



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 107<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 147

WASHINGTON, THURSDAY, DECEMBER 6, 2001

No. 168

## House of Representatives

The House met at 9 a.m.

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer: Eternal God, You reveal Yourself in the Sacred Scriptures. In blessing Abram, You said:

"I will bless those who bless you and curse those who curse you. All the communities of the earth shall find blessing in you."

May this blessing now fall upon this Nation and this Chamber.

Since we tend to rejoice with friends and supporters, yet fear or ignore those who disagree or curse us, may Your Holy Word of blessing assure every one of us that You are one with us always, whether we feel praised or offended, blessed or cursed.

As You chose Abram, You have chosen these Representatives and the communities which have elected them to be Your very own.

Called by You to live into the bright promise of future and willing to be led by faith, may Your people prove worthy always to be blessed and never cursed.

May our attention to Your call and our gratitude for Your direction foster such a deep union in us and with You that we become a blessing to all the communities of the earth both now and forever. Amen.

### THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's pro-

ceedings and announces to the House his approval thereof.

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

### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Florida (Mr. FOLEY) come forward and lead the House in the Pledge of Allegiance.

Mr. FOLEY 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.

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed without amendment a joint resolution of the House of the following title:

H.J. Res. 76. Joint resolution making further continuing appropriations for the fiscal year 2002, and for other purposes.

The message also announced that the Senate has passed a concurrent resolution of the following title in which the concurrence of the House is requested:

S. Con. Res. 88. Concurrent resolution expressing solidarity with Israel in the fight against terrorism.

The message also announced that pursuant to Public Law 96-114, as amended, the Chair, on behalf of the Majority Leader, announces the ap-

pointment of Kevin B. Lefton, of Virginia, to the Congressional Award Board, vice John Falk.

### ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain 1-minute speeches at the end of legislative business today.

### PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mrs. MYRICK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 305 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

#### H. RES. 305

*Resolved*, That it shall be in order at any time on the legislative day of Thursday, December 6, 2001, for the Speaker to entertain motions that the House suspend the rules relating to the following measures:

(1) The bill (H.R. 3008) to reauthorize the trade adjustment assistance program under the Trade Act of 1974.

(2) The bill (H.R. 3129) to authorize appropriations for fiscal years 2002 and 2003 for the United States Customs Service for antiterrorism, drug interdiction, and other operations, for the Office of the United States Trade Representative, for the United States International Trade Commission, and for other purposes.

The SPEAKER. The gentlewoman from North Carolina (Mrs. MYRICK) is recognized for 1 hour.

### NOTICE

Effective January 1, 2002, the subscription price of the Congressional Record will be \$422 per year or \$211 for six months. Individual issues may be purchased for \$5.00 per copy. The cost for the microfiche edition will remain \$141 per year with single copies remaining \$1.50 per issue. This price increase is necessary based upon the cost of printing and distribution.

Michael F. DiMario, *Public Printer*

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.



Printed on recycled paper.

H8951

Mrs. MYRICK. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, yesterday the Committee on Rules met and passed this resolution providing that it shall be in order at any time on the legislative day of Thursday, December 6, 2001, for the Speaker to entertain motions that the House suspend the rules relating to the following measures:

One, the bill, H.R. 3008, to reauthorize the Trade Adjustment Assistance Program under the Trade Act of 1974; and, two, the bill, H.R. 3129, to authorize appropriations for fiscal years 2002 and 2003 for the United States Customs Service for antiterrorism, drug interdiction, and other operations, for the Office of the United States Trade Representative, for the United States International Trade Commission, and for other purposes.

Mr. Speaker, our textile workers are hurting and they are hurting bad. In the last year, 60,000 textile workers have lost their jobs, 20,000 of them in North Carolina alone. The industry has done its best through technology to compete, but they have not had a level playing field.

These folks are the best our country has to offer. They are working hard to make ends meet. When they get laid off, they do not come whining to the government, they say maybe we could have done something better or different, but then they go out and get two jobs to make ends meet.

Mr. Speaker, someone has to stick up for these folks because the government does have something to do with these layoffs. Our textile workers are hurting because of low-cost foreign imports, and many of these imports are illegal. Asian countries avoid our quotas by shipping their goods through other countries. That is unacceptable, and it is time for it to stop. For years, our government has turned a blind eye to it.

The Customs authorization bill that we will consider today will help fight these illegal textile transshipments. It provides the Customs Service with \$9.5 million for transshipment enforcement operations. These funds must be used to hire 72 new employees who will be stationed both here at home and abroad to enforce our textile trade laws. It is high time for the government to start taking our textile industry seriously.

