

THE REPUBLICAN CONTRACT WITH AMERICA

(Mr. KINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KINGSTON. Mr. Speaker, 10 years ago the Republican Party put forth the Contract with America, and it was the first time that collectively Members of Congress had put forth an agenda. And certainly the Democrats did not like it, but 10 years later they are trying to do the same thing, and I applaud them. I think it is good to honestly show the folks what their platform is.

Part of our platform, of course, was tax cuts. Does anyone think that we would have had tax cuts had the Democrats stayed in power?

Part of our platform was welfare reform. There were 14 million people on welfare. Today there are about 4 million. Does anyone think that 9 million people would be back in the workplace if it had not been for the Republican Contract with America?

The military spending went from \$260 billion to today \$419 billion and restrengthened our military. Does anybody think that would have happened without the Republican Contract with America?

And No Child Left Behind, our landmark education reform bill that put parents back in charge and teachers, not bureaucrats, in Washington. Does anyone think that would have happened without the Contract with America?

These platforms are good. This debate is worth having. We have been in power for 10 years. There is a lot more we need to be doing. We are going to work for tax simplification and more tax reduction, and we need to get better control on spending. Both parties need to do that.

Mr. Speaker, I am proud that we have been in power 10 years and proud of the accomplishments we have had in that period.

CELEBRATING 10 YEARS OF A REPUBLICAN HOUSE

(Mr. EHLERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EHLERS. Mr. Speaker, it is a pleasure to join in this celebration today.

I well remember 1994 because I was sworn in during January, 1994, and took my oath of office. Shortly thereafter I wrote an article which was distributed to my party colleagues entitled "How We Can Take the Majority." What a change has happened since then.

The Contract with America was a genuine brainstorm, a very effective technique; but also it gave guidance for a number of years for what we were to do. And if we compare the condition of

the Nation today to the condition of the Nation 10 years ago, it is absolutely amazing what we have accomplished. Much of it has been controversial, but almost all of it has been good. And I am very pleased with the progress that we have made and the way we have moved this country along over these 10 years.

I would also add, Mr. Speaker, I have always been a great believer that good work deserves a reward. And this is a very clear case where the good work of the Republican Party in this Congress deserves a reward of continuing to remain in the majority for another 10 years. We have proved we can do good work. We will continue to do it.

GENERAL LEAVE

Mr. ISTOOK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the further consideration of H.R. 5025 and that I may include tabular material on the same.

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

There was no objection.

TRANSPORTATION, TREASURY, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2005

The SPEAKER pro tempore. Pursuant to House Resolution 770 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. 5025.

□ 1044

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. 5025) making appropriations for the Departments of Transportation and Treasury, and independent agencies for the fiscal year ending September 30, 2005, and for other purposes, with Mr. SIMMONS (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose on Tuesday, September 21, 2004, amendment No. 2 printed in the CONGRESSIONAL RECORD by the gentleman from Florida (Mr. DAVIS) had been disposed of, and the bill had been read through Page 166, line 3.

AMENDMENT NO. 12 OFFERED BY MS. WATERS

Ms. WATERS. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 12 offered by Ms. WATERS:

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

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

The CHAIRMAN pro tempore. Pursuant to the order of the House of Tuesday, September 14, 2004, the gentleman from California (Ms. WATERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California (Ms. WATERS).

□ 1045

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

Mr. Chairman, this is a very simple amendment. The United States has a trade deficit. We are not able to sell our goods abroad in the way that we should be able to do it.

Cuba has been literally dying for us to sell them goods. We finally had the good sense to open up the way for the sale of agricultural commodities, medicine and medical supplies to Cuba, and they are buying, but they have to pay cash on the barrel head. So this amendment would prohibit the use of funds to implement sanctions on private commercial sales of agricultural commodities, medicine and medical supplies to Cuba.

U.S. exports of agricultural products and medical supplies to Cuba have been legal since 2001. However, American farmers and other exporters must maneuver through a myriad of restrictions in order to export these products to Cuba. Exporters are denied access to export assistance, credit guarantees and private commercial financing. All transactions must be conducted in cash in advance or with financing from third countries. These restrictions make trade with Cuba unnecessarily expensive, bureaucratic and complicated.

The effect of my amendment would be to free exporters from the need to comply with these cumbersome regulations.

The people of Cuba need food and medicine. Their needs have never been greater than they are now, following the devastation caused by Hurricane Ivan. Cuba is one of several islands in the Caribbean ravaged by Hurricane Ivan, and the people of Cuba are trying to recover from the extensive damage caused by this terrible storm.

The people of Cuba are more than willing to purchase food and medical supplies from their American neighbors. American exporters have already exported \$210 million in products to Cuba in the first 5 months of this year despite the cumbersome restrictions involved, and they can expect to increase their market share significantly if they are freed from these restrictions.

U.S. agri-business companies have estimated that U.S. farmers are missing out on a market of \$700 million in Cuba because of these restrictions. Removing the prohibition on private financing would be especially helpful to smaller companies and individual farmers. Small businesses cannot afford to export goods to a foreign country without financing.

My amendment would ensure that American exporters could use private financing to export agricultural products and medical supplies to Cuba. A similar amendment was offered by my colleague, the gentleman from Kansas (Mr. MORAN), and was adopted by the House on July 23, 2002. Unfortunately, this amendment was not included in the conference report.

Other countries, like China, Germany and Canada, permit trade with Cuba, and these countries have financing arrangements that facilitate exports to Cuba. If the United States continues to make exports of food and medicine unnecessarily difficult and complicated, American companies will continue to be left out.

My amendment would ensure that American exporters could use private financing to export agricultural products and medical supplies to Cuba. Exports of food and medicine to Cuba are good for the American economy and they are good for the people of Cuba.

Mr. Chairman, I would urge my colleagues to adopt this amendment. I know that there are Members of this House who strongly dislike Fidel Castro. I know that there are Members who would do whatever they could to disadvantage that island. But I think it does not make good sense to cut off your nose to spite your face. We have all of these small businesses that want to do business with Cuba. Cuba wants to do business with us. We need to get rid of these restrictions so that they can have the kind of credit and financing from private companies, so that they can buy more and more and more.

How are we ever going to get rid of this trade deficit if we are not smart enough not to let some of the political ambitions of a few of our colleagues get in the way of what is good for America? We are sitting right down here 90 miles from Cuba in Florida with a lot of folks who want to do business with them. It is time to change our policies and go in a new direction.

It is time also to show people that we are willing to do the right thing. How can we sit here and know that people need the food, we need the money, and not allow it to happen?

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I claim the time in opposition to the amendment.

The CHAIRMAN pro tempore (Mr. SIMMONS). The gentleman from Florida (Mr. LINCOLN DIAZ-BALART) is recognized for 5 minutes.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, it is important that the facts be clear: The sale of agricul-

tural products and medicine to Cuba, even to the regime, is legal. The only requirement is that they have to pay.

Now, I was involved in a negotiation with a number of Members of this House some years back. It was a very detailed and difficult negotiation, but an agreement ensued that permitted the sale of agricultural products. The sale of medical products had been legal since 1992. The agreement permitted the sale of agricultural products even to the regime, as I said, Mr. Chairman, as long as the regime paid.

Now, even the economic interests that do business with the regime have made it clear that they want to be paid. What the discussion is about today is financing for the dictatorship, to make available financing for the dictatorship.

Amendments seem to find their way to this floor, no matter how much repression and torture the Cuban dictator engages in against his people, no matter how many people he imprisons simply for their views, no matter how much he tortures the people whom he imprisons. No matter how many people he even murders because they try to seek freedom, amendments manage to find their way to this floor to reward the tyrant. So now there is one amendment here that seeks to reward the dictator with financing.

What we are saying is, there has really never been a time to reward a dictatorship for repression and jailing of opponents and the murder of opponents. There has never been a time for that. Much less is there a time now, after the dictator has increased repression.

So on the issue of financing, I would simply remind my colleagues again that even those who sell to the dictator wish to be paid. Even those who sell to the dictator have said that they like the fact that they have to be paid, that they know that the dictator owes billions of dollars to people who have offered financing to him from other places of the world. What we do not want is to increase the amount of debt that the dictator owes, this time to Americans, much less to Americans who might then wish to have the taxpayer later bail them out.

The bottom line is that the sale of agricultural products is legal, that the sale of medical products has for a long time been legal, and that the only requirement is that the dictator pay. So we do not think that it is appropriate now to reward the dictatorship with financing. Even the people who sell are not pushing for that, because they like the fact that they get paid.

Mr. Chairman, this amendment is really in bad taste, especially when you consider the torture that the political prisoners are being subjected to. Those are the future leaders of the Cuban congress, those are the future leaders of the judiciary and, in fact, the future presidents of the Republic of Cuba, people who today are languishing in prison being tortured; and we owe at the very least to them not to reward this dicta-

torship with financing that even those who sell products are not seeking.

Mr. Chairman, I would simply ask my colleagues to reject this amendment, which is in bad taste and seeks to reward the dictatorship, and remind our colleagues that the sale of medical products and of agricultural products even to the regime is legal. The only conditions are that the regime pay.

The CHAIRMAN pro tempore. All time has expired.

The question is on the amendment offered by the gentlewoman from California (Ms. WATERS).

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

Ms. WATERS. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California (Ms. WATERS) will be postponed.

AMENDMENT OFFERED BY MS. LEE

Ms. LEE. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. LEE:

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

SEC. _____. None of the funds made available in this Act may be used to implement, administer, or enforce the amendments made to paragraphs (a) and (b) of section 515.565 of title 31, Code of Federal Regulations (relating to specific licenses for United States academic institutions and other specific licenses), as published in the Federal Register on June 16, 2004 (69 Fed. Reg. 33772). The limitation in the preceding sentence shall not apply to the implementation, administration, or enforcement of section 515.560(c)(3) of title 31, Code of Federal Regulations.

The CHAIRMAN pro tempore. Pursuant to the order of the House of Tuesday, September 14, 2004, the gentlewoman from California (Ms. LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California (Ms. LEE).

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

Mr. Chairman, my amendment is very simple. It prohibits funds in this bill from being used to enforce new regulations promulgated on June 30 that severely restrict and in many cases eliminate opportunities for United States students to study abroad in Cuba.

These new election year regulations take our policy toward Cuba in the exact wrong direction. Many of these regulations are just plain undemocratic and punitive, and simply do not make sense for Americans.

Regulations that have already and will continue to deny many American college students the basic opportunity to gain experience, knowledge and insight through study abroad in Cuba should not be funded. In fact, not only were many study-abroad programs to

Cuba effectively eliminated by these new regulations, most of the schools received little advance notice of the restrictions. Sadly, it is the students who suffered from this short notice. By the time the students were finally informed of the program cancellations, it was simply too late for them to make new study-abroad arrangements.

Goucher College, Johns Hopkins University, Howard University, Siena College, Butler University, the College of Charleston and Tulane University, just to name a few, were affected by these regulations. In my home State, the University of California coordinates study-abroad programs to Cuba and will be forced to cancel its popular programs next year.

This is an issue of freedom for our students to travel and gain invaluable experience and educational opportunity that only international study-abroad programs can provide. Our students can travel and study abroad in Communist countries such as China and Vietnam.

Make no mistake, isolating Cuba and preventing these important contacts between Cuba and students will not change the government in Cuba. We should allow these students to exchange ideas, values and share experiences. These types of exchanges are what will truly bring change to Cuba.

This amendment is straightforward, Mr. Chairman, and should not be controversial. We are talking about mainstream family values: education, freedom to travel, freedom to learn and the freedom to export our American values.

The State Department and the 9/11 Commission have both stated that our youth are key to spreading American values. Patricia Harrison, Assistant Secretary of State for Educational and Cultural Affairs, stated before the Committee on International Relations on which I serve that "one of our greatest assets in public diplomacy is the American people themselves. Programs that bring Americans and foreign citizens in direct contact can and do have tremendous positive impact."

The recommendations of the 9/11 Commission report state that we must "rebuild the scholarship, exchange and library programs that reach out to young people and offer them knowledge and hope."

I cannot agree more. It is in our best interests to allow our youth to spread our message of American values and hope so that people can see for themselves who America is and what we stand for.

So today I stand against squandering our resources to enforce these ineffective, outdated policies as they relate to education, and I ask Members to support the ranks of American students to be educated, to travel abroad, to gain experience and to make judgments for themselves.

□ 1100

I urge my colleagues to vote yes on the Lee-Tubbs-Jones amendment, and I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Florida (Mr. LINCOLN DIAZ-BALART) is recognized for 5 minutes.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is another "reward Castro" amendment. Reward the firing squads, reward the imprisonment of the opponents. That is what this amendment is all about.

It is already legal to travel. There are 13 legal categories of travel. One of them is for educational purposes. You have to get a license. You get a license. You go, and you do your travel for educational reasons.

So this amendment simply wants to eliminate all of the regulations.

I would say, it is not going to survive the process. We know that. So what is it? The goal of this amendment is to provide another symbolic victory for the dictatorship, to reward the oppression.

These amendments continue to find themselves on the floor. The reality of the matter is that the facts are pretty clear. As I said before, there are 13 legal categories. One of them is educational travel.

