

Over the years, the Hispanic Chamber of Commerce has provided assistance and support to numerous Latinos and other minority small businesses in business education, economic assistance, international business, entrepreneurship, education, community development, loan program development, and procurement assistance, to name a few. The Hispanic Chamber has helped over 5,000 clients in the past 50 years and has helped businesses procure loans totaling over \$3 million.

The Hispanic Chamber is a recognized leader and influential player in the development of the social, political and economic landscape of this region, and was recognized as the best Hispanic Chamber of Commerce in the United States by an independent auditing firm in 1999.

I am proud of the leadership, volunteers and network of supporters whose dedication has built Hispanic Chamber of Commerce of Silicon Valley into an integral part of the fabric of our local community. And, in so doing, the Hispanic Chamber is contributing to making Silicon Valley a place that recognizes the vital role Hispanic businesses play in the economic development of our nation.

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#### PERSONAL EXPLANATION

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##### HON. MARK STEVEN KIRK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 28, 2005*

Mr. KIRK. Mr. Speaker, on Monday, June 27, 2005, I missed the following votes: rollcall number 322, H. Res. 199, expressing the sense of the House of Representatives regarding the massacre at Srebrenica in July 1995; and rollcall number 323, H. Con. Res. 155, urging the Government of the Republic of Albania to ensure that the parliamentary elections to be held on July 3, 2005, are conducted in accordance with international standards for free and fair elections. Had I been present, I would have voted "yea" on both Rollcall number 322 and rollcall number 323.

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#### DELAWARE RIVER PROTECTION ACT OF 2005

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SPEECH OF

##### HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Monday, June 27, 2005*

Mr. HOLT. Mr. Speaker, I rise in support of H.R. 1412, the Delaware River Protection Act, which institutes a variety of measures to protect the Delaware and other American rivers from future oil spills and environmental disasters and which I am pleased to have voted for. As the longest un-dammed river east of the Mississippi, the Delaware is a crucial part of America's infrastructure, serving as a key route for commercial shipping, a popular area for recreational activity, and a vital water source for hundreds of counties and municipalities on or near its path.

In late November 2004, the tanker *Athos I*, accidentally hit an unmarked, submerged

piece of iron pipe on the shore of the Delaware River near Paulsboro, NJ. The metal tore a hole in the ship's single hull, releasing roughly 265,000 gallons of crude oil into the river and soiling over 200 miles of coastline. Hundreds of birds became oil-covered and died; countless fish—including many endangered short-nose sturgeon—were sickened or killed. The Coast Guard estimated the cost of cleanup to be in excess of \$200 million—that in addition to revenues lost when shipping routes along the river were forced to close and power plants along the river were forced to shut down. But under current law, the tanker's owners are responsible for less than \$50 million of that cost; American taxpayers are forced to foot the bill for the rest.

For almost 15 million people—including much of the New York metropolitan area—the Delaware is a primary source of drinking water. Polluting such a valuable resource should be far costlier than it currently is, in order to encourage companies to practice the safest shipping possible. The Delaware River Protection Act would have just that effect.

First, the bill increases responsible parties' cleanup liability by nearly ninety percent for single-hulled vessels like the *Athos I*, and by over forty percent for double-hulled vessels, which are safer and more resistant to hull damage. The bill also requires any person with knowledge of submerged objects in U.S. waters to report those objects to the Coast Guard or be subject to civil and criminal penalties; prior Coast Guard notification of the iron pipe submerged in the Delaware's banks could have prevented the *Athos* incident entirely.

Finally, the bill proposes two programs. The first, established jointly within the Coast Guard and the National Oceanic and Atmospheric Administration, would be devoted to determining the environmental effects of submerged oil, and to developing methods to locate and remove it. The second, the Delaware River and Bay Oil Spill Advisory Committee, would be devoted solely to recommending ways to improve prevention of—and reaction to—oil spills on the Delaware.

