of, is destroying families and taking lives in rural America.

To highlight how important these drug enforcement teams are, there was a recent article in one of my little local newspapers in the First Congressional District of Michigan which cites that back 2 months ago, on April 13, HUNT, the Huron Undercover Narcotics Team, HUNT as we call them, seized 3,000 OxyContin tablets from one home in rural Presque County. This critical seizure is just one example of the work our narcotics teams do each and every day to keep our communities safe.

These local agencies, like HUNT, who do so much for our local communities, will take the brunt of the Byrne grant cuts. It is a scary thought, considering that 90 percent of the drug arrests nationwide are made by States and local law enforcement. Ninety percent of all drug arrests are made by local and State. And where do they get the bulk of their money? The Byrne grants.

Our country's drug problems are not going away. In fact, with the emergence of prescription drug use, methamphetamines, and OxyContin, some would argue our problem is only getting worse. So my question is why

would we, as a Congress, cut the funding that enables teams like the HUNT undercover narcotics team to exist and combat this problem that is only becoming more severe?

I know we have other Members who wish to speak, but I am hopeful as Members take to the floor tonight, they will keep in mind and urge their colleagues to support the Terry-Stupak-Ramstad amendment tomorrow to restore the funding to this critical program. Again, we talk about drugs tonight, but there are 29 different programs. It is one of those few programs where we say to the States, here is some money, we want you to do it for law enforcement, and do what is best for your State. We do not mandate it, but here is a pot of money you can take it from, and we hope you do what is best in your State. After all, you know what is best.

The State and Antidrug Task Forces are just one example that we all deal with day in and day out, and I would hope people would support our amendment by cutting less than ½ of 1 percent from the other agencies in this bill to fully fund the Byrne grants.

Mr. Speaker, I yield back to the gentleman and thank him once again for his leadership on this issue, and I look forward to arguing this amendment with him tomorrow on the floor.

Mr. TERRY. Mr. Speaker, I appreciate the gentleman's assistance and help on this.

The gentleman from Michigan did make one point that I want to highlight before I call on my next speaker, and that is the cuts in funding.

Remember, about 2 years after I got here, we were funding our criminal justice grants to our local police and sheriffs at about slightly over \$1 billion. In 2005, we condensed several of those grant programs, like local law enforcement block grants, Byrne and JAG, into one, and lowered that to 600-, and it was zeroed out. And chairman of the subcommittee, the gentleman from Virginia (Mr. WOLF), did a good job of doing what he could to get 300- of that 600- put back. But as the statistics that the gentleman from Michigan just read off, that means even at the current level of funding that will come to the floor tomorrow, of about \$300 billion, a 60 percent reduction, a 70 percent reduction from just 4 years ago, at the time that meth problems are increasing in our communities, I cannot fathom the impact it is going to have to eliminate these drug task forces.

The gentleman also mentioned that local police officers make over 90 percent of the drug arrests. And it just astounds me that we are, in this war against drugs and meth, taking our front-line people off the front line. It would be like fighting the war on terrorism by just funding the Pentagon and not funding the Army and the Marines and the Air Force and properly equipping them. So I do appreciate those comments.

It is now my honor to call to the microphone my colleague, the gen-

tleman from Nebraska (Mr. OSBORNE), who has been a continuous fighter in his terms here. He has raised the meth issue and been consistent in bringing the message to all of us here of how to fight and why we should fight methamphetamine.

Mr. STUPAK. Mr. Speaker, before the gentleman yields to our colleague, may I comment on one point that he brought up, if I may?

Mr. TERRY. Yes, Mr. Speaker, I yield once again to the gentleman from Michigan (Mr. STUPAK).

Mr. STUPAK. If my colleague would be so kind, and I appreciate our colleague, the gentleman from Nebraska (Mr. OSBORNE), being down here to work with us on this issue.

These local teams understand they are not just getting Federal money, and the Federal Government is funding the whole thing. Whether it is Presque County or the little city of Escanaba, where I was a police officer, or whether it is the big city of Detroit, the local units of government must put in money. It is a matching grant program. They have to put in resources. So it is a unified effort between local, county, and State police working together, and the seed money is really the Federal Government. Without the seed money, there is no incentive or urging of the county board of commissioners to fund an officer to work on the undercover task force team, because there will not be any.

So it is always a fight every year to keep these teams together and keep them properly funded and staffed with personnel. And if we lose the Federal funding, a 45 percent reduction, the problems that I am sure the gentleman from Nebraska (Mr. OSBORNE) and I have spoken about will only get 45 percent worse within the year. So I appreciate the gentleman's leadership and the Members now with us.

Mr. TERRY. And just to take that thought and put it in context for someone like our colleague, the gentleman from Nebraska (Mr. OSBORNE), who represents 68½ counties, this funds the multijurisdictional aspects that the local jurisdictions would not be able to fund because of their rules on funding. So this allows intra-agency and counties in the district of the gentleman from Nebraska (Mr. OSBORNE) to actually work together.

So with that, Mr. Speaker, I yield to my colleague from Nebraska.

Mr. OSBORNE. I thank the gentleman, and particularly thank him for organizing this Special Order and for his leadership on this issue. And it is great to see my friend and colleague, the gentleman from Michigan (Mr. STUPAK), and any others who will speak tonight.

Just a little background. Methamphetamine first came into prominence during World War II, and was used probably most prominently by kamikaze pilots. If you want to put a guy in a plane and give him enough fuel to hit a target, but not enough to get

back, you had to maybe alter his thinking a little bit. And that is really where methamphetamine was first used and made prominent. At the present time it is rather easy to make and relatively cheap.

The good news is that in many areas we see cocaine and we see heroin decreasing. The bad news is the reason for this is that methamphetamine is so much more powerful and so much more addictive, it simply runs those other drugs out of business. So we are really alarmed by what is happening.

We find methamphetamine is available almost everywhere in our country. In 1990, California had 20 meth labs, Texas had 20, and the rest of the country was relatively unscathed from the meth problem. We will see the progression very rapidly here. In 1998, you can see that about two-thirds of the country had at least 20 meth labs in each one of these red States. It was still relatively uncommon on the east coast and parts of the Great Plains, the northern plains, were not affected.

Now we will look at what has happened more recently, and we see that in 2004, just a corner of the Northeast was pretty much left unscathed. And some of these States, for instance, Missouri, had 2,700 meth labs last year; Iowa, 1,300; Tennessee, 1,300; Oklahoma, 500; Arkansas, 800. Most of these States had 300, 400, 500, or 600 labs. And the important thing to remember is that a high percentage of these labs are not detected. So when we are detecting 400 or 500, that means there are probably three or four or five times that many out there, and these are simply indicators of the use of methamphetamine and how quickly this has spread.

Methamphetamine creates a euphoric state that lasts from 6 to 8 hours. It dumps a huge amount of dopamine, the chemical in the brain that enables us to feel pleasure, and may create as much as 1,000 times the amount of dopamine released into the system as a normal pleasurable experience; like making a free throw or asking somebody out for a date and being accepted, or whatever it may be.

The reason that people get hooked on this stuff is that many times you are addicted on the first occasion. And there are quite a few people who accidentally run into this thing. Maybe they are drinking; maybe somebody gives them something they are not even aware of what it is, and they are hooked. And it takes only, in many cases, one time.

People who are oftentimes addicted are young mothers who are overwhelmed by the chores of taking care of their kids, maybe working two jobs. Sometimes college students are staying up late at night to study; truck drivers. And quite often alcohol is the gateway drug. When somebody is inebriated, sometimes they will take almost anything somebody gives them, and, as a result, they are hooked.

However, what goes up must come down, and the fruits of the continued

use of methamphetamine are anxiety, depression, hallucinations, and, in many cases, it actually results in psychosis. One person who is an expert in this area said it hard-wires the brain to become a paranoid schizophrenic. And if anyone knows much about mental illness, they realize paranoid schizophrenia is probably the most difficult mental illness to kill.

Ofttimes people experience crank bugs. They assume that there is some type of a bug under their skin, so they begin to pick their skin, trying to get the bugs out. So usually people on meth have huge skin lesions and oftentimes do not look very attractive, and, of course, ultimately the final end is death itself.

So why is it important to address this at this point? It is so powerful, it is so addictive, and it always damages the brain. For instance, if you take a brain scan of someone who has been on methamphetamine for 1 year, let us say an 18- or 19-year-old young person has been on meth for 1 year, you will find the brain scan will look almost identical to an 80-year-old Alzheimer's patient. There are that many brain lesions that have been created. Unfortunately, in most cases, those lesions have resulted in irreparable harm. There is nothing you can do to reverse it.

It is cheap and readily available almost everywhere, and this is the result of methamphetamine use. This is a young lady who was first arrested for using meth at about age 30, and then she was arrested each year for the next 10 years. You see the progression of what has happened to her. It was along about in here that the police assumed that she may have begun to inject the drug, and from that point she went downhill very, very fast. Usually, the teeth are gone after a period of time. This was the final picture that was taken. It was taken in the morgue. And so she lasted roughly 10 years on this drug, and that is a little unusual. A lot of people who get into it use it heavily and do not last that long. So it is a devastating picture.

Just a few other things I would like to say before I turn it back over to my colleague. Actually, these meth labs are tremendously toxic. It costs about \$5,000 to clean up one meth lab. As we said, many of these States have 1,000, 2,000, almost 3,000 meth labs a year to clean up.

□ 2115

One-third of the homes with meth labs in Nebraska were also homes where there were children. So almost all of these children suffer some type of harm from exposure to these chemicals. Much of the child abuse in Nebraska, I would say at least one-half of the child fatalities due to homicide are related to meth addiction. And we had roughly 3,000 young people, kids, in our country this last year who were harmed because they were in a situation where methamphetamine was being manufactured.

Roughly 40 percent of our Federal prison cells are occupied by those people who have been involved in the meth industry. In the State of Nebraska, each meth addict will commit 60 crimes a year to support that habit. So if a small community has 10 meth addicts, that is 600 crimes. So a lot of these communities where at one time left your keys in your car, left your doors unlocked, the whole atmosphere, the whole culture, has had to change.

I ran into a couple of farmers who called the hotline and said they were perplexed. They were having a hard time making it in farming, and somebody dropped by their farm and said if you stay away from your farm this year, do not show up much, you are going to make more money, we will pay you more money than you can ever make farming. They were going to use the barn or a couple of sheds to make methamphetamine. That is how insidious this whole thing is out in the countryside.

We have talked a lot about meth labs, and meth labs may comprise 25 to 30 percent of the total meth used in the United States. Most of it comes from super labs. At one time some came down out of Canada. This has been fairly well shut off, and now most comes from the southwest, most out of Mexico. It is critical that we get a handle on these superlabs, and particularly the pseudoephedrine used to make meth. There are only 7 or 8 countries where pseudoephedrine is made.

In Mexico, there is way more pseudoephedrine coming into that country than they will ever use in cold medicines. Somehow if we can get a handle on where that is going, I think we can begin to get a handle on the superlabs.

Lastly on the Byrne funding, the local law enforcement officers are the first line of defense. They break up the meth labs, but they also pick up the methamphetamine that is coming across Interstate 70, Interstate 80, and I-29. These are the people that have to intercept and interdict methamphetamine or it is not going to be done.

A lot of rural counties in Nebraska, 70 to 80 percent of law enforcement dollars are eaten up by the meth issue. It has become overwhelming. If we do, as is suggested in our upcoming appropriations bill, if we reduce this spending by one-half, and it was already cut in half, so we are down to roughly \$300 million instead of \$1 billion, we are simply going to be awash in methamphetamine.

I hate to oppose the gentleman from Virginia (Chairman WOLF) on this issue because he has done a remarkable job of working with limited resources. He has been a great friend of law enforcement, but his hands have been tied. Maybe at this point the gentleman's amendment is the only resource that we have, which is to take one-half of one percent of that funding and at least get back to where we were last year, and we are still only half of where we were 2 or 3 years ago.

Mr. Speaker, I thank the gentleman for his amendment and thank the gentleman for hosting this Special Order tonight, and hope we are successful tomorrow.

Mr. TERRY. Mr. Speaker, I thank the gentleman from Nebraska (Mr. OSBORNE). The gentleman did a great job of laying it out. The Justice Department provided statistics, and last year we saw a decrease in the numbers of labs. There is one way of looking at that, that these Byrne grants have done their job by helping local law enforcement.

The reality is that while it is our local law enforcement that is finding these labs and breaking them up, and there is one that just moved away from my house, and a month or so before that they found one in the trunk of a car at super department store in a very affluent neighborhood in west Omaha, so these can be anywhere.

But what my local police officers are telling me is while the labs are a major part of the supply or a significant part of the supply, it is actually more now from the gang drug network coming in from the superlabs in Mexico that the gentleman spoke about. So as we are fighting the good fight and shutting down the labs, the drug dealers have found a new way to create supply in a different country across the border. They are using the already existing cocaine distribution system, and are using our kids to do that, which I think is one of the most horrible things that has happened in our society.

Mr. Speaker, with that I yield to the gentleman from western Iowa (Mr. KING), also a member of the meth caucus, and has been one of the loyalists in our fight to protect our families from this horrible drug.

Mr. KING of Iowa. Mr. Speaker, I thank the gentleman from Nebraska (Mr. TERRY) for organizing this Special Order tonight. I also thank the gentleman from Nebraska (Mr. TERRY) for his work on methamphetamines and drug interdiction, and for his work in this battle for our children and save and preserve the human resources that are our young people in this country.

Something that I think brings methamphetamine to the Midwest ahead of many places in the country is because we have a strong work ethic. We have people who want to put a lot of their energy and their time into working, and they do not feel so guilty about using some drugs to get behind the steering wheel of a truck or do some other things. We have cleaned up a lot of that with the commercial drivers' licenses and the drug testing that is part of it. It is far safer on the road than it used to be. But the culture remains.

As the gentleman from Nebraska (Mr. TERRY) said, we also have access to the materials, especially anhydrous ammonia in the corn belt. That access to the materials to make drugs and that kind of culture that encourages people to use it has caused us to be more sensitive.

I watched it come into Iowa 10 years ago. I have spent my life in the construction business running bulldozers and scrapers and excavators and loaders and trucks, and out in the sun, heat, cold and rain. We have some element that comes into that industry that does use drugs. I have hired a lot of people over the last 28 years that I spent in business. We were not without a problem or two in our crew. We were not without a confrontation of me inviting that employee into my office, closing the door, setting my chair in front of the door and taking a stand that no one will leave this room until we come to an agreement that there is going to be some rehab, some therapy, there is going to be some treatment, and you are coming out the other side of this thing a productive human being again.

I have invested in this from a human standpoint, from a financial standpoint, and from a policy and legislative standpoint. In fact, the one single bill that I worked the hardest on in my entire legislative career was 2 years in the Iowa Senate to pass a good workplace drug testing law that we have in Iowa today. It took 2 years to get there, and it took nearly 12 months out of every year of relentless pounding to get that last vote, and we passed it by one vote. It has been in law since St. Patrick's Day of 1998. It allows private sector employers in Iowa to guarantee a drug-free workplace.

We are invested in this Iowa. We are invested in this in an intensive way. We understand the loss of human resources. In fact, if I had a magic wand, if God granted me the power to do a single thing today, and his message was to pick one thing, cure either cancer or eliminate illegal drugs, particularly methamphetamines, in a heartbeat I would say Lord, get rid of the illegal drugs. We will find a cure for cancer eventually. We are coming along cure by cure; but drugs steal human potential. They go into a person's life when they are young and full of potential, and they change the course and direction of that life, sometimes to the morgue, as the gentleman from Nebraska (Mr. OSBORNE) pointed out. That lady was from Iowa, by the way. And sometimes it ruins their potential. Their children suffer.

I believe that we need to do a lot of things to bring this drug scourge under control. One of them is to step up and do the funding necessary to support our law enforcement in their interdiction efforts.

