

hemisphere does not get frigidly cold and many people that live in the southern hemisphere are not forced to move because of the increased heat.

To give some example of this, if you look in this area of Canada, you know that it is quite cold there. But if you go right across the Atlantic Ocean and visit England, you will know that the weather is quite moderate. In fact, the weather in England is often and most often is much more moderate than much further in latitude to the south and mid-Atlantic part of the United States.

If you look at the Scandinavian countries and their latitude, in Labrador you will see that their climate is more moderate than the climate we see on that latitude in North America. The reason for this is the ocean has currents that take warm from the equatorial regions to the northern regions that moderate their temperature. At the same time, when those warm waters reach the north, because they get colder and because of the salinity they drop to the ocean bottom and come to the south. As they gradually warm, they rise, because we know that warm air rises and colds air falls. Well, that is the same thing that happens with water.

Part of what I am trying to explain here is that there is a constant dispute about whether or not there is such a thing as global warming. Is the climate changing? Does human activity put more greenhouse gasses into the atmosphere to cause a warming in the atmosphere?

What I would like to do in just a brief minute here is to explain the fact that there is clear, unequivocal evidence that the ocean surface water is warming. As a result of that, there is more evaporation in the equatorial regions of the ocean. With more evaporation, that means there is more rain further north, and so the northern ocean is becoming more fresh.

Now what does that mean? What that means is, as the ocean current moves from the equatorial regions north in its current and it moves into the northern hemisphere, as the water becomes more fresh, it becomes less dense. That means it will sink a lot slower. As the water evaporates more, it leaves more saltwater in the southern hemisphere, less saltwater in the northern hemisphere.

There are two things that cause this ocean current to occur, fresh water and salinity. As the ocean water becomes more salty, it sinks up here; and when it sinks to the bottom, it returns down to the equatorial regions like we have here. When the ocean becomes saltier up here and more or less saltier, that water sinks.

Without becoming too complicated, the phenomenon is that the ocean currents are changing as a result of the increase in temperature of surface water. The increase in temperature of surface water is happening because, over the last 40 years, the warmth or the in-

crease in temperatures in the atmosphere is moving up.

Now, whether or not you think there is more CO₂, more greenhouse gasses, is almost at this point beside the point, because the fact of the matter is here, over the last 40 years, temperatures on the planet have been increasing, thereby causing the temperatures of the surface of the ocean to increase. As a result of that increase in temperature of the ocean, we are actually redistributing fresh water and saltwater so we are having an effect on ocean current.

Saltwater, the density of salt, the amount of fresh water in its distribution of the ocean are fundamental to moving water from one place to another. As a result of that, as a result of the current moving in this way, the cycle of ocean current is slowing down; and when the cycle of currents slow down there is less warm water moving north and less cold water moving south. The result of that, this region of the United States receiving less warm water, this region of Europe is moving into an era when it is becoming colder. So that is a counterintuitive observation when you consider that the Earth is getting warmer.

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

(Mr. BROWN of Ohio addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

ORDER OF BUSINESS

Mr. GUTIERREZ. Mr. Speaker, I ask unanimous consent to speak out of order for 5 minutes.

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

There was no objection.

SAFEGUARDING ASSETS FOR EMPLOYEES IN BANKRUPTCY ACT

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

Mr. GUTIERREZ. Mr. Speaker, today I rise to introduce the Safeguarding Assets for Employees in Bankruptcy Act, along with my colleagues, the gentlewoman from Illinois (Ms. SCHAKOWSKY), the gentleman from Illinois (Mr. DAVIS), the gentleman from Illinois (Mr. LIPINSKI), the gentleman from Illinois (Mr. COSTELLO), the gentleman from Illinois (Mr. RUSH), the gentleman from Illinois (Mr. JACKSON), and the gentleman from Illinois (Mr. EMANUEL).

The SAFE in Bankruptcy language is designed to protect workers' claims when their employer files for bankruptcy.

My bill would create a priority for claims arising under the Worker Adjustment and Retraining Notification,

or what is commonly known as the WARN Act. The WARN Act requires an employer to provide 60-days notice to workers before closing its doors. If a company fails to comply with the law and gives fewer than 60-days notice, workers are entitled to salary and benefits, according to the Federal legislation, for up to 60 days. My legislation provides a priority for those claims of 60 days in bankruptcy court.

When a company closes its doors and files for bankruptcy, the effects on the employees and the community are often devastating. A number of my constituents have lost their jobs at the Fannie May Candy Company in Chicago, which has closed its doors and filed for bankruptcy. These employees, many of whom had loyally served the company for decades, up to 37 years, were provided with only 10 days notice before they lost their jobs.

Too often, companies hope to duck their responsibilities of 60 days of pay under the WARN Act by filing for bankruptcy, assuming that the claims for the workers would be paid last and only if there is any money left to all the others owed in the estate. My legislation makes these claims a priority, ensuring that companies will think twice before ignoring their responsibilities to employees under Federal law.

In addition, my legislation provides a long overdue increase in the wage cap for employees from \$4,000 to \$20,000 and eliminates the lookback periods for these claims. The current lookback period limits the recovery of benefits to those earned within the last 90 days, which unfairly penalizes employees whose benefits have accrued over a longer period.

As in the case of Fannie May, the contract said for every year of employment they would get one week of severance pay. Well, we have employees that were there for 37 years, and they are getting nothing.

These small reforms are designed to soften the blow to employees who have had the rug pulled out from under them without warning. Unfortunately, in the current economy, this problem is not limited to my constituents but is occurring in every district.

