

PERSONAL EXPLANATION

Ms. JACKSON-LEE of Texas. Mr. Speaker, I ask to place in the RECORD that I was on the floor of the House when the gavel was gaveled on the last vote, and I would like to indicate on two preceding votes that if I was present, on H. Res. 233, I would have voted "yea." On final passage of H.R. 1185, I would have voted "yea."

PERSONAL EXPLANATION

Mr. FRANKS of Arizona. Mr. Speaker, due to a scheduling conflict, I was unable to be on the floor of the House of Representatives during the last series of votes on May 4, 2005. If I had been, I would have cast a "yes" vote on H.R. 1185, Final Passage of the Federal Deposit Insurance Reform Act of 2005, and a "yes" vote on H. Res. 233, Recognizing the 60th Anniversary of Victory in Europe (V-E) Day.

PERSONAL EXPLANATION

Mr. LARSON of Connecticut. Mr. Speaker, I would like to submit this statement for the RECORD and regret that I could not be present today, Wednesday May 4, 2005 to vote on rollcall vote Nos. 153, 154, 155, 156, 157 and 158 due to a family medical emergency.

Had I been present, I would have voted:

"Yea" on rollcall vote No. 153 on the motion to recommit H.R. 366 to the Committee on Education and the Workforce;

"Yea" on rollcall vote No. 154 on final passage of H.R. 366—The Vocational and Technical Education for the Future Act;

"Yea" on rollcall vote No. 155 on H. Con. Res. 127—Calling on the Government of the Federal Republic of Nigeria to transfer Charles Ghankay Taylor, former President of the Republic of Liberia, to the Special Court for Sierra Leone to be tried for war crimes, crimes against humanity, and other serious violations of international humanitarian law;

"Yea" on rollcall vote No. 156 on H. Res. 195—Recognizing the 60th anniversary of Victory in Europe (VE) Day and the Liberation of Western Bohemia;

"Yea" on rollcall vote No. 157 on H.R. 1185—Federal Deposit Insurance Reform Act; and,

"Yea" on rollcall vote No. 158 on H. Res. 233—Recognizing the 60th anniversary of Victory in Europe (V-E) Day during World War II.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 1185, FEDERAL DEPOSIT INSURANCE REFORM ACT OF 2005

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 1185, the Clerk be authorized to correct section numbers, punctuation, and cross-references and to make such other technical and conforming changes as may be necessary to reflect the actions of the House.

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

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

(Ms. ROS-LEHTINEN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

BUSH ADMINISTRATION IS LETTING OUR TROOPS DOWN

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

Mr. PALLONE. Mr. Speaker, this past Sunday, May 1, marked the 2-year anniversary of President Bush's aircraft carrier news event in which he declared "Mission Accomplished" in Iraq. Two years later, our troops are still facing a strong insurgency that shows no sign of slowing down.

Our troops are doing valiant work, but that sadly is not always enough. I will include for the CONGRESSIONAL RECORD a New York Times investigative report from April 25 titled, "Bloodied Marines Sound Off About Want for Armor and Men." The article should be required reading for every Member of this House, as well as the high-ranking military and civilian personnel at the Department of Defense.

Times reporter Michael Moss interviewed Marines from Company E who served a 6-month stint in Iraq last year. During that time, Company E endured the highest casualty rate of any marine company in the war. According to the Times, "More than one-third of the unit's 185 troops were killed or wounded during that time."

Several months after the beginning of the war as Congress was debating its first emergency supplemental, we were all alerted to the fact that our troops did not have the equipment they needed to adequately do their job and to protect themselves from extreme harm or death. We heard they did not have the body armor they needed, nor did the Humvees come with the necessary protective steel armor to protect them from being easy targets of insurgents.

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The situation became so dire for our troops that one brave National Guardsman last year asked Secretary Rumsfeld when the troops would have the protective gear they had already been promised. Secretary Rumsfeld could not give the Guardsman an adequate response at the time. As the press began to question the Bush administration about this outrageous neglect of our troops, President Bush came out and stated, "The concerns expressed are being addressed, and that is we ex-

pect our troops to have the best possible equipment and I have told many families I met with, 'We're doing everything we possibly can to protect your loved ones in a mission which is vital and important.'"

The New York Times report clearly shows that the Bush administration has not done enough to protect our troops. As the House prepares to vote tomorrow on another \$82 billion supplemental to fund the war, bringing the total cost to \$300 billion, it is hard to believe that the Bush administration, particularly Defense Secretary Rumsfeld, has not made protecting our troops in Iraq a main priority.