In all, this bill makes important strides toward the environmental protection that our planet, our region, and the fifteen million Americans who rely on the Delaware for drinking water need. Preventing future oil spills and related disasters on the Delaware River is a vital and necessary goal. For that reason, Mr. Speaker, I urge my colleagues to support the Delaware River Protection Act.

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#### PERSONAL EXPLANATION

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##### HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 28, 2005*

Mr. ANDREWS. Mr. Speaker, I regret that I missed votes on June 24th, 2005. Had I been present I would have voted "aye" on rollcall Nos. 309, 310, 311, 312, 314, 316, 318, 319 and 320. I would have voted "no" on rollcall Nos. 308, 313, 315, 317 and 321.

TRIBUTE TO ARMY SPECIALIST NICK IDALSKI

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##### HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 28, 2005*

Mr. VISCLOSKY. Mr. Speaker, it is with great sadness and respect that I wish to commend United States Army Specialist Nick Idalski for the service and sacrifice he paid to this country. Specialist Idalski was tragically killed in the field of battle, while bravely conducting combat operations in Ramadi, Iraq, on June 21, 2005, just over a week shy of his 24th birthday. Specialist Idalski served our country with great honor, valor, and courage.

Specialist Idalski was assigned to the Army's 1st Battalion, 9th Infantry Regiment, 2nd Brigade Combat Team, and 2nd Infantry Division in Fort Carson, Colorado. His sacrifice will be remembered at funeral services on Wednesday, June 29, 2005, by a community that has been devastated by the loss of one of its own.

A native of Crown Point, Indiana, Specialist Idalski graduated from Crown Point High School in 2001. After graduation he went on to work for a local construction company and then to train as an emergency medical technician, where he finished at the top of his class. Instead of taking a more conventional route, Specialist Idalski bravely decided to enlist in the army to make a difference and to make his family proud.

Many of his friends and his family recall him as a free spirited teenager, so it came as a surprise when Specialist Idalski decided to join the Army. However, as his time in the army progressed and he finished basic training in 2003 at Fort Benning, Georgia, he made his friends and family proud. After spending time in Korea, he was sent to Iraq in August of 2004, where he courageously served his country. Specialist Idalski had chosen to make a career out of his service in the Army.

He loved his country and the members of his unit; however, Specialist Idalski treasured his family above all else. He is survived by his Mother, Kim Greenberg; Step-Father, Rick Greenberg, a retired Marine; Step-Brother, Army Sergeant Kevin Greenberg; and girlfriend, Lisa Wheeler. His community mourns with his family, and he is missed tremendously. The city of Crown Point, Indiana will honor Specialist Idalski with a moment of silence at the beginning of their Fourth of July parade.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in honoring a fallen hero, United States Army Specialist Nick Idalski. Specialist Idalski sacrificed his life during Operation Iraqi Freedom, and his passing comes as setback to a community already shaken by the realities of war. Specialist Idalski will forever remain a hero in the eyes of his family, his community, and his country; thus, let us never forget the brave sacrifice he made in order to preserve the ideals of freedom and democracy.

IN HONOR OF ROLAND G.  
DOWNING, PH.D.

**HON. MICHAEL N. CASTLE**  
OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 28, 2005*

Mr. CASTLE. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to the newly elected President General of the National Society of the Sons of the American Revolution (SAR), Roland G. Downing, Ph.D. Following in the footsteps of Howard F. Horne, Dr. Downing is the second Delawarean to lead the SAR in the past 5 years.

While growing up in Nashville, Tennessee, Roland was active inside and outside of the classroom, attaining the rank of Eagle Scout, playing for his high school football team, and serving as the President of the student body. This commitment to excellence would continue at Vanderbilt University, where Roland earned a degree in organic chemistry.

After graduation, Roland would embark on a successful career with the Delaware-based DuPont Company, culminating in a 38-year tenure as Research Manager, Product Manager and Market Development Manager. During this time, Roland would take a brief hiatus to further his education, earning a PhD in organic chemistry. In addition to being a successful scientist, Dr. Downing served in the United States Naval Reserve for over 20 years, including a 3-year deployment at sea during the Korean War.

