

not my intention to object but to clarify, the gentleman's proposition here, on unanimous consent, is that the 12 minutes on the Goss amendment are to be divided 6 apiece.

Mr. ISTOOK. Mr. Speaker, will the gentleman yield?

Mr. MENENDEZ. I yield to the gentleman from Oklahoma under my reservation of objection.

Mr. ISTOOK. The gentleman's understanding is correct.

Mr. MENENDEZ. Mr. Speaker, it is my further understanding that of those 6 minutes, the Chair is going to be instructed as to how those 6 minutes are going to be divided.

Mr. ISTOOK. Mr. Speaker, if the gentleman will continue to yield, the UC request specifies divided equally between an opponent and a proponent of it. The UC request does not identify specific Members who would claim that time.

Mr. MENENDEZ. Mr. Speaker, continuing under my reservation of objection, let me ask an inquiry of the Chair. How will the Chair recognize individuals for those time frames on each side?

It is my understanding that of the 6 minutes to each side, I was to receive 3 of those 6, and I just want to make sure that that in fact take place.

Mr. HOYER. Mr. Speaker, will the gentleman yield?

Mr. MENENDEZ. I yield under my reservation of objection to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, it is my presumption that, as the ranking member, I would be recognized, and I would tell the gentleman that I will yield him the 3 minutes.

Mr. MENENDEZ. Reclaiming my time, Mr. Speaker, based upon that, I withdraw my reservation of objection.

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

There was no objection.

#### TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2003

The SPEAKER pro tempore. Pursuant to House Resolution 488 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 5120.

□ 2008

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 5120) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2003, and for other purposes, with Mrs. BIGGERT (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose earlier today, pending was the amendment printed in House Report 107-585 by the gentleman from Florida (Mr. Goss), and the bill was open from page 75, line 11, through page 103, line 10.

Pursuant to the order of the House of today, debate on the following amendments, and any amendments thereto, will be limited to the time specified, equally divided and controlled by the proponent and an opponent as follows:

The amendment printed in House Report 107-58 offered by the gentleman from Florida (Mr. Goss) shall be debated for 12 additional minutes;

the amendment printed in the CONGRESSIONAL RECORD and numbered 1 shall be debatable for 30 minutes;

the amendment printed in the CONGRESSIONAL RECORD and numbered 5 shall be debatable for 20 minutes; and

the amendments printed in the CONGRESSIONAL RECORD and numbered 9 and 20 each will be debated for 10 minutes.

Pursuant to the order of the House of today, the gentleman from Florida (Mr. Goss) and a Member opposed, the gentleman from Maryland (Mr. HOYER) each will control 6 minutes on the Goss amendment.

Mr. HOYER. Madam Chairman, I want to clarify, because it is not fair for me to claim all 6 minutes in opposition, A, because I am not in opposition.

Madam Chairman, because the gentleman from New Jersey (Mr. MENENDEZ) was concerned under the unanimous consent that he might not get the time to speak, and he is not a member of the Committee on Appropriations, in fairness, my understanding with the gentleman from Oklahoma (Mr. ISTOOK), and I think everybody's understanding, was that the proponents would have 6 minutes and the opponents would have 6 minutes, so that my only intent, Madam Chairman, is to ensure that the gentleman from New Jersey (Mr. MENENDEZ) get his 3 minutes. I also want to ensure that the gentleman from Indiana (Mr. ROEMER) gets his 3 minutes. So I am not claiming the time.

Mr. ROEMER. Madam Chairman, we need a clarification. I think the gentleman from Maryland rose to claim the time in opposition to yield 3 of the 6 minutes to the gentleman from (Mr. MENENDEZ).

The gentleman from New Jersey (Mr. MENENDEZ) is a proponent of Goss and not in opposition to Goss. So we may need a unanimous consent agreement here to agree that the gentleman from New Jersey (Mr. MENENDEZ) gets 3 minutes; that the gentleman from Florida (Mr. DIAZ-BALART) gets 3 minutes in supporting the Goss amendment; that the gentleman from Arizona (Mr. FLAKE) and the gentleman from Indiana (Mr. ROEMER) get 3 minutes each in opposition to the Goss amendment.

The CHAIRMAN pro tempore. The Chair mistook the attitude of the gentleman from Maryland (Mr. HOYER).

Does any Member rise in opposition to the amendment?

Mr. ROEMER. Madam Chairman, I rise in opposition to the Goss amendment.

The CHAIRMAN pro tempore. The gentleman from Indiana (Mr. ROEMER) will control 6 minutes.

Mr. ROEMER. I thank the Chairman.

Mr. DIAZ-BALART. Madam Chairman, as the designee of the proponent of the amendment, am I correct that I will, as the person controlling the 6 minutes, have the right to close?

The CHAIRMAN pro tempore. In the absence of a committee Member in opposition; that is correct.

Mr. DIAZ-BALART. As the designee of the proponent of the amendment, do I have the right to close?

The CHAIRMAN pro tempore. Without objection, the gentleman from Florida (Mr. DIAZ-BALART) will control 6 minutes as the designee of the proponent of the amendment.

Mr. HOYER. Reserving the right to object, Madam Chairman, I want to make clear that a unanimous consent has been propounded, which I think is a fair one, and what that does, it gives one Democrat a proponent of the Goss amendment and one Democrat who is an opponent 3 minutes apiece; and on the other side, one Republican who is a proponent gets 3 minutes and one Republican who is an opponent gets 3 minutes.

I am not going to seek any time. I am for the proposed unanimous consent irrespective of who closes or not. The proponent of the amendment, I presume, under the rules, would have the right to close.

Mr. DIAZ-BALART. Madam Chairman, will the gentleman yield?

Mr. HOYER. Madam Chairman, under my reservation of objection, I yield to the gentleman from Florida.

Mr. DIAZ-BALART. I am still trying to get an answer as to whether the proponent of the amendment has the right to close. That is the first question I would like answered. As the proponent of the amendment, do I get the right to close?

The CHAIRMAN pro tempore. Members will suspend for a moment.

Mr. HOYER. Madam Chairman, it is my perception there is not opposition to the unanimous consent request, but I may be wrong.

The CHAIRMAN pro tempore. The Chair will state her current understanding. The 6 minutes in opposition will be controlled by the gentleman from Indiana (Mr. ROEMER), the 6 minutes for the proponent will be controlled by the gentleman from Florida (Mr. DIAZ-BALART). The gentleman from Florida (Mr. DIAZ-BALART) will have the right to close.

The Chair recognizes the gentleman from Florida (Mr. DIAZ-BALART).

Mr. HOYER. Madam Chairman, as I understand, there was a unanimous consent request propounded subsequent to the first unanimous consent, and that unanimous consent was of the

gentleman from Indiana (Mr. ROEMER) suggesting that there be in effect, an amendment to the first unanimous consent and that that amendment would be that the gentleman from Florida (Mr. DIAZ-BALART) has 3 minutes and controls that, that the gentleman from New Jersey (Mr. MENENDEZ) has 3 minutes, that the gentleman from Indiana (Mr. ROEMER) have 3 minutes in opposition, and that the gentleman from Arizona (Mr. FLAKE) have 3 minutes in opposition.

It seems to me that we all here, I think, agree that that would be the distribution of time.

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The CHAIRMAN pro tempore (Mrs. BIGGERT). The Chair has allocated time to two Members, one as proponent and one as opponent, and those gentlemen may yield to other Members who request time.

Mr. DIAZ-BALART. Madam Chairman, the Chair has stated that the opposition to the amendment has 6 minutes and the proponents of the amendment have 6 minutes, and we have the right to close.

There is 6 minutes in opposition to the Goss amendment, and I will yield 3 minutes to the gentleman from New Jersey (Mr. MENENDEZ), and then I will close.

The CHAIRMAN pro tempore. The gentleman from Florida (Mr. DIAZ-BALART) controls 6 minutes, and is recognized.

Mr. DIAZ-BALART. Madam Chairman, I yield 3 minutes to the gentleman from New Jersey (Mr. MENENDEZ).

Mr. MENENDEZ. Madam Chairman, after 10 years in the House, and as the ranking Democrat on the Subcommittee on the Western Hemisphere, it is amazing on an issue that is vital to my district and my constituency how I have to fight for time on the floor, but I appreciate the gentleman yielding me this time.

President Bush came to this Chamber and said of countries who support terrorism, you are either with us or you are against us. It is amazing to me how I have heard some of my colleagues come to the floor and begin to equivocate. I remember the standing ovation the President received when he said that, about whether some terrorists are okay and others are not.

For the purposes of this amendment, let me just put Cuba under Castro in context. On May 10, 2001, Castro visited Iran and he said, "Iran and Cuba in cooperation with each other can bring America to its knees. The United States regime is very weak, and we are witnessing this weakness from up close."

Then we found out that Ana Montes, who was a senior analyst for our Defense Intelligence Agency of the United States, was a Cuban spy. She gave us all of the wrong information and analysis on Cuba, and gave the Cubans and Castro all of the sensitive information

she had as a senior analyst on the United States, and she was specifically instructed to discredit Cuban defectors' reports of Cuba's biological weapons development.

Then we saw the Cuban spy ring in the south of Florida. These are all agents of the Castro regime, who has enough money to put all of these people here in Cuba and to have them be able to create these operations; however, does not have enough food to put on the plates of Cuban families back in Cuba, including that of my family. What did this spy ring, when they came before the judge and pleaded in some cases, say? That they sent detailed information. On what, on the United States Postal System to Cuba. What a boring issue, the United States Postal System. But we add Castro's visit to Iran right before September and May, add the Defense Intelligence spy giving all of our sensitive information and giving us all of the wrong information about Cuba, look at the pleas that took place in the Southern District of Florida and the statements made there, and we have more than enough to be concerned about this benign regime that some would paint here on the floor.

Vote for the Goss amendment for a whole host of reasons.

Mr. ROEMER. Mr. Chairman, I yield 20 seconds to the gentleman from Michigan (Mr. SMITH).

Mr. SMITH of Michigan. Mr. Chairman, the Goss amendment means that we continue what has not worked for the last 41 years.

One of the certifications that the President has to make is that Cuba is not providing technology that could be used to produce, develop, or deliver biological weapons, and the President could not even make this certification for the United States.

Mr. ROEMER. Mr. Chairman, I yield myself 2 minutes, 40 seconds.

Mr. Chairman, this whole debate started several months ago when the Under Secretary of State said, "The United States believes that Cuba has at least a limited offensive biological warfare research and development effort."

Now, one of the first people I would go to if I heard that kind of accusation about a country 90 miles from our shore would be the Secretary of Defense, Mr. Rumsfeld, a very respected individual. At a press conference he said this on May 29 in the St. Petersburg Times about that statement in the State Department. "I haven't seen the intelligence that apparently led Under Secretary Bolton to make those remarks."

If the Secretary of Defense, fighting a war against terrorism, saying you are with us or against us, does not have that, where does it come from? The Secretary of State said when he heard that quote, and here is another quote, "We did not say Cuba actually had such weapons, but it has the capability and capacity to conduct some research."

Mr. Chairman, let us talk about the facts here. The facts are that Cuba and

Mr. Castro, who I have no respect for and want to see out of power, he has been in power for 42 years. What is the best way to get rid of him? The best way is to have American travel go, and students and business leaders and American ideas get to Cuba. Those ideas, those beliefs, that American free enterprise system, students from colleges, farmers to help the Cubans open up their newly announced 300 freely priced farmers' markets, new micro-enterprises open around Cuba, that is the way to open up that government and change it.

Now it may not topple Castro, but 42 years of failed policy is not going to do it, either. Let us try something new. Let us move our ideas forward. Let us not let Castro stay in power any longer. Church groups, students, American beliefs, American tourists going into taxicabs and hotels, spending our time and our ideas down there, that is the American tradition to change this policy. Vote against the Goss amendment and for the Flake amendment.

Mr. Chairman, I yield 3 minutes to the gentleman from Arizona (Mr. FLAKE), since the gentleman from Florida (Mr. DIAZ-BALART) has the right to close.

Mr. FLAKE. Mr. Chairman, I rise in strong opposition to the Goss amendment. This debate is all about consistency, and it is interesting that we have been debating for the past 10 minutes who gets what amount of time to argue what position. If we think about it, the other side of this debate has had 42 years to make this debate, to make their side of the debate. Forty-two years. Forty-two years we have had the same failed policy. Castro is still every bit the thug he was 42 years ago. He is still very much in power, and the question occurs after 42 years, it is about time that we decide maybe we need a change here. Maybe we ought to be consistent with what we are doing in the rest of the world.

We not only allow, we encourage tourists and others to travel to China, even though China is very much engaged in shipping arms, and who knows, maybe biological weapons. They certainly have the capacity. If Cuba does, they do. So does Albania, for that matter. Iran very much has the capacity. If we believe the other side, they got it from Cuba. Are we saying that we should not travel to Iran? No. We are saying Americans are our best ambassadors all over the world, yet we say not to Cuba. It is time for that policy to change.

The other side will say this is all about terrorism. Last year 240 Members of this body said we need a change. We need a change. At that point the other side stood up and said it is about political prisoners. That was the killer amendment to the Flake amendment last year. Terrorism was not the chic issue it is this year; it was political prisoners. That was brought up and said, well, Castro has to release political prisoners. This year, is political

prisoners in the Goss amendment? No. It is terrorism.

