

under the rigorous Federal drug approval process conducted by the Food and Drug Administration ("FDA"), which prohibits drugs from being sold or distributed in interstate commerce as medicine unless they have been proven in sound clinical studies to be both safe and effective for their intended use. To date, no sound scientific study has shown that smoking marijuana is safe and effective for any disease or condition. The Institute of Medicine has concluded that "[t]here is little future in smoked marijuana as a medically approved medication," and the British Medical Association linked its use to greater risk of heart disease, lung cancer, bronchitis, and emphysema. The DEA, in conjunction with the FDA, has approved and will continue to approve research into whether discrete ingredients of marijuana can be adapted for medical use. However, with respect to smoked marijuana, the clear weight of evidence is that it is not medicine—it is harmful.

Finally, any amendment that would restrict enforcement and prosecution in certain specifically named States, but not in others, would prevent the Department of Justice from uniformly enforcing the law throughout the United States. As a practical matter, residents of States listed in such an amendment would be exempted from Federal enforcement and persecution for cultivation, distribution, and use of marijuana in certain circumstances, while residents of other States would continue to face potential criminal liability for precisely the same conduct. We also note that the amendment would effectively establish a classification among residents of different States with respect to the enforcement of the Federal drug laws. Consequently, Federal persecution of persons in non-covered States for marijuana-related drug violations potentially could be subject to challenge under the equal protection requirements of the Due Process Clause of the Fifth Amendment, particularly in States that may enact future medical marijuana laws that are not covered by the language of this provision.

Again, the Department of Justice opposes any amendment restricting enforcement of the Controlled Substances Act. We appreciate your continued support of our efforts to continue meeting the goals of the President's strategy to reduce youth drug use in America.

If we may be of further assistance in this matter, please do not hesitate to contact us. The Office of Management and Budget has advised that there is no objection to this report from the standpoint of the Administration's program.

Sincerely,

WILLIAM E. MOSCHELLA,
Assistant Attorney General.

Ms. PELOSI. Mr. Chairman, I rise in support of this amendment offered by my colleagues SAM FARR, DANA ROHRBACHER, MAURICE HINCHEY, AND RON PAUL, and I salute their courage in bringing it to the House floor.

This amendment to the Fiscal Year 2005 Commerce, Justice, State, and Judiciary Appropriations bill would prohibit the Justice Department from spending any funds to undermine state medical marijuana laws. It would leave to the discretion of the states how they would alleviate the suffering of their citizens.

Eleven states, including my home state of California, have adopted medical marijuana laws since 1996. Most of these laws were approved by a vote of the people. More than 70 percent of Americans support the right of patients to use marijuana with a doctor's recommendation.

I am pleased to join organizations that support legal access to medical marijuana, includ-

ing the American Academy of Family Physicians, the American Bar Association, the American Nurses Association, the American Public Health Association, and the AIDS Action Council.

Religious denominations supporting legal access to medical marijuana or state discretion on this issue include the Episcopal Church, the Evangelical Lutheran Church, the National Council of Churches, the National Progressive Baptist Convention, the Presbyterian Church, the Union for Reform Judaism, the United Church of Christ, the Unitarian Universalist Association, and the United Methodist Church.

Proven medicinal uses of marijuana include improving the quality of life for patient with cancer, multiple sclerosis, and other severe medical conditions.

In my city of San Francisco, we have lost nearly 20,000 people to AIDS over the last two decades, and I have seen firsthand the suffering that accompanies this awful disease. Medical marijuana alleviates some of the most debilitating symptoms of AIDS, including pain, wasting, and nausea.

In 1999, the Institute of Medicine issued a report that had been commissioned by the Office of National Drug Control Policy. The study found that medical marijuana "would be advantageous" in the treatment of some diseases, and is "potentially effective in treatment pain, nausea, and anorexia of AIDS wasting and other symptoms."

To fight the war on drug abuse effectively, we must get our priorities in order and fund treatment and education. Making criminals of seriously ill people who seek proven therapy is not a step toward controlling America's drug problem.

Again, I commend Mr. FARR, Mr. ROHRBACHER, Mr. HINCHEY, and Mr. PAUL for their leadership on this issue, which affects the health and well-being of so many Americans.

Mr. KUCINICH. Mr. Chairman, I rise to support the Farr/Rohrabacher/Hinchey amendment, which will end federal raids on medical marijuana patients and providers in states where medical marijuana is legal.

Despite marijuana's recognized therapeutic value, including a National Academy of Sciences' Institute of Medicine report recommending its use in certain circumstances, federal law refuses to recognize its medicinal importance and safety. Instead, federal penalties for all marijuana use, regardless of purpose, includes up to a year in prison for the possession of even small amounts.

But since 1996, eight states have enacted laws to allow very ill patients to use medical marijuana in spite of federal law. The present administration, however has sought to override such state statutes, viewing the use of marijuana for medicinal purposes in the same light as the use of heroin or cocaine. In 2002, federal agents raided the Wo/Men's Alliance for Medical Marijuana or WAMM, an organization that under California state law legally dispensed marijuana to patients whose doctors had recommended it for pain and suffering. Eighty-five percent of WAMM's 225 members were terminally ill with cancer or AIDS.

The federal government should use its power to help terminally ill citizens, not arrest them. And states deserve to have the right to make their own decisions regarding the use of medical marijuana. I strongly urge my colleagues to support this amendment.

The CHAIRMAN. All time has expired on this amendment. The question is on the amendment offered by the gentleman from California (Mr. FARR).

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

Mr. FARR. 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 California (Mr. FARR) will be postponed.

Mr. WOLF. 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. OSE) having assumed the chair, Mr. HASTINGS of Washington, 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. 4754) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2005, and for other purposes, had come to no resolution thereon.

MAKING IN ORDER PRO FORMA AMENDMENT BY CHAIRMAN AND RANKING MEMBER TO EACH AMENDMENT MADE IN ORDER DURING FURTHER CONSIDERATION OF H.R. 4754, DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 2005

Mr. WOLF. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 4754 in the Committee of the Whole pursuant to House Resolution 701 and the order of the House of earlier today, the chairman and ranking minority member of the Committee on Appropriations or their designees each may offer one pro forma amendment to each amendment for the purpose of further debate.

□ 2030

The Speaker pro tempore (Mr. OSE). Is there objection to the request of the gentleman from Virginia?

There was no objection.

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 2005

The SPEAKER pro tempore. Pursuant to House Resolution 701 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. 4754.

□ 2031

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. 4754) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2005, and for other purposes, with Mr. HASTINGS of Washington in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole House rose earlier today, a demand for a recorded vote on amendment No. 6 offered by the gentleman from California (Mr. FARR) had been postponed, and the bill was open for amendment from page 57, line 18 through page 108, line 22.

Pursuant to the order of the House of today, the chairman and the ranking minority member of the Committee on Appropriations or their designees may offer one pro forma amendment to each amendment for the purpose of further debate.

AMENDMENT 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 offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available in this Act may be used to implement, administer, or enforce the amendments made to sections 740.12 of title 15, Code of Federal Regulations (relating to license exemptions for gift parcels and humanitarian donations for Cuba), and 740.14 of such title (relating to license exemptions for baggage taken by individuals for travel to Cuba), as published in the Federal Register on June 22, 2004 (69 Fed. Reg. 34565-34567).

The CHAIRMAN. Points of order are reserved. Pursuant to the order of the House of today, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 30 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, the Flake-Davis-Emerson-Delahunt amendment simply prohibits the enforcement on the new Department of Commerce restrictions published June 22 of this year.

These new restrictions added to the list of items prohibited in the sending of gift parcels, namely, clothing, personal hygiene items, seeds, fishing equipment, soap-making equipment, and veterinary medicine and supplies. As I read through the new list, it occurs to me that these items would promote self-sufficiency among Cubans.

The rationale in the new regulations, however, seems to promote a dependency of Cubans on their oppressive government, the same government that has deprived them of freedom for the past 45 years. To quote the Federal Register that contains these new restrictions: "Such parcels decrease the burden on the Cuban regime to provide

for the basic needs of its people." By prohibiting these items from being sent to Cuba, we are, in fact, promoting dependence of these people on a dictator.

This amendment would simply take us back to June 21 of this year, at which point several restrictions were already in place.

The message of this amendment is that it is unreasonable for our government to prevent Americans from sending clothes, personal hygiene items, seeds, et cetera to people in Cuba who are struggling under the dictatorship of Fidel Castro. Withholding of such items will have little affect on Castro and a significant effect on individuals who already struggle for the basics.

This amendment would also prevent the enforcement of the new restriction that says gift parcels can only be sent once a month per household instead of once a month per individual. Again, why should we limit the help that Cuban Americans can send to their families?

Finally, it would prevent the enforcement of the new restriction that says travelers are only allowed to carry 44 pounds of luggage, another way to limit the amount of help that can be sent to struggling families.

In Cuba, the average salary is about \$10 a month. When a Cuban family receives simple household items in a parcel, it can save its limited income and spend it on food and other necessities. It is hard to think of an economic sanction that does more harm to the welfare of families in Cuba or does more to make the United States seem mean-spirited towards families who already have the misfortune to live under Communism.

We Republicans have diverse views on the Cuban embargo, but we are united on family values; and we should stand up for them here.

As President Reagan said in 1984, "We must be careful, in reacting to actions by the Soviet Government, not to take out our indignations on those not responsible." I would submit, Mr. Chairman, that that is what we are doing here. We are taking it out on those who are not responsible.

The United States should not be targeting economic sanctions directly against Cuban families, nor should we take away from Cuban Americans the right that all immigrants have, to help loved ones who are left behind.

I urge support of the Flake-Davis-Emerson-Delahunt amendment.

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

Mr. WOLF. Mr. Chairman, I rise in opposition to the amendment, and I yield myself such time as I may consume.

Mr. Chairman, I rise in opposition to this amendment. Still allowed is food, medicine, medical supplies, equipment; receive only radio equipment for reception. It does not eliminate humanitarian aid. So the amendment prohibits implementation of a regulation that is still under development. This regula-

tion, as I understand it, would provide several categories of items that BIS has approved for export to Cuba, the eligibility requirements for gift parcels that can be sent to Cuba without a license.

The Commerce Department had told us that based on input from the public since they published the regulation and in consultation with the State Department, the Department is revising the rule.

Castro has a number of people that are in prison today, many speaking out for human rights; and I think it would be important to send a message; and, as a result of that, I rise in strong opposition to the amendment.

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

Mr. FLAKE. Mr. Chairman, I yield 5 minutes to the gentleman from Florida (Mr. DAVIS).

Mr. DAVIS of Florida. Mr. Chairman, I thank the gentleman for yielding me this time, and I respectfully disagree with the distinguished chairman of the subcommittee. I think this is a human rights issue.

This is not an issue about whether the embargo is going to stand with Cuba. This is a more fundamental issue about the human rights of Cuban-Americans living in the United States: in my home, the Tampa Bay area of the State of Florida, throughout the country, and their families who have been left behind in Cuba.

As the gentleman from Arizona (Mr. FLAKE) alluded to, under the new restrictions that have been announced by the State Department that have taken effect, we now as a country prohibit Cuban-Americans from sending to their own family members, soap, toothpaste, or underwear. Those will no longer be allowed to be mailed by family members in the United States to their families in Cuba. On top of that, these regulations specifically prohibit United States citizens from sending anything to family members other than their mother, father, brother, or sister. In other words, if you had a cousin or an aunt or uncle in Cuba that you care about and are trying to help, under this rule which has now taken effect, you can no longer send to them medicine or food or medical supplies.

This is tragic. This is absurd. This is unforgivable. This is something that we should not countenance as a House. This is not a policy we ever would have adopted as a Congress.

There are a few things that I believe people on both sides of this amendment agree upon: first, that the conditions under the horrific Fidel Castro regime are insufferable for Cubans and their families living down there; secondly, that for years, this government has done very little to help their people and will continue to do very little. We can also agree that one of the few sources of hope and comfort that families in Cuba have is the hope that their own family members will try to help them. I know from visiting Cuba 18

months ago with the gentleman from Arizona (Chairman KOLBE), I saw for myself the horrific, intolerable, unmerciful conditions this regime has inflicted on its own people. There are people walking around without adequate clothing, without adequate food, without adequate medical supplies.

Now, we are telling those people that we are going to take away one of the last sources of hope and support they have: their own family members who are trying to assist them by mailing to them food, medicine, clothing, toothpaste, soap. I represent a lot of people who work very hard so they can set aside money to buy the things that we take for granted every day in our own homes; and they mail it, they used to mail it to their family members, their aunts, their uncles, their cousins, their parents, their children. They can no longer do so under these regulations that are not in development; these regulations are in effect.

This is having an impact today on the lives of people here in the United States and in Cuba who are hanging on for dear life. We all know there are times in our lives where the only person you can count on to help you is your own family because the government lets you down, other people cannot or will not help you. This is one of those times in the horrific history of Cuba where family members are there. They are the only thing that is there to keep people alive, to keep them healthy, to keep them from starving; and we as a government have stepped in, through a rule that was developed very quickly without a lot of public discussion and debate, and we have cut off that family support.

This is not who we are as a country. This is not what we stand for. These are not our values. They are also not the values of these people in Cuba who are fighting to maintain their dignity and their health. We should adopt the Flake-Davis-Delahunt-Emerson amendment. We should repeal these rules. This is a mistake. I urge my colleagues to adopt the amendment.

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

Mr. Chairman, I asked to go to Cuba. The gentleman from New Jersey (Mr. SMITH) and I asked to go. We were denied. We were denied by Castro for the ability to go visit church leaders in Cuba. Yet, I constantly see, and I guess we are not supposed to mention the names of those in the other body, different members of the other body sort of floating into Havana and coming back out. We were not given the ability to go. The State Department was not able to help us. Castro would not let us go. So it would be a little more objective and a little more fair if those who are opposed to what Castro stands for who basically are taking the Reagan doctrine that he took to Eastern Europe there were able to go.

Even in the Soviet Union under the dark days of Krushchev, we were able to go; and when we went, we brought computers in and different things.

So I just want the record to show there has not been a case that I know of of any Member in this body, and there are good people on both sides, I know both sides do not favor Castro, but I have never seen a Member from this body who strongly opposes and speaks out against Castro to ever be given a visa to visit. You even have to go through the pro-Castro groups to ask for an opportunity to go.

So I think the record ought to show that I want to go. And for those of my colleagues who have been and feel that they speak a little bit and have some influence, pick a time and the gentleman from New Jersey (Mr. SMITH) and I will go and we will go into the prisons; we will go into the churches. But the gentleman from New Jersey (Mr. SMITH) and I have never been able to go.

Mr. Chairman, I yield 5 minutes to the gentleman from Florida (Mr. LINCOLN DIAZ-BALART).

