

Chair's prior announcement, further proceedings on this motion will be postponed.

GENERAL LEAVE

Mr. REHBERG. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 852.

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

There was no objection.

EXPRESSING SENSE OF CONGRESS REGARDING WTO ROUND OF NEGOTIATIONS IN DOHA, QATAR

Mr. ENGLISH. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 262) expressing the sense of Congress that the President, at the WTO round of negotiations to be held at Doha, Qatar, from November 9–13, 2001, and at any subsequent round of negotiations, should preserve the ability of the United States to enforce rigorously its trade laws and should ensure that United States exports are not subject to the abusive use of trade laws by other countries.

The Clerk read as follows:

H. Con. Res. 262

Whereas members of the World Trade Organization (WTO) have expressed an interest in improving and clarifying antidumping provisions contained in the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 (commonly referred to as the "Antidumping Agreement") and subsidy provisions contained in the Agreement on Subsidies and Countervailing Measures at the Fourth Ministerial Conference of the WTO to be held in Doha, Qatar, from November 9–13, 2001;

Whereas the recent pattern of decisions by WTO dispute settlement panels and the WTO Appellate Body to impose obligations and restrictions on the use of antidumping and countervailing measures by WTO members under the Antidumping Agreement and the Agreement on Subsidies and Countervailing Measures has raised concerns; and

Whereas Congress is concerned that WTO dispute settlement panels and the WTO Appellate Body appropriately apply the standard of review contained in Article 17.6 of the Antidumping Agreement, to provide deference to a WTO member's permissible interpretation of provisions of the Agreement, and to a WTO member's evaluation of the facts where that evaluation is unbiased and objective and the establishment of the facts is proper: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring). That it is the sense of Congress that the President, at the WTO round of negotiations to be held at Doha, Qatar, from November 9–13, 2001, and at any subsequent round of negotiations of the WTO, should—

(1) preserve the ability of the United States to enforce rigorously its trade laws, including the antidumping and countervailing duty laws, and avoid agreements which lessen the effectiveness of domestic and international disciplines on unfair trade, especially dumping and subsidies, in order to ensure that United States workers, agricul-

tural producers, and firms can compete fully on fair terms and enjoy the benefits of reciprocal trade concessions; and

(2) ensure that United States exports are not subject to the abusive use of trade laws, including antidumping and countervailing duty laws, by other countries.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. ENGLISH) and the gentleman from Michigan (Mr. LEVIN) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. ENGLISH).

GENERAL LEAVE

Mr. ENGLISH. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Con. Res. 262.

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

There was no objection.

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

Madam Speaker, the WTO negotiations in Qatar later this week are going to be enormously important. They are going to create an opportunity to move the world trading system in a direction which will allow us to provide not only freer trade but also fairer trade. We see an opportunity for a new agenda to emerge for the WTO out of this discussion, a new round which we think will yield positive results for America as well as the balance of our trading partners.

But as we move forward and see that agenda take shape, it is very important that the United States Congress weigh in particularly on one issue which should not be included on that agenda and has been long negotiated and long established. Here I am referring to the antidumping code.

As we engage in a new round of global trade talks, we do not want to see a reopening of the antidumping and countervailing duty laws which have already been negotiated to a conclusion through the WTO.

□ 1530

The history, Madam Speaker, is quite clear on this point. In a previous round, we had an opportunity to negotiate and to compromise, and all parties signed off on an antidumping code that establishes clear parameters by which domestic antidumping protections can be established, administered and moved forward fairly to all parties concerned.

We in America have maintained our antidumping laws well within those parameters, and we have every right to do so. We have not only an opportunity but also an obligation to maintain strong laws on the books that allow us to provide for a level playing field for American workers and American companies and insist that international standards be followed when it comes to trade practices. We have an opportunity and an obligation, in short, to

police our own markets, and that is all that we have done.