Are they saying we should allow tourism just as long as there is no terrorism, even though Castro has not released political prisoners? No. This is simply a killer amendment; let us take it for what it is.

If we are concerned about terrorism, I would submit that the best thing to do is defeat the Goss amendment and approve the Flake amendment. We have to realize that the Office of Foreign Assets Control at the Treasury Department spends between 10 and 20 percent of its resources tracking down grandmothers from Iowa who happen to go on a bicycling trip to Cuba.

Last year a man from the State of Washington went to Cuba for 24 hours to spread his parents' ashes at the church they built in the 1950s. That man returned to a \$7,500 fine from the Office of Foreign Assets Control. Now the Office of Foreign Assets Control's job is to shut down the international terrorist network. How can they do that if they are spending all of their time chasing down tourists or others who are going to Cuba for innocent reasons? It is time to defeat the Goss amendment.

Mr. DIAZ-BALART. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, what is new is that some hijackers smashed into the World Trade Center killing thousands of people and killed some heroes also in the Pentagon. What is new is that the administration has made public for the first time something that the intelligence community came to the conclusion about in 1999, and that is there is a biological weapons program in Castro's Cuba. That is what is new.

It is not a fetish, I think that is word of the gentleman from Arizona (Mr. FLAKE), or fad, when we are talking about protecting American citizens. If the Flake amendment passes without the Goss amendment, it is not going to be a SCUD missile. Let us say that Castro happens to be wrong and that his denial of the fact that he has biological weapons is a lie, like he denied 40 years ago that he had another kind of weapon. I think it was a nuclear weapon, he was denying that. Happened to be wrong.

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Let us say that he happens to be wrong again and that he does have biological weapons, as our intelligence community says so and has said so repeatedly, not just Mr. Bolton, Mr. Ford, the head of the State Department intelligence department, the intelligence community. By the way, they have both said that there is a lot more that the intelligence community does not let them say. There is a lot more that we know.

Let us say that Castro does have biological weapons. Let us just say. It is not a fad now. Let us just say. He is not going to use Scud missiles. He has got a lot of travelers going back and

forth. This guy, this gentleman here, who happens to be in prison, his name is Padilla, because he was preparing a dirty bomb that he wanted to throw here in Washington, and let us say that he is able to get out of prison and he wants to go where there are already thousands of other terrorists given safe harbor by the only terrorist regime in this hemisphere. Under the Flake amendment if Goss does not pass and the President is out of the picture, this man, or any other man, cannot be licensed, cannot be checked, cannot be reviewed, suitcases cannot be opened; he gets to go to the only terrorist state 90 miles from here without our Treasury Department, where we are spending 40 percent of the money of the Federal Government for security on this bill. Not one cent can be spent to check him or any other terrorist that wants to go to the only terrorist state in this hemisphere. That is what the Flake amendment would do if Goss does not pass.

What does Goss say? That the President has to be in the mix, that the President has the authority, has to have the authority in this war on terrorism to check this man and to check his suitcase and to license him.

It is not illegal to go to Cuba. A number of colleagues went to Cuba. Here is the gentleman from Massachusetts (Mr. MCGOVERN). Here is the gentleman from Arizona (Mr. FLAKE). They love to go to Cuba. They love the mojitos on the beach where the Cubans cannot go. But this man, this man, this man—

Mr. OBEY. Mr. Chairman, I demand that the gentleman's words be taken down.

Mr. DIAZ-BALART. You know it is true. You know it is true.

Mr. OBEY. I want the rules enforced. The CHAIRMAN. The gentleman from Florida will be seated.

The Clerk will report the words.

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The CHAIRMAN. The Chair recognizes the gentleman from Florida (Mr. DIAZ-BALART).

Mr. DIAZ-BALART. Mr. Chairman, I understand I was not out of order. I certainly meant no offense.

Does the gentleman from Wisconsin (Mr. OBEY) insist on his demand?

Mr. OBEY. Mr. Chairman, it is not worth it.

The CHAIRMAN. The gentleman withdraws his demand.

Mr. GILMAN. Mr. Chairman, in recent years there has been a growing body of second-guessing about the adequacy of the policies of the United States toward Cuba.

However, President Bush made it clear in a recent speech why there is no real justification for a change of policy by his Administration.

Unfortunately, the Castro regime continues to engage in severe human rights abuses. Cubans are deprived from the basic right of choosing their government by free elections. Political prisoners are maltreated, to the extent that some die in detention as a result of the physical abuse and the lack of subsequent required medical attention. Citizens in Cuba do

not enjoy any of the rights common to free people.

The Cuban government is sensitive to its citizens contacting foreigners, in particular human-rights activists. During President Carter' visit, Castro put up a show for the benefit of foreign audiences by allowing Mr. Carter to meet with a number of prominent rights activists. However, as soon as the former President left the Island, the Cuban regime put in motion a massive effort to neutralize the ephemeral achievement of the activists.

Presently Castro is trying to amend the Cuban constitution, so that the authoritarian system will become forever entrenched not only de facto, but also in the law.

Mr. Chairman, it is my opinion that this is certainly not the time to soften American policies towards Cuba. Indeed, a policy of accommodation towards Castro will also encourage him and other dictators. It will also discourage fragile democracies that happen to be burdened by economic downturns, or political upheavals.

Peoples and governments around the world are watching our policies towards Cuba as a bench mark to our commitment to the spread of democracy. Let's not discourage those seeking freedom on the Cuban island and in other places. Let's stay fast and send the message that a long as there is no hope afforded to the people of Cuba by its present regime, the United States will not change its policies.

The question is on the amendment offered by the gentleman from Florida (Mr. GOSS).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida (Mr. GOSS) will be postponed.

AMENDMENT NO. 1 OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. FLAKE:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . (a) None of the funds made available in this Act may be sued to administer or enforce part 515 of title 31, Code of Federal Regulations (the Cuban Assets Control Regulations) with respect to any travel or travel-related transaction.

(b) The limitation established in subsection (a) shall not apply to the issuance of general or specific licenses for travel or travel-related transactions, and shall not apply to transactions in relation to any business travel covered by section 515.560(g) of such part 515.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, may I just state for the record for the folks at home, I am Mormon and I do not drink mojitos, or whatever they are.

Mr. Chairman, I appreciate this opportunity to stand in support of the Flake amendment. What the Flake amendment simply says is that this is all about freedom. Our government should not tell us where we can and cannot travel. It is a fundamental right of every American to travel. Every one of us ought to have the right to go to Cuba to see what a mess Fidel Castro has made of that island. We should have that right firsthand.

That is what this amendment is all about. When you strip away everything else, should you be allowed the right to travel to Cuba, or anywhere else you want, or should your government tell you where you can and cannot travel?

Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin (Mr. RYAN).

Mr. RYAN of Wisconsin. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, the greatest antidote to totalitarianism is an informed mind. I would like to read a quick passage from an independent journalist, a dissident in Cuba, Oscar Espinosa Chepe: "The passage of the House amendment last year to end the travel ban reflects a public opinion that every day understands more clearly that the effort to isolate Cuba has only increased the suffering of the Cuban people and strengthened the positions of the most recalcitrant elements in the Havana regime. Experience demonstrates that isolationism breathes life into totalitarianism. It helps it exercise control over citizens subjected to its power and to reinforce its monopoly over their minds. On the other hand, contact between peoples free individuals from falsehoods and from the lies without dignity to which they are obliged to lead."

Mr. Chairman, it has been the American policy from Republican presidents and Democrat presidents that we engage; it has been in the American policy that we engage the Soviet Union, that we engage China, that we, just a few minutes ago, voted to engage Vietnam.

We should do the same with Cuba. The simple reason is that it has been a bedrock principle of American policy that travel is a device that opens closed societies. American travelers are our best ambassadors. They carry the idea of freedom to people from communist countries. There is no reason to make this exception for Cuba.

We want Americans to go down and exchange ideas, to show them the taste of freedom, to know what kind of brutal totalitarian regime they are living under. A people cannot rise up and ask for alternatives if they are not acquainted with those alternatives.

We are simply saying this 42-year practice of turning our backs, of looking inward, of being hypocrites while

we go to China and Russia and Vietnam, must be ended.

With that, Mr. Chairman, I call for a yes vote on the Flake amendment. I encourage Members to vote for the Flake amendment.

The CHAIRMAN. Does any Member oppose the amendment?

Ms. ROS-LEHTINEN. Mr. Chairman, I claim the time in opposition.

The CHAIRMAN. The gentlewoman from Florida (Ms. ROS-LEHTINEN) is recognized for 15 minutes.

Ms. ROS-LEHTINEN. Mr. Chairman, I yield 3 minutes to our friend, the gentleman from Tennessee (Mr. WAMP), to speak in opposition to the Flake amendment, an amendment which runs contrary to the spirit and letter of our U.S. anti-terrorism policy.

Mr. WAMP. Mr. Chairman, I thank the gentlewoman for yielding me time.

Mr. Chairman, I want to say I have the greatest respect for the gentleman from Arizona. He is as solid as a rock and totally believes in his position here. In previous years, I have actually supported him and Mr. Sanford before him on opening up travel. I supported the gentleman from Washington (Mr. NETHERCUTT) at the Committee on Appropriations with regard to food and medicine.

But I have to tell you, the question was asked earlier what has changed, and I rarely have changed my position on any issue over the last 8 years, but today I am going to change my position on this issue after careful research because the world has changed. It changed September 11, and we have to listen to our intelligence community and make informed decisions.

Why should we be concerned? Well, the President has said those nations that harbor terrorists are terrorists and should be treated as such. A gentleman just compared China, Vietnam or other countries such as that, to Cuba. There are no allegations that I know of of those nations harboring terrorists. We have concerns in our intelligence community about Cuba harboring terrorists.

What about the proliferation, production, of biological weapons? We have information in our intelligence community that Cuba is up to no good.

Somebody said that we should try something new after 42 years. Mr. Chairman, this is not the time to try something new. This is the most serious time in the history of our country. We have got to be extremely careful.

This is not a trade issue where you do want to promote travel and open up markets. This is a national security issue and should than treated as such. We need to treat Cuba like Syria, not like Mexico. There is a huge difference. I am going to listen to the gentleman from Florida (Mr. GOSS) and our intelligence community, not Fidel Castro and his propaganda.

Mr. Chairman, I agree in principle with the issues that bring those proponents of this amendment to the floor today on opening markets and how to

engage. But this is different. We have information that should gravely concern us.

Let me tell you why I have changed my position: Because I would rather be safe than sorry. I would rather be safe than sorry. I do not want to come back to this floor because somebody from Cuba was involved in a terrorist action in this country and we promoted open travel between the U.S. and Cuba. I am changing because I am better informed, and the world has changed.

Mr. FLAKE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I just want to point out, it was said you cannot travel to Syria. You can travel to Syria. You can travel to Iran. You can travel to North Korea. You can travel to China. So that is not the issue. The issue is consistency here.

Mr. Chairman, I yield 2 minutes to the gentleman from Arkansas (Mr. SNYDER).

Mr. SNYDER. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, the point bears repeating that we are talking about having a foreign policy that makes sense and has made sense in the past and will in the future. We have decided that nations with whom we disagree, who have foreign policies with whom we disagree, what should be our policy toward them with regard to Americans traveling to those nations?

We have disagreed with Syria very vigorously, yet we have said Americans can travel there. We have disagreed and continue to disagree very vigorously with Iran and their support of terrorist groups, but we have said Americans can travel there. We have had problems with China and Russia and their support through equipment and materials to countries we think should not get those materials because of the weapons systems they might be used for. But we say, Americans, you can travel to China; Americans, you can travel to Russia.

The one country that we have this policy with is Cuba. So we are now seeing this bogeyman created, that somehow September 11 is related to the last 43 years of a failed policy.

Well, in my view, what this debate should be about tonight is what increases the chances of the people of Cuba growing up in freedom and growing up in democracy and knowing a market economy. I was in Cuba the first week of January with several members of Congress. I took this picture at a church in Cuba. It is the same town where Elian Gonzales now lives.

To me, this is the future of Cuba. What increases their opportunity to grow up in freedom? Is their opportunity for freedom increased by having Americans never see them, by having Americans never come to their church and visit with them and talk about America? Is that what increases their chances of freedom, of knowing what freedom is about, of hearing them talk, as we did, with people in Cuba about

what it means to have freedom of the press? Why is The New York Times not available? Why do not you let people have open newspapers?

I think that what will increase their chances for freedom is what we do tonight. Vote no on the Goss amendment and for the Flake amendment.

Ms. ROS-LEHTINEN. Mr. Chairman, I yield 3 minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Chairman, I thank the gentlewoman for yielding me time.

I think in so many ways this debate is about our government versus their government, and our government is about democracy. It is about a republic. Their government is about really one guy basically, Fidel Castro.

What is wrong with him? Well, let us just start with the fact that he came into power by hoodwinking people, by stealing hotels, properties, and in many cases, breaking up families and executing many of them. He is pro-communism, he is anti-American, and the other thing is he is bankrupt.

In Cuba right now, their debt is \$11 billion. Venezuela, one of their strongest allies, suspended oil shipments based on the fact that Cuba owes them \$63 million. Right now, Cuba owes Russia \$20 billion. Now, when you get in a position like this and you are not exactly a Sunday school teacher from next door, you are liable to cut some deals with some unsatisfactory characters.