Prior to his election as President General, Dr. Downing held numerous other positions within the SAR, including: Secretary General, Treasurer General, Historian General, Regional Vice-President, and membership on the Executive Committee. Joining him in celebrating this new position are his lovely wife Norma, a son, two daughters, and eight grandchildren.

Mr. Speaker, in closing, I congratulate the SAR on their exceptional choice of Dr. Roland G. Downing as President General. He is an exemplary citizen, devoted family man, and most of all, a proud American.

**STATEMENT OF HARLEY SHAIKEN BEFORE THE HOUSE COMMITTEE ON WAYS AND MEANS ON THE DOMINICAN REPUBLIC—CENTRAL AMERICA FREE TRADE AGREEMENT (EXCERPTED)**

**HON. SANDER M. LEVIN**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 28, 2005*

Mr. LEVIN. Mr. Speaker, I submit into the RECORD the following statement of Professor Harley Shaiken, excerpted from the statement submitted in connection with the House Committee on Ways and Means hearing of April 21, 2005 on the Dominican Republic—Central America Free Trade Agreement.

**THE DOMINICAN REPUBLIC—CENTRAL AMERICA FREE TRADE AGREEMENT**

(By Harley Shaiken)

**STATEMENT FOR THE HOUSE COMMITTEE ON WAYS AND MEANS, APRIL 2005**

The standard by which to judge this agreement is straightforward: does the Dominican

Republic-Central America Free Trade Agreement (DR-CAFTA) promote development and democracy, or does it create a small circle of wealthy winners and a far larger group of impoverished losers? Expanded trade has the potential to propel the former, but this agreement delivers the latter. The result threatens rather than benefits U.S. workers. It's not that the train is moving too slowly, it's that DR-CAFTA is running in the wrong direction.

Plaguing the agreement is an unnecessary tradeoff: DR-CAFTA opens trade while locking in the labor status quo or worse. For citizens of Central America and the Dominican Republic, the tradeoff represents a squandered opportunity; for U.S. workers and their communities, it means an assault on wages and working conditions; for firms it may mean easier access to markets tomorrow but diminished markets in the coming years. DR-CAFTA provides strong language and tough penalties in all areas related to investment—at times riding roughshod over the six countries—but abandons labor rights largely to rhetoric and good intentions.

In some areas tough provisions favor special interests at the expense of the Central American countries and the Dominican Republic. Consider agriculture. The rural population ranges from 34 percent in the Dominican Republic to 60 percent in Guatemala. See Ferranti, D., G. Perry, W. Foster, D. Lederman, A. Valdez, "Beyond the City: The Rural Contribution to Development," (Washington D.C.: World Bank, 2005). How are small farmers supposed to compete with heavily subsidized U.S. exports? Due to subsidies for rice production, the U.S. exported paddy rice to Central America at a price that was 18-20 percent lower than its cost of production. See Oxfam International, "A raw deal for rice under DR-CAFTA," November 2003, (5), [http://www.oxfam.org.uk/what\\_we\\_do/issues/trade/downloads/bp68](http://www.oxfam.org.uk/what_we_do/issues/trade/downloads/bp68) Price.

pdf. In pharmaceuticals, Professor Angelina Godoy has found that "the intellectual-property provisions in CAFTA actually extend the length of time during which the major pharmaceutical companies' products are guaranteed sole access to markets" which, in her view as well as that of many other observers such as Amnesty International, "just may be a death sentence for many in the Dominican Republic and Central America." See Angelina Godoy, "What makes free trade free?" Seattle Times, April 14, 2005, [http://seattletimes.nwsource.com/html/opinion/2002240604\\_nocaf14.html](http://seattletimes.nwsource.com/html/opinion/2002240604_nocaf14.html); and Amnesty International, "Guatemala, Memorandum to the Government of Guatemala: Amnesty International's concerns regarding the current human rights situation," (Washington D.C.: Amnesty International, April 20, 2005) <http://web.amnesty.org/library/Index/ENGAMR340142005>.

