

of such methods of coverage, in accordance with House Rule XI, clause 4.

Rule 29—Appointment of conferees

(a) Majority party members recommended to the Speaker as conferees shall be recommended by the Chairman subject to the approval of the majority party members of the committee.

(b) The Chairman shall recommend such minority party members as conferees as shall be determined by the minority party; the recommended party representation shall be in approximately the same proportion as that in the committee.

Rule 30—Waivers

When a reported bill or joint resolution, conference report, or anticipated floor amendment violates any provision of the Congressional Budget Act of 1974, the Chairman may, if practical, consult with the committee members on whether the Chairman should recommend, in writing, that the Committee on Rules report a special rule that enforces the Act by not waiving the applicable points of order during the consideration of such measure.

UPDATE ON CUBA'S PROJECT
VARELA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. Mr. Speaker, in May of 2002, over 11,000 Cuban citizens took a courageous stand and petitioned the Cuban National Assembly to hold a nationwide referendum vote on guarantees of human rights and civil liberties. Named for the 19th century priest and Cuban independence hero, Padre Felix Varela, the Varela Project was the first-ever peaceful challenge to Castro's four-decade-long control of the island.

With its 11,000-plus signatures, the project qualified under article 88 of the Cuban constitution, which states that if the Cuban National Assembly receives the verified signatures of 10,000 legal voters, a referendum on the issue should be scheduled. Varela was the first-ever attempt to try and work within the system to bring about change in Cuba.

Not surprisingly, Mr. Speaker, instead of allowing his parliament to consider Project Varela, Fidel Castro introduced his own so-called "referendum" that would stop future consideration of Project Varela and any other democratic reform efforts. Then, late last month, a Cuban legislative committee threw out the project, officially putting an end to Varela's hopes for peaceful reform.

Despite this, Mr. Speaker, the project is far from over. The true aim of the project was not to win political support, but to bring hope to the Cuban people that peaceable change is possible. Oswaldo Paya and Varela's other organizers have worked to educate the Cuban people citizen by citizen and bring the struggles of the Cuban people to the world stage. It is my hope that many of my colleagues will support this project and it will continue.

Mr. Speaker, I would like to conclude with one final note. In response to

questions regarding the future of the Varela project, Varela's organizer Oswaldo Paya said only, "Our Varela Project continues. It's a campaign to inform the Cuban people and we will continue until all Cubans achieve their rights." I want to commend those involved in Project Varela, that they continue for a long time.

SUPPORTING NOMINATION OF
MIGUEL ESTRADA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado (Mr. BEAUPREZ) is recognized for 5 minutes.

Mr. BEAUPREZ. Mr. Speaker, like many Members of this Chamber, I have often spoken with fond affection of my grandfather, a gentleman who came to the United States as an immigrant from Belgium. He did not speak the language. He spoke Flemish. In spite of his limitations, not only did he not speak English, he basically had no formal education, he embraced this country and he embraced what we all call the American dream. I am very, very grateful to that immigrant from Belgium, my grandfather, for clinging to that dream, fostering that dream, instilling that dream in me and many other of my family members and people he came in contact with over his extended life.

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It is what America is all about. I rise tonight to talk about someone who instills those same values, those same characteristics, that same American dream: Mr. Miguel Estrada.

Mr. Estrada came to the United States of America as a teenager from Honduras. He did not speak our language. In spite of that, shortly thereafter Mr. Estrada found himself graduating Phi Beta Kappa from Columbia College in New York, later from Harvard Law School where he was also editor of the Harvard Law Review. As this Chamber knows full well, Mr. Estrada has been nominated to serve on the United States Court of Appeals for the District of Columbia. Mr. Estrada is currently serving as a partner in a prestigious Washington, D.C. law firm. He is very accomplished. He has formerly served as assistant United States Solicitor General during the Bush and Clinton administrations from 1992 to 1997, assistant U.S. Attorney and deputy chief of the appellate section for the U.S. Attorney's Office for the Southern District of the State of New York. Mr. Estrada argued 15 cases before the United States Supreme Court, both criminal and civil. He tried ten cases as a prosecutor and argued seven cases before the U.S. Court of Appeals for the second circuit as assistant U.S. Attorney, again for the Southern District of the State of New York. Mr. Estrada's credentials and achievement as a jurist are almost unprecedented, certainly well qualified for the Federal bench.

I would like to cite for the record what others are saying about Mr. Estrada. The American Bar Association rates Estrada as "well qualified." Ron Klain, former counsel to Vice President Gore had this to say: "I have no doubt that on the bench Miguel will faithfully apply the precedence of his court and the Supreme Court without regard, without regard," without regard, "to his personal views or his political perspectives. His belief in the rule of law, in a limited judiciary, and in the separation of powers is too strong for him to act otherwise."