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I thank the gentleman for yielding me this time.

As a matter of fact, when Castro denied the authority, because he knows very well who he does not want to allow from this body to enter Cuba, he called the gentleman from Virginia (Mr. WOLF) and the gentleman from New Jersey (Mr. SMITH) provocateurs for having sought permission to enter, because the dictator knows that the gentleman from Virginia (Mr. WOLF) and the gentleman from New Jersey (Mr. SMITH) would go and try to visit Dr. Oscar Elias Biscet and the other political prisoners, the thousands of political prisoners in Cuba. That is their attempt, and the dictator knows.

The issue here, Mr. Chairman, is very simple. The people who have family in Cuba, Cuban-Americans who send aid to family members in Cuba, are in our districts, in the district that I am honored to represent, in the district of the gentlewoman from Florida (Ms. ROSLEHTINEN), of the gentleman from Florida (Mr. MARIO DIAZ-BALART), and of the gentleman from New Jersey (Mr. MENENDEZ). But this amendment says, our constituents cannot know what is right for their families. This amendment says, we know better.

By the way, the gentleman from Florida made a series of statements that were factually untrue. He said that the new regulations that have just come into effect promulgated by President Bush prohibit humanitarian aid of food and medicine. I believe the gentleman from Florida said that. That is untrue.

The gentleman also said that the new regulations promulgated by President Bush prohibit family members from sending such humanitarian aid to immediate family members. He said that. That is factually untrue.

□ 2045

So I would recommend to the gentleman from Florida (Mr. DAVIS) that he read the new regulations.

Mr. DAVIS of Florida. Mr. Chairman, will the gentleman yield?

Mr. LINCOLN DIAZ-BALART of Florida. I think the gentleman should read the regulations first.

Mr. DAVIS of Florida. I have read the regulations.

Mr. LINCOLN DIAZ-BALART of Florida. Well, then why would the gentleman say that immediate family members would not be able to receive food and medicine?

Mr. DAVIS of Florida. If the gentleman would yield, I would be happy to answer his question.

Mr. LINCOLN DIAZ-BALART of Florida. Why would the gentleman say that if he had read the regulations?

Mr. DAVIS of Florida. Because under the regulations, if you are trying to send something down to your cousins, to your aunts—

Mr. LINCOLN DIAZ-BALART of Florida. That is not what the gentleman said.

Reclaiming my time, Mr. Chairman, the new regulations, this gentleman said and it is on the record, that food and medicine is prohibited to, he said, children and fathers and sons. So anyway, that is factually incorrect.

I am glad that he said he read the regulations, but obviously he did not understand them. Maybe he should read them again.

Now, Mr. Chairman, prodemocracy leaders inside of Cuba, the gentleman from Virginia (Mr. WOLF) just mentioned that he sought to visit with them, risking their lives, have sent us a statement that we received just a few days ago, supporting President Bush's measures, stating, "These measures of the United States Government are designed to bring about democracy in Cuba. These measures will not only benefit the Cubans who live on the island, but also those in exile, leading Cuba to a peaceful transition, and the people themselves will claim their legitimate rights which were stolen from them by the Communist dictatorship in 1959. The dollars that enter the country go directly into the coffers of Castro's Communist system, allowing them to continue enjoying the goods and pleasures that are denied to the Cuban people. They will continue to live above Cuba's working and exploited class, without even thinking of the common Cuban."

Now, they signed this. They risked their lives to send us this statement. Numerous prodemocracy activists. They are not, by the way, the so-called "dissidents" that are allowed by the regime to travel the world to get awards or to come here to Congress to lobby against sanctions on the dictatorship. These are people in the political prisons or risking their lives because they know that at any moment they could be thrown into those totalitarian gulags and given sham trials where they are sentenced to decades in the gulag.

But this amendment, Mr. Chairman, says, We know better than those people. This amendment, Mr. Chairman, is

dishonest. This amendment is condescending. It seeks to undermine an entire policy that President Bush has just implemented to serve the interest of a brutal dictatorship.

The Democratic Party November 30 "Frank País", along with the November 30 Movement in Exile, after debating the pros and cons of the new measures that will be enforced beginning June 30, 2004 state the following consensus:

As far as we are informed, we agree to accept the measures imposed by the United States government. We know that they are designed to bring about democracy in Cuba.

We recognize that many common Cubans will be severely affected and specially the children, the elderly and the ill but we, as members of the Cuban opposition, will try to care for those families as best we can, relying on the unconditional assistance of the Exile community.

On the other hand, there are tens of thousands of Cubans who live off the remittances sent to them by their families in the United States. They even travel to the United States and do nothing to help improve the situation of common Cubans.

We believe, and are almost certain that these measures will not only benefit the Cubans who live on the island, but also those in Exile, leading Cuba to a peaceful transition and the people themselves will claim their legitimate rights, which were stolen from them by the communist dictatorship in 1959.

It is important that the people know that the government of Fidel Castro, as a decaying system, no longer has anywhere to purchase goods because it is in debt to the entire World and the dollars that enter the Country go directly into the coffers of Castro's communist system, allowing them to continue enjoying the goods and pleasures that are denied to the Cuban people. Furthermore, they will continue to live above Cuba's working and exploited class, without even thinking of the common Cuban.

Many families live off the clothes and shoes that their families in Exile work so hard to send them, but the Cubans over there, just like the ones here, must remember that the first one who separated the Cuban family was Castro's communist government, who forbade the people from receiving even a single letter from relatives. Many Cubans—far from going out on the streets in protest—chose to settle in Exile and now they protest against whom they should not protest. They should come and protest against Fidel Castro who is the only one responsible for all these measures.

The double standard must cease, they must go out into the streets if they wish to receive remittances to change the grey and sad destiny of the homeland of Martí. Let no one doubt it, victory is closer each day. We only need the unity of all, and with all, of all and by all, therein lies the success of victory against the dictatorship that for 45 years has sunk the people of Cuba into mud and misery.

We are counting on you, our Cuban brothers and sisters in Exile and within Cuba.

Long Live a Free Cuba!

Havana, June 27, 2004.

Mirta Villanueva.

Reinaldo Gante Hidalgo—activist of the November 30 Movement; Ernesto Medina Pascual—activist of the November 30 Movement; Camilo Pérez Villanueva—activist of the

November 30 Movement; Alfredo Vapán Márquez—activist of the November 30 Movement; Luis Almansa Veleta—activist of the November 30 Movement; Victor Junier Fernández Martínez—activist of the November 30 Movement; Ada Kaly Márquez Abascal—National Coordinator for functions of the Democratic Party November 30 "Frank País" and correspondent for the Oriental Zone of the Information Bridge Cuba-Miami.

Statement given via telephone by Ada Kaly Márquez Abascal—National Coordinator for functions of the Democratic Party November 30 "Frank País" and correspondent for the Oriental Zone of the Information Bridge Cuba-Miami, for the Information Bridge Cuba-Miami and Net For Cuba on the 27th day of June, 2004.

I would ask all of our colleagues to reject this amendment, to support President Bush's policy to hasten the democratic transition in Cuba. Oppose the Flake amendment.

Mr. FLAKE. Mr. Chairman, I feel compelled to say again, this is not about travel. This is about the freedom of Cuban Americans to send packages of soap and clothing and personal hygiene items to their families in Cuba.

Mr. Chairman, I yield 5½ minutes to the gentleman from Massachusetts (Mr. DELAHUNT).

Mr. DELAHUNT. Mr. Chairman, I thank the gentleman for yielding me time. I yield to the gentleman from Florida (Mr. DAVIS).

Mr. DAVIS of Florida. I just want to further respond to the gentleman's comments because I agree, we need to be clear on the facts. We will disagree on the policy. The rule specifically states that if you are sending something to a spouse, a child, a parent or a grandparent, you can send down food and medicine. But if you are sending something to an aunt, uncle or cousin, you cannot, and that is what the regulations say. And with respect to anybody in your family, you are prohibited from sending down soap, toothpaste or clothes. So I think that sets the record straight.

Mr. DELAHUNT. Mr. Speaker, in a recent interview, the chief of staff of Secretary of State Colin Powell said that the U.S. embargo has not worked for 40 years. "It is crazy," he said. And, again, I am quoting the chief of staff to Secretary Powell. He went on to say, "It is the dumbest policy on the face of the Earth." That is his language.

Well, let me suggest now it just got dumber. Several weeks ago, as the others have said, these new regulations were implemented by the administration. Allegedly they are designed to hasten Cuba's transition to a free and open society, which I think we all agree is a worthy goal. But, tragically, the impact of these changes fall heaviest on Cubans on the island and their families here in the United States who want to help them, to assist them.

It is as if 45 years of this tough approach has not already been proven to be an abysmal failure. So today's debate on this moment focuses clearly on one of the most absurd of the new pro-

visions. The regulation of the Department of Commerce that takes the existing restrictions on the contents of gift packages to their relatives from Americans to their relatives in Cuba, and narrows the list even further.

The new rule would make it illegal for U.S. citizens to send Cuban relatives clothing, soap, shampoo, and other personal hygiene items. And furthermore, since June 30 it is now illegal to send parcels to cousins, aunts, nephews, anyone who is not a member of your immediate family. It is also illegal to send more than one nonfood gift parcel each month to a household, for up until now you could send a monthly care package to each individual in a household. But that is over.

So now it is U.S. foreign policy to prohibit American citizens from sending their relatives soap and shampoo and clothes. I would suggest this hardly constitutes weapons of mass destruction. And the U.S. government is breaking new ground, because it is now in the business of defining family for its own citizens.

Under these regulations, grandparents trump uncles and sisters beat out cousins. In past debates in this Chamber about restrictions on the right of Americans to travel to Cuba, I have referred to the travel police. Well, now we have the shampoo police. We have the soap police. We have the deodorant police. We have the clothing police guarding, at taxpayers' expense, against the possibility that these items might make it across the Florida straits.

This is just as much folly as the fact that the Treasury Department now has more people tracking grandmothers bicycling in Cuba than it does looking at the finances of Osama bin Laden and Saddam Hussein. What in the world are we doing? What have we come to?

You might want to review some of the other new regulations, two announced at the same time, like limiting family visits to once every 3 years with no humanitarian exceptions such as the occasion of the death of a mother, the death of a father, the death of a daughter or the death of a son.

President Bush got it right 2 years ago when he went to Miami and said, I love being with my family. There is nothing more important than family in my life. But he got it dead wrong when he announced these regulations. They are antifamily, they are mean-spirited, and they are un-American; and I urge support for this amendment.

Mr. WOLF. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. DELAY).

Mr. DELAY. Mr. Chairman, sometimes our speeches get away with us and trivialized. The oppression of people in Cuba, sometimes in making a speech we joke about what is going on in Cuba as if it does not even exist. I think that is pretty unfortunate.

People are dying in Cuba. They are imprisoned in Cuba. The entire island

is nothing but a prison of a Communist dictator. The author and proponent of the Flake amendment does not intend to help Fidel Castro's brutal regime grind its boot heel of tyranny deeper into the necks of Cuban people, but that is exactly what this amendment will do.

The premise upon which the Flake amendment is based is that gift packages sent from the United States to Cuba will be delivered to their addresses by some chipper little mailman with a wink and a smile.

No, Mr. Chairman, it works more like this:

A family of refugees in Miami hears that their relatives in the proletarian paradise that is modern Cuba are short on capitalist luxuries like clothing or soap. So this family gathers together a package of supplies to help their relatives get through the month.

The U.S. Postal Service delivers the package to Cuba where it is taken to a central depository. Once the package is secured by Castro's goon squads, the relatives are notified of its arrival and of the price that they must pay to have it released.

More than a billion dollars of charitable goods are given to the Cuban people by their friends and families from America every year, either in gift packages or personal deliveries by relatives. That is \$1 billion that Castro does not have to spend on government services but instead can spend on overtime for his secret police.

Meanwhile, under this arrangement, Castro's regime has pocketed more than \$36 million over the last 2 years in revenues from "delivery fees."

Now, whether this \$36 million went to fund international terrorism, more efficiently torture political prisoners, or simply put in an Olympic-size jacuzzi in Castro's rec room, we do not know. What we do know, however, is that Fidel Castro gleefully, gleefully, profits off the generosity of Cuban-Americans and the desperation of the Cuban people.

This is Totalitarian Dictatorship 101, Mr. Chairman. There is practically a chapter on it in the Communist Manifesto. And it is the very arrangement that our Commerce Department will curb with these new regulations. The new regulations ensure, I say to the gentleman from Massachusetts (Mr. DELAHUNT), ensure that the goods sent to Cuba are truly humanitarian. They will thereby cut into Castro's profits. They are supported by the Cuban-American community and, given the chance, they will work.

The Flake amendment, however innocuous it would seem, would undo those regs, further underwriting Communist oppression and welcome Castro's vile snout back to the trough of American charity.

That is why this amendment will not do. And that is why I urge my colleagues to stand with the Cuban people and vote no.

Mr. FLAKE. Mr. Chairman, I yield 5 minutes to the gentlewoman from Missouri (Mrs. EMERSON).

Mrs. EMERSON. Mr. Chairman, the Flake amendment is very simple, and I will repeat what my colleagues have heretofore said. It prevents the Department of Commerce from carrying out new misguided regulations, further restricting gift parcels and personal baggage going to Cuba.

Now, the stated purpose of these regulations, as my colleagues have said, is to prevent gift parcels sent to Cuba from supporting the Castro regime.

□ 2100

In reality, we all know that these regulations will have little effect on the Cuban regime and, instead, will seriously hinder the ability of Cuban-Americans to send critical humanitarian aid to their family members in Cuba.

I want to examine, if I could, Mr. Chairman, again some of the supposedly regime-supporting items that these Commerce Department regulations would prohibit Cuban-Americans from sending to family members in Cuba as a gift parcel.

Seeds, so that a family might plant vegetables or flowers; clothing; personal hygiene items; fishing equipment; soap. Now, do those sound like items that if withheld from the Cuban people are going to bring down Castro's regime? I do not think so. There will be an impact, and there is no question that Cuban families will suffer.

Mr. Chairman, imagine living with the knowledge that a member of your family residing in Cuba cannot afford adequate clothing, and we all know that the Castro regime makes it almost impossible to afford clothing, new items; but imagine that you could not send him or her this very basic item. Oh, you could send them a receive-only short-wave radio, but you cannot send them clothing or Kleenex, toilet paper? Come on. This is absolutely ridiculous.

I know personally that if I had distressed family members in Cuba or any other country, that this country might prohibit me from sending items to them, that I would use every tool available in order to assist them. Securing travel to Cuba, I might try to pack as many essential items for my family that I could fit into my luggage; but then again, my efforts would be in vain because I would run into these restrictive Commerce Department regulations. These regulations would keep me from bringing more than 44 pounds of luggage per passenger, including my own personal clothing for the trip.