I went to the Seattle WTO conclave, which unfortunately did not yield a new round of talks, and at Seattle my role, as part of the official delegation, was to argue against a rising chorus of our trading partners who wanted to reopen the antidumping code, who saw the new round as an opportunity to water down antidumping and countervailing duties, who saw this as an opportunity to open up American markets in a way that would provide us with few options if faced with unfair trading practices.

The Seattle Round never materialized, but this weekend we have an opportunity in Qatar to see a new round initiated. Once again, some of our trading partners have come forward. All too often those trading partners, which have a history of having been guilty of dumping on our markets, have been found guilty in the past of having engaged in unfair trading practices as well as some partners who, we suspect, may simply want to muddy the waters, who do not want to go forward on some of the issues that are difficult to them, so they want to reintroduce other issues to slow down the process.

So far, the Bush administration has adopted a strong position, and I salute them. They have had the courage to say that the antidumping code has already been negotiated and it should be left off the agenda of the new round. I salute them for their firmness on this point, and I propose that the House, through this resolution, join them in offering strong support for the notion that the antidumping laws should not be included as part of this WTO round.

As I said, some countries found guilty in the past of dumping in the U.S. market are desperately trying to reopen the U.S. antidumping and countervailing duty laws despite the best efforts of the Bush administration. In my view, this would be counterproductive for the United States.

I urge my colleagues in the House to take the same bold stance as the Bush administration by supporting this resolution today. I urge my colleagues to put the House on record as strongly opposed to including the antidumping and countervailing duty laws on the agenda of a new WTO negotiating round. This would send a clear and unambiguous message to our trading partners, we will not tolerate unfair trading practices, we will provide a level playing field for our workers, and we will not leave our markets vulnerable to predatory trade practices.

Our antidumping and countervailing duty protections are, in my view, absolutely essential for allowing this country to participate in the world trading system; they are important for policing our markets, and they are very important for ensuring that our partners' trade practices conform to the international standards that they have agreed to and that they play by the rules.

This resolution moves in the direction of providing better fair trade for American workers and for American companies at a time when we are clearly entering a recession. I hope it will enjoy strong support. It already enjoys strong bipartisan support. I want to thank my colleagues for that.

Madam Speaker, I reserve the balance of my time.

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

(Mr. LEVIN asked and was given permission to revise and extend his remarks.)

Mr. LEVIN. Madam Speaker, I rise in support of this resolution. I regret that it has been brought up with very little notice so that many of my colleagues who would like to participate will not be able to do that, the gentleman from Indiana (Mr. VISCLOSKEY) and the gentleman from Maryland (Mr. CARDIN), for example, who are sponsors of this resolution, as well as members in the Steel Caucus.

I do support it because trade remedy laws are critical to U.S. workers and farmers and industry. They are a central pillar of a rule-based system. They were negotiated in the Uruguay Round. It was a product of hard negotiations, of lengthy discussions. The gentleman from New York (Mr. HOUGHTON) and I were able to be there at the end of those discussions, and I can say firsthand that it was very much give and take. There was final agreement. We should resist efforts to unravel that agreement.

Trade remedies are really part of a free market system. A free market system means that one party should not rig the market to their advantage, to distort a free market to their advantage and the disadvantage of another. The rules against dumping, the antidumping laws, are critical to ensuring that market distortions in one country do not undermine another through their exports, through their dumping below cost.

The countervailing duty provisions try to assure that one country does not gain an unfair advantage through large subsidies. Subsidies undercut a free market. The safeguard rules are there to make sure that if there is a major surge, a country is not left without, as the word connotes, a "safeguard." And so I think that these trade remedies, negotiated through hard discussions with give and take, should not be opened up.

What has happened in recent years, though, is that the WTO rules have been undercut by some unfortunate decisions of WTO dispute settlement bodies. What they have done, in a word, is to misinterpret in some cases the actual language and to impose new and never-agreed-to obligations on WTO members. We do not want to make it worse by now reopening this very language which was worked out through such hard discussions.