I would simply ask my colleagues to remember those people in the gulag today, those people suffering the full force, the brute force of the repression of that futile totalitarian tyranny.

When they receive these messages at the hands of their jailers of these symbolic amendments, victories that are presented and sometimes passed in the Congress of the United States, how it must make you feel when you are imprisoned. Nevertheless, they continue to resist. They continue to embody the dignity of the Cuban nation, in the totalitarian gulag. They continue, because they are the embodiment of the best of the Cuban nation, the future of Cuba. There are so many men and women in the gulag who deserve such extraordinary respect.

So I would ask my colleagues not to send more messages to them, that the Congress of the United States passes amendments to provide moments of pleasure for the tyrant. Because that is all it is. That is what these amendments that unfortunately continue to make themselves here, they reach the floor, that is what these amendments are.

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

Let me just respond to my colleague and say, first of all, this amendment is specifically about United States students, American students who want to visit under their educational programs to study abroad. As I said earlier, students are afforded study-abroad opportunities in a variety of countries. They should not be denied the right to pursue their educational opportunities in countries in which they desire to participate.

Secondly, students are our best ambassadors. They are young people who are very patriotic. They care about America. They want to engage in dialogue with students throughout the world, especially in Cuba. And denying them that right really is a terrible thing, first of all, for our students, but it sets back our foreign policy.

We are talking about creating a global environment of peace and security. How in the world are our future leaders of the world going to be able to understand and relate to countries abroad if they do not have the opportunity to study there? It is a very important initiative, and we should not be using taxpayer dollars to deny United States, American students to travel to Cuba to study.

Under the old regulations, of course, they could go to study. Now they have to stay more than 10 weeks under these regulations. It is ridiculous. It is going to hurt our students. It is going to hurt education. It is bad for family values. I urge my colleagues to pass this amendment.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I yield 1½ minutes to the gentleman from Florida (Mr. MARIO DIAZ-BALART).

Mr. MARIO DIAZ-BALART of Florida. Mr. Chairman, I just want to again clarify that, right now, you can go to Cuba for educational purposes; you just have to get a license. So the only reason for this amendment is to symbolically tell the Castro anti-American dictatorship, terrorist dictatorship, that we like you. That is all this amendment does. Students can go to Cuba if they get a license.

So despite the fact that the Castro regime continues to imprison and despite the fact that the Castro regime has murdered Americans, murdered American citizens, has American blood on his hands, this amendment would just like to give him a nice pat on the back and say, even though Americans can go with a permit, with a license to get education, go for educational purposes to Cuba, we want to give you a gift, Mr. Castro. Despite the fact that you murder Americans, we want to give you a gift, and here is a little token gift. Because, again, it is not going to happen. It is not going to pass the process, but we just want to show that we support that anti-American dictator who has American blood on his hands. It is a very sad statement.

Again, fortunately, none of these issues ever happen. But, again, that is all this amendment is. It is to show that anti-American dictator, that terrorist 90 miles away, that this amendment supports, still supports that dictatorship. That is all this does, Mr. Chairman.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I think we have made our points. We oppose the amendment strongly.

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

Mrs. JONES of Ohio. Mr. Chairman, I rise in support of the Lee-Rangel-Tubbs Jones

Amendment to H.R. 5025—Transportation, Treasury Appropriations Act for fiscal year 2005. The Lee-Rangel-Tubbs Jones Amendment prohibits the use of funds to enforce new regulations that affect students who study abroad or seek other educational opportunities in Cuba.

America students have become victims of politics, which should not be the intent of U.S. foreign policy. The Office of Foreign Assets Control's (OFAC) purpose is to track terrorist activities, not punish Americans interested in educational exchanges to Cuba.

Members of Congress, especially Members of the Congressional Black Caucus, and the Progressive Caucus, have written and called President Bush and Secretary Powell about the students at the Latin American Medical School (ELAM) and the cuts in general education licenses.

All people-to-people educational travel was eliminated in 2003, which ended thousands of trips by U.S. citizens to Cuba for broader educational purposes each year. Mr. Speaker, these facts make the Lee-Rangel-Tubbs Jones Amendment necessary.

The number of U.S. university-level students receiving credit for study abroad in 2001/02 increased 4.4 percent from the previous year, reaching a record total of 160,920, according to Open Doors 2003, the annual report on international educational published by the Institute of International Education (IIE) with funding from the State Department's Bureau of Educational and Cultural Affairs.

Open Doors 2003 indicates that most students continue to study abroad for shorter sojourns (many for less than eight weeks), with more than 50 percent of U.S. undergraduates and masters degree student electing summer, January term, internships, and other short-term programs instead of academic year or semester programs. Most American students who studied abroad in 2001/02 (91 percent) did so for one semester or less.

The number of U.S. students going to less traditional destinations remains high. The percent of all study abroad students going to Latin America has more than doubled since 1985, from 7 percent the first year of the survey to 15 percent this year, and the number of students going to Latin America increased by 4 percent to 23,300 this year.

Many countries, particularly in Latin America, saw large increases in the number of American students they hosted in 2001/02. Countries with large increases included: Cuba (1,279, up 41 percent), Brazil (1,064, up 40 percent), and El Salvador (145, up 86 percent).

Current regulations adversely effect study-abroad programs in Cuba. Educational travel licenses are only granted to undergraduate and graduate institutions. Under the revised regulations, students can only participate in exchange programs to Cuba that are organized by the institution in which they are enrolled. High schools or other alternative educational institutions are prohibited from having Cuba travel programs.

This directive adversely affects many of my constituents as it is in complete discord with the objective of consortium programs. These young people will be restricted from participating in programs coordinated by other colleges and universities.

Take example of Jamie Vega, a student at Cleveland State University. She was raised in

a single family home, was the first person in her family to attend college on a full scholarship. Jamie was an International Relations Major and Spanish Minor. She was awarded the National Security Education Program Scholarship in 2003 and studied at the University of Havana. Due to this Administration's prohibition on educational exchange opportunities to Cuba, other students will not be able to benefit from the rich experiences that Jamie profited from. Mr. Chairman, these facts make the Lee-Rangel-Tubbs Jones Amendment necessary.

In August, the Office of Foreign Assets Control (OFAC) within the Department of Treasury and the State Department issued a two-year license for the 88 students enrolled at the school.

For those students who planned to participate in 10-week exchange programs this year, it is too late for them to make alternate study-abroad arrangements. Even worse, this may have been their only opportunity to study abroad.

These regulations discriminate against these students on the basis of where they want to continue their studies. Full-time American students should be permitted to participate in any exchange initiatives that their institution approves.

Mr. Chairman, I rise in support of the Lee-Rangel-Tubbs Jones Amendment to H.R. 5025—Transportation, Treasury Appropriations Act for fiscal year 2005. The Lee-Rangel-Tubbs Jones Amendment prohibits the use of funds to enforce new regulations that affect students who study abroad or seek other educational opportunities in Cuba.

Ms. WATERS. Mr. Chairman, I rise to support the Lee amendment to prohibit the use of funds in this bill to implement the Administration's new restrictions on travel to Cuba for educational purposes.

These new restrictions prohibit American students from participating in educational programs unless they were organized by the institution in which the students are enrolled. Students would not be allowed to participate in programs organized by other colleges or universities. This would deny students the opportunity to study in Cuba unless their own institution has its own program in Cuba. This unreasonable restriction could prevent thousands of American students from studying abroad in the country of their choice.

Throughout the Cold War, American students studied in the Soviet Union. Many of them went on to become diplomats, scholars and policy-makers who used the knowledge they gained to contribute to the development and implementation of U.S. foreign policy. Similarly, many Americans are studying in the People's Republic of China today. There is no reason to treat study in Cuba differently.

Study abroad provides valuable educational experiences for American students and contributes to the development of knowledgeable and informed professionals who can use their knowledge to serve our country in the future. I urge my colleagues to support the Lee amendment and support educational opportunities for American students in Cuba and throughout the world.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Ms. LEE).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. RANGEL

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. RANGEL:
Page 166, insert after line 3 the following new section:

SEC. 647. None of the funds made available in this Act may be used to implement, administer, or enforce the economic embargo of Cuba, as defined in section 4(7) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (Public Law 104-114), except that the foregoing limitation does not apply to the administration of a tax or tariff.

The CHAIRMAN. Pursuant to the order of the House of Tuesday, September 14, 2004, the gentleman from New York (Mr. RANGEL) and a Member opposed each will control 5 minutes.

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

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

Mr. Chairman, I think that in view of the victory that the gentlewoman from California (Ms. LEE) has had, that maybe, just maybe, there is a breath of fresh air entering the House where we can say, let us stop this punitive approach to Cuba and the Cuban government, and let us start a common sense approach.

The gentleman from Florida makes it appear as though we are rewarding a dictator for not upholding the principles of democracy. None of us here want to do that. Some would say that we have a disregard for the loss of life or the imprisonment of people unfairly, as we all agree is wrong and immoral and indecent, but that is not so. We are not talking about rewarding; we are talking about normalization. We are talking about the United States of America's principles. We are talking about Americans who feel so proud of what we believe in that we do not let any nickel-and-dime dictator prevent us from taking our message to the people, the people in Cuba.

For 40 years, we have taken this nonsensical approach that we are going to punish the Cuban people, deny them access to our markets, deny them financial assistance, notwithstanding the pain and cruel treatment that nature has given to them through hurricanes, notwithstanding the poverty in the country, and we have had this belief on our side, at least some of us on both sides, that the American approach, if properly presented to the people, will prevail; not guns, not bombs and not penalties, but the American way.

We believe that trading with people is a way for our business people to be ambassadors of the free market system. As the gentlewoman from California (Ms. LEE) said, we believe our kids are better than any ambassadors that come out of the State Department when they talk about life in the United States. We believe our farmers and our business people, they really know how

to talk to these people about doing the right thing. But if what we are saying is that we are afraid of Castro and we are afraid of communism, then I suggest to my colleagues that we ought to get the heck out of China. We ought to get out of Vietnam. We ought to restore sanctions against Libya, and for God's sake, if we are looking for a democracy, we have a long march in Pakistan to find it.

We believe we are powerful enough that we are on the right side of the issue, and for those who are afraid of the truth, then jam their stations, jam their TV, have no communications with these people and just say that we will prevail, because we are powerful enough to bring not Castro down to his knees but the people who are relying on a little assistance from their friends in the United States.

I do not think you have to be Cuban-American, I do not think you have to represent Cuban-Americans to understand what compassion is. But I will tell my colleagues one thing, I would hate to represent a district that had families in Cuba, after this horrific hurricane where people are in real pain economically and socially, and I wanted to send them some money, I wanted to visit, I wanted to see who got hurt, I may have wanted to go to a funeral, but I have to say that my heart, my compassion, my country, we are with you, but because we hate with such vengeance your president who has survived so many of ours, we will not be able to help. That, I think, is a more difficult position than to say that you are against communism.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I rise in opposition to the amendment, and I yield myself such time as I may consume.

A year ago, I was in New York, and I read a newspaper there, the daily called *La Prensa*, and there was an interview with the gentleman from New York, the author of this amendment. It related to the summary executions that had just taken place by Castro of three young black men just a few days before, after they had been arrested by the dictatorship for the crime of trying to come to the United States.

I quote from the gentleman from New York (Mr. RANGEL) a little over a year ago: "I am shocked. There is nothing that the Cuban government can tell me that would interest me and that would convince me to speak to them again. It is totally incredible that a government would justify this type of action. The execution of these people puts an end to any possible discussion that there could have been with the Cuban government."

Now, I wish, Mr. Chairman, that I could say that there has been some justice for those summary executions, the murders of those three young men. I wish I could say that the dictator at least had apologized to the grieving family members for their murders.

No, there has been no justice, only increased repression. I showed last night a replica of the punishment box for the best known political prisoner, a physician, Dr. Biscet, who is being held today because he believes in freedom and democracy. After this amendment, I certainly will always recall that it is more important when one truly wants to understand someone to guide oneself by what that person does rather than by what he says.

This, as the gentleman has just stated, is the "normalization of relations" amendment, the "normalization of relations with the Cuban dictatorship" amendment.

Now, the charter of the OAS may say of this hemisphere, only representative democracy is legal, legitimate, and the democratic charter of simply 2 or 3 years says that any interruption in the democratic process in this hemisphere needs to be sanctioned. But this amendment says: No, you can ban elections for 45 years. You can crush labor unions and crush the free press and eliminate and prohibit all political parties and freedom of expression and execute people, including three young black men just a year ago for trying to get to freedom, and imprison them and torture them. And you can kill Americans, and you can harbor terrorists. And you can harbor fugitives from U.S. justice, including cop killers from our States here.

□ 1115

You can do all of that. And you will get an amendment that says let us normalize relations. You can continue to harbor terrorists, and you can continue to harbor U.S. felon fugitives who murder U.S. citizens and spy on the United States and disrupt antiterrorism operations. We will still normalize with you. That is what this amendment is.