Lastly, Mr. Speaker, here is what Raphael Santiago, national president of the Hispanic National Bar Association had to say: "Mr. Estrada's distinguished and impressive career illustrates the promise and opportunity that America offers to all immigrants, especially Hispanic immigrants . . . Mr. Estrada's confirmation will break new ground for Hispanics in the judiciary. The time has come to move on Mr. Estrada's nomination."

Mr. Speaker, I second those comments and look forward to the day that Miguel Estrada is a member of the Federal bench of the U.S. Court of Appeals representing the District of Columbia.

SUPPORTING THE NOMINATION OF
MIGUEL ESTRADA

The SPEAKER pro tempore (Mr. MURPHY). Under a previous order of the House, the gentleman from Florida (Mr. MARIO DIAZ-BALART) is recognized for 5 minutes.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I also stand to support the nomination of Mr. Miguel Estrada. We just heard his incredible qualifications as a lawyer, a person who has lived the American dream, who came to this country as a teenager barely speaking a word of English but through his work, his hard work, his dedication, bettered himself to become a highly respected attorney in society.

Mr. Speaker, some of those now objecting to his confirmation have not been able to find one good reason in over a year that this process has taken place, one good reason why Mr. Estrada should not be on the bench, and yet we have heard a number of discussions d'jour about why Mr. Estrada should not be there. I want to mention some of those, Mr. Speaker, that I think are rather, frankly, amusing if I may say. Some have actually said that Miguel Estrada has never served as a judge before; therefore, he is not qualified to hold this position in this prestigious court. But, Mr. Speaker, five out of the eight judges in that same court where Mr. Estrada has been nominated by this President also never had judicial experience in the past. Why was it okay for them to not have that experience and why is it not okay for this Hispanic brilliant attorney, why does he have to have experience that the other five did not have, Mr. Speaker? I do not know. It begs the question.

Mr. Speaker, some people that I admire and care for greatly who were born in the United States of Hispanic origin like I was have actually said publicly that one of the reasons that Mr. Estrada should not be a judge is because he is not Hispanic enough or "he is Hispanic by name only." Some of the people who are saying that, again like I am were born here in the United States and frankly are just not all that fluent in Spanish, and they say that Mr. Estrada, who got here when he was 17 years old, barely speaking English, is not Hispanic enough, is Hispanic by name only? Mr. Speaker, I find that to be frankly offensive, personally offensive. I have no problem that people would object if they find something objectionable in Mr. Estrada's record, but they have been able to find nothing, not one iota of evidence, nothing that should disqualify this young brilliant attorney, Mr. Speaker.

I support Mr. Estrada because it would be a wonderful thing for the country. It would be a wonderful thing for Hispanics. It would be a wonderful thing for diversity. A vote for Mr. Estrada is a vote for diversity. And, Mr. Speaker, I hope that we can all united support the nomination of this brilliant, young, talented Hispanic. He deserves it, the people of the United States deserve it, and our court system clearly also deserves to have Miguel Estrada.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all Members that it is not in order to urge the Senate to take a particular action with regard to a presidential nomination.

PUBLICATION OF THE RULES OF THE COMMITTEE ON EDUCATION AND THE WORKFORCE 108TH CONGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio, (Mr. BOEHNER) is recognized for 5 minutes.

Mr. BOEHNER. Mr. Speaker, pursuant to Rule XI, Clause 2 of the Rules of the House of Representatives, I respectfully submit the rules for the 108th Congress for the Committee on Education and the Workforce for publication in the CONGRESSIONAL RECORD.

THE RULES OF THE COMMITTEE ON EDUCATION AND THE WORKFORCE FOR THE 108TH CONGRESS

RULE 1. REGULAR, ADDITIONAL, & SPECIAL MEETINGS: VICE-CHAIRMAN

(a) Regular meetings of the committee shall be held on the second Wednesday of each month at 9:30 a.m., while the House is in session. When the Chairman believes that the committee will not be considering any bill or resolution before the committee and that there is no other business to be transacted at a regular meeting, he will give each member of the committee, as far in advance of the day of the regular meeting as the circumstances make practicable, a written notice to that effect; and no committee meeting shall be held on that day.

(b) The Chairman may call and convene, as he considers necessary, additional meetings of the committee for the consideration of any bill or resolution pending before the committee or for the conduct of other committee business. The committee shall meet for such purposes pursuant to that call of the Chairman.