Mr. Speaker, we have now lost more than 1,600 troops in Iraq, but the Defense Department has no idea how many of these troops have died because they did not receive the proper supplies from the leaders that sent them into harm's way. Would you believe that we do not have those numbers because the Defense Department chooses only to list casualties as "killed in combat"?

However, the New York Times story gives a grim report on how the lack of protection affected Company 13. According to the Times, "The biggest danger the men faced came in traveling to and from camp; 13 of the 21 men who were killed had been riding in Humvees that failed to deflect bullets or bombs." I repeat, 13 of 21, or almost two-thirds of the men, were killed as a direct result of them not having access to armed Humvees. Again, this is last year. This is not 2 years ago at the beginning of the war.

Mr. Speaker, where is the Bush administration, particularly Secretary Rumsfeld, spending the billions of dollars this Congress has given them? The Pentagon says it will not have every Humvee suitably armed until the end of this year. That is simply unacceptable. Our brave troops should not have to wait another 8 months to have the proper protection they need to do their job. Sergeant James King, a member of Company E who lost one of his legs when he was blown out of a Humvee, said it best to the New York Times: "As Marines, we are always taught that we do more with less and get the job done no matter what it takes."

You would expect nothing less from our troops. They have not let us down. But, unfortunately, our troops have clearly been let down by the Bush administration.

[From the New York Times, Apr. 25, 2005]

BLOODIED MARINES SOUND OFF ABOUT WANT OF ARMOR AND MEN

(By MICHAEL MOSS)

CORRECTION APPENDED

A chart on April 25 with an article about a company of marines who fought in Iraq misstated the type of munition that the armor installed on their Humvees is capable of withstanding. It is a four-pound land mine, not a 155-millimeter howitzer round.

CORRECTED BY THE NEW YORK TIMES WED
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On May 29, 2004, a station wagon that Iraqi insurgents had packed with C-4 explosives

blew up on a highway in Ramadi, killing four American marines who died for lack of a few inches of steel.

The four were returning to camp in an unarmored Humvee that their unit had rigged with scrap metal, but the makeshift shields rose only as high as their shoulders, photographs of the Humvee show, and the shrapnel from the bomb shot over the top.

"The steel was not high enough," said Staff Sgt. Jose S. Valerio, their motor transport chief, who along with the unit's commanding officers said the men would have lived had their vehicle been properly armored. "Most of the shrapnel wounds were to their heads."

Among those killed were Rafael Reynosa, a 28-year-old lance corporal from Santa Ana, Calif., whose wife was expecting twins, and Cody S. Calavan, a 19-year-old private first class from Lake Stevens, Wash., who had the Marine Corps motto, *Semper Fidelis*, tattooed across his back.

They were not the only losses for Company E during its six-month stint last year in Ramadi. In all, more than one-third of the unit's 185 troops were killed or wounded, the highest casualty rate of any company in the war, Marine Corps officials say.

In returning home, the leaders and Marine infantrymen have chosen to break an institutional code of silence and tell their story, one they say was punctuated not only by a lack of armor, but also by a shortage of men and planning that further hampered their efforts in battle, destroyed morale and ruined the careers of some of their fiercest warriors.

The saga of Company E, part of a lionized battalion nicknamed the Magnificent Bastards, is also one of fortitude and ingenuity. The marines, based at Camp Pendleton in southern California, had been asked to rid the provincial capital of one of the most persistent insurgencies, and in enduring 26 fire-fights, 90 mortar attacks and more than 90 homemade bombs, they shipped their dead home and powered on. Their tour has become legendary among other Marine units now serving in Iraq and facing some of the same problems.

"As marines, we are always taught that we do more with less," said Sgt. James S. King, a platoon sergeant who lost his left leg when he was blown out of the Humvee that Saturday afternoon last May. "And get the job done no matter what it takes."

The experiences of Company E's marines, pieced together through interviews at Camp Pendleton and by phone, company records and dozens of photographs taken by the marines, show they often did just that. The unit had less than half the troops who are now doing its job in Ramadi, and resorted to making dummy marines from cardboard cut-outs and camouflage shirts to place in observation posts on the highway when it ran out of men. During one of its deadliest firefights, it came up short on both vehicles and troops. Marines who were stranded at their camp tried in vain to hot-wire a dump truck to help rescue their falling brothers. That day, 10 men in the unit died.