So this is very good that this amendment be on the floor today because this is, after all, the debate about economic interests and debate about the coalition of forces that have advocated for the last years for normalization. This is important debate for our colleagues to express themselves on. After 45 years of illegal oppression in this hemisphere, that is the only one where its international law requires representative democracy, and great strides have been made in recent decades towards compliance with that legal international law requirement.

This amendment says, no, in the Western Hemisphere it is all right to oppress for 45 years and murder and execute and torture and spy on Americans and harbor fugitives and harbor international terrorists and disrupt the U.S. international war on terrorism. It is all right. We will reward you. We will normalize, we will grant you the billions of dollars unilaterally without the dictatorship having to release any political prisoners or move towards freedom for its prisoners. We will reward you unilaterally anyway.

I would ask this Congress of the United States that I hold with such

reverence to stand with the Cuban people today and to reject this amendment that simply seeks to reward oppression and reward infamy.

The CHAIRMAN. The gentleman from Florida's (Mr. LINCOLN DIAZ-BALART) time has expired. The gentleman from New York (Mr. RANGEL) has 30 seconds remaining.

Mr. RANGEL. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, let me be brief. It is clear that this is a very emotional issue. All I can say is that in 1950 when I was shot by the Communist Chinese on the Yalu River in North Korea, I was emotional as well. They told me to get over it.

I do not know how many tens of thousands of American lives were lost as a result of the Communists in North Vietnam. When the trade agreement came up, they said, Get over it. The families of those that were killed by the Libyan terrorists in Flight 103, they objected to trade and they said, Get over it. I would suggest to the gentleman from Florida (Mr. LINCOLN DIAZ-BALART) he has to get over it.

Ms. WATERS. Mr. Chairman, I rise to support the Rangel amendment to prohibit the use of funds to enforce the economic embargo on Cuba.

If Congress were serious about our relationship with Cuba, Congress would pursue a policy of negotiation and diplomacy—not isolation. Such a policy would allow the export of seeds, agricultural tools, and other products, which are desperately needed by the Cuban population. Instead, Congress is allowing the continuation of its out-dated embargo against this small country, which is only 90 miles from America's shores.

I urge my colleagues to support the Rangel amendment.

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

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

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

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

VACATING DEMAND FOR RECORDED VOTE ON AMENDMENT NO. 12 OFFERED BY MS. WATERS

Ms. WATERS. Mr. Chairman, I ask unanimous consent to withdraw my request for a recorded vote on Waters Amendment No. 12 and to have the Chair put the question *de novo*.

The CHAIRMAN. Is there objection to the request of the gentlewoman from California?

There was no objection.

The CHAIRMAN. The question is on amendment No. 12 offered by the gentlewoman from California (Ms. WATERS).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. OLVER

Mr. OLVER. 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. OLVER:

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

SEC. _____. None of the funds made available under this Act may be used to issue or implement the Department of Transportation's proposed regulation entitled Parts and Accessories Necessary for Safe Operation; Certification of Compliance With Federal Motor Vehicle Safety Standards (FMVSSs), published in the Federal Register, volume 67, number 53, on March 19, 2002, relating to a phase-in period to bring vehicles into compliance with the requirements of the regulation.

The CHAIRMAN. Pursuant to the order of the House of Tuesday, September 14, 2004, the gentleman from Massachusetts (Mr. OLVER) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Massachusetts (Mr. OLVER).

Mr. OLVER. Mr. Chairman, I yield myself 4 minutes.

Mr. Chairman, my amendment is a simple funding limitation which says that no funds from this bill can be used to implement a Federal Motor Carrier Safety Administration's rule published in the Federal Register on the 19th of March 2002 in so far as it relates to a phase-in period to bring vehicles into compliance with the requirements of the regulation.

The background here is essentially this: current law requires all motor carriers with minor exceptions entering the United States to comply with U.S. safety standards. Under the North American Free Trade Agreement, Mexican trucks were to operate throughout the four border States by 1996 and in all States by the year 2000. Deep concerns were raised about truck safety if that schedule were to be met and audits which were ordered by the Congress and done by the Transportation Inspector General, Kenneth Meade, in the late 1990s, showed that only a tiny fraction, only 1 percent really, of all trucks were being inspected for safety compliance, and even of those, 50 percent were failing. Driven by those audit results, corroborating the intense safety concerns, Mexican carriers have been limited to shipping to border zone transfer points and trans-shippings by carriers which comply with the U.S. safety requirements.

To move towards full implementation of NAFTA, the administration issued a proposed rule 30 months ago in March of 2002 to establish a process for implementation. Under that rule, all new foreign carriers licensed after the effective date of the rule and all carriers wishing to expand beyond the service area, beyond the border zones after the effective date of the rule, must have certification of testing meeting U.S. safety regulations. But those carriers operating only in the border zones would have 24 months to obtain certification, so that 24 months after promulgation of that March 2002 rule, all motor carriers operating in

the U.S. would comply with U.S. safety regulations.

Now, the March 2002 regulation was held up in court actions that went all the way to the Federal Appeals Court for the ninth district and in June of this year, earlier this year, the Supreme Court reversed the appeals ruling unanimously, thereby clearing the last major hurdle to promulgation of the March 2002 rule. Small obstacles remain, but we are close to full implementation of the NAFTA provisions.

Mr. Chairman, every one of the foreign carriers operating in the U.S., both in the border zone and beyond, have known for 20 months, Canadian carriers, Mexican carriers, all of them, that this rule was pending and moving towards promulgation. They could and certainly should have gotten all their vehicles certified long before now. It would now be grossly unfair to add another 24 months on top of the already 30 months which has passed in terms of the competition with fully compliant U.S., Mexican, and Canadian carriers operating in the U.S.

Furthermore, that extra 24 months would prolong the still lingering safety concerns again and create a chaotic inspection and enforcement situation.

My amendment essentially says, promulgate the rule, comply with NAFTA, let all motor carriers which comply with U.S. safety laws, let all of them operate throughout the U.S., but do not give 24 months more on top of the 30 months which has already passed since the proposed rule was published and everyone knew about it to meet the safety regulations which are United States law.

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

Mr. ISTOOK. Mr. Chairman, I claim the time in opposition to the amendment.

The CHAIRMAN. The gentleman from Oklahoma (Mr. ISTOOK) is recognized for 15 minutes.

Mr. ISTOOK. Mr. Chairman, I yield 5 minutes to the gentleman from Arizona (Mr. KOLBE).

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

I rise in opposition to the amendment offered by the gentleman from Massachusetts (Mr. OLVER). As my colleagues are aware, or should be aware, this is yet another chapter or maybe another page in the book on the implementation of the NAFTA agreement.

NAFTA carries two major provisions when it comes to trucking transportation: one on market access for transportation services, the other relates to cross border investment in the transportation sector. All three countries that are party to NAFTA, Canada, Mexico and the United States, have successfully implemented the provisions on crossborder investment. It is only the United States that has not implemented its commitment for full border market access in transportation services.

For years now the U.S. has fudged, has reneged on this provision of the

NAFTA agreement due to spurious claims and lawsuits linked to purported safety and environmental concerns. That was recognized as being spurious by the United States Supreme Court when in an absolute unanimous decision they threw the lawsuits out and said, get on with it, move on, allowing the U.S. now to fulfill its NAFTA obligations, all the while achieving high levels of safety in environmental protection that our citizens expect.

Let us review a few facts of this debate. The Department of Transportation is not planning to exempt any Mexican trucks from the underlying motor vehicle standards. The gentleman from Massachusetts (Mr. OLVER) implied that that was the case, that we are talking about the standards. We are not talking about the case for vehicle safety. All Mexican carriers have to certify that their vehicles comply with the core safety standards in order to receive operating authority. The amendment of the gentleman and the line of argument that he is using is referring to a grace period that is for labeling of trucks that are manufactured 10 or more years ago. It is important for Members to understand that the mere possession of the label or not has nothing to do with actual vehicle safety. All trucks, all trucks, if they have the label or if they do not have the label have to be in compliance with the actual safety standards themselves.

Let me say this a little differently and be more specific. All Mexican trucks will need to meet what are known as the Federal Motor Carrier Safety Regulations, or the FMCSR requirements, in order to operate in the United States. All trucks, it does not matter when they were manufactured, all trucks have to meet those standards in order to operate in the United States. Regardless of whether or not they have a label certifying their manufacturing standard at the time of their production, these trucks are going to be held to a higher, more inclusive standard than is mandated on their operators. Furthermore, these standards measure how their trucks are operating today. That is a far more relevant fact than what it was when they were manufactured 2, 5, or 10 years ago.

I urge my colleagues to oppose this amendment. Ten years ago the United States made a commitment to free trade, and it included the transportation sector. If this amendment passes, it once again represents the United States turning its back on its trading partners. It once again says we are really not reliable. When it comes down to it, we will find ways to avoid complying with it.

I would hope my colleagues will say meeting our legal commitments makes a difference and is something that is important.

Members should understand that this amendment shrouds itself in the name of consumer protection, but it is really

all about protectionism. We should not pass on the high cost of protectionism to the U.S. consumers once again. Failure to provide market access in this sector means that U.S. consumers using transportation services in North America needlessly pay the high cost of protectionism benefiting a small, but highly mobilized, interest group.

I think we know what we are talking about here. We are talking about one special interest group, the Teamsters. For Members who are focused on making sure that the U.S. remains competitive and generates jobs, we need to know that failure of our commitments means that U.S. manufacturers and farmers are going to be hurt.

I urge my colleagues to vote "no" on this amendment.

This issue is not about highway safety. It is not about consumer safety. It is not about the environment. Pure and simple, this amendment is about protectionism.

Mr. OLVER. Mr. Chairman, I yield 2 minutes to the gentlewoman from Michigan (Ms. KILPATRICK), a member of the subcommittee.

□ 1130

Ms. KILPATRICK. Mr. Chairman, I thank our ranking member for allowing me the 2 minutes.

I am a member of the subcommittee. We did have extensive debate on this issue, but more than that, my district is a border city. The State of Michigan and the country of Canada border each other. Part of my district carries these trucks and buses.

What the Bush administration wants to do is to not have some trucks and buses, some foreign trucks and buses inspected. At a time of terrorism, is that not about the Teamsters? At a time of terrorism, inspection is what all trucks and buses must have. As one who represents thousands of people who live in a border city, I want all the buses and trucks inspected, and so do all the people who live in my area.

As the Bush administration asks for some of them to be exempted, I think that is wrong. How can we talk about terrorism on one hand and then want to exempt some of the buses and trucks that come into my district and in other border cities around the country?

The Olver amendment would not allow that administrative rule to go into effect. It is simple. It is not hard to understand. Thousands of buses and trucks come into my district every day. We have the largest border crossing in America, with over \$1 billion of commerce coming every day. I want all the buses and trucks inspected and inspected thoroughly. I do not want any exempted.

This is a good amendment. We must support it to protect American citizens who deserve our respect.

Mr. ISTOOK. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. DREIER), the chairman of the Committee on Rules.

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

Mr. DREIER. Mr. Chairman, I rise in strong opposition to this amendment. The free flow of goods, services, ideas and capital is very important, especially in this 21st century economy.

Obviously, we are all concerned about safety. The last speaker was just referring to the issue on terror. Inspections are a very high priority, and they are a very important part of this issue.

Three years ago, this Congress passed legislation which put into place 22 specific guidelines for the Department of Transportation. We have already exceeded those 22 guidelines, which are very, very important for us to meet, but as my friend the gentleman from Arizona (Mr. KOLBE) said, this is now actually the 11th year since the landmark passage of the North American Free Trade Agreement; and by the way, we need to realize that today we have nearly a third of \$1 trillion in cross-border trade between Mexico and the United States, having improved standard of living, the quality of life on both sides of the border.

Obviously, this issue is an important one, but I will never forget a study I saw when this issue first came to the forefront on truck safety. What it found was that there were greater violations when it came to safety on trucks coming from Canada and on trucks that existed right here in the United States of America than there were on those coming from Mexico.

So, yes, we want to make sure that we maintain the safety and the security of our roads. That is a top priority. We already have in place a mechanism to do just that.

I urge a "no" vote on this amendment.

Mr. OLVER. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota (Mr. OBERSTAR).

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

Mr. Chairman, the amendment of the gentleman from Massachusetts will protect safety on our roads by requiring foreign commercial vehicles, that means trucks and buses, to meet the same standards as U.S. trucks and buses. This is not anti-NAFTA. This is not a pro-Teamsters issue. I-35 goes from my district all the way to the Mexican border. I do not want those unsafe Mexican trucks rolling up into Minnesota, up into Duluth, rolling down the hill to Lake Superior and killing people.

Our U.S. safety standards are set by the National Highway Traffic Safety Administration, inspected by the U.S. Department of Transportation, and require a certification label. Yes, it does require a label and that label means something. It means that each vehicle has been built in compliance with U.S. standards, specifically antilock brakes, automatic slack adjusters for heavy vehicles and for trucks, rear underride guards that save lives when there is a rear-end accident.

I have been at the border. I have seen those trucks from Mexico. We funded

Mexico for training of inspectors who do not inspect. They go off to do something else. We do not have enough money in our inspection budget to place inspectors at the border to check those trucks and make sure they are in compliance. That is what we need.

