for a January 6 rescue mission as part of Operation Iraqi Freedom.

The award was given on March 15, 2005. Spc. Bean was honored for his gallant actions during the rescue mission of an M2 Bradley that had received a devastating hit by an explosive device. The United States Army praised Bean, saying he showed no regard for his own safety and placed the recovery of the M2 Bradley fighting vehicle before himself.

Mr. Bean has donated countless hours towards improving his community. He is hard working and dedicated. His leadership and generosity sets an example for us all. That is why, Mr. Speaker, I honor him today.

CONGRATULATING THE PRESIDENTIAL FREEDOM SCHOLARSHIP RECIPIENT ASHLEY K. THARAYIL

HON. MICHAEL C. BURGESS
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 7, 2005

Mr. BURGESS. Mr. Speaker, I rise today to recognize the superior academic performance of Ashley K. Tharayil, a recipient of this year’s Presidential Freedom Scholarship. Thirteen students in the 26th Congressional District are receiving this special recognition.

This award recognizes outstanding service and citizenship initiatives by the students, who were nominated, and provides an opportunity to acknowledge their leadership. Administered by the Department of Education, the scholarship provides $500 in Federal funds, matched with $500 from a community organization, to recognize the student by their high school or Boys and Girls Club. Winners must have completed at least 100 hours of community service, either through a school-based service-learning program or independently through service at a nonprofit or faith-based organization.

Ashley is currently a junior at North Hills School and the organization matching her $500 in Federal funds is the North Hills School–Volunteers in Partnership. Over 38,000 students to date have received this award and I extend my sincere congratulations to Ashley K. Tharayil for being one of them. This student’s contribution and services should serve as inspiration to those who wish to make a positive difference in the lives of others.

RECOGNIZING JOHN ROBERT MOHR FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 7, 2005

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize John Robert Mohr, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 214, and in earning the most prestigious award of Eagle Scout.

John has been very active with his troop, participating in many scout activities. Over the many years John has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

For his Eagle Project, John designed and built a wheeled oak cabinet for storing toys and a matching oak table custom built for small children to use in the nursery center at his local church, Saint James Catholic Church. Mr. Speaker, I proudly ask you to join me in commending John Robert Mohr for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

CONGRATULATING LAWRENCE COUNTY ECONOMIC DEVELOPMENT CORPORATION

HON. MELISSA A. HART
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 7, 2005

Ms. HART. Mr. Speaker, I would like to take this opportunity to congratulate the Lawrence County Economic Development Corporation (LCEDC), on the 50th anniversary of the founding of the corporation.

Over the past 50 years, the LCEDC has worked diligently to promote business growth and help foster ideal climates for commerce development. The corporation has also worked tirelessly with local business leaders and government officials throughout the community and in the state of Pennsylvania to create jobs and contribute to the economy. I recognize the LCEDC for all of their hard work and dedication to cultivating small businesses which serve as the backbone of the American economy.

I ask my colleagues in the United States House of Representatives to join me in honoring the 50th anniversary of the LCEDC. It is an honor to represent the Fourth Congressional District of Pennsylvania and a pleasure to salute such a principled organization as the Lawrence County Economic Development Corporation.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT TO MEET IMMEDIATE NEEDS ARISING FROM THE CONSEQUENCES OF HURRICANE KATRINA, 2005

HON. JERRY F. COSTELLO
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Friday, September 2, 2005

Mr. COSTELLO. Mr. Speaker, I want to take this opportunity to express my support for this critical funding to address the enormous needs that exist along the Gulf Coast following the devastation of Hurricane Katrina. I also want to express my heartfelt condolences to the victims, both living and dead, of this storm.

While this country has encountered many natural disasters, few in memory have produced the scenes of destruction and human need that we have witnessed from this region. The $10 billion we are approving today is what I expect to be a very small portion of the actual cost of the rescue and evacuation efforts in New Orleans and the gulf area, and is a first step in a process that could take years to complete. I commend Speaker HASTERT and Leader PELOSI for acting quickly to pass this legislation.

As we always do, the people of the United States are rallying to support their fellow citizens during this time of crisis. I want to thank all of the volunteers that are heading to the region and all of the people around the country that have reached into their pocketbooks or in some other way are sending aid. This help is essential and greatly appreciated.