Sergeant Valerio and others had to scrounge for metal scraps to strengthen the Humvees they inherited from the National Guard, which occupied Ramadi before the marines arrived. Among other problems, the armor the marines slapped together included heavier doors that could not be latched, so they "chicken winged it" by holding them shut with their arms as they traveled.

"We were sitting out in the open, an easy target for everybody," Cpl. Toby G. Winn of Centerville, Tex., said of the shortages. "We complained about it every day, to anybody we could. They told us they were listening, but we didn't see it."

The company leaders say it is impossible to know how many lives may have been

saved through better protection, since the insurgents became adept at overcoming improved defenses with more powerful weapons. Likewise, Pentagon officials say they do not know how many of the more than 1,500 American troops who have died in the war had insufficient protective gear.

But while most of Company E's work in fighting insurgents was on foot, the biggest danger the men faced came in traveling to and from camp: 13 of the 21 men who were killed had been riding in Humvees that failed to deflect bullets or bombs.

Toward the end of their tour when half of their fleet had become factory-armored, the armor's worth became starkly clear. A car bomb that the unit's commander, Capt. Kelly D. Royer, said was at least as powerful as the one on May 29 showered a fully armored Humvee with shrapnel, photographs show. The marines inside were left nearly unscathed.

Captain Royer, from Orangevale, Calif., would not accompany his troops home. He was removed from his post six days before they began leaving Ramadi, accused by his superiors of being dictatorial, records show. His defenders counter that his commanding style was a necessary response to the extreme circumstances of his unit's deployment.

Company E's experiences still resonate today both in Iraq, where two more marines were killed last week in Ramadi by the continuing insurgency, and in Washington, where Congress is still struggling to solve the Humvee problem. Just on Thursday, the Senate voted to spend an extra \$213 million to buy more fully armored Humvees. The Army's procurement system, which also supplies the Marines, has come under fierce criticism for underperforming in the war, and to this day it has only one small contractor in Ohio armoring new Humvees.

Marine Corps officials disclosed last month in Congressional hearings that they were now going their own way and had undertaken a crash program to equip all of their more than 2,800 Humvees in Iraq with stronger armor. The effort went into production in November and is to be completed at the end of this year.

Defense Department officials acknowledged that Company E lacked enough equipment and men, but said that those were problems experienced by many troops when the insurgency intensified last year, and that vigorous efforts had been made to improve their circumstances.

Lt. Gen. James N. Mattis of Richland, Wash., who commanded the First Marine Division to which Company E belongs, said he had taken every possible step to support Company E. He added that they had received more factory-armored Humvees than any other unit in Iraq.

"We could not encase men in sufficiently strong armor to deny any enemy success," General Mattis said. "The tragic loss of our men does not necessarily indicate failure—it is war."

TROUBLE FROM THE START

Company E's troubles began at Camp Pendleton when, just seven days before the unit left for Iraq, it lost its first commander. The captain who led them through training was relieved for reasons his supervisor declined to discuss.

"That was like losing your quarterback on game day," said First Sgt. Curtis E. Winfree.

In Kuwait, where the unit stopped over, an 18-year-old private committed suicide in a chapel. Then en route to Ramadi, they lost the few armored plates they had earmarked for their vehicles when the steel was borrowed by another unit that failed to return it. Company E tracked the steel down and took it back.

Even at that, the armor was mostly just scrap and thin, and they needed more for the unarmored Humvees they inherited from the Florida National Guard.

"It was pitiful," said Capt. Chae J. Han, a member of a Pentagon team that surveyed the Marine camps in Iraq last year to document their condition. "Everything was just slapped on armor, just homemade, not armor that was given to us through the normal logistical system."

The report they produced was classified, but Captain Royer, who took over command of the unit, and other Company E marines say they had to build barriers at the camp—a former junkyard—to block suicide drivers, improve the fencing and move the toilets under a thick roof to avoid the insurgent shelling.

Even some maps they were given to plan raids were several years old, showing farmland where in fact there were homes, said a company intelligence expert, Cpl. Charles V. Lauersdorf, who later went to work for the Defense Intelligence Agency. There, he discovered up-to-date imagery that had not found its way to the front lines.

Ramadi had been quiet under the National Guard, but the Marines had orders to root out an insurgency that was using the provincial capital as a way station to Falluja and Baghdad, said Lt. Col. Paul J. Kennedy, who oversaw Company E as the commander of its Second Battalion, Fourth Marine Regiment.