All those trucks and buses operating in the United States comply with U.S. safety standards for a good reason. We do not want people being killed on roadways in the United States. Five thousand people a year are killed by car-truck crashes in the United States. If we let those unsafe trucks in from Mexico, that number will go up astronomically. We cannot allow that.

This is a safety issue. This is not a trade issue. If they make sure that they comply, they can come into the United States. Meet our standards. Meet the same standards that U.S. trucks and buses have to meet in this country. Let us not have one standard for the U.S. and another standard for trucks and buses coming in from Mexico. Those that come in from Canada already are in compliance by 85, 95 percent. Let us have fairness and, yes, protect but protect American lives on our roadways.

Mr. OLVER. Mr. Chairman, may I ask how much time is remaining on each side?

The CHAIRMAN. The gentleman from Massachusetts (Mr. OLVER) has 7½ minutes remaining, and the gentleman from Oklahoma (Mr. ISTOOK) has 8½ minutes remaining.

Mr. ISTOOK. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona (Mr. KOLBE).

Mr. KOLBE. Mr. Chairman, I thank the gentleman for yielding me time, and I just want to respond to a couple of things that were said here today.

This does not have anything, let me repeat it, this does not have anything to do with the safety standards of the trucks that are traveling on the roads inside the borders of the United States. It does not have anything to do with the safety standards of those trucks. It has to do with the labeling. It has to do with when they were manufactured 10 years ago these trucks were assembled, they are usually U.S. trucks, they are assembled perhaps in Mexico or Canada, but they were not being assembled for use in the U.S. market so they do not have the label. It is hard now to go back and get that.

To come into the United States, every single standard that is required of the truck here in the United States has to be met by that truck coming in from Mexico. Antilock brakes, all the different things that are required of trucks here, all those have to be proven, and they have to be on there and exactly in the same way.

This simply has to do with a labeling requirement at the time of assembly of that truck, and in many cases when it took place 10 years ago, that label is not readily available. So they have to go back to the manufacturer and get all the information that is required.

The gentleman said there were 5,000 people killed last year by truck-auto accidents, and I am sure he is correct about that. How many of those people were killed by an uninspected truck coming into the United States from Mexico? How many of those were killed by that? Accidents occur, but they are not going to occur in any greater number because we have trucks coming in from Mexico that are going to be thoroughly inspected, are going to meet all of the requirements, are going to meet everything that is required on any truck that is operating on the roads in the United States, and the operator has to meet the same kinds of standards.

Let me just make it clear that we are meeting the same kinds of standards. The trucking standards are not being changed. We are talking only about a labeling issue.

This is a bogus amendment. It is a protectionism amendment. It is designed to keep Mexican trucks out of the United States. It has nothing to do with safety.

Mr. OLVER. Mr. Chairman, I yield myself 30 seconds.

If the gentleman says that this is only about labeling, then they are still going to have to get that label. The issue is that they could have started getting that label 30 months ago, and it will be several months before the rule can be promulgated in which they can get the label.

All I am saying is, promulgate the rule and let them get the label, and then they will be in fine shape.

Mr. Chairman, I yield 2 minutes to the gentleman from Oregon (Mr. DEFazio).

Mr. DEFazio. Mr. Chairman, this is not like the label on a mattress that says, "Do not remove under penalty of law." This is a meaningful certification of the manufacturing and the proper equipping of these trucks.

There are many trucks operating in Mexico that do not meet U.S. standards, and what is being advocated on that side is a new faith-based safety standard. Why is it faith-based? Because there is no meaningful inspection going on in Mexico. These trucks do not have a certification on the labels, which they say are meaningless, and we do not have the inspectors at the border to inspect them on the way in because they say we cannot afford it. That is what is going on here.

These trucks will flood into this country. No, there have not been a lot of fatalities involving these trucks because we do not let them go more than 20 miles from our border, but let them go rumbling up I-5 into Oregon and Washington, let drivers who do not have to keep a logbook, they are not trained like our drivers, they are underpaid, operating trucks that do not have the safety equipment of our trucks, and people will die, plain and simple.

Why should there be unequal treatment? Why? That is what my colleagues are advocating here. The peo-

ple who operate the trucks in the U.S. have to have these labels, which are meaningful. The Canadians have these labels and standards, but these trucks in Mexico, many of which do not meet our standards, do not have the labels.

As the gentleman said, they are all going to be inspected. By whom? Answer that question. The Mexicans will not allow Americans into Mexico to inspect them, the Mexicans are not inspecting them, and we do not have enough people at the border. People will die if we do not adopt this amendment because of unsafe trucks entering our country.

Mr. ISTOOK. Mr. Chairman, I reserve my time to close.

Mr. OLVER. Mr. Chairman, I yield 1 minute to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I thank the gentleman from Massachusetts (Mr. OLVER) very much for the time, and I rise to speak in support of the amendment.

It is really just a common-sense amendment that will uphold U.S. certification for trucks to improve safety. I do not think anybody can question my record on trade. Seventy percent of the economy in my district depends on trade. I voted for NAFTA, took a lot of heat for it, but knew it was the right thing to do at the time.

However, if we insist on our trucks being certified for safety, we should insist on others. We have code-sharing for our airlines, and a whole lot fewer people get killed in airplane crashes than on trucks. About 800 commercial drivers die each year in traffic crashes, and roughly 4,900 people die and 130,000 are injured from these large truck accidents, and a lot of them occur in my district.

I-35 from Canada to Mexico has most of it in Texas, and I can assure my colleagues that we see the crashes. We see the trucks that are not safe, and that is all we are asking for.

Mr. OLVER. Mr. Chairman, I yield 1½ minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Chairman, this is not about Mexican trade. This goes to the very issue of safety, besides taking our national sovereignty, our manufacturing base, the American jobs and Mexican jobs. Look at the data. NAFTA is now threatening the safety of our constituents.

The decision by a faceless panel is requiring our government to allow hazardous trucks access to our roadways.

In testimony before the Senate Commerce, Science and Transportation Committee on July 18, 2001, Secretary Mineta stated, "Every Mexican firm, vehicle and driver that seeks authority to operate in the U.S., at the border or beyond, must meet the identical safety and operating standards that apply to the U.S. and Canadian carriers."

That is where it is at. It is a sad day that the Olver amendment is desperately needed 3 years later after Mi-

neta's speech, as we cannot count on the Department of Transportation to act appropriately and in the public's interest by requiring foreign-built trucks and buses from meeting Federal motor vehicle safety standards.

The measures Congress has passed addressing safety have made progress towards ensuring trucks on our highways meet certain standards. It is not just an issue of fairness. It is a matter of life and death.

The bottom line is, Mr. Chairman, the House cannot allow this administration to gut safety regulations or compromise environmental standards in the name of trade. Vote "yes" on the Olver amendment and defend the work of the Congress and defend the work of American working families.

□ 1145

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair would remind Members to try to stay within their time limits.

Mr. OLVER. Mr. Chairman, could you let me know again how much time each side has?

The CHAIRMAN. The gentleman from Massachusetts (Mr. OLVER) has 2½ minutes remaining. The gentleman from Oklahoma (Mr. ISTOOK) has 6½ minutes remaining.

Mr. OLVER. Mr. Chairman, I yield 1½ minutes to the gentleman from North Carolina (Mr. BUTTERFIELD).

Mr. BUTTERFIELD. Mr. Chairman, I rise in support of this amendment. Given the opportunity and a level playing field, I believe in the ability of American workers to operate their vehicles safely. Without this amendment, we put our workers at a great, great disadvantage, allow our air to be unduly polluted and make our highways less safe.

The gentleman from Arizona says it is about the Teamsters. No, it is about the American people who use America's highways. If trucks from Mexico are going to bring products into our country, using our highways, these trucks need to be held to the same safety and emission standards to which our own trucks are held.

At present, Mexican trucks are not held to American standards for safety and emissions. Allowing an 18-wheel truck loaded with 88,000 pounds of cargo to speed over our highways without ensuring that the vehicle is safe simply makes no sense.

Mexican drivers must be subject to the same level of scrutiny that we demand of our American drivers with regard to training and recordkeeping and incident violations.

I respectfully urge support of this commonsense amendment.

Mr. OLVER. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, it is time to get on with the implementation of NAFTA. To the gentleman from California, I say that my amendment makes absolutely no distinction between Mexican trucks, Canadian trucks or U.S. trucks.

It says all of them, as does the rule that is in process say all trucks must meet U.S. safety standards.

What my amendment does say is that we are not going to provide 24 more months after the 30 months that has already passed and the additional months that are going to pass before the actual promulgation and effective date of the rule. It does not provide an additional 24 months for those trucks, all trucks, to meet the same set of standards. I think that is absolutely neutral on the issue of whether they are Canadian, U.S. or Mexican. It is saying, get on with it, promulgate it. They had plenty of time to get their certificate, their label, whatever it is that they needed. They have known for a very long time. Let us get on with it.

Support the amendment so that we can do so.

Mr. ISTOOK. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I agree with the gentleman from Massachusetts and every speaker that has spoken about the need for the safety of trucks on the road. I also agree and will work in conference on this bill to make sure that we do not have an inordinate phase-in period, that we try to use some rationality there.

But let us understand the difference between many of the things that are said and what this amendment actually proposes to do. Now, we heard one speaker talk about how he does not want trucks coming up from Mexico along I-35, all the way up to Minnesota, that are unsafe. Well, believe me, I do not either, because they cannot get there without coming through Oklahoma and my district, and I do not want unsafe trucks on I-35 as they come through Oklahoma either.

But this amendment is not about whether a vehicle is safe. It is not about whether it is in safe operating condition. The amendment is about what was the condition of the vehicle at the time it was originally manufactured, not what the condition is now. Everybody that owns or uses a vehicle, a car or a truck or a bus or anything, knows that things get modified; things are retrofitted.

We have the law, and they enforce it at the border. If a vehicle is going to come in and move into the interior of the United States, it has to be in safe operating condition. It has to be in a condition that meets our standards. But that vehicle might not have originally been manufactured to those standards. It may have been retrofitted.

The gentleman's amendment says, well, unless you have certification that it was in that condition at the time it was first built, no matter how many years ago that was, unless that is the case, we are not going to let them in. It is aimed at the companies that have trucks that have been retrofitted that are perfectly safe. That is what it is aimed at. It is trying to remove their ability to compete and give competitive advantages to other companies.

I oppose the amendment. We can talk about what should be the notification procedures and phase-ins and so forth, but let us make sure that we put the emphasis on the safety of the vehicles in the condition they are in now, not whether or not they were originally manufactured to some different specification. I oppose the amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. OLVER).

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

Mr. OLVER. 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 Massachusetts (Mr. OLVER) will be postponed.

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

Mr. Chairman, I would like to ask the gentleman from Oklahoma a question.

We have had five or six amendments adopted, the Van Hollen amendment, the Davis amendment on Cuba, the Lee amendment on Cuba, the Waters amendment on debt ceiling and, I believe, one other. Last year, we had the experience of seeing a good many amendments which had been adopted on this floor to this and several other bills evaporate as soon as they went to conference.

I would like to know whether the gentleman can assure us that he will insist on retaining each of these amendments and will not bring this bill back from conference if these amendments do not stay in the conference this year.

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

Mr. OBEY. I yield to the gentleman from Oklahoma.

Mr. ISTOOK. Mr. Chairman, I certainly appreciate the gentleman's point, and he is well aware that the controversial amendments which relate to Cuba always bring up a lot of heat in the debate in this House. Those amendments are subject to a presidential veto. We have had the message from the White House in the statement of administrative policy, which is very unequivocal in indicating the President would veto the bill over Cuba.

This is why, in past years, the gentleman has certainly seen that amendment, as the gentleman phrases it, evaporate or at least not come through in the conference report to the same degree before. My responsibility, as the gentleman appreciates, is to produce a bill that will pass into law. I am unable to give him the assurance that he is seeking, and I am sure he understands why, although he is not pleased by it.

Mr. OBEY. Reclaiming my time, Mr. Chairman, I thank the gentleman for his candor.

Let me say this, Mr. Chairman, I had originally been willing to support this bill as it came out of committee, even though many of us on this side of the aisle thought the bill woefully inadequate in terms of funding levels for various transportation accounts. But the majority has been in a three-cornered feud with itself. The authorizing committee and a number of others in the majority party caucus, for different reasons, have shredded this bill. They have knocked out, at this point, highway aid to the States. They have knocked out mass transit. They have knocked out funding for airport construction. They have knocked out 80 percent of the Department of Transportation funds that originally were contained in this bill.

In addition to that, we have received no assurance whatsoever that the amendments that the House adopted would be retained in conference. In fact, we have essentially been told, because of the presidential threat of a veto, that these amendments will once again be stripped in the conference. That means that virtually all of the action that occurred on this floor has been meaningless with respect to the items that were debated today and late last night.

I am certainly willing to meet my responsibilities to help move bills forward, even if I do not always agree with their content, provided the majority party itself takes its duty seriously. But if the majority party itself, if the majority party leadership itself will not defend their own legislative product as it comes out of the committee, I certainly do not see why I should, especially when House actions, given the arbitrary action of the authorizing committee, have turned this bill into a cadaver.

