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This week is a time for our Nation to reflect upon the important role that U.S. agriculture has played and continues to play in this Nation and throughout the entire world. The United States began as an agrarian society, and agriculture has been the backbone of this country. Over time, however, our Nation became more industrialized, and people left the farms and rural areas to pursue opportunities in the cities. And yet despite the fact that there are fewer people producing the Nation's food and fiber, productivity has increased.

While the business of farming has undergone significant changes since the founding of this Nation, one thing has not changed: farming continues to be one of the most hazardous occupations in the United States. A report by the National Safety Council concluded that agriculture had the second highest fatality rate of all industries in the Nation. In 2003 alone there were 710 farm-related fatalities and 110,000 disabling injuries.

I hasten to add that, because of the nature of family farms, farm-related injuries and fatalities are not solely limited to adults. A 2001 study by the National Children's Center for Rural and Agricultural Health and Safety reported that nearly 1.5 million young people, 20 years or younger, lived or worked on farms. The same study showed that more than 660,000 in that age range were employed but not living on farms. According to the study, more than 100 children younger than 20 die each year and more than 22,000 are injured from agriculture-related injuries. Similarly, a study by the American Academy of Pediatrics showed that for teenagers farm jobs have the highest rate of fatalities of all types of teen employment.

While there are many potential hazards on a farm, the greatest continues to be machinery. Reports indicate that 30 percent of farm machinery-related deaths occur in children less than 5 years old. Additionally, the Occupational Safety and Health Administration concludes that 68 percent of farm-related deaths can be traced to some sort of machinery, including tractors, trucks, equipment such as augers and loaders, power takeoffs, and haying equipment.

Of all the equipment on the farm, tractors remain the most dangerous. In fact, OSHA reports that more than half of the deaths that occur on the farm are the result of tractor accidents. Of the deaths caused by tractor accidents, 57 percent are the result of rollovers and another 9 percent are the result of people either falling off or getting run over by a tractor.

Agriculture-related deaths and injuries are not limited to incidents involving machinery, however. Farmers and ranchers are subject to a whole host of other dangers including agriculture chemicals and fertilizers, unruly and unpredictable livestock, and buildings

that contain high dust levels and toxins.

It goes without saying that the commitment to farm safety cannot be limited to a single week. Nevertheless, this timely and welcome resolution to commemorate farm safety reminds us all of how important it is for farmers, ranchers, and their workers to perform their work safely and to take precautions to protect themselves. When one's child is out there with them, take a little extra bit of care for that youngster.

By recognizing the dangers inherent in farming and ranching and by taking steps to prevent accidents, our Nation will continue to lead the world in the production of agriculture commodities.

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

Mr. GOODLATTE. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. REYNOLDS), the author of the concurrent resolution.

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

Mr. REYNOLDS. Mr. Speaker, I thank the chairman of the Committee on Agriculture for yielding me this time. I also appreciate the strong support of my concurrent resolution by both the chairman and ranking member of the Committee on Agriculture today.

Mr. Speaker, I am here to recognize the National Farm Safety and Health Week and to thank our farmers and ranchers nationwide for their hard work day in and day out.

Over half the land in the United States is used for agricultural production; and without the work of our farmers and ranchers, our Nation and others around the world would not have the safe, stable supply of food and fiber that we enjoy today.

In my home State of New York, agriculture is the number one industry, and I am proud to represent one of the largest agricultural areas in the State. In districts like mine all across this great land, farmers work long, hard hours and make tremendous sacrifices. They should be applauded for their efforts.

Unfortunately, those long, hard hours are not risk-free. Sadly, there are hundreds of farm-related fatalities and thousands of injuries every year, and sadder still, many of these accidents could be prevented through increased awareness and better safety practices.

The National Farm Safety and Health Week is a national effort to reduce the number of farming- and ranching-related deaths and injuries through educational and awareness initiatives. Helping educate our farmers and their families on necessary safety precautions is essential to ensuring the strong productivity of our agricultural sector.

I would like to commend the National Safety Council for their leader-

ship and continued work towards achieving these goals through the National Farm Safety and Health Week. I urge my colleagues to support this resolution.