Many Latin Americans are likely to view provisions such as these as indicating that the U.S. is more serious about strong-arming weaker neighbors than sustainable economic integration.

Let's be clear from the start. This is not a debate about "free trade" versus "protectionism." Instead, the challenge is defining free trade for the twenty-first century. The right trade agreement could both encourage growth and move towards a more broadly shared prosperity, defining what one might call "smart trade." To do this, comparative advantage must be defined by innovation rather than repression. Labor standards are vital for protecting workers, but they also can help expand purchasing power, build healthier markets, and lay the basis for more robust trade.

What then is wrong with the labor provisions in DR-CAFTA? They send a clear message to the governments involved: the cur-

rent situation on labor rights is acceptable and even fewer rights for workers will do. The agreement lays out lofty labor rights goals and then backs them up with weak, convoluted language and meager resources. Moreover, these inadequate provisions replace language that has had a modest positive impact. Consequently, firms willing to travel the low road will define competitiveness, cutting off those who want to do the right thing.

In this testimony, I plan to explore three themes: labor laws and their enforcement, the promotion of reform, and finally "smart trade."

#### LABOR LAWS AND THEIR ENFORCEMENT

For millions throughout Central America and the Dominican Republic, the issue of labor rights is not an abstraction but an urgent need. Although labor laws differ among these six countries, there is little serious debate among scholars as to the situation on the ground. The issue is not simply selective abuses but a systematic denial of the right to freely join a union or the right to bargain collectively. Numerous reports from the ILO, Human Rights Watch, the United Nations, and the United States Department of State confirm the seriousness of the problems. See U.S. State Department Bureau of Democracy, Human Rights, and Labor, "Country Reports on Human Rights Practices 2004," for Costa Rica, Dominican Republic, El Salvador, Guatemala and Nicaragua, February 29, 2005, <http://www.state.gov/g/drl/rls/rrpt/2004/ci4138.htm>; Human Rights Watch, "Deliberate Indifference: El Salvador's Failure to Protect Workers' Rights," vol. 15, no. 5, December 2003, <http://www.hrw.org/reports/2003/elsalvador1203/>; Human Rights Watch, "CAFTA's Weak Labor Rights Protections: Why the Present Accord Should be Opposed," March 2004, <http://hrw.org/english/docs/2004/03/09/cafta90days.pdf>; ILO, "Fundamental Principles and Rights at Work: A Labour Law Study," (Geneva, International Labour Office, 2003), <http://www.ilo.org/public/english/dialogue/download/cafta.pdf>.

When it comes to making the choice on whether or not to join a union, workers currently risk dismissal, blacklist, violence, and even death. The results are readily apparent in the low union density. In Guatemala less than 3 percent of the workforce belongs to a union. See U.S. State Department, Bureau of Democracy, Human Rights, and Labor, "Guatemala Country Report on Human Rights Practices 2004," February 29, 2005, <http://www.state.gov/g/drl/rls/rrpt/2004/41762.htm>. In El Salvador, no independent trade unions have been formed in the last four years.

The low trade union density is only the tip of the iceberg. The unions that do exist tend to be fragmented, weak, and isolated. Effective collective bargaining has become a rarity rather than the norm. The percentage of workers covered by collective bargaining agreements in three of the six DR-CAFTA countries based on 2003 data ranges from a low end of 1.4 and 1.5 percent in Honduras and Nicaragua, respectively, to 4.3 percent in El Salvador—not exactly a critical mass for effective collective bargaining. See International Labour Organization Decent Work Indicators Database <http://www.ilo.org/estad/t/indexe.php>

A trade agreement should stimulate positive change, not ratify the status quo or worse. What type of labor standards might be rigorous enough to improve the conditions of work yet flexible enough to recognize different levels of development? One model is the five core labor standards developed by the International Labor Organization (ILO). See International Labor Organization, "Fundamental ILO Conventions,"