So, at this point, I intend to vote "no," because I am not going to vote for a bill which effectively cuts more than half the dollar resources out of this bill and which effectively cuts 80 percent of the transportation funding out of the bill just because some people in this House happen to think that committee jurisdiction is more important than being responsible.

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

Mr. Chairman, I think it is important that I give a response of sorts to my friend from Wisconsin. We all know that, for parliamentary reasons, there have been points of order raised that resulted in certain things being taken from this bill. However, every Member should be aware, and I certainly want to emphasize to the gentleman from Wisconsin, the ranking member of the full committee, everyone is aware that those items relating to transportation funding are going to be reinstated in conference. The conference report will not be subject to the same parliamentary points of order that caused the problem.

So if any Member is concerned about, well, my goodness, what are we accomplishing through this bill, the answer

is, we are creating the mechanism that allows us to fund transportation in the United States of America. Whatever may not be in the bill at this moment can be restored in conference. But we do not get there if we do not pass this House bill. And if Members want to telegraph that they do not care about funding for transportation or they do not care about funding for transportation needs and projects in their district, there is probably no better way to indicate that than by voting against the bill.

Now, I understand the gentleman from Wisconsin. His opposition is not toward funding transportation. I understand he is concerned about the Cuba provisions and whether they will endure in the final report. But to every Member of this body it is important that we advance this bill to the conference with the Senate, which enables us to resolve the parliamentary problems with our own rules to put in the transportation funding and, of course, the funding that will benefit the individual Members in their States and in their districts and the projects in their areas. It is important to know who supports that.

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

Mr. ISTOOK. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I thank the gentleman for yielding, and let me simply say that I am not only concerned with the Cuba provisions, I am very much concerned with the transportation items. And I am not about to go on record voting for a bill which has cut these bills, in essence, almost 80 percent below last year's level in terms of transportation items.

I have seen the majority party's campaign committee play games with that too often, and I do not expect to see ads run against Members of the Congress because they voted for a product which the majority party itself is asking them to vote for. That has happened too many times for me to be suckered by that one.

Mr. ISTOOK. Reclaiming my time, Mr. Chairman, I reemphasize that this bill is the vehicle for the transportation funding. It goes to the conference with the Senate. The things that were stricken on points of order can then be restored and will be restored. A vote against this bill is a vote against the transportation funding that is important to every Member. It is important to their States and important to projects in their districts.

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

Mr. Chairman, I yield to the gentleman from South Carolina (Mr. CLYBURN), the vice chair of my caucus.

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

Mr. CLYBURN. Mr. Chairman, I want to call attention to the important work of the United States Election Assistance Commission and issue my

strong support for the \$15 million in funding that the Committee on Appropriations has recommended for this year.

Establishing the EAC was delayed in 2003, and because of that, the full commissioners were not appointed until December 2003, and the EAC was woefully underfunded for fiscal 2004.

□ 1200

Yet despite these obstacles, the four commissioners have worked diligently to ensure timely progress on the election reform that Congress envisioned when it passed HAVA 2 years ago. The EAC commissioners have used their collective commitment, skills, and dedication to disburse to States the \$2.3 billion in HAVA payments that was appropriated for fiscal year 2004. At the same time, EAC is working closely with State and local election administrators to make certain they implement HAVA requirements for Provisional Voting, Voter Identification, Polling Place Signage, and State Administrative Complaint Procedures that must be in place for this year's elections.

Mr. Chairman, these are not abstract provisions. Rather, they are voter reform measures mandated by Congress to ensure that every eligible citizen can register, vote, and know that their vote can be counted in a timely and fair manner. We are just weeks away from the November 2 elections, which will be the first Federal election since HAVA was enacted.

Free and fair elections are the heart of our democracy. We do not want to repeat what happened in November, 2000. Yet we jeopardize the quality of our elections if we shortchange the EAC's ability to operate, conduct research, set standards for voting systems, and conduct audits of the HAVA funding that is being paid to States.

H.R. 5025 provides \$15 million for the United States Election Assistance Commission. Without this funding, we cannot guarantee full implementation of this landmark act, the Help America Vote Act of 2002.

Mr. OLVER. Mr. Chairman, reclaiming my time, this year's Transportation and Treasury bill was brought to the floor with great hopes. It had been improved substantially in subcommittee and again in full committee, and improvements have been made, indeed, on the floor of this body last week and yesterday and today.

There were already some serious problems like the Amtrak problem, which we have talked about; the Federal Transit Administration's New Starts program, which we have talked about; and the Tax Law Enforcement program, which we talked about. Those problems remain there. And because of the reasons that my ranking member of the full committee has already given, we have had a situation where much of the bill has been struck by broad points of order, leaving us with very limited funding, no grants to the

States and Federal highway-airport improvement grants; transit formula grants; the highway safety grants, gone. All of that is true.

However, I am going to vote for the bill because the only way and the only place that this bill can be put back together and the serious problems fixed is in the conference. I believe that we are going to have to work very hard within that conference in order to make certain that those fundings and those problems are dealt with properly, but I am willing to work with the chairman to try to do that. I hope that we will be able to rectify enough of those problems in conference that we can produce a bill that will have strong, enthusiastic, bipartisan support. So I will vote for the bill.

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

Mr. Chairman, I appreciate the comments of the gentleman from Massachusetts (Mr. OLVER). He is certainly correct that the only mechanism to fix the problems with the bill, the parliamentary problems, is moving it to a conference with the Senate, which requires House passage as a prelude to that, and I appreciate that.

Mr. Chairman, I do wish to enter into a colloquy with the gentleman from Texas (Mr. SESSIONS).

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

Mr. ISTOOK. I yield to the gentleman from Texas.

Mr. SESSIONS. Mr. Chairman, I thank the distinguished gentleman from Oklahoma (Mr. ISTOOK) for yielding to me for the opportunity to engage in a colloquy.

As the chairman knows, I have done a great deal of work on waste, fraud, and abuse in the Congress. And in particular, I rise today to discuss the efforts that are underway in our government to address ongoing fraud that is costing our highway trust fund untold sums.

There is a significant problem going on in every State of this great Nation that is not only taking money from desperately needed transportation projects but funding organized crime activities and quite possibly terrorist activities. The issue is not glamorous and it is not dangerous. It is not punishable by high criminal penalties and, therefore, receives little attention. The issue is the fraudulent use of off-road untaxed diesel fuel as taxable on-road diesel. This type of fraud leads to a profit of nearly 50 cents a gallon in combined Federal and State taxes.

It may not sound like much. Some estimates, however, have shown that well over \$1 billion a year is lost in tax revenue. In the scope of our national budget, some think \$1 billion or \$2 billion does not seem like a great amount, and it is not the type of thinking that will ensure the problems like these will ever get resolved.

Fortunately, the Internal Revenue Service has been examining technologies for the past few years that

will give them better tools to fight this type of fraud. Make no mistake, those involved in this type of fraud are well financed, smart business people that leverage technology at every opportunity. I think it is time that we respond in kind. In order to support the IRS's efforts in finishing this fight, requests have been submitted to the chairman to fund a pilot program to put technology out in the field. What is so unique about this pilot project is that we will see immediate returns. The last time the IRS implemented a program to combat this type of fraud, there was a 22.5 percent increase in tax collections in the first 12 months. This pilot project will pay for itself and will lead to a national program that will recover potentially billions of dollars that are so desperately needed for our highways.

I would like the chairman, if he could, to comment on this pilot project, please.

Mr. ISTOOK. Mr. Chairman, reclaiming my time, I thank the gentleman from Texas for his comments. As he knows, we are very aware of this issue, and we are concerned about the level of tax evasion and fraud that is under way. We want to arm the IRS with the best technology and an overall program not only to combat the fraud but to locate those perpetrating the fraud and put them out of business permanently. There is report language to this effect in this bill. I understand my counterpart in the Senate, Mr. SHELBY, is aware of the issue as well. We will be working with him in conference to have a strong position in the final bill.

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

Mr. ISTOOK. I yield to the gentleman from Texas.

Mr. SESSIONS. Mr. Chairman, I thank the chairman for his diligent work on this issue and others who are also doing so, and I want to thank him for his hard work on behalf of all Americans. And I thank the gentleman for engaging in this colloquy.

Mr. ISTOOK. Mr. Chairman, reclaiming my time, I believe we will complete debate on this bill after we hear from the chairman of the full committee.

I do want to express my appreciation to the staff that has worked so diligently on this: Our chief clerk of the subcommittee, Rich Efford; a member of my personal staff, Kurt Conrad; and also on the subcommittee staff, Cheryle Tucker, Leigha Shaw, Dena Baron, and Kristen Jones. Without them nothing could be accomplished.

This bill merits the support of every Member of this body, and I ask that people support it accordingly and pass it.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to compliment the gentleman from Oklahoma (Mr. ISTOOK) and the gentleman from Massachusetts (Mr. OLVER), the ranking member, for having brought this bill to a successful conclusion. Despite some

parliamentary obstacles that we had earlier in the debate, they have produced, what I think will be, a highly acceptable bill.

I would like to say, Mr. Chairman, this is number 12 of the 13 regular appropriations bills. There is only one more to go to the floor. But I also want our colleagues to know that the Committee on Appropriations had completed work on all 13 bills prior to the August summer work period. So we have been prepared to move the bills as time became available on the floor.

This is a good bill. As I have said, there were some parliamentary problems that I suggested will need to be repaired when we get to conference. And I am being optimistic when I say it will get to conference. We are hoping there will be a conference. We would like to conclude our appropriations business before we break for the election.

I understand why the gentleman from Wisconsin (Mr. OBEY) has suggested that he would vote against this bill.

I am going to vote for it, and I think it is worthy of a "yes" vote.

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

Mr. YOUNG of Florida. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I would just observe the gentleman said this is a good bill. There is not anything left of this bill except the enacting clause; that is in great shape. Outside of that, it is a hollow shell.

Mr. YOUNG of Florida. Mr. Chairman, reclaiming my time, what is left, is a good bill. And whatever repairs need to be made will be made in the conference. So I urge the Members to vote against the motion to recommit and for final passage on the bill.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair would call to the Members' attention the provisions of clause 1 of rule XVII regarding the wearing of communicative badges on the floor, which has been interpreted to proscribe the wearing of such, and the Chair would request that any Members who are doing so remove them when recognized for debate.

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 New York (Mr. RANGEL), the amendment offered by the gentleman from Massachusetts (Mr. OLVER).

The Chair will reduce to 5 minutes the time for the second electronic vote.

AMENDMENT OFFERED BY MR. RANGEL

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 188, noes 225, not voting 20, as follows:

[Roll No. 461]

AYES—188

Abercrombie	Hoeffel	Otter
Allen	Honda	Owens
Baca	Hookey (OR)	Pastor
Baldwin	Houghton	Paul
Becerra	Hoyer	Payne
Bell	Inslee	Pelosi
Berman	Israel	Peterson (MN)
Berry	Jackson (IL)	Peterson (PA)
Biggert	Jackson-Lee	Pomeroy
Bishop (NY)	(TX)	Price (NC)
Blumenauer	Jefferson	Rahall
Bono	John	Ramstad
Boozman	Johnson (CT)	Rangel
Boswell	Johnson (IL)	Reyes
Boucher	Johnson, E. B.	Ross
Brady (PA)	Jones (OH)	Roybal-Allard
Brown (OH)	Kanjorski	Ruppersberger
Butterfield	Kaptur	Rush
Capps	Kildee	Ryan (OH)
Capuano	Kilpatrick	Ryan (WI)
Cardoza	Kind	Sabo
Carson (IN)	Klecicka	Sánchez, Linda T.
Carson (OK)	Kucinich	
Clay	Lampson	Sanchez, Loretta
Clyburn	Langevin	Sanders
Conyers	Lantos	Sandlin
Cooper	Larsen (WA)	Schakowsky
Costello	Larson (CT)	Scott (GA)
Cramer	Latham	Scott (VA)
Crowley	Leach	Serrano
Cummings	Lee	Shays
Davis (CA)	Levin	Shimkus
Davis (IL)	Lewis (GA)	Slaughter
Davis (TN)	Lipinski	Smith (WA)
DeFazio	Loftgren	Snyder
DeGette	Lowey	Solis
Delahunt	Lucas (KY)	Stark
DeLauro	Lynch	Stenholm
Dicks	Majette	Strickland
Dingell	Maloney	Stupak
Doggett	Markey	Tanner
Dooley (CA)	Matheson	Tauscher
Doyle	McCarthy (MO)	Taylor (MS)
Edwards	McCarthy (NY)	Thompson (CA)
Emanuel	McCollum	Thompson (MS)
Emerson	McDermott	Tiberi
Eshoo	McGovern	Tierney
Evans	McNulty	Towns
Farr	Meehan	Turner (TX)
Fattah	Michaud	Udall (CO)
Filner	Miller, George	Udall (NM)
Flake	Mollohan	Upton
Ford	Moore	Van Hollen
Frank (MA)	Moran (KS)	Velázquez
Gonzalez	Moran (VA)	Visclosky
Gordon	Nadler	Waters
Graves	Napolitano	Watson
Grijalva	Neal (MA)	Watt
Harman	Nethercutt	Waxman
Herger	Nussle	Weiner
Herseth	Oberstar	Woolsey
Hill	Obey	Wynn
Hinchey	Olver	
Hinojosa	Osborne	