I brought along this chart, this chart is similar to the chart that the gentleman from Nebraska (Mr. TERRY) pointed out. It fits the same numbers. It is a little different way of presenting it, but it works out like this. The Byrne and the local law enforcement block grants fit in these categories in these previous years. And then we got to 2006, rolled them all together under the JAG grant, the Justice Assistance Grants, cut the funding and rolled them into one grant.

Our President, a man whom I admire, made a proposal that we go to zero on this. I agree with the gentlemen that the gentleman from Virginia (Chairman WOLF) has done good work to get us where we are today. Going from the President's recommendation of zero on up to \$348 million is no small thing. But we have a big, big problem all across this country, and we need to address it with the resources. So this increase in funding is necessary. It is unusual for an individual like me to come down and say we need to increase spending, but if it is invested in anything that provides return on that investment, it is going to be in fighting and interdicting drugs.

The effect on Iowa would be, as near as we can calculate, this: There would be 14 fewer multi-jurisdictional drug enforcement task forces. There would be only 11 left of 25. So there would be 41 fewer counties that had operations in them, 31 where there are 72 counties today. Out of 99 in Iowa, 72 have functioning operations. That would cut that 72 down to 31. We would have 57 fewer drug task force officers. That would be officers, prosecutors, treatment providers and other jurisdictional personnel.

So we would 36 out of 93. And the volume of illegal drugs confiscated in Iowa would be reduced by 1.4 tons due to fewer task force operators and officers, and the law enforcement agencies responses to protect the public from toxic meth labs would be delayed by 709 cases. All in all, 1,919, a calculated estimated number, fewer individuals would be brought forward for assistance for substance abuse treatment and adjudication for their crimes.

We know associated with illegal drugs are a whole series of crimes. These crimes include larceny, armed robbery, burglary, assault, raped, domestic abuse, child abuse and homicide. There will be fewer Iowans, fewer Americans alive a year, 2 years from now if we do not get this funding back up to where we can provide the proper resources for our law enforcement personnel.

In fact, I want to say a few words about the Regional Training Center in Sioux City, Iowa, which has done a magnificent job of training law enforcement officers. They were first put into place with the assistance of the gentleman from Iowa (Mr. LATHAM) from the fourth district, the north central part of Iowa. They have reached out and done some exceptional things. I bring this sheet along to point out far the Regional Training Center has reached. They have trained 19,308 law enforcement officers from 38 different States and several foreign countries. If you step into that Regional Training Center, there are arm patches from police departments from all over the country and foreign countries.

They bring the officers in, teach them the technology, the infrared technology, the sensor technology, the means to apply their law enforcement.

They put them through the gymnasium. They are working out in 90 and 95 degrees, working up a sweat, working out the physical part of their job that sometimes is necessary to arrest and bring the drug users to justice.

Also, they have implemented a new course there, a new course in the Regional Training Center that has for years trained law enforcement officers, over 19,000 of them. They have graduated 10 of the canine corps. I met all 10 of the canine corps one day. They were all lined up at attention. The dogs sit at attention, and they speak a foreign language.

□ 2130

They do that so they listen to their officers. Their officers speak a foreign language to them, and they respond to that so no one else can control the dogs. These dogs all graduated with good records and fine grades as far as I could tell and by the reports that they gave me.

By the way, the return on drug dogs is the best return on an investment dollar that I have seen in law enforcement with regard to dealing with drugs. The dogs are there all the time. They are essentially available 24 hours a day. It takes an officer to handle them, an officer to be trained with them. They are not cheap in their purchase and in their training, but once they go out into the field, they bring another element to them. They can sniff out drugs, they can sniff out bombs, they can control violent intruders, and they are trained to do all of that.

Additionally, there is just the intimidation effect. There is the effect of when there is a dog there that is sniffing everything you have, you are not likely to bring drugs through there, and he will find them.

I am looking forward to the next class to graduate. I understand that the next class is a class of 20. That will be the size of the canine corps so we can keep filling up the Midwest and the rest of the country, if all goes well, training drug dogs continually along with training officers. We will soon be over 20,000 officers. But that budget was cut last year from a \$2 million previous appropriation and a \$2.5 million cut, was cut down to \$250,000. Some thought the decimal point just inadvertently fell in the wrong place in middle of the night with a bleary-eyed staffer, but there are not a lot of coincidences. They need their appropriation. I will be speaking with the chairman about that.

I want to thank also the chairman for including that line item for the regional training center at least in the budget, although there are no earmarks for this budget, and each, according to the way it is proposed, will have to compete for those grants. I am hopeful that the Regional Training Center in Sioux City will be able to do that. They certainly have served 38 countries. It qualifies them as a national center. In fact, the name has

just recently been changed to the National Training Center.

Again, I thank the gentleman from Nebraska for bringing this subject before us. I look across at the speakers that have spoken so far and those to speak yet tonight. You can tell that this is a nationwide effort that we have. We care about our young people, our human potential. We want to give the tools to the people that have their lives on the line protecting us.

Mr. TERRY. I appreciate the gentleman's efforts on this cause. It is a great training center, by the way. He mentioned the patches. I happen to know that at least several, if not every one, of the departments that I have the pleasure of representing from the Second Congressional District have patches up there.

Mr. KING of Iowa. We will see if we can get those dogs to shake hands with you.

Mr. TERRY. Mr. Speaker, it is my pleasure to introduce the gentleman from Indiana (Mr. SOUDER), who also is the head of the Speaker's Drug Task Force and probably the most impressive person in this body on his granular knowledge of the war on drugs.

Mr. SOUDER. I want to thank the gentleman from Nebraska for his continued leadership over the past few weeks in trying to help make the rest of Congress aware of this and the importance of the votes we have this week, and to try to address the devastating proposals that came out of this administration that just flabbergasted those of us who are Republicans, in particular who support this President, have supported this administration. And it is just unbelievable that a conservative President of the United States would have proposed to nationalize and take away the dollars that were going to local drug law enforcement and the years of effort that we put together to get State, local and Federal cooperation and, in one budget, attempt to wipe out this by zeroing out category after category.

First, I want to thank Chairman WOLF for putting some of this back, but clearly there is a revolution going on in the House of Representatives, in the United States Senate, that is furious at this administration's proposals.

Before I make a few comments here, I wanted to make Members and their staff and others aware that if you want to learn, the best source of information right now on meth is ironically by a reporter named Steve Suo from the Portland Oregonian newspaper. He has spent and deserves a Pulitzer Prize. He has dug into this. He has identified that China and India are the primary precursor chemical countries, as well as Mexico, the amount that is coming in from Mexico; details more of this over the last 2 years; has covered hearings throughout the country, the different problems around the country. You can get through their home page a lot of information, the best information that exists currently on meth.

Also, for Members in their districts, while our national ad campaign has been very disappointingly silent on meth, silent on meth, the Partnership For a Drug Free America has, in fact, created a number of ads that have started to run around the country. They have offered that any Member who would like to run these in their districts or figure out how to get them in the schools, they will make those available to any Member for free, produced by the top ad guys in the country. They are going to continue to develop additional ads because in spite of the Federal Government not responding aggressively enough on meth, at least the Partnership For a Drug Free America is.

A lot of times people say, How come you guys can't work together across the aisle? Why isn't there bipartisan effort? A few years ago, probably now about 6 years ago, I would guess, Congressman Doug Ose of California was the first to raise this question of the superlabs and meth in California. It was just starting to move. It may have even been 8 years ago now that we had our first hearing. I chair the narcotics subcommittee over in Government Reform. We had our first hearing in California. I was not chairman at that time. I think the gentleman from Florida (Mr. MICA) was chairman.

At this point we have held multiple hearings through our committee. Two Members, the gentleman from Hawaii (Mr. CASE), which is historically, along with California, the oldest State to face the meth problem, and the gentleman from Arkansas (Mr. BOOZMAN), which is arguably, along with southwest Missouri, the hardest hit right now in the congressional districts with the number of labs combined with the superlab material coming in, asked for hearings, and we did those, the gentleman from Hawaii being a Democrat, the gentleman from Arkansas being a Republican. The gentleman from Minnesota (Mr. KENNEDY), who is here on the floor, has asked for a hearing in Minnesota along with the gentleman from Minnesota (Mr. GUTKNECHT), the gentleman from Minnesota (Mr. PETERSON) and the gentlewoman from Minnesota (Ms. MCCOLLUM), four Members from Minnesota. We are having a hearing in St. Paul at Congressman KENNEDY's request next Monday on meth. The gentleman from Kentucky (Mr. ROGERS), who chairs the Committee on Homeland Security, has a tremendous coordinated effort to try to address meth and OxyContin in Kentucky. We are going to be going down there and looking at theirs. We have hearing requests in from at least 10 congressional districts on this hearing, including from the gentleman from Oregon (Mr. WALDEN) and the gentlewoman from Oregon (Ms. HOOLEY), where we have a lot of pressure, as well as Washington State.

I say that because this is bipartisan. When you see a bipartisan effort coming out of the House of Representatives

throughout the entire Nation, why in the world would the President's budget propose to zero out the meth hot spots program, to zero out the Byrne grants, to zero out and transfer the money, basically wipe out the HIDTAs and move that to the Federal Government, to zero out program after program that was addressing this question and as an alternative propose nothing except the nationalization and say, well, this problem isn't at the local level. It is fine to say that, but as we have heard earlier, and this is from the FBI reports, 95 percent, I heard earlier 90, according to the FBI, 95 percent of the arrests of drug violators are at the State and local level, not at the Federal level.

If you think about it, we are working so aggressively on border security right now, but what happens the other week? A guy comes across the Canadian border, even though he was supposed to be at a hearing, so the RCMP said that he should have been held, comes across with a bloody chainsaw, with knuckles, with knives and guns, and he comes across. How does he get picked up? The information goes out, but he was not caught by the FBI, he was not caught by the DEA, he was not caught by the Department of Homeland Security; he was caught by a State and local official, because when the Federal Government put out the announcements, that is who picks them up.

If you are looking for major drug dealers, often you get them like Al Capone. You get them on some other count. You do not get him on murder. You get him on an IRS charge.

In the case of drug violators, gang violators, the State and locals get notified by the Federal system, but ultimately they are the people to pick them up. But if there are no State and local drug task forces, if they do not have any money, nobody is going to be picking them up. And so what if you have a bunch of great task forces sitting here in Washington. Nobody is going to be out there to coordinate and arrest them and get the information. You can send out all the bulletins you want, but if there are not any drug task forces in America, nobody is going to go find the criminals that you sent your notices out about.

Let me make a couple of comments. We held a hearing on the HIDTAs and the Byrne grants in my subcommittee. Sheriff Jack Merritt of Greene County, Missouri, suggested by our majority whip, Congressman BLUNT, his hometown sheriff, said this, that he would not be able to maintain the joint DEA, State and local antimeth task force in his county if these funds were cut. Vital equipment such as bulletproof vests and in-car cameras, which his officers need to protect themselves while carrying out meth traffic investigations, could not be purchased because the administration proposed to get rid of the CPOT funding. He spoke eloquently of the children he and his officers find at meth lab sites, children

who are at severe risk. He stated that if his task forces are forced to shut down, he wonders how many more generations of children will be condemned to the same fate.

Mr. Mark Henry, president of the Illinois Drug Enforcement Officers Association in the Speaker's home State of Illinois, said that Byrne grants help local police departments fill a critical gap which exists between Federal drug enforcement programs. The overwhelming majority, 87.6 percent, of all police departments in the United States have less than 50 officers, and Byrne grants play a critical role in supporting multijurisdictional drug task forces which are the backbone of law enforcement agencies. So we had asked Mr. Henry, and he came to our hearing with a list of comments from the State of Illinois that said the following: If Federal funds under the Byrne program are eliminated, our unit will lose three agents. The loss of these agents will cripple our ability to continue effective narcotics investigations. Narcotics trafficking will go unchecked and spread. We might as well turn the keys to our communities over to the gangs.

Another sheriff said, Although the local law enforcement agencies, the business and education community rely heavily on the task force expertise in combating the fight against drugs, without the existence of the task force, violent crime and burglaries will likely increase dramatically.

Another sheriff said, The elimination of the Byrne grant would have a catastrophic effect on the metropolitan enforcement group of southwest Illinois.

Another sheriff in Illinois said, Without the funding that we currently receive from the Byrne grant, our mission would be all but nonexistent.

Another sheriff said, and this is the Illinois Narcotics Officers Association polled their State membership, The elimination or reduction of Byrne funding would force police officers off the street to do clerical work, eliminate communication equipment such as pagers and cell phones, and eliminate Federal funding to reimburse a portion of officer overtime cost.

Yet another department said, The elimination of the Byrne funding will have a very negative impact on our ability to address the drug problems in the Lake County area of Illinois. The loss of funding will cause us to eliminate the staff positions. This will cause the jobs they now perform to be reassigned to police officers.

Yet another department said, Task Force 6 is the primary drug enforcement entity in this area and has been a fixture in this area since 1983. Proposed Byrne cuts will result in the closure of this unit. Narcotics-related crime will increase dramatically, and drug dealers will operate at will without the presence of Task Force 6.

Yet another department said, The elimination or reduction of this grant would have a very severe impact on the

task force. At the present time the funding accounts for 50 percent of the task force funds, with the remaining 50 percent made up from fines and forfeitures. I strongly believe the elimination of this funding will force the task force to close its doors. That is from the Speaker's home State of Illinois.

From my home State of Indiana in Fort Wayne, Indiana, we do not have a HIDTA. We did not apply for a HIDTA because we have Byrne grants. Our task force has told me in northeast Indiana, it will shut down without the Byrne grants. Fifty percent means only 50 percent shuts down.

We have tremendous budget pressures in the United States, and all of us know we have these tremendous budget pressures. But the people back home are not telling us, Let the criminals go free. Let's concentrate on foreign aid. Let's concentrate on all sorts of different programs. What they believe is the minimum standard out of the Federal Government is that we should be shutting down crime, controlling our borders, getting rid of the threats to their daily lives.

It is just incredible to me that a conservative administration would propose bringing the power to Washington rather than leaving it at the grassroots where we are having an effect, where drug use in the United States has been declining. And where is our drug czar? Where is our administration? As we are making progress, they are proposing to go backwards.

I thank the gentleman from Nebraska for his leadership and the others here tonight because we have to stand up and say, you cannot forget the people back home and say, we are going to turn you loose, and good luck in fighting all these criminals.

Mr. TERRY. Absolutely. I really appreciate your forceful and passionate words on the floor tonight and just how staunchly you have stood on this fight. I thank you for those efforts.

Just one little bit of trivia. You talked about how our own police officers on the front lines have to be trained to deal with meth. In fact, one of the new things adopted by the Omaha Police Department, they are now having the emergency response or the snipers go with the officers when they exercise a warrant on a meth bust now because usually when you break into somebody's home or you are smashing the door down exercising a warrant, these people are so extraordinarily violent that we have had to go to those level of measures in the metropolitan area.

Mr. SOUDER. The gentleman brings up a very critical other point. That is that the map we saw earlier that Coach, Congressman, maybe Governor OSBORNE had up here showed all these States where meth has been in. But it has been predominantly in the rural areas. But what we are seeing is that it is starting to come into towns like Fort Wayne, a town of 230,000, in Omaha, and if this stuff hits the major

cities, if it gets into Minneapolis and St. Paul, as it comes in from the rural areas and into the suburbs and into those cities, we are going to see an epidemic in America like we have not seen in a long time. Things like what you are talking about with the snipers, in one place in Hawaii, they are now charging people to go in, I think it is \$200, to get their apartment cleaned before they come in because if somebody has been cooking in Honolulu and a kid gets into that, they can get sick and die. So now there is a charge in some apartment complexes to be able to go in.