By the way, as my colleague, the gentleman from Massachusetts (Mr. DELAHUNT), said, thanks to the new regulations issued by the Treasury Department, I could only visit family in Cuba once every 3 years. It is kind of hard to pack 3 years of assistance to your family in 44 pounds of luggage. In this situation, how am I supposed to send my family clothing and other essentials?

These regulations, Mr. Chairman, do not reflect this Nation's family values.

I think, Mr. Chairman, that family values mean letting family members help each other.

The Cuban people have experienced enough oppression. Let us not fund policies that cut them off from their families, intensifying their hardship. Vote for commonsense policies that reflect our values. Vote "yes" for the Flake amendment.

Mr. WOLF. Mr. Chairman, I yield 7 minutes to the gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. Mr. Chairman, I thank my wonderful friend, the gentleman from Virginia (Mr. WOLF), for his steadfast leadership throughout the years in favor of human rights; and that is really what is before us today.

I know that it is tempting to make quips and jokes about this situation. It is not very funny to the Cuban people. It goes at their expense, but I want to point out some of the facts that have been misrepresented on the other side.

There will be no soap police. There will be no deodorant police. I know this is so funny. There is not much laughter in Cuba since Castro took office illegally. There will be no shampoo police because of these regulations, no toothpaste police. Call the Commerce Department and find out what the regulations say. All of those goods will be allowed to go into Cuba. Call the Commerce Department tomorrow and my colleagues will read what the regulations say. Please read them.

I rise in strong opposition to the Flake amendment. Mr. Chairman, after the deplorable attacks against our Nation on September 11, we committed ourselves to denying terrorists and their sponsors the financial resources to threaten the United States and our allies and our interests, and this became the pillar of our foreign and our domestic policy in our war against terrorism.

Yet, when President Bush takes steps to deny more than \$1 billion annually to the Castro regime, a rogue regime that has been repeatedly classified by our own State Department as a state sponsor of terrorism, the President is rebuffed and undermined.

After reviewing the evidence of how the Castro regime has manipulated U.S. regulations to fill the coffers of his regime, the President was compelled to act firmly and expeditiously, and what was this evidence? I will tell my colleagues, Mr. Chairman.

More than \$1 billion annually in funds and goods are sent to Cuba from those living outside the island through the shipments of gift parcels, remittances, and from vacations. In the year 2002 to 2003, the Castro regime received over \$36 million in revenues from delivery of gift parcels. He is making a lot of money.

The regime earns another \$20 million per year from excess baggage fees and customs duties, and the proponents of this amendment would ask us to ignore these facts, and they will claim that they would justify their positions using

humanitarian claims, while Castro becomes one of the richest men in our hemisphere.

The facts are the following: the new regulations continue to allow gift parcels for humanitarian reasons. That is the truth. That is the fact, but focus these gift parcels to include truly necessary items such as medicines, medical supplies and devices and unlimited food, just to name a few; and the fact is that gift parcels can be sent to immediate family members. This will ensure that the senior regime and Communist Party officials are not the beneficiaries.

Again, I ask my colleagues, what is wrong with a policy that seeks to deny the Castro dictatorship millions and billions in hard-earned currency? This Castro dictatorship is a regime that just a few days ago, just a few days ago from today hosted the foreign minister of Iran and other Iranian regime officials. What happened there?

The Iranian officials thanked the Cuban dictator for the regime support for Iran's nuclear quest, and he indicated that Iran and Cuba must stand together against U.S. efforts to deny Iran access to nuclear technology.

The Iranian foreign minister underscored the significance of sharing expertise and technical knowledge between two countries in various enterprises.

He said he "conveyed the warm greetings" of Ayatollah Khomeini and Khatami to Castro for "resisting the political and economic pressure" from the U.S.

What pressure was he referring to, Mr. Chairman? The very regulations and policies that we are debating today, that the proponents of this amendment seek to revoke.

The Iranian foreign minister also referred to Castro's 2002 visit to Iran. He called it a turning point in relations between the two countries, leading to stronger Cuba-Iran ties; and notably, it was during this visit that Fidel Castro, with the Ayatollah, stated, "Together, Cuba and Iran can bring America to its knees."

So this stronger Cuba-Iran relationship that the foreign minister was referring to is built on this mission, this shared goal of destroying the United States.

So I ask, why would we want to assist the Castro regime, a regime that seeks to destroy our country? Why would we want to assist this regime? What is wrong with trying to deny the Castro regime the financial means to pursue this goal of bringing America to its knees?

The facts speak for themselves, Mr. Chairman. The new regulations implemented by the President are in keeping with our global anti-terrorism efforts, specifically targeting terrorism financing. They do not affect true humanitarian flows between the U.S. and the Cuban people. They do not, and as our dear former President Ronald Reagan would say, toward those who would ex-

port terrorism and subversion in the Caribbean and elsewhere, especially Cuba, we will act with firmness.

So I hope that our colleagues will act with firmness, will follow the Reagan example and act with firmness against the Castro regime because the Commission for Assistance to a Free Cuba has given us a mandate to identify measures that are going to help the Cuban people bring an end to the Castro dictatorship, and this is an element of a plan for U.S. assistance to a postdictatorship Cuba.

Castro has exploited U.S. humanitarian policies to shift burdens that should be assumed by the Cuban state; and instead, he has used it to generate hard currency that he uses to maintain the regime's repressive apparatus. These families can continue to send on a monthly basis medicine, medical supplies, food, personal hygiene products to their immediate family members, and also, and we have not talked about it, but nongovernmental organizations are providing humanitarian support and assistance to civil society groups in Cuba, and they will continue to do so with the President's recommendations.

I thank the chairman again for his time.

Mr. FLAKE. Mr. Chairman, may I inquire as to the time remaining.

The CHAIRMAN. The gentleman from Arizona (Mr. FLAKE) has 13½ minutes remaining. The gentleman from Virginia (Mr. WOLF) has 14 minutes remaining.

Mr. FLAKE. Mr. Chairman, I yield myself such time as I may consume before yielding to the gentleman from Massachusetts.

I just wanted to clarify what the rule actually says. The rule we are seeking to amend states this rule removes seeds, clothing, personal hygiene items, veterinary medicine and supplies, fishing equipment and supplies, and soap-making equipment from the list of commodities that may be sent to Cuba in gift parcels.

Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Chairman, I rise in support of the Flake-Davis amendment. This amendment will help not the Cuban regime, but this is an amendment that will help the Cuban people.

Mr. Chairman, for the past 5 years, this House and the other body have voted time and time again to lift various U.S. restrictions on travel and on commercial food and medicine sales. Yet this administration has moved with ruthless determination to tighten and increase restrictions on heretofore legal interactions between Americans and Cubans.

Who have they targeted to be most affected by these new rules and regulations? Who is so subversive, so threatening to our national security that they must face tighter and tighter and tighter restrictions on their activities?

Well, it is not members of the Cuban Government. Mr. Chairman, it is Cuban families that will suffer as a result of these new policies.

The Bush administration has even gone so far as to redefine what the word "family" means for Cuban-Americans; and it does not include uncles or aunts or cousins or nephews or nieces, let alone your godparents or godchildren or any other member of your extended family. As far as the Bush administration is concerned, if these extended family members are beloved by a Cuban living in America, too bad.

As the sponsors of this amendment have already described, the new Commerce Department policies demand that Cuban-Americans in the United States restrict humanitarian or gift parcels to just one per household in Cuba once a month, rather than a parcel once a month to each individual family member, and while the package may include food, it cannot include seeds so that the family might grow more of their own food or fishing equipment so that they might catch their own food or veterinary medicines and equipment so that a family might care for animals that help them supplement their diet or income.

While the parcel may include medicines, it cannot include personal hygiene items or soap-making equipment; and I would say to my colleagues here, I have the regulations. They are right here in black and white. I am happy to show them to my colleagues and give them to them so they can read.

While Cuban-Americans can send their family members receive-only radios, they cannot send them clothing. Clearly, in the minds of officials at the Commerce Department, listening to Radio Marti is a greater priority for Cuban families than adequate clothing.

Mr. Chairman, our Nation has always placed an emphasis on families, on family values, on the reunification of families. As a Nation of immigrants, we have thrived on supporting our extended families, both those living in the United States with us and family members still struggling to survive in their mother countries.

The new restrictions issued by the Commerce Department make a mockery of this common heritage that binds all Americans together. No matter what any Member of this body believes about the rightness or wrongness of our current policy toward Cuba, and for the record, Mr. Chairman, I believe that our policy is a miserable failure, but no matter what one believes, we should not place the burden and price of those beliefs on Cuban-Americans and their relatives still living on the island.

No constituency in America has fought more fiercely for a free Cuba. Yet, these are the very families Commerce is going to punish.

□ 2115

These new policies were specifically made to isolate Cubans on the island

from their relatives in the United States. They were specifically made to increase the hardships faced by those families.

Mr. Chairman, these new policies are cruel, these new policies are inhuman, and these new policies are cold-hearted and their enforcement should not be funded.

Mr. Chairman, I urge my colleagues to vote in support of the Flake-Davis amendment.

Mr. WOLF. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. The gentleman from Virginia has 14 minutes remaining.

Mr. WOLF. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. ROHRBACHER).

Mr. ROHRBACHER. Mr. Chairman, I rise in strong opposition to this amendment, which would weaken the pressure on Castro's gangster regime. Yes, Cuban families will be suffering. Yes, Cuban families will suffer more than they suffer now. But they are not suffering because of the United States of America. No.

It is always America's fault, right? It is always America's fault whether the Cuban people are suffering or any of the people who live under tyranny are suffering anywhere in the world. It is always our fault.

No, the people of Cuba are suffering, as they have for the last 3 and 4 decades, because of the Castro regime. It is a brutal dictatorship that has suppressed the people, that has eliminated freedom, that has permitted the economy, that once-proud economy, one of the most prosperous economies of the hemisphere, to go right down the tubes.

The people of Cuba know why they are suffering. It is not because of the people of the United States. And, in fact, we should have policies that differ between democratic countries and dictatorships. If we have the same policies, what pressure are we going to be able to put on these dictatorships to change? That leaves us with only the military option. We should have an economic policy that will pressure this hemisphere's most brutal dictatorship, and we should make sure that we do not relieve that pressure at this moment.

It is important that the people of Cuba fully understand the consequences of Castro's dictatorship. It is not the fault of the people of the United States, as we have heard here. It is not the fault of this administration. It is the fault of this bearded dictator who has murdered all of his opposition in Cuba. That is why there is no prosperity. That is why the people are living in misery. It is not because of anything we are doing here.

Yes, we should put economic pressure on Cuba to get rid of Castro. Castro has not only a dictatorship that oppresses his people, he supports insurgents and terrorists throughout this hemisphere. He uses his territory as a base of oper-

ations that is designed to hurt the people of the United States of America.

Fidel Castro rules with an iron fist. Yes, you do not grow much food when you have iron fists on your hands. That is right, you do not grow much food and you do not have a high standard of living when you spend all your money subsidizing terrorists and a heavy military regime, as Castro has. That is why the people of Cuba are suffering.

The best thing we can do right now is continue the pressure on Castro until he is gone. That is what we can do for the people of Cuba. And if we right now take the measure that is being suggested by the Flake amendment, it will be seen as a weakness on the part of the United States towards this hemisphere's most brutal dictatorship. It will not encourage change for the better, it will encourage intransigence on the part of dictators and terrorists like Fidel Castro.

It is time for us to oppose any type of suggestion like that proposed by the Flake amendment today.

Let us be for Cuba and the people of Cuba, for freedom and democracy, and say, yes; Cuba, si; libertad, si; Castro, no mas.

Mr. FLAKE. Mr. Chairman, I yield myself such time as I may consume before yielding to the gentleman from Idaho.

I would just say that let us do stand for freedom, let us allow Cuban Americans to observe the freedom that they have to send personal hygiene items and food, medicine, and clothing to their family members in Cuba.

Mr. Chairman, I yield 3½ minutes to the gentleman from Idaho (Mr. OTTER).

Mr. OTTER. Mr. Chairman, I thank the gentleman from Arizona (Mr. FLAKE) for his leadership and once again for bringing forth, I think, a very important doctrine relative to our policy here in the Western Hemisphere.

I rise today in support of this amendment, with great concern about the more than 40 years of failed American policy towards Cuba.

We talk a lot about bringing democracy to Cuba and other parts of the world, especially for those who have suffered under the cruel fist of Communist tyranny for decades. Yet for decades we have worked to shut off their access to their very best hope for freedom, and that is to experience it by conversing with people who are free, or at least were free up until June 30, when once again we adopted another tyrannical national policy toward Cuba.

Instead of bringing about positive change for the people of Cuba, this decrepit policy has hurt ordinary Cubans. It has hurt their families and has deprived ordinary Americans of the opportunity to become ambassadors of freedom. The new restrictions that were put into effect last month only cripple our ability to see change come to the Cuban people.

We say we are trying to help the Cuban people, but by imposing even

stricter limits on how Cuban Americans can help their family members in Cuba, these changes hurt not only the Cuban Government but ordinary Cuban citizens who are struggling under that very dictatorship that we try now to depose.

These new restrictions and the underlying policies are unreasonable and fly in the face of what everyone knows is the best way to make people hungry for change, and that is to show them the benefits of what they are missing and the benefits of what they will gain by changing.

Is anyone surprised, then, that in 4 decades we have seen little change in the Cuban political climate? How can we claim to support families while our policies encourage the breakdown of family units by limiting the support of Cuban Americans that can provide family members while they struggle in Cuba? How can we claim to value our God-given freedoms, while denying American citizens the right to move about the world as they please? And how can we claim to want a free and democratic Cuba while refusing the Cuban people the opportunity to see freedom in action and at its best?

Our failed Cuban policies toward Cuba cannot continue. Making them tougher only makes them worse. If we truly seek to end ruthless and brutal human rights violations in Cuba while showing the Cuban people the way toward social and economic freedom, we must begin by changing our own policies of restriction and denial. I urge the support of this amendment.

And let me just say in closing, Mr. Chairman, that I wonder, because I have heard tonight about the iron fist, the restrictions, the suppression, and government directed. Is that not what we are talking about in our directions toward Americans and their want of travel to Cuba? Is that not what we are talking about in our government restricting the activities and relationships between families? Is that not what we are talking about with our religious associations and the lack of our ability to have our religious associations go to Cuba? Is that not what we are talking about when we are afraid, for some reason, to expose the Cuban people to another form of political thought?

I wonder from where that iron fist and that tyrannical hand comes into play?

Mr. WOLF. Mr. Chairman, I yield 30 seconds to the gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. Mr. Chairman, I have the greatest respect for my good friends, but as a naturalized American, as a political refugee from an enslaved Communist regime, I would hope that my colleagues would never compare this greatest Nation on Earth, the United States of America, the beacon of hope and democracy for oppressed people everywhere, to what is going on 90 miles from my constituency, the beast of Fidel Castro, who enslaves his

people and who denies his people basic liberties.