NOES—225

Ackerman	Bishop (UT)	Burr
Aderholt	Blackburn	Burton (IN)
Akin	Blunt	Buyer
Alexander	Boehert	Calvert
Andrews	Boehner	Camp
Bachus	Bonilla	Cantor
Baker	Boyd	Capito
Ballenger	Bradley (NH)	Cardin
Barrett (SC)	Brady (TX)	Carter
Bartlett (MD)	Brown (SC)	Case
Barton (TX)	Brown, Corrine	Castle
Bass	Brown-Waite,	Chabot
Beauprez	Ginny	Chandler
Berkley	Burgess	Chocola
Bilirakis	Burns	Coble

Cole
Collins
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis (AL)
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Deutsch
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Dreier
Duncan
Dunn
Ehlers
Engel
English
Etheridge
Everett
Feeney
Ferguson
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Frost
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Granger
Green (TX)
Green (WI)
Gutierrez
Gutknecht
Hall
Harris
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hobson
Holden
Holt
Hostettler
Hulshof

Hunter
Hyde
Isakson
Issa
Istook
Jenkins
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
King (IA)
King (NY)
Kingston
Kline
Knollenberg
Kolbe
LaHood
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Marshall
Matsui
McCotter
McCrery
McHugh
McIntyre
McKeon
Meek (FL)
Menendez
Mica
Miller (MI)
Miller (NC)
Miller, Gary
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Ortiz
Ose
Oxley
Pallone
Pascarell
Pearce
Pence
Petri
Pickering
Pitts
Platts
Pombo
Porter
Portman
Pryce (OH)

Putnam
Quinn
Radanovich
Regula
Rehberg
Renzi
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Rothman
Royce
Ryun (KS)
Saxton
Schiff
Schrook
Sensenbrenner
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shuster
Simmons
Simpson
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Soudier
Spratt
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Toomey
Turner (OH)
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wilson (NM)
Wilson (SC)
Wolf
Wu
Young (AK)
Young (FL)

NOT VOTING—20

Baird
Bishop (GA)
Bonner
Cannon
Gephardt
Goss
Greenwood

Hart
Hensarling
Hoekstra
Kirk
Manzullo
McInnis
Meeks (NY)

Millender-
McDonald
Miller (FL)
Murphy
Tauzin
Wexler
Wicker

□ 1234

Messrs. ALEXANDER, REHBERG, PALLONE, and DEUTSCH changed their vote from “aye” to “no.”

Mr. HERGER and Mr. BOOZMAN changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. OLVER

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. OLVER) 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 339, noes 70, not voting 24, as follows:

[Roll No. 462]

AYES—339

Abercrombie
Ackerman
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baldwin
Bass
Beauprez
Bell
Berkley
Berman
Berry
Bilirakis
Bishop (NY)
Blumenauer
Boehlert
Bono
Boozman
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite,
Ginny
Burgess
Burns
Burr
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Capito
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Case
Castle
Chabot
Chandler
Clay
Clyburn
Coble
Cole
Conyers
Cooper
Costello
Cramer
Crenshaw
Crowley
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Doolittle
Doyle
Duncan
Edwards
Ehlers
Emanuel
Emerson

Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Foley
Forbes
Ford
Fossella
Frank (MA)
Frelinghuysen
Frost
Gallegly
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Graves
Green (TX)
Green (WI)
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hastings (FL)
Hayes
Hayworth
Hefley
Herseth
Hill
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Klecicka
Kline
Kucinich
LaHood

Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Lynch
Majette
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McDermott
McGovern
McHugh
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Menendez
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore
Moran (KS)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascarell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Putnam
Quinn
Rahall
Rangel
Regula
Rehberg

Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sanchez, Linda
T.
Sanchez, Loretta
Sanders
Sandlin
Saxton
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano

Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Terry
Thompson (CA)

Thompson (MS)
Tierney
Towns
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Weller
Whitfield
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOES—70

Aderholt
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggart
Blackburn
Blunt
Boehner
Bonilla
Brady (TX)
Cantor
Carter
Chocola
Collins
Crane
Cubin
Culberson
Davis, Tom
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.

Dooley (CA)
Dreier
Dunn
Flake
Franks (AZ)
Garrett (NJ)
Granger
Hastings (WA)
Herger
Istook
Johnson, Sam
Keller
Kennedy (MN)
Kingston
Knollenberg
Kolbe
Lewis (CA)
Linder
McCrery
Musgrave
Myrick
Nethercutt
Nunes
Osborne

Ose
Otter
Oxley
Pearce
Pence
Pitts
Pryce (OH)
Radanovich
Ramstad
Renzi
Schrook
Sessions
Shadegg
Smith (TX)
Taylor (NC)
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Vitter
Weldon (FL)

NOT VOTING—24

Baird
Becerra
Bishop (GA)
Bishop (UT)
Bonner
Cannon
Cox
Gephardt
Goss

Greenwood
Hart
Hensarling
Hoekstra
Jones (NC)
Kirk
Manzullo
McInnis
Meeks (NY)

Millender-
McDonald
Miller (FL)
Murphy
Tauzin
Wexler
Wicker

□ 1243

Mrs. CUBIN and Mr. OTTER changed their vote from “aye” to “no.”

Mr. EVERETT changed his vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. BECERRA. Mr. Chairman, earlier today my floor vote was not recorded on rollcall No. 462, the Olver amendment to H.R. 5025, the Transportation and Related Agencies Appropriations for FY 2005.

Mr. Chairman, had I voted on the Olver amendment, I would have unequivocally voted “aye” on rollcall vote No. 462.

The CHAIRMAN. The Clerk will read the last three lines.

The Clerk read, as follows:

This Act may be cited as the “Transportation, Treasury, and Independent Agencies Appropriations Act, 2005”.

Ms. MILLENDER-MCDONALD. Mr. Chairman, I want to commend the Transportation

Appropriation Subcommittee for including in this year's Transportation Appropriation bill, \$9 million for the hiring and training for the next generation of air-traffic controllers.

As a senior member on the Aviation Subcommittee, we are well aware that air traffic controllers are retiring at a quicker pace than they are being hired.

Over 50 percent of the air traffic controller workforce will retire within the next 10 years.

Industry believes that the Federal Aviation Administration (FAA) must hire 1000 air traffic controllers a year for the next three years to provide the necessary staffing levels and prepare for the wave of air traffic controller retirements.

Authorizers and appropriators may disagree on a quite a bit, especially on this bill, but the safety and security of the flying public is an issue we can all agree on.

This \$9 million is a good first step. However, aside from funding we must also strive to train and hire the next generation of air traffic controllers that more accurately represents American society and the flying public.

By that I mean, in 2003 the following is a breakdown of the percentage of the air-traffic controller hirings: 18 percent women; 1 percent African American; 1 percent Hispanics; 1 percent Asians; and 0 percent Native Americans.

Unfortunately, these hiring percentages are following an all too familiar pattern that has already been established at the FAA.

For example, in 2003 the following is a breakdown of the air traffic controller workforce made up of the following percentages of women and minorities: 18 percent women; 1 percent African American women; 1 percent Hispanic women; 0 percent Asian women; and 0 percent Native American women.

We have a historic opportunity before us. We are facing a time when we must make unprecedented investments into our air traffic controller workforce.

I ask this Congress—and this Administration, to make the effort to reach out to women and minorities so that we may revamp our workforce to be a replica of our society as a whole.

Thank you Mr. Chairman. I look forward to working with you and the Ranking Member on this very important issue as this bill moves to conference with the Senate.

Mr. CASTLE. Mr. Chairman, I rise today in opposition to this bill. Members of this House chose to strip funding for Amtrak from this bill simply because the necessary agreement could not be reached on a floor rule to consider this legislation that would have protected Amtrak. Since the end of Fiscal Year 2002 when Amtrak was last authorized, Congress has continued to keep its commitment to our nation's rail passengers by funding Amtrak and ensuring that the nation's trains continue to operate. We must continue that commitment as Congress continues to debate the right path for Amtrak's future through a reauthorization bill.

I am shocked that Members of this House would consider shutting down Amtrak in this manner, when a large majority of Americans favor continuing federal subsidies to Amtrak, and a substantial percentage would increase federal funding so the ailing passenger railroad can enhance its service. Fifty-one percent of respondents in an August 2002 Washington Post poll supported keeping Amtrak's

funding current levels and twenty percent supported increasing the funding level.

Mr. Chairman, I request that the House support the \$1.2 billion FY 05 level that was recently passed by the Senate Transportation/Treasury Appropriations Subcommittee. This Senate funding level is equal to the amount that Congress appropriated to Amtrak in FY 04 and is well short of the \$1.8 billion requested by Amtrak CEO David Gunn to continue his 5-year strategic plan for the railroad. It may not be enough to implement Mr. Gunn's full plan for FY 05 but passage of the Senate level is vital to continue to address the acknowledged "backlog" of security and infrastructure needs on the Northeast Corridor—a backlog that threatens the continuation of safe and reliable passenger rail operations in the northeast region. That funding level is also necessary for Amtrak to continue to implement a system wide security plan.

In a July 17th interview with National Journal, Amtrak President and CEO David Gunn said that if Amtrak were appropriated \$900 million in FY 05, the railroad would have to layoff 2,000 maintenance workers and close all major maintenance shops, including those in my home state of Delaware. As the U.S. economy continues to recover, we should not be cutting federal support for Amtrak work that will lead to jobs for our constituents. At the end of June, Mr. Gunn released the company's annual update of its strategic five-year plan that continues the focus of returning the railroad to a state of good repair.

The plan addresses problems including aging interlockings, rail ties, bridges, catenary hardware, and sets aside capital for major fleet overhauls. The plan will remove most of the immediate safety threats to continued service and vastly improve reliability and on-time performance. By continuing the implementation of Mr. Gunn's five-year plan, we would remove the immediate impediments to daily service on the Northeast Corridor. Amtrak has made real headway in this work and it would be a shame to slow or scale back this effort.

The National Journal article also detailed that as a result of the management changes during Mr. Gunn's tenure, Amtrak has kept its expenses flat. By contrast, from 1997 to 2001, expenses grew at an average rate of 8.5 percent a year. The company has taken on no additional debt since the federal government's loan in the summer of 2002. Passenger ridership through the first eight months of FY 2004 is 16.2 million, up 6.2 percent over the same period in the last fiscal year. From February to May of 2004, the railroad has sustained four consecutive months of all time record ridership and, should the trend continue through the end of the fiscal year, will exceed 25 million passengers for the first time.

Mr. Gunn's plan also includes a system wide security plan in the wake of the earlier railroad bombing this year in Spain that killed more than 200 people and injured more than 1,600. The FBI announced earlier this year that they have credible intelligence that the nation's railroads are being targeted for terrorist attack. Amtrak's security plan includes the following: Securing key infrastructure, dispatching and control centers; Emphasizing detection and prevention at stations and on-board trains; Improving train communications and incident command systems. The plan states that "Physical and technological im-

provements will create layered security countermeasures to address the 'openness' of the Amtrak system in critical areas." Now is not the time to limit Mr. Gunn's resources to harden targets on the railroad's infrastructure, improve passenger safety, and strengthen efforts to facilitate an effective first responder response to a terrorist incident involving Amtrak.

Mr. Chairman, I understand the budget restraints that the committee is dealing with in crafting this appropriations bill but now is not the time to reduce our support for Mr. Gunn's effort to rebuild Amtrak's aging infrastructure and secure the railroad from potential terrorist attack.

The CHAIRMAN. Are there further amendments?

If not, pursuant to the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SHIMKUS) having assumed the chair, Mr. GILLMOR, 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. 5025) making appropriations for the Departments of Transportation and Treasury, and independent agencies for the fiscal year ending September 30, 2005, and for other purposes, pursuant to House Resolution 770, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment adopted in the Committee of the Whole?

Mr. HOYER. Mr. Speaker, I ask for a separate vote on the Stenholm amendment trying to contain the national debt.

The SPEAKER pro tempore. Is there a separate vote demanded on any other amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The Clerk will designate the amendment on which a separate vote has been demanded.

The text of the amendment is as follows:

Amendment:

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

SEC. _____. None of the funds appropriated by this Act may be used by the Secretary of the Treasury to implement, pursuant to sections 8348(j)(1) and 8348(1)(2) of title 5, United States Code, any suspension of issuance of obligations of the United States for purchase by the Civil Service Retirement and Disability Fund, to implement, pursuant to sections 8438(g)(1) and 8438(h)(2) of such title, any suspension of issuance of obligations of the United States for purchase by the Thrift Savings Fund for the Government Securities Investment Fund, or to implement, pursuant to section 8348(k)(1) of such title, any sale or redemption of securities, obligations, or other invested assets of the Civil Service Retirement and Disability Fund before maturity.