I want to comment, if I might, on a couple of aspects. One is the second

part of this resolution, paragraph No. 2; it talks about ensuring that U.S. exports are not subject to the abusive use of trade laws, including antidumping and countervailing duty laws, by other countries. I think that is a useful provision. However, I do not think in any way paragraph 2 should be used to moderate or modify paragraph 1. As hard as we negotiate at Doha regarding paragraph 2, I hope in no way will it undercut our determination as expressed in paragraph 1 of this resolution.

In that regard, I comment next on the ministerial language that has been drafted. It is not acceptable. Essentially what it does is to commit the parties to a renegotiation. It may not say that directly, but that is the implication. It is the implication because, unlike for other provisions where there is first a discussion and then a decision on negotiation, the way the present draft language reads, there would essentially be a commitment to renegotiation, and that is not acceptable.

I want to close by indicating that while I support this resolution, and I very much support it, I do not want anyone to think that it is a substitute for clear language in any Fast Track/TPA bill. It is important that any Fast Track/TPA have, in unambiguous principal negotiating objectives, a statement that there will not be, as far as the U.S. is concerned, any renegotiation of the language in the Uruguay Round document that we negotiated in good faith, and we will not agree to renegotiate it now.

The bill that the gentleman from New York (Mr. RANGEL) and others and I have presented states clearly among the principal negotiating objectives that there will be, as far as the U.S. is concerned, no such renegotiation, while the bill of the gentleman from California (Mr. THOMAS) does not say that clearly as a principal negotiating objective. I think it is important that whatever might come out of Doha, and I think it is critical that there be no renegotiation, that we state in Fast Track/TPA language what is the position of this Congress. One bill does that and another bill, the Thomas bill, does not.

I rise in support. I hope we will have a strong vote for this bill. Again, I regret that some of my colleagues who otherwise would be here to speak on this will not be able to do so because they did not have notice that it was coming up.

Madam Speaker, I reserve the balance of my time.

Mr. ENGLISH. Madam Speaker, I yield 5 minutes to the gentleman from Idaho (Mr. OTTER), a strong supporter of this resolution and a strong advocate of American interests in trade.

(Mr. OTTER asked and was given permission to revise and extend his remarks.)

Mr. OTTER. Madam Speaker, I rise today in support of this resolution offered by my good friend, the gentleman

from Pennsylvania (Mr. ENGLISH). This resolution urges Ambassador Zoellick to defend the ability of the United States to use antidumping and countervailing duty laws to protect against unfair trade practices.

I am and have always been a supporter of free and fair trade. In my previous career, I was an international businessman and traveled to some 81 foreign countries. I know that Idaho and all U.S. businesses can successfully compete against products from anywhere in the world. Government intervention, rather than foreign competition, is the only threat to the productivity of my constituents.

Today, Idaho and U.S. computer chip manufacturers are threatened by the Government of South Korea. In violation of international trading rules, South Korea is forcing its banks to exchange thousands of dollars of loans in Hynix for worthless shares in the company. Hynix even gets \$500 million in new loans from government-controlled banks at much lower rates. Two private banks who are creditors refused to give additional credit as they saw the futility of doing so.

This massive injection of capital into Hynix makes it possible for them to undercut the prices offered by other private companies. Competitive chip manufacturers within both the United States and overseas will be driven out of business by these actions if positive steps, such as we are suggesting in this resolution today, are not taken to oppose them.

The ability of the United States to bring antidumping and countervailing duty cases against foreign manufacturers is an important shield against the actions taken by the South Korean Government and others who would try to bail out their failing companies and industries. While the World Trade Organization plays a very vital and important role in ensuring that international trading nations play by the rules, it currently lacks the speed and the flexibility to protect nations against unfair trade practices. Our antidumping and countervailing duty legislation gives this Nation the ability to protect itself from all unfair competition.