Mr. TERRY. I am pleased to have as one of our last speakers for tonight the gentleman from Minnesota (Mr. KENNEDY), who has also been a very forceful fighter against meth and is a member of the Meth Caucus and actually one of the coauthors of the amendment that has been referenced several times tonight.

□ 2145

Mr. KENNEDY of Minnesota. Mr. Speaker, I thank the gentleman from Nebraska (Mr. TERRY) for holding this Special Order. I thank the gentleman from Indiana (Chairman SOUDER) for his leadership on all of this.

It is going to take all of us together to make sure that we address this very important issue. We have concerns that we are not putting enough resources into funding to help out local law enforcement address the very challenging issues that are tearing up our communities with methamphetamine and drugs. And as the gentleman from Nebraska (Mr. OSBORNE) pointed out, this started out in just a few States, but it has really spread all way from San Diego to the Shenandoah Valley. That is why we have to support these good, working anti-drug programs.

One key, though, is that these drug task forces need to be supported. There are 800 around the country. If we go through with what the President proposed or even what the good work of the gentleman from Virginia (Chairman WOLF) and his committee have resulted in, we are going to be losing those drug task forces that have been doing such great work.

As we think about what this is all about, I am thinking about a tragic story of a young girl named Megan from a beautiful town in Minnesota. She started on meth when she was in seventh grade at the age of 13, when some of her friends offered her the drug. And in her words, she liked meth so much that she knew she would use it over and over again. But when she could not afford the addiction, she, like so many other female addicts, was exploited into becoming a prostitute to pay for the meth she craved every second of the day.

After hitting rock bottom at the age of 18, Megan is managing to pull her life back together now after 5 years have been stolen from her by meth. But she has too much company in the

treatment and addiction programs because about one in five of those treated for meth use in the State of Minnesota are 17 years old or younger. But just as Megan is finding a way out of this black hole, we are thinking about cutting the funding for Byrne grants that help local police address the meth issues.

These cuts are wrong. They will cut task forces in our State and across the country, and who will be there to protect the children from those making and pushing the poison if this House approves such a devastating cut in the Byrne-Justice Assistance Grant program?

Mr. Speaker, I say to my colleagues that there has to be a better way, and there is. We can help young people like Megan reject meth before they even try it by restoring Byrne grants to the fiscal year 2005 funded level. Doing so will send a strong signal that Congress is serious about fighting the scourge of the meth. We must send a signal that the Byrne grant program is important to Congress and that we do support the work of the local officials. We must send a signal to the pushers of this poison that they are not welcome in our communities. Most importantly, we must send a signal to our law enforcement officers who wake up every morning to protect our families that we stand with them in fighting against drugs and we will work with them to give them every tool they need to be successful.

I urge my colleagues to support the amendment that the gentleman from Nebraska (Mr. TERRY) and I have helped to put forth. Let us stand with law enforcement. Let us protect the Byrne grant program.

Mr. TERRY. Mr. Speaker, reclaiming my time, I thank the gentleman from Minnesota for his comments.

And this is Angela from Iowa. Like the little girl in Minnesota, this is her school picture. I do not know if our C-SPAN cameras can get tight on this or not. This is her 12-year-old picture, her school class picture. This is her at 13, a year later, after similar friends turned her on to meth. And this had a little different, tragic end. This little girl, after her mother found her and tried to clean her up, could not kick the habit of meth and committed suicide. And, unfortunately, that is the way that many of these tragedies end.

Mr. Speaker, at this point I yield to the gentleman from Texas (Mr. POE).

Mr. POE. Mr. Speaker, I thank the gentleman for sponsoring this legislation.

Based on my experience as a judge and prosecutor for almost 30 years combined, this epidemic of methamphetamine is a disease that is affecting a lot of people. It crosses all barriers, all social economic barriers, all races, all ages, both sexes. And it is incumbent upon Congress to make sure that our local law enforcement officials have the ability to fight the war on drugs, to fight it the way they un-

derstand best, and the nationalization of this whole process is a very bad idea.

Mr. TERRY. Mr. Speaker, reclaiming my time, I appreciate the gentleman's coming over to the floor and speaking in favor of this amendment against meth, and he certainly has had some worldly experiences that he can speak from.

HAS THE SUPREME COURT LOST ITS WAY?

The SPEAKER pro tempore (Mr. JINDAL). Under the Speaker's announced policy of January 4, 2005, the gentleman from Texas (Mr. POE) is recognized for 60 minutes.

Mr. POE. Mr. Speaker, I rise tonight to ask a question, and that question is relatively simple. By what legal authority do justices of our Supreme Court use foreign world tribunals, global opinion, and the philosophy of European elites in making their decisions, those decisions that affect all Americans of this Nation? By what license, by what authority do members of America's highest court ignore our Constitution, the Constitution they took an oath to defend, and why do they cite foreign court decisions at all, decisions from England, the European Union, the World Court, Belgium, and numerous other nations? The Constitution clearly does not give them the power to abandon the scriptures of the Constitution. So where do they obtain such authority? Mr. Speaker, has the Supreme Court lost its way?

I imagine that these justices wonder who I am to question them and their use of foreign court decisions in making laws that apply to the rest of us. With all due respect, Mr. Speaker, I am a citizen of the Republic just as they are. I am an elected representative of this House that represents the people. Furthermore, I possess a loyal and lengthy relationship with the law. I am a former instructor in constitutional law. I was a trial prosecutor for 8 years, trying every type of criminal case from theft to kidnapping to capital murder, including cases where the death penalty was assessed and executions were actually carried out.

But more recently, I spent 22 years as a felony court trial judge in Houston, Texas. I heard over 20,000 criminal cases. In fact, I suspect I heard more criminal cases in 1 year than all the nine judges of the Supreme Court decided in an equal amount of time. As a criminal court judge, I used the Constitution, particularly the first 14 amendments, every day. I made decisions that affected people, real people, defendants, victims, and the community. Those decisions affected those individuals for the rest of their lives. I determined whether individuals should lose their property, their liberty, and their freedom. Sometimes the decisions I made even resulted in those individuals losing their life. Yet every one of those 20,000 cases was rooted in the United States Constitution.

Individuals who came to my court, whether they were defendants, victims, or members of the community, knew that the basis of all American law is in the Constitution. Not my personal opinion, not the rulings of foreign nations, and not the World Court. Not even what the French think. It is the Constitution that gives all courts from trial courts to the courts of appeal their foundation, their identity. If I had used any other law but that of the Constitution, I would have been removed from the bench.

In the jury trials over which I presided, the jury too would take an oath to follow the law and the evidence. They were to internalize the law of the Constitution and make their decisions. They were expected to decide the case with domestic law, our law, not the law in some other nation.

Mr. Speaker, if our Supreme Court uses foreign court decisions, why cannot our trial courts use foreign court decisions in their opinions? If the Supreme Court justices are our example, why cannot that example be followed by other judges in America? Is it not good for the gander what is good for the goose?

Using foreign court decisions across the board would create, of course, judicial chaos, judicial anarchy. But yet the Supreme Court does exactly this. Why should the Supreme Court be left to its own devices? If there is any other standard other than the Constitution, than what is next?

Mr. Speaker, looking to foreign court decisions is as relevant as using the writings in "Reader's Digest," a Sears and Roebuck catalogue, a horoscope, my grandmother's recipe for the common cold, looking at tea leaves, star gazing, or the local gossip at the barber shop in Cut N' Shoot, Texas. Mr. Speaker, has the Supreme Court lost its way?

Also, how do our justices know which foreign decisions they will embrace and which ones they will reject? Why have they discriminated and not used the decisions of our neighbors in South and Central America or even Mexico? I have personally witnessed trials in Russia and in China. Why not use those courts' decision in determining American jurisprudence? Who exactly decides what will be used to decide? Is there any longer predictability or uniformity in our legal system?

Mr. Speaker, many of the judicial matters for which our justices consult the opinions of other nations deal with the issue of cruel and unusual punishment. That is a concept addressed in our very own Constitution. Just like the provisions for a jury trial are in our Constitution. Now, I ask this question: If the Supreme Court justices look to foreign courts to define what should be cruel and unusual punishment in our Nation, then I ask what is to restrain them from determining that our guarantee of a jury trial should not be modified? After all, many of the international entities that these

justices confer with on judicial principles do not even subscribe to jury trials. Europeans use tribunals. In fact, they disdain the concept of the jury trial. What is next? Will someone on the Supreme Court conclude that the American jury trial system is outdated and should be abolished because it is not the European way?

Perhaps, Mr. Speaker, Justices Anthony Kennedy, Stephen Breyer, Ruth Ginsburg, David Souter, and Sandra Day O'Connor are suffering from the Black Robe disease, an incapacitating, invasive infection imported from Europe. There is a cure to the Black Robe disease, however. It is a dose of the Constitution. A strong dose of our United States Constitution.

Mr. Speaker, trial judges, like I was once was, deal with real people every day. Many of our Supreme Court justices, with all due respect, have for the most part only handled cases on review and on appeal. The consequences of our Constitution occur in our trial courts. Having been down there in the mud and the blood and the beer with people, I have seen the impact of the Constitution on the lives of Americans. We call those consequences justice. Our Supreme Court justices deal in judicial theory, judicial thought. Simply put, it is judicial review. We are talking about the fundamental difference between the original applications of the law and the trenches in a trial court versus the pontifications about the law on the "mount." As a side note, the Supreme Court should not make law. Their duty is to review the Constitution, not revise it, not reinvent it, and certainly not rewrite it.

The Constitution, Mr. Speaker, is the people's document. It is ordained by and subject to the will of the people. It should not be meddled with by anyone, including members of the Supreme Court. If we believe the Constitution delivers justice, does not injustice, on the other hand, flow from calling upon standards like foreign courts, global norms, and international organizations?

Mr. Speaker, I do not criticize the results of the Supreme Court decisions. No one respects the role of the judiciary more than I do. My grave concern, however is rooted in the process and method by which the Supreme Court makes those decisions that affect the rest of us.

□ 2200

Their use of foreign court opinions in interpreting American laws. How can the result be fair if the basis for the result is something other than the Constitution?

Mr. Speaker, a historical review of a few Supreme Court decisions is in order. In *Thompson v. Oklahoma*, Justice John Paul Stevens maintained it would be offensive to civilized standards of decency to execute a person who was less than 16 years of age at the time of the offense.

Referencing the views of other nations that share Anglo-American herit-

age, as well as leading members of the Western European community, he had tremendous confidence in this decision. Further citing the abolishment of the death penalty in nations like West Germany, France, Portugal, the Netherlands, all Scandinavian countries, and the Soviet Union, as well as the scant use of that penalty in New Zealand and the United Kingdom, Justice Stevens suggested Americans should consider global norms in determining our system of criminal punishments. By what authority does he use these nations as an example for American law?

Mr. Speaker, has the Supreme Court lost its way?

When we hear, as in this case, Mr. STEVENS' reference to the United Kingdom's practices, it makes one wonder whether he recalls his high school American history class. I suspect more history is in order at this point.

While engaged in an intense revolution in 1776, our forefathers signed the Declaration of Independence, which boldly sets out the 13 colonies' desire to disband their political union with England forever. In that document, which is just down the street from this building, Thomas Jefferson penned among the list of grievances against King George of England that he combined with others to subject us to a jurisdiction foreign to our Constitution and unacknowledged by our own laws.

Americans, Mr. Speaker, fled from England and Europe because they did not want to be subject to those unfair laws.

Mr. Speaker, over the course of 8 years in the American War of Independence, patriots spilled blood to secure liberty for us and preserve constitutional rights. Their will was to permanently cut the ties with England.

We won the war for American independence, but in 1812 we had to do it all over again, because the British invaded the United States once again because they still wanted America to be subject to the King of England and the law of England. The British were resolute on the recapture this free Nation of America. They even burned this city. They burned this very Capitol, the symbol of democracy. Americans, however, defeated the British for a second time, showing them that we will not do things the English way, the European way or any way except the American way.

Nonetheless, justices here in America across the street from this Capitol choose to use British court decisions and European thought in interpreting the Constitution of this country. What the British never could accomplish by force has our Supreme Court raised the white flag and surrendered to them voluntarily. Has the Supreme Court become like a Benedict Arnold and betrayed the Constitution for the rule of the British empire?

Let us move on to other decisions by our Supreme Court. In *Atkins v. Virginia*, the justices once more glanced across the seas toward foreign courts,

and although over a decade earlier our Supreme Court decided that decisions of international courts were not to be used in the determination of sentencing in the United States, the Supreme Court did a judicial backflip. The justices in this case now in this particular matter listened to the voice of the European Union and the global community at large in making this inconsistent decision.

I ask once again, why not just use the Constitution? Is it because the Constitution does not allow them to do what they do, so they grab European law to justify the decisions that are imposed on the rest of us? Has the Supreme Court lost its way?

Now let us turn to a case in my home State of Texas, the case of *Lawrence v. Texas*. One of the most egregious perpetrators of citing foreign court decisions is Justice Kennedy. Justice Kennedy referred to international standards in the court's decision and consideration of Texas laws in *Lawrence v. Texas*. In this instance, writing for the majority, he clung to a previous ruling handed down from one of the most excellent high courts, the European Court of Human Rights.

Mr. Speaker, people in Texas do not care what the European court says about much of anything, but they do care what the Constitution says. Why are we looking to Europe at all, with its not-so-glamorous history and the long lamentable catalogue of human conduct. Europe is no righteous stalwart of human rights.

Europe, you remember. That part of the world that brought us two world wars in the last century. That part of the world where history is littered with episodes of massive religious intolerance and persecution of races. That part of the world where political murder and drawing and quartering were done for entertainment. All the while, a poor man could be hung for killing the king's deer.

Why do we turn for advice to that civilized world? Is that not why we established our Nation to begin with? Is that not why we established the Constitution of the United States?

Just recently, in April, the Supreme Court heard *Small v. United States*. In 1992, Gary Small shipped several multi-gallon electric water heaters from the United States to Japan. Japanese custom officials searched the container and they uncovered rifles, numerous semiautomatic pistols and several hundred rounds of ammunition. So he was tried and convicted of violating Japanese customs and weapons laws and he went to jail in Japan.

Once he got out of that Japanese jail, however, about one week after he got out, he came to the United States and purchased a 9 millimeter pistol. Following a search of his residence, his vehicle and his business, U.S. Federal authorities discovered this .380 caliber pistol and several hundred rounds of ammunition. Deeming a convicted gun smuggler apprehended with additional

ammunition could constitute a danger to society. Federal prosecutors, using common sense, prosecuted him under a U.S. statute which says ex-convicts for weapons violations may not possess guns.

This statute, passed by this Congress prohibits, "Any person convicted in any court of a crime punishable by imprisonment for a term exceeding a year to possess any firearm." Notice the statute says any court, it does not say U.S. court or state court, but any court.

Nevertheless, when this case went on appeal, the justices of the Supreme Court trumped the law, a law that is on our books, on America's books. They concluded that Congress ordinarily intends its statutes to have domestic, not foreign application. They determined that involving foreign convictions would raise the possibility an individual may not have the entire fairness of the American legal system.

Now it appears the Supreme Court is inconsistent on which foreign decisions they will follow and which ones they will not. Is this the law of chaos? Is this the law of arbitrary decisions?

Just as a side note, Mr. Speaker, the Japanese Constitution was written for the most part by General Douglas MacArthur after the end of World War II.

In any event, something is amiss. This is perplexing. It is appearing that the Supreme Court is becoming inconsistent on which foreign laws they will apply and which ones they will not. With this type of reasoning, when do we accept foreign court opinions and when do we ignore them? Is there any rhyme or reason to this arbitrary justice?

In a rare public debate, Justice Anthony Scalia rightly asked his colleague Justice Breyer this question: "Do we just use foreign law selectively when it agrees with what the justice would like the case to say? You use that foreign law, and when it does not agree with you, you ignore that foreign law. Nevertheless, the use of foreign law marches on."