I urge all of my colleagues to join me in supporting these needed reforms for the loyal workers of Fannie May and other hard-working employees across the country. I think it is important, Mr. Speaker, that when a company closes its doors and does not even follow Federal law under the WARN Act and gives them the 60 days, they simply walk into court and say, we filed bankruptcy, now we do not have to pay them the 60 days, that those employees that were owed 60 days are properly adjusted in bankruptcy court.

That is what my legislation wishes to do to honor the work of hard-working Americans.

With that, I will bring this up to the desk and introduce this legislation.

The SPEAKER pro tempore (Mr. BEAUPREZ). Under a previous order of

the House, the gentleman from Indiana (Mr. PENCE) is recognized for 5 minutes.

(Mr. PENCE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

VIOLATION OF HUMAN RIGHTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

Ms. NORTON. Mr. Speaker, I come to the floor this afternoon to inform this body that, for the first time in the history of the United States, our country has been found guilty of a major human rights violation.

The Commission on Human Rights of the Organization of American States, a body in which we proudly participate, a body which we helped to finance, has made public its finding today after an 11-year investigation. I would like to quote what the Commission found.

"The commission concludes that the State," meaning the United States, "has failed to justify the denials of the petitioners of the effective representation in their Federal Government and, consequently, that the petitioners have been denied an effective right to participate in their government, directly or through freely chosen representatives and in general conditions of equality, contrary to Articles XX and II of the American Declaration" of rights of man.

The Commission was referring to the denial of voting representation in the Congress of the United States to the residents of the capital of the United States who are second per capita in the Federal income taxes they pay to support their government and who have fought and died in every war, fought and died, since the Revolutionary War, since the establishment of our government.

This ruling comes at a very important time in our history because we have not only declared that democracy and democratic principles must be universal, we have invaded another country. We are, as I speak, around the world proclaiming that each and every government must give full democracy, equal democracy to all the people of that government.

This government does not do that for the people of the District of Columbia, and an international body for the first time has so found. The international body, the Commission on Human Rights of the OAS, enjoys great prestige. We cannot say that this is not a body that does not enjoy our respect, and it is a body in which we have proudly participated.

The United States defended fully, and its defense was found wanting. We have every reason to desire the full confidence of the world. We need the world with us as we fight against terrorists bent on destroying us. We have lost much of that confidence because of the

invasion of Iraq. We have rallied around our troops in Iraq and around our country because our country is at war. But our country now needs the world more than the world needs our country.

I cannot imagine anything that would go further to restore the waning confidence of the world in our leadership then for the Congress, for the administration to reach out and say to the people who live here, you are entitled to no fewer rights than any other American citizens.

Even as our country decided when I was a child going to segregated schools in the Nation's capital, no less that we could apply our own self-corrective and, indeed, integrate those schools and declare discriminatory practice off limits in our country, so we can take this last remaining scar on our democracy and wipe it from us. We simply must do it now.

The shame of having a violation of human rights declared upon us even as we have a long list of violators that we publish every year cannot be long-standing. This country has always stepped up to correct its own problems. This is a problem that stares in the face of the Congress of the United States every day that we open for business and meet because the 600,000 people who live here do not have a vote on this floor and have no senators who represent them.

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This country, our people would not stand for this anywhere in the world; and if I may say so, our people do not stand for it now. Polls show they do not even know it, that the American people think that the people who live in their Nation's capital have the same rights that they do. Shame on us that they do not.

I ask the Congress of the United States to, in fact, adhere to the decision of the Commission on Human Rights of the Organization of American States and grant full and equal voting rights in the Congress of the United States to the people of the District of Columbia.

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

(Mr. SOUDER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

ORDER OF BUSINESS

Mr. GINGREY. Mr. Speaker, I ask unanimous consent to speak out of order.

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

There was no objection.

THE NON-NEGOTIATION CLAUSE IN THE MEDICARE BILL

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

Mr. GINGREY. Mr. Speaker, we have heard since the passage of the Prescription Drug and Medicare Modernization Act that this law is a Republican giveaway to the pharmaceutical industry. Why, or maybe more importantly, who is telling American seniors this important legislation is bad for them but good for the drug companies? In this election year, it seems that some individuals are using disingenuous political rhetoric to scare our seniors.

Mr. Speaker, I would like to discuss one provision in the bill that is called out as the "drug company giveaway." There is a clause in the legislation that directly states, "Noninterference. In order to promote competition under this part and in carrying out this part, the Secretary may not interfere with the negotiations between drug manufacturers and pharmacies and prescription drug plan sponsors; and may not require a particular formulary or institute a price structure for the reimbursement of covered drugs under part D."

Simple enough, right? The government cannot interfere with negotiations between private entities and cannot set price controls. The marketplace, free enterprise, will set the price of prescription drugs and do a much better job of driving down prices than some government bureaucrat.

Mr. Speaker, this is not a new idea. This language has been used in the same context before by one of the prescription drug bill's biggest detractors. This may come as a surprise to many of my colleagues on both sides of the aisle, but it is probably an even bigger surprise to the American people who are listening to the rhetoric from the opponents of the Medicare Modernization and Prescription Drug Act.

Let me quote a section from a prescription drug bill introduced in the Senate by the minority leader, TOM DASCHLE. MR. DASCHLE's bill reads: "Noninterference. In administering the prescription drug benefit established under this part, the Secretary may not require a particular formulary or initiate a price structure for benefits; may not interfere in any way with negotiations between private entities and drug manufacturers or wholesalers; or otherwise interfere with the competitive nature of providing a prescription drug benefit through private entities."

Democrats have been blasting the ban on negotiations as a giveaway to the drug industry. Yet their Senate minority leader included in his own bill a provision with the exact same effect as the non-negotiation provision found in H.R. 1. It seems to me that the minority leader and the Democrats are not being straight with America's seniors. On the one hand, the Senate minority leader says a non-negotiation clause is