□ 1545

I am pleased to rise before this House and give my full support to this resolution. I also offer this warning to those nations who would seek to undermine fair trade: this Congress will not stand for and will be prepared to take whatever steps are necessary to defend itself against economic aggression.

I will support, nay, Madam Speaker, I will champion, any additional authorities that our trade representatives need to defend America's workers and industries.

Mr. LEVIN. Madam Speaker, I yield 4 minutes to the gentleman from Ohio (Mr. BROWN).

Mr. BROWN of Ohio. Madam Speaker, I thank the gentleman for yielding

me time, and I rise in support of H. Con. Resolution 262, offered by the gentleman from Pennsylvania (Mr. ENGLISH) and the gentleman from Michigan (Mr. LEVIN).

As thousands of steelworkers have discovered, the United States has become the world's steel dumping ground. During the 1998 steel crisis, steel imports into the United States exceeded steel exports by a record 36 million tons. The trade deficit in steel was a record \$11 billion dollars, accounting for nearly 7 percent of our overall trade and growing trade imbalance. The vast majority of these imports were subsidized by foreign governments and dumped at below-market prices in our country.

The American steel industry relies on anti-dumping laws as their last line of defense against unfairly traded imports. Unfortunately, since the Uruguay Round agreements, the steel industry's ability to defend itself has been severely weakened.

At the upcoming World Trade Organization ministerial in Doha, Qatar, several nations that export steel to the United States have set the weakening of international rules on trade laws as a major priority to be negotiated. Robert Zoellick, the U.S. Trade Representative, simply cannot be allowed to travel to Qatar and negotiate away the remaining safety measures the steel industry has.

That is why I support this resolution. Many of us are concerned about this WTO ministerial. We are, first of all, concerned because of the place it is located. It is located in a country which does not allow free elections. It is located in a country which does not allow freedom of expression. It is located in a country where women are treated not much differently from the way women are treated by the Taliban in Afghanistan. It is held in a country where public worship by non-Muslims is banned.

The message that that sends to people around the world, that the trade ministers are meeting in a city and country where public protests will not be allowed, where free speech is not allowed, where public expression is not allowed, where freedom of worship is not allowed, where free elections are not allowed, is troubling.

It is troubling because all too often our own trade minister, in this case Mr. Zoellick, has used in the past language to suggest that those of us that do not support his free trade agenda, his agenda to weaken environmental and labor standards around the world, that do not support his agenda are in some way unpatriotic or somewhat indifferent to the counterterrorism efforts promoted by the administration.

While all of us I believe in Congress support the President's efforts to combat terrorism, both domestically and abroad, we do not subscribe to the values that Mr. Zoellick and others, and in part of the U.S. Trade Representative's office journey to Qatar, tend to suggest.

That means that we hope coming out of this ministerial, again, even though it is located in a place that sends a message not of freedom, but of much less than that, we hope that the message that comes out of this meeting in Qatar is sort of the opposite of what goes in in terms of the message that holding in Qatar means, that we care about labor standards, environmental standards, free elections, freedom of worship, all the values that we in this country fight for and we in this country hold dear.

That is another reason I think it is important to join the efforts of the gentleman from Michigan (Mr. LEVIN) and the gentleman from Pennsylvania (Mr. ENGLISH) in support of H. Con. Res. 262. I ask House support for the resolution.

Mr. LEVIN. Madam Speaker, I yield such time as he may consume to the gentleman from Indiana (Mr. VISCLOSKEY).

Mr. VISCLOSKEY. Madam Speaker, I appreciate the gentleman yielding me time; and I also want to compliment the gentleman and my good friend, the gentleman from Pennsylvania (Mr. ENGLISH), who has introduced this resolution. The gentleman is the chairman of the Congressional Steel Caucus in the House.

The resolution that we have here before us today is very important because the industry, as I think all of my colleagues understand, is imploding as we debate this resolution today. I think the first order of business is to make sure that we do not backslide in any way, shape, or form as far as the existing protections that are put into law.

