

sponsored by my colleague PAUL RYAN of Wisconsin to amend a section of the recently passed American Jobs Creation Act of 2004 as it relates to the Federal excise tax on the sale by a manufacturer, producer or importer of any bows or arrows of a certain weight.

While I do not expressly support or oppose H.R. 5394, I rise to express my disappointment that the people of my district, the U.S. Virgin Islands, are not afforded a similar opportunity to address certain changes to the provisions of the Jobs Act as they relate to the residence and source rules applicable in U.S. possessions.

It is the longstanding policy of the United States, as reaffirmed in the Tax Reform Act of 1986, to promote the economic development of the U.S. Virgin Islands through tax policies that grant the Virgin Islands exclusive taxing jurisdiction over its residents and the right to tax the income of non-residents that is either sourced in the Virgin Islands or attributable to Virgin Islands businesses.

The American Jobs Creation Act of 2004, which was signed into law on October 22, 2004, significantly changed the Federal tax rules that form the foundation of Virgin Islands economic incentive program, the Economic Development Commission (EDC). Unless the changes made to this program by the Jobs Act is amended or appropriately modified by regulation, they have the potential to cause substantial damage to the Virgin Islands EDC program and cause significant losses to the Government of the Virgin Islands beyond those attributable to the EDC program.

While the statement of the managers accompanying the conference report for the Jobs Act indicates that Congress was concerned about U.S. citizens inappropriately claiming benefits as residents of a possession while continuing to live and work in the United States, the provisions of the new IRS Code section 937 would have much broader impact, affecting individuals who never resided in the United States and also place restrictions on the different economic development programs that go far beyond identified abuses.

It is for these reasons Mr. Speaker, that the government of the Virgin Islands sought to have these changes narrowed and clarified through legislation similar to H.R. 5394, but we were unsuccessful in our efforts to date. Accordingly, I beseech my colleagues, the chairman of the Ways and Means Committee and you, Mr. Speaker, to work with me when we return next Congress to address these concerns and avert a potential economic catastrophe for the Government and people of the Virgin Islands.

Mr. RANGEL. Mr. Speaker, H.R. 5394 is the Republican's third attempt to provide correct statutory language for the purpose of providing domestic and foreign manufacturers and retailers of bows and arrows with a level playing field.

The original provision was enacted into law in 1997. A correction to that language was included in this year's Foreign Sales Corporation/Extraterritorial Income Replacement, FSC/ETI, which resulted in another needed correction—as provided in H.R. 5394. Apparently, the most recent drafting error would cause about 10,000 new retailers to begin collecting excise taxes on a quarterly basis due to an unintended new point of tax collection created for arrow components costing less than a dollar. I hope that this time the Republicans got it right.

## PRIORITIES

What really concerns me today is not bows and arrows. Rather, I question the priorities of the Republicans in the House.

The Republicans enjoy talking about their values—but their actions simply do not meet their words. According to Republican values, tax breaks for makers of bows and arrows are an urgent matter that must be addressed today.

Of course, Ways and Means Committee Chairman THOMAS knows that the bows and arrows correction could have been handled by unanimous consent last month. At that time, I asked that a correcting provision from the FSC/ETI bill also be included to assist the Virgin Islands—as it is for the arrow component manufacturers—and that some attention be provided to the devastation facing the people of Haiti.

## VIRGIN ISLANDS

It is obvious that the House Republican Leadership and Chairman THOMAS are unwilling to provide a little helping hand to the Virgin Islands and the other U.S. possessions. The recently enacted FSC/ETI legislation contains a provision that will adversely affect the economic development programs of the Virgin Islands and other possessions.

The provision denies the Virgin Islands the ability to provide economic incentives to companies doing business in the Virgin Islands if they have some U.S. source income. There are many circumstances where companies engaged in business activities in the Virgin Islands can have U.S. source income, even though they engage in no activities in the United States.

Everyone recognizes that the FSC/ETI legislation overreached. The provision was adopted without any hearings in either House, and without a serious examination of what it does. So the simple solution is to fix the problem. The Republicans' response is to wait for Treasury to address the situation. There is no guarantee when, or if, Treasury will do so.