The SPEAKER pro tempore. The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. HOYER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 404, noes 8, not voting 21, as follows:

[Roll No. 463]

AYES—404

Abercrombie	Davis (AL)	Honda
Ackerman	Davis (CA)	Hooley (OR)
Aderholt	Davis (FL)	Hostettler
Akin	Davis (IL)	Houghton
Alexander	Davis (TN)	Hoyer
Allen	Davis, Jo Ann	Hulshof
Andrews	Deal (GA)	Hunter
Baca	DeFazio	Hyde
Bachus	DeGette	Inslee
Baker	Delahunt	Isakson
Baldwin	DeLauro	Israel
Ballenger	DeLay	Issa
Barrett (SC)	Deutsch	Istook
Bartlett (MD)	Diaz-Balart, L.	Jackson (IL)
Barton (TX)	Diaz-Balart, M.	Jackson-Lee
Bass	Dicks	(TX)
Beauprez	Dingell	Jefferson
Becerra	Doggett	Jenkins
Bell	Dooley (CA)	John
Berkley	Doolittle	Johnson (CT)
Berman	Doyle	Johnson (IL)
Berry	Dreier	Johnson, E. B.
Biggert	Duncan	Jones (NC)
Billirakis	Dunn	Jones (OH)
Bishop (NY)	Edwards	Kanjorski
Bishop (UT)	Ehlers	Kaptur
Blackburn	Emanuel	Keller
Blumenauer	Emerson	Kelly
Blunt	Engel	Kennedy (MN)
Boehlert	English	Kennedy (RI)
Boehner	Eshoo	Kildee
Bonilla	Etheridge	Kilpatrick
Bono	Evans	Kind
Boozman	Everett	King (IA)
Boswell	Farr	King (NY)
Boucher	Fattah	Kingston
Boyd	Feeney	Klecza
Bradley (NH)	Ferguson	Kline
Brady (PA)	Filner	Knollenberg
Brady (TX)	Flake	Kolbe
Brown (OH)	Foley	Kucinich
Brown (SC)	Forbes	LaHood
Brown, Corrine	Ford	Lampson
Brown-Waite,	Fossella	Langevin
Ginny	Frank (MA)	Larsen (WA)
Burgess	Franks (AZ)	Larson (CT)
Burns	Frelinghuysen	Latham
Burr	Frost	LaTourette
Burton (IN)	Galleghy	Leach
Butterfield	Garrett (NJ)	Lee
Buyer	Gerlach	Levin
Calvert	Gibbons	Lewis (CA)
Camp	Gilchrest	Lewis (GA)
Cantor	Gillmor	Lewis (KY)
Capito	Gingrey	Linder
Capps	Gonzalez	Lipinski
Capuano	Goode	LoBiondo
Cardin	Goodlatte	Lofgren
Cardoza	Gordon	Lowey
Carson (IN)	Granger	Lucas (KY)
Carson (OK)	Graves	Lucas (OK)
Carter	Green (TX)	Lynch
Case	Green (WI)	Majette
Castle	Grijalva	Maloney
Chabot	Gutierrez	Markey
Chandler	Gutknecht	Marshall
Chocola	Hall	Matheson
Clay	Harman	Matsui
Clyburn	Harris	McCarthy (MO)
Coble	Hastings (FL)	McCarthy (NY)
Cole	Hastings (WA)	McCollum
Conyers	Hayes	McCotter
Cooper	Hayworth	McCrery
Costello	Hefley	McDermott
Cox	Herger	McGovern
Cramer	Herseth	McHugh
Crane	Hill	McIntyre
Crenshaw	Hinchee	McKeon
Crowley	Hinojosa	McNulty
Cubin	Hobson	Meehan
Culberson	Hoeffel	Meek (FL)
Cummings	Holden	Meeks (NY)
Cunningham	Holt	Menendez

Mica	Rahall	Souder
Michaud	Ramstad	Spratt
Miller (MI)	Rangel	Stark
Miller (NC)	Regula	Stearns
Miller, Gary	Rehberg	Stenholm
Miller, George	Renzi	Strickland
Mollohan	Reyes	Stupak
Moore	Reynolds	Sullivan
Moran (KS)	Rodriguez	Sweeney
Moran (VA)	Rogers (AL)	Tancredo
Murtha	Rogers (KY)	Tanner
Musgrave	Rogers (MI)	Tauscher
Myrick	Rohrabacher	Taylor (MS)
Nadler	Ros-Lehtinen	Taylor (NC)
Napolitano	Ross	Terry
Neal (MA)	Rothman	Thompson (CA)
Nethercutt	Roybal-Allard	Thompson (MS)
Neugebauer	Royce	Thornberry
Ney	Ruppersberger	Tiahrt
Northup	Rush	Tiberi
Norwood	Ryan (OH)	Tierney
Nunes	Ryan (WI)	Toomey
Nussle	Ryun (KS)	Towns
Oberstar	Sabo	Turner (OH)
Obey	Sánchez, Linda	Turner (TX)
Oliver	T.	Udall (CO)
Ortiz	Sanchez, Loretta	Udall (NM)
Osborne	Sanders	Upton
Otter	Sandlin	Van Hollen
Owens	Saxton	Velázquez
Oxley	Schakowsky	Visclosky
Pallone	Schiff	Vitter
Pascarella	Scott (GA)	Walden (OR)
Pastor	Sensenbrenner	Walsh
Paul	Serrano	Wamp
Payne	Sessions	Waters
Pearce	Shadegg	Watson
Pelosi	Shaw	Watt
Pence	Shays	Waxman
Peterson (MN)	Sherman	Weiner
Peterson (PA)	Sherwood	Weldon (FL)
Petri	Shimkus	Weldon (PA)
Pickering	Shuster	Weller
Pitts	Simmons	Whitfield
Platts	Simpson	Wilson (NM)
Pombo	Skelton	Wilson (SC)
Pomeroy	Slaughter	Wolf
Porter	Smith (MI)	Woolsey
Price (NC)	Smith (NJ)	Wu
Pryce (OH)	Smith (TX)	Wynn
Putnam	Smith (WA)	Young (AK)
Quinn	Snyder	Young (FL)
Radanovich	Solis	

NOES—8

Collins	Ose	Scott (VA)
Davis, Tom	Portman	Thomas
Johnson, Sam	Schrock	

NOT VOTING—21

Baird	Hart	Millender-
Bishop (GA)	Hensarling	McDonald
Bonner	Hoekstra	Miller (FL)
Cannon	Kirk	Murphy
DeMint	Lantos	Tauzin
Gephardt	Manzullo	Wexler
Goss	McInnis	Wicker
Greenwood		

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SHIMKUS) (during the vote). Members are advised that 2 minutes remain in the vote.

□ 1304

Messrs. GUTIERREZ, CUNNINGHAM and KOLBE changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. SHIMKUS). The question is on engrossment and a third reading.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. OBEY. In its present form, I certainly am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Obey moves to recommit the bill, H.R. 5025, to the Committee on Appropriations with instructions to report the same back to the House promptly with an amendment to restore funding for Payments to Air Carriers, Grants-in-Aid for Airports, the Federal Highway Administration, the Federal Motor Carrier Safety Administration, the National Highway Traffic Safety Administration, the Federal Railroad Administration, the Federal Transit Administration, and the Surface Transportation Board and increase funding above the levels in H.R. 5025, as reported, for the Federal-Aid Highways Limitation on Obligations, Grants to the National Railroad Passenger Corporation, new fixed guideway systems, and Grants-in-Aid for Airports.

The SPEAKER pro tempore. The gentleman from Wisconsin (Mr. OBEY) is recognized for 5 minutes.

Mr. OBEY. Mr. Speaker, last week during consideration of this bill, three factions of the majority party took turns in striking entire accounts out of this bill.

More than half the budgetary resources that had been in the bill are now missing.

More than 80 percent of the Department of Transportation's resources have been deleted from this bill. This bill is now missing more than \$41 billion in funding that was supposed to flow to each of our States for highways, transit and aviation.

My motion to recommit the Department of Transportation programs and provides adequate funding for addressing the Nation's transportation needs. This motion asks that the Committee on Appropriations restore the accounts that were deleted by points of order, and it calls for increased funding above the committee-reported levels for highways, transit, new start projects, Amtrak and Grants-in-Aid for airports.

It restores funding for rural airports through the Essential Air Service Program, Federal Motor Carrier Safety Administration, the National Highway Traffic Safety Administration and the Surface Transportation Board.

The motion is important because without it we are simply not meeting some of the crucial transportation needs of the country.

Mr. Speaker, I am sure that my friend from Oklahoma will say that because of the form of this motion that this bill will effectively be delayed or killed. The fact is, that is not correct. This bill is already dead. This bill is already on the way to the morgue. It quit breathing last Friday. All I am trying to do is to resuscitate the bill and make it something other than a cadaver.

So, without this motion, this House is acquiescing in the fact that jurisdictional arguments between committees have resulted in a bill which has little more than the enacting title, and I do not think that it does very much credit to the House.

If you vote for this amendment, you will be voting to resuscitate the programs that were knocked out because of the willfulness of the authorizing committee last week, and I would urge a "yes" vote for the proposition.

Mr. ISTOOK. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Oklahoma is recognized for 5 minutes in his opposition.

Mr. ISTOOK. Mr. Speaker, I very much appreciate the frustration of the gentleman from Wisconsin, and certainly I have a high level of frustration, and many people do, because of the things that on parliamentary procedures were stricken on points of order, because we have so many programs that have not been reauthorized.

However, there is a much better way to fix the problem, and that is to finish the process, pass the bill, move it to conference where we are then able to bring a conference report back before this House that is not subject to these points of order.

Were we to do what the gentleman from Wisconsin seeks, we would only repeat the exercise in frustration. He wants us to take the bill back to committee, reinsert the things that were taken out on points of order and, while we are at it, put more money in them. Then, if we brought the bill back to the floor, guess what? Those same points of order are here on the floor. We go through the exercise again.

Secondly, we have an additional point of order because the gentleman's request, I believe, would push us above the 302(b) allocation which is our share of the budget allocation, and there would be an additional point of order against the bill. We would only repeat the frustration.

What is worse than being frustrated once? Being frustrated twice. That is what the motion to recommit would accomplish, but opposing the motion to recommit and passing the bill moves it into conference. That is where the problem can and will be fixed.

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

Mr. ISTOOK. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Speaker, I thank the gentleman for yielding.

All of that can be solved by simply having the Committee on Rules this time do its duty and report out a rule that protects a rational bill.

Mr. ISTOOK. Mr. Speaker, I appreciate the gentleman's concern, and certainly the Committee on Rules could have done something on the current bill and could do something on a different bill, but why do we expect the Committee on Rules would have any different action?

The only sure course of action to get this bill passed to fund the transportation for every Member of this body for their States and also to address the desires that different Members have for their different districts is to pass the bill, move it on to the House-Senate

conference where we bring it back, and all those problems are wiped clean because now we are under a different parliamentary process that governs the conference report.

I oppose the motion to recommit. There is no sense in killing the bill. Let us keep it alive so that we can keep transportation moving in the country.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. OBEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for the electronic vote on the question of passage.

The vote was taken by electronic device, and there were—yeas 201, nays 210, not voting 22, as follows:

[Roll No. 464]

YEAS—201

Abercrombie	Edwards	Levin
Ackerman	Emanuel	Lewis (GA)
Allen	Engel	Lipinski
Andrews	Eshoo	Lofgren
Baca	Etheridge	Lowey
Baldwin	Evans	Lucas (KY)
Becerra	Farr	Lynch
Bell	Fattah	Majette
Berkley	Finer	Maloney
Berman	Ford	Markey
Berry	Frank (MA)	Marshall
Bishop (NY)	Frost	Matheson
Blumenauer	Gonzalez	McCarthy (MO)
Boswell	Gordon	McCarthy (NY)
Boucher	Green (TX)	McCollum
Boyd	Grijalva	McDermott
Brady (PA)	Gutierrez	McGovern
Brown (OH)	Harman	McIntyre
Brown, Corrine	Hastings (FL)	McNulty
Butterfield	Herseth	Meehan
Capps	Hill	Meek (FL)
Capuano	Hinchey	Meeks (NY)
Cardin	Hinojosa	Menendez
Cardoza	Hoeffel	Michaud
Carson (IN)	Holden	Miller (NC)
Carson (OK)	Holt	Miller, George
Case	Honda	Mollohan
Castle	Hooley (OR)	Moore
Chandler	Hoyer	Moran (VA)
Clay	Inslee	Murtha
Clyburn	Israel	Nadler
Conyers	Jackson (IL)	Napolitano
Cooper	Jackson-Lee	Neal (MA)
Costello	(TX)	Oberstar
Cramer	Jefferson	Obey
Crowley	John	Olver
Cummings	Johnson, E. B.	Ortiz
Davis (AL)	Jones (OH)	Owens
Davis (CA)	Kanjorski	Pallone
Davis (FL)	Kaptur	Pascarell
Davis (IL)	Kennedy (RI)	Pastor
Davis (TN)	Kildee	Payne
DeFazio	Kilpatrick	Pelosi
DeGette	Kind	Peterson (MN)
Delahunt	Kleczka	Pomeroy
DeLauro	Kucinich	Price (NC)
Deutsch	Lampson	Rahall
Dicks	Langevin	Rangel
Dingell	Lantos	Reyes
Doggett	Larsen (WA)	Rodriguez
Dooley (CA)	Larson (CT)	Ross
Doyle	Lee	Rothman