Please do not insult my adopted country in that manner.

Mr. WOLF. Mr. Chairman, I yield 2½ minutes to the gentleman from Florida (Mr. FEENEY).

Mr. FEENEY. Mr. Chairman, it is an important night tonight, because I find myself in between a fight with two sets of freedom fighters, two groups that care deeply about freedom. But the suggestion made by the last speaker, who is a dear friend of mine, that we are interrupting relations between families, in my view, is a little bit like saying that somehow the United States was responsible for a catastrophe visited upon us by Hitler because we refused to give Anne Frank lunch buckets before the Holocaust.

My colleagues, there is way too much at stake here to sit back and say that this is a totalitarian regime that we are going to do business with. I have freedom fighters, including the sponsor of this amendment, who is a hero of mine, the gentleman from Arizona (Mr. FLAKE), who believes deeply in limited government. He believes deeply in free trade. He believes deeply in the things that make our country and free nations great. But I have to say that the question before us tonight is, are we going to accommodate, will we appease, will we compromise with, will we do business with, will we facilitate, will we provide basic resources to a dictator that has put his own people in jail, under the knife in prison, who has basically undermined every single basic liberty we have ever experienced?

Our own State Department has identified, as one of the sixth major exporters of terrorism, the Cuban government. Are we going to recognize that, or are we going to reward that and facilitate that? That is the question here tonight. The question is what Lady Freedom would do here tonight.

I have freedom fighters on both sides of this argument and people I respect. But fundamentally if we send the message to Castro that he and whoever replaces Castro can stay forever and punish freedom, throw 70 reporters in jail on an annual basis simply for reporting the truth, if they will constantly undermine what is good about our free world, then we have got to live with ourselves as the price comes due for allowing freedom to be undermined.

It is true that this is a policy that for some 45 years has not worked. The first 35 the Soviets supported them. With the last 10 years, we have had a chance to undermine Castro. Mr. Chairman, I ask my colleagues to please oppose the amendment.

Mr. FLAKE. Mr. Chairman, may I inquire as to the time remaining?

The CHAIRMAN. The gentleman from Arizona (Mr. FLAKE) has 5½ minutes remaining and the gentleman from Virginia (Mr. WOLF) has 8 minutes remaining.

Mr. FLAKE. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. FARR).

Mr. FARR. Mr. Chairman, I thank the gentleman for yielding me this time. I think we have to stop and listen and look at what is going on here. What we are talking about is regulations that went into effect 7 days ago. These are new regulations. There was no oversight by Congress. We are providing the opportunity here to give that oversight and to do the checks and balances.

The regulations are anti-American because they only affect us. They do not affect Cubans. We are the ones that cannot do this. Our government is telling us that we cannot be compassionate Americans. We cannot send seeds, cannot send clothing, cannot send fishing equipment, cannot send soap to people in another country. And we are going to have to have a police force that goes out and enforces that? That is not a compassionate America.

We cannot be a country that says that we can leave no child behind when we cannot even send hygiene products to this country. We cannot. Americans cannot. We can send to every other kid in the world something that we cannot send to Cuba. That is not leave no child behind.

What are we afraid of? What are we so afraid of that we have to make these regulations so restrictive that we Americans just cannot send a goodwill package to people? How are we going to have friendships? How are we going to instruct about democracy? How are we going to talk about this great country?

This country is turning into the ugly American, the really ugly American by making these really dumb and anti-American restrictions; and we in Congress should lift them by voting for this amendment.

Mr. WOLF. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Chairman, I rise in strong opposition to this amendment. We all know that Castro was kept alive for decades by the Soviet regime, and they have collapsed. So how does he stay alive? One of the things he is doing is he is making a lot of money from people that are going back and forth and back and forth.

□ 2130

There are Americans essentially vacationing down there, and to say, You cannot send packages, you cannot go at all, I mean, these are gross exaggerations.

This is a very well-thought-out policy of the President of the United States, and we should support our President in this. And the Cuban Americans in my district, it amazes me for people to get up and say the Cuban Americans do not like this. The Cuban Americans in my district like this. They think it is a very good thing to do, that Castro is being helped by the previous policy and that this policy will be much, much better for our foreign policy interests, which happen to be to support freedom.

And I think this is a very poorly thought out amendment. Vote against it. Support the gentleman from Virginia (Mr. WOLF) in this.

Mr. FLAKE. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. PAUL).

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

Mr. Chairman, I rise in strong support for this amendment. This, to me, is a freedom issue, as the gentleman from Florida has indicated. I think everyone in this body is concerned about freedom in Cuba, and we should be, and we should do whatever we can to encourage it, but obviously some believe you can encourage freedom by sanctions, which has not worked very well, but it seems to boggle my mind that if we restrain freedom here, that we help freedom there.

This is what we are doing. We are restraining the freedom of our people to send a package, and of course not dealt with in the amendment, but travel as well.

The founders of this country gave strong advice to us, and for 100 years or so we followed it. They said friendship and trade with everyone who is willing, alliances with none; and that is pretty good advice. But what have we done in recent years? We have a hodgepodge when we deal with other countries.

Just think of what has happened recently. We took the gentleman from Libya, the so-called gentleman Omar Qadhafi, who is now scheduled to shoot four nurses and a doctor, and we have given him normal trade sanctions, and we are going to subsidize trade with him. And here he admits to having shot down one of our airplanes or blown up one of our airplanes. He is a terrorist, but here we are dealing with him in that way.

We have trade with China. Things have gone better with China, not worse.

Where are the free traders? It really bothers me when I hear the free traders who promote free trade in every other area except the freedom of an American citizen to send a package to Cuba.

I do not believe you can enhance freedom in Cuba by limiting the freedom of American citizens. We must be more open and more confident that freedom of choice by American citizens is worth something to defend; and I stand strongly for this amendment and I compliment the gentleman from Arizona (Mr. FLAKE) for bringing it to us.

Mr. WOLF. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Chairman, I rise in opposition to this amendment, and I will tell you why. Ask the Cuban exiles if they support this amendment. Every single one of them in my district says no. They know what Castro represents. Ask Cuban exiles all over.

I want to be able to walk into a free Cuba with the gentlewoman from Florida (Ms. ROS-LEHTINEN), with the gentlemen from Florida, the DIAZ brothers, and the millions of people that

have been exiled out of Cuba. What is helping the Cubans is to get rid of Castro.

Mr. Chairman, this is also personal. Here sat the gentleman from Texas (Mr. SAM JOHNSON) tortured, tortured brutally by Castro interrogators. They took a pistol and blew the head off of one of our Americans that was a prisoner of war in Vietnam. Remember Elian Gonzales? Remember them shooting down an American airplane that was along their coast?

You know, I do not forget things. Look at the movie Hanoi Hilton. It is not made up. I see people shaking their heads. A Castro torturer stood and held a gun to an American prisoner of war and blew his head off. Ask SAM JOHNSON. He was there. And it is appalling.

Now, there are American stakes. Some of my friends said, Well, DUKE, we are trying to open up agriculture trade. We represent agriculture districts in the opening up of sanctions to Cuba. Sometimes things are worth fighting for. Sometimes things are worth giving up.

Let us give up a little bit so that the Cuban people can be free and that Castro dictator can be eliminated. God bless this country. To hell with Castro.

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

Ms. LEE. Mr. Chairman, I want to thank the gentleman for yielding me this time and for his leadership in sponsoring this very common-sense amendment.

The point is very simple and clear. Not one dime, not one penny of U.S. tax dollars should be spent to regulate how much soap and toothpaste Cuban Americans can send to their loved ones. Very basic.

I know that many want to topple the Castro government. Regime change, of course, has been central to United States foreign policy under the Bush administration. I happen to believe, however, that we should end the embargo, allow Americans the right to travel, which is their right, and also allow families to embrace each other. Forty-five years of an embargo against an Afro-Hispanic country 90 miles from our shores is fundamentally wrong and immoral.

The United States has normal relations with China. Even the Cuban dissidents believe that ending the embargo makes sense for that cause. This amendment does not even do that. All it does is allow soap and toothpaste and gift boxes to be sent to Cuban people. We should support this modest amendment and stop punishing ordinary people because of a backwards foreign policy.

Mr. WOLF. Mr. Chairman, I yield 3½ minutes to the gentleman from Florida (Mr. MARIO DIAZ-BALART).

Mr. MARIO DIAZ-BALART of Florida. Mr. Chairman, I just heard that the dissidents in Cuba do not support the sanctions. That is just not correct. As a matter of fact, yesterday, Mr.

Antunes, a black Cuban leader who has been in prison since he was 16 years old, imprisoned by that white Spanish son, and grandchildren of Spanish people, Spanish white people who have imprisoned mostly blacks, and again the blacks in prison like Dr. Biscet, like Mr. Antunes, all support these sanctions.

Let me just tell Members who do not support the sanctions: Castro himself does not support sanctions, he supports this amendment as a matter of fact. But the primary reason we have heard today for this amendment, and we have heard it time and time again, is that the Cuban Americans are going to suffer. Those of us who represent the Cuban Americans do not know. The Cuban Americans, you see, according to this amendment, do not know what is right for them. No, those people, we have heard that before, those people do not know what is right for them. So, therefore, this amendment sponsored by people from Arizona and Massachusetts, very far-away places, this amendment knows what is best for that group of Hispanics and their families.

There are two words for what this amendment is, Mr. Chairman, two words for an amendment that says those people, those Hispanics do not know what is right for them, so this amendment has to tell them what is right, two words, "patronizing" and "racist"; you see, because the Cuban American people do know, Mr. Chairman, what is right for themselves and their families. The Cuban American people do know what is the right thing to do, which is why they do not support this amendment. They overwhelmingly support the President's smart, well-thought-out, responsible measures.

Let us oppose this amendment that again tries to tell that group of Hispanics what is right for them, what is right for Cuban Americans. We who represent the Cuban Americans can tell you, they know what is right for them and their families, and they will tell Members to vote "no" on this amendment.

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

Mr. Chairman, up until most recently, this has been an enlightening discussion. I think it is unfortunate that those who seek to enhance the freedom of individuals to decide whether or not they can send their families services or goods, that is considered racist or that is considered patronizing or condescending. Nothing can be further from the truth. We are simply allowing freedom.

It would be the ultimate irony if we allow Fidel Castro, as William F. Buckley said in a column today, it would be the ultimate irony if we allow Fidel Castro to impinge on the rights of Americans.

Mr. Chairman, I yield back the balance of my time.

Mr. SERRANO. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I am somewhat surprised at some of the supporters of this amendment and the way that they are supporting the amendment, as I will. They actually sound like this is on the level. They actually debate this like this is for real.

Let me refresh Members' memories, those who support my position in favor of the Flake amendment on how this happened. A group of Florida legislators wrote the White House and said, if you do not tighten up on Cuba, you are going to lose votes in Florida. That is what happened. That is the truth. So I am surprised that some of my colleagues would actually debate this as if this was real and on the level. This is not on the level.

If you arrived from the moon tomorrow and did not know this was an election year and Florida was in play, how would you have a hint that it was an election year and Florida was in play? Tighten up on Cuba to make Florida not in play, but fall into one column. That is why we bring up Elian Gonzalez, who is playing soccer in Cuba minding his own business. That is why we have decided that Castro stands at the gate and every single dollar and every single tampon and every single Kleenex that goes in Cuba he grabs for himself, and that is why he is the richest guy in the hemisphere, except there is no sign that he is going anywhere and he is nearing 80, so I do not know when he is going to spend all of this money he accumulated.

In 1950, my family came from Puerto Rico. We were not coming from a foreign country, but we felt like we were, and in some cases, we were treated like we were. What do I remember the most? I remember the cold of New York. That was new to me. I arrived in short pants. My father dressed us for Puerto Rico and not for New York.

And I remember my father made \$40 a week, and every single Friday upon being paid, he ran to the post office and bought a green money order that he sent back to the folks that we left behind.

So I grew up not understanding a policy that says, to bring about political change, you bring pain to the people you left behind. I do not understand that. That is not right and not correct.

Now, I realize there are rules in the House about how one deals with other Members, and I am one of the most respectful Members when it comes to that, but it was nice to see the majority leader come to the floor and denounce this policy when he is always a leader on trade with China. So whenever he denounces policies like this towards Cuba, I try to see if he is crossing his fingers behind his back since he is such a strong supporter of trading with China.

What are we saying here, that to bring down a government you will deny a family member the ability to visit but once every 3 years. What are we saying, that you are so intent on bringing down a government that has lasted,

for whatever reason, for whatever reason, for over 40 years, because you will not allow a cousin toothpaste? Is that who we are as a people? Is that what we believe in?

The gentleman from Virginia (Mr. WOLF) is like a brother to me, one of the most humane Members in this Congress, and I know the role he has to play on this amendment, just like he understands the role I play on other amendments. But he cannot really believe we are hurting people in the Government of Cuba by denying toothpaste to people in Cuba. That is not what we are doing.

Mr. Chairman, what we are doing is looking for votes. And you know something? It might work. But there are hollow victories, and this may be one of those. This may be one of those victories where you say, Sure, I won, but the people lost, and I was supposed to be representing the people.

□ 2145

And so in memory of my father, remembering that \$10, \$5 check that he sent back every week to help those who stayed behind, in respect to the Dominicans and so many people in my district and Mexican Americans who send money back every day, in respect for all of those folks and for what they stand for, I cannot be part of this policy. The only change now is that I am no longer alone here. There was a time when the Ron Dellums and the gentleman from New York (Mr. RANGEL) and I were totally alone. Now I am glad to say that all those ideas are now Republican ideas, and I welcome that. I love these Republican amendments that try to deal with Cuba in any way.

But, Mr. Chairman, we cannot continue down this route. We are not going anywhere. We are just making enemies of everybody that we can find in Cuba, and that is not the way to do it.

And one last point. Yes, I have seen TV, Spanish radio interviews with dissidents in Cuba who are saying if we want to help them do not do this, that we are just alienating them. And there is one good sign. And it is the hope; it is the future. A significant number in Florida of Cuban-Americans are saying this is wrong. This is not the way to win. This is not the way to help me. Let me talk to my cousin. Let me visit my grandmother. Let me close to the family I left behind because I am in this country, they are not, and I do not want them to miss out on some of the things I have.

Mr. WOLF. Mr. Chairman, I move to strike the last word.

I sometimes think the institution that we serve here is so economically driven that we worship at the altar of trade. We are becoming an economic institution. I remember the days of Ronald Reagan where we were more concerned about freedom than anything else.