Why do we need the gentleman's resolution today? First of all, we want to ensure that there is a clear message from the House of Representatives to the new administration that preserving our trade laws as they exist today is a primary focus and of primary importance to us.

Second, it is clear that some would like to see our antidumping and antisubsidy laws changed, and it is important to also send our trading partners a clear message that we will not tolerate this.

Finally, some of our strongest allies, because of travel uncertainties, may not be at the WTO conference in the coming week to assist us in ensuring that there is no backsliding on this issue.

But while I am here to congratulate my good friend, the gentleman from Pennsylvania (Mr. ENGLISH), and to fully support the legislation he has introduced, which I am a cosponsor of, I would also use my time today to remind our colleagues that the task is not yet finished as far as assistance to the domestic steel industry.

I would point out to my colleagues that Al Tech Specialty Steel Corporation of the State of New York ceased operations on June 29 of this year. Laclede Steel Company in the State of Missouri ceased operation in August

this year. I would remind Members that Qualitech Steel in Indiana ceased operations on January 26 of this year. I would remind my colleagues that Gulf States Steel in the State of Alabama ceased operations in this year, the month of January. I would remind my colleagues that on May 18 of this year, Northwestern Steel and Wire, located in the State of Illinois, ceased operations. I would remind my colleagues that CSC Limited in the State of Ohio ceased operations this year. I would further remind my colleagues that Trico Steel also in the State of Alabama ceased operations this year. Great Lakes Metals, Limited, in East Chicago, Indiana, my congressional district, ceased operations in July of this year. Edgewater Steel, Limited, of Oakmont, Pennsylvania, ceased operations on September 28 of this year, as well as Acme Steel Corporation, also of the State of Illinois.

It is not just companies that have ceased operations. It is not just the 10 million additional tons of steel that are no longer melted and produced in the United States of America that are important to all of us. What is important are the 140 people that lost their job in Pennsylvania on September 28. What is important are the 40 people in East Chicago, Indiana, who lost their jobs this year. What is important are the 320 people in Alabama who lost their jobs this year. What is important is the 1,225 people in Warren, Ohio, who lost their jobs this year, or the 1,600 people who lost their jobs at Northwestern Steel and Wire. What is important are the 1,906 people in Gadsden, Alabama, who lost their jobs this year, or the 350 people who used to have a job at Qualitech Steel in the State of Indiana, or those who also worked at Al Tech Specialty Steel, 790 individuals who lost jobs.

I would emphasize that these are individual citizens we are here to represent, and those are good-paying jobs with good benefits; and there are families and households and mortgages that attach to this issue.

We have jobs, we have people, and we have a national defense issue here. Over the last 23 years we have seen 30 million tons of steel capacity closed in the United States of America. In the last 12 to 18 months, we have added another 10 million tons of capacity that have now closed. The problem as I see it is we are the only industrialized Nation on the planet Earth who cannot produce enough steel now to meet our own needs.

I am very pleased that because of the pressure many of us brought with H.R. 808, that the gentleman is also a cosponsor of, that more than a majority of the House have cosponsored, the administration has initiated an investigation by the ITC.

The ITC last month found, to no one's surprise, that serious injury has occurred to the domestic steel industry. There is a remedy phase, and then

the administration must make a decision as far as the implementation of that remedy.

We have also seen an improvement as far as changing the existing loan guarantee program that was put in place in 1999, increasing that guarantee from 85 percent to 95 percent to give qualified steel companies who have a good business and a reasonable chance of success of making it.

But the industry also needs financial help. Several weeks ago I attempted to have an amendment offered on the House floor to provide \$800 million a year for 3 years to help ameliorate the problems that the industry is facing as far as their legacy costs. My concern is if we do not act between now and the middle of December in this body to provide this industry with those dollars, it will cease to exist.