This bill will not solve all of our problems, and it will not come anywhere close to solving our problems as we see them today, but at least we are getting somewhere and we are making some headway.

Mr. Speaker, the other bill we are going to consider today is a renewal of the Trade Adjustment Assistance program. This program gives job training

and education benefits to workers who lose their jobs because of trade. To be honest about it, I have always had mixed feelings about TAA because my friends back home would rather have a job than a handout and being unemployed. We should be working first and foremost to save our American jobs.

But quite frankly, that said, TAA is important to someone who has lost their job. And today's bill improves the program in two important ways. First, it extends job training benefits so they last the same number of weeks as unemployment benefits. What a novel idea. 104 weeks.

Second, the bill forces the Department of Labor to decide TAA requests within 40 days instead of 60 days so that workers can get their benefits more quickly. Is that enough? No way. TAA is not a substitute for a job, but it should be expanded so that secondary workers get help. Secondary workers are the supplier, those folks down the road who do business with the mills, and that has been a big issue in my district, people who have not qualified for help.

Secretary of Labor Elaine Chao has promised us that she will use emergency funds to provide TAA to secondary workers, and we should acknowledge her commitment; but we should put secondary worker coverage in the law so we do not have to rely on the whim of the next Secretary of Labor or the next one or the next one.

Mr. Speaker, let us pass this rule so we can give help to our hurting textile community. We have a long way to go, but now we have folks listening and we are making some progress. This is all a start. Sure, a very small start, but it is a start.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentlewoman from North Carolina (Mrs. MYRICK) for yielding me this time, and as the gentlewoman has explained, under rule VX of the House rules, bills may be considered on the House floor under suspension of the rules only on Mondays and Tuesdays. Therefore, this resolution is required in order to consider these bills on today's schedule.

The gentlewoman has done an adequate job of explaining why, in the leadership's opinions, these bills must come to the floor today and in this manner.

Mr. Speaker, I respectfully disagree and I will call on our colleagues to oppose adoption of this rule. There is no need to rush to judgment on these bills. I heard my colleague and I agree with her with reference to the matters in TAA dealing with the textile industry, but there are some of us that are concerned about provisions in agricultural measures in regards to people that have lost their jobs. Some of us are interested in the citrus industry in Florida and what we are likely to do

here today, and would like to have more discussion regarding same.

There is simply no good reason to handle these bills outside the normal parameters of the way the House should conduct its business. Moreover, when the House does operate this way, it effectively curtails our rights and responsibilities as serious legislators. Members should be very wary of allowing leadership to usurp our rights.

There are Members of this body who have serious concerns with at least one of the bills we are considering today. I am certain that we will hear quite a bit in due time from the distinguished ranking member of the Committee on the Judiciary, the gentleman from Michigan (Mr. CONYERS), on why this is not the appropriate way to handle serious legislation.

As my colleagues know, handling bills under suspension denies Members the opportunity to amend the bill in any way. Moreover, in this case many Members from both the committee of original jurisdiction, the Committee on Ways and Means and the Committee on the Judiciary, have serious concerns about the Customs bill.

We have heard or will hear soon that this particular bill passed committee on a voice vote; therefore, leading Members to believe that it is non-controversial. It is not. There are legitimate questions with the bill as written, and we are not able to effectively deal with these questions when we give up our rights and allow the bill to be considered under suspension.

We are told that this is the only practical way of dealing with all of the House's business in a timely manner. Also not true. Like my colleagues, I was informed yesterday that the House is not scheduled to meet tomorrow or the following Monday. If we were serious about doing the work of our constituents, we would be here tomorrow, Monday, possibly Saturday and Sunday, and however long it takes in order that we might address the concerns as shared by our good friends and me for those persons that have been displaced by September 11, and are likely to be displaced by the actions that we undertake later today on the Trade Promotion Authority.

Mr. Speaker, there is much work to be done and we ought simply not advocate our responsibility to do. As I mentioned at the outset and for the reasons just explained, I oppose adoption of this rule.