Mr. STENHOLM. Mr. Speaker, I yield myself such time as I may consume.

I have no further requests for time, but let me just say in closing that I am honored to join today with the chairman of the House Committee on Agriculture and the gentleman from New York (Mr. REYNOLDS) in joining with the President, President Bush, having declared this week National Farm Safety Week; and I am very happy to join in support of that concurrent resolution, in support of the President. I thank the President for recognizing this important contribution.

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

Mr. GOODLATTE. Mr. Speaker, I yield myself such time as I may consume.

I would like to thank the gentleman from Texas for working with us on bringing forth this concurrent resolution and congratulate the gentleman from New York for bringing this forward. And I urge my colleagues to adopt what I think is important to not just people in rural America but in all America, to understand the importance of agriculture and the importance of farm safety. With that, I urge my colleagues to support the concurrent resolution.

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

The SPEAKER pro tempore (Mr. LEWIS of Kentucky). The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 494.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Con. Res. 494, the concurrent resolution just considered.

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

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 2028, PLEDGE PROTECTION ACT OF 2004

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 781 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 781

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2028) to amend title 28, United States Code, with respect to the jurisdiction of Federal courts inferior to the Supreme Court over certain cases and controversies involving the Pledge of Allegiance. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Texas (Mr. SESSIONS) is recognized for 1 hour.

Mr. SESSIONS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

The resolution before us is a well-balanced, structured rule providing 1 hour of general debate, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary.

It waives all points of order against consideration of the bill and provides that the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read.

It waives all points of order against the committee amendment in the nature of a substitute and makes in order only those amendments printed in the Committee on Rules report accompanying the resolution.

It provides that the amendments printed in the report may be offered only in the order printed in the report, may be offered only by a Member designated in the report. They shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole.

Finally, it waives all points of order against the amendments printed in the report and provides for one motion to recommit with or without instructions.

Mr. Speaker, I rise today in strong support of this rule and its underlying legislation, the Pledge Protection Act of 2004. This legislation offered by the gentleman from Missouri (Mr. AKIN) follows up and improves upon the work that the House has already accomplished on behalf of protecting the Pledge of Allegiance from those whose ultimate goal is to undermine and devalue the meaning of the Pledge of Allegiance by stripping the words "under God" from it.

Since June 27, 2002, the House has voted three times to protect the Pledge from those fringe and radical elements in our country who dislike its content and its meaning as it is currently written. Twice the House has overwhelmingly voted through House resolutions to express its opinion that the 9th Circuit Court's decision in *Newdow v. The United States Congress* is incorrect, and once to limit the use of Federal funds from enforcing this onerous judgment.

Today, Congress has the opportunity to once again stand up for the Pledge of Allegiance and the values that it imparts to the millions of patriotic Americans who recite it every day by supporting this carefully crafted resolution.

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H.R. 2028 would amend the Federal judicial code to deny jurisdiction to any court established by an act of Congress to hear or determine any claim that the recitation of the Pledge of Allegiance violates the first amendment of the Constitution. This legislation would prevent Federal judges from legislating from the bench and striking down the historic and heartfelt meaning of the Pledge of Allegiance.

My friend, the gentleman from Wisconsin (Chairman SENSENBRENNER), has clearly stated, "A remedy to abuses by Federal judges has long been understood to lie, among other places, in Congress's authority to limit Federal Court jurisdiction."

I too understand this, as my father was a Federal judge for many years,

and I know that not all judges are interested in legislating from the bench, but there are those occurrences and abuses that do occur. I believe that the gentleman from Wisconsin (Chairman SENSENBRENNER) is correct.

Mr. Speaker, the choice posed by this legislation is stark and it is very clear: Should Congress allow those activist judges to decide by fiat how patriotic Americans across our great country may pledge their allegiance to our country; or should Congress, which is directly accountable and speaks to and for the people of this great Nation, exercise its authority to act as the ultimate arbiter of the Constitution as envisioned by our Founding Fathers?