I have five major facilities along the southern shore of Lake Michigan. I would not represent to the Speaker or to any of my Members that those facilities are going to disappear. But my great fear on behalf of the people involved, on behalf of the communities involved, and on behalf of our national defense is when they cease to operate, foreign investors will buy parts. They will close all of our melting capacity. We will no longer make steel in the Great Lakes States. We will process steel in the Great Lakes States. I think that would be a travesty, and I would use my time allotted by the gentleman from Michigan to make that point and implore my colleagues to consider the financing that is necessary for the domestic steel industry to solve their problems.

Mr. LEVIN. Madam Speaker, I yield such time as he may consume to the gentleman from Maryland (Mr. CARDIN).

Mr. CARDIN. Madam Speaker, I thank the gentleman for yielding me this time and for his leadership on strengthening our antidumping and countervailing duty laws. I thank the gentleman from Pennsylvania (Mr. ENGLISH) for his strong leadership in this area.

Madam Speaker, I strongly support this resolution. We must make sure that in negotiating in the next trade rounds, that we do not do anything that can compromise our current laws that we have in effect that deal with antidumping and countervailing duties.

Madam Speaker, I must say we even have to go further than that. We need to strengthen our laws consistent with our World Trade Organization obligations. I think that we need to strengthen those laws. It is interesting that the gentleman from Pennsylvania (Mr. ENGLISH) and the gentleman from Michigan (Mr. LEVIN) are both cosponsors and sponsors of legislation in order to do that.

The problem is it takes too long to provide relief to industries that have been hurt by dumped products. The steel industry, of course, is a classic example. Too many of our steel compa-

nies have gone out of business because it has taken over 3 years since we have had illegal imports for the system to provide the appropriate relief. So we should be talking about strengthening those laws, not weakening them.

I think this resolution makes it clear that we are going to draw a line in the sand that we are not going to weaken our current protections that we have against illegally dumped steel. It is an important statement for us to go on record.

I applaud my colleagues for bringing forward this resolution and urge all my colleagues to support it.

Mr. LEVIN. Madam Speaker, I believe we have covered our position well; and, therefore, I yield back the balance of my time.

Mr. ENGLISH of Pennsylvania. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I want to thank the gentlemen who have participated in this debate today, because their presence here has highlighted the importance of this resolution in sending a message to the world that the United States Congress feels very strongly that the U.S. needs to have strong antidumping protections, needs to have a strong trade policy, and is fully prepared to take that position and stress it this coming weekend in Doha.

□ 1600

I particularly want to thank the American Iron and Steel Institute for their support of our resolution. I want to thank the Steel Caucus, of which I am chairman and of which the gentleman from Indiana (Mr. VISCLOSKY) is vice chairman. I want to particularly single him out for thanks for his participation not only in this effort, but in all of the efforts of the Steel Caucus and his photo finish appearance on the floor today from traveling. I want to thank the gentleman from Michigan (Mr. LEVIN) for his wisdom and his institutional memory. He has been a major figure in all of our trade debates of the last few years, and we look forward to his major contribution in the coming days to the trade debates that are before us.

I also want to thank the gentleman from Maryland (Mr. CARDIN), my friend, who has really been an extraordinary advocate of strengthening the antidumping laws, and I have had the privilege of the working with him on this issue now in two different Congresses. I also want to thank the gentleman from Ohio who spoke earlier for giving me the opportunity to correct the record, since he created the impression that this resolution was in some way binding the Bush administration, restricting the Bush administration and the position they might take in the negotiations on the next WTO Round. Nothing could be further from the truth.

Madam Speaker, what is fairly clear from the record is that this administration has consistently come out

against putting our antidumping laws on the chopping block and negotiating them away. They have consistently been advocates of a stronger trade policy for America. They have been consistently willing to stand up for steel. As chairman of the Steel Caucus, I would like to take a moment right now to thank them for having the courage to stand up at considerable political expense in some circles to themselves and being willing to fight for American steel workers, fight for our basic capacity to produce our own steel. That is so fundamental to us as a strategic asset and our American steel-making capacity, if it survives in coming years, will be much through the effort of this Bush administration.