The Supreme Court has also used the law of Jamaica in deciding cases to get a desired result, a result that we in America have to follow.

Further, when the Supreme Court justices have cited opinions from foreign courts in far away lands like that bastion of civil rights, Zimbabwe, was that based on an overriding confidence in the inherent standards of fairness in the country of Zimbabwe and its legal system?

Mr. Speaker, that dog just will not hunt. The last time I checked, Zimbabwe was an authoritarian government ruled by a cold and callous conniving Robert Mugabe, who oppresses political challengers, civil rights activists and jails representatives of the media. It appears the Supreme Court may have lost its way.

It also appears that some of the justices have no intention of curbing this arbitrary and alarming habit any time

soon. The black robe disease is spreading. According to Justice O'Connor, the Supreme Court will rely increasingly on international and foreign courts in examining domestic issues. Why? Why do that? Well, she says, because the impressions we create in this world are important.

It sound like the justice makes her decisions based upon the opinions of a worldwide focus group.

Listening to Justice O'Connor, one would think the Supreme Court is the agent of a popularity contest. In Justice O'Connor's view, "The world really is growing together, through commerce, globalization, the spread of democratic institutions, immigration to America. It is becoming more and more one world of many different kinds of people, and how they are going to live together across the world will be the challenge, and whether our Constitution and how it fits into the governing documents of other nations will be a challenge for the next generations."

Mr. Speaker, this defies common sense.

Justice Breyer argues that for years, people all over the world have cited the Supreme Court, why do we not cite them occasionally and give them a leg up, so they may then go to some of their legislators and others and say, see, the Supreme Court of the United States cites us.

Well, why not just cite Reader's Digest? Mr. Speaker, this defies common sense.

Justice Scalia concedes foreign authorities may prove useful in devising a Constitution, but not interpreting the Constitution. In fact, the *Federalist Papers*, which flush out many of the particulars concerning the Founding Fathers' vision and what they thought about America and our Constitution, has discussions of systems of government from other countries, for example, Switzerland and Germany. But there is a difference in using foreign courts and foreign thought to write a Constitution and using foreign thought and courts to interpret our Constitution now that it has been established.

Justice Scalia asks, why? Why is foreign law relevant to what American judges do when they interpret our Constitution? He goes on, answering his own question. The court's discussion of these foreign views is meaningless. It is dangerous, since this court, talking about the Supreme Court, should not impose foreign moods, fads or fashions on Americans.

But that is what happens. That is what happens when our Supreme Court cites foreign courts in making its decisions about the United States Constitution.

Justice Scalia's assessment, Mr. Speaker, is further echoed by the Chief Justice of our Supreme Court, William Rehnquist, who in a dissenting opinion of *Atkins v. Virginia* wrote, "The viewpoints of other countries simply are

not relevant, and that global notions of justice are, thankfully, not always those of our people."

One could even travel an additional mile, as Justice Clarence Thomas has, to suggest that citation of foreign authorities really reflects a sign of weakness, an admission that the position for which the foreign authority is cited really lacks support in the United States legal sources, specifically lacks support in the Constitution.

Our Constitution is sacred, Mr. Speaker. It is not a mere list of suggestions. Its values are timeless. The Constitution is complete. It needs no help from foreign courts. America's standards are timeless, and they are in our very own Constitution.

Mr. Speaker, this is not a Democrat or a Republican, liberal or conservative issue. It is an issue of stand with the Constitution and who will go the way of the wayward foreign courts.

When asked during a recent ABC interview whether a day will come when the Constitution will no longer be the last word on the law, Justice O'Connor shared the following. She said, "Well, you always have the power of entering into treaties with other nations, which also became a part of the law of the land. But I can't really see the day when we won't have a Constitution in our Nation."

□ 2215

While Justice O'Connor hardly predicts the dark and dreary demise of America's Constitution, her words, Mr. Speaker, are sad. Her words fall far short of assuring us that forever and always the U.S. Constitution will be the lifeline of our land's existence. The more we hear from our Nation's top jurists like Justice Ginsberg that "our island" or "lone ranger mentality is beginning to change," and that they "are becoming more and more open to comparative and international law perspectives, it concerns me a great deal. The Supreme Court has lost its way, and the Black Robe disease is still infecting our court. People speak of the independence of the judiciary. Mr. Speaker, that is a legal myth. A judiciary cannot be independent of the Constitution but, rather, it must be dependent upon its words.

Mr. Speaker, let us in this body, as fellow defenders of the Constitution of the United States, help all people, including those in the Supreme Court, remember our heritage. And until they decide to rejoin the cause of championing our Nation's identity, let us purposefully grip our Constitution with both hands. The Constitution does not give judges, any judges, the authority to use anything as a basis for their decisions except that very Constitution.

Thomas Jefferson, who I cited earlier in writing the Declaration of Independence, years later, in 1820, saw the bleak future for our judiciary and predicted future judicial subversion. He said, "The judiciary of the United States is the subtle core of individuals and miners constantly working underground to

undermine the foundations of our fabric. A judiciary independent of a king or executive alone is a good thing, but independence of the will of the Nation is a travesty." And that will of the Nation, Mr. Speaker, is the Constitution uttered straight from the will of the people. Let us remember some of its words. How about the first words of the Constitution to bring us back, back home, back to a perspective of our law. Those words that say, "We, the people of the United States, in order to form a more perfect union, establish justice, ensure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America."

The Constitution belongs to the people. It is ordained by the people. It does not belong to the Supreme Court for them to bend, rewrite, reinvent, or ignore it under any circumstances. Section 1 of the Constitution dictates that "The judges, both of the Supreme Court and inferior courts, shall hold their offices during good behavior. I ask this question: Mr. Speaker, does citing foreign court opinions constitute good behavior? History will reveal whether it does or does not. If, however, I carried on like this in my courtroom in Texas, I would have been removed from the bench, and rightfully so. People from where I come from would not stand for a judge citing foreign courts to make decisions that affect Americans.

Perhaps the Justices, Mr. Speaker, should think long and hard about the meaning of good behavior. Serving this Nation is a privilege; it is not a right. We are all accountable to the Constitution that have taken an oath to defend the Constitution.

All of us in this body, this House of the people, this House of Representatives took an oath, an oath that people throughout the lands have taken, people from school boards, police officers, firefighters, city councils, mayors, big cities, and little cities, legislators, Members of Congress; all judges, State, local, and Federal, and the judges of the Supreme Court. We have all taken the same simple and solemn oath, to preserve, protect, and defend the Constitution of the United States. We owe it to the American people, we owe it to the Constitution, to follow that oath. That is our duty. That is our obligation, and we can do nothing but follow that oath.

CORRECTION TO THE CONGRESSIONAL RECORD OF THURSDAY, JUNE 9, 2005, AT PAGE H4345

PROBLEMS WITH CAFTA

The SPEAKER pro tempore (Mr. MACK). Under the Speaker's announced policy of January 4, 2005, the gentleman from Michigan (Mr. LEVIN) is

recognized for 60 minutes as the designee of the minority leader.

Mr. LEVIN. The Dominican Republic-Central America Free Trade Agreement presents an important crossroads for trade policy. It involves issues broader than those, for example, relating to sugar or textiles; and indeed, as President Bush said recently, it involves issues beyond trade, including ramifications for the future path of democracy.

□ 1730

It is an important test for globalization. What has been unfolding in Latin America, including Central America, is that substantial portions of the citizenry are not benefiting from globalization. They have increasingly responded with votes at the ballot box or in the streets. Doing so, they have raised sharply an underlying issue and that is whether the terms of expanded trade need to be shaped to spread the benefits or simply to assume that trade expansion by itself will adequately work that out.

It is for these reasons, not more narrow interests, why the issue of core labor standards in CAFTA is important for Central America and for the United States of America. The way it is handled in CAFTA undermines the chance that the benefits of expanded trade will be broadly shared. The goal of globalization must be to expand markets and raise living standards, not promote a race to the bottom.

An essential part of this leveling up is the ability of workers in developing nations to have the freedom to join together, to have a real voice at work, so they can move up the economic ladder. This is not true in Central America where recent State Department and International Labor Organization reports confirm that the basic legal framework is not in place to protect the rights of workers and enforcement of these defective laws is woefully inadequate. Regrettably, CAFTA as negotiated preserves the status quo or worse, because it says to these countries "enforce your own laws" when it comes to internationally recognized labor standards.

The Latin American region possesses the worst income inequality in the world and four of the Central American nations rank among the top 10 in Latin America with the most serious imbalances. Poverty is rampant in these countries. The middle class is dramatically weak. As has been true in the experience of other nations, including our own, this will not change unless workers can climb up the ladder and help develop a vibrant middle class.

A huge percentage of workers in this region are not actively benefiting from globalization because the current laws in these nations do not adequately allow them to participate fully in the workplace. The suppression of workers in the workplace also inhibits the steps necessary to promote democracy in society at large. The core labor and envi-

ronmental provision in CAFTA—that each country must merely enforce its own law—is a double standard. This standard is not used anywhere else in CAFTA, whether as to intellectual property, tariff levels, or subsidies.

"Enforce your own laws" is a ticket to a race to the bottom. Such an approach is harmful all around: for the inability of workers to earn enough to enter the middle class so badly lacking in and needed by Central American countries; for American workers who resist competition based on suppression of workers in other countries; and for our companies and our workers who need middle classes in other countries to purchase the goods and services that we produce.

CAFTA is a step backwards also from present trade agreements. The Caribbean Basin Initiative standard states: in determining whether to designate any country a benefit country under CBI, the President shall take into account "whether or not such country has taken or is taking steps to afford workers in that country, including any designated zone in that country, internationally recognized rights."

The GSP, Generalized System of Preferences, standard is this: the President shall not designate a country, a GSP beneficiary country if "such country has not taken or is not taking steps to afford internationally recognized worker rights to workers in that country including any designated zone in that country."

So CAFTA is a step backward from these standards. The provisions in CAFTA on worker rights as currently negotiated are substantially weaker than current U.S. law and would replace that current law. I will give you an example. In Guatemala over 900 Del Monte banana workers were fired in 1990 for protesting labor conditions. A GSP petition led USTR for the first time ever to self-initiate a worker rights review for Guatemala in October 2000. Guatemala subsequently passed labor reforms in April 2001, which included granting farm workers new rights to strike.

In preparation for CAFTA, however, Guatemala's constitutional courts struck down key parts of the 2001 labor reforms. In August of 2004, the Court rescinded the authority of the Ministry of Labor of that country to impose fines for labor rights violations, a key element of the 2001 agreement. Under CAFTA, the U.S. would have no recourse to challenge that development.

Now, let me go on, if I might, to a next point and that relates to the examples of Morocco and Chile and Singapore because those agreements are often used as examples as to why we should vote for CAFTA. I supported the agreements with Chile, with Morocco, and with Singapore. The situation in each of those countries was very different from Central American countries.

Chile has the international labor standards incorporated in their laws

and they enforce them. There is a vibrant labor movement and an active middle class. The same is essentially true in Singapore, active labor movements, workers have their right to associate if they want to organize, to form unions; and they have a tradition of a labor movement in Singapore.

Morocco, the question is asked, well, I voted for Morocco, why not CAFTA? And the answer is there are vast differences between the situations. Morocco took steps in the last years before the free trade agreement with them to truly, truly reorganize their labor laws. Also, Morocco has a tradition of a vibrant labor movement in the private sector as well as the public sector. So Central America is very different.

We voted, many of us on the Democratic side, for Morocco, Chile and Singapore; we believe in expanded trade as long as the terms of those of that trade agreement and of those trade agreements are shaped to spread the benefits across the population.

Let me say a word about Central American countries and the deficiencies in their laws, because much has been said of this and much was said today by our new USTR, a former colleague, Rob Portman. Look, USTR has tried to gloss over what the ILO says. They have tried to gloss over what is in the State Department reports themselves. But any objective look confirms that those reports say that the laws of those countries in terms of the basic international standards are defective. And this was spelled out in a letter that was sent by us on April 4 by the gentleman from New York (Mr. RANGEL), the gentleman from Maryland (Mr. CARDIN), the gentleman from California (Mr. BECERRA), and myself to the acting trade representative, Peter Allgeier.

Mr. Speaker, this letter will be placed in the RECORD at the end of my remarks.

What the reports show is exemplified in a fairly recent case, and I will refer to it briefly. It relates to port workers in El Salvador. In that case they tried to organize, they tried to be represented, they tried to bring about democratic rights within the workplace. Thirty-four of the workers were fired last December when they were trying to form a union. And not only did the law not require their reinstatement, but only severance pay, which is a cheap bargain for an employer who wants to violate rights.

But a month later, the labor ministry denied the labor union's registration petition since now there were only seven workers left. Others had been fired. El Salvador law requires at least 35 members to form a labor organization, a provision that itself has been criticized by the International Labor Organization.

I just ask everybody to read the letter that we sent to Mr. Allgeier and the attached analysis of laws from the ILO reports and State Department reports.

President Bush has correctly talked about freedom and democracy. He has said that everywhere. But what this CAFTA does is to sanction the status quo where there is no democracy in the workplace.

President Bush last month urged a vote for CAFTA because it would bring "stability and security" to the region.

I think the opposite is true. If workers are suppressed, it is a step towards insecurity and towards instability. Labor market freedom is a source of security, undercutting insecurity. What is a threat, what is a real threat to undemocratic forces, those who do not believe in democracy, is democracy in the workplace.

The President likes to quote the writings of Natan Sharansky, who has been minister in Israel until recently. Natan Sharansky says that a test of democracy is whether somebody can arise in the town square and speak his or her mind without punishment. If you use that test to the workplace, most places in Central America, the answer is there is no democracy. If somebody raises their voice too often, they are fired.

Now, let me just say a word about another argument that is used and that is, well, the problem is enforcement and the United States is going to help the nations of Central America with their enforcement. We are going to provide monies so that there is a stronger department of labor, et cetera, et cetera.

Well, today, Rob Portman, our ambassador, outlined a number of proposals for more funding to help CAFTA countries in technical assistance to strengthen enforcement of labor laws. He said the problem is not labor laws; it is enforcement. The correct analysis is there is a deep problem in their laws and a severe problem with the enforcement of flawed laws. But when you look at what was urged today by Mr. Portman, and I do not question his good faith about it, but I do question the credibility of it because it is the record, not the rhetoric, that really matters. And the record of this administration in providing technical assistance for the strengthening of labor unions in other countries is miserable.

This year, I just give a few examples, this year President Bush proposed crippling cuts to the budget for the International Labor Affairs Bureau known as ILAB. He proposed cutting funding by 87 percent from \$94 million to \$12 million.

□ 1745

According to the President, the 2006 budget, "returns the agency to its original mission of research, analysis and advocacy." Well, what that means is there is not any emphasis on technical assistance.

Also, the President's five budget requests in previous years proposed funding cuts for ILAB of more than 50 percent.

So I do not believe that the answer is simply more money going to agencies

in other countries. I think the laws have to be in order. The regulations must not strangle efforts of people to assert their freedom in the labor market, but I do think better enforcement would be useful of good laws. The record of the administration in terms of technical assistance is terribly weak, in fact.

Now, let me discuss another issue that has come up when we discuss CAFTA. Increasingly, this administration has used our trade challenges from China as a reason to vote for CAFTA. This is happening more and more. It is not credible. It is at best boot strap. Look, we have to shape trade policy so that there can be effective competition with China, that is for sure. That relates to currency, and we just a short time ago had, I think, a rather ineffective meeting with the administration on the currency issue.

It also includes trade in apparel and textiles. We have seen a major influx of apparel from China with the end of the quotas. In order to have an effective trade policy, vis-a-vis, China, in the apparel and textile areas, we have to do the following.