That is what this is about. This is not about your good constituents or my good constituents going to Cuba. Indeed, last year alone 156,000 Americans went to Cuba. This is about people that you want to keep track on that might be going over there to hide, just like an old outlaw post.

Here is a quote from Castro that gives his sentiments. This, by the way, is from May 10, 2001, just on the eve of 9/11. "Iran and Cuba, in cooperation with each other, can bring America to its knees. The U.S. regime is very weak and we are witnessing this weakness from close-up."

Why would you say that if you are pro-American? What interest that would be pro-American that would say you would bring America to its knees? That is a statement of war. It is a statement of antagonism.

Let us add on these statements. Here is something from John Bolton, the Under Secretary for Arms Control. "Cuba has at least a limited offensive biological warfare research and development effort. Cuba has provided dual-use biotechnology to other rogue States like Iran, probably Iraq, probably Syria, probably a dozen others that we do not know about. We are concerned that such technology could support bioweapons programs in those States."

So you have got a guy who is a one-man dictatorship, a guy who is bankrupt, a guy who is anti-American, and a guy who is developing biological

weapons to probably be used to "bring America to its knees." Why do we want to be the first one to blink?

That is what this is about. Why are we blinking first? Castro is on his way out. I think the amendment of the gentleman from Washington (Mr. NETHERCUTT) last year probably has done some humanitarian good, although it is hard to say, because I know when we go over there, we get filtered information.

□ 2055

But why do we want to start giving him a money train called tourism? I know about the tourism game. I represent coastal Georgia. It is our number one industry from Savannah to Saint Simons to the Sea Islands, all over. Tourism is a money train. Why do we want to give it to Fidel Castro?

Mr. Chairman, I reluctantly oppose a friend, but I do urge my colleagues to enthusiastically vote "no" on the Flake amendment.

Mr. FLAKE. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Chairman, I rise in very strong support of the Flake amendment, quite simply because I firmly believe it is the right of all Americans to be able to travel wherever they wish.

I support this amendment because I believe the current sanctions on travel to Cuba go against the very traditions and democratic values that make the United States so respected in the eyes of the world community.

I trust the people of America. They are not fools. They should be able to see firsthand, freely and whenever they choose, both the good and bad about today's Cuba. They do not need the Federal Government to censor what they see or how they might experience Cuba.

I believe that increased travel by Americans and others would make Cuba less insular and more exposed to American ideas.

I believe Cuban Americans should have the right to visit their relatives as often as they wish, without seeking the approval of the U.S. Government.

This is not a debate about whether U.S. citizens should travel to an undemocratic or repressive country. If that were true, then Americans would not be able to travel to China, Vietnam, Burma, Sudan, Syria, Iran, and North Korea. But Americans travel freely to these countries, as is their right. Why then do we continue to prohibit the travel to Cuba?

Vote "yes" on the Flake amendment.

Ms. ROS-LEHTINEN. Mr. Chairman, I yield 3 minutes to the gentleman from Missouri (Mr. BLUNT).

Mr. BLUNT. Mr. Chairman, I thank the gentlewoman for yielding me this time. I appreciate my good friend, the gentleman from Arizona (Mr. FLAKE), and the amendment he has brought to the floor, but I rise to disagree with the amendment and to point out that

the Bush administration said they will veto this bill, or at least they are likely to, and I will give the specific language in a second, but that they are likely to veto this appropriations bill if the language comes through that limits the embargo.

A statement from the administration said that the administration understands that an amendment may be offered on the House floor that would weaken current sanctions against the Cuban government. The administration believes it is vitally important to maintain these sanctions.

The function of the travel sanctions is to prevent unlicensed tourism to Cuba that provides economic resources to the Castro regime, while doing nothing to help the Cuban people, and these sanctions should not be removed. It goes on to say, as noted in the July 11 letter from Secretaries Powell and O'Neill, the President's senior advisor recommended he veto a bill that contains such changes.

This bill, the Treasury-Postal bill is, for 2003, a homeland security bill. The committee provides over \$4 billion in support of the homeland security effort. It establishes a separate appropriation for the Office of Homeland Security. This bill is our bill for homeland security. The President and the administration make the point that this weakens the bill. Cuba is a known harbinger of international terrorists, has strong ties to other terrorist states.

Castro said in a meeting last year with the Iranian leader that Iran and Cuba, in cooperation with each other, can destroy America. Quote: "The United States regime is very weak and we are witnessing this weakness from close up," end the Castro quote there.

Ending the embargo would assist terrorists in using Cuba as a forward operating base miles off our shore. According to Secretary of State Powell and Secretary of the Treasury O'Neill in a recent letter to the chairman of the Committee on Appropriations, the gentleman from Florida (Mr. YOUNG), they said that the Cuban government has refused to cooperate with the global coalition's efforts to combat terrorism, refusing to provide information about al Qaeda. On November 13, 2002, the Cuban Foreign Minister delivered a speech at the United Nations in which he accused the United States of war atrocities in Afghanistan. And on June 8, Castro compared President Bush's terrorism policies to Nazi Germany's efforts to assert world hegemony, suggesting that the administration permitted the 9/11 attacks in order to "reshape the world as they wish."

This is not a regime to send money to. This is not a regime to open the sanctions up with. It is clear at this time where our administration thinks we need to be in this regard. This is not a time to reevaluate this policy, and I urge that we defeat the amendment.

Mr. FLAKE. Mr. Chairman, I yield myself 15 seconds.

Mr. Chairman, I would like to point out that Secretary O'Neill, in testimony before the Senate just a few months ago, stated that if it were up to him, he would basically agree to my amendment. He would not enforce the travel ban because it takes away money from terrorism.

Mr. FLAKE. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. SOLIS).

Ms. SOLIS. Mr. Chairman, I rise in strong support of the Flake amendment. I had the opportunity on two occasions to visit Cuba, and I went there out of curiosity to also see what many of my constituents have come to tell me, and that is that there are some opportunities there, cultural exchange, educational opportunities.

When I came back from my first trip, I noticed that on the plane coming back, there were 20 students from Mt. San Antonio College that were playing in athletic games with students in Cuba, and I asked them, what was your curiosity? What did you think about the Cuban government? What did you think about the people there? Many of them said that they were very supportive and felt that they were a part of a student group there that they could work on different issues and learn about each other and break down those barriers that we hear about every single day here by some of the rhetoric that we are even hearing here tonight.

I met with students, medical students from California, from Boston, from New York, who are there because they cannot get into medical schools here, who are learning about how to become professionals in the health career field. That is one of the reasons why I went.

Trade promotion also needs to be a part of this discussion.

Ms. ROS-LEHTINEN. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Chairman, first, so the record is clear, Paul O'Neill, the Secretary of the Treasury, has cosigned a letter with Secretary Colin Powell to the gentleman from Florida (Mr. YOUNG) saying that we would recommend that the President veto such legislation if it reaches his desk with the Flake amendment or any language that weakens current policy. So let us be very clear about that.

Let me also point out to my colleagues that travel to Cuba by Americans is permitted, providing it is with a purpose. There are 13 broad categories for which travel may be authorized. Something on the order of 200,000 people visited Cuba last year, so travel does take place, but it has to have a purpose.

There is a dark side to Cuba travel as well. Some of my colleagues think the travel is a panacea if we just have unfettered travel, somehow human rights abuses will be ameliorated and we will see some changes. That has not happened with the Canadians, with Europeans and others who routinely go to

Cuba. There has been no mitigation of the human rights abuse. It has gotten worse in Cuba over this last several years. It is Pollyannaish, I would say to my colleagues who think otherwise.

There is also another dark side. The Protection Project just recently came out with a report again about human trafficking and sexual exploitation. I am the prime sponsor of landmark human trafficking law, and we have seen an increase in sexual tourism in Cuba. Here is what the Protection Project says. Canadian sex tourism is largely responsible for the revival of child prostitution. So there is a dark side to this seeming panacea of travel.

Let me also point out to my colleagues that Cuba continues to share the dubious distinction of being named a terrorist state by the Department of State. They join the infamous and the cruel, six other rogue nations: Iran, Iraq, Libya, North Korea, Sudan and Syria.

I think in this stage of the debate, it is worth reiterating that the Goss amendment would merely require that before we provide the means for Castro to obtain millions of dollars in revenues for his dictatorship, that three mutually reinforcing homeland security criteria are met: That the Cuban government does not process and is not developing biological weapons that threaten the U.S.; that Cuba is not providing terrorist states or terrorist organizations technology that could be used to produce, develop, or deliver biological weapons; and that Cuba is not providing support or sanctuary for international terrorists. These are exceedingly important criteria.

I would say to my colleagues, if you do not think they are relevant, vote for the Flake amendment. If you think they are relevant, I would ask you to vote for the Goss amendment and against the Flake amendment. If you think that the Cuban dictatorship is clean, you should also vote for the Goss amendment. What is there to hide? Let the scrutiny begin. Let a full-scale, presidential review and determination be made to ensure whether or not biological weapons in Cuba are real. If you think, as I do, that the dictatorship poses very serious threats to the safety and well-being of Americans, then I would urge my colleagues to vote for the Goss amendment.

Mr. Chairman, let us not forget, Fidel Castro is a dictator, a mass torturer, and he is a terrorist. Just look at the country's human rights practices. It is unconscionable. The recent State Department Report makes it very clear people are routinely beaten for their beliefs.

Vote "yes" on Goss.

Mr. FLAKE. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Missouri (Mrs. EMERSON).

Mrs. EMERSON. Mr. Chairman, I read an interesting article in today's Washington Times about a retired Air Force colonel, Ed Hubbard, a former POW in Vietnam, who traveled down to

Miami this week to have a press conference where he was awarded with some medals for his bravery, which he truly deserved, but it was also to point a finger, if you will, at the person that he suspected of being the Cuban interrogator and torturer in Vietnam.

Well, as it turns out, it was a very interesting article, and after he was awarded these pins, the colonel stunned everybody in the room by saying, you know, let me say something. The best way to topple communism and I quote, in today's Cuba, he said, "is by establishing relations with Fidel Castro. Communism collapsed in Eastern Europe because we showed them how we live. I have to believe the same thing will happen with Cuba."

That is Retired Air Force Colonel Ed Hubbard, a POW, tortured in Vietnam by a Cuban, who very strongly believes that we should open the door with Cuba. I think that says it all.

Mr. FLAKE. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts (Mr. LYNCH).

Mr. LYNCH. Mr. Chairman, I thank the gentleman for yielding me this time.

The starting point for this debate this evening should be that Americans have a constitutional right to travel, and history shows us that the Framers of the Constitution and the signers to the Declaration of Independence thought it was an inalienable right and one that came from natural law and that governments were given a duty to protect.

I have heard three arguments from the opponents of lifting this travel ban. The first is that because we disagree with the policies of Castro that we should prevent our citizens from traveling to Cuba; yet, if we look across the globe, there are many, many regimes that we disagree with on policy reasons: China, for one, Iran for another; but on a daily basis, our citizens are allowed to travel there. So that is not one that holds up.

Secondly, we have heard that history precludes it, as in the Bay of Pigs, I had heard that referred to earlier. Well, we just debated earlier this evening a bill that would establish trade with Vietnam, our citizens are allowed to go there. And what about Vietnam? We lost 48,000 American boys in a war with that country, and yet we allow our citizens to go there. So it is not history that precludes it.

Lastly, probably the thinnest argument is that argument around terrorism. I just want to remind people that when we rounded up the Taliban, when Secretary of Defense Rumsfeld rounded up the al Qaeda suspects in Afghanistan at the Battle of Kandahar, where did they send them? They sent them to Guantanamo Bay in Cuba. If there was any chance of Cuba being a hotbed of terrorist activity, that never would have happened.

Mr. Chairman, I ask Members to support the Flake amendment.

Mr. FLAKE. Mr. Chairman, I yield 1½ minutes to the gentleman from Washington (Mr. NETHERCUTT).

Mr. NETHERCUTT. Mr. Chairman, I thank the gentleman for yielding me this time.

As I have listened to this debate tonight, I think it has been a good debate. What strikes me about the argument of the opponents to the Flake amendment is that there seems to be this fear of Fidel Castro, a tiny dictator in a country 90 miles from us who is, by all reasonable accounts, I would argue to my colleagues, not a threat to this country. Even in the days of the gravest threat when the Soviet Union was at its greatest power, we still allowed our American citizens to travel there. We allow families of Cubans who are still in Cuba to travel there, 90 miles off our shore, once a year. We allow Cuban families to give money to their relatives in Cuba.

□ 2112

The Pope has gone to Cuba. Many Americans under certain restrictions have gone to Cuba. My suggestion to my colleagues is why are we afraid to allow Americans to go there and spread democracy, to make the arguments and be examples to the people of that country, 11 million people that we are a good country, that we are not a country that Fidel Castro says we are, but when we are his scape goats we somehow fall into that trap. I urge support of the Flake amendment.

Ms. ROS-LEHTINEN. Mr. Chairman, I yield myself the remainder of my time.

Just to answer the points made by my good friend, the gentleman from Washington (Mr. NETHERCUTT), if Castro poses no threat to the United States, I would like the gentleman to place a call to the parents of Carlos Costa, Armando Alejandro, Mario de la Pena and Pablo Morales, and four young men, three of whom were United States citizens, one of whom was a United States resident, one was a decorated Vietnam veteran, who were killed by Fidel Castro's air force when they were in international air space. Apparently he poses a threat to some United States citizens.

