

the Judiciary, under the Rules of the House, the nonpartisan Parliamentarian would have said that the Committee on the Judiciary must be involved, either through primary jurisdiction, through concurrent jurisdiction, or through sequential jurisdiction. None of those jurisdictional provisions were called for. Power grab?

It is interesting that the gentleman from Texas lays upon this small and modest bill what he perceives to be the sins of the Bush administration through the Attorney General to try to protect the American people from further terrorist acts. This bill contains money not only to help in protecting against terrorism, but against drug addiction and against child pornography. If folks believe that this one, small provision requested by Customs to protect Customs officers in the lawful carrying out of their job is just too much for them, then vote against increasing our ability to protect Americans against terrorism, vote against a better, more efficient drug addiction structure, and vote against all of the new technological capabilities in going after those who prey on our youth.

Now, the other thing that really amazes me, but sometimes my threshold for amazement is not as high as it probably should be; the gentlewoman from Texas in her remarks said this bill came out of committee on a party-line vote. Again, if my colleagues will check the records of the committee, she is absolutely, flat out, factually wrong. How can I say that? Because this did not come out of the committee with a vote recorded at all. Not only was it not a party-line vote, there was no vote. The record will show that there was no vote requested by the minority on ordering this bill from the committee to the floor. It was ordered from the committee to the floor on a voice vote. And yet, at the eleventh hour, all of these indignations are surfacing on a provision that was there, requested by the Customs officials, so that the hard-working, frontline soldiers at our border are not unnecessarily harassed in trying to carry out the law and in protecting Americans from drugs, from terrorism, and from child pornography.

So in terms of the criticism that how come it has taken so long to bring this to the floor, which we heard, and then how come we are rushing it through; once again, if we take every side of the argument to stop a piece of legislation, the assumption is we may not necessarily be arguing about what is in the legislation, we just want the world to stop. Because in stopping the world, then the things that need to be done will not go forward and maybe, just maybe, somebody might be fooled into thinking that this would be a reason to vote for one person over another. If that is, in fact, the reason that we are opposing this piece of legislation, that is probably the worst possible reason that anyone could offer.

What this is is a modest Customs reauthorization, and what it does is ex-

tend Customs' ability to deal with problems that are manifest, including the failure of the Customs Department to focus on areas that people who are concerned about illegal textiles, like transshipment, need to be focused on. We not only say more agents need to be involved, we say more money ought to be placed on the table. We do both in this bill. Is it enough? Probably not. Is it more than what we are doing now? Yes. Will it be better than yesterday? Yes.

The gentleman from Washington said that we placed a study in the bill; again, he is factually flat out wrong. I said at the beginning that we were removing provisions of the bill. We did not add a study; we removed a provision. So when someone stands up and exhorts all of the problems and arrows of the world that have been inflicted on them by everyone else and says, all of it is manifest in this particular bill, I would ask that they actually take a look at what it is that we are placing before the House of Representatives in this bill. It is Customs reauthorization. It deals with those frontline soldiers who have an extremely difficult job; it provides them with a few more resources; it provides them with a few more technological tools in doing the job that they do, on the whole, very well, and that, hopefully, with this particular piece of legislation, they will be able to do it even better.

Mr. OTTER. Mr. Speaker, I rise today to discuss H.R. 3129, the Customs Border Security Act of 2001. Most of H.R. 3129 is a well-crafted and needed response to the events of September 11. I firmly believe that we need to strengthen the U.S. Customs Service to properly guard against the threats we now face. I particularly support the bill's provision for 285 new customs officers along the Canadian border. I represent a State that borders Canada and have seen the vast increase in traffic along US-95, one of our Nation's NAFTA corridors. Adding more customs officers will help protect Idaho, and the United States, from those who would seek to use the world's longest peaceful border against us.

I also strongly support the provision raising the personal exemption for goods brought back into the United States from \$400 to \$800. This step will help facilitate the growth of tourism and cut through much useless red tape.

Unfortunately, H.R. 3129 contained provisions that forced me to vote against it. In particular, section 141 establishes so-called "good-faith" protection for customs officers who violate the law in the course of carrying out their duties. If enacted into law section 141 would prohibit those affected by such law-breaking from seeking damages from the guilty parties.