Before the company's first month was up, Lance Cpl. William J. Wiscowiche of Victorville, Calif., lay dead on the main highway as its first casualty. The Marine Corps issued a statement saying only that he had died in action. But for Company E, it was the first reality check on the constraints that would mark their tour.

SWEEPING FOR BOMBS

A British officer had taught them to sweep the roads for bombs by boxing off sections and fanning out troops into adjoining neighborhoods in hopes of scaring away insurgents poised to set off the bombs. "We didn't have the time to do that," said Sgt. Charles R. Sheldon of Solana Beach, Calif. "We had to clear this long section of highway, and it usually took us all day."

Now and then a Humvee would speed through equipped with an electronic device intended to block detonation of makeshift bombs. The battalion, which had five companies in its fold, had only a handful of the devices, Colonel Kennedy said.

Company E had none, even though sweeping roads for bombs was one of its main duties. So many of the marines, like Corporal Wiscowiche, had to rely on their eyes. On duty on March 30, 2004, the 20-year-old lance corporal did not spot the telltale three-inch wires sticking out of the dust until he was a few feet away, the company's leaders say. He died when the bomb was set off.

"We had just left the base," Corporal Winn said. "He was walking in the middle of the road, and all I remember is hearing a big explosion and seeing a big cloud of smoke."

The endless task of walking the highways for newly hidden I.E.D.'s, or improvised explosive devices, "was nerve wracking," Corporal Winn said, and the company began using binoculars and the scopes on their rifles to spot the bombs after Corporal Wiscowiche was killed.

"Halfway through the deployment marines began getting good at spotting little things," Sergeant Sheldon added. "We had marines riding down the road at 60 miles an hour, and they would spot a copper filament sticking out of a block of cement."

General Mattis said troops in the area now have hundreds of the electronic devices to foil the I.E.D.'s.

In parceling out Ramadi, the Marine Corps leadership gave Company E more than 10 square miles to control, far more than the battalion's other companies. Captain Royer said he had informally asked for an extra platoon, or 44 marines, and had been told the battalion was seeking an extra company. The battalion's operations officer, Maj. John D. Harrill, said the battalion had received sporadic assistance from the Army and had given Company E extra help. General Mattis says he could not pull marines from another part of Iraq because "there were tough fights going on everywhere."

Colonel Kennedy said Company E's area was less dense, but the pressure it put on the marines came to a boil on April 6, 2004, when the company had to empty its camp—leaving the cooks to guard the gates—to deal with three firefights.

Ten of its troops were killed that day, including eight who died when the Humvee they were riding in was ambushed en route to assist other marines under fire. That Humvee lacked even the improvised steel on the back where most of the marines sat, Company E leaders say.

"All I saw was sandbags, blood and dead bodies," Sergeant Valerio said. "There was no protection in the back."

Captain Royer said more armor would not have even helped. The insurgents had a .50-caliber machine gun that punched huge holes through its windshield. Only a heavier combat vehicle could have withstood the barrage, he said, but the unit had none. Defense Department officials have said they favored Humvees over tanks in Iraq because they were less imposing to civilians.

The Humvee that trailed behind that day, which did have improvised armor, was hit with less powerful munitions, and the marines riding in it survived by hunkering down. "The rounds were pinging," Sergeant Sheldon said. "Then in a lull they returned fire and got out."

Captain Royer said that he photographed the Humvees in which his men died to show to any official who asked about the condition of their armor, but that no one ever did.

Sergeant Valerio redoubled his effort to fortify the Humvees by begging other branches of the military for scraps. "How am I going to leave those kids out there in those Humvees," he recalled asking himself.

The company of 185 marines had only two Humvees and three trucks when it arrived, so just getting them into his shop was a logistical chore, Sergeant Valerio said. He also worried that the steel could come loose in a blast and become deadly shrapnel.

For the gunners who rode atop, Sergeant Valerio stitched together bulletproof shoulder pads into chaps to protect their legs.

"That guy was amazing," First Sgt. Bernard Coleman said. "He was under a vehicle when a mortar landed, and he caught some in the leg. When the mortar fire stopped, he went right back to work."

A CAPTAIN'S FATE

Lt. Sean J. Schickel remembers Captain Royer asking a high-ranking Marine Corps visitor whether the company would be getting more factory-armored Humvees. The official said they had not been requested and that there were production constraints, Lieutenant Schickel said.