I believe that this choice is simple. It is very important for every Member of the House to place themselves on record as sharing the values of the majority of Americans in our country that believe that America is one Nation under God and that the opinion of a few liberal judges in the Ninth Circuit Court of Appeals can never change that fact.

There may be some who come to the floor today to argue that Congress is not competent enough to address this issue. They will argue, I am sure, in an attempt to confuse the issue, that only Federal courts can decide on constitutionality and that this legislation represents some kind of affront to the separation of powers doctrine which our government is based upon.

This attempt to divert attention from the real matter is not only deceptive, I believe it would be patently wrong. The Pledge of Allegiance Act does not dictate how the courts should come to a decision. Instead, it carefully limits the jurisdiction of the Federal courts clearly within the constitutional powers of the Congress to hear a case calling into question the pledge's constitutionality.

Mr. Speaker, I urge all of my colleagues to protect this very important right that we have in our country to recite the Pledge of Allegiance and to stand up for values upon which our great Nation was founded by supporting this rule and the underlying legislation.

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

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentleman from Texas for yielding me time.

Mr. Speaker, I pledge allegiance to the flag of the United States of America because I believe in its stars and stripes, and I believe that they symbolize our strength and our diversity. I do so out of respect for and love of our country, not because the cameras are rolling and voters are watching. Apparently, the same cannot be said of some of my colleagues on the other side of the aisle.

The underlying legislation, more than anything else, is about the politics of a national election. The Republican political spin machine is in full

gear playing, in my view, to the lowest common denominator, to reinvigorate some who may not be as invigorated as the majority party would wish that they be. Instead of wrapping themselves in the flag and marketing their candidates with gimmicks, the majority in Congress ought to work for the people and legislate in their interests.

Senator KERRY recently said it very well. He said, "The flag doesn't belong to any President, it doesn't belong to any ideology and it doesn't belong to any political party. It belongs to all the American people."

The underlying bill is totally unnecessary since there is no binding decision in any court, Federal or State, holding that "under God" in the Pledge is unconstitutional.

This is a solution in search of a problem. Given the serious challenges we face, we must act responsibly. But this unnecessary legislation, designed by political consultants as the answer to an uninspired right-wing constituency, detracts from the real work that needs to be done in this body.

In 8 days, 13 appropriation bills must be signed into law. So far, only one has the President's signature. Not even the appropriation for Homeland Security has been completed, despite the terrifying threats the Nation faces. Similarly, this coming Friday the authorization for Federal transportation programs is scheduled to expire and we are nowhere near a new transportation bill.

Did you hear that? Congress has one requirement, to pass the appropriations bills, to act responsibly and pass all 13 appropriations bills before September 30. Under this leadership, Congress has failed miserably.

Why has this congressional session been so disastrous, you might ask? Well, it is because the majority has made the conscious decision to play politics, rather than legislate; to squander opportunities for success, rather than create them; to give lip service to the Nation's needs, rather than address them. The underlying bill is an illustration of that irresponsibility, and in my view, it is ridiculous.

We are at war, a war on terror and a war in Iraq. Unemployment is high, jobs are being outsourced abroad, the economy is anemic, people cannot afford housing at the lower rungs of our economy, health care costs are through the roof, and more than 44 million Americans are uninsured. Right-wing Republicans are suffering the consequences of the wrong decisions made during these years that just passed, as are liberal and moderate Americans; and I, for one, wish this body were discussing how to solve these pressing problems instead of legislating on nonissues.

Now, more than ever, we must use the legislative session wisely and productively to strengthen America's way of life. Now, more than ever, we must do what is necessary to promote the principles that have made us strong.

Simply put, the underlying bill is, at its core, un-American. Indeed, passage of this legislation would represent one of the broadest attacks on the separation of powers in American history. If Congress, by statute, can end-run the Bill of Rights, no rights to liberty, due process or equality under law are safe. Further, it would set the terrible precedent of barring citizens from challenging government infringement of fundamental rights in Federal court.

Mr. Speaker, the Pledge of Allegiance is the recitation of the strong sense of patriotism and pride for American ideas and rules. Throughout my lifetime and that of many of our colleagues on both sides of the aisle here, we have tried to live up to its underlying values. I have done so, as have many of my colleagues, out of conviction, and not at the insistence of a paid political strategist that suggested legislating patriotism.

