

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

to amend it or change it. The President secretly negotiated it, and it will be brought to this floor for an up-or-down vote, no amendments allowed. Congress has given up all its rights as a legislative body and its constitutional rights as relate to trade agreements between the U.S. and foreign countries.

If this were in the best interests of the United States or an urgent priority, it might make sense; but what it does is perpetuate a failed and failing trade policy. The United States of America, the Bush administration, is setting a record every month this year. Congratulations to the Bush administration. They have us on track for beating last year's trade deficit of \$620 billion to \$720 billion, \$2 billion a day borrowed from foreign interests representing tens of thousands, hundreds of thousands of U.S. jobs that have moved to China, India, Central America, Latin America, Mexico and other countries chasing the cheapest labor they can find, the most exploited labor they can find, the most environmental deprecations they can find around the world.

They think that this is just working great. The President thinks that it just shows our economy is really strong. That is why we are running these huge trade deficits. So they want to replicate it closer to home so U.S. companies do not have to go all the way to China to exploit cheap labor; they could move a little closer to home in Central America.

When they offered NAFTA, the U.S. Chamber of Commerce predicted it would create 170,000 jobs in the United States. Many on that side of the aisle are still talking about all the great jobs that will come from NAFTA. Of course, and now CAFTA, it actually cost the United States 880,000 jobs. So they were off by a million jobs. That is a pretty big miss. CAFTA is likely to accelerate that trend.

They tell us, Oh, it's just that we want to sell things to Central America. Think of the massive buying power of those people in Central America. They earn \$2 a day. If they devoted all of the economies to all of the countries that would be included in CAFTA, if every penny in those countries was spent on buying U.S. goods, it would equal 5 days' production in the United States of America.

No, it is not about selling U.S. goods there any more than it was about selling goods to Mexico or selling goods to China. It is creating an export platform for U.S. companies who want to move overseas and have cheaper labor and avoid environmental laws and protections in this country.

The only problem with this theory is what happens to the middle class? What happens to the working people of this country? We are larding them down with a huge foreign debt, \$2 billion a day, and they are losing their jobs. How is this model sustainable? It also undermines our sovereignty. As we borrow more and more money from

overseas, China, Japan and other countries, they get more and more capable of squeezing our country economically.

And it will hurt farmers. For the first time in our history, the United States of America is going to run a trade deficit in agriculture. That was going to be one of the big winners under the WTO, CAFTA, NAFTA. Oh, it's going to be great for ag. I remember having all these farmers come in, Oh, this is going to help us so much, the wheat farmers in Oregon. They were back the next year saying, You were right. The Chinese bought one shipload and that was it.

Now, they are talking about shipping wheat to the United States of America. We are going to run a trade deficit in agriculture. We are going to become not only dependent upon foreign countries to borrow money and build things that we use every day but to feed us, and we are going to ask them to lend us the money to buy the food to feed ourselves.

This is not a policy that is sustainable and in the national economic interest or the national economic security or defense interest. We need a new model for trade, not replicating the old failed model. I am pleased to see that more and more and more of my colleagues are coming around to this conclusion.

Defeat CAFTA.

#### IN SUPPORT OF LIEUTENANT PANTANO

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

Mr. JONES of North Carolina. Mr. Speaker, Saturday was the final day of the article 32 hearing for a Marine facing murder charges for actions he took against Iraqi insurgents in self-defense. A year ago in Iraq, Second Lieutenant Ilario Pantano made a split-second decision to shoot two Iraqi insurgents who refused to follow his orders to stop their movement towards him. Two and a half months later a sergeant under his command, who never even saw the shooting and who was earlier demoted by Pantano for his lack of leadership abilities, accused him of murder. Now the case is in the hands of a hearing officer who must determine whether Lieutenant Pantano will face a court-martial.

Mr. Speaker, I stand here today, as I have many other nights, in support of this bright young lieutenant. I have always maintained the innocence of Lieutenant Pantano, and I believe last week's hearing produced information that will ultimately prove his innocence.

During the hearing, it became clear that the sergeant who accused Lieutenant Pantano, Sergeant Coburn, disobeyed orders to not grant interviews to the media on this case. At one point he left the stand after the hearing officer read him his rights and explained

he could face charges for disobeying orders. When he finally did return to testify on Saturday, he is reported to have said "I don't know" or "I can't remember" over 50 times. His story simply could not hold up under cross-examination.

Mr. Speaker, it is clear that this man's testimony cannot be considered credible. How can these charges move forward when the primary witness is someone who did not actually see the shooting and who cannot definitively stick to one recollection of the series of events that took place? If that is not enough evidence, let me also quote briefly from Navy Medal Corpsman George Gobles, the only other person present at the time of the shooting and the prosecution's other main witness who took the stand. He called Pantano, and I quote, "a damn good leader." He testified, "I felt the safest with, you know, this platoon, because more than anything because of Lieutenant Pantano, his leadership."

Likewise, Major Brian Neil, the operations officer for Pantano's battalion, testified that Lieutenant Pantano was one of the finest second lieutenants he has ever known during his 17-year career in the corps. He recalled the day of the shooting, testifying: "To me, it was a good day. We killed two obvious insurgents."

Mr. Speaker, as I have said many times before, Lieutenant Pantano is by all accounts an exceptional Marine. I hope that last week's proceedings will finally bring out the truth in this case. I pray that the end is near so that the Pantano family can move forward with their lives. Hopefully, the facts can bring closure to this serious and sad mistake in the history of the Marine Corps.

In conclusion, I continue to ask my colleagues to research the case and consider supporting House Resolution 167, my bill to help support Lieutenant Pantano as he faces this battle. I encourage them to visit his mother's Web site at [www.defendthedefenders.org](http://www.defendthedefenders.org) and learn more about this fine young Marine. I would be proud to call him my son or my son-in-law.

I ask as I close today, Mr. Speaker, that God please bless Lieutenant Pantano's family, to please bless our men and women in uniform and their families, and I ask God to continue to bless America.

□ 1630

#### COMPREHENSIVE IMMIGRATION REFORM

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

Mr. GUTIERREZ. Mr. Speaker, I rise to discuss ways we can work together to create an immigration system that better reflects the enormous contributions immigrants make every day, respects our Nation's proud history of