Working men and women are punished every day in Idaho for alleged violations of Federal laws they didn't even know existed. Sadly their "good-faith" carries no weight with the enforcement bureaucracies of the Federal Government. The officials who enforce these laws should be held to the same standards. Granting Federal bureaucrats special exemptions from the law is to establish an artificial separation of the government from the gov-

erned. Retaining the right to sue government officials for violations of our rights is the best defense imaginable for ensuring that those rights are protected in the first place. I cannot vote to remove this protection from my constituents.

I welcome the announcement by Chairman THOMAS that he will be bringing this bill up under regular order in the near future. I look forward to working with him and Members from both sides of the aisle to improve this bill and improve our Customs Service.

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

The SPEAKER pro tempore (Mr. ISAKSON). The question is on the motion offered by the gentleman from California (Mr. THOMAS) that the House suspend the rules and pass the bill, H.R. 3129, as amended.

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. McDERMOTT. 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.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Debate has concluded on all motions to suspend the rules.

Pursuant to clause 8 of rule XX, the Chair will now put the question on motions to suspend the rules on which further proceedings were postponed earlier today.

Votes will be taken in the following order:

H.R. 3008, by the yeas and nays;

H.R. 3129, by the yeas and nays.

The Chair will reduce to 5 minutes the time for the second vote in this series.

#### TRADE ADJUSTMENT ASSISTANCE PROGRAM REAUTHORIZATION ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 3008, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. THOMAS) that the House suspend the rules and pass the bill, H.R. 3008, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 420, nays 3, answered "present" 1, not voting 9, as follows:

[Roll No. 477]

YEAS—420

Ackerman	Allen	Baca
Aderholt	Andrews	Bachus
Akin	Armey	Baird

Baker Emerson  
 Baldacci Engel  
 Baldwin English  
 Ballenger Eshoo  
 Barcia Etheridge  
 Barr Evans  
 Barrett Everett  
 Bartlett Farr  
 Barton Fattah  
 Bass Ferguson  
 Becerra Fletcher  
 Bentsen Foley  
 Bereuter Forbes  
 Berkley Ford  
 Berman Fossella  
 Berry Frank  
 Biggert Frelinghuysen  
 Bilirakis Frost  
 Bishop Gallegly  
 Blagojevich Ganske  
 Blumenauer Gekas  
 Blunt Gephardt  
 Boehlert Gibbons  
 Boehner Gilchrist  
 Bonilla Gillmor  
 Bonior Gilman  
 Bono Gonzalez  
 Boozman Goode  
 Borski Goodlatte  
 Boswell Gordon  
 Boucher Goss  
 Boyd Graham  
 Brady (PA) Granger  
 Brady (TX) Graves  
 Brown (FL) Green (TX)  
 Brown (OH) Green (WI)  
 Bryant Greenwood  
 Burr Grucci  
 Burton Gutierrez  
 Buyer Gutknecht  
 Callahan Hall (OH)  
 Calvert Hall (TX)  
 Camp Hansen  
 Cannon Harman  
 Cantor Hart  
 Capito Hastings (FL)  
 Capps Hastings (WA)  
 Capuano Hayes  
 Cardin Hayworth  
 Carson (IN) Hefley  
 Carson (OK) Herger  
 Castle Hill  
 Chabot Hilleary  
 Chambliss Hilliard  
 Clay Hinchey  
 Clayton Hinojosa  
 Clement Hobson  
 Coble Hoeft  
 Collins Hoekstra  
 Combest Holden  
 Condit Moore  
 Conyers Honda  
 Cooksey Hooley  
 Costello Horn  
 Cox Houghton  
 Coyne Hoyer  
 Cramer Hulshof  
 Crane Hunter  
 Crenshaw Hyde  
 Crowley Inslee  
 Culberson Isakson  
 Cummings Israel  
 Cunningham Issa  
 Davis (CA) Istook  
 Davis (FL) Jackson (IL)  
 Davis (IL) Jackson-Lee  
 Davis, Jo Ann (TX)  
 Davis, Tom Jefferson  
 Deal Jenkins  
 DeFazio John  
 DeGette Johnson (CT)  
 Delahunt Johnson (IL)  
 DeLauro Johnson, E. B.  
 DeLay Johnson, Sam  
 DeMint Jones (NC)  
 Deutsch Jones (OH)  
 Diaz-Balart Kanjorski  
 Dicks Kaptur  
 Dingell Keller  
 Doggett Kelly  
 Dooley Kennedy (MN)  
 Doolittle Kennedy (RI)  
 Doyle Kerns  
 Dreier Kildee  
 Duncan Kilpatrick  
 Dunn Kind (WI)  
 Edwards King (NY)  
 Ehlers Kingston  
 Ehrlich Kirk