In the name of liberty, in the name of democracy and in the name of religion, I oppose the underlying legislation, and I call on my colleagues to do the same.

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

Mr. SESSIONS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we have had a very eloquent opportunity to hear from the gentleman from Florida as he spoke about his desire not to support this legislation. We should also remember that there are many judges around this country who have the same opinion that the gentleman has, and they would wish a case to come forth to them where they could change this Pledge of Allegiance to the United States of America, one Nation under God, indivisible. And this is one of the reasons why this is an important issue.

The gentleman correctly talked about the things which we have now achieved or not achieved, in his opinion, for the last year-and-a-half of this Congress, the 108th Congress. We had votes on taxes. We had votes on opportunities to limit lawsuits, lawsuit abuse. And every single time, we have had an opportunity to vote on these very important issues. So I am proud of what we have done. But I would also say that the Pledge of Allegiance is something that is worth fighting for on the floor of the House of Representatives and to protect.

So I know and recognize that there are my friends in the other party that do not agree with us on this, that they would call it un-American that we would not allow some Federal judge to hear a case and then to legislate against the Pledge of Allegiance. I believe that is what Congress is here to do, and I believe that judges are there to rule on the law, not to make law. That is why we offer this bill, this very important bill, that we have here tonight.

Mr. Speaker, I yield 5 minutes to the gentlewoman from Illinois (Mrs. BIGGERT).

Mrs. BIGGERT. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I rise today in support of the rule for H.R. 2028, the Pledge Protection Act, because it makes in order an amendment that I strongly support. The amendment to be offered by my colleague, the gentleman from North Carolina (Mr. WATT), is very straightforward. It would restore to the bill the Supreme Court's jurisdiction over questions related to the Pledge of Allegiance, changing the bill back to the way it was originally introduced and as it was when I and 224 other Members of this body cosponsored it.

As introduced, H.R. 2028 would have restricted the Federal district courts and the appellate courts from hearing cases involving the Pledge of Allegiance.

When I signed on as a cosponsor of the original bill a week after its introduction back in May of 2003, H.R. 2028 was a good bill. It took care of those renegade jurists, but it retained the jurisdiction of the Supreme Court over this important constitutional issue.

Its title read, "To amend title 28, United States Code, with respect to the jurisdiction of Federal courts inferior to the Supreme Court over certain cases and in controversies involving the Pledge of Allegiance."

While the title has not changed, the content of the bill certainly has. As reported by the Committee on the Judiciary, H.R. 2028 now prohibits the Supreme Court from hearing such cases.

I recognize that Congress clearly has the authority under Article III of the Constitution to define the jurisdiction of the Federal district and appellate courts. The original H.R. 2028 was perfectly supportable on this point, for it related to the courts "inferior to of the Supreme Court."

I know that the gentleman from Wisconsin (Chairman SENSENBRENNER) cited *ex parte McCardle* as authority under Article III to make exceptions to the appellate jurisdiction of the Supreme Court. But constitutional scholars say there is no direct precedent for making exceptions to the appellate jurisdiction of the Supreme Court.

This unprecedented restriction of the Supreme Court's authority would violate the basic tenet of checks and balances within our system of government. The Founding Fathers created this balance of power within our democratic government to ensure the integrity of the Constitution. If the Supreme Court is not able to fulfill its constitutional purpose, our Federal Government will be unable to ensure that our laws reflect the rights set forth in our Constitution.

I would caution my colleagues to think twice before tampering with authorities clearly granted in the Constitution. The issue today may be the pledge, but what if the issue tomorrow is environmental protection, civil rights, second amendment rights or a host of other issues that Members may hold dear?

I would ask my colleagues not to succumb to a false comfort that the Supreme Court ultimately will strike down the legislation, so therefore it is acceptable to cast a politically expedient vote that you know is just wrong.

I would also ask my colleagues to think about, do we really want 50 different versions of the Pledge of Allegiance? I certainly do not think so. However, that is what could happen if you believe the Committee on the Judiciary's press release on this bill.