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

□ 0915

Mrs. MYRICK. Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. ISAKSON). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS of Florida. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 207, nays 179, not voting 47, as follows:

[Roll No. 476]  
YEAS—207

Ackerman	Goodlatte	Osborne
Aderholt	Goss	Ose
Akin	Graham	Otter
Armey	Granger	Oxley
Bachus	Graves	Paul
Baker	Green (WI)	Pence
Ballenger	Greenwood	Peterson (PA)
Barr	Grucci	Petri
Bartlett	Gutknecht	Pitts
Bereuter	Hansen	Portman
Biggert	Harman	Pryce (OH)
Bilirakis	Hart	Putnam
Blumenauer	Hastings (WA)	Ramstad
Blunt	Hayes	Regula
Boehrlert	Hayworth	Rehberg
Bonilla	Hefley	Reynolds
Bono	Hobson	Riley
Boozman	Hoekstra	Rogers (KY)
Brady (TX)	Horn	Rogers (MI)
Bryant	Houghton	Rohrabacher
Burr	Hulshof	Ros-Lehtinen
Burton	Hunter	Royce
Buyer	Hyde	Ryan (WI)
Callahan	Isakson	Ryun (KS)
Calvert	Israel	Saxton
Camp	Issa	Schaffer
Cannon	Istook	Schrock
Cantor	Jefferson	Sensenbrenner
Capito	Jenkins	Sessions
Castle	Johnson (CT)	Shadegg
Chabot	Johnson (IL)	Shaw
Chambliss	Jones (NC)	Shays
Coble	Keller	Sherwood
Collins	Kelly	Shimkus
Cobest	Kennedy (MN)	Shuster
Cooksey	Kerns	Simmons
Cox	King (NY)	Simpson
Crenshaw	Kingston	Skeen
Culberson	Kirk	Smith (MI)
Cunningham	Knollenberg	Smith (NJ)
Davis, Jo Ann	Kolbe	Smith (TX)
Davis, Tom	LaHood	Stearns
Deal	Largent	Stump
DeLay	Latham	Sununu
DeMint	LaTourette	Sweeney
Diaz-Balart	Leach	Tancredo
Dicks	Lewis (CA)	Tauzin
Doyle	Lewis (KY)	Taylor (NC)
Dreier	Linder	Terry
Duncan	LoBiondo	Thomas
Dunn	Lowe	Thornberry
Ehlers	Lucas (OK)	Thune
Emerson	Manzullo	Tiahrt
Eshoo	McCrery	Tiberi
Everett	McHugh	Toomey
Ferguson	McInnis	Trafficant
Flake	McIntyre	Upton
Fletcher	McKeon	Vitter
Foley	Mica	Walden
Forbes	Miller, Gary	Walsh
Frelinghuysen	Miller, Jeff	Wamp
Gallegly	Moran (KS)	Watkins (OK)
Ganske	Moran (VA)	Watts (OK)
Gekas	Myrick	Weldon (FL)
Gibbons	Nethercutt	Weller
Gilchrest	Ney	Whitfield
Gillmor	Northup	Wicker
Gilman	Norwood	Wilson
Goode	Nussle	Wolf

NAYS—179

Abercrombie	Baldwin	Berman
Allen	Barcia	Berry
Andrews	Barrett	Bishop
Baca	Becerra	Blagojevich
Baird	Bentsen	Bonior
Baldacci	Berkley	Borski

Boswell	Kanjorski	Payne
Boyd	Kaptur	Pelosi
Brady (PA)	Kildee	Peterson (MN)
Brown (FL)	Kilpatrick	Phelps
Brown (OH)	Kind (WI)	Pomeroy
Capps	Klecza	Price (NC)
Capuano	Kucinich	Rahall
Cardin	LaFalce	Rangel
Carson (IN)	Lampson	Reyes
Carson (OK)	Langevin	Rivers
Clement	Lantos	Rodriguez
Condit	Larsen (WA)	Roemer
Conyers	Larson (CT)	Ross
Costello	Lee	Roybal-Allard
Coyne	Levin	Rush
Crowley	Lewis (GA)	Sanders
Davis (CA)	Lipinski	Sandlin
Davis (FL)	Lofgren	Sawyer
Davis (IL)	Lucas (KY)	Schakowsky
DeFazio	Luther	Schiff
DeGette	Lynch	Scott
DeLauro	Maloney (CT)	Serrano
Deutsch	Maloney (NY)	Sherman
Dingell	Markey	Shoos
Doggett	Mascara	Skelton
Dooley	Matheson	Slaughter
Edwards	Matsui	Smith (WA)
Etheridge	McCarthy (MO)	Snyder
Evans	McCarthy (NY)	Solis
Farr	McCollum	Spratt
Fattah	McDermott	Stark
Filner	McGovern	Stenholm
Ford	McKinney	Strickland
Frank	McNulty	Stupak
Frost	Meeke (NY)	Tanner
Gephardt	Menendez	Tauscher
Green (TX)	Millender-	Taylor (MS)
Hall (TX)	McDonald	Thompson (CA)
Hastings (FL)	Miller, Dan	Thompson (MS)
Hill	Miller, George	Thurman
Hilliard	Mink	Tierney
Hinojosa	Mollohan	Towns
Houglton	Moore	Turner
Hoefel	Murtha	Udall (CO)
Holden	Nadler	Udall (NM)
Holt	Napolitano	Velazquez
Honda	Neal	Visclosky
Hookey	Oberstar	Waters
Hoyer	Obey	Watson (CA)
Inslee	Oliver	Watt (NC)
Jackson (IL)	Ortiz	Weiner
Jackson-Lee	Owens	Woolsey
John	Pallone	Wynn
Johnson, E. B.	Pascrell	
Jones (OH)	Pastor	