Number one, we have to actively use remedies that were written into the agreement with China in its accession to the WTO. We worked hard to get those provisions into the WTO China accession agreement, and the administration has hesitated to use them effectively. They did not effectively anticipate this problem, and when the problem really sprouted, their response initially was very weak.

Second point regarding this: We do need to have and take steps to bring about a strong Caribbean apparel and textile structure, Caribbean including the United States. To do that, one of the steps that is necessary is to have compliance with international core labor standards. That would be a source of strength, not of weakness. It would be trying to compete and compete effectively, rather than trying to compete with China as to who can most suppress worker rights.

In that regard, I do think we ought to look at what is sometimes pointed to, and that is, the Clinton legacy because I have read some articles that have said that those of us who have raised this set of issues about globalization, who have raised this set of issues about shaping trade policy and have applied it to this critical step, vis-a-vis, CAFTA, that those of us who are doing that are taking a step backwards from where the Clinton administration was. The contrary is true. The contrary is really what this is all about.

For example, Jordan. Today, Ambassador Portman, and I am glad to call him ambassador now, he was a colleague, said that the Jordan agreement is not as strong as CAFTA when it comes to core labor standards. That simply is an incorrect analysis of Jordan. Jordan has a clear reference to the core standards: child labor, forced labor, anti-discrimination and the

right of workers to associate and to bargain collectively. It has references to those five core labor standards in the Jordan agreement, number one.

Number two, Jordan has a provision to make sure that Jordan cannot slip backwards, cannot move away from that standard. That is not true in CAFTA. Enforce your own laws, it can be present laws or revised laws that are even worse.

Thirdly, as to enforcement, it is not at all correct to say that the provisions in CAFTA, that those provisions are nearly as strong as was negotiated with Jordan. Essentially the Jordan FTA, the U.S.-Jordan FTA said that each country could take the necessary steps to enforce the obligations of the other, and it is true the Bush administration later entered a letter, a side letter, that put some brakes on the ability of the Bush administration to implement the Jordan agreement, but that is not what was negotiated.

What President Clinton did increasingly in his later years was to say to the world, I favor expanded trade, I believe in it, it has to be done in ways that shape so that there is a leveling up and not down. That is language that he used in his speeches. He referred to them at the University of Chicago speech, and that was the flavor of his speech at Davos. I was there when he gave the speech. He spent half of his time talking about the benefits of expanded trade. He also spent the second half saying if those benefits were going to be real and move globalization ahead, there needed to be, he said, a leveling up and not a leveling down.

When people say we cannot impose standards on other countries, and that was said I think it was yesterday or maybe earlier today by the chairman of our committee, I do not understand that. Trade agreements, like any other contract, involve imposition. We are going to have to change laws as a result of trade agreements. That was true under the Uruguay Round agreements. It is true of tariffs. We are going to have to change our laws regarding tariffs.

Now we are not talking about imposing American standards in CAFTA. What we are talking about is placing internationally recognized standards in the declaration of the ILO that every country involved here, Dominican Republic, Central American, U.S., has endorsed putting them into the agreement, in the body of the agreement enforceably with reasonable transition. That is important.

So let it be clear, the opposition to CAFTA, as negotiated, is not being led by those the administration likes to dismiss as in "protectionists" or "isolationists." Those shoes do not fit. The opposition leadership involves those of us who have favored expanded trade and have helped to shape and pass trade agreements in the last decade.

For us, CAFTA is an important line in the sand, affecting the future effectiveness of globalization. If the U.S.

does not seize the opportunity to shape the rule of trade and competition in CAFTA, it will have chosen simply to be on the receiving end of the consequences, both positive and negative of globalization.

I favor a CAFTA but not this agreement as it stands, and we can quickly fix this agreement by renegotiating CAFTA to include internationally recognized labor standards, with enforcement and a reasonable transition. In doing so, we would advance the interests of U.S. businesses and workers and expand the benefits of globalization beyond the status quo and any privileged minority in any of these countries.

We would take also an important step, and I want to emphasize this, an important step towards reestablishing a bipartisan foundation for trade. That bipartisan foundation has been eroded under this administration, and it is that bipartisan foundation that needs to be reestablished because it is so critical for tackling tough trade issues ahead, for example, in the Doha Round. We cannot tackle these tough issues of agriculture, various parts of agriculture, or of services, including financial services, we cannot tackle them, nontariff barriers, unless there is a solid, nonpartisan, bipartisan foundation. We cannot do it by trying to squeeze out a one vote majority.

Security, economic and political, is best achieved in the region of Central America by closing the dangerous gap between rich and poor, by development of a real middle class and a larger middle class and by expansion of freedom operating in the workplace and spreading throughout the society, it did, by the way, not only in our country, but in Poland and so many other places.

I want to close by emphasizing what is at stake, that this security, economic and political, is in the self-interest of our country, of our businesses and of our workers. We need to address this issue of core labor standards, not only for the benefit of the workers in the other countries, of the development of a so badly needed middle class in those countries, but also because our workers increasingly refuse to compete with countries where the workers are suppressed. That is eroding the support for international trade in this country, and we need to reaffirm its importance by reaffirming some basic principles. That is going to be good, as I said, for our country, for our businesses, and for our workers.

I am not sure of the timetable for CAFTA. What I am sure is as of today, it would not pass. There may be an effort to try to make it pass by all kinds of deals, which those of us who favor expanded trade would never agree to. It may be endeavored to pass through some kinds of deals unrelated to trade, offering this and that, unrelated again to trade. That would be a terrible mistake.

We have an opportunity here to reconfigure CAFTA in a way that would bring about strong bipartisan support

and be a foundation for the development of stable relationships within Central America and the Dominican Republic and between them and ourselves.

Also, as I said, we would be able to reestablish the bipartisan foundation that once prevailed for international trade in this institution. Without it, CAFTA, in my judgment, should not and cannot pass, and there is likely trouble in tackling the other issues that need to be addressed boldly, honestly and effectively.

The material I referred to previously I will insert into the RECORD at this point.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, April 4, 2005.

Hon. PETER ALLGEIER,
Acting U.S. Trade Representative,
Washington, DC.

DEAR AMBASSADOR ALLGEIER: In recent weeks, advocates for the Central American Free Trade Agreement (CAFTA) have made assertions that the CAFTA countries' laws comply with basic, internationally-recognized rules that ensure common decency and fairness to working people. These advocates argue that the only outstanding issue concerning the rights of workers in the CAFTA countries is a lack of adequate enforcement of existing labor laws.

Unfortunately, CAFTA advocates' rhetoric is not supported by the facts. There are still no fewer than 20 areas in which the CAFTA countries' labor laws fail to comply with even the most basic international norms, as documented by the International Labor Organization (ILO), the U.S. Department of State and multiple non-governmental organizations.

More than a year ago, in November 2003, a number of us wrote to you outlining these problems in detail. We had hoped that doing so might lead to actions to remedy those problems, or at least to a constructive dialogue about them. However, the Members who signed that letter have yet to receive any response to the list of problems documented in that letter—either from your office or from the countries concerned. In fact, the labor laws in at least one of the CAFTA countries have been weakened in recent months.

In light of the fact that Congress may soon be considering the CAFTA, it is important to move beyond rhetoric to the facts. We urge you to provide documented information concerning any amendments CAFTA countries have made to their laws to address the shortcomings noted in the attached list. Those shortcomings cannot be overcome with better enforcement efforts. Even the best enforcement of inadequate laws—whether relating to intellectual property, services regulation or technical standards for manufactured products—cannot yield acceptable results.

We support the right CAFTA for the Central American countries and the Dominican Republic, just as we have strongly supported the Caribbean Basin Initiative (CBI) programs. These programs have done much to strengthen economic ties with our friends and neighbors in Central America and the Caribbean in ways that benefit both the United States and the region.

However, the CBI programs were built on the dual pillars of expanded economic opportunity and a strong framework for trade. In particular, the programs were expressly conditioned on the countries making progress in achieving basic labor standards. By contrast,

the CAFTA moves backward by not including even these minimum standards, and using instead a standard for each country of "enforce your own laws." Ensuring that the CAFTA countries both adopt and effectively maintain in their laws the most basic standards of decency and fairness to working people is important to their workers, their societies, and to U.S. workers. It also is critical to ensuring strong and sustainable economic growth and promoting increased standards of living.

We welcome and support all efforts to improve the capacity of Central American countries to improve the enforcement of their labor laws. In fact, for the last four years, we have fought for better funding of such programs and against massive Administration budget cuts for labor technical assistance programs—many of these programs eroded-out or slashed by up to 90 percent in budgets submitted by the Administration. The Administration's track record gives us little confidence that the one-time grant of \$20 million included in the FY05 Foreign Operations Appropriations Act for labor and environmental technical assistance in the CAFTA countries represents the kind of real and sustained commitment needed in these areas. Moreover, such efforts on enforcement are no substitute for getting it right on basic laws.

Sincerely,

BENJAMIN L. CARDIN,
Ranking Member, Subcommittee on Trade.
XAVIER BECERRA,
Member.
CHARLES B. RANGEL,
Ranking Member.
SANDER M. LEVIN,
Ranking Member, Subcommittee on Social Security.

U.S. STATE DEPARTMENT AND INTERNATIONAL LABOR ORGANIZATION REPORTS CONFIRM DEFICIENCIES IN CAFTA LABOR LAWS

The 2004 U.S. State Department Country Reports on Human Rights Practices, the October 2003 ILO Fundamental Principles and Rights at Work: A Labor Law Study ("the Report"), and other ILO reports released in recent years confirm the existence of at least 20 areas in which the labor laws in the CAFTA countries fail to comply with two of the most basic international norms of common decency and fairness to working people—the rights of association (ILO Convention 87) and to organize and bargain collectively (ILO Convention 98).

Each of these deficiencies, discussed in detail below, was identified in a letter sent in November 2003, from Reps. Rangel, Levin and Becerra to then U.S. Trade Representative Zoellick. Neither USTR nor the governments of the Central American countries have provided information responding to these inconsistencies.

COSTA RICA

Use of Solidarity Associations to Bypass Unions. Costa Rican law allows employers to establish "solidarity associations" and to bargain directly with such associations, even where a union has been established. The failure to explicitly prohibit employers from bypassing unions in favor of employer-based groups violates ILO Convention 98.

This deficiency was confirmed in the October 2003 ILO Report: "[T]he report of the technical assistance mission . . . drew attention to the great imbalance in the private sector between the number of collective agreements and the number of direct pacts . . . the CEACR recalled that direct negotiation between employers and workers' representatives was envisaged 'only in the absence of trade union organizations.'"

(2) Onerous Strike Requirements. Costa Rican law includes a number of onerous procedural requirements for a strike to be called. These requirements contravene ILO guidelines for regulation of strikes, and taken as a whole, make it nearly impossible for a strike to be called. For example, Costa Rica requires that 60% of all workers in a facility vote in favor of a strike in order for it to be legal. These requirements violate ILO Convention 87.

This deficiency was confirmed in the October 2003 ILO Report: "The general requirements set out by the legislator [sic] for a strike to be legal . . . include the requirement that at least 60 per cent of the workers in the enterprise support strike action. The CEACR has stated that if a member State deems it appropriate to establish in its legislation provisions for the requirement of a vote by workers before a strike can be held, 'it should ensure that account is taken only of the votes cast, and that the required quorum and majority are fixed at a reasonable level.'"

(3) Inadequate Protection Against Anti-Union Discrimination. Costa Rica's laws do not provide for swift action against anti-union discrimination. For example, there is no accelerated judicial review for dismissal of union leaders.

This deficiency was confirmed in the October 2003 ILO Report: "[A]s the CEACR has indicated, legislation needs to be amended 'to expedite judicial proceedings concerning anti-union discrimination and to ensure that the decisions thereby are implemented by effective means.'"

EL SALVADOR

(1) Inadequate Protection Against Anti-Union Discrimination. El Salvador fails to provide adequate protection against anti-union discrimination. In particular, El Salvador fails to provide for reinstatement of workers fired because of anti-union discrimination, which violates ILO Convention 98. There also are widespread reports of blacklisting in export processing zones of workers who join unions. Salvadoran law does not prohibit blacklisting, as it bars only anti-union discrimination against employees, not job applicants.

The 2004 U.S. State Department Report on Human Rights Practices confirms this deficiency: "The Labor Code does not require that employers reinstate illegally dismissed workers. . . . Workers and the ILO reported instances of employers using illegal pressure to discourage organizing, including the dismissal of labor activists and the circulation of lists of workers who would not be hired because they had belonged to Unions."

(2) Restrictive Requirements for Formation of Industrial Unions. El Salvador has repeatedly been cited by the U.S. State Department and the ILO for using union registration requirements to impede the formation of unions. These formalities violate ILO Convention 87.

The 2004 U.S. State Department Report on Human Rights Practices confirms this deficiency: "[I]n some cases supported by the ILO Committee on Freedom of Association . . . the Government impeded workers from exercising their right of association. . . . [T]he government and judges continued to use excessive formalities as a justification to deny applications for legal standing to unions and federations."

A 1999 Report by the ILO Committee on Freedom of Association confirms this deficiency: The Committee observes that "legislation imposes a series of excessive formalities for the recognition of a trade union and the acquisition of legal personality that are contrary to the principle of the free establishment of trade union organizations. . . ."

GUATEMALA

(1) Inadequate Protection Against Anti-Union Discrimination. Guatemala's laws do not adequately deter anti-union discrimination. The failure to provide adequate protection from anti-union discrimination violates Convention 98.

This deficiency was confirmed in the 2004 U.S. State Department Report on Human Rights Practices: "An ineffective legal system and inadequate penalties for violations hindered enforcement of the right to form unions and participate in trade union activities. . . ."

This deficiency was confirmed in the October 2003 ILO Report: "[T]he CEACR hopes that . . . 'measures will soon be adopted to ensure rapid and effective compliance with judicial decisions ordering the reinstatement in their jobs of workers dismissed for trade union activities and that effective penalties will be established for failure to comply with such decisions.'"

Note: In August 2004, the Constitutional Court of Guatemala issued a ruling rescinding the authority of the Ministry of Labor to impose fines for labor rights violations. Following this decision, it is not clear whether Guatemala's law permits any fines to be assessed for labor violations.

(2) Restrictive Requirements for Formation of Industrial Unions. Guatemala requires a majority of workers in an industry to vote in support of the formation of an industry-wide union for the union to be recognized. This requirement violates Convention 87.

This deficiency was confirmed in the 2004 U.S. State Department Report on Human Rights Practices: The high, industry-wide threshold creates "a nearly insurmountable barrier to the formation of new industry-wide unions."

(3) Onerous Requirements to Strike. Guatemalan law includes a number of provisions that interfere with the right to strike. The Guatemalan Labor Code mandates that unions obtain permission from a labor court to strike, even where workers have voted in favor of striking. In addition, the Labor Code requires a majority of a firm's workers to vote in favor of the strike. These laws violate Convention 87.

This deficiency was confirmed in the 2004 U.S. State Department Report on Human Rights Practices: Noting that "procedural hurdles" helped to make legal strikes rare, the Report states, "The Labor Code requires approval by simple majority of a firm's workers to call a legal strike. The Labor Code requires that a labor court consider whether workers are conducting themselves peacefully and have exhausted available mediation before ruling on the legality of a strike."

This deficiency was confirmed in the October 2003 ILO Report: "[O]ne of the general requirements laid down in the legislation . . . is still under criticism by the CEACR: 'only the votes cast should be counted in calculating the majority and . . . the quorum should be set at a reasonable level.'"

(4) Ambiguity in Certain Criminal Penalties. Guatemala's Penal Code provides for criminal penalties against anyone who disrupts the operation of enterprises that contribute to the economic development of the country. Whether and how these penalties apply to workers engaged in a lawful strike is unclear, and this ambiguity has deterred workers from exercising their right to strike. The CEACR has stated that application of these penalties to a worker who engaged in a lawful strike would violate ILO Conventions 87 and 98.