So Mr. Zoellick, when he goes to Doha, will have a strong record as a friend of steel, as a friend of American workers and American manufacturers, and also as a strong advocate of a firm U.S. position when it comes to the antidumping laws.

Madam Speaker, in conclusion, I think we all look at the trade issue from the perspective of our local communities. I come from northwestern Pennsylvania, from a community with the largest concentration of manufacturing jobs in our entire State, also the largest concentration of export-related jobs in our State. We have seen a winnowing out of this manufacturing capacity. Over the last few months, we have lost permanently 6 percent of our manufacturing base, and that was before the announcement of just a week ago that International Paper is closing a plant that has sustained our community as a major source of jobs for the last 100 years.

Madam Speaker, looking at this from northwestern Pennsylvania, we know we have neighbors in need. We know we have workers throughout America who have had good skilled jobs, whose jobs have been at risk; and in many cases, they have recently lost them. Madam Speaker, I imagine many of those workers are at home watching this debate; and I would like to be able to reassure them, send them a strong message, even as we send our trading partners a strong message, that this Congress will not stand by while some of our trading partners try to get us to negotiate away an important part of the trade protections that we are currently allowed to have under international law.

Madam Speaker, I urge the passage of this resolution to send a strong, bipartisan message that this Congress is committed to a strong trade policy.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. BIGGERT). The Chair would remind that all comments should be addressed to the Chair.

Mr. ENGLISH. 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 Pennsylvania (Mr. ENGLISH) that the House suspend the

rules and agree to the concurrent resolution, H. Con. Res. 262.

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. ENGLISH. 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.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 5:30 p.m.

Accordingly (at 4 o'clock and 5 minutes p.m.), the House stood in recess until approximately 5:30 p.m.

□ 1745

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LAHOOD) at 5 o'clock and 45 minutes p.m.

AVIATION SECURITY ACT

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 1447) to improve aviation security, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Aviation Security Act".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—AVIATION SECURITY

Sec. 101. Findings.

Sec. 102. Transportation security function.

Sec. 103. Aviation Security Coordination Council.

Sec. 104. Improved flight deck integrity measures.

Sec. 105. Deployment of Federal air marshals.

Sec. 106. Improved airport perimeter access security.

Sec. 107. Enhanced anti-hijacking training for flight crews.

Sec. 108. Passenger and property screening.

Sec. 109. Training and employment of security screening personnel.

Sec. 110. Research and development.

Sec. 111. Flight school security.

Sec. 112. Report to Congress on security.

Sec. 113. General aviation and air charters.

Sec. 114. Increased penalties for interference with security personnel.

Sec. 115. Security-related study by FAA.

Sec. 116. Air transportation arrangements in certain States.

Sec. 117. Airline computer reservation systems.

Sec. 118. Security funding.

Sec. 119. Increased funding flexibility for aviation security.

Sec. 120. Authorization of funds for reimbursement of airports for security mandates.

Sec. 121. Encouraging airline employees to report suspicious activities.

Sec. 122. Less-than-lethal weaponry for flight deck crews.

Sec. 123. Mail and freight waivers.

Sec. 124. Safety and security of on-board supplies.

Sec. 125. Flight deck security

Sec. 126. Amendments to airmen registry authority.

Sec. 127. Results-based management.

Sec. 128. Use of facilities.

Sec. 129. Report on national air space restrictions put in place after terrorist attacks that remain in place.

Sec. 130. Voluntary provision of emergency services during commercial flights.

Sec. 131. Enhanced security for aircraft.

Sec. 132. Implementation of certain detection technologies.

Sec. 133. Report on new responsibilities of the Department of Justice for aviation security.

Sec. 134. Definitions.

TITLE II—DEPLOYMENT AND USE OF SECURITY TECHNOLOGIES

Subtitle A—Expanded Deployment and Utilization of Current Security Technologies and Procedures

Sec. 201. Expanded deployment and utilization of current security technologies and procedures.