The provision in the bill already took effect, and is currently creating a problem for the Virgin Islands economic development program. This is a time-sensitive issue, that could be easily resolved with a delay in the effective date to permit the Treasury to act.

This House has found time today to correct an error for arrow component retailers. I had hoped that at the same time we could have corrected the provision harming the Virgin Islands. It is obviously a question of the Republicans' priorities.

## HAITI

It also is obvious that the House and committee Republican leadership are unwilling to provide a little assistance to a poverty stricken Haiti. Obviously, our neighbor in this hemisphere is not viewed as so urgent that it cannot wait. I am talking about a country that is so poor that they bake clay and pretend it is bread.

It is still unclear to me why—other than pure meanness, stinginess and a lack of real values—that a Haiti trade preferences bill could not be brought up before the end of the year. Chairman THOMAS and I reached agreement on a compromise bill—a bill that did not present any threat to the U.S. industry but that would have meant the world to the people of Haiti.

House Democrats were prepared to support our bill—and I know we had ample Republican support for it, thanks to the efforts of my friend CLAY SHAW, and my long-time friend and col-

league, PHIL CRANE. I also know that Senators BOB GRAHAM and MIKE DEWINE would have been able to get passage in the Senate—had we sent them something. They had already passed a much better, more generous bill.

I want everyone to understand that our failure to act on Haiti today has real consequences for a country already devastated by natural disasters, years of domestic political turmoil, and foreign interference.

At the end of this year global textiles and apparel quotas terminate. Everyone expects China to dominate, taking market share and jobs not just from workers in the U.S., but also from workers in poor, vulnerable developing countries. And there is no country so threatened or so dependent on access to our market as Haiti.

Apparel is the only thing these people make—it is 90 percent of what the Haitians send to us. And because we are not acting, those exports are threatened. And you know what will replace those exports of sweaters and pants? Exports of people.

I will fight again for Haiti next year, and I pray it will not be too late.

## CONCLUSION

I want to compliment my colleague, Representative PAUL RYAN, for his diligence in correcting the drafting error for the 1997 bows and arrow tax relief provision and, again today, for correcting the correction in the FSC/ETI bill. One would have thought that drafting a simple bill, like bows and arrows, could be handled right the first time. But, I understand that things happen.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. RYAN) that the House suspend the rules and pass the bill, H.R. 5394.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

# PASS THE 9/11 COMMISSION RECOMMENDATIONS IMPLEMENTATIONS ACT

(Mrs. MALONEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks and include therein extraneous material.)

Mrs. MALONEY. Mr. Speaker, I rise in strong support of the bipartisan 9/11 Commission bill. This past week I joined relatives of victims of 9/11 at Ground Zero. It was one of the places that we held vigils across this country to remind Members of Congress of the human cost of the terrorist attack. Vigils were held in Washington, D.C., New York, Buffalo, Boston, Los Angeles.

We are hopeful that a vote will be taken tomorrow. It will move forward this bill that will make Americans safer.

We ask people to sign a petition and present that petition to the Speaker of the House of Representatives. I will place in the RECORD the text of that petition at this point.

DECEMBER 6, 2004.

DEAR SPEAKER HASTERT: These signatures represent the will of the people. The democratic process must be respected. Congress must be allowed to vote.

The "9/11 Commission Recommendations Implementations Act" is supported by the 9/11 Commission, the President, the Senate, and the majority of the members of your House.

Listen to the voice of the people.

Signed,

Carie Lemack, Mindy Kleinberg, Lorie Van Auken, Patty Casazza, Carol Ashley, Mary Fetchet, Linda Lewis, Kathy Wiesniewski, Beverly Eckert, Bill Harvey, Charles Wolf.

Speaking: Abraham Scott (lost wife Janice Marie); Beverly Eckert, Stamford (lost husband Sean Rooney); Mary Fetchet, New Canaan (lost son Brad); Carie Lemack, Boston (lost mother Judy Larocque).

Not speaking: Carol Ashley, Long Island (lost daughter Janice); Kathy Wiesniewski (lost husband); Charlie Wolf (lost wife Kathy); Lorie Van Auken (lost husband Kenneth); Mindy Kleinberg (lost husband Alan).