This deficiency was confirmed in the October 2003 ILO Report: "The CEACR has drawn

the attention of the Government to the fact that certain provisions of the Penal Code are not compatible with ILO Conventions . . . noting that . . . sentences of imprisonment can be imposed as a punishment . . . for participation in a strike."

(5) Restrictions on Union Leadership. Guatemala maintains a number of restrictions with respect to union leadership including: (1) restricting leadership positions to Guatemalan nationals; and (2) requiring that union leaders be currently employed in the occupation represented by the union. These restrictions violate Convention 87.

This deficiency was confirmed in the October 2003 ILO Report: "Both the Constitution and the Labour Code prohibit foreign nationals from holding office in a trade union. . . . The Labour Code requires officials to be workers in the enterprise. . . . These restrictions have given rise to observations by the CEACR."

HONDURAS

(1) Burdensome Requirements for Union Recognition. Honduran law requires more than 30 workers to form a trade union. This numerical requirement acts as a bar to the establishment of unions in small firms, and violates ILO Convention 87.

This deficiency was confirmed in the 2004 U.S. State Department Report on Human Rights Practices: "The [ILO] has noted that various provisions in the labor law restrict freedom of association, including . . . the requirement of more than 30 workers to constitute a trade union. . . ."

This deficiency was confirmed in the October 2003 ILO Report: "[T]he requirement to have more than 30 workers to constitute a trade union . . . has prompted the CEACR to comment that this number is 'not conducive to the formation of trade unions in small, and medium size enterprises.'"

(2) Limitations on the Number of Unions. Honduran law prohibits the formation of more than one trade union in a single enterprise. This restriction violates ILO Convention 87 on the right of workers to join or establish organizations of their own choosing, and fosters the creation of monopoly unions.

This deficiency was confirmed in the 2004 U.S. State Department Report on Human Rights Practices: "The [ILO] has noted that various provisions in the labor law restrict freedom of association, including the prohibition of more than 1 trade union in a single enterprise. . . ."

This deficiency was confirmed in the October 2003 ILO Report: "Such a provision, in the view of the CEACR, is contrary to Article 2 of Convention No. 87, since the law should not institutionalize a de facto monopoly. . . ."

(3) Restrictions on Union Leadership. Honduras requires that union leaders be Honduran nationals, and be employed in the occupation that the union represents. These restrictions violate ILO Convention 87.

This deficiency was confirmed in the 2004 U.S. State Department Report on Human Rights Practices: "The [ILO] has noted that various provisions in the labor law restrict freedom of association, including . . . the prohibition on foreign nationals holding union office, the requirement that union officials must be employed in the economic activity of the business the union represents. . . ."

This deficiency was confirmed in the October 2003 ILO Report: "The Labour Code prohibits foreign nationals from holding trade union offices and requires officials to be engaged in the activity, profession or trade characteristic of the trade union. . . . The CEACR has objected to these provisions, which it deems incompatible with Article 3 of Convention No. 87. . . ."

(4) Inadequate Protection Against Anti-Union Discrimination. The ILO CEACR has faulted Honduras for a number of years for not providing adequate sanctions for anti-union discrimination. For example, under the law, only a very small fine equivalent to approximately US\$12-\$600 can be assessed against employers for interfering with the right of association. This Honduran law violates ILO Convention 98.

This deficiency was confirmed by a 2004 Report of the ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR): "The penalties envisaged . . . against persons impairing the right to freedom of association (from 200 to 2,000 lempiras, with 200 lempiras being equivalent to around \$12) had been deemed inadequate by one worker's confederation. . . . The Committee once again hopes that [legislation will be prepared] providing for sufficiently effective and dissuasive sanctions against all acts of anti-union discrimination."

(5) Few Protections Against Employer Interference in Union Activities. Honduras prohibits employers or employees with ties to management from joining a union; it does not, however, prohibit employers from interfering in union activities through financial or other means. The failure to preclude employer involvement violates ILO Convention 98 on the right to organize and bargain collectively.

This deficiency was confirmed in a 2004 Report of the ILO CEACR: "[T]he Convention provides for broader protection for workers' . . . organizations against any acts of interference . . . in particular, acts which are designed to promote the establishment of workers' organizations under the domination of employers or employers' organizations, or to support workers' organizations by financial or other means, with the object of placing such organizations under the control of employers or employers' organizations. In this respect, the Committee once again hopes that [labor law reform will include provisions] designed to . . . afford full and adequate protection against any acts of interference, as well as sufficiently effective and dissuasive sanctions against such acts."

(6) Restrictions on Federations. Honduras prohibits federations from calling strikes. The CEACR has criticized this prohibition, which contravenes the right to organize.

This deficiency was confirmed in the October 2003 ILO Report: "Federations and confederations do not have a recognized right to strike . . . which has prompted the CEACR to recall that such provisions are contrary to Articles 3, 5 and 6 of Convention No. 87 . . ."

(7) Onerous Strike Requirements. Honduras requires that two-thirds of union members must support a strike for it to be legal. This requirement violates ILO Convention 87.

This deficiency was confirmed in the October 2003 ILO Report: "[T]he CEACR has recalled that restrictions on the right to strike should not be such as to make it impossible to call a strike in practice, and that a simple majority of voters calculated on the basis of the workers present at the assembly should be sufficient to be able to call a strike."

NICARAGUA

(1) Inadequate Protection Against Anti-Union Discrimination. Nicaragua's laws permit employers to fire employees who are attempting to organize a union as long as they provide double the normal severance pay. This allowance violates ILO Convention 98.

This deficiency was confirmed in the October 2003 ILO Report: The Annex to the Report states that the Labor Code provides that "if the employer does not carry out reinstatement, he/she shall pay double the

compensation according to the length of service."

(2) Use of Solidarity Associations to Bypass Unions. Nicaragua allows employers to create "solidarity associations" but does not specify how those associations relate to unions. The failure to include protections against employers using solidarity associations to interfere with union activities violates ILO Convention 98.

This deficiency was confirmed in the 2004 U.S. State Department Report on Human Rights Practices: "The Labor Code recognizes cooperatives into which many transportation and agricultural workers are organized. Representatives of most organized labor groups criticized these cooperatives and assert that they do not permit strikes, have inadequate grievance procedures, are meant to displace genuine, independent trade unions and are dominated by employers."

(3) Procedural Impediments to Calling a Strike. Nicaragua maintains a number of restrictive procedural requirements for calling strikes. (According to the 2002 U.S. State Department Human Rights Report, the Nicaraguan Labor Ministry asserts that it would take approximately 6 months for a union to go through the entire process to be permitted to have a legal strike.) Since all legal protections may be withdrawn in the case of an illegal strike, the practical outcome is that workers who strike often lose their jobs, thus undermining the right to strike protected by Convention 87.

This deficiency was confirmed in the 2004 U.S. State Department Report on Human Rights Practices: "Observers contend that the [process for calling a strike] is inappropriately lengthy and so complex that there have been few legal strikes since the 1996 Labor Code came into effect . . ."

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. KILPATRICK of Michigan (at the request of Ms. PELOSI) for today on account of personal reasons.

Mr. LARSEN of Washington (at the request of Ms. PELOSI) for today on account of business in the district.

Ms. LINDA T. SANCHEZ of California (at the request of Ms. PELOSI) for today on account of official business in the district.

Mr. SESSIONS (at the request of Mr. DELAY) for the week of June 13 on account of taking his sons to scout camp.

Mr. TOWNS (at the request of Ms. PELOSI) for today.

Ms. WATERS (at the request of Ms. PELOSI) for today on account of personal business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. PALLONE) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. GENE GREEN of Texas, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Ms. WATERS, for 5 minutes, today.

Ms. SOLIS, for 5 minutes, today.

(The following Members (at the request of Mr. GUTKNECHT) to revise and extend their remarks and include extraneous material:)

Mr. GUTKNECHT, for 5 minutes, June 20.

Mr. BURTON of Indiana, for 5 minutes, today, June 14, 15, 16 and 17.

Mr. NORWOOD, for 5 minutes, June 16. (The following Member (at her own request) to revise and extend her remarks and include extraneous material:)

Ms. ROS-LEHTINEN, for 5 minutes, today.

ADJOURNMENT

Mr. POE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 21 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, June 14, 2005, at 9 a.m., for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

2293. A letter from the Comptroller, Department of Defense, transmitting a report of a violation of the Antideficiency Act by the Department of the Army, Case Number 02-01, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

2294. A letter from the Under Secretary for Acquisition, Technology and Logistics, Department of Defense, transmitting certified materials provided to the Base Closure and Realignment Commission; to the Committee on Armed Services.

2295. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Navy's Proposed Letter(s) of Offer and Acceptance (LOA) to Japan for defense articles and services (Transmittal No. 05-27), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

2296. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting Determination Related to Serbia Under 563(c) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2005 (Div. D, P.L. 108-447); to the Committee on International Relations.

2297. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 3(d) of the Arms Export Control Act, certification regarding the proposed transfer of major defense equipment from the Government of Australia (Transmittal No. RSAT-02-05); to the Committee on International Relations.

2298. A letter from the Secretary, Department of Education, transmitting the thirty-second Semiannual Report to Congress on Audit Follow-Up, covering the period October 1, 2004 through March 31, 2005 in compliance with the Inspector General Act Amendments of 1988, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2299. A letter from the Secretary, Department of the Interior, transmitting the semi-

annual report on the activities of the Office of Inspector General covering the six month period of September 30, 2004 through April 1, 2005, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2300. A letter from the Acting White House Liaison, Department of Commerce, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2301. A letter from the Acting White House Liaison, Department of Commerce, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2302. A letter from the Acting White House Liaison, Department of Commerce, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2303. A letter from the Chairman, National Endowment for the Arts, transmitting the Semiannual Report to the Congress of the Inspector General and the Chairman's Semiannual Report on Final Actions Resulting from Audit Reports for the period of October 1, 2004 through March 31, 2005, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2304. A letter from the Acting Director, Office of Personnel Management, transmitting the semiannual report on the activities of the Inspector General and the Management Response for the period of October 1, 2004 to March 31, 2005, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2305. A letter from the Acting Director, Office of Personnel Management, transmitting the semiannual report on the activities of the Inspector General and the Management Response for the period of October 1, 2004 to March 31, 2005, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2306. A letter from the Chairman, Securities and Exchange Commission, transmitting the semiannual report on activities of the Inspector General for the period October 1, 2004 through March 31, 2005 and the Management Response for the same period, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2307. A letter from the Chairman, U.S. Postal Service, transmitting the semiannual report on activities of the Inspector General for the period ending March 31, 2005 and the Management Response for the same period, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 8G(h)(2); to the Committee on Government Reform.

2308. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation for Marine Events; Nanticoke River, Sharptown, MD [CGD05-05-052] (RIN: 1625-AA08) received June 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2309. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation for Marine Events; Maryland Swim for Life, Chester River, Chestertown, MD [CGD05-05-051] (RIN: 1625-AA08) received June 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2310. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Columbus, NE. [Docket No. FAA-2005-20752; Airspace Docket No. 05-ACE-15] received May 19, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2311. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; Nome, AK [Docket No. FAA-2005-20449; Airspace Docket No. 05-AAL-06] received May 19, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2312. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revision of VOR Federal Airways 208 [Docket No. FAA-2003-19053; Airspace Docket No. 04-ANM-10] (RIN: 2120-AA66) received May 19, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2313. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revision of VOR Federal Airways and Jet Routes in the Vicinity of Savannah, GA [Docket No. FAA 2002-13362; Airspace Docket No. 02-ASO-7] (RIN: 2120-AA66) received May 19, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2314. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Surface Area Airspace; and Modification of Class D Airspace; Topeka, Forbes Field, KS [Docket No. FAA-2002-14348; Airspace Docket No. 03-ACE-5] received May 19, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2315. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Surface Area Airspace; and Modification of Class D Airspace; Topeka, Forbes Field, KS [Docket No. FAA-2002-14348; Airspace Docket No. 03-ACE-5] received May 19, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2316. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and E Airspace; Montgomery, AL; Correction [Docket No. FAA-2003-15409; Airspace Docket No. 03-ASO-8] received May 19, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2317. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Cedar Rapids, IA [Docket No. FAA-2003-15074; Airspace Docket No. 03-ACE-42] received May 19, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2318. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Windsor Locks, Bradley International Airport, CT [Docket No. FAA-2003-14868; Airspace Docket No. 2003-ANE-103] received May 19, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2319. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Valentine, NE [Docket No. FAA-2003-15075; Airspace Docket No. 03-ACE-43] received May 19, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2320. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Kaiser, MO [Docket No. FAA-2003-15076; Airspace Docket

No. 03-ACE-44] received May 19, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2321. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Elkhart, KS [Docket No. FAA-2003-15453; Airspace Docket No. 03-ACE-51] received May 19, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2322. A letter from the Vice President, Government Affairs, National Railroad Passenger Corporation, transmitting Amtrak's Grant and Legislative Request for FY06; to the Committee on Transportation and Infrastructure.

2323. A letter from the Chairman, International Trade Commission, transmitting a final report of the review and analysis of the economic impact on the United States of all trade agreements implemented under the Trade Promotion Authority, pursuant to 19 U.S.C. 3803 Public Law 107-210 section 2103(c)(3)(B); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Pursuant to the order of the House on June 9, 2005 the following reports were filed on June 10, 2005]

Mr. WOLF: Committee on Appropriations. H.R. 2862. A bill making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes (Rept. 109-118). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Florida: Committee on Appropriations. H.R. 2863. A bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, and for other purposes (Rept. 109-119). Referred to the Committee of the Whole House on the State of the Union.

[Filed on June 10, 2005]

Mr. HYDE: Committee on International Relations. H.R. 2745. A bill to reform the United Nations, and for other purposes; and with an amendment (Rept. 109-120). Referred to the Committee of the Whole House on the State of the Union.

[Filed on June 13, 2005]

Mr. YOUNG of Alaska: Committee on Transportation and Infrastructure. House Concurrent Resolution 152. Resolution commemorating Mystic Seaport: the Museum of America and the Sea in recognition of its 75th year; with an amendment (Rept. 109-121). Referred to the House Calendar.

Mr. GINGREY: Committee on Rules. House Resolution 314. Resolution providing for consideration of the bill (H.R. 2862) making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes (Rept. 109-122). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. YOUNG of Alaska (for himself, Mr. OBERSTAR, Mr. DUNCAN, and Ms. EDDIE BERNICE JOHNSON of Texas):

H.R. 2864. A bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. FILNER (for himself, Mr. PAS-TOR, Mr. GRIJALVA, Mr. SERRANO, and Mr. MCDERMOTT):

H.R. 2865. A bill to amend the Immigration and Nationality Act to restore certain provisions relating to the definition of aggravated felony and other provisions as they were before the enactment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996; to the Committee on the Judiciary.

By Mr. ABERCROMBIE (for himself and Mr. CASE):

H.R. 2866. A bill to provide for the expansion of the James Campbell National Wildlife Refuge, Honolulu County, Hawaii; to the Committee on Resources.

By Mr. DOYLE:

H.R. 2867. A bill to establish the Steel Industry National Historic Site in the State of Pennsylvania; to the Committee on Resources.

By Mr. GRAVES (for himself, Mr. CLAY, Mr. CHABOT, Mr. NORWOOD, Mr. ETHERIDGE, Mr. AKIN, Mr. HINCHEY, Mr. SIMMONS, Mr. GOODE, Mr. ALEX-ANDER, Mr. WALSH, Mr. MILLER of Florida, Mr. TERRY, Mr. PUTNAM, Mr. BOOZMAN, Mr. KENNEDY of Rhode Island, Mr. BARRETT of South Carolina, Ms. GINNY BROWN-WAITE of Florida, Mr. SOUDER, Mr. KUHL of New York, Mr. BOREN, Mr. WEXLER, Mr. GILLMOR, Mr. FORD, Mr. CONYERS, Mr. MCINTYRE, Mr. REYNOLDS, Ms. FOX, Mr. BISHOP of New York, Ms. CARSON, Mr. SHIMKUS, Mr. GARRETT of New Jersey, and Mr. PAYNE):

H.R. 2868. A bill to amend the Internal Revenue Code of 1986 to extend and expand the deduction for certain expenses of elementary and secondary school teachers; to the Committee on Ways and Means.