The gentleman is right. The Pope did go to Cuba. Jimmy Carter did go to Cuba. And what happened? The greatest crackdown on dissidents yet after Jimmy Carter's visit and every international human rights organization will tell you, the greatest crackdown in Cuban history since Castro took power after the visit of the Pope, after the visit of Jimmy Carter and after the visit of 500,000 American visitors to the island of Cuba.

And as repeatedly articulated by President Bush, one of the pillars of our efforts to eradicate this cancer of global terrorism, and to secure the security and domestic tranquility of our country is to deny, impair, and expose the financial infrastructure which provides a lifeline to these agents of ter-

ror, agents like Fidel Castro. To deny, impair and expose. That is precisely what our current U.S./Cuba policy does.

Why are we discussing an amendment that would instead provide funds to the Castro dictatorship, a country which every recent administration, Democrat or Republican, has repeatedly labeled as a state sponsor of terrorism. As has been pointed out on the floor, Paul O'Neill, Secretary of the Treasury, Colin Powell, Secretary of the State recently stated that this country has an implacable hostility to the United States.

I would point my colleagues to a news report that just came out hours ago in a meeting between Iraq's Saddam Hussein and Rodrigo Alvarez Cambras, special envoy of Cuban dictator Fidel Castro. Cambras emphasized the Castro regime's "support for Iraq against the threats from the United States." And he reiterated their firm commitment of both these terrorist states to expand their bilateral cooperation, two sworn enemies of the United States working together motivated by their hatred of our country.

I ask my colleagues tonight to not help the enemy, to support freedom, to support our U.S. anti-terrorism efforts, to vote "no" on the Flake amendment, vote "yes" on the Goss amendment.

Mr. Chairman, I yield the remainder of my time to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Chairman, I tell my colleague, a POW was mentioned by the gentlewoman from Missouri. There was a POW that cannot say that. He spit in the face of one of the Cuban interrogators while he was being tortured. The Cuban took out his pistol and blew his brains out.

I go to the POW meetings every single year, and I will tell my colleagues that is not, that is not their policy, to open up Cuba.

Mr. FLAKE. Mr. Chairman, I yield myself the remainder of my time.

Mr. Chairman, I appreciate the debate. And let me say, both sides of this debate want the same thing. We want a free, democratic, and prosperous Cuba. The question is how do we get there? Should we go the same route that we have gone for the past 42 years that has ended in utter failure? Fidel Castro is still around. He is still a thug. He is still very much a bad guy. We will all stipulate that. The question is how do we best remove him? How did we make sure that he does not have the only megaphone in Cuba?

Currently we silence Americans who would like very much to go to Cuba, to see the situation there, to explain to their Cuban brethren that we have a better way and to see what 40 years of socialism have wrought on that island. We prevent them from doing so, and we allow Fidel Castro to have the microphone, the only one they hear. We recognize the rest of the world, in China, Vietnam, North Korea, Iran, you name it. We not only allow travel; we encour-

age it. Yet, in Cuba, we say we will go a different route. We will isolate.

Well, we have the verdict: 42 years, nothing has changed. Nothing has changed.

Let me read you a quote:

I have called for lifting economic sanctions generally, unilateral sanctions, because I believe they do not work. Well, Cuba is a tough case and admittedly a difficult one because we have had sanctions there over the years. They have not worked either. Sanctions, frankly, have not worked very well in Cuba.

You might think that was the gentleman from Massachusetts (Mr. MCGOVERN) or the gentleman from Indiana (Mr. ROEMER) or the gentleman from Massachusetts (Mr. DELAHUNT) or others who made that statement or even me. It was not. It was Vice President CHENEY.

As I mentioned before, Secretary O'Neill in testimony before the Senate just months ago said that if it were up to him he would not enforce the Cuba travel ban because he knows that if we are concerned about terrorism, then the last thing we want to do is expend resources from OFAC, or the Office of Foreign Assets Control, tracking down tourists, tracking down innocent grandmothers from Iowa, when we could instead be tracking down real terrorists and those who are perpetrating the terrorism war against the United States.

I would urge my colleagues to remember what this is all about. The Flake amendment says that we should be free, we should be free as Americans to travel where we want to. The Goss amendment says no. Vote "yes" on the Flake amendment.

Mr. DAVIS of Illinois. Mr. Chairman, I rise today in strong support of the proposed legislation to lift the ban prohibiting Americans from traveling to Cuba. I would like to thank my colleague, the Gentleman from Arizona, for his leadership in regard to this amendment, and for drawing the attention of Congress to this very important issue.

Mr. Chairman, for four decades, American citizens have been unable to travel to Cuba, be it to visit family or to conduct business. As lawmakers for a democratic nation, I do not see how we can limit our own people from contact with a nation that can benefit so extensively from the influence of the strongest ambassadors of freedom in the world—American citizens. After all, what speaks more strongly for the power of democracy, than citizens who enjoy the liberties to earn income and to travel?

Mr. Chairman, free American travel to Cuba, in addition to reforming the Cuban political system, increasing rights enjoyed by Cuban citizens, and improving Cuba's economic condition, sends a powerful message of freedom. We must emphasize the value of personal freedom, as it applies to American citizens, by lifting this ban against American travel to Cuba.

Mr. FARR of California. Mr. Chairman, I rise in strong support of the Flake Amendment to end funding of the travel ban to Cuba. I heartily agree with the American Society of Travel Agents (ASTA) which stated in a recent letter to Congress that "the right to travel is among

those rights that our Nation's founding documents refer to as "inalienable."

Recently, we Americans have been asking ourselves: "Why do they hate us? Why do other nations hate Americans, when they know so little about us?"

Many Cubans must be asking themselves the same question: "Why do they hate us? Why does the American government continue to support a forty-year embargo of our country, which has contributed to the collapse of the economy, and has done nothing to increase personal and political freedoms?"

Cubans must think: "if Americans only knew us—if they knew our culture, our language, our music—they would develop policies which would support exchange and abandon the failed policy of isolation."

Isn't that what Americans think? If countries around the world opened their borders to American visitors, opened their markets to American goods, and increased people-to-people exchanges through programs such as the Peace Corps, hostility towards our country and our people will be reduced.

Americans and Cubans are both right. It is only through greater openness and exchange that peoples of the world connect to each other—through personal bonds, commerce, and for mutual political benefit—and break down barriers in their own countries and across borders.

Ending the travel ban not only follows the spirit of the Constitution, it will be economically beneficially to the United States. According to the recent Brattle Group study, opening travel with Cuba will bring \$415 million annually to the ailing airline industry; increase U.S. economic input by \$1.6 billion; and create over 23,000 jobs in the American economy.

Vote for the Flake amendment. Vote to uphold Americans' Constitutional right to travel whenever and wherever they want. Vote for lifting the travel ban to Cuba, and tear down this wall that separates our two countries once and for all.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona (Mr. FLAKE) will be postponed.

It is now in order to consider the second amendment offered by the gentleman from Arizona (Mr. FLAKE).

AMENDMENT NO. 20 OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 20 offered by Mr. FLAKE:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. \_\_\_\_ . None of the funds made available in this Act may be used to enforce any restriction on remittances to nationals of Cuba covered by section 515.570(a)(1)(i), (a)(2), (b)(1)(i), or (b)(2) of title 31, Code of Federal Regulations.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Arizona (Mr. FLAKE) and the gentleman from California (Mr. ROHRBACHER) each will control 5 minutes.

The Chair recognizes the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. Mr. Chairman, I yield 2½ minutes to the gentleman from Massachusetts (Mr. DELAHUNT).

Mr. DELAHUNT. Mr. Chairman, I thank the gentleman for yielding me time.

Current U.S. policy prohibits Americans from sending more than \$1,200 a year to family members in Cuba. Understand, again, that this applies only to Cuba. No other country has this cap. And if you dare exceed this limit, be careful, the remittance police are watching and the penalties are severe. You can get 10 years in jail and a \$55,000 fine. But, the law is actually rarely enforced. There has never been, in fact, a single prosecution. But that is going to change, because one year ago this week, President Bush personally directed the Department of Treasury to expand its capability to enforce limits on remittances to the fullest extent of the law.

The White House, in other words, has made the enforcement of the Cuban remittance limits a national priority. While I oppose both the embargo and the travel ban, let me suggest that the cap on remittances is truly the cruelest aspect of our policy towards Havana.

It restricts American freedoms. It limits family charity and denies hopes for tens of thousands of Cubans, and at the same time it breeds disrespect for our law because we all know that Cuban-Americans are doing the right thing and are circumventing this policy.

This policy does not punish Fidel Castro. Instead, it punishes American citizens and their relatives in Cuba. Let us be clear, none of this money comes from the United States Government. None of this money goes to the Cuban Government and Fidel Castro. It is direct aid from ordinary people who care to ordinary people who need. And it is the official policy of the United States that you should only do just so much. This policy would be silly. It is a real tarnish on the golden rule. But it is tragic. And it is un-American.

Tonight, if we support this amendment, we can end this policy, end this cruel aspect of our policy to Cuba.

Mr. HOYER. Mr. Chairman, will the gentleman yield?

Mr. DELAHUNT. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Chairman, is the gentleman saying essentially that it is their money, these Americans, and they know what to do with it?

Mr. DELAHUNT. That is what I am saying.

Mr. ROHRBACHER. Mr. Chairman, how much time remains?

The CHAIRMAN. The gentleman from California (Mr. ROHRBACHER) has

5 minutes in opposition to the Flake amendment. The gentleman from Arizona (Mr. FLAKE) has consumed 2½ minutes of the 5 minutes.

Mr. ROHRBACHER. Mr. Chairman, I yield myself 3 minutes.

Let us take a look at what is really going on in the world today. Why are we concerned about Fidel Castro? Yes, he is a petty little thug down in Cuba. They say how weak he is. Fidel Castro is demonstrably stronger than Saddam Hussein in terms of his ability to hurt the United States of America. But Saddam Hussein and Fidel Castro both share something. They share a blood grudge against the United States of America. And you might have some weak guy like bin Laden over there who looks very weak; but both of those fellows, both Saddam Hussein and Fidel Castro, have a blood grudge and can kill thousands, if not millions, of Americans in this day and age in which we live. It behooves us to do everything we can to get rid of Fidel Castro and get rid of the Saddam Husseins of this world before they decide to kill thousands, if not tens of thousands, of Americans.

They have a blood grudge, and no one should ignore that. You ignore it and if something happens, we are having to take the responsibility for not acting on this.

What is this all about? \$1,200? Fidel Castro is broke. And by taking off all of these restrictions on the remittances, by just taking off the lid on the \$1,250 in remittances, we will be bailing out Castro, just at a time when Castro as we have seen over and over again as was demonstrate earlier by what was presented to us, his regime is almost in collapse.

This has nothing to do with the well-being of the Cuban people. If it would, the Cuban-Americans in this body would be rising up and saying, my goodness, you are doing something to hurt the Cuban people. What we are doing here is to limit the power and strength of the Saddam Husseins and Fidel Castros of this world to hurt the United States of America. Our President knows that.

When those buildings went down in New York, who would have guessed that some weakling named bin Laden would have been able to do that?

Fidel Castro has a much greater grudge than bin Laden had against the United States of America. He has from his very first moments put Robert Vesco in a position to organize the drug trade throughout this hemisphere. He has over his 43 years of power had one of the worst repressive regimes and anti-American regimes in the world. And when we talked about POWs in Vietnam, this man hates the United States so badly that he sent torturers over to Vietnam to torture our POWs.

Mr. DELAHUNT. Mr. Chairman, will the gentleman yield?

Mr. ROHRBACHER. Mr. Chairman, regular order. I would ask for an additional 30 seconds for being interrupted.

The CHAIRMAN. The gentleman's time has expired.

Mr. ROHRABACHER. Mr. Chairman, I would ask for an additional 30 seconds based on the interruptions.

Mr. DELAHUNT. Mr. Chairman, I ask unanimous consent to give the gentleman an additional minute.

The CHAIRMAN. The gentleman will suspend.

The gentleman from California (Mr. ROHRABACHER) controls 5 minutes. The gentleman from Arizona (Mr. FLAKE) controls 5 minutes for consideration of this debate.

Mr. ROHRABACHER. Point of inquiry.

The CHAIRMAN. The gentleman will suspend.

We have taken into consideration the interruption that took place in the gentleman's time. The gentleman has consumed 3 minutes, and if the gentleman wishes to yield himself an additional 2 minutes, he is certainly welcome to do that.

Mr. ROHRABACHER. Mr. Chairman, I yield myself an additional 30 seconds.

Fidel Castro sent torturers to torture American POWs half way around the world because he hates the United States of America. Everyone who has ever got into serious conversations with this man over his 40 years of rules has come away understanding this man has a visceral hatred for the United States of America.

At this time when we are threatened by international terrorism, we should not be doing anything to strengthen his regime, whether it is permitting millions of people to go down there and spend money and bail him out or whether it is increasing the amount of money that Americans can send to Cuba.

Mr. FLAKE. Mr. Chairman, I reserve the right to close and would inquire does the opposition have an additional speaker.

Mr. ROHRABACHER. If the gentleman will be closing now, I guess I should take my extra 1½ minutes.

Mr. FLAKE. It is my intent to close.