Klecza Knollenberg  
 Kolbe  
 Kucinich  
 LaFalce  
 LaHood  
 Lampson  
 Langevin  
 Lantos  
 Largent  
 Larsen (WA)  
 Larson (CT)  
 Latham  
 LaTourette  
 Leach  
 Lee  
 Levin  
 Lewis (CA)  
 Lewis (GA)  
 Lewis (KY)  
 Linder  
 Lipinski  
 LoBiondo  
 Lofgren  
 Lowey  
 Lucas (KY)  
 Lucas (OK)  
 Luther  
 Lynch  
 Maloney (CT)  
 Maloney (NY)  
 Manzullo  
 Markey  
 Mascara  
 Matheson  
 Matsui  
 McCarthy (MO)  
 McCarthy (NY)  
 McCollum  
 McCreary  
 McDermott  
 McGovern  
 McHugh  
 McInnis  
 McIntyre  
 McKeon  
 McKinney  
 McNulty  
 Meehan  
 Meeks (NY)  
 Menendez  
 Mica  
 Millender-  
 McDonald  
 Miller, Dan  
 Miller, Gary  
 Miller, George  
 Miller, Jeff  
 Mink  
 Molohan  
 Moore  
 Moran (KS)  
 Moran (VA)  
 Murtha  
 Myrick  
 Nadler  
 Napolitano  
 Neal  
 Nethercutt  
 Ney  
 Northup  
 Norwood  
 Nussle  
 Oberstar  
 Obey  
 Oliver  
 Ortiz  
 Osborne  
 Ose  
 Otter  
 Owens  
 Oxley  
 Pallone  
 Pascrell  
 Pastor  
 Payne  
 Pelosi  
 Pence  
 Peterson (MN)  
 Peterson (PA)  
 Petri  
 Phelps  
 Pickering  
 Pitts  
 Platts  
 Pombo  
 Pomeroy  
 Portman  
 Price (NC)

Pryce (OH)  
 Putnam  
 Radanovich  
 Rahall  
 Ramstad  
 Rangel  
 Regula  
 Rehberg  
 Reyes  
 Reynolds  
 Riley  
 Rivers  
 Rodriguez  
 Roemer  
 Rogers (KY)  
 Rogers (MI)  
 Rohrabacher  
 Ros-Lehtinen  
 Ross  
 Rothman  
 Roybal-Allard  
 Royce  
 Rush  
 Ryan (WI)  
 Ryun (KS)  
 Sabo  
 Sanchez  
 Sanders  
 Sandlin  
 Sawyer  
 Saxton  
 Schaffer  
 Schakowsky  
 Schiff  
 Schrock  
 Scott  
 Sensenbrenner  
 Serrano  
 Sessions

Shadegg  
 Shaw  
 Shays  
 Sherman  
 Sherwood  
 Shimkus  
 Shows  
 Shuster  
 Simmons  
 Simpson  
 Skeen  
 Skelton  
 Slaughter  
 Smith (MI)  
 Smith (NJ)  
 Smith (TX)  
 Smith (WA)  
 Snyder  
 Solis  
 Souder  
 Spratt  
 Stark  
 Stearns  
 Stenholm  
 Strickland  
 Stump  
 Stupak  
 Sununu  
 Sweeney  
 Tancredo  
 Tauscher  
 Tauzin  
 Taylor (MS)  
 Taylor (NC)  
 Terry  
 Thomas  
 Thompson (CA)  
 Thompson (MS)

Thornberry  
 Thune  
 Thurman  
 Tiahrt  
 Tiberi  
 Tierney  
 Toomey  
 Towns  
 Traficant  
 Turner  
 Udall (CO)  
 Udall (NM)  
 Upton  
 Velazquez  
 Visclosky  
 Vitter  
 Walden  
 Walsh  
 Wamp  
 Waters  
 Watkins (OK)  
 Watson (CA)  
 Watt (NC)  
 Watts (OK)  
 Waxman  
 Weiner  
 Weldon (FL)  
 Weldon (PA)  
 Weller  
 Wexler  
 Whitfield  
 Wicker  
 Wilson  
 Wolf  
 Woolsey  
 Wu  
 Wynn  
 Young (FL)