The holidays are a particularly difficult time for people who have lost loved ones, Thanksgiving and the holiday season. I am very, very hopeful that the hard work of these families in support of changes that will make America safer will be allowed for a vote in the House of Representatives.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6 p.m. today.

Accordingly (at 3 o'clock and 39 minutes p.m.), the House stood in recess until approximately 6 p.m. today.

□ 1801

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at 6 o'clock and 1 minute p.m.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on the motion to suspend the rules previously postponed.

## DIRECTING CLERK OF THE HOUSE TO MAKE TECHNICAL CORRECTIONS IN ENROLLMENT OF H.R. 4818

The SPEAKER pro tempore. The pending business is the question of suspending the rules and concurring in the Senate amendment to the concurrent resolution, H. Con. Res. 528.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. YOUNG) that the House suspend the rules and concur in the Senate amend-

ment to the concurrent resolution, H. Con. Res. 528, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 381, nays 0, not voting 51, as follows:

[Roll No. 543]

## YEAS—381

Ackerman	Diaz-Balart, L.	Kapture
Aderholt	Diaz-Balart, M.	Keller
Akin	Dingell	Kelly
Alexander	Doggett	Kennedy (MN)
Allen	Doolittle	Kennedy (RI)
Andrews	Doyle	Kildee
Bachus	Dreier	Kilpatrick
Baird	Duncan	King (IA)
Baker	Dunn	King (NY)
Baldwin	Edwards	Kingston
Barrett (SC)	Ehlers	Kirk
Bartlett (MD)	Emanuel	Kline
Barton (TX)	Emerson	Knollenberg
Bass	Engel	Kolbe
Beauprez	English	Kucinich
Becerra	Eshoo	LaHood
Berkley	Etheridge	Lampson
Berman	Evans	Langevin
Berry	Everett	Lantos
Biggert	Farr	Larson (CT)
Bilirakis	Feeney	Latham
Bishop (GA)	Ferguson	LaTourette
Bishop (NY)	Filner	Leach
Bishop (UT)	Flake	Lee
Blackburn	Foley	Levin
Blumenauer	Forbes	Lewis (CA)
Blunt	Ford	Lewis (GA)
Boehner	Fossella	Lewis (KY)
Bonilla	Frank (MA)	Linder
Bonner	Franks (AZ)	LoBiondo
Bono	Frelinghuysen	Lofgren
Boozman	Frost	Lowey
Boucher	Galleghy	Lucas (KY)
Boyd	Garrett (NJ)	Lucas (OK)
Bradley (NH)	Gephardt	Lynch
Brady (PA)	Gerlach	Majette
Brady (TX)	Gibbons	Maloney
Brown (OH)	Gilchrest	Manzullo
Brown (SC)	Gillmor	Markey
Brown, Corrine	Gingrey	Marshall
Brown-Waite,	Gonzalez	Matheson
Ginny	Goode	Matsui
Burgess	Goodlatte	McCarthy (MO)
Burns	Graves	McCarthy (NY)
Burr	Green (TX)	McCollum
Burton (IN)	Green (WI)	McCotter
Butterfield	Greenwood	McCrery
Buyer	Grijalva	McDermott
Calvert	Gutknecht	McGovern
Camp	Hall	McHugh
Cantor	Harman	McIntyre
Capito	Harris	McNulty
Capps	Hart	Meehan
Capuano	Hayes	Meek (FL)
Cardin	Hayworth	Meeks (NY)
Cardoza	Hefley	Menendez
Carson (IN)	Hensarling	Mica
Carter	Herger	Michaud
Castle	Herseth	Millender-
Chabot	Hill	McDonald
Chandler	Hinchey	Miller (FL)
Chocola	Hinojosa	Miller (MI)
Clay	Hobson	Miller (NC)
Clyburn	Hoefel	Miller, Gary
Coble	Hoekstra	Miller, George
Cole	Holden	Mollohan
Conyers	Holt	Moore
Cooper	Honda	Moran (KS)
Costello	Hooley (OR)	Moran (VA)
Cox	Hostettler	Murphy
Cramer	Hoyer	Musgrave
Crane	Hulshof	Myrick
Crenshaw	Hunter	Nadler
Crowley	Inslee	Napolitano
Cubin	Isakson	Neugebauer
Culberson	Israel	Ney
Cunningham	Issa	Northup
Davis (CA)	Istook	Nunes
Davis (IL)	Jackson (IL)	Oberstar
Davis (TN)	Jackson-Lee	Obey
Davis, Jo Ann	(TX)	Oliver
Davis, Tom	Jenkins	Ortiz
Deal (GA)	John	Osborne
DeFazio	Johnson (CT)	Ose
DeGette	Johnson (IL)	Otter
DeLay	Johnson, E. B.	Owens
DeMint	Johnson, Sam	Oxley
Deutsch	Kanjorski	Pascarell