Mr. Chairman, I yield the gentleman from California (Mr. ROHRABACHER) 30 seconds.

The CHAIRMAN. The gentleman from Arizona (Mr. FLAKE) will have 2 minutes to close debate and the gentleman from California (Mr. ROHRABACHER) will have 2 minutes to close.

Mr. ROHRABACHER. Mr. Chairman, let me use 30 seconds to praise my friend for being so courteous, and I thank the gentleman for that thought.

□ 2128

I think this is a vital discussion. Who would ever have thought that we would be living in this world 2 years ago. We live in a world where 3,000 Americans have been slaughtered before our eyes. We live in a world where we understand that the bin Ladens are little kooks over there halfway around the world, living in a dictatorship like with the Taliban, can do us horrendous harm.

We have nothing against the people of Cuba. The people of Cuba are wonderful people. In fact, if we are doing something against the people of Cuba's well-being, we have Cuban Americans with us who would be jumping up in order to protect their interests.

No, the people of Cuba are our friends, just like the people of Communist China are our friends, but what we have to do is make sure we weaken the stranglehold these gangster regimes have on those people, and it is especially important for us to weaken that stranglehold on these regimes that are headed by monsters, Frankenstein monsters, who have a blood grudge against the United States of America. Nowhere is that more demonstrable than in Fidel Castro.

Bin Laden hates us, but I will tell my colleagues that Fidel Castro's hatred of the United States is as equal to that of bin Laden, and there are countless quotes to suggest that.

No, we do not want this man's regime to be maintained. We do not want to bail him out at the end just as his economy is about to collapse. We want to keep the pressure on. He has had 40 years of tyranny, 40 years of tyranny. If we were to let up on the Soviet Union after 40 years of tyranny and started letting them become part of the economy of the world, Communism would still be in power in the Soviet Union today and the Cold War would still be on.

No, we want to keep a stranglehold on the Castro regime while reaching out to the people of Cuba.

By the way, all of these restrictions can be eliminated just by the stroke of a pen. All Castro has to do is to permit free elections, permit opposition parties, permit the democratization of society. Then we will have all of these be eliminated.

Mr. FLAKE. Mr. Chairman, I yield myself such time as I may consume.

I appreciate this debate. I appreciate the good words of my colleague from California. I cannot say that I disagree with any of them. Fidel Castro is a thug. We have said it again and again and again. What this debate is about is the best way to topple him, to make sure that he does not remain there longer than the 42 years that he has been in power. Let us get back to what this amendment really does.

Currently, Cuban American families who live here in the United States are told by their government that they can be charitable but only so charitable. They are told that they can only send up to \$100 a month to their family members in Cuba. I do not think that our government ought to be in the business of telling families how charitable they can be. This money is going directly to Cuban families.

I asked someone who does not agree with my position on allowing tourists and others to go to Cuba, I asked him why he supported remittances, and the answer was, remittances are different. Remittances are subversive. I agree

with that statement, not that they are different. Tourism, I believe, is subversive as well, but if remittances are subversive, then let us do a lot more subversing, I say, if that is a word. Let us be a lot more subversive. Let us allow families to send whatever they would like to their families in Cuba. That is not what this country is about, limiting family charity.

That is all this amendment says. At the current time, families are allowed \$1,200 a year. Currently, the State Department estimates that a lot more goes to Cuba. It goes in violation or it goes illegally. We should not make criminals out of families for wanting to help their families in Cuba.

Let us support this amendment.

Mr. ROHRABACHER. Mr. Chairman, I would ask unanimous consent to give the gentleman an extra 30 seconds.

Mr. FLAKE. Mr. Chairman, if I can take it.

The CHAIRMAN. We have a unanimous consent agreement under which we are operating here.

The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. ROHRABACHER. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona (Mr. FLAKE) will be postponed.

AMENDMENT NO. 9 OFFERED BY MR. MORAN OF KANSAS

Mr. MORAN of Kansas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mr. MORAN of Kansas:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. \_\_\_\_ . None of the funds made available in this Act may be used to implement any sanction imposed by the United States on private commercial sales of agricultural commodities (as defined in section 402 of the Agriculture Trade Developments and Assistance Act of 1954) or medicine or medical supplies (within the meaning of section 1705(c) of the Cuban Democracy Act of 1992) to Cuba (other than a sanction imposed pursuant to agreement with one or more other countries).

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Kansas (Mr. MORAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Kansas (Mr. MORAN).

Mr. MORAN of Kansas. Mr. Chairman, I yield myself such time as I may consume.

For the Members of this House who were Members in July of 2000, this amendment will sound awfully familiar. Two years ago this month, I offered a similar amendment, in fact,

nearly identical amendment, to the one I offer this evening to the Treasury Postal appropriations bill.

This amendment would ban the implementation, the enforcement of the sanctions against the export of food, agriculture, commodities and medicine to the country of Cuba. The history of this amendment is such that this amendment passed 301 to 116 two years ago this month. A majority of Republican Members of Congress, a majority of Democrat Members of Congress supported this amendment.

Ultimately, through efforts of the leadership of this House, along with the gentleman from Washington (Mr. NETHERCUTT) and the gentlewoman from Missouri (Mrs. EMERSON), the Trades Sanction Reform Act of 2000 was signed into law as part of the agricultural appropriations bill and trade on agricultural products, food and medicine was authorized in a limited fashion.

Beginning last Thanksgiving, Cuba has purchased more than \$100 million worth of U.S. commodities. Thirty States have sourced 650,000 metric tons of food to Cuba. Given the opportunity, Mr. Chairman, had the Committee on Rules allowed me to have a waiver of a point of order, I would have offered an amendment to clear up a number of problems that have arisen, not in creating problems for the country of Cuba but creating problems for our farmers, our ranchers and our companies that seek to export agriculture commodities, food and medicine.

We have a myriad of restrictions related to the license, shipping, financing that, in my opinion, create only handicaps for us, not creating any kind of pressure on the country of Cuba, and so this amendment tonight is an attempt to again reaffirm our support as a Congress, as a House of Representatives for trade with the country of Cuba.

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

The CHAIRMAN. Who rises in opposition to the amendment?

Mr. SMITH of New Jersey. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself such time as I may consume.

As we debate this amendment, it is imperative we focus and base our arguments on the facts and the reality of trading with the terrorist regime just 90 miles off the U.S. shores. Not only is the Castro regime a tyrannical one and one of the worst violators of the world, not only does the dictatorship use slave labor, not only does it force children to work in the farming sector as stated in the State Department human rights report, it has also proven to be an unworthy economic partner.

Here are the facts which clearly show that Cuba is not, nor will it ever be, a panacea for American farmers and investors so long as the current regime is in place.

In fact, number one, the Euromoney Country Risk Rating lists Cuba as one of the top five riskiest countries to invest in out of the 185 that they surveyed. Fact: Cuba is rated by Dunn and Bradstreet as one of the riskiest economies in the world. Fact: The Wall Street Journal's Index of Economic Freedom ranks Cuba as the most risky investment and as having the least free economy of the 156 countries surveyed. Fact: Cuba is already in default on \$8.2 billion of its \$11 billion debt.

In April of this year, Mr. Chairman, three Chilean fish exporters stopped shipments to Cuba after Cuba failed to make an installment payment of \$3.7 million on the \$20 million deal.

Also in April of this year, a South African company stopped shipments of its diesel engines to Cuba after the dictatorship failed to make the required payments on a 1997 contract.

Even Venezuela has stopped oil shipments to Cuba because Cuba has accrued with them a \$63 million debt, missing payment after payment on below-market sales of petroleum.

It is imperative, Mr. Chairman, to maintain the precautions and the safeguards currently in place as part of U.S.-Cuba policy. The protection, Mr. Chairman, afforded by existing U.S. restrictions on trade with the Castro regime is a reality reaffirmed by the U.S. International Trade Commission. The ITC stated in its report that, existing U.S. laws, because they prohibit U.S. financial institutions' dealings with Cuba, ensured that there was no U.S. exposure to Cuba's foreign debt moratorium.

The ITC report added that extending credits and financing to a bankrupt Castro regime would expose taxpayers to footing the bill once Cuba defaulted on its payments. We certainly do not want that.

We as Members of Congress, Mr. Chairman, elected to represent and defend the interests of our constituents, cannot and must not support an amendment which would essentially force the American taxpayer to absorb such losses.

And there is already cause for U.S. concern. Under the compromise language in the Trade Sanctions Reform Act, ag sales to Cuba have occurred. Yet despite repeated congressional inquiries, there has not been an independent or Government confirmation that payments have been received from Cuba.

Before we support the unrestricted and unsupervised sales called for in the Moran amendment, would my colleagues not agree that it would be prudent to examine whether current regulations are being fully complied with? We should also pause, look to the experiences of others and learn from them in order to protect the American people.

For example, the European Union recently wrote a 15-page letter of complaint to Cuba's so-called finance minister, Carlos Lage, citing the discrimi-

natory and uncertain trading environment of the Castro regime. Do we want to subject American investors to loss of contracts, confiscation of machinery, equipment and financial investments or even jail time? This is not an exaggeration. These are well-documented tactics employed by the Castro regime to retaliate against investors who voice dissatisfaction with the dictatorship's policies.

Mr. Chairman, as the saying goes, "an ounce of prevention is worth a pound of cure." Thus to prevent the victimization of our farmers and investors at the hands of Castro's erratic and failed economic policies, we must uphold existing U.S. law.

I ask my colleagues to champion the cause of hard-working Americans throughout this great Nation and prevent their from being used as experimental subjects to test Cuba's debt-filled waters. I ask for a no on the Moran amendment.

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

Mr. MORAN of Kansas. Mr. Chairman, I yield 45 seconds to the gentleman from Nebraska (Mr. OSBORNE).

Mr. OSBORNE. Mr. Chairman, it seems to me that 42 years of trade embargoes with Cuba have not changed Cuban Government policies, have not changed North Korea, Sudan, Libya, or Syria.

Forty years ago U.S. controlled most of the ag commodities in the world. The embargo might have had some impact at that time. Today we have a global economy. Countries simply buy elsewhere if we have an embargo. It costs us market share.

A 2002 Texas A&M study showed that Cuba trade restrictions costs U.S. agriculture \$1.24 billion annually and \$5 billion for ag and ag-related business.

Reaching back into my somewhat vague and sordid past, it seems to me that if someone ran the same play for 43 years and it did not work, maybe they would try something different. So I would suggest that we might try that. Not asking to trade weapons, computer chips, petroleum or plutonium. We are simply saying that food and medicine does not jeopardize national security. It helps our country and our ag.

Mr. SMITH of New Jersey. Mr. Chairman, we reserve the balance of our time. How much time remains?

The CHAIRMAN. The gentleman from New Jersey (Mr. SMITH) has 30 seconds remaining and the gentleman from Kansas (Mr. MORAN) has 2 minutes remaining.

Mr. SMITH of New Jersey. Mr. Chairman, we reserve the balance of our time.

Mr. MORAN of Kansas. Mr. Chairman, I yield 45 seconds to the gentleman from Washington (Mr. NETHERCUTT).

Mr. NETHERCUTT. Mr. Chairman, I thank the gentleman for yielding me this time. I rise in support of the amendment by the gentleman from Kansas (Mr. MORAN). He has been a

very strong leader in this House in supporting agriculture and not restricting the transfer of food and medicine to countries like Cuba, the sale of food and medicine by American farmers. He is part of the Cuba Working Group, a bipartisan group of 23 Republicans, 23 Democrats who have worked very hard to change this policy and bring a sensible policy to this country.

Mr. ROEMER. Mr. Chairman, will the gentleman yield?

Mr. NETHERCUTT. I yield to the gentleman from Indiana.

Mr. ROEMER. Mr. Chairman, I thank my good friend and teammate on the Cuba Working Group. We have heard mention many times today committees and communism and changing foreign policy. Months ago 23 Democrats and 23 Republicans came together, formulating ideas, bringing them forward through amendments and bills, having meetings and working in a bipartisan way to try to accomplish some things. Tonight is the culmination of that. I thank the gentleman for yielding.

Mr. MORAN of Kansas. Mr. Chairman, I reserve the balance of my time.

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself such time as I may consume.

I want to reiterate to my colleagues that in a letter dated July 11, 2002, Secretary of State, Colin Powell; and Paul O'Neill, Secretary of the Treasury, have made it very clear that, and I quote them, "We are writing to reiterate the administration's strong opposition to any legislative efforts that weaken the United States' current Cuba policy by permitting U.S. citizens to finance the Cuban purchase of American agriculture commodities or by changing the restrictions on travel."

□ 2145

They would recommend a veto if the legislation reaches his desk with those changes.

I urge a "no" vote on the Moran amendment. I certainly respect my good friend and colleague, but I urge a "no" vote, nevertheless.

Mr. MORAN of Kansas. Mr. Chairman, may I inquire of the time remaining?

The CHAIRMAN. The gentleman from Kansas has 1¼ minutes to close.

Mr. MORAN of Kansas. Mr. Chairman, I yield myself the balance of my time, and I again reiterate that this is a vote this body has taken. Because of the efforts of the gentleman from Washington and the gentlewoman from Missouri, we have changed policy in regard to agricultural trade with Cuba. But this House needs to reaffirm its position one more time.