In this time of questions being asked about why it has taken so long to get food and water to those who are stranded, now is not the time to point fingers or assign blame. There will be plenty of time to assess the government’s response after the rescue and evacuation process has been completed. Let’s get the job done and then make the necessary assessment.

Another painful effect of the storm is the steep rise in gasoline prices. Increased prices are hammering working families with little to no relief in sight. The Federal Government can do very little other than releasing the oil from the Strategic Petroleum Reserve and prosecuting price gouging. It comes down to supply and demand. Demand remains high and the supply has been significantly reduced by Hurricane Katrina. We must continue to work diligently to repair the oil platforms and refineries that have been damaged, and Congress will—with the state attorneys general—keep a close eye on any potential price gouging.

Mr. Speaker, I again want to thank the leadership of the House for moving forward this legislation during this special session today. I know that we will continue to work on a bipartisan basis to fully address the needs of the communities that have been so horribly afflicted by Hurricane Katrina.

UNITED STATES TRADE RIGHTS ENFORCEMENT ACT

HON. BENJAMIN L. CARDIN
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 27, 2005

Mr. CARDIN. Mr. Speaker, I would like to address some of the comments made during the colloquy between the gentleman from Pennsylvania, Mr. ENGLISH, and the gentlemen from Utah, Mr. BISHOP, regarding H.R. 3283. In particular, I would like to respond to my colleagues’ assertions concerning the application of U.S. countervailing duty laws.

3(b)(2) of the Act will have a chilling effect on the application of U.S. countervailing duty law. Mr. Speaker, despite my colleagues’ efforts to provide reassurance about this provision, I remain deeply concerned following their exchange—and in some ways, even more so.

First, the exchange between Mr. BISHOP and Mr. ENGLISH provides no comfort to those like me that have raised concerns that section 3(b)(2) of the Act will have a negative effect on the application of U.S. countervailing duty law. The provision clearly creates a special burden on the U.S. Department of Commerce in
cases involving subsidies in nonmarket economy countries like China by requiring Commerce to make a determination about the WTO consistency of the law prior to applying it.

In every other trade remedy case, the Department of Commerce must apply U.S. law as enacted by Congress. The law is presumed to be consistent with WTO obligations unless the WTO finds otherwise.

Under Mr. ENGLISH’s bill, Commerce could not apply countervailing duty laws to China and other nonmarket economies to the fullest extent authorized by Congress, but rather could apply the law only to the extent to which Commerce makes a separate determination that the law would pass muster in the WTO. As a result, it is likely that Commerce would not apply the law as intended by Congress, thereby denying American workers and businesses a remedy authorized by both WTO rules and U.S. law.

Second, and even more importantly, section 3(b)(2) of the English bill raises Constitutional issues. After the provision has been applied in a CVD investigation and were a WTO panel to rule against some aspect of the provision, the English bill would create the first direct directive under U.S. law that WTO decisions are to be self-implementing.

The English bill creates this self-implementation provision by directing Commerce to “ensure that the application [of the provision] is consistent” with WTO rules. In all other cases under U.S. AD/CVD law, the Uruguay Round Agreements Act of 1994 (section 129) creates a procedure for congressional consultation prior to Commerce or USTR taking any action to alter U.S. law, regulation or practice. While Congress technically would not have to approve a change to regulation or practice, in practice, neither the Clinton nor Bush administrations has ever even suggested that it would make such a change absent (bicameral and bipartisan) congressional approval.

The inclusion language in the English bill authorizing, if not directing, Commerce to change the law without an act of Congress erodes further congressional authority over the unfair trade laws.

In simple terms, section 3(b)(2) of the English bill authorizes Commerce to take action to align U.S. law with the decisions of a WTO panel or Appellate Body—without the assent of Congress as provided under existing U.S. law (in the case of Commerce, changes to regulation or practice).

Mr. Speaker, section 3(b)(2) of H.R. 3283 is bad policy and may be unconstitutional as a matter of law. By requiring the Department of Commerce to ensure WTO compliance before acting on Chinese subsidies, the bill would prevent the Administration from vigorously enforcing our trade laws. In addition, the provision violates traditional notions of separation of powers by specifically directing the Department of Commerce to take steps to alter the application of U.S. law without an act of Congress.