The gentleman from Texas (Mr. PAUL) is not here. He said things are

better in China. Things are not better in China. I opposed MFN for China. Things are worse in China. There are 11 Catholic bishops in jail in China. They have just arrested the person who was identified with regard to SARS. They are persecuting the Tibetans, the Muslims, the evangelicals. Things are worse in China today with MFN and with trade than they have been for a long time.

Secondly, I am really kind of sorry that we are really divided. We should be together, and I think things like this send messages that are not necessarily positive. I wish there had been more discussion, quite frankly, on both sides about those who are being persecuted and those who have been arrested and those who are in jail. Have any Members read the book, and the gentleman from New Jersey (Mr. SMITH) has met with him, and I have met with him once, by Armando Valladares? The persecution and the suffering that has gone on. I have heard almost no one here tonight say that if Castro were to open up the prisons and the jails and release the people, I may change my position. But we should be asking Castro to do something, and we never do that. Why does Castro not open up the prison doors and allow peaceful people out? Why does Castro not allow the journalists to write whatever they want? Why does he not do that? So there should be more discussion on this and less interest in economic interests on both sides and more on human rights and religious freedom.

Lastly, Ronald Reagan took away MFN from Rumania when all the business interests and the Congress was opposed to it. Ronald Reagan was the one who stood up with regard to Communism. The policy in Castro's Cuba has not been a total failure. They are no longer exporting their political situation around the world.

In the interests of those who are suffering, we should be together; and I would hope that whatever amendment would be offered, and it is too late to amend this amendment, so whatever amendment would be offered would also carry the stipulation that those who are in prison for what they believe in, for religious freedom and persecution, as we do whatever the Flake amendment does, that the prison jails are opened and that people be released.

With that I urge a "no" vote on the amendment.

Ms. WATERS. Mr. Chairman, I thank the gentleman from Arizona [Mr. FLAKE] for the time.

I rise to support the Flake amendment to prohibit the use of funds in this bill to enforce the Commerce Department's recently-announced anti-family restrictions on sending gifts to Cuba.

These restrictions are part of an extensive set of new Bush administration rules that punish Cuban-Americans who have families in Cuba. These regulations include limiting family visits to Cuba by Cuban-Americans to once every three years and further restricting the

ability of Cuban-Americans to send money to their families in Cuba.

The Commerce Department's new regulations would make it illegal for Cuban-Americans to send clothing, seeds, soap, personal hygiene products and veterinary medicines to their families in Cuba. Other gifts would be limited to one gift parcel per month per household in Cuba. Gifts could be sent to parents and children, but not to aunts, uncles, nieces, nephews or cousins.

What conceivable rationale could there be for this cruel, misguided assault on Cuban-American families? Is there anyone who truly believes that we are achieving anything productive by keeping Cuban-Americans from helping their family members who remain in Cuba? How dare this administration tell American citizens they can't send clothes, toilet paper or toothpaste to the families they love!

I urge my colleagues to protect the right of Cuban-Americans to assist their families. Let's help these families, not punish them. Support the Flake amendment.

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.

AMENDMENT NO. 10 OFFERED BY MR. PAUL

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Mr. PAUL:

At the end of the bill (before the short title), add the following:

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. None of the funds made available in this Act may be used to pay any United States contribution to the United Nations or any affiliated agency of the United Nations.

The CHAIRMAN. Points of order are reserved.

Pursuant to the order of the House of today, the gentleman from Texas (Mr. PAUL) and the gentleman from Virginia (Mr. WOLF) each will control 5 minutes.

The Chair recognizes the gentleman from Texas (Mr. PAUL).

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

This is an amendment that I have offered several times in the past, and it is very simple. It says none of the funds made available in this act may be used to pay any United States contribution to the United Nations or any affiliated agency of the United Nations. So very simply, it would defund the United Nations.

The United Nations and the international organizations are now receiving more than \$3 billion; so there would be some savings there. But that is not the whole reason why I bring this up. My concern, of course, is for national

sovereignty, and I think that we have drifted a long way from the time when this Congress and the President decided on foreign policy to the point now where we are more or less driven by the United Nations. The United Nations has not too long ago set up an international criminal court that we are trying to avoid jurisdiction on our people but nevertheless it hangs out there as a threat to our military. We now pay a larger sum to the United Nations than anybody else. For the administrative part, it is 22 percent, and for the peacekeeping part, it is 27 percent. So essentially we are paying a quarter of the U.N. dues; and, of course, we do not get 25 percent of the vote.

In recent months, we have all become aware of the scandal involving the United Nations, the Food for Oil program, and there is \$10 billion missing. And if there was ever a time that we ought to send a message that we do not condone this type of activity, it is now. There is an investigation going on led by Paul Volcker, but he has no subpoena power. The United Nations and the personnel have no intention so far of cooperating. The odds of our really finding out where this \$10 billion went are really quite slim.

But the whole process is wrong. So over the years I would say not only the \$10 billion that was taken but the many tens of billions, if not hundreds of billions, of dollars that we have pumped into these international organizations have essentially been money down a hole.

But the bigger issue, of course, is the United Nations making decisions for us. We do now capitulate to the WTO. I am a free trader. I have talked this evening about free trade, true free trade. But the WTO is an organization that, because we are a member, we obediently come and change our tax law to conform with what the WTO tells us to do. We should not be very pleased with that type of an organization that does not really even defend free trade. And we have the IMF and the World Bank, and all it is is a big payment and a big burden for the American taxpayer.

Shortly after the United Nations was established, one of the worst acts occurred early on, and that was that our President took us to war in Korea. And it is ongoing. There is a U.N. war that has been going on, and we have had troops in the United Nations there for over 50 years, and that is quite a bit different than if war would be declared by the Congress and we would fight and win wars.

Even the current war that we are having today, it is not a war, but it is a war when it is necessary to call it a war; but we did not declare a war against the Iraqis, and yet in 1991 we went to war under a U.N. resolution. It was said at that time we did not even need a congressional resolution. We could just go because it was under U.N. orders. Even this current time it confuses us quite a bit because when we voted on going again into battle in

Iraq, the United Nation was mentioned 21 times to give this authority, but still it was not a declaration of war.

But at the same time that we use the United Nations to do something to enforce U.N. resolutions, then we turn around and we defy the United Nations. They might ask for a resolution of support. We do not get it, but we do it anyway, which does not do a whole lot to build friendship around the world.

So I see this as totally chaotic, not in our interests. It exposes our men and our women to battle in undeclared wars that are generally not won. Ever since World War II, since wars have not been declared and they have been fought essentially under United Nations, wars have not been won, a lot of men and women are killed, and the resolution is never complete.

So my argument is it is time to send a message to those who are questioning whether or not we are too unfriendly to the United Nations, but at least we ought to assume that there should be a responsibility here for us to have the prerogatives of making these decisions ourselves and not by an international body.

The CHAIRMAN. The time of the gentleman from Texas (Mr. PAUL) has expired.

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

I rise in strong opposition to the gentleman's amendment. As imperfect as the U.N. is, there is no other forum which exists to further the U.S. goals. The Security Council's unanimous resolution on Iraq on June 8 was critical to a U.S. priority and to the Bush administration, their effort with regard to bringing some sort of resolution to the issue in Darfur in Sudan, the peacekeeping effort to stop the genocide in Liberia and in Sierra Leone and other places. So the U.S. maintains a key factor here. So I think there are so many arguments that in the interest of time I would hope the amendment would be overwhelmingly defeated.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. PAUL).

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

Mr. PAUL. 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 Texas (Mr. PAUL) 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 offered by the gentleman from Arizona (Mr. FLAKE), the amendment offered by the gentleman from New York (Mr. WEINER), the amendment offered by the

gentleman from Colorado (Mr. HEFLEY), amendment No. 13 offered by the gentleman from Ohio (Mr. KUCINICH), amendment No. 9 offered by the gentleman from Texas (Mr. PAUL), amendment No. 6 offered by the gentleman from California (Mr. FARR), amendment No. 10 offered by the gentleman from Texas (Mr. PAUL).

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

AMENDMENT 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 vote was taken by electronic device, and there were—ayes 221, noes 194, not voting 18, as follows:

[Roll No. 329]

AYES—221

Abercrombie	Emerson	Lee
Alexander	English	Levin
Allen	Eshoo	Lewis (GA)
Baca	Etheridge	Lofgren
Baird	Evans	Lowey
Baldwin	Everett	Lucas (KY)
Bartlett (MD)	Farr	Lynch
Bass	Fattah	Majette
Becerra	Filner	Maloney
Bell	Flake	Markey
Bereuter	Ford	Marshall
Berman	Frank (MA)	Matheson
Berry	Frost	McCarthy (MO)
Biggert	Gilchrest	McCarthy (NY)
Bishop (GA)	Gonzalez	McCollum
Bishop (NY)	Gordon	McDermott
Boehlert	Graves	McGovern
Bono	Green (TX)	McHugh
Boozman	Greenwood	McNulty
Boswell	Grijalva	Meehan
Boucher	Gutknecht	Meeks (NY)
Brady (PA)	Harman	Michaud
Brown (OH)	Herseth	Millender-
Brown, Corrine	Hill	McDonald
Camp	Hinojosa	Miller (NC)
Capps	Hoefel	Miller, George
Capuano	Holden	Mollohan
Carson (OK)	Holt	Moore
Case	Hoolley (OR)	Moran (KS)
Castle	Hostettler	Moran (VA)
Clay	Houghton	Murtha
Clyburn	Hoyer	Nadler
Coble	Inslee	Napolitano
Cooper	Israel	Neal (MA)
Costello	Jackson (IL)	Nethercutt
Cramer	Jackson-Lee	Ney
Crowley	(TX)	Oberstar
Cubin	Jefferson	Obey
Cummings	Johnson (CT)	Olver
Davis (CA)	Johnson (IL)	Ortiz
Davis (FL)	Johnson, E. B.	Osborne
Davis (IL)	Kanjorski	Otter
Davis (TN)	Kaptur	Owens
DeFazio	Kennedy (RI)	Pastor
DeGette	Kildee	Paul
Delahunt	Kilpatrick	Payne
DeLauro	Kind	Pelosi
DeMint	Kleczka	Peterson (MN)
Dicks	Kolbe	Peterson (PA)
Dingell	Kucinich	Petri
Doggett	Lampson	Pomeroy
Dooley (CA)	Langevin	Price (NC)
Doyle	Lantos	Rahall
Edwards	Larsen (WA)	Ramstad
Ehlers	Larson (CT)	Rangel
Emanuel	Leach	Rehberg

Reyes
Rodriguez
Ross
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sabo
Sánchez, Linda
T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Sensenbrenner

Serrano
Shays
Sherman
Sherwood
Shimkus
Slaughter
Smith (MI)
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)

Thompson (MS)
Tiberi
Tierney
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Woolsey
Wynn

NOES—194

Ackerman
Aderholt
Akin
Andrews
Bachus
Baker
Ballenger
Barrett (SC)
Barton (TX)
Beauprez
Berkley
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite,
Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Cannon
Cantor
Capito
Carter
Chabot
Chocola
Cole
Cox
Crane
Crenshaw
Culberson
Cunningham
Davis (AL)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Dreier
Duncan
Dunn
Engel
Feeney
Ferguson
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gephardt
Gerlach

Gibbons
Gillmor
Gingrey
Goode
Goodlatte
Goss
Granger
Green (WI)
Gutiérrez
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jenkins
John
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (OK)
Manzullo
McCotter
McCrery
McInnis
McIntyre
McKeon
Menendez
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Murphy
Musgrave
Myrick
Neugebauer
Northup
Norwood
Nunes

Nussle
Ose
Oxley
Pallone
Pascrell
Pearce
Pence
Pickering
Pitts
Platts
Pombo
Porter
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Regula
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Rothman
Royce
Ryun (KS)
Saxton
Schrock
Sessions
Shadegg
Shaw
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Toomey
Turner (OH)
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu

NOT VOTING—18

Blumenauer
Cardin
Cardoza
Carson (IN)
Chandler
Collins

Conyers
Deutsch
Hastings (FL)
Hinchev
Honda
Jones (OH)

LaHood
Matsui
Meek (FL)
Tauzin
Young (AK)
Young (FL)

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote).
Members are advised there are 2 minutes remaining in this vote.

□ 2221

Mrs. WILSON of New Mexico, Mr. TANCREDO, and Mr. HOEKSTRA changed their vote from “aye” to “no.”
Mr. FROST and Mr. HOEFFEL changed their vote from “no” to “aye.”
So the amendment was agreed to.
The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. WEINER

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

The Clerk will designate the amendment.

The Clerk designated 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 206, noes 212, not voting 15, as follows:

[Roll No. 330]

AYES—206

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Bartlett (MD)
Bereuter
Berkley
Berman
Berry
Bilirakis
Bishop (NY)
Bishop (UT)
Boehlert
Boswell
Boucher
Bradley (NH)
Brady (PA)
Brown (OH)
Brown-Waite,
Ginny
Burns
Burr
Camp
Capito
Capps
Capuano
Carson (OK)
Case
Chabot
Chandler
Chocola
Coble
Costello
Davis (FL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Doggett
Doyle
Dunn
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr

Fattah
Feeney
Ferguson
Filner
Foley
Ford
Fossella
Frank (MA)
Frost
Gerlach
Gibbons
Gingrey
Graves
Green (TX)
Green (WI)
Greenwood
Gutiérrez
Harman
Hastings (WA)
Hayworth
Herseth
Hoeffel
Holden
Holt
Hooley (OR)
Hulshof
Inslee
Jackson-Lee
(TX)
Jefferson
John
Johnson (CT)
Johnson (IL)
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (RI)
Kildee
Kind
King (NY)
Kleccka
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lipinski
LoBiondo
Lofgren
Lowey

Lucas (KY)
Lynch
Majette
Manzullo
Markey
Marshall
Matheson
McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McDermott
McGovern
McHugh
McIntyre
McNulty
Meehan
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Moran (KS)
Murphy
Nadler
Neal (MA)
Nethercutt
Neugebauer
Ortiz
Osborne
Ose
Otter
Owens
Pascrell
Paul
Peterson (MN)
Pickering
Platts
Pomeroy
Porter
Price (NC)
Quinn
Rahall
Ramstad
Rangel
Rehberg
Renzi
Reyes
Reynolds
Rogers (AL)
Ross
Rothman
Royce
Ruppersberger
Rush
Ryan (OH)

Sánchez, Linda
T.
Sanchez, Loretta
Sanders
Saxton
Schiff
Scott (VA)
Sessions
Shaw
Shays
Shimkus
Simmons
Skelton
Slaughter

Smith (NJ)
Smith (WA)
Snyder
Souder
Stark
Stearns
Stenholm
Strickland
Stupak
Taylor (MS)
Terry
Thompson (CA)
Tierney
Turner (OH)