Every impediment that can be placed in the way of our farmers and ranchers and the businesses that deal in agriculture commodities in the trade with Cuba, every impediment has been placed in their way. It is not disadvantageous to Cuba, it is disadvantageous to Americans.

As the gentleman from Nebraska said, for 42 years we have tried to

change the policy. They might as well be spending their cash on behalf of American agriculture, on behalf of the farmers and ranchers of this country. And as we have seen, they have the ability to do so: \$100 million in cash payments coming to the United States to pay for agricultural products. The market is estimated to be \$1 billion.

And for those who had concerns about the farm bill, help us export our agriculture commodities. Help us create markets for the farmers and ranchers of this country.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas (Mr. MORAN).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. RANGEL

Mr. RANGEL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. RANGEL:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . None of the funds made available in this Act may be used to implement, administer, or enforce the economic embargo of Cuba, as defined in section 4(7) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (Public Law 104-114), except those provisions that relate to the denial of foreign tax credits or to the implementation of the Harmonized Tariff Schedule of the United States.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from New York (Mr. RANGEL) and a Member opposed to the amendment each will control 10 minutes.

The Chair recognizes the gentleman from New York (Mr. RANGEL).

Mr. RANGEL. Mr. Chairman, I yield myself 3 minutes.

My colleagues, when the terrorists struck New York City, many of us recognized that the problems that we had as Republicans and Democrats, as blacks and whites, as Jew and gentile, was not nearly as important as working together as a city in order to show our defense against the people who struck against us. And so it was no surprise when we came to Congress to see that our President had thought that that would be the best thing for our Nation to do.

So we joined hands with Afghanistan and Pakistan and many other countries that we had serious differences with, but, at the same time, when they declared that they were going to be our partners in the war against terrorism, we took their hands and we thought it would be better to fight the big war than to highlight our differences.

How in God's name, at a time like this, can we really say that Castro and the Cubans, 90 miles from our shore, represent a threat to our national security when we know that they, too, have joined in this great war against terrorism? And how could it possibly be that we are prepared to say that they have different kinds of Communists in

Cuba than the Communists that they have in North Korea or the Communists that they have in North Vietnam or the Communists that they have in Communist China?

My colleagues, this has nothing to do with trade policy. It has nothing to do with foreign policy. There is no former high ranking State Department official that will tell us that this embargo is against everything that our great country believes in. So what is it about?

It is about the State of Florida. It is about the sovereign State of Florida. It is about the politics of Florida. The President understands that. The Governor of Florida understands that. And I do not have a problem with anyone that comes from the State of Florida. They do what they have to do. But do not do it to my country. Do not allow local politics to influence what is in our national interests.

If trade is good enough to break the barriers between people who do not understand the value of capitalism, if trade is what we want for people to be able to buy our wares and that we can buy theirs, if it is good enough for China, for the former Soviet Union, for communism around the world, tell me why not share it with the people of Cuba?

If my colleagues want to bring down the Castro regime, let the people in Cuba smell democracy. Let us go there and speak to the people in Cuba. Let any American that wants to travel in Cuba be able to travel without any fear.

The CHAIRMAN. Does the gentleman from Florida seek to control the time in opposition to the Rangel amendment?

Mr. DIAZ-BALART. I do, Mr. Chairman.

The CHAIRMAN. The gentleman is recognized for 10 minutes.

Mr. DIAZ-BALART. Mr. Chairman, I yield myself 6 minutes.

We have a policy goal, and it is a policy that has been set not only by the President but by the Congress and codified into law and clearly espoused by President Bush in repeated statements: A free Cuba, achieved through a democratic transition, with the release of all political prisoners, the legalization of all political parties, the press and labor unions, and the scheduling of free internationally supervised elections.

Now that free Cuba will not oppress its people and it will not threaten its neighbors. The intelligence community, as I stated before, has said that ever since 1999 it has come to the conclusion that there is an offensive biological weapons program being developed by the Cuban regime. That has been made public now by the intelligence community, but the conclusion was reached as of 1999.

Now, the director of the Soviet biological weapons program, Dr. Alibek, has written in his book that by 1990, the Soviets were absolutely convinced

that Castro had an offensive biological weapons program. But we are led to believe by the people who are arguing to open up all the trades and open up all the credits and the tourism for the Castro dictatorship that not only our intelligence community is lying, not only is our intelligence community now not telling the truth, but the director of the Soviet program, who defected and who our experts say has provided more information on Soviet biological and chemical weapons programs than any other defector, that he is lying as well. So all of those people are lying and we should make that leap of faith and proceed to provide billions of dollars in trade and credit to the dictatorship.

Now, the denial of the U.S. market to the Cuban regime and the conditioning of democratic reforms for the end of the embargo constitutes the most important leverage that exists for the democratic transition to take place. In a totally personalized dictatorship, like the Cuban one, when the dictator is gone from the scene, when he dies, or however he is gone from the scene, that situation invariably will change. It is like when Franco disappeared from the scene in Spain, or Oliveira, after 50 years of dictatorship in Portugal. Inevitably, those regimes were faced with a different dynamic.

But in each of those cases where there was a democratic transition, there was some form of external pressure, some form of solidarity with those people demanding, requesting, encouraging, incentivizing a democratic transition. If we give the dictatorship the trade and tourism dollars it seeks now, Mr. Chairman, unilaterally, in exchange for no democratic reform, like the people proposing this amendment are saying, that we should unilaterally, without getting any sort of democratic reform for the Cuban people in exchange, if we do that, Mr. Chairman, we risk making that regime permanent. We risk the possibility of that regime outliving the dictator.

Now, in addition, it is important to realize that the U.S. embargo has had collateral successes. The denial of resources for the dictatorship has made it much more difficult for the dictatorship to cooperate with terrorist organizations or to develop biological weapons. The denial of resources, the limitation of resources to the dictatorship has helped. But, in addition to that, and the most important aspect, is the leverage that must be retained for a democratic transition.

Just like Europe insisted on democracy in Spain or Portugal, before Spain and Portugal could become part of what was then the European Economic Community, today we are saying liberate the political prisoners, legalize political parties, labor unions and the press, and hold an election.

Now, why is the issue not the Cuban people's right to be free like everyone else in the hemisphere? Why is the issue not the Cuban people deserving to

be free, just like in country after country after country colleagues have come to this floor asking for solidarity with those people? But, no, in the case of Cuba, it is different. In the case of Cuba, it is 43 years of dictatorship and of oppression, and the efforts are to get more trade and more dollars and more oxygen to that regime, instead of talking about the torture and the political prisoners. That is the reality.

But the reality of the matter is that only in this hemisphere, Mr. Chairman, is there an international law requiring representative democracy. We always talk about examples from other hemispheres. There are multiple differences from the decentralization that has existed in other dictatorships in other hemispheres to the fact that in this hemisphere, and only in this hemisphere, does international law require representative democracy.

I want to point out one other thing, and that is as follows, and I never thought I would come to this floor quoting the editorial board of *The Washington Post*, but I guess Ronald Reagan used to say never say never. Well, *The Washington Post* has, in a very dignified manner, has focused in on the efforts of the Cuban dissidents over the last year to call for reforms internally. Now, they have been very mild reforms that the dissidents have called for, and despite that the regime has answered with, if you will, a Maoist-style cultural revolution.

*The Washington Post* has said that if Castro, as he has been, is unwilling to permit more political and economic freedom, then loosening the embargo risks strengthening and enriching Mr. Castro and the apparatchiks who surround him, while accomplishing little else.

And with regard to that dissident petition, in which Castro answered with his Maoist-style cultural revolution, *The Washington Post* said, until it is granted, and obviously it has not been granted, no further easing of the embargo should be considered.

Now this is a good-faith editorial board. And I would wish that some people would realize that times have changed and that the Cuban people deserve, like *The Washington Post* editorial board has said, solidarity.

Mr. RANGEL. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from New York (Mr. SERRANO), the cosponsor of this amendment.

Mr. SERRANO. Mr. Chairman, I thank the gentleman from New York for yielding me this time.

We have heard a lot of accusations tonight about Cuba and Castro. In fact, if I may just make a comment, the only things Cuba and Castro have not been blamed for are the Chicago fire, the San Francisco earthquake, the stock market crash of 1929, or the one that is coming soon, if we are not careful.

The point here is my colleagues could spend all the time they want telling us how bad Cuba is, but we took a vote to-

night on Vietnam which was so lopsided to make the point that we cannot continue just to single out Cuba.

Now, the gentleman from New York (Mr. RANGEL) is correct, and I do not want to be repetitious of his comments, but this is about the State of Florida. I do not feel bad about that. I wish I had that kind of power for one county in one State to control foreign policy on one issue. I wish the Bronx had that kind of power, but we do not.

The fact of life is that this Rangel/Serrano amendment sends the message that it is time to change this policy. We no longer have any moral justification for keeping an embargo on Cuba while we deal with China, Vietnam, Korea, and every other country in the world. Well, my God, our allies in the war on terrorism are people who, in so many ways, have behaved towards this country 10 times worse than anything Cuba or Castro have ever said about us, and we still deal with them.

□ 2200

Now some of the facts will come out in the next few weeks because we do not have the time here tonight. Castro offered to help us with on the war on terrorism, and we refused it. AP reported that. *The Washington Post* reported that. *The New York Times* reported that. We refused the help.

Cuba has sent to us three individuals in the last year who were wanted in this country. They have asked in return, not as a quid pro quo, for us to return a couple of hijackers that we have had here for over 20 years from Cuba, and we have not done it. No one mentions that tonight. No one mentions it is a one-sided issue all of the time.

This is not about Fidel Castro and communism, this is about a stupid outdated policy that says in the Caribbean we are going to single out this island, and in the rest of the world, we will not. And it is across the board. I asked my favorite President a couple of years ago, Bill Clinton, why China and not Cuba. He said China is big. I understand that. Cuba is small. But children in Cuba are no less important than children in Vietnam or China. Let us treat them all equally. We have no justification for this.

We can lift the embargo and who knows, that governor in Florida may still get reelected, so there is no need to play Florida politics tonight. Let us do what is right.

Mr. RANGEL. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Chairman, I first thank the gentleman from New York (Mr. RANGEL) for offering this very commonsense amendment, and I urge Members to support this amendment which really would cut funds to continue to aid the United States embargo on Cuba.

It is long overdue that the United States lift its 40-year embargo against this small island nation. We have seen that this embargo has done more harm

than good. It is a grave injustice to the people of the United States and to the people in Cuba.

I have participated in many fact-finding delegations to Cuba and have seen firsthand the devastation and the suffering that the embargo has created on that island nation only 90 miles from our shore. One vivid image which haunts me is of a child in need of dialysis treatment, struggling to stay alive, his future was uncertain because of his inability to acquire a replacement part for the sole dialysis machine in his town. The embargo prevented a United States-made part from reaching this innocent child.

The American people and the United States Congress have voiced their support for lifting this archaic and antiquated embargo. Even the majority of the dissidents in Cuba believe that the embargo should end. They understand that the way to democracy in Cuba can be accomplished through a policy of engagement with the people of Cuba rather than the current policy which isolates the small island nation which just happens to be an Afro-Hispanic country.

By maintaining the embargo against Cuba, the United States is limiting important trade opportunities, which we have heard tonight, including food and medicine sales.

In addition, we have severely limited the ability of Americans to travel to Cuba, and this is just basically downright wrong.

Economists have verified that if the embargo toward Cuba were lifted, the U.S. economy would gain \$1.24 billion in agricultural exports and \$3.6 billion in related economic output. In addition, we would create thousands of jobs in our country from the tourism sector.

I am convinced that we must build a bridge in our own struggle for human rights and equality which happens to be a country 90 miles away. Let us lift this embargo.

Mr. DIAZ-BALART. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. GOSS).

Mr. GOSS. Mr. Chairman, I have followed the debate with great interest tonight, and have heard my amendment seriously mischaracterized. I would like to point out that the amendment merely is a safeguard for America and American national security. If everything is all right and the President certifies everything is all right, then there is no problem. But if everything is not all right, then there is a problem. I think Members would agree that national security for the United States of America and Americans is our first priority.

I want to point out that the nation of Cuba has been about the most aggressive spying on the United States of America. We have now convicted 17 spies in the past year or two. I do not know the exact number, but that is close. Certainly the highest-ranking analyst at the Department of Defense

in the DIA has recently been apprehended and has been a long-time spy for Fidel Castro's Cuba. These are not friendly motives. These are harmful to the national security. Those are the kinds of things that we are worried about.

Mr. RANGEL. Mr. Chairman, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Chairman, I think the most important part of this discussion tonight is trying to get the United States of America consistent in its foreign policy, and to recognize that the amendment offered by the two gentlemen from New York makes a lot of sense to provide the kind of security that we are seeking as we debate homeland security this week.

Ninety miles away from the United States lies the island of Cuba. People there have viewed the United States more as an adversary rather than a friend. But when we speak directly to the Cuban people, they want to engage with the United States. As I stand here tonight, I have constituents in Cuba who are involved in cultural exchange and who are being trained to be medical physicians, the same as Cuba has done to send these physicians all over the world to help those in need.

As I stand here today, it is important to note that there is a strong religious community in Cuba, but yet the United States, its foreign policy, will ensure friendship with China and Vietnam, but it opposes the friendship with Cuba.

Mr. DIAZ-BALART. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. Mr. Chairman, I ask Members tonight to not be part of what Ambassador Jeanne Kirkpatrick calls the "blame America first" crowd, and that is what we have in front of us in the Rangel amendment.