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Its headline says it all, "Committee approves legislation allowing States to decide whether 'under God' should remain in the Pledge of Allegiance."

I believe the Supreme Court, not 50 different State courts, should be the final arbiter of any questions on the constitutionality of that congressionally approved phrase.

I come to the floor with a heavy heart on this but, Mr. Speaker, I revere the Constitution and the Pledge of Allegiance. I believe that "under God" are two of the most important words in the pledge. I also believe that the Supreme Court should be the final arbiter of all Federal questions. That is why I urge my colleagues to support this rule and the Watt amendment to the Pledge Protection Act.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

I shall not take an awful lot of time, but I do have a considerable amount of experience in this area, and I can tell my colleagues that the Doctrine of Judicial Review, the notions with reference to "fundamental due process" and "full faith and credit" are matters that we should hold dear and not be about the business of court-stripping on specific matters.

The gentlewoman from Illinois (Mrs. BIGGERT) put forward the exact proposition that I did in last night's Committee on Rules among other things that she has said with which I agree, and that is that another day will come, and this establishes a bad precedent. I note that the original sponsor of the measure is here, and I put to him that question last evening. Perhaps, he and I will have an opportunity for a further exchange with reference to the same matter.

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

Mr. SESSIONS. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri (Mr. AKIN), the sponsor of this legislation.

Mr. AKIN. Mr. Speaker, I would start by asking a question that I have had a chance to ask a number of times to different school groups and other collections of Americans, and that is, if you were to take a look at America, the unique nation that it is, and you were to try to put into a phrase or a sentence what is the heart of what America is all about; if you had to, in a sense, as an onion, go through all of

the different things that are America and get down to the center nub of what is it that we believe, what is it that people who came from Germany or Scotland or England or all of these other different countries believe; they came here together. They do not call themselves by their old name, but they call themselves Americans, and America is a unique and special place to all of us.

Now, what is the heart of what makes America? What is the central formula? Why is it that our young men and women would go and risk their lives overseas for this Nation?

I would suggest to my colleagues that the answer can be found in our birthday document, that Declaration of Independence, that document which paints a vision which goes beyond just the shores of America but touches the hearts of all freedom-loving people around this entire world. It is the sentence that says that we hold these truths to be self-evident, that all men are endowed by their creator with certain unalienable rights, and among these are life, liberty and the pursuit of happiness. The sentence goes on to say that it is the job of government to protect those rights.

Notice that that sentence is essentially a three-part formula. It says, first, that there is a God; secondly, that that God is the grantor of human rights; and among these are life, liberty, and the pursuit of happiness. And then our job in civil government is to protect those basic rights, and that, I would suggest, is something that Americans have largely agreed to down through the ages and has been something that has united us. It is also something that we have exported as we export freedom around the world.

Now, if we take the concept of God out of the equation, then our rights cannot come from God, and then the whole essence of what America is has been threatened.

Now, this concept that I am suggesting is not something that I just invented; anybody who would like to can go down to the Jefferson Memorial, and they can look at the stone where these words are inscribed and Jefferson says, the God that gave us life gave us liberty, and can the liberties of the people be secure if we remove the conviction that those liberties are the gift of God? What Jefferson was saying is people will not fight for something if they do not believe that those liberties were the gift of God.

And ironically, here on this floor, just in the last few minutes, I have heard people make the statement that they are very content to let the Supreme Court decide what our rights should be. Whatever the Supreme Court says, oh, well, that is just fine. The problem is, the Supreme Court has men and women on it, and they make mistakes, and we have three coequal branches of government to act as checks and balances on each other.

Before us today is an important matter. It is important because what we

are dealing with is a question of free speech. Our Founders fought wars because we really thought that people should be able to have freedom to state a religious or a political conviction and to be free to express that opinion.

Yet, we have activist judges among us today who have the intent and who have even stated fairly clearly where they stand on this issue, that school children are not allowed to say the Pledge of Allegiance as we have said it for the last 50 years. Now, no school child is required to say the Pledge, but to tell a school child that we have been saying the Pledge this way for 50 years in America and, now, you cannot say it, is akin to censorship. That is completely turning the first amendment upside down. I do not think that it is right for the judges to do that.