By Mr. GENE GREEN of Texas (for himself, Mr. WAXMAN, Mr. BROWN of Ohio, Mr. STARK, Mr. FARR, Mr. GRIJALVA, Mr. BACA, Mr. REYES, Mr. GONZALEZ, Mr. STRICKLAND, Mr. RYAN of Ohio, Mr. HINOJOSA, Mrs. CAPPS, Ms. SOLIS, Ms. DEGETTE, Mr. STUPAK, Mr. TOWNS, Mr. ORTIZ, Ms. JACKSON-LEE of Texas, Mr. MCDERMOTT, Mr. DOGGETT, and Ms. LEE):

H.R. 2869. A bill to amend title II of the Social Security Act to phase out the 24-month waiting period for disabled individuals to become eligible for Medicare benefits, to eliminate the waiting period for individuals with life-threatening conditions, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LANTOS (for himself, Mr. OWENS, Mr. OBERSTAR, Mr. GUTIER-REZ, Mr. GEORGE MILLER of California, Mr. PAYNE, Mr. SANDERS, Mr. GRIJALVA, Mr. MCGOVERN, Ms. WOOL-SEY, Mrs. CHRISTENSEN, Mr. STARK, Mrs. MALONEY, Mr. FILNER, Ms. SOLIS, Ms. SCHAKOWSKY, Mr. TIERNEY, Mr. KUCINICH, Mr. BROWN of Ohio, Ms. ROYBAL-ALLARD, Mr. DAVIS of Illinois, Mr. FRANK of Massachusetts, Ms. DELAURO, Mr. DINGELL, Ms. VELAZQUEZ, and Mr. MCDERMOTT):

H.R. 2870. A bill to amend the Fair Labor Standards Act of 1938 to reform the provisions relating to child labor, and for other purposes; to the Committee on Education and the Workforce.

By Mr. GEORGE MILLER of California (for himself, Mr. BACA, Mr. BECERRA, Mr. BERMAN, Mrs. CAPPS, Mr. CARDOZA, Mr. COSTA, Mrs. DAVIS of California, Ms. ESHOO, Mr. FARR, Mr. FILNER, Ms. HARMAN, Mr. HONDA, Mr. LANTOS, Ms. LEE, Ms. ZOE LOFGREN of California, Ms. MILLENDER-MCDON-ALD, Mrs. NAPOLITANO, Ms. PELOSI, Ms. ROYBAL-ALLARD, Ms. LINDA T. SANCHEZ of California, Ms. LORETTA SANCHEZ of California, Mr. SCHIFF, Mr. SHERMAN, Ms. SOLIS, Mr. STARK, Mrs. TAUSCHER, Mr. THOMPSON of California, Ms. WATSON, Ms. WATERS, Mr. WAXMAN, and Ms. WOOLSEY):

H.R. 2871. A bill to designate the John L. Burton Trail in the Headwaters Forest Reserve, California; to the Committee on Resources.

By Mr. NEY (for himself and Mr. CARDIN):

H.R. 2872. A bill to require the Secretary of the Treasury to mint coins in commemoration of Louis Braille; to the Committee on Financial Services.

By Mrs. WILSON of New Mexico:

H.R. 2873. A bill to clear title to certain real property in New Mexico associated with the Middle Rio Grande Project, and for other purposes; to the Committee on Resources.

By Mr. FILNER:

H. Res. 313. A resolution urging the President to authorize the transfer of ownership of one of the bells taken from the town of Balangiga on the island of Samar, Philippines, which are currently displayed at F.E. Warren Air Force Base, to the people of the Philippines; to the Committee on Armed Services.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 23: Mr. SULLIVAN and Mr. BOUCHER.
H.R. 97: Ms. WATSON, Mr. FOLEY, Mr. FILNER, and Mr. SERRANO.
H.R. 111: Ms. MCKINNEY, Mr. POMEROY, Mr. JACKSON of Illinois, and Mr. EDWARDS.
H.R. 181: Mr. GOODLATTE.
H.R. 195: Mr. SHAYS and Mr. ENGLISH of Pennsylvania.
H.R. 199: Ms. MCKINNEY.
H.R. 303: Mr. KANJORSKI.
H.R. 438: Mr. MEEKS of New York, Mr. FORD, Mr. HASTINGS of Florida, Mrs. CHRISTENSEN, Mr. TOWNS, Mr. DAVIS of Illinois, Mr. PAYNE, Mr. CLAY, Ms. MOORE of Wisconsin, Ms. NORTON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. THOMPSON of Mississippi, and Mr. SCOTT of Virginia.
H.R. 457: Mr. PALLONE, Mr. MEEKS of New York, Mr. KILDEE, Mr. MOORE of Kansas, Mr. SAXTON, and Mr. HINCHEY.
H.R. 490: Mr. TIAHRT.
H.R. 535: Mr. HOLT, Mr. CROWLEY, Mrs. CHRISTENSEN, Mr. DOGGETT, and Mr. Frank of Massachusetts.
H.R. 666: Mr. ANDREWS.
H.R. 670: Mr. STRICKLAND and Mr. MILLER of Florida.
H.R. 676: Mr. HASTINGS of Florida.
H.R. 728: Mr. DEAL of Georgia.
H.R. 799: Mr. STARK.
H.R. 858: Mr. EVERETT.
H.R. 893: Mr. OBERSTAR.
H.R. 896: Ms. DELAURO and Mr. CASE.
H.R. 923: Mr. ISSA.
H.R. 949: Ms. BALDWIN, Mr. JEFFERSON, and Mr. MCDERMOTT.
H.R. 994: Ms. MCKINNEY, Ms. MATSUI, Mr. THOMPSON of California, Mr. TANCREDO, Mr.

HINCHEY, Mr. ISSA, Mr. MURPHY, Mr. STUPAK, Mr. WALDEN of Oregon, Ms. KILPATRICK of Michigan, Mrs. CAPPs, Ms. WATERS, Mr. NEUGEBAUER, and Mr. MCGOVERN.
 H.R. 1059: Mr. PASTOR and Mr. SMITH of Washington.
 H.R. 1121: Mr. DREIER.
 H.R. 1130: Mr. CLEAVER and Ms. WATSON.
 H.R. 1188: Mr. ABERCROMBIE and Mr. OWENS.
 H.R. 1204: Mr. BOEHLERT.
 H.R. 1220: Mr. REYES.
 H.R. 1227: Ms. ROS-LEHTINEN.
 H.R. 1248: Mr. CULBERSON.
 H.R. 1323: Mr. ISRAEL.
 H.R. 1366: Mr. GORDON.
 H.R. 1371: Mr. GORDON.
 H.R. 1376: Mr. EMANUEL.
 H.R. 1383: Mr. CASE.
 H.R. 1424: Ms. LINDA T. SÁNCHEZ of California.
 H.R. 1526: Mr. SABO, Mr. COSTELLO, and Mr. DOGGETT.
 H.R. 1547: Mr. SCHWARZ of Michigan and Mr. ETHERIDGE.
 H.R. 1554: Ms. HERSETH.
 H.R. 1575: Mr. DEAL of Georgia.
 H.R. 1585: Mr. DAVIS of Florida.
 H.R. 1600: Mr. HOLDEN.
 H.R. 1649: Mr. PASCRELL.
 H.R. 1652: Mr. MICHAUD.
 H.R. 1689: Mr. PORTER.
 H.R. 1704: Mr. NORWOOD.
 H.R. 1765: Mr. HINCHEY.
 H.R. 1823: Mr. MORAN of Virginia.
 H.R. 1849: Mr. ROTHMAN, Mr. RUPPERSBERGER, and Mr. BARROW.
 H.R. 1872: Mr. SESSIONS.
 H.R. 1951: Mr. SIMMONS, Mr. BILIRAKIS, Mr. MILLER of Florida, and Mrs. CHRISTENSEN.
 H.R. 1973: Mr. STARK, Ms. MCCOLLUM of Minnesota, and Mr. LIPINSKI.
 H.R. 2068: Mr. BOOZMAN, Mr. ANDREWS, and Mr. MCCAUL of Texas.
 H.R. 2122: Mr. OLVER.
 H.R. 2211: Mr. DOYLE.
 H.R. 2317: Mr. CAMP, Mr. ROHRBACHER, and Mr. GEORGE MILLER of California.
 H.R. 2349: Ms. SCHAKOWSKY.
 H.R. 2355: Mr. MARCHANT and Mr. WHITFIELD.
 H.R. 2363: Mr. WILSON of South Carolina, Mr. COSTA, and Mr. DEAL of Georgia.
 H.R. 2423: Mr. GIBBONS, Mr. SHAYS, and Mrs. MYRICK.
 H.R. 2427: Ms. SCHAKOWSKY and Mrs. CAPPs.
 H.R. 2458: Mr. FEENEY.
 H.R. 2517: Mr. BISHOP of Georgia, Mr. NADLER, Mr. PAYNE, Mr. ACKERMAN, Mr. SANDERS, Mr. FOLEY, Mr. FARR, Ms. WOOLSEY, Mr. DAVIS of Illinois, Mr. ENGEL, and Mr. RANGEL.
 H.R. 2526: Mr. MCHUGH and Mr. KENNEDY of Rhode Island.
 H.R. 2533: Mr. GORDON, Mr. GUTIERREZ, Ms. SCHAKOWSKY, Mr. BOREN, and Mr. ENGEL.
 H.R. 2562: Mr. PALLONE, Ms. KAPTUR, Mr. ALLEN, and Ms. SCHAKOWSKY.
 H.R. 2567: Mr. MORAN of Virginia, Mr. CASE, Mr. NADLER, Mr. GEORGE MILLER of California, Mr. DICKS, and Mr. ABERCROMBIE.
 H.R. 2592: Mr. OWENS, Ms. CARSON, Ms. WATERS, Mr. GONZALEZ, Mr. BERMAN, Ms. ZOE LOFGREN of California, Ms. JACKSON-LEE of Texas, and Mr. DAVIS of Florida.
 H.R. 2646: Mr. PLATTS.
 H.R. 2648: Mr. DOOLITTLE and Mr. SIMMONS.
 H.R. 2650: Ms. JACKSON-LEE of Texas and Mr. MCHUGH.
 H.R. 2730: Mr. MARSHALL.
 H.R. 2746: Mr. SCOTT of Georgia, Mr. PALLONE, and Mr. McNULTY.
 H.R. 2747: Mr. EVANS and Mr. OWENS.
 H.R. 2811: Ms. SCHAKOWSKY and Mr. KUCINICH.
 H.R. 2828: Mr. CROWLEY, Mr. NADLER, and Mr. KIND.
 H.R. 2835: Ms. PELOSI, Mr. BISHOP of Georgia, Mr. STARK, and Mr. CLYBURN.

H.J. Res. 10: Mr. SAM JOHNSON of Texas, Mr. CANTOR, Mr. BACA, Mr. BOEHNER, Mr. BRADY of Texas, Mr. ROGERS of Kentucky, Mr. SCOTT of Georgia, Mr. RYUN of Kansas, Mr. JONES of North Carolina, Mr. LOBIONDO, Mr. STRICKLAND, Mr. BEAUPREZ, Mrs. BLACKBURN, Mr. FOSSELLA, Mrs. WILSON of New Mexico, Mr. WELDON of Pennsylvania, Mr. GUTKNECHT, and Ms. HART.
 H. Con. Res. 11: Mr. HERGER.
 H. Con. Res. 12: Mr. HERGER.
 H. Con. Res. 106: Mr. PLATTS.
 H. Con. Res. 107: Mrs. MALONEY.
 H. Con. Res. 133: Mr. SABO, Ms. MCCOLLUM of Minnesota, and Ms. SCHAKOWSKY.
 H. Con. Res. 137: Mr. FILNER.
 H. Con. Res. 140: Mr. MACK and Mr. WILSON of South Carolina.
 H. Con. Res. 160: Mr. SCOTT of Georgia, Ms. WATSON, Mr. PAUL, Mr. BISHOP of Georgia, Mr. PASCRELL, Mr. MORAN of Virginia, Mr. KUCINICH, Mr. FORD, Mr. GEORGE MILLER of California, Ms. MCCOLLUM of Minnesota, Mr. SERRANO, Ms. WATERS, and Ms. JACKSON-LEE of Texas.
 H. Con. Res. 164: Mr. NEAL of Massachusetts and Mr. KUCINICH.
 H. Res. 85: Mrs. MALONEY.
 H. Res. 286: Ms. BORDALLO, Mr. ACKERMAN, Mr. CUMMINGS, Mr. GRJALVA, and Mr. MCDERMOTT.
 H. Res. 294: Mr. BAKER, Mr. MCCREERY, Mr. MELANCON, Mr. JINDAL, Mr. ALEXANDER, and Mr. JEFFERSON.
 H. Res. 299: Ms. SCHAKOWSKY.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2862

OFFERED BY: MR. CHOCOLA

AMENDMENT NO. 1: Page 108, after line 7, insert the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available by this Act may be used by the National Aeronautics and Space Administration to employ any individual under the title "artist in residence".

H.R. 2862

OFFERED BY: MR. CLEAVER

AMENDMENT NO. 2: Page 108, after line 7, insert the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available by this Act may be used to process or approve a competition under Office of Management and Budget Circular A-76 for services provided by the National Logistics Support Center of the National Oceanic and Atmospheric Administration in Kansas City, Missouri.

H.R. 2862

OFFERED BY: MR. DREIER

AMENDMENT NO. 3: Page 22, line 21, after the dollar amount, insert the following: "(increased by \$50,000,000)".

Page 23, line 19, after the dollar amount, insert the following: "(increased by \$50,000,000)".

Page 45, line 25, after the dollar amount, insert the following: "(reduced by \$50,000,000)".

Page 46, line 10, after the dollar amount, insert the following: "(reduced by \$50,000,000)".

Page 46, line 11, after the dollar amount, insert the following: "(reduced by \$50,000,000)".

H.R. 2862

OFFERED BY: MR. HEFLEY

AMENDMENT NO. 4: At the end of the bill (before the short title), insert the following:
 TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. Appropriations made in this Act are hereby reduced in the amount of \$570,000,000.

H.R. 2862

OFFERED BY: MR. ISSA

AMENDMENT NO. 5: Page 2, line 7, insert "(reduced by \$5,000,000)" after the dollar amount.

Page 6, line 12, insert "(increased by \$5,000,000)" after the dollar amount.

H.R. 2862

OFFERED BY: MRS. MALONEY

AMENDMENT NO. 6: At the end of the bill (before the short title), insert the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available in this Act may be used to enforce any provision of law that prohibits or restricts funding for the United Nations Population Fund (UNFPA).

H.R. 2862

OFFERED BY: MRS. MCCARTHY

AMENDMENT NO. 7: In section 614 (relating to the national instant criminal background check system for persons purchasing a firearm), strike "24 hours" and insert "72 hours".

H.R. 2862

OFFERED BY: MR. MORAN

AMENDMENT NO. 8: At the end of the bill (before the short title), insert the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

LIMITATION ON USE OF FUNDS TO LICENSE EXPORT OF CENTERFIRE 50 CALIBER RIFLES

SEC. 801. None of the funds made available in this Act may be used to pay administrative expenses or compensate an officer or employee of the United States in connection with licensing the export of a nonautomatic or semiautomatic rifle capable of firing a center-fire cartridge in 50 caliber, .50 BMG caliber, any other variant of 50 caliber, or any metric equivalent of such calibers.