## CUSTOMS BORDER SECURITY ACT OF 2001

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 3129, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. THOMAS) that the House suspend the rules and pass the bill, H.R. 3129, as amended, on which the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 256, nays 168, not voting 9, as follows:

[Roll No. 478]

YEAS—256

Aderholt	Fossella	Luther
Akin	Frelinghuysen	Maloney (CT)
Armey	Gallegly	Maloney (NY)
Bachus	Ganske	Manzullo
Baird	Gekas	Matheson
Baker	Gibbons	McCrery
Ballenger	Gilchrist	McHugh
Barr	Gillmor	McInnis
Bartlett	Gilman	McIntyre
Barton	Goode	McKeon
Bass	Goodlatte	Mica
Bentsen	Gordon	Miller, Dan
Bereuter	Goss	Miller, Gary
Berry	Graham	Miller, Jeff
Biggert	Granger	Moran (KS)
Bilirakis	Graves	Moran (VA)
Blunt	Green (TX)	Morella
Boehlert	Green (WI)	Myrick
Boehner	Greenwood	Nethercutt
Bonilla	Grucci	Ney
Bono	Gutknecht	Northup
Boozman	Hall (OH)	Norwood
Boswell	Hall (TX)	Nussle
Boyd	Hansen	Ortiz
Brady (TX)	Hart	Osborne
Bryant	Hastings (WA)	Ose
Burr	Hayes	Oxley
Burton	Hayworth	Pence
Buyer	Hefley	Peterson (PA)
Callahan	Herger	Petri
Calvert	Hilleary	Phelps
Camp	Hobson	Pickering
Cannon	Hoekstra	Pitts
Cantor	Horn	Platts
Capito	Houghton	Pombo
Carson (OK)	Hulshof	Pomeroy
Castle	Hunter	Portman
Chabot	Hyde	Price (NC)
Chambliss	Isakson	Pryce (OH)
Clement	Israel	Putnam
Coble	Issa	Radanovich
Collins	Istook	Ramstad
Combest	Jenkins	Regula
Cooksey	John	Rehberg
Costello	Johnson (CT)	Reyes
Cox	Johnson (IL)	Reynolds
Cramer	Johnson, Sam	Riley
Crane	Jones (NC)	Rogers (KY)
Crenshaw	Kaptur	Rogers (MI)
Culberson	Keller	Rohrabacher
Cunningham	Kelly	Ros-Lehtinen
Davis, Jo Ann	Kennedy (MN)	Ross
Davis, Tom	Kerns	Royce
Deal	King (NY)	Ryan (WI)
DeFazio	Kingston	Ryun (KS)
DeGette	Knollenberg	Saxton
Delahunt	Kolbe	Schaffer
DeLauro	LaFalce	Schrock
DeLay	LaHood	Sensenbrenner
DeMint	Langevin	Sessions
Deutsch	Largent	Shadegg
Diaz-Balart	Larsen (WA)	Shaw
Dicks	Latham	Shays
Dingell	LaTourette	Sherwood
Doggett	Leach	Shimkus
Dooley	Lewis (CA)	Shows
Doolittle	Lewis (KY)	Shuster
Doyle	Linder	Simmons
Dreier	Lipinski	Simpson
Duncan	LoBiondo	Skeen
Dunn	Lucas (KY)	Smith (MI)
Edwards	Lucas (OK)	Smith (NJ)

NAYS—3

Abercrombie Flake Paul

ANSWERED “PRESENT”—1

Filner

NOT VOTING—9

Brown (SC) Hostettler Quinn  
 Clyburn Meek (FL) Roukema  
 Cubin Morella Young (AK)

□ 1148

Mr. TAYLOR of Mississippi changed his vote from “nay” to “yea.”

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

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: “A bill to reauthorize the trade adjustment assistance program under the Trade Act of 1974, and for other purposes.”

A motion to reconsider was laid upon the table.

Stated for:

Mr. BROWN of South Carolina. Mr. Speaker, on rollcall No. 477 I was unavoidably detained. Had I been present, I would have voted “yea.”

Mr. ABERCROMBIE. Mr. Speaker, in the matter of rollcall 477, H.R. 3008, I was recorded as voting “no” when I intended to vote “yea.”

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ISAKSON). Pursuant to clause 8 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting on the motion to suspend the rules on which the Chair has postponed further proceedings.