Pastor	Sabo	Tauscher
Paul	Sánchez, Linda	Tauzin
Payne	T.	Taylor (MS)
Pearce	Sanchez, Loretta	Taylor (NC)
Pelosi	Sanders	Terry
Pence	Sandlin	Thomas
Peterson (MN)	Saxton	Thompson (CA)
Peterson (PA)	Schakowsky	Thompson (MS)
Petri	Schiff	Thornberry
Pickering	Scott (GA)	Tiahrt
Pitts	Scott (VA)	Tiberi
Platts	Sensenbrenner	Tierney
Pombo	Serrano	Toomey
Pomeroy	Sessions	Turner (OH)
Porter	Shadegg	Turner (TX)
Portman	Shaw	Udall (CO)
Price (NC)	Shays	Udall (NM)
Pryce (OH)	Sherman	Upton
Putnam	Sherwood	Van Hollen
Quinn	Shimkus	Velázquez
Radanovich	Shuster	Visclosky
Ramstad	Simmons	Walden (OR)
Rangel	Simpson	Walsh
Regula	Skellton	Wamp
Rehberg	Slaughter	Waters
Renzi	Smith (MI)	Watson
Reynolds	Smith (NJ)	Watt
Rodriguez	Smith (TX)	Waxman
Rogers (AL)	Smith (WA)	Weldon (FL)
Rogers (KY)	Snyder	Weldon (PA)
Rogers (MI)	Souder	Weller
Rohrabacher	Spratt	Wexler
Ros-Lehtinen	Ross	Whitfield
Ross	Rothman	Wicker
Roybal-Allard	Stearns	Wilson (SC)
Royce	Stenholm	Woolsey
Ruppersberger	Strickland	Wu
Ryan (OH)	Stupak	Wynn
Ryan (WI)	Sullivan	Young (FL)
Run (KS)	Tancred	
	Tanner	

## NOT VOTING—51

Abercrombie	Fattah	Murtha
Baca	Gordon	Neal (MA)
Ballenger	Granger	Nethercutt
Bell	Gutierrez	Norwood
Boehlert	Hastings (FL)	Nussle
Boswell	Hastings (WA)	Pallone
Cannon	Houghton	Rahall
Carson (OK)	Hyde	Reyes
Case	Jefferson	Rush
Collins	Jones (NC)	Schrock
Cummings	Jones (OH)	Sweeney
Davis (AL)	Kind	Towns
Davis (FL)	Kleczka	Vitter
Delahunt	Larsen (WA)	Weiner
DeLauro	Lipinski	Wilson (NM)
Dicks	McInnis	Wolf
Dooley (CA)	McKeon	Young (AK)

□ 1859

Mr. TERRY and Mr. RANGEL changed their votes from "nay" to "yea."

So (two-thirds having voted in favor thereof) the rules were suspended and the Senate amendment was concurred in.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent today from this chamber. I would like the record to show that, had I been present, I would have voted "yea" on rollcall vote 543.

Mr. WOLF. Mr. Speaker, I am on an official leave of absence for today because of knee surgery. Had I been present and voting, I would have voted yea on rollcall 543, to suspend the rules and pass H. Con. Res. 528, directing the Clerk of the House of Representatives to make corrections in the enrollment of H.R. 4818.