I also know that I took an oath of office to uphold the Constitution, and as a member of the legislative branch, I realize that it is part of my responsibility and part of the responsibility of other Members who call themselves Congressmen to stand up for the Constitution, to stand up for free speech, to tell the judges that they are wrong to tell school kids that they cannot say the Pledge of Allegiance.

Now, there is all kinds of legal mumbo jumbo that people might want to talk about, but let us not make the issue too complicated. It is about the Pledge of Allegiance; it is about the fact that we have activist judges saying that kids cannot say the same pledge that you and I have said for the last 50 years.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume. I would ask the gentleman from Missouri to participate in a colloquy with me, if he would.

Mr. Speaker, I asked last evening what jurisdiction in the United States of America today exists where a child cannot say "under God" in the Pledge of Allegiance?

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

Mr. HASTINGS of Florida. I yield to the gentleman from Missouri.

Mr. AKIN. Well, Mr. Speaker, fortunately, because of the fact that the Supreme Court dismissed this case just based on a technicality, there are none. There were some before. At the moment, there are not. And that is why it is so important to move this bill rapidly before something gets in the pipeline again to threaten the Pledge.

Mr. HASTINGS of Florida. Mr. Speaker, reclaiming my time just for the moment, that is that same Supreme Court that the gentleman would prefer not have jurisdiction in these matters, no matter whether they rule on a technicality. The gentleman's argument is that the Supreme Court makes mistakes because it is constituted of human beings.

Well, let me tell my colleague, a whole lot of mistakes are made in this body of us, 435-plus and five territories, because we are human beings. But respect for the courts is key and critical,

and to refer, for example, judges with whom I disagree, I call them strict constructionists, but I do not demean them. And I do not come down here and refer to them because I have a different point of view. I am from Florida. The United States Supreme Court made a decision that I thoroughly disagree with. But at the very same time, I respected that decision and went about my business, because it is the Supreme Court. We have three branches of government, not one that can make all of the laws.

Mr. AKIN. Mr. Speaker, if the gentleman will yield, I appreciate what the gentleman is saying, and I think that what the gentleman is saying gets to the heart of our disagreement on this point.

The gentleman said that the Supreme Court has made decisions that he strongly disagrees with, but he refused even to open his mouth hardly to refer to them other than in this context.

My sense is the three coequal branches of government means that we have a right to speak when we disagree and that we have even a responsibility to express that disagreement. And so our difference of opinion is that the gentleman really sees them as supreme, as the final decision on everything, and regardless of what they say, we have to suck it in and live with it. What I am saying is, that is alien to the thinking of our Founders. It is completely wrong.

Out of my State, I say to the gentleman, came the Dred Scott decision on slavery. I would not sit here and say, oh, I have to sit here and live with it. They are wrong, just as you and I can be wrong. We all make mistakes.

Mr. HASTINGS of Florida. Mr. Speaker, again reclaiming my time, the fact of the matter is that the Dred Scott decisions, *Plessy v. Ferguson*, a litany of decisions were changed over time.

One thing I would urge my colleague to really pay attention to, I will give him an illustration of two of this Nation's most prominent judges: One, Felix Frankfurter; and the other, Hugo Black. Hugo Black was a former member of the Ku Klux Klan, and Felix Frankfurter was an activist American civil libertarian. And when they went on the United States Supreme Court, they were ideological opposites. Over the course of time and events, if the gentleman will read their decisions, they changed.

My fear, as I have said, is, one day, we are no longer going to be in Congress. One day, mark my words, a different party will be in the majority. One day, conditions in the United States will be different. One day, world affairs will dictate an altered world reality. I ask my colleagues to vote against the underlying bill because if the reaction to these different scenarios goes beyond the constitutional limit, we would have already created the precedent that Congress cannot be

checked and balanced by the judicial branch. That would be unfortunate.

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

Mr. SESSIONS. Mr. Speaker, I yield myself such time as I may consume.