H.R. 2862

OFFERED BY: MR. NADLER

AMENDMENT NO. 9: Page 108, after line 7, insert the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SECTION 801. None of the funds made available in this Act may be used to issue a national security letter, for health insurance records, under any of the provisions of law amended by section 505 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001.

H.R. 2862

OFFERED BY: MR. PAUL

AMENDMENT NO. 10: Page 108, after line 7, insert the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available in this Act may be used by the United Nations to develop or publicize any proposal concerning taxation or fees on any United States person in order to raise revenue for the United Nations or any of its specialized or affiliated agencies. None of the funds

made available in this Act may be used by the United Nations to implement or impose any such taxation or fee on any United States person.

H.R. 2862

OFFERED BY: MR. PAUL

AMENDMENT No. 11: Page 108, after line 7, insert the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available in this Act may be used to pay any United States contribution to the United Nations or any affiliated agency of the United Nations.

H.R. 2862

OFFERED BY: MR. REICHERT

AMENDMENT No. 12: Page 10, line 15, after the first dollar amount, insert the following: “(reduced by \$50,000,000)”.

Page 12, line 3, after the dollar amount, insert the following: “(reduced by \$11,683,000)”.

Page 26, line 25, after the dollar amount, insert the following: “(increased by \$78,289,000)”.

Page 71, line 22, after the dollar amount, insert the following: “(reduced by \$16,606,000)”.

H.R. 2862

OFFERED BY: MS. LINDA T. SÁNCHEZ OF CALIFORNIA

AMENDMENT No. 13: In title II, in the item relating to “NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION—OPERATIONS, RESEARCH, AND FACILITIES”, after the aggregate dollar amount, insert the following: “(reduced by \$4,455,000)”.

In title V, in the item relating to “SMALL BUSINESS ADMINISTRATION—SALARIES AND EXPENSES”, after the aggregate dollar amount, insert the following: “(increased by \$4,000,000)”.

In title V, in the item relating to “SMALL BUSINESS ADMINISTRATION—BUSINESS LOANS PROGRAM ACCOUNT”, after the first dollar amount, insert the following: “(increased by \$455,000)”.

H.R. 2862

OFFERED BY: MR. SANDERS

AMENDMENT No. 14: At the end of the bill (before the short title), insert the following:

SEC. ____ . None of the funds made available in this Act to the Federal Communications Commission may be used to impose a forfeiture penalty under section 503 of the Communications Act of 1934 (47 U.S.C. 503) for a violation of section 1464 of title 18, United States Code, or 47 CFR 73.3999, with respect to any indecent utterance on any medium other than a radio or television broadcasting station.

H.R. 2862

OFFERED BY: MR. SANDERS

AMENDMENT No. 15: At the end of the bill (before the short title), insert the following new title:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available in this Act may be used to make an application under section 501 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861) for an order requiring the production of library circulation records, library patron lists, book sales records, or book customer lists.

H.R. 2862

OFFERED BY: MR. STEARNS

AMENDMENT No. 16: Page 22, line 12, after the dollar amount, insert the following: “(increased by \$10,000,000)”.

Page 81, line 19, after both dollar amounts, insert the following: “(reduced by \$10,000,000)”.

H.R. 2862

OFFERED BY: MR. STEARNS

AMENDMENT No. 17: At the end of the bill, add the following title:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available in this Act may be used for the design, construction, or rental of any new headquarters for the United Nations in New York City or any other location in the United States.

H.R. 2862

OFFERED BY: MR. TANCREDO

AMENDMENT No. 18: Page 108, after line 7, insert the following:

TITLE VIII—ADDITIONAL PROVISIONS

SEC. 801. None of the funds appropriated or otherwise made available in this Act may be used to include in any bilateral or multilateral trade agreement any provision that would—

(1) increase any limitation on the number of aliens authorized to enter the United States as a nonimmigrant, or to adjust to such status; or

(2) increase any limitation on the number of aliens authorized to enter the United States as an alien lawfully admitted for permanent residence, or to adjust to such status.

H.R. 2862

OFFERED BY: MR. TANCREDO

AMENDMENT No. 19: At the end of the bill, insert after the last section (preceding the short title), the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. ____ . None of the funds made available in this Act for the State Criminal Alien Assistance Program under the heading “DEPARTMENT OF JUSTICE—OFFICE OF JUSTICE PROGRAMS—STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE” may be used in contravention of section 642(a) of the Illegal Immigration Reform and Immigration Responsibility Act of 1996 (8 U.S.C. 1373).

H.R. 2862

OFFERED BY: MR. TERRY

AMENDMENT No. 20: Page 2, line 7, after the dollar amount, insert the following: “(reduced by \$568,763)”.

Page 3, line 1, after the dollar amount, insert the following: “(reduced by \$604,800)”.

Page 3, line 8, after the dollar amount, insert the following: “(reduced by \$492,800)”.

Page 3, line 18, after the dollar amount, insert the following: “(reduced by \$966,269)”.

Page 3, line 21, after the dollar amount, insert the following: “(reduced by \$5,474,560)”.

Page 4, line 7, after the first dollar amount, insert the following: “(reduced by \$299,268)”.

Page 4, line 12, after the dollar amount, insert the following: “(reduced by \$50,176)”.

Page 4, line 21, after the dollar amount, insert the following: “(reduced by \$2,982,878)”.

Page 5, line 17, after the dollar amount, insert the following: “(reduced by \$28,372)”.

Page 5, line 21, after the dollar amount, insert the following: “(reduced by \$647,140)”.

Page 6, line 12, after the dollar amount, insert the following: “(reduced by \$7,285,134)”.

Page 6, line 25, after the dollar amount, insert the following: “(reduced by \$960,521)”.

Page 7, line 17, after the dollar amount, insert the following: “(reduced by \$5,466)”.

Page 7, line 21, after the dollar amount, insert the following: “(reduced by \$3,585,142)”.

Page 8, line 26, after the dollar amount, insert the following: “(reduced by \$43,272)”.

Page 8, line 16, after the dollar amount, insert the following: “(reduced by \$96,177)”.

Page 10, line 1, after the first dollar amount, insert the following: “(reduced by \$2,271,091)”.

Page 10, line 15, after the first dollar amount, insert the following: “(reduced by \$25,720,271)”.

Page 11, line 15, after the dollar amount, insert the following: “(reduced by \$90,070)”.

Page 12, line 3, after the dollar amount, insert the following: “(reduced by \$7,643,655)”.

Page 13, line 1, after the dollar amount, insert the following: “(reduced by \$4,137,786)”.

Page 16, line 10, after the dollar amount, insert the following: “(reduced by \$21,932,508)”.

Page 17, line 25, after the dollar amount, insert the following: “(reduced by \$314,102)”.

Page 18, line 17, after the dollar amount, insert the following: “(reduced by \$15,075)”.

Page 19, line 19, after the dollar amount, insert the following: “(reduced by \$1,735,987)”.

Page 22, line 12, after the dollar amount, insert the following: “(reduced by \$1,019,048)”.

Page 22, line 21, after the dollar amount, insert the following: “(reduced by \$4,485,806)”.

Page 22, line 21, after the dollar amount, insert the following: “(increased by \$285,758,856)”.

Page 23, line 1, after the dollar amount, insert the following: “(increased by \$285,758,856)”.

Page 25, line 22, after the dollar amount, insert the following: “(reduced by \$224,000)”.

Page 26, line 25, after the dollar amount, insert the following: “(reduced by \$2,329,855)”.

Page 28, line 22, after the dollar amount, insert the following: “(reduced by \$1,495,030)”.

Page 30, line 22, after the dollar amount, insert the following: “(reduced by \$21,880)”.

Page 30, line 24, after the dollar amount, insert the following: “(reduced by \$18,207)”.

Page 34, line 22, after the dollar amount, insert the following: “(reduced by \$200,610)”.

Page 35, line 10, after the dollar amount, insert the following: “(reduced by \$281,129)”.

Page 36, line 11, after the first dollar amount, insert the following: “(reduced by \$1,823,024)”.

Page 38, line 1, after the dollar amount, insert the following: “(reduced by \$344,960)”.

Page 38, line 21, after the dollar amount, insert the following: “(reduced by \$900,413)”.

Page 38, line 25, after the dollar amount, insert the following: “(reduced by \$119,096)”.

Page 39, line 10, after the dollar amount, insert the following: “(reduced by \$134,508)”.

Page 39, line 16, after the dollar amount, insert the following: “(reduced by \$359,762)”.

Page 39, line 22, after the dollar amount, insert the following: “(reduced by \$931,970)”.

Page 39, line 25, after the dollar amount, insert the following: “(reduced by \$2,076,910)”.

Page 40, line 9, after the dollar amount, insert the following: “(reduced by \$719,542)”.

Page 41, line 8, after the dollar amount, insert the following: “(reduced by \$79,368)”.

Page 42, line 5, after the dollar amount, insert the following: “(reduced by \$8,960)”.

Page 42, line 14, after the dollar amount, insert the following: “(reduced by \$7,630,784)”.

Page 44, line 21, after the dollar amount, insert the following: “(reduced by \$28,941)”.

Page 44, line 25, after the dollar amount, insert the following: “(reduced by \$1,781,893)”.

Page 45, line 6, after the dollar amount, insert the following: “(reduced by \$474,880)”.

Page 45, line 14, after the dollar amount, insert the following: “(reduced by \$201,600)”.

Page 45, line 25, after the dollar amount, insert the following: “(reduced by \$10,949,120)”.

Page 47, line 15, after the dollar amount, insert the following: “(reduced by \$4,193,280)”.

Page 48, line 14, after the dollar amount, insert the following: “(reduced by \$224,000)”.

Page 50, line 7, after the dollar amount, insert the following: “(reduced by \$212,648)”.

Page 50, line 13, after the dollar amount, insert the following: “(reduced by \$101,956)”.

Page 53, line 2, after the dollar amount, insert the following: “(reduced by \$24,927)”.

Page 53, line 24, after the dollar amount, insert the following: “(reduced by \$43,571,360)”.

Page 55, line 5, after the dollar amount, insert the following: “(reduced by \$30,073,792)”.

Page 55, line 20, after the dollar amount, insert the following: “(reduced by \$145,152)”.

Page 57, line 9, after the dollar amount, insert the following: “(reduced by \$19,611,290)”.

Page 58, line 13, after the dollar amount, insert the following: “(reduced by \$866,208)”.

Page 58, line 22, after the dollar amount, insert the following: “(reduced by \$3,615,360)”.

Page 59, line 7, after the dollar amount, insert the following: “(reduced by \$1,120,000)”.

Page 59, line 20, after the dollar amount, insert the following: “(reduced by \$17,920)”.

Page 60, line 1, after the dollar amount, insert the following: “(reduced by \$51,520)”.

Page 60, line 23, after the dollar amount, insert the following: “(reduced by \$16,787,089)”.

Page 62, line 19, after the dollar amount, insert the following: “(reduced by \$3,089,063)”.

Page 62, line 22, after the dollar amount, insert the following: “(reduced by \$574,618)”.

Page 63, line 3, after the dollar amount, insert the following: “(reduced by \$134,324)”.

Page 63, line 8, after the dollar amount, insert the following: “(reduced by \$1,838,592)”.

Page 63, line 17, after the dollar amount, insert the following: “(reduced by \$37,099)”.

Page 63, line 21, after the dollar amount, insert the following: “(reduced by \$42,067)”.

Page 64, line 5, after the dollar amount, insert the following: “(reduced by \$2,703,725)”.

Page 64, line 14, after the dollar amount, insert the following: “(reduced by \$4,077,696)”.

Page 64, line 19, after the dollar amount, insert the following: “(reduced by \$44,800)”.

Page 64, line 25, after the dollar amount, insert the following: “(reduced by \$3,190)”.

Page 65, line 4, after the dollar amount, insert the following: “(reduced by \$2,719)”.

Page 65, line 9, after the dollar amount, insert the following: “(reduced by \$88,484)”.

Page 65, line 13, after the dollar amount, insert the following: “(reduced by \$590,016)”.

Page 65, line 20, after the dollar amount, insert the following: “(reduced by \$5,224,630)”.

Page 66, line 26, after the dollar amount, insert the following: “(reduced by \$4,639,040)”.

Page 68, line 26, after the dollar amount, insert the following: “(reduced by \$120,960)”.

Page 69, line 3, after the dollar amount, insert the following: “(reduced by \$23,744)”.

Page 69, line 12, after the dollar amount, insert the following: “(reduced by \$42,560)”.

Page 69, line 18, after the dollar amount, insert the following: “(reduced by \$98,560)”.

Page 69, line 25, after the dollar amount, insert the following: “(reduced by \$44,800)”.

Page 71, line 4, after the dollar amount, insert the following: “(reduced by \$26,880)”.

Page 71, line 11, after the dollar amount, insert the following: “(reduced by \$224,000)”.

Page 71, line 22, after the dollar amount, insert the following: “(reduced by \$2,777,600)”.

Page 72, line 16, after the dollar amount, insert the following: “(reduced by \$48,801)”.

Page 76, line 6, after the dollar amount, insert the following: “(reduced by \$5,251)”.

Page 76, line 11, after the dollar amount, insert the following: “(reduced by \$2,236)”.

Page 76, line 17, after the dollar amount, insert the following: “(reduced by \$40,750)”.

Page 77, line 6, after the dollar amount, insert the following: “(reduced by \$14,336)”.

Page 77, line 13, after the dollar amount, insert the following: “(reduced by \$9,094)”.

Page 77, line 20, after the first dollar amount, insert the following: “(reduced by \$8,512)”.

Page 78, line 15, after the dollar amount, insert the following: “(reduced by \$1,483,901)”.

Page 79, line 9, after the dollar amount, insert the following: “(reduced by \$1,298,174)”.

Page 80, line 8, after the dollar amount, insert the following: “(reduced by \$945,280)”.

Page 81, line 14, after the dollar amount, insert the following: “(reduced by \$4,480)”.

Page 81, line 19, after the first dollar amount, insert the following: “(reduced by \$1,481,997)”.

Page 82, line 17, after the dollar amount, insert the following: “(reduced by \$8,355)”.

Page 82, line 25, after the dollar amount, insert the following: “(reduced by \$3,978,764)”.

Page 84, line 18, after the dollar amount, insert the following: “(reduced by \$1,424,770)”.

Page 85, line 10, after the dollar amount, insert the following: “(reduced by \$60,480)”.

Page 85, line 14, after the dollar amount, insert the following: “(reduced by \$12,817)”.

Page 85, line 17, after the dollar amount, insert the following: “(reduced by \$4,480)”.

Page 86, line 11, after the dollar amount, insert the following: “(reduced by \$559,825)”.

Page 86, line 16, after the dollar amount, insert the following: “(reduced by \$356,330)”.

Page 86, line 22, after the dollar amount, insert the following: “(reduced by \$222,728)”.

Page 88, line 5, after the dollar amount, insert the following: “(reduced by \$8,960)”.

Page 88, line 12, after the dollar amount, insert the following: “(reduced by \$17,920)”.

Page 88, line 19, after the dollar amount, insert the following: “(reduced by \$102,368)”.

H.R. 2862

OFFERED BY: MR. HOSTETTLER

AMENDMENT No. 21: Page 108, after line 7, insert the following:

TITLE VIII—MISCELLANEOUS

SEC. 801. None of the funds appropriated in this Act may be used to enforce the judgment of the United States District Court for the Southern District of Indiana in the case of *Russelburg v. Gibson County*, decided January 31, 2005.

H.R. 2863

OFFERED BY: MR. MANZULLO

AMENDMENT No. 1: In section 8014(a) strike “; and” at the end of paragraph (2)(B) and all that follows through “health benefits for civilian employees under chapter 89 of title 5, United States Code.” and insert a period.