Udall (CO)
Udall (NM)
Upton
Vitter
Walden (OR)
Waters
Watt
Weiner
Weldon (PA)
Wexler
Wilson (NM)
Woolsey
Wu

NOES—212

Akin
Bachus
Baker
Ballenger
Barrett (SC)
Barton (TX)
Bass
Beauprez
Becerra
Bell
Biggart
Bishop (GA)
Hart
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Boyd
Brady (TX)
Brown (SC)
Brown, Corrine
Burgess
Burton (IN)
Buyer
Calvert
Cannon
Cantor
Carter
Castle
Clay
Clyburn
Cole
Conyers
Cooper
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Dooley (CA)
Doolittle
Dreier
Duncan
Ehlers
Emerson
English
Everett
Flake
Forbes
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gephardt

Gilchrest
Gillmor
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Grijalva
Gutknecht
Hall
Harris
Hart
Hayes
Hefley
Hensarling
Herger
Hill
Hinojosa
Hobson
Hoekstra
Hostettler
Houghton
Hoyer
Hunter
Hyde
Isakson
Israel
Issa
Istook
Jackson (IL)
Jenkins
Johnson, E. B.
Johnson, Sam
Kennedy (MN)
Kilpatrick
King (IA)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Latham
LaTourette
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lucas (OK)
Maloney
McCrery
McInnis
McKeon
Menendez
Mica
Millender-
McDonald
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moore
Moran (VA)
Murtha
Musgrave
Myrick
Napolitano
Ney
Northup
Norwood
Nunes

Nussle
Oberstar
Oliver
Oxley
Pallone
Pastor
Payne
Pearce
Pelosi
Pence
Peterson (PA)
Petri
Pitts
Pombo
Portman
Pryce (OH)
Putnam
Radanovich
Regula
Rodriguez
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roybal-Allard
Ryan (WI)
Ryun (KS)
Sabo
Sandlin
Schakowsky
Schrock
Scott (GA)
Sensenbrenner

Serrano
Shadegg
Sherman
Sherwood
Shuster
Smith (MI)
Smith (TX)
Spratt
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (NC)
Thomas
Thompson (MS)
Thornberry
Tiahrt
Toomey
Towns
Turner (TX)
Van Hollen
Velázquez
Visclosky
Walsh
Wamp
Watson
Waxman
Weldon (FL)
Weller
Whitfield
Wicker
Wilson (SC)
Wolf
Wynn

NOT VOTING—15

Blumenauer
Cardin
Carson (IN)
Collins
Deutsch

Hastings (FL)
Hinchev
Honda
Jones (OH)
LaHood

Matsui
Meek (FL)
Tauzin
Young (AK)
Young (FL)

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote).
Members are advised there are 2 minutes remaining in this vote.

□ 2237

Messrs. MARKEY, ABERCROMBIE, BURNS, DICKS, BROWN of Ohio and Ms. MAJETTE changed their vote from "no" to "aye."

Mrs. JO ANN DAVIS of Virginia and Messrs. FORBES, LEWIS of Georgia, MICA and NEY changed their vote from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. HEFLEY

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

The Clerk will designate the amendment.

The Clerk designated 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 71, noes 342, not voting 20, as follows:

[Roll No. 331]

AYES—71

Baird	Hefley	Pence
Baker	Hensarling	Petri
Bartlett (MD)	Herger	Ramstad
Boozman	Hostettler	Reynolds
Bradley (NH)	Houghton	Rohrabacher
Burton (IN)	Hunter	Royce
Buyer	Isakson	Ryan (WI)
Chabot	Johnson, Sam	Ryun (KS)
Chocola	Jones (NC)	Sensenbrenner
Coble	King (IA)	Sessions
Cox	Kingston	Shadegg
Cubin	Manzullo	Skelton
Davis, Jo Ann	Marshall	Smith (MI)
Deal (GA)	McInnis	Stearns
DeMint	McKeon	Sullivan
Duncan	Miller (FL)	Tancredo
Everett	Miller, Gary	Taylor (MS)
Flake	Moran (KS)	Terry
Fossella	Musgrave	Tornberry
Franks (AZ)	Myrick	Toomey
Gillmor	Neugebauer	Vitter
Graves	Norwood	Weldon (PA)
Green (WI)	Otter	Wilson (SC)
Gutknecht	Paul	

NOES—342

Abercrombie	Boehlert	Carson (OK)
Ackerman	Boehner	Carter
Alexander	Bonilla	Case
Allen	Bonner	Castle
Andrews	Bono	Chandler
Baca	Boswell	Clay
Bachus	Boucher	Clyburn
Baldwin	Boyd	Cole
Balenger	Brady (PA)	Conyers
Barrett (SC)	Brady (TX)	Cooper
Barton (TX)	Brown (OH)	Costello
Bass	Brown (SC)	Cramer
Beauprez	Brown, Corrine	Crane
Becerra	Brown-Waite,	Crenshaw
Bell	Ginny	Crowley
Bereuter	Burgess	Culberson
Berkley	Burns	Cummings
Berman	Burr	Cunningham
Berry	Calvert	Davis (AL)
Biggert	Camp	Davis (CA)
Bilirakis	Cannon	Davis (FL)
Bishop (GA)	Cantor	Davis (IL)
Bishop (NY)	Capito	Davis (TN)
Bishop (UT)	Capps	Davis, Tom
Blackburn	Capuano	DeFazio
Blunt	Cardoza	DeGette

Delahunt	King (NY)	Putnam
DeLauro	Kirk	Quinn
DeLay	Kleczka	Radanovich
Diaz-Balart, L.	Kline	Rahall
Diaz-Balart, M.	Knollenberg	Rangel
Dicks	Kolbe	Regula
Dingell	Kucinich	Rehberg
Doggett	Lampson	Renzi
Dooley (CA)	Langevin	Reyes
Doolittle	Lantos	Rodriguez
Doyle	Larsen (WA)	Rogers (AL)
Dreier	Larson (CT)	Rogers (KY)
Dunn	Latham	Rogers (MI)
Edwards	LaTourette	Ros-Lehtinen
Ehlers	Leach	Ross
Emanuel	Lee	Rothman
Emerson	Levin	Roybal-Allard
Engel	Lewis (CA)	Ruppersberger
English	Lewis (GA)	Rush
Eshoo	Lewis (KY)	Ryan (OH)
Etheridge	Linder	Sabo
Evans	Lipinski	Sánchez, Linda
Farr	LoBiondo	T.
Fattah	Loftgren	Sanchez, Loretta
Feeney	Lowey	Sanders
Ferguson	Lucas (KY)	Sandlin
Filner	Lucas (OK)	Saxton
Foley	Lynch	Schakowsky
Forbes	Majette	Schiff
Ford	Maloney	Schrock
Frank (MA)	Markey	Scott (GA)
Frelinghuysen	Matheson	Serrano
Frost	McCarthy (MO)	Shaw
Gallegly	McCarthy (NY)	Shays
Garrett (NJ)	McCollum	Sherman
Gephardt	McCotter	Sherwood
Gerlach	McCrery	Shimkus
Gibbons	McDermott	Shuster
Gilchrest	McGovern	Simmons
Gingrey	McHugh	Simpson
Gonzalez	McIntyre	Slaughter
Goode	McNulty	Smith (NJ)
Goodlatte	Meehan	Smith (TX)
Gordon	Meeks (NY)	Smith (WA)
Goss	Menendez	Snyder
Granger	Mica	Solis
Green (TX)	Michaud	Souder
Greenwood	Millender-	Spratt
Grijalva	McDonald	Stark
Hall	Miller (MI)	Stenholm
Harman	Miller (NC)	Strickland
Harris	Miller, George	Stupak
Hart	Mollohan	Sweeney
Hastings (WA)	Moore	Tanner
Hayes	Moran (VA)	Tauscher
Hayworth	Murphy	Taylor (NC)
Herseth	Murtha	Thompson (CA)
Hill	Nadler	Thompson (MS)
Hinojosa	Napolitano	Tiahrt
Hobson	Neal (MA)	Tiberi
Hoefel	Nethercutt	Tierney
Hoekstra	Ney	Towns
Holden	Northup	Turner (OH)
Holt	Nunes	Turner (TX)
Hooley (OR)	Nussle	Udall (CO)
Hoyer	Oberstar	Udall (NM)
Hulshof	Obey	Upton
Hyde	Oliver	Van Hollen
Inslee	Ortiz	Velázquez
Israel	Osborne	Visclosky
Issa	Ose	Walden (OR)
Istook	Owens	Walsh
Jackson (IL)	Oxley	Wamp
Jackson-Lee	Pallone	Waters
(TX)	Pascrell	Watson
Jefferson	Pastor	Watt
Jenkins	Payne	Waxman
John	Pearce	Weiner
Johnson (CT)	Pelosi	Weldon (FL)
Johnson (IL)	Peterson (MN)	Weller
Johnson, E. B.	Peterson (PA)	Wexler
Kanjorski	Pickering	Whitfield
Kaptur	Pitts	Wicker
Keller	Platts	Wilson (NM)
Kelly	Pombo	Wolf
Kennedy (MN)	Pomeroy	Woolsey
Kennedy (RI)	Porter	Wu
Kildee	Portman	Wynn
Kilpatrick	Price (NC)	
Kind	Pryce (OH)	

NOT VOTING—20

Gutierrez	Meek (FL)
Hastings (FL)	Scott (VA)
Hinchey	Tauzin
Cardin	Thomas
Carson (IN)	Young (AK)
Collins	Young (FL)
Deutsch	
Matsui	

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised that 2 minutes remain in this vote.

□ 2243

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 13 OFFERED BY MR. KUCINICH

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio (Mr. KUCINICH) 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 232, noes 186, not voting 15, as follows:

[Roll No. 332]

AYES—232

Abercrombie	Doyle	Larsen (WA)
Ackerman	Edwards	Larson (CT)
Aderholt	Emanuel	LaTourette
Alexander	Engel	Leach
Allen	English	Lee
Andrews	Eshoo	Levin
Baca	Etheridge	Lewis (GA)
Baird	Evans	Lipinski
Baldwin	Farr	LoBiondo
Becerra	Fattah	Loftgren
Bell	Ferguson	Lowey
Berkley	Filner	Lucas (KY)
Berman	Ford	Lynch
Berry	Fossella	Majette
Bilirakis	Frank (MA)	Maloney
Bishop (GA)	Frost	Manzullo
Bishop (NY)	Gephardt	Markey
Boehlert	Gerlach	Marshall
Boswell	Gibbons	Matheson
Boucher	Gonzalez	McCarthy (MO)
Boyd	Gordon	McCarthy (NY)
Bradley (NH)	Green (TX)	McCollum
Brady (PA)	Grijalva	McCotter
Brown (OH)	Gutierrez	McDermott
Brown, Corrine	Harman	McGovern
Brown-Waite,	Hart	McHugh
Ginny	Herseth	McIntyre
Capito	Hill	McNulty
Capps	Hinojosa	Meehan
Capuano	Hoefel	Meeks (NY)
Cardoza	Hoekstra	Menendez
Carson (OK)	Holden	Michaud
Case	Holt	Millender-
Chandler	Hoolley (OR)	McDonald
Clay	Hoyer	Miller (NC)
Clyburn	Hunter	Miller, George
Conyers	Hyde	Mollohan
Cooper	Inslee	Moore
Costello	Israel	Moran (VA)
Cramer	Jackson (IL)	Murphy
Crowley	Jackson-Lee	Murtha
(TX)	(TX)	Nadler
Cunningham	Jefferson	Napolitano
Davis (AL)	John	Neal (MA)
Davis (CA)	Johnson, E. B.	Ney
Davis (FL)	Kanjorski	Nussle
Davis (IL)	Kaptur	Oberstar
Davis (TN)	Kennedy (RI)	Obey
Davis, Jo Ann	Kildee	Oliver
DeFazio	Kilpatrick	Ortiz
DeGette	Kind	Owens
Delahunt	King (NY)	Pallone
DeLauro	Kleczka	Pascrell
Dicks	Kucinich	Pastor
Dingell	Lampson	Payne
Doggett	Langevin	Pelosi
Dooley (CA)	Lantos	Peterson (MN)

Platts
Pomeroy
Porter
Price (NC)
Quinn
Radanovich
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sánchez, Linda
T.
Sanchez, Loretta
Sanders
Sandlin

Saxton
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Shimkus
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher

Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Wexler
Woolsey
Wu
Wynn

□ 2251

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

AMENDMENT NO. 9 OFFERED BY MR. PAUL
The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. PAUL) 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 CHAIRMAN. This is a 5-minute vote.
The vote was taken by electronic device, and there were—ayes 135, noes 283, not voting 15, as follows:

[Roll No. 333]

AYES—135

Akin
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bereuter
Biggert
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Brady (TX)
Brown (SC)
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Carter
Castle
Chabot
Chocola
Coble
Cole
Cox
Crane
Crenshaw
Cubin
Culberson
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Dreier
Duncan
Dunn
Ehlers
Emerson
Everett
Feeney
Flake
Foley
Forbes
Franks (AZ)
Frelinghuysen
Garrett (NJ)

NOT VOTING—15

Blumenauer
Cardin
Carson (IN)
Collins
Deutsch

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised there are 2 minutes remaining in this vote.

Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Portman
Pryce (OH)
Putnam
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shuster
Simpson
Smith (MI)
Smith (TX)
Soudier
Stearns
Stenholm
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Upton
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf

Aderholt
Akin
Bachus
Barrett (SC)
Bartlett (MD)
Bilirakis
Bishop (UT)
Blackburn
Boehner
Bonilla
Bonner
Boozman
Brady (TX)
Brown (SC)
Brown-Waite,
Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Cannon
Cantor
Chabot
Chocola
Coble
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Deal (GA)
DeLay
DeMint
Diaz-Balart, M.
Doolittle
Duncan
Emerson
Everett
Feeney
Flake
Forbes
Fossella
Franks (AZ)

NOES—283

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baird
Baker
Baldwin
Ballenger
Barton (TX)
Bass
Beauprez
Becerra
Bell

Cole
Conyers
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Diaz-Balart, L.
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Dreier
Dunn
Edwards
Ehlers
Emanuel
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Foley
Ford
Frank (MA)
Frelinghuysen
Frost
Gallegly
Gephardt
Gerlach
Gilchrest
Gillmor
Gonzalez
Gordon
Goss
Granger
Green (TX)
Greenwood
Grijalva
Gutierrez
Hall
Harman
Harris
Hefley
Herseth
Hill
Hinojosa
Hobson
Hoeffel
Holden
Holt
Hooley (OR)
Houghton
Hoyer
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Kanjorski

Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Markey
Marshall
Matheson
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McKeon
McNulty
Meehan
Meeks (NY)
Menendez
Mica
Michaud
Millender
Goss
McDonald
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Nethercutt
Northup
Nunes
Nussle
Oberstar
Obey
Oliver
Ortiz
Osborne
Ose
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Porter
Portman
Price (NC)

NOT VOTING—15

Hastings (FL)
Hinchev
Honda
Jones (OH)
LaHood
Matsui
Meek (FL)
Tauzin
Young (AK)
Young (FL)

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 2258

Mr. NEY changed his vote from “no” to “aye.”
So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MR. FARR

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. FARR) 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 is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 148, noes 268, not voting 17, as follows:

[Roll No. 334]

AYES—148

Abercrombie	Harman	Pascarell
Ackerman	Holt	Pastor
Allen	Hookey (OR)	Paul
Andrews	Hoyer	Payne
Baird	Insee	Pelosi
Baldwin	Israel	Porter
Bartlett (MD)	Jackson (IL)	Price (NC)
Beauprez	Jackson-Lee	Rangel
Becerra	(TX)	Rodriguez
Bell	Jefferson	Rohrabacher
Berkley	Johnson (CT)	Roybal-Allard
Berman	Johnson (IL)	Ruppberger
Bishop (GA)	Johnson, E. B.	Rush
Bishop (NY)	Kanjorski	Ryan (OH)
Boehlert	Kaptur	Sabo
Bono	Kennedy (RI)	Sánchez, Linda
Brady (PA)	Kilpatrick	T.
Brown (OH)	Kind	Sanchez, Loretta
Capps	Klecicka	Sanders
Capuano	Kucinich	Schakowsky
Case	Lantos	Schiff
Clay	Larsen (WA)	Scott (GA)
Conyers	Larson (CT)	Scott (VA)
Crowley	LaTourette	Serrano
Davis (CA)	Leach	Sherman
Davis (FL)	Lee	Simmons
Davis (IL)	Lewis (GA)	Simpson
DeFazio	Lofgren	Slaughter
DeGette	Lowey	Slaughter
Delahunt	Majette	Smith (WA)
DeLauro	Maloney	Smith
Dicks	Markey	Stark
Dingell	McCarthy (MO)	Strickland
Doggett	McCarthy (NY)	Tancredo
Dooley (CA)	McCollum	Tauscher
Doyle	McDermott	Thompson (CA)
Engel	McGovern	Tierney
Eshoo	Meehan	Towns
Evans	Michaud	Udall (CO)
Farr	Millender-	Udall (NM)
Fattah	McDonald	Udall (NM)
Filner	Miller, George	Van Hollen
Flake	Moran (VA)	Velázquez
Frank (MA)	Nadler	Waters
Garrett (NJ)	Napolitano	Watson
Gephardt	Neal (MA)	Watt
Gilchrest	Oberstar	Waxman
Gonzalez	Obey	Weiner
Graves	Olver	Weixler
Grijalva	Otter	Woolsey
Gutierrez	Owens	Wynn

NOES—268

Aderholt	Bilirakis	Brown, Corrine
Akin	Bishop (UT)	Brown-Waite,
Alexander	Blackburn	Ginny
Baca	Blunt	Burgess
Bachus	Boehner	Burns
Baker	Bonilla	Burr
Ballenger	Bonner	Burton (IN)
Barrett (SC)	Boozman	Buyer
Barton (TX)	Boswell	Calvert
Bass	Boyd	Camp
Bereuter	Bradley (NH)	Cannon
Berry	Brady (TX)	Cantor
Biggert	Brown (SC)	Capito

Cardoza	Holden	Pickering
Carson (OK)	Hostettler	Pitts
Carter	Houghton	Platts
Castle	Hulshof	Pombo
Chabot	Hunter	Pomeroy
Chandler	Hyde	Portman
Chocola	Isakson	Pryce (OH)
Clyburn	Issa	Putnam
Coble	Istook	Quinn
Cole	Jenkins	Radanovich
Cooper	John	Rahall
Costello	Johnson, Sam	Ramstad
Cox	Jones (NC)	Regula
Cramer	Keller	Rehberg
Crane	Kelly	Renzi
Crenshaw	Kennedy (MN)	Reyes
Cubin	Kildee	Reynolds
Culberson	King (IA)	Rogers (AL)
Cummings	King (NY)	Rogers (KY)
Cunningham	Kingston	Rogers (MI)
Davis (AL)	Kirk	Ros-Lehtinen
Davis (TN)	Kline	Ross
Davis, Jo Ann	Knollenberg	Rothman
Davis, Tom	Kolbe	Royce
Deal (GA)	Lampson	Ryan (WI)
DeLay	Langevin	Ryun (KS)
DeMint	Latham	Sandlin
Diaz-Balart, L.	Levin	Saxton
Diaz-Balart, M.	Lewis (CA)	Schrock
Doolittle	Lewis (KY)	Sensenbrenner
Dreier	Linder	Sessions
Duncan	Lipinski	Shadegg
Dunn	LoBiondo	Shaw
Edwards	Lucas (KY)	Shays
Ehlers	Lucas (OK)	Sherwood
Emanuel	Lynch	Shimkus
Emerson	Manzullo	Shuster
English	Marshall	Skelton
Etheridge	Matheson	Smith (MI)
Everett	McCotter	Smith (NJ)
Feeney	McCrery	Smith (TX)
Ferguson	McHugh	Snyder
Fergus	McInnis	Souder
Forbes	McIntyre	Spratt
Ford	McKeon	Stearns
Fossella	McNulty	Stenholm
Franks (AZ)	Meeks (NY)	Stupak
Frelinghuysen	Menendez	Sullivan
Frost	Mica	Sweeney
Galleghy	Miller (FL)	Tanner
Gerlach	Miller (MI)	Taylor (MS)
Gibbons	Miller (NC)	Taylor (NC)
Gillmor	Miller, Gary	Terry
Gingrey	Mollohan	Thomas
Goode	Moore	Thompson (MS)
Goodlatte	Moran (KS)	Thornberry
Gordon	Murphy	Tiahrt
Goss	Murtha	Tiberi
Granger	Musgrave	Toomey
Green (TX)	Myrick	Turner (OH)
Green (WI)	Nethercutt	Turner (TX)
Greenwood	Neugebauer	Upton
Gutknecht	Ney	Visclosky
Harris	Northup	Vitter
Hart	Norwood	Walden (OR)
Hastings (WA)	Nunes	Walsh
Hayes	Nussle	Wamp
Hayworth	Ortiz	Weldon (FL)
Hefley	Osborne	Weldon (PA)
Hensarling	Ose	Weller
Hergert	Oxley	Whitfield
Herseht	Pallone	Wicker
Hill	Pearce	Wilson (NM)
Hinojosa	Pence	Wilson (SC)
Hobson	Peterson (MN)	Wolf
Hoeffel	Peterson (PA)	Wu
Hoekstra	Petri	

NOT VOTING—17

Blumenauer	Hall	Matsui
Boucher	Hastings (FL)	Meek (FL)
Cardin	Hinchev	Tauzin
Carson (IN)	Honda	Young (AK)
Collins	Jones (OH)	Young (FL)
Deutsch	LaHood	

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). There are 2 minutes remaining in this vote.

□ 2305

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

Mr. GRAVES. Mr. Chairman, on rollcall No. 334 I inadvertently voted "yes." I intended to vote "no."

AMENDMENT NO. 10 OFFERED BY MR. PAUL

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. PAUL) 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 83, noes 335, not voting 15, as follows:

[Roll No. 335]

AYES—83

Akin	Franks (AZ)	Myrick
Bachus	Garrett (NJ)	Neugebauer
Barrett (SC)	Gibbons	Ney
Bartlett (MD)	Gingrey	Norwood
Bilirakis	Goode	Otter
Bishop (UT)	Harris	Paul
Blackburn	Hastings (WA)	Peterson (MN)
Bonner	Hayes	Platts
Boozman	Hayworth	Pombo
Brown-Waite,	Hefley	Putnam
Ginny	Hergert	Radanovich
Burgess	Hostettler	Rehberg
Burton (IN)	Hulshof	Renzi
Cannon	Hunter	Rogers (AL)
Cantor	Istook	Rohrabacher
Coble	Johnson, Sam	Ryun (KS)
Cubin	Jones (NC)	Sabo
Culberson	Keller	Sensenbrenner
Cunningham	Kingston	Sessions
Davis, Jo Ann	Lewis (KY)	Shuster
DeLay	Linder	Simpson
Doolittle	Lucas (OK)	Stearns
Duncan	Manzullo	Sullivan
Everett	McCotter	Tancredo
Feeney	McInnis	Taylor (MS)
Flake	Miller (FL)	Tiberi
Foley	Moran (KS)	Wamp
Forbes	Musgrave	Weldon (FL)

NOES—335

Abercrombie	Brown (OH)	Davis (IL)
Ackerman	Brown (SC)	Davis (TN)
Aderholt	Brown, Corrine	Davis, Tom
Alexander	Burns	Deal (GA)
Allen	Burr	DeFazio
Andrews	Buyer	DeGette
Baca	Calvert	Delahunt
Baird	Camp	DeLauro
Baker	Capito	DeMint
Baldwin	Capps	Diaz-Balart, L.
Ballenger	Capuano	Diaz-Balart, M.
Barton (TX)	Cardoza	Dicks
Bass	Carson (OK)	Dingell
Beauprez	Carter	Doggett
Becerra	Castle	Dooley (CA)
Bell	Chabot	Doyle
Bereuter	Chandler	Dreier
Berkley	Chandler	Dunn
Berman	Chocola	Edwards
Berry	Clay	Ehlers
Biggert	Clyburn	Emanuel
Bishop (GA)	Cole	Emerson
Bishop (NY)	Conyers	Engel
Blunt	Cooper	English
Boehlert	Costello	Eshoo
Boehner	Cox	Etheridge
Bonilla	Cramer	Evans
Bono	Crane	Farr
Boswell	Crenshaw	Fattah
Boucher	Crowley	Ferguson
Boyd	Cummings	Filner
Bradley (NH)	Davis (AL)	Ford
Brady (PA)	Davis (CA)	Fossella
Brady (TX)	Davis (FL)	Frank (MA)

Frelinghuysen	Lowey	Royce
Frost	Lucas (KY)	Ruppersberger
Galleghy	Lynch	Rush
Gephardt	Majette	Ryan (OH)
Gerlach	Maloney	Ryan (WI)
Gilchrest	Markey	Sánchez, Linda
Gillmor	Marshall	T.
Gonzalez	Matheson	Sánchez, Loretta
Goodlatte	McCarthy (MO)	Sanders
Gordon	McCarthy (NY)	Sandlin
Goss	McCollum	Saxton
Granger	McCrery	Schakowsky
Graves	McDermott	Schiff
Green (TX)	McGovern	Schrock
Green (WI)	McHugh	Scott (GA)
Greenwood	McIntyre	Scott (VA)
Grijalva	McKeon	Serrano
Gutierrez	McNulty	Shadegg
Gutknecht	Meehan	Shaw
Hall	Meeks (NY)	Shays
Harman	Menendez	Sherman
Hart	Mica	Sherwood
Hensarling	Michaud	Shimkus
Herseth	Millender-	Simmons
Hill	McDonald	Skelton
Hinojosa	Miller (MI)	Slaughter
Hobson	Miller (NC)	Smith (MI)
Hoeffel	Miller, Gary	Smith (NJ)
Hoekstra	Miller, George	Smith (TX)
Holden	Mollohan	Smith (WA)
Holt	Moore	Snyder
Hooley (OR)	Moran (VA)	Solis
Houghton	Murphy	Souder
Hoyer	Murtha	Spratt
Hyde	Nadler	Stark
Inslie	Napolitano	Stenholm
Isakson	Neal (MA)	Strickland
Israel	Nethercutt	Stupak
Issa	Northup	Sweeney
Jackson (IL)	Nunes	Tanner
Jackson-Lee	Nussle	Tauscher
(TX)	Oberstar	Taylor (NC)
Jefferson	Obey	Terry
Jenkins	Oliver	Thomas
John	Ortiz	Thompson (CA)
Johnson (CT)	Osborne	Thompson (MS)
Johnson (IL)	Ose	Thornberry
Johnson, E. B.	Owens	Tiahrt
Kanjorski	Oxley	Tierney
Kaptur	Pallone	Toomey
Kelly	Pascrell	Towns
Kennedy (MN)	Pastor	Turner (OH)
Kennedy (RI)	Payne	Turner (TX)
Kildee	Pearce	Udall (CO)
Kilpatrick	Pelosi	Udall (NM)
Kind	Pence	Upton
King (IA)	Peterson (PA)	Van Hollen
King (NY)	Petri	Velázquez
Kirk	Pickering	Vislosky
Kleccka	Pitts	Vitter
Kline	Pomeroy	Walden (OR)
Knollenberg	Porter	Walsh
Kolbe	Portman	Waters
Kucinich	Price (NC)	Watson
Lampson	Pryce (OH)	Watt
Langevin	Quinn	Waxman
Lantos	Rahall	Weiner
Larsen (WA)	Ramstad	Weldon (PA)
Larson (CT)	Rangel	Weller
Latham	Regula	Wexler
LaTourette	Reyes	Whitfield
Leach	Reynolds	Wicker
Lee	Rodriguez	Wilson (NM)
Levin	Rogers (KY)	Wilson (SC)
Lewis (CA)	Rogers (MI)	Wolf
Lewis (GA)	Ros-Lehtinen	Woolsey
Lipinski	Ross	Wu
LoBiondo	Rothman	Wynn
Loggren	Roybal-Allard	

□ 2313

AMENDMENT OFFERED BY MS. MILLENDER-MCDONALD

Ms. MILLENDER-MCDONALD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. MILLENDER-MCDONALD:

Page 92, line 16, after the dollar amount insert the following: “(increased by \$1,500,000)”.

Page 93, line 8, after the dollar amount insert the following: “(reduced by \$1,500,000)”.

The CHAIRMAN. Points of order are reserved.

Pursuant to the order of the House of today, the gentlewoman from California (Ms. MILLENDER-MCDONALD) and a Member opposed will each control 5 minutes.

The Chair recognizes the gentlewoman from California (Ms. MILLENDER-MCDONALD).

Ms. MILLENDER-MCDONALD. Mr. Chairman, I yield myself such time as I may consume.

My amendment would provide increased funding for the Small Business Administration’s Women’s Business Centers Program. This amendment would provide for an additional \$1.5 million in funding for the Women’s Business Centers Program that is currently funded at the level of \$12 million, which is included in the committee’s version of the report, bringing this total level of program funding to \$13.5 million.

The United States Small Business Administration network of Women’s Business Centers provide a wide range of services to women business owners at all levels of business development through grant funding to private, non-profit economic development organizations. These centers are located in 46 States, the District of Columbia, Puerto Rico, American Samoa, and the Virgin Islands, and provide financial and general business management and marketing assistance, as well as long-term training and counseling, to existing and potential women business owners, many of whom are socially and economically disadvantaged.