The sole mastermind behind Castro's degrading treatment of its own citizens is himself. Fidel Castro. Yet this amendment says if we lift the embargo, all will be swell in Cuba. That means U.S. policy is to blame for all of the misery in Cuba that we have discussed tonight. But our policy does not create the lack of due process.

Our policy does not say that independent journalists and independent libraries are banned in Cuba. That is Fidel Castro's policy. Our policy does not maintain a system of remote and unmonitored gulags for prisoners of conscience. That is Fidel Castro's policy. Our policy does not forbid independent labor unions. That is Fidel Castro's policy. Our policy is not the cause of systematic mistreatment of religious believers. That is Fidel Castro's policy. Our policy is not to punish nonviolent opposition movement leaders. That is Fidel Castro's policy. We do not say that community activists

and dissidents are going to be harassed, prosecuted and persecuted. That is Fidel Castro's policy.

The embargo is not what drives a police officer to beat unconscious a political prisoner who is on a hunger strike. That is Fidel Castro's policy. That is not U.S. policy. Our policy does not mandate the summary execution of independent journalists and conscientious objectors. That is Fidel Castro's policy.

Do not confuse the issue. Do not be part of Jeanne Kirkpatrick's "blame America first" crowd. It is Fidel Castro that is at fault, not the U.S. embargo.

Mr. DIAZ-BALART. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, by hearing the other side on this issue, we would seem to believe that they were talking with Costa Rica or Panama or some other country where there is a functioning democracy where there is no state sponsorship of terrorism. The reality is that Fidel Castro is the only world leader who has ever called for a nuclear first strike against the United States.

He is the only world leader who has ever called for a first strike against the United States, but they may say he is a kindly old grandfather now. He is a good guy, so let us reward him. That is what the Rangel amendment is seeking to do.

But wait a minute, 2 days ago in Greece, the head terrorist that was arrested there, Alexandros Yiotopoulos, for bombing numerous people in Greece and throughout that part of the world, where was he trained? He was trained by Fidel Castro's Cuba. And the Jewish community center bombed in Argentina in 1994 by the Iranians, where did they assemble? They assembled in Cuba, flew to Paraguay, crossed the border with fake passports, and fled back to Cuba after the attack. The bombers hid in Cuba for several months after the attack, and still have impugny.

And the kindly old grandfather goes further. In 2001, the IRA terrorists arrested in Colombia for training the FARC terrorists there in sophisticated urban bomb warfare, where were they based? In Cuba. Reward Castro for torturing the Cuban people and oppressing the Cuban people and being the only state sponsor of terrorism in this hemisphere, vote no on the Rangel amendment. Vote yes on Goss, no on the other amendments.

Mr. RANGEL. Mr. Chairman, I yield the balance of my time to the gentlewoman from California (Ms. WATERS) for the purpose of closing.

Ms. WATERS. Mr. Chairman, it is time to lift the embargo and stop the blockade. The Castro-haters took this floor tonight to talk about limiting travel. But Members of Congress go to Cuba whenever they want to go. People are going to Cuba from all over America. Jimmy Carter was there, the Pope was there. Let the other American people go who want to go.

People talked about limiting the remittances, but Members of Congress go

to Cuba and they take the money to their families, all of the money that they want to give to them. Let us be fair to all of the families in Cuba. Let us stop strangling the trade. Cuba wants to trade. Trade is the cornerstone of capitalism. Members say that is what they want. That is what Fidel Castro wants.

It is time to allow our agricultural products and our medical products to be sold. China is there. Canada is there. Germany is there. American business people need the opportunity to be there. What is all of this fear? We do not really fear Fidel Castro. Lift the embargo.

Mr. DAVIS of Illinois. Mr. Speaker, I rise today in support of the amendment offered by my colleague, Mr. RANGEL of New York, which bans all funding to the Treasury Department for enforcement of the embargo against Cuba.

Forty years ago, the world order was strikingly different than today. We were in the midst of the Cold War, fighting communism from spreading its tentacles around the world. With Cuba so close to our shores, it was good public policy THEN to impose an embargo. However, I am reminded of the song "The Times They are A-Changin'"—and they have.

The embargo has not achieved its goals. The same regime rules Cuba now as ruled four decades ago; the Cubans do not have human or civil rights; American citizens are denied their right to travel; and the economic consequences to American farmers and the travel industry are significant.

Let's lift the embargo and move toward normal commercial and diplomatic relations with Cuba. Let the Cuban people see what democracy's all about.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. RANGEL).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. RANGEL. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York (Mr. RANGEL) will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: The amendment printed in House Report 107-585 by the gentleman from Florida (Mr. GOSS); amendment No. 1 by the gentleman from Arizona (Mr. FLAKE); amendment No. 20 by the gentleman from Arizona (Mr. FLAKE); and amendment No. 5 by the gentleman from New York (Mr. RANGEL).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. GOSS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment printed in House Report 107-585 offered by the gentleman from Florida (Mr. GOSS) on

which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 182, noes 247, not voting 5, as follows:

[Roll No. 330]

AYES—182

Ackerman  
Aderholt  
Andrews  
Armedy  
Bachus  
Baker  
Ballenger  
Bartlett  
Barton  
Bass  
Berkley  
Bilirakis  
Blagojevich  
Blunt  
Boehner  
Bonilla  
Brown (SC)  
Bryant  
Burr  
Burton  
Buyer  
Calvert  
Cannon  
Cantor  
Capito  
Chabot  
Chambliss  
Coble  
Cox  
Crane  
Crenshaw  
Cubin  
Culberson  
Cunningham  
Davis, Jo Ann  
Davis, Tom  
Deal  
DeLay  
DeMint  
Deutsch  
Diaz-Balart  
Doolittle  
Dreier  
Duncan  
Dunn  
Edwards  
Ehrlich  
Engel  
English  
Etheridge  
Ferguson  
Fletcher  
Foley  
Forbes  
Fossella  
Frelinghuysen  
Gallegly  
Gekas  
Gephardt  
Gibbons  
Gillmor

Gilman  
Goode  
Goodlatte  
Goss  
Graham  
Granger  
Green (TX)  
Green (WI)  
Grucci  
Gutknecht  
Hart  
Hastings (WA)  
Hayes  
Hayworth  
Hefley  
Hilleary  
Hobson  
Hulshof  
Hunter  
Hyde  
Isakson  
Istook  
Jenkins  
Johnson, Sam  
Keller  
Kelly  
Kennedy (MN)  
Kennedy (RI)  
Kerns  
King (NY)  
Kingston  
Kirk  
Knollenberg  
LaTourette  
Lewis (CA)  
Lewis (KY)  
Linder  
Lipinski  
LoBiondo  
Lucas (KY)  
Lucas (OK)  
McCrery  
McHugh  
McInnis  
McIntyre  
McKeon  
Meek (FL)  
Menendez  
Mica  
Miller, Dan  
Miller, Gary  
Miller, Jeff  
Myrick  
Northup  
Norwood  
Ortiz  
Ose  
Oxley  
Pallone  
Pascrell  
Petri

NOES—247

Abercrombie  
Akin  
Allen  
Baca  
Baird  
Baldacci  
Baldwin  
Barcia  
Barr  
Barrett  
Becerra  
Bentsen  
Bereuter  
Berman  
Berry

Cooksey  
Costello  
Coyne  
Cramer  
Crowley  
Cummings  
Davis (CA)  
Davis (FL)  
Davis (IL)  
Delahunt  
DeLauro  
Dicks  
Dingell  
Doggett  
Dooley  
Doyle  
Ehlers  
Emerson  
Eshoo  
Evans  
Everett  
Farr  
Fattah  
Filner  
Flake  
Goss  
Ford  
Frank  
Frost  
Ganske  
Gilchrest  
Gonzalez  
Gordon  
Hart  
Graves  
Greenwood  
Gutierrez  
Hall (OH)  
Hall (TX)  
Hansen  
Harman  
Hastings (FL)  
Herger  
Hill  
Hilliard  
Hinchee  
Hinojosa  
Hoeffel  
Hoekstra  
Holden  
Holt  
Honda  
Hooley  
Horn  
Hostettler  
Houghton  
Hoyer  
Inslee  
Israel  
Issa  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
John  
Johnson (CT)  
Johnson (IL)  
Johnson, E. B.  
Jones (NC)  
Jones (OH)

Kanjorski  
Kaptur  
Kildee  
Kilpatrick  
Kind (WI)  
Kleczka  
Kolbe  
Kucinich  
LaFalce  
LaHood  
Lampson  
Langevin  
Lantos  
Larsen (WA)  
Larson (CT)  
Latham  
Leach  
Lee  
Levin  
Lewis (GA)  
Lofgren  
Lowey  
Luther  
Lynch  
Maloney (CT)  
Maloney (NY)  
Manzullo  
Markey  
Mascara  
Matheson  
Matsui  
McCarthy (MO)  
McCarthy (NY)  
McCullum  
McDermott  
McGovern  
McKinney  
McNulty  
Meehan  
Meeks (NY)  
Millender-  
McDonald  
Miller, George  
Mink  
Mollohan  
Moore  
Moran (KS)  
Moran (VA)  
Morella  
Murtha  
Nadler  
Napolitano  
Neal  
Nethercutt  
Ney  
Nussle  
Oberstar  
Obey  
Olver  
Osborne  
Otter  
Owens  
Pastor  
Paul  
Payne  
Pelosi  
Pence  
Peterson (MN)

NOT VOTING—5

Bonior  
DeFazio  
DeGette  
Stearns  
Traficant

□ 1037

Mr. SAXTON changed his vote from "aye" to "no."

Messrs. LUCAS of Kentucky, ENGLISH, GARY B. MILLER of California, SWEENEY, FORBES and RYUN of Kansas changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 1 OFFERED BY MR. FLAKE

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 262, noes 167, answered “present” 1, not voting 4, as follows:

[Roll No. 331]

AYES—262

Abercrombie Gallegly Meehan  
 Aderholt Ganske Meeks (NY)  
 Allen Gilchrest Millender-  
 Baca Gonzalez McDonald  
 Baird Gordon Miller, George  
 Baldacci Graves Mink  
 Baldwin Greenwood Mollohan  
 Barcia Grucci Moore  
 Barrett Gutierrez Moran (KS)  
 Bartlett Hall (OH) Moran (VA)  
 Bass Hall (TX) Morella  
 Becerra Harman Murtha  
 Bentsen Herger Nadler  
 Bereuter Hill Napolitano  
 Berman Hilliard Neal  
 Berry Hinchey Nethercutt  
 Biggert Hinojosa Ney  
 Bishop Hoeffel Nussle  
 Blagojevich Hoekstra Oberstar  
 Blumenauer Blumenauer Holden  
 Boehlert Holt Olver  
 Bono Honda Ortiz  
 Boozman Hoooley Osborne  
 Borski Horn Otter  
 Boswell Hostettler Owens  
 Boucher Houghton Pastor  
 Boyd Hoyer Paul  
 Brady (PA) Inslee Payne  
 Brady (TX) Isakson Pelosi  
 Brown (OH) Israel Peterson (MN)  
 Brown (SC) Issa Peterson (PA)  
 Callahan Jackson (IL)  
 Camp Jackson-Lee  
 Capps (TX)  
 Capuano Jefferson Pomeroy  
 Cardin John Price (NC)  
 Carson (IN) Johnson (CT) Rahall  
 Carson (OK) Johnson (IL) Ramstad  
 Castle Johnson, E. B. Rangel  
 Clay Jones (OH) Rehberg  
 Clayton Kanjorski Reyes  
 Clement Kaptur Rivers  
 Clyburn Kildee Rodriguez  
 Collins Kilpatrick Roemer  
 Combest Kind (WI) Rogers (KY)  
 Condit Kleczka Ross  
 Conyers Kolbe Roybal-Allard  
 Cooksey Kucinich Ryan (WI)  
 Costello LaFalce Sabo  
 Cox LaHood Sanchez  
 Coyne Lampson Sanders  
 Cramer Langevin Sandlin  
 Crowley Lantos Sawyer  
 Cummings Larsen (WA) Schakowsky  
 Davis (CA) Larson (CT) Schiff  
 Davis (IL) Latham Scott  
 DeGette LaTourette Serrano  
 Delahunt Leach Shays  
 DeLauro Lee Sherman  
 DeMint Levin Shimkus  
 Dicks Lewis (GA) Shows  
 Dingell Lofgren Simmons  
 Doggett Lowey Slaughter  
 Dooley Luther Smith (MI)  
 Doyle Lynch Smith (WA)  
 Edwards Maloney (CT) Snyder  
 Ehlers Maloney (NY) Solis  
 Emerson Manzullo Spratt  
 English Markey Stark  
 Eshoo Mascara Stenholm  
 Etheridge Matheson Strickland  
 Evans Matsui Stupak  
 Everett McCarthy (MO) Sununu  
 Farr McCarthy (NY) Tanner  
 Fattah McCollum Tauscher  
 Filner McDermott Taylor (MS)  
 Flake McGovern Terry  
 Ford McIntyre Thompson (CA)  
 Frank McKinney Thompson (MS)  
 Frost McNulty Thornberry

