

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