Many centers make a special effort to assist women on welfare become self-sufficient and administer programs and workshops in business ownership, other employment or a combination of the two. All of the centers provide individual counseling and access to the SBA’s programs and services.

I have always been a strong supporter of women-owned small businesses and have led efforts in past Congresses to increase authorized funding levels for the WBC programs.

Mr. Chairman, women-owned businesses are a dynamic and thriving force in the U.S. economy. Business ownership has been one of the most effective means of improving women’s economic well-being. Female participation in business ownership at all levels is

climbing. Women now own 40 percent of all small businesses and are growing at twice the rate of all other businesses. America’s 9.1 million women business owners employ 2.75 million people and contribute \$3.6 trillion to the economy.

Additional funding for this program will go a long way to ensuring that both existing and new centers will have the funding to help women entrepreneurs with additional training and technology assistance, especially minority women and start-up businesses.

I would like to thank the chairman and the ranking member for their support and guidance as I have introduced this amendment, and I ask all of my colleagues to support this amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. WOLF. Mr. Chairman, we accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. MILLENDER-MCDONALD).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BURGESS

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. BURGESS:

Page 108, after line 22, insert the following (and make such technical and conforming changes as may be appropriate):

TITLE VIII—ADDITIONAL GENERAL PROVISIONS

SEC. 801. SENSE OF THE CONGRESS REGARDING THE FEDERAL TRADE COMMISSION.

It is the sense of the Congress that the Federal Trade Commission should provide to Independent Physician Associations guidance on contracting with health plans, on practice business arrangements, and on member communications, and a reasonable time for such Associations to ameliorate certain arrangements that could lead to Federal Trade Commission enforcement of antitrust laws against any such Association that has engaged in alleged anticompetitive activities.

The CHAIRMAN. Points of order are reserved.

Pursuant to the order of the House of today, the gentleman from Texas (Mr. BURGESS) and a Member opposed will each control 5 minutes.

Mr. WOLF. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The point of order is reserved.

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

Mr. Chairman, this is an extremely important issue to physicians and patients around the country.

Over the past few years, the Federal Trade Commission has been targeting groups of doctors known as Independent Physician Associations, alleging anticompetitive business activities. These groups, IPAs, are integrated groups of physicians that can provide a wide array of medical services to patients in their community.

NOT VOTING—15

Blumenauer	Hastings (FL)	Matsui
Cardin	Hinchey	Meek (FL)
Carson (IN)	Honda	Tauzin
Collins	Jones (OH)	Young (AK)
Deutsch	LaHood	Young (FL)

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). There are 2 minutes remaining in this vote.

□ 2312

So the amendment was rejected.

The result of the vote was announced as above recorded.

While it is important that the Federal Trade Commission enforce the antitrust laws when organizations engage in anticompetitive behavior, they must understand that the recent complaints brought against IPAs could and do disrupt patient care. This amendment would ask that the Federal Trade Commission keep in mind and provide Independent Physician Associations with guidance and a time to ameliorate any arrangement that could violate the law before the FTC pursues enforcement action.

The fact is, Mr. Chairman, if you are an Independent Physician Association, in the eyes of the FTC, you are by definition a conspirator or in the process of conspiring. In fact, the FTC seems to pursue a mission statement that you are guilty unless you happen to be able to prove your innocence, and these actions are extremely expensive to fight.

My concern is not so much the innocence or guilt of the organizations, but the impact that the lack of guidance from the Federal Trade Commission can have on the provider community and patients who receive a high quality of care from IPAs. IPAs consistently rate high in customer satisfaction and positive health outcomes.

One such organization in north Texas, the North Texas Specialty Physicians, provides excellent health care. With over 600 doctors, they serve around 11,000 patients a day. They are the only Medicare risk provider in north Texas. This is important because Medicare risk is the old Medicare+Choice. Here is the group that took that Medicare HMO and made it work, made it work for the doctors and made it work for the patients; and as a consequence, they are punished for their success.

They accept new Medicare enrollees when many other networks in the area do not. Most emergency calls are responded to by their physicians. Their access ratings are very high. At a time when most doctors will not take new Medicaid clients, they are one of the few networks that take new Medicaid enrollees every day.

Federal agencies should not be punishing businesses when their only transgression is success. By having the FTC give IPAs basic guidance on how they contract with health plans and how they communicate with other IPA members and established business relationships, patient care in the community will not suffer. That should be our concern.

It is important for the FTC to enforce the law. All this amendment asks is that a reasonable standard be applied and care be exercised when patient care could be disrupted.

What brought this to my attention was this particular group which has been charged by the FTC with an action. This group has spent \$1 million over the last year and a half, defending itself against what it believes are unfair allegations, and probably the FTC has spent, conservatively, three times

that amount, and these are dollars we can scarcely afford out of this appropriation. Groups that are procompetitive and manage risk are being punished.

Mr. Chairman, I plan to withdraw my amendment, but I hope to work with the chairman in the future to bring more balance to this situation.

Mr. Chairman, at this time I withdraw my amendment.

AMENDMENT OFFERED BY MR. WOLF

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. WOLF:

At the end of title VI, insert the following: SEC. 627. It is the sense of the Congress that the Secretary of State, at the most immediate opportunity, should—

(1) make a determination as to whether recent events in the Darfur region of Sudan constitute genocide as defined in the Convention on the Prevention and Punishment of the Crime of Genocide; and

(2) support the investigation and prosecution of war crimes and crimes against humanity committed in the Darfur region of Sudan.

The CHAIRMAN. Points of order are reserved.

Pursuant to the order of the House of today, the gentleman from Virginia (Mr. WOLF) and a Member opposed will each control 5 minutes.

The Chair recognizes the gentleman from Virginia (Mr. WOLF).

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

(Mr. WOLF asked and was given permission to revise and extend his remarks.)

Mr. WOLF. Mr. Chairman, the amendment is very simple and concerns recent events in the Darfur region of Sudan, which I visited last week. I offer the amendment on behalf of myself and the gentleman from New Jersey (Mr. PAYNE).

The amendment asks the Secretary of State to support the investigations of war crimes or crimes against humanity in Darfur, and I have done this in consultation with my colleague on the other side, the gentleman from New York (Mr. SERRANO).

Senator BROWNBACK and I just returned from spending 3 days and 2 nights in Darfur, Sudan. During our trip we visited five refugee camps: Abu Shouk; Tawilah; Krinding; Sisi and Morney—all sprawling tent cities jam-packed with thousands of displaced families and fast becoming breeding grounds for disease and sickness. We drove past dozens of pillaged villages and walked through what was left of four burned to the ground. We heard countless stories about rape, murder and plunder.

We talked to rape victims. We saw the scars on men who had been shot. We watched mothers cradle their sick and dying babies, hoping against all odds that their children would survive. We saw armed Janjaweed waiting to prey on innocent victims along the perimeter of refugee camps.

We saw Janjaweed—who are carrying out these attacks—sitting astride camels and

horses just a short distance from where young and old have sought what they had hoped would be a safe harbor.

The same stories were repeated at every camp we visited. The raids would happen early in the morning. First comes the low rumble of a Soviet-made Antonov plane to bomb the village. Next come helicopter gunships to strafe the village with the huge machine guns mounted on each side. Sometimes the helicopters would land and unload supplies for the Janjaweed. They would then be reloaded with booty confiscated from a village. One man told us he saw cows being loaded onto one helicopter. The Janjaweed, some clad in military uniforms, would come galloping in on horseback and camels to finish the job of killing, raping, stealing and plundering.

Walking through the burned out villages we could tell the people living there had little or not time to react. They left everything they owned—lanterns, cookware, water jugs, pottery, plows—and ran for their lives. There was no time to stop and bury their dead. The Janjaweed made certain that there would be nothing left for the villagers to come home to. Huts were torched. Donkeys, goats and cows were stolen, slaughtered. Grain containers destroyed. In one village we saw where the Janjaweed even burned the mosque.

ETHNIC CLEANSING

What is happening in Darfur is rooted in ethnic cleansing. Religion has nothing to do with what unfolded over the last year. It was clear that only villages inhabited by black African Muslims were being targeted. Arab villages sitting just next to African ones miles from the nearest towns have been left unscathed.

While government officials are adamant in saying there is no connection between the Government of Sudan and the Janjaweed, the militiamen we saw did not look like skilled pilots who could fly planes or helicopters.

We also were told the Janjaweed are well armed and well supplied. They have satellite phones, an astonishing fact considering most people in the far western provinces of Darfur have probably never even seen or walked on a paved road.

The impunity under which the Janjaweed operate was most telling as we approached the airport in Geneina on our last day in the region for our flight back to Khartoum. In plain sight was an encampment of Janjaweed within shouting distance of a contingent of Government of Sudan regulars. No more than 200 yards separated the two groups. Sitting on the tarmac were two helicopter gunships and a Russian-made Antonov plane.

The situation in Darfur is being described as the worst humanitarian crisis in the world today. We agree. But sadly things could get worse. Some say that even under the best of circumstances, as many as 300,000 Darfuris forced from their homes are expected to die from malnutrition and diarrhea or diseases such as malaria and cholera in the coming months.

The impending rainy season presents its own set of problems, making roads impassable for food deliveries and the likelihood of disease increasing dramatically with the heavy rains.

DIFFICULT LIFE IN IDP CAMPS

Abu Shouk was the first of five IDP (Internally Displace People) camps we visited. More than 40,000 people live in this sprawling tent city. Families arriving at the camps—almost all

after walking for days in the hot sun from their now abandon villages—are only given a tarp, a water jug, cookware and a small amount of grain.

At Mornay, the largest of the IDP camps in Darfur with more than 70,000 inhabitants, it was hard not to step in either human or animal feces as we walked. In a few weeks, when the heavy rains begin, excrement will flow across the entire camp. Mortality from diarrhea, which we were told represents one-third of the deaths in the camps, will only increase.

To their credit, all the non-governmental organizations (NGOs) that have been allowed to operate in Darfur have done—and continue to do—a tremendous job under extremely trying circumstances.

Rapes, we were told, happen almost daily to the women who venture outside the confines of the camps in search of firewood and straw. They leave very early in the morning, hoping to evade their tormentors before they awake. With the camps swelling in size and nearby resources dwindling, they often walk several miles. The farther the women go from the camp, the greater the risk of being attacked by the Janjaweed.

As we approached Mornay, we saw a number of Janjaweed resting with their camels and horses along the perimeter of the camp, easily within walking distance. In one camp we heard the horrific story of four young girls—two of whom were sisters—who had been raped just days before we arrived. They had left the camp to collect straw to feed the family's donkey when they were attacked. They said their attackers told them they were slaves and that their skin was too dark. As they were being raped, they said the Janjaweed told them they were hoping to make more lighter-skinned babies. We were told that some of the rape victims were being branded on their back and arms by the Janjaweed, permanently labeling the women.

We also received a letter during our trip from a group of women who were raped. To protect them from further attacks, we purposely do not mention where they are from or list their names. The translation is heart-breaking:

We are forty-four raped women. As a result of that savagery, some of us became pregnant, some have aborted, some took out their wombs and some are still receiving medical treatment.

Hereunder, we list the names of the raped women and state that we have high hopes in you and the international community to stand by us and not to forsake us to this tyrannical, brutal and racist regime, which wants to eliminate us racially, bearing in mind that 90 percent of our sisters at (. . .) are widows.

These rape victims have nowhere to turn. Even if they report the attacks to the police, they know nothing will happen. The police, the military and the Janjaweed all appear to be acting in coordination.

DIRE SITUATION IS MAN-MADE

The situation in Darfur is dire, and from what we could see, it is entirely man-made. These people who had managed to survive even the severest droughts and famines during the course of their long history are now in mortal danger of being wiped out simply because of the darker shade of their skin color.

Over the course of 3 days, we saw the worst of man's inhumanity to man, but we also

saw the best of what it means to be human: mothers waiting patiently for hours in the hot sun so that they could try to save their babies; NGO aid workers and volunteer doctors feeding and caring for the sick and the dying; and the courage and bravery of men, women and children eager to talk to us so that we would know their story.

The world made a promise in 1994 to never again allow the systematic destruction of a people or race. "Never again"—words said, too, after the Holocaust.

In Darfur, the international community has a chance to stop history from repeating itself. It also has a chance to end this nightmare for those who have found a way to survive. If the international community fails to act, the next cycle of this crisis will begin. The destiny facing the people of Darfur will be death from hunger or disease.

Mr. WOLF. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Virginia (Mr. WOLF).

The amendment was agreed to.

□ 2320

Mr. WOLF. 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. GINGREY) having assumed the chair, Mr. HASTINGS of Washington, 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. 4754) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2005, and for other purposes, had come to no resolution thereon.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3598, MANUFACTURING TECHNOLOGY COMPETITIVENESS ACT OF 2004

Mr. HASTINGS of Washington, from the Committee on Rules, submitted a privileged report (Rept. No. 108-589) on the resolution (H. Res. 706) providing for consideration of the bill (H.R. 3598) to establish an interagency committee to coordinate Federal manufacturing research and development efforts in manufacturing, strengthen existing programs to assist manufacturing innovation and education, and expand outreach programs for small and medium-sized manufacturers, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4755, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2005

Mr. HASTINGS of Washington, from the Committee on Rules, submitted a

privileged report (Rept. No. 108-590) on the resolution (H. Res. 707) providing for consideration of the bill (H.R. 4755) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2005, and for other purposes, which was referred to the House Calendar and ordered to be printed.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

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

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

ORDER OF BUSINESS

Ms. WOOLSEY. Mr. Speaker, I ask unanimous consent to take my Special Order at this time.

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

There was no objection.

SMART SECURITY AND IRAQ TRANSFER OF POWER

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

Ms. WOOLSEY. Mr. Speaker, at the end of last month, the United States Government handed control of Iraq "back to its people." And everyone I know who is being at all intellectually honest believes that the choice of a June 30 deadline was driven more by the political calendar than anything else.

The Bush administration wants to have it both ways. They want to go before the voters with "clean hands" in the fall to say that the job has been completed just as they tried to declare "mission accomplished" a year ago, but at the same time remaining in charge of this occupation, while even after the handover, U.S. troops and other officials will enjoy full immunity if they should destroy property or kill Iraqi citizens.

Coming on the heels of the Abu Ghraib revelations, this arrogance and lack of accountability is absolutely staggering. The war in Iraq has already cost lives of hundreds of American soldiers, 25,000 being injured, the lives of thousands of innocent Iraqi civilians, and billions of dollars that should have been invested right here at home.

This war has diverted resources from the struggle against al Qaeda, the group actually responsible for the atrocities of 9/11. Now al Qaeda has regrouped and poses as great a strength and threat as ever.