Recalls Captain Royer: "I'm thinking we have our most precious resource engaged in combat, and certainly the wealth of our nation can provide young, selfless men with what they need to accomplish their mission. That's an erudite way of putting it. I have a much more guttural response that I won't give you."

Captain Royer was later relieved of command. General Mattis and Colonel Kennedy

declined to discuss the matter. His first fitness report, issued on May 31, 2004, after the company's deadliest firefights, concluded, "He has single-handedly reshaped a company in sore need of a leader; succeeded in forming a cohesive fighting force that is battle-tested and worthy."

The second, on Sept. 1, 2004, gave him opposite marks for leadership. "He has been described on numerous occasions as 'dictatorial,'" it said. "There is no morale or motivation in his marines." His defenders say he drove his troops as hard as he drove himself, but was wrongly blamed for problems like armor. "Captain Royer was a decent man that was used for a dirty job and thrown away by his chain of command," Sergeant Sheldon said.

Today, Captain Royer is at Camp Pendleton contesting his fitness report, which could force him to retire. Company E is awaiting deployment to Okinawa, Japan. Some members have moved to other units, or are leaving the Marines altogether.

"I'm checking out," Corporal Winn said. "When I started, I wanted to make it my career. I've had enough."

The SPEAKER pro tempore (Mr. KUHLMANN of New York). Under a previous order of the House, the gentleman from New Jersey (Mr. SMITH) is recognized for 5 minutes.

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

ACCOMPLISHMENTS OF 109TH CONGRESS

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

Mr. DAVIS of Kentucky. Ethics. The principles of honor and morality. The accepted rules of conduct. The moral principles of an individual.

Mr. Speaker, the 109th Congress recently passed its 100-day mark, and I would like to reflect on the progress we have made under the strong leadership of the Republican Party to create jobs, to strengthen the economy, support our troops, and to protect our borders. And we have done this with strong bipartisan support as wiser, calmer heads have prevailed on the other side of the aisle.

The energy bill, supported by 41 Democrats. This bill will create nearly half a million new jobs in the manufacturing, construction, agriculture and technology sectors by reducing our dependency on foreign oil while exploring domestic sources and alternative energy sources. This was opposed by the minority leader.

Class action reform, supported by 73 Democrats. This will unclog overused courts, end the harassment of local businesses by stopping predatory forum shopping by some trial attorneys and will protect consumers with a consumer class action bill of rights. Small businesses pay an average of \$88 billion each year on lawsuits and this cost is simply passed on to consumers. This money could be much better spent

growing businesses and creating jobs. This bill was opposed by the minority leader.

Permanent repeal of the death tax, supported by 42 Democrats. The death tax is the leading cause of dissolution for most small businesses. Seventy percent of businesses do not make it past the first generation because of death tax rates. According to one small business survey, more than 80 percent of small businesses spend \$25,000 annually on attorney-consultant fees and life insurance premiums in an attempt to avoid the crushing blow of the death tax. Again, this money could be much better spent growing businesses and creating jobs. This was opposed by the minority leader.

The Border Security Act, supported by 42 Democrats. This will implement a much-needed national standard for driver's license requirements and strengthen our borders so that those who intend to do us harm find it harder to enter our country. This was opposed by the minority leader.

Thank goodness for the moderates in the Democratic Party who are willing to put aside partisan bickering and work together to get things done for America. The minority leader's continued opposition tactics more closely resemble the pirates of the South Seas who hijacked commerce and progress and accomplished absolutely nothing in the long run.

What a shame.

DEFEAT CAFTA

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

Mr. DEFAZIO. Mr. Speaker, proponents of the so-called free trade agreements like the North American Free Trade Agreement, which I opposed, have long promised endless riches for U.S. workers, farmers, businesses and the economy. Of course, they have been wrong on all counts. But they are not to be deterred. They want another bite of the apple here. They think that the American people and Members of Congress who represent them, those who have lost their jobs, seen their jobs threatened, their standard of living diminished as we have gone into massive trade deficits and exported industries overseas in pursuit of cheaper labor and lower environmental standards, that they can fool us again.

The President finished secret negotiations a year ago the end of this month for what is called the Central American Free Trade Agreement. And they are promising all the same things. I went before the Committee on Ways and Means which reluctantly, begrudgingly, allowed some of us to testify in opposition to this pending agreement.

Now, there is no legislative process. They mark up what is called a mock bill or a pretend bill or a play bill in Ways and Means. They are not allowed