Thune Udall (CO)  
 Thurman Udall (NM)  
 Tiahrt Upton  
 Tiberi Velazquez  
 Tierney Visclosky  
 Toomey Waters  
 Towns Watson (CA)  
 Turner Watt (NC)

NOES—167

Ackerman Goss Petri  
 Akin Graham Pickering  
 Andrews Granger Pitts  
 Arney Green (TX) Pombo  
 Bachus Green (WI) Portman  
 Baker Gutknecht Pryce (OH)  
 Ballenger Hansen Putnam  
 Barr Hart Quinn  
 Barton Hastings (FL) Radanovich  
 Berkley Hastings (WA) Regula  
 Bilirakis Hayes Reynolds  
 Blunt Hayworth Riley  
 Boehner Hefley Rogers (MI)  
 Bonilla Hilleary Rohrabacher  
 Bryant Hobson Ros-Lehtinen  
 Burr Hulshof Rothman  
 Burton Hunter Roukema  
 Buyer Hyde Royce  
 Calvert Istook  
 Cannon Jenkins Ryun (KS)  
 Cantor Johnson, Sam Saxton  
 Capito Jones (NC) Schaffer  
 Chabot Keller Schrock  
 Chambliss Kelly Sensenbrenner  
 Coble Kennedy (MN) Sessions  
 Crane Kennedy (RI) Shadegg  
 Crenshaw Kerns Shaw  
 Cubin King (NY) Sherwood  
 Culberson Kingston Shuster  
 Cunningham Kirk Simpson  
 Davis (FL) Knollenberg Skeen  
 Davis, Jo Ann Lewis (CA) Skelton  
 Davis, Tom Lewis (KY) Smith (NJ)  
 Deal Linder Smith (TX)  
 DeLay Souder  
 Deutsch Lipinski  
 Diaz-Balart LoBiondo Stump  
 Doolittle Lucas (KY) Sullivan  
 Dreier Lucas (OK) Sweeney  
 Duncan McCrery Tancredo  
 Dunn McHugh Tauzin  
 Ehrlich McInnis Taylor (NC)  
 Engel McKeon Thomas  
 Ferguson Meek (FL) Vitter  
 Fletcher Menendez Walden  
 Foley Mica Walsh  
 Forbes Miller, Dan Wamp  
 Fossella Miller, Gary Watkins (OK)  
 Frelinghuysen Myrick Watts (OK)  
 Gekas Northup Weldon (FL)  
 Gephardt Norwood Weller  
 Gibbons Ose Wexler  
 Gillmor Oxley Wicker  
 Gilman Pallone Wilson (SC)  
 Goode Pascrell Wolf  
 Goodlatte Pence Young (AK)  
 Young (FL)

ANSWERED “PRESENT”—1

Brown (FL)

NOT VOTING—4

Bonior Stearns  
 DeFazio Traficant

□ 1046

So the amendment was agreed to.  
 The result of the vote was announced as above recorded.

AMENDMENT NO. 20 OFFERED BY MR. FLAKE

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

Waxman  
 Weiner  
 Weldon (PA)  
 Whitfield  
 Wilson (NM)  
 Woolsey  
 Wu  
 Wynn

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 251, noes 177, not voting 6, as follows:

[Roll No. 332]

AYES—251

Abercrombie Hall (TX)  
 Aderholt Harman Oberstar  
 Allen Hill Obey  
 Baca Hilliard Olver  
 Baird Hinchey Ortiz  
 Baldacci Hinojosa Osborne  
 Baldwin Hoeffel Otter  
 Barcia Holden Owens  
 Barrett Holt Pastor  
 Bartlett Honda Paul  
 Bass Hoooley Payne  
 Becerra Horn Pelosi  
 Bentsen Hostettler Peterson (MN)  
 Bereuter Houghton Peterson (PA)  
 Berman Hoyer Phelps  
 Berry Inslee Platts  
 Biggert Israel Pomeroy  
 Bishop Issa Price (NC)  
 Blagojevich Jackson (IL) Rahall  
 Blumenauer Jackson-Lee Ramstad  
 Boehlert (TX) Rangel  
 Bono Jefferson Rehberg  
 Boozman John Reyes  
 Borski Johnson (CT) Rivers  
 Boswell Johnson (IL) Rodriguez  
 Boucher Johnson, E. B. Roemer  
 Boyd Jones (OH) Ross  
 Brady (PA) Kanjorski Roybal-Allard  
 Brady (TX) Kaptur Rush  
 Brown (FL) Kildee Ryan (WI)  
 Brown (OH) Kilpatrick Sabo  
 Brown (SC) Kind (WI) Sanchez  
 Capps Kirk Sanders  
 Capuano Kleczka Sandlin  
 Cardin Kolbe Sawyer  
 Carson (IN) Kucinich Schakowsky  
 Carson (OK) LaFalce Schiff  
 Castle LaHood Scott  
 Clay Lampson Serrano  
 Clayton Langevin Shays  
 Clement Lantos Sherman  
 Clyburn Larsen (WA) Shimkus  
 Combest Larson (CT) Shows  
 Condit Latham Simmons  
 Conyers Leach Slaughter  
 Cooksey Lee Smith (MI)  
 Costello Levin Lewis (GA) Smith (WA)  
 Cox Snyder  
 Coyne Lofgren Solis  
 Cramer Lowey Spratt  
 Crowley Luther Stark  
 Cummings Lynch Stenholm  
 Davis (CA) Maloney (NY) Strickland  
 Davis (IL) Manzullo Stupak  
 DeGette Markley Sununu  
 Delahunt Mascara Tanner  
 DeLauro Matheson Tauscher  
 DeMint Matsui McCarthy (MO)  
 Dicks McCarthy (NY) Terry  
 Doggett Dooley McCarthy (NY) Thompson (CA)  
 Doyle McCollum Thompson (MS)  
 Edwards McDermott Thornberry  
 Ehlers McGovern Thune  
 Emerson McHugh Thurman  
 English McIntyre McKinney  
 Eshoo McNulty Tiahrt  
 Etheridge Meehan Tierney  
 Evans Meeks (NY) Towns  
 Farr Millender- Turner  
 Fattah McDonald Udall (CO)  
 Filner Miller, George Udall (NM)  
 Flake Mink Upton  
 Ford Mollohan Velazquez  
 Frank Moore Visclosky  
 Ganske Moran (KS) Waters  
 Gilchrest Moran (VA) Watson (CA)  
 Gonzalez Morella Watt (NC)  
 Gordon Murtha Waxman  
 Graves Nadler Weiner  
 Greenwood Neapolitano Weldon (PA)  
 Grucci Neal Weller  
 Gutierrez Nethercutt Whitfield  
 Hall (OH) Ney Woolsey  
 Nussle Wynn

NOES—177

Ackerman Andrews  
 Akin Arney Bachus  
 Baker

Ballenger  
Barr  
Barton  
Berkley  
Bilirakis  
Blunt  
Boehner  
Bonilla  
Bryant  
Burr  
Burton  
Buyer  
Callahan  
Calvert  
Cannon  
Cantor  
Capito  
Chabot  
Chambliss  
Coble  
Collins  
Cox  
Crane  
Crenshaw  
Cubin  
Culberson  
Cunningham  
Davis, Jo Ann  
Davis, Tom  
Deal  
DeLay  
DeMint  
Deutsch  
Diaz-Balart  
Dingell  
Doolittle  
Dreier  
Duncan  
Dunn  
Ehrlich  
Engel  
Everett  
Ferguson  
Fletcher  
Foley  
Forbes  
Fossella  
Frelinghuysen  
Gallegly  
Gekas  
Gephardt  
Gibbons  
Gillmor  
Gilman  
Goode  
Goss  
Graham

Granger  
Green (TX)  
Green (WI)  
Gutknecht  
Hart  
Hastings (FL)  
Hastings (WA)  
Hayes  
Hayworth  
Hefley  
Herger  
Hilleary  
Hobson  
Hoekstra  
Hulshof  
Hunter  
Hyde  
Isakson  
Istook  
Jenkins  
Johnson, Sam  
Jones (NC)  
Keller  
Kelly  
Kennedy (MN)  
Kennedy (RI)  
Kerns  
King (NY)  
Kingston  
Knollenberg  
LaTourrette  
Lewis (CA)  
Lewis (KY)  
Linder  
Lipinski  
LoBiondo  
Lucas (KY)  
Lucas (OK)  
Maloney (CT)  
McCrery  
McInnis  
McKeon  
Meek (FL)  
Menendez  
Mica  
Miller, Dan  
Miller, Gary  
Miller, Jeff  
Myrick  
Northup  
Norwood  
Ose  
Oxley  
Pallone  
Pascrell  
Pence  
Petri

Pickering  
Pitts  
Pombo  
Portman  
Pryce (OH)  
Putnam  
Quinn  
Radanovich  
Regula  
Reynolds  
Riley  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Ros-Lehtinen  
Rothman  
Roukema  
Royce  
Ryun (KS)  
Saxton  
Schaffer  
Schrock  
Sensenbrenner  
Shadeegg  
Shaw  
Sherwood  
Shuster  
Simpson  
Skeen  
Skelton  
Smith (NJ)  
Smith (TX)  
Souder  
Stump  
Sullivan  
Sweeney  
Tancredo  
Tauzin  
Taylor (NC)  
Thomas  
Toomey  
Vitter  
Walden  
Walsh  
Wamp  
Watkins (OK)  
Watts (OK)  
Weldon (FL)  
Wexler  
Wicker  
Wilson (NM)  
Wilson (SC)  
Wolf  
Wu  
Young (AK)  
Young (FL)

## NOT VOTING—6

Bonior  
DeFazio

Goodlatte  
Hansen

Stearns  
Traficant

□ 2254

Mr. WELLER changed his vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. GOODLATTE. Mr. Chairman, on rollcall No. 332, I was unavoidably detained.

Had I been present, I would have voted "no."

AMENDMENT NO. 5 OFFERED BY MR. RANGEL

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 5 offered by the gentleman from New York (Mr. RANGEL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 204, noes 226, not voting 4, as follows:

[Roll No. 333]

AYES—204

Abercrombie  
Allen  
Baca  
Baird  
Baldacci  
Baldwin  
Barcia  
Barrett  
Becerra  
Bentsen  
Berman  
Berry  
Biggert  
Bishop  
Blumenauer  
Bono  
Boozman  
Borski  
Boswell  
Boucher  
Boyd  
Brady (PA)  
Brown (OH)  
Capps  
Capuano  
Carson (IN)  
Carson (OK)  
Clay  
Clayton  
Clement  
Clyburn  
Condit  
Conyers  
Costello  
Leach  
Lee  
Levin  
Lewis (GA)  
Lofgren  
Miller, George  
Mink  
Mollohan  
Moore  
Moran (KS)  
Moran (VA)  
Morella  
Nadler  
Napolitano  
Neal  
Nussle

NOES—226

Ackerman  
Aderholt  
Akin  
Andrews  
Army  
Bachus  
Baker  
Ballenger  
Barr  
Bartlett  
Barton  
Bass  
Bereuter  
Berkley  
Bilirakis  
Blagojevich  
Blunt  
Boehlert  
Boehner  
Bonilla  
Brady (TX)

Etheridge  
Everett  
Ferguson  
Fletcher  
Foley  
Forbes  
Fossella  
Frelinghuysen  
Gallegly  
Gekas  
Gephardt  
Gibbons  
Gilchrest  
Gillmor  
Gilman  
Goode  
Goodlatte  
Goss  
Graham  
Granger  
Green (TX)  
Green (WI)  
Greenwood  
Grucci  
Gutierrez  
Gutknecht  
Hansen  
Hart  
Hastings (FL)  
Hastings (WA)  
Hayes  
Hayworth  
Hefley  
Hilleary  
Hobson  
Hoekstra  
Holden  
Hostettler  
Houghton  
Hulshof  
Hunter  
Hyde  
Isakson  
Issa  
Istook  
Jenkins  
Johnson, Sam  
Jones (NC)  
Kanjorski  
Keller  
Kelly  
Kennedy (MN)  
Kennedy (RI)  
Kerns  
King (NY)

Bonior  
DeFazio

Kingston  
Kirk  
Knollenberg  
Kolbe  
LaTourrette  
Lewis (CA)  
Lewis (KY)  
Linder  
Lipinski  
LoBiondo  
Lucas (KY)  
Lucas (OK)  
Maloney (CT)  
McCrery  
McHugh  
McInnis  
McIntyre  
McKeon  
Meek (FL)  
Menendez  
Mica  
Miller, Dan  
Miller, Gary  
Miller, Jeff  
Murtha  
Myrick  
Nethercutt  
Ney  
Northup  
Norwood  
Ortiz  
Ose  
Oxley  
Pallone  
Pascrell  
Pence  
Petri  
Pickering  
Pitts  
Platts  
Pombo  
Portman  
Pryce (OH)  
Putnam  
Quinn  
Radanovich  
Regula  
Reyes  
Reynolds  
Riley  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Ros-Lehtinen  
Rothman

NOT VOTING—4

Bonior  
DeFazio

Stearns  
Traficant

□ 2301

So the amendment was rejected. The result of the vote was announced as above recorded.

Mr. ISTOOK. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. TERRY) having assumed the chair, Mr. DREIER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5120) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2003, and for other purposes, had come to no resolution thereon.

## PIPELINE INFRASTRUCTURE PROTECTION TO ENHANCE SECURITY AND SAFETY ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 3609, as amended.