Roybal-Allard	Skelton	Towns
Ruppersberger	Slaughter	Turner (TX)
Rush	Smith (WA)	Udall (CO)
Ryan (OH)	Snyder	Udall (NM)
Sabo	Solis	Van Hollen
Sánchez, Linda	Spratt	Velázquez
T.	Stark	Visclosky
Sanchez, Loretta	Stenholm	Waters
Sanders	Strickland	Watson
Sandlin	Stupak	Watt
Schakowsky	Tanner	Waxman
Schiff	Tauscher	Weiner
Scott (GA)	Taylor (MS)	Woolsey
Scott (VA)	Thompson (CA)	Wu
Serrano	Thompson (MS)	Wynn
Sherman	Tierney	

NAYS—210

Aderholt	Gerlach	Paul
Akin	Gibbons	Pearce
Alexander	Gilchrest	Pence
Bachus	Gillmor	Peterson (PA)
Baker	Gingrey	Petri
Ballenger	Goode	Pickering
Barrett (SC)	Goodlatte	Pitts
Bartlett (MD)	Goss	Platts
Barton (TX)	Granger	Pombo
Bass	Graves	Porter
Beauprez	Green (WI)	Portman
Biggart	Gutknecht	Pryce (OH)
Bilirakis	Hall	Putnam
Bishop (UT)	Harris	Quinn
Blackburn	Hastings (WA)	Radanovich
Blunt	Hayes	Ramstad
Boehlert	Hayworth	Regula
Boehner	Hefley	Rehberg
Bonilla	Herger	Renzi
Bono	Hobson	Reynolds
Boozman	Hostettler	Rogers (AL)
Bradley (NH)	Houghton	Rogers (KY)
Brady (TX)	Hulshof	Rogers (MI)
Brown (SC)	Hunter	Rohrabacher
Brown-Waite,	Hyde	Ros-Lehtinen
Ginny	Isakson	Royce
Burgess	Issa	Ryan (WI)
Burns	Istook	Ryun (KS)
Burr	Jenkins	Saxton
Burton (IN)	Johnson (CT)	Schrock
Buyer	Johnson (IL)	Sensenbrenner
Calvert	Johnson, Sam	Sessions
Camp	Jones (NC)	Shadegg
Cantor	Keller	Shays
Capito	Kelly	Sherwood
Carter	Kennedy (MN)	Shimkus
Chabot	King (IA)	Shuster
Chocoma	King (NY)	Simmons
Coble	Kingston	Simpson
Cole	Kline	Smith (MI)
Collins	Knollenberg	Smith (NJ)
Cox	Kolbe	Smith (TX)
Crane	LaHood	Souder
Crenshaw	Latham	Stearns
Cubin	LaTourette	Sullivan
Culberson	Leach	Sweeney
Cunningham	Lewis (CA)	Tancredito
Davis, Jo Ann	Lewis (KY)	Taylor (NC)
Davis, Tom	Linder	Terry
Deal (GA)	LoBiondo	Thomas
DeLay	Lucas (OK)	Thornberry
DeMint	McCotter	Tiahrt
Diaz-Balart, L.	McCrery	Tiberi
Diaz-Balart, M.	McHugh	Toomey
Doolittle	McKeon	Turner (OH)
Dreier	Miller (MI)	Upton
Duncan	Miller, Gary	Vitter
Dunn	Moran (KS)	Walden (OR)
Ehlers	Musgrave	Walsh
Emerson	Myrick	Wamp
English	Nethercutt	Weldon (FL)
Everett	Neugebauer	Weldon (PA)
Feeney	Ney	Weller
Ferguson	Northup	Whitfield
Flake	Norwood	Wilson (NM)
Forbes	Nunes	Wilson (SC)
Fossella	Nussle	Wolf
Franks (AZ)	Osborne	Young (AK)
Frelinghuysen	Ose	Young (FL)
Gallegly	Otter	
Garrett (NJ)	Oxley	

NOT VOTING—22

Baird	Hensarling	Millender-
Bishop (GA)	Hoekstra	McDonald
Bonner	Kirk	Miller (FL)
Cannon	Manzullo	Murphy
Foley	Matsui	Shaw
Gephardt	McInnis	Tauzin
Greenwood	Mica	Wexler
Hart		Wicker

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SHIMKUS) (during the vote). There are 2 minutes remaining in this vote.

□ 1333

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. SHIMKUS). The question is on passage of the bill.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 397, nays 12, not voting 24, as follows:

[Roll No. 465]

YEAS—397

Abercrombie	Cooper	Gutierrez
Ackerman	Costello	Gutknecht
Aderholt	Cramer	Hall
Akin	Crane	Harman
Alexander	Crenshaw	Harris
Allen	Crowley	Hastings (FL)
Andrews	Cubin	Hastings (WA)
Baca	Culberson	Hayes
Bachus	Cummings	Hayworth
Baker	Cunningham	Herger
Baldwin	Davis (AL)	Herseth
Ballenger	Davis (CA)	Hill
Barrett (SC)	Davis (FL)	Hinchee
Bartlett (MD)	Davis (IL)	Hinojosa
Barton (TX)	Davis (TN)	Hobson
Bass	Davis, Jo Ann	Hoeffel
Beauprez	Davis, Tom	Holden
Becerra	Deal (GA)	Holt
Bell	DeFazio	Honda
Berkley	DeGette	Hooley (OR)
Berman	Delahunt	Hostettler
Berry	DeLauro	Houghton
Biggert	DeLay	Hoyer
Bilirakis	DeMint	Hulshof
Bishop (NY)	Deutsch	Hunter
Bishop (UT)	Diaz-Balart, L.	Hyde
Blackburn	Diaz-Balart, M.	Inslee
Blumenauer	Dicks	Isakson
Blunt	Dingell	Israel
Boehlert	Doggett	Issa
Boehner	Dooley (CA)	Istook
Bonilla	Doolittle	Jackson (IL)
Bono	Doyle	Jackson (IL)
Boozman	Dreier	Jackson-Lee
Boswell	Duncan	(TX)
Boucher	Edwards	Jefferson
Boyd	Ehlers	Jenkins
Bradley (NH)	Emanuel	Johnson
Brady (PA)	Emerson	(CT)
Brady (TX)	Engel	Johnson (IL)
Brown (OH)	English	Johnson, E. B.
Brown (SC)	Eshoo	Johnson, Sam
Brown, Corrine	Etheridge	Jones (OH)
Brown-Waite,	Evans	Kanjorski
Ginny	Everett	Kaptur
Burgess	Farr	Keller
Burns	Fattah	Kelly
Burr	Feeney	Kennedy (MN)
Burton (IN)	Ferguson	Kennedy (RI)
Butterfield	Filner	Kildee
Buyer	Forbes	Kilpatrick
Calvert	Ford	Kind
Camp	Fossella	King (IA)
Cantor	Frank (MA)	King (NY)
Capito	Frelinghuysen	Kingston
Capps	Frost	Klecza
Capuano	Galleghy	Kline
Cardin	Garrett (NJ)	Knollenberg
Cardoza	Gerlach	Kolbe
Carson (IN)	Gibbons	LaHood
Carson (OK)	Gilchrest	Lampson
Carter	Gingrey	Langevin
Case	Gonzalez	Lantos
Chabot	Goode	Larsen (WA)
Chandler	Goodlatte	Larson (CT)
Chocola	Gordon	Latham
Clay	Goss	LaTourette
Clyburn	Granger	Leach
Coble	Graves	Lee
Cole	Green (TX)	Levin
Collins	Green (WI)	Lewis (CA)
Conyers	Grijalva	Lewis (GA)
		Lewis (KY)

Linder	Pearce	Slaughter
Lipinski	Pelosi	Smith (MI)
LoBiondo	Pence	Smith (NJ)
Lofgren	Peterson (MN)	Smith (TX)
Lowey	Peterson (PA)	Smith (WA)
Lucas (KY)	Petri	Snyder
Lucas (OK)	Pickering	Solis
Lynch	Pitts	Souder
Majette	Platts	Spratt
Maloney	Pombo	Stark
Markey	Pomeroy	Stearns
Marshall	Porter	Stenholm
Matheson	Portman	Strickland
Matsui	Price (NC)	Stupak
McCarthy (MO)	Pryce (OH)	Sullivan
McCarthy (NY)	Putnam	Sweeney
McCollum	Quinn	Tancredo
McCotter	Radanovich	Tanner
McCrery	Rahall	Tauscher
McDermott	Ramstad	Taylor (MS)
McGovern	Rangel	Taylor (NC)
McHugh	Regula	Terry
McIntyre	Rehberg	Thomas
McKeon	Renzi	Thompson (CA)
McNulty	Reyes	Thompson (MS)
Meek (FL)	Rodriguez	Thornberry
Meeks (NY)	Rogers (AL)	Tiahrt
Menendez	Rogers (KY)	Tiberi
Mica	Rogers (MI)	Toomey
Michaud	Rohrabacher	Towns
Miller (MI)	Ros-Lehtinen	Turner (OH)
Miller (NC)	Ross	Turner (TX)
Miller, Gary	Rothman	Udall (CO)
Miller, George	Roybal-Allard	Udall (NM)
Mollohan	Ruppersberger	Upton
Moore	Rush	Van Hollen
Moran (KS)	Ryan (OH)	Velázquez
Moran (VA)	Ryan (WI)	Visclosky
Murtha	Ryun (KS)	Vitter
Musgrave	Sabo	Walden (OR)
Myrick	Sánchez, Linda	Walsh
Nadler	T.	Wamp
Napolitano	Sánchez, Loretta	Waters
Neal (MA)	Sanders	Watson
Nethercutt	Sandlin	Watt
Neugebauer	Saxton	Waxman
Ney	Schakowsky	Weiner
Northup	Schiff	Weldon (FL)
Norwood	Schrock	Weldon (PA)
Nunes	Scott (GA)	Weller
Nussle	Scott (VA)	Whitfield
Oberstar	Serrano	Wilson (NM)
Oliver	Sessions	Wilson (SC)
Ortiz	Shadegg	Wolf
Osborne	Shaw	Woolsey
Ose	Shays	Wu
Owens	Sherman	Wynn
Oxley	Sherwood	Young (AK)
Pallone	Shuster	Young (FL)
Pascarell	Simmons	
Pastor	Simpson	
Payne	Skelton	

NAYS—12

Castle	Jones (NC)	Paul
Flake	Kucinich	Royce
Franks (AZ)	Obey	Sensenbrenner
Hefley	Otter	Shimkus

NOT VOTING—24

Baird	Greenwood	Millender-
Bishop (GA)	Hart	McDonald
Bonner	Hensarling	Miller (FL)
Cannon	Hoekstra	Murphy
Cox	Kirk	Reynolds
Dunn	Manzullo	Tauzin
Foley	McInnis	Wexler
Gephardt	Meehan	Wicker
Gillmor		

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1340

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. MILLENDER-MCDONALD. Mr. Speaker, on rollcall No. 465, H.R. 5025—Transportation/Treasury Appropriation bill, I was on leg-

islative business and arrived after the vote. Had I been here I would have voted in the affirmative.

PERSONAL EXPLANATION

Mr. FOLEY. Mr. Speaker, on rollcall Nos. 464 and 465, I was meeting with the Governor of Florida concerning hurricane damage. Had I been present, I would have voted “nay” on rollcall No. 464 and “yea” on rollcall No. 465.

PERSONAL EXPLANATION

Mr. KIRK. Mr. Speaker, today, I missed the following rollcall votes: rollcall number 461—on agreeing to the Rangel amendment to H.R. 5025, rollcall number 462—on agreeing to the Olver amendment to H.R. 5025, rollcall number 463—on agreeing to the Stenholm amendment to H.R. 5025, rollcall number 464—on motion to recommit H.R. 5025, rollcall number 465—on passage of H.R. 5025. Had I been present I would have voted “nay” on rollcall votes 461 and 464, and I would have voted “yea” on rollcall votes 462, 463 and 465.

REQUEST FOR REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2028

Mr. OSE. Mr. Speaker, because the bill as introduced was drastically changed in committee, I ask unanimous consent to have my name removed as a cosponsor of H.R. 2028.

The SPEAKER pro tempore (Mr. LINDER). Under clause 7 of rule XII, the Chair may not entertain a request to delete a cosponsor after the last committee authorized to consider the bill has filed its report with the House.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas or nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken later today.

CIVIL WAR SESQUICENTENNIAL COMMISSION ACT

Mr. OSE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2449) to establish a commission to commemorate the sesquicentennial of the American Civil War, as amended.

The Clerk read as follows:

H.R. 2449

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Civil War Sesquicentennial Commission Act”.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress makes the following findings:

(1) The American Civil War was a defining experience in the development of the United States.