Subtitle B—Short-Term Assessment and Deployment of Emerging Security Technologies and Procedures

Sec. 211. Short-term assessment and deployment of emerging security technologies and procedures.

Subtitle C—Research and Development of Aviation Security Technology

Sec. 221. Research and development of aviation security technology.

TITLE I—AVIATION SECURITY

SEC. 101. FINDINGS.

The Congress finds the following:

(1) The safety and security of the civil air transportation system is critical to the United States' security and its national defense.

(2) A safe and secure United States civil air transportation system is essential to the basic freedom of Americans to move in intrastate, interstate, and international transportation.

(3) The terrorist hijackings and crashes of passenger aircraft on September 11, 2001, converting civil aircraft into guided bombs for strikes against civilian and military targets requires the United States to change fundamentally the way it approaches the task of ensuring the safety and security of the civil air transportation system.

(4) The existing fragmentation of responsibility for that safety and security among government agencies and between government and nongovernment entities is inefficient and unacceptable in light of the hijackings and crashes on September 11, 2001.

(5) The General Accounting Office has recommended that security functions and secu-

rity personnel at United States airports should become a Federal government responsibility.

(6) Although the number of Federal air marshals is classified, their presence on both international and domestic flights would have a deterrent effect on hijacking and would further bolster public confidence in the safety of air travel.

(7) The effectiveness of existing security measures, including employee background checks and passenger pre-screening, is impaired because of the inaccessibility of, or the failure to share information among, data bases maintained by different Federal and international agencies for criminal behavior or pertinent intelligence information.

SEC. 102. TRANSPORTATION SECURITY FUNCTION.

(a) IN GENERAL.—Section 102 of title 49, United States Code, is amended—

(1) by redesignating subsections (d), (e), and (f) as subsections (e), (f), and (g); and

(2) by inserting after subsection (c) the following:

“(d) DEPUTY SECRETARY FOR TRANSPORTATION SECURITY.—

“(1) IN GENERAL.—The Department has a Deputy Secretary for Transportation Security, who shall be appointed by the President, by and with the advice and consent of the Senate. The Deputy Secretary for Transportation Security shall carry out duties and powers prescribed by the Secretary relating to security for all modes of transportation.

“(2) AVIATION-RELATED DUTIES.—The Deputy Secretary—

“(A) shall coordinate and direct, as appropriate, the functions and responsibilities of the Secretary of Transportation and the Administrator of the Federal Aviation Administration under chapter 449;

“(B) shall work in conjunction with the Administrator of the Federal Aviation Administration with respect to any actions or activities that may affect aviation safety or air carrier operations; and

“(C) shall actively cooperate and coordinate with the Attorney General, the Secretary of Defense, and the heads of other appropriate Federal agencies and departments with responsibilities for national security and criminal justice enforcement activities that are related to aviation security through the Aviation Security Coordination Council.

“(3) NATIONAL EMERGENCY RESPONSIBILITIES.—Subject to the direction and control of the Secretary, the Deputy Secretary shall have the following responsibilities:

“(A) To coordinate domestic transportation during a national emergency, including aviation, rail, and other surface transportation, and maritime transportation (including port security).

“(B) To coordinate and oversee during a national emergency the transportation-related responsibilities of other departments and agencies of the Federal Government other than the Department of Defense and the military departments.

“(C) To establish uniform national standards and practices for transportation during a national emergency.

“(D) To coordinate and provide notice to other departments and agencies of the Federal Government, and appropriate agencies of State and local governments, including departments and agencies for transportation, law enforcement, and border control, about threats to transportation during a national emergency.

“(E) To carry out such other duties, and exercise such other powers, relating to transportation during a national emergency as the Secretary of Transportation shall prescribe.

“(4) RELATIONSHIP TO OTHER TRANSPORTATION AUTHORITY.—The authority of the