(c) If at least three members of the committee desire that a special meeting of the committee be called by the Chairman, those members may file in the offices of the committee their written request to the Chairman for that special meeting. Immediately upon the filing of the request, the staff director of the committee shall notify the Chairman of the filing of the request. If, within three calendar days after the filing of the request, the Chairman does not call the requested special meeting to be held within seven calendar days after the filing of the request, a majority of the members of the committee may file in the offices of the committee their written notice that a special meeting of the committee will be held, specifying the date and hour thereof, and the measure or matter to be considered at that special meeting. The committee shall meet on that date and hour. Immediately upon the filing of the notice, the staff director of the committee shall notify all members of the committee that such meeting will be held and inform them of its date and hour and the measure or matter to be considered; and only the measure or matter specified in that notice may be considered at that special meeting.

(d) All legislative meetings of the committee and its subcommittees shall be open to the public, including radio, television and still photography coverage. No business meeting of the committee, other than regularly scheduled meetings, may be held without each member being given reasonable notice. Such meeting shall be called to order and presided over by the Chairman, or in the absence of the Chairman, by the vice-chairman, or the Chairman's designee.

(e) The Chairman of the committee or of a subcommittee, as appropriate, shall preside at meetings or hearings, or, in the absence of the chairman, the vice-chairman, or the Chairman's designee shall preside.

RULE 2. QUESTIONING OF WITNESSES

(a) Subject to clauses (b) and (c), Committee members may question witnesses only when they have been recognized by the Chairman for that purpose, and only for a 5-minute period until all members present have had an opportunity to question a witness. The questioning of witnesses in both committee and subcommittee hearings shall be initiated by the Chairman, followed by the ranking minority party member and all other members alternating between the majority and minority party in order of the member's appearance at the hearing. In recognizing members to question witnesses in this fashion, the Chairman shall take into consideration the ratio of the majority to minority party members present and shall establish the order of recognition for questioning in such a manner as not to place the members of the majority party in a disadvantageous position.

(b) The Chairman may permit a specified number of members to question a witness for longer than five minutes. The time for extended questioning of a witness under this clause shall be equal for the majority party and the minority party and may not exceed one hour in the aggregate.

(c) The Chairman may permit committee staff for the majority and the minority party members to question a witness for equal specified periods. The time for extended questioning of a witness under this clause

shall be equal for the majority party and the minority party and may not exceed one hour in the aggregate.

RULE 3. RECORDS & ROLLCALLS

(a) Written records shall be kept of the proceedings of the committee and of each subcommittee, including a record of the votes on any question on which a rollcall is demanded. The result of each such rollcall vote shall be made available by the committee or subcommittee for inspection by the public at reasonable times in the offices of the committee or subcommittee. Information so available for public inspection shall include a description of the amendment, motion, order, or other proposition and the name of each member voting for and each member voting against such amendment, motion, order, or proposition, and the names of those members present but not voting. A record vote may be demanded by one-fifth of the members present or, in the apparent absence of a quorum, by any one member.

(b) In accordance with Rule VII of the Rules of the House of Representatives, any official permanent record of the committee (including any record of a legislative, oversight, or other activity of the committee or any subcommittee) shall be made available for public use if such record has been in existence for 30 years, except that—

(1) any record that the committee (or a subcommittee) makes available for public use before such record is delivered to the Archivist under clause 2 of Rule VII of the Rules of the House of Representatives shall be made available immediately, including any record described in subsection (a) of this Rule;

(2) any investigative record that contains personal data relating to a specific living individual (the disclosure of which would be an unwarranted invasion of personal privacy), any administrative record with respect to personnel, and any record with respect to a hearing closed pursuant to clause 2(g)(2) of Rule XI of the Rules of the House of Representatives shall be available if such record has been in existence for 50 years; or

(3) except as otherwise provided by order of the House, any record of the committee for which a time, schedule, or condition for availability is specified by order of the committee (entered during the Congress in which the record is made or acquired by the committee) shall be made available in accordance with the order of the committee.

(c) The official permanent records of the committee include noncurrent records of the committee (including subcommittees) delivered by the Clerk of the House of Representatives to the Archivist of the United States for preservation at the National Archives and Records Administration, which are the property of and remain subject to the rules and orders of the House of Representatives.

(d)(1) Any order of the committee with respect to any matter described in paragraph (2) of this subsection shall be adopted only if the notice requirements of committee Rule 18(c) have been met, a quorum consisting of a majority of the members of the committee is present at the time of the vote, and a majority of those present and voting approve the adoption of the order, which shall be submitted to the Clerk of the House of Representatives, together with any accompanying report.

(2) This subsection applies to any order of the committee which—

(A) provides for the non-availability of any record subject to subsection (b) of this rule for a period longer than the period otherwise applicable; or

(B) is subsequent to, and constitutes a later order under clause 4(b) of Rule VII of the Rules of the House of Representatives,