We had the opportunity to hear from the gentleman from Missouri to enunciate not only what was in his heart about this Pledge of Allegiance, and I believe he supported very strongly the belief of exactly why we are here today for the Flag Protection Act. I think that there are many people in the United States that simply do not like the Pledge of Allegiance and would wish and choose to change that.

We have heard the gentleman from Florida suggest that the world and this country will be much different in the future, and while I cannot argue with the gentleman that I think change is incumbent and will always happen, I think that there are some things that are worthy of keeping, that we should hold dear and important to this Nation. And one of them is the Pledge of Allegiance to the flag.

I think it is one of the reasons why, when new citizens come to this country and they become citizens, that tears stream down their eyes as they raise their hand, as a Federal judge or a Federal magistrate will administer their oath, and then they will say the Pledge of Allegiance. And people who are today fighting terrorism and represent our United States military, they stand up at attention before our flag. They understand that the United States of America is not perfect, and there may be changes in our future. But I believe that they also believe that one thing should not change, and that is the Pledge of Allegiance to the flag of the United States of America. Every day, when we open the United States Congress, we respectfully give our thanks not only to God, and certainly the words right over your head there, Mr. Speaker, "in God we trust" are stated from the podium up front, but also we say the Pledge of Allegiance to the flag.

This body has been used as an attempt to publicize and perhaps politicize the Pledge of Allegiance to the flag of the United States of America. I think that it is a right thing that we will stand up for the Flag Protection Act. I think it is the right thing to do, and I encourage all of my colleagues to not only stand up for this flag but for this wonderful legislation, for traditional American values and our Founding Fathers' intent.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

□ 1845

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. TERRY). 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 and 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 tomorrow.

PINE SPRINGS LAND EXCHANGE ACT

Mr. NEUGEBAUER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4806) to provide for a land exchange involving Federal lands in the Lincoln National Forest in the State of New Mexico, and for other purposes, as amended.

The Clerk read as follows:

H.R. 4806

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 "Pine Springs Land Exchange Act".

SEC. 2. LAND EXCHANGE, LINCOLN NATIONAL FOREST, NEW MEXICO.

(a) DEFINITIONS.—In this section:

(1) FEDERAL LAND.—The term "Federal land" means the three parcels of land, and any improvements thereon, comprising approximately 80 acres in the Lincoln National Forest, New Mexico, as depicted on the map entitled "Pine Springs Land Exchange" and dated May 25, 2004, and more particularly described as S1/2SE1/4NW1/4, SW1/4SW1/4, W1/2E1/2NW1/4SW1/4, and E1/2W1/2NW1/4SW1/4 of section 32 of township 17 south, range 13 east, New Mexico Principal Meridian.

(2) NON-FEDERAL LAND.—The term "non-Federal land" means the parcel of land owned by Lubbock Christian University comprising approximately 80 acres, as depicted on the map referred to in paragraph (1) and more particularly described as N1/2NW1/4 of section 24 of township 17 south, range 12 east, New Mexico Principal Meridian.

(b) LAND EXCHANGE REQUIRED.—

(1) EXCHANGE.—In exchange for the conveyance of the non-Federal land by Lubbock Christian University, the Secretary of Agriculture shall convey to Lubbock Christian University, by quit-claim deed, all right, title, and interest of the United States in and to the Federal land. The conveyance of the Federal land shall be subject to valid existing rights and such additional terms and conditions as the Secretary considers appropriate to protect the interests of the United States. To the extent practicable, and subject to paragraph (2), the Secretary shall complete the land exchange not later than one year after the date of the enactment of this Act.

(2) ACCEPTABLE TITLE.—Title to the non-Federal land shall conform with the title approval standards of the Attorney General applicable to Federal land acquisitions and shall otherwise be acceptable to the Secretary.

(3) COSTS OF IMPLEMENTING THE EXCHANGE.—The costs of implementing the land exchange shall be shared equally by the Secretary and Lubbock Christian University.

(c) TREATMENT OF MAP AND LEGAL DESCRIPTIONS.—The Secretary and Lubbock Christian University may correct any minor error in the map referred to in subsection (a)(1) or the legal descriptions of the Federal land and non-Federal land. In the event of a discrepancy between