NOT VOTING—47

Barton	English	Platts
Bass	Fossella	Pombo
Boehner	Gonzalez	Quinn
Boucher	Gordon	Radanovich
Brown (SC)	Gutierrez	Rothman
Clay	Hall (OH)	Roukema
Clayton	Herger	Sabo
Clyburn	Hilleary	Sanchez
Cramer	Hinchee	Souder
Crane	Hostettler	Waxman
Cubin	Johnson, Sam	Weldon (PA)
Cummings	Kennedy (RI)	Wexler
Delahunt	Meehan	Wu
Doolittle	Meek (FL)	Young (AK)
Ehrlich	Morella	Young (FL)
Engel	Pickering	

□ 0945

Mr. DAVIS of Illinois, Mr. FORD, Mrs. DAVIS of California and Messrs. DAVIS of Florida, WYNN, MARKEY and LIPINSKI changed their vote from “yea” to “nay.”

Mr. HEFLEY and Mr. JEFFERSON changed their vote from “nay” to “yea.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BROWN of South Carolina. Mr. Speaker, on rollcall No. 476 I was unavoidably detained. Had I been present, I would have voted “Yea.”

Stated against:

Mr. GONZALEZ. Mr. Speaker, on rollcall No. 476, had I been present, I would have voted “nay.”

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ISAKSON). Pursuant to clause 8 of rule XX, the Chair announces that he will postpone further proceedings today on the first motion 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.

Any record votes on postponed questions will be taken after debate has concluded on all motions to suspend the rules.

REAUTHORIZING TRADE ADJUSTMENT ASSISTANCE PROGRAM REAUTHORIZATION ACT

Mr. THOMAS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3008) to reauthorize the trade adjustment assistance program under the Trade Act of 1974, as amended.

The Clerk read as follows:

H.R. 3008

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

TITLE I—REAUTHORIZATION OF TRADE ADJUSTMENT ASSISTANCE PROGRAM; RELATED PROVISIONS

SECTION 101. REAUTHORIZATION OF PROGRAM.

(a) ASSISTANCE FOR WORKERS.—Section 245 of the Trade Act of 1974 (19 U.S.C. 2317) is amended by striking “October 1, 1998, and ending September 30, 2001,” each place it appears and inserting “October 1, 2001, and ending September 30, 2003.”

(b) ASSISTANCE FOR FIRMS.—Section 256(b) of the Trade Act of 1974 (19 U.S.C. 2346(b)) is amended by striking “October 1, 1998, and ending September 30, 2001” and inserting “October 1, 2001, and ending September 30, 2003.”

(c) TERMINATION.—Section 285(c) of the Trade Act of 1974 (19 U.S.C. 2271 note) is amended in paragraphs (1) and (2)(A) by striking “September 30, 2001” and inserting “September 30, 2003”.

(d) TRAINING LIMITATION UNDER NAFTA PROGRAM.—Section 250(d)(2) of the Trade Act of 1974 (19 U.S.C. 2331(d)(2)) is amended by striking “October 1, 1998, and ending September 30, 2001” and inserting “October 1, 2001, and ending September 30, 2003”.

(e) CLARIFICATION OF CERTAIN REDUCTIONS.—(1) Section 231(a)(3)(B) of the Trade Act of 1974 (19 U.S.C. 2291(a)(3)(B)) is amended by striking “any unemployment insurance” and inserting “any regular State unemployment insurance”.

(2) Section 233(a)(1) of the Trade Act of 1974 (19 U.S.C. 2293(a)(1)) is amended by striking “unemployment insurance” and inserting “regular State unemployment insurance”.

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2001.

SEC. 102. AMENDMENTS TO LIMITATIONS ON TRADE READJUSTMENT ALLOWANCES.

(a) INCREASE IN MAXIMUM NUMBER OF WEEKS.—Section 233(a) of the Trade Act of 1974 (19 U.S.C. 2293(a)) is amended—

(1) in paragraph (2), by inserting after “104-week period” the following: “(or, in the case