



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 109<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 151

WASHINGTON, TUESDAY, JUNE 28, 2005

No. 88

## House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. JINDAL).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
June 28, 2005.

I hereby appoint the Honorable BOBBY JINDAL to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,  
*Speaker of the House of Representatives.*

### MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2005, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 25 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes, but in no event shall debate extend beyond 9:50 a.m.

The Chair recognizes the gentleman from Pennsylvania (Mr. FITZPATRICK) for 1 minute.

### ANNOUNCING INTRODUCTION OF CREDIT RATING AGENCIES RELIEF ACT

Mr. FITZPATRICK. Mr. Speaker, every American remembers the financial hardships they faced when WorldCom and Enron went belly up. I certainly remember the broken investment accounts of my constituents and the people of Pennsylvania's 8th Congressional District. And it is extremely troubling that little known players in

this crisis, Moody's and S&P, rated Enron and WorldCom at investment grade just days prior to the filing of their bankruptcies.

Two firms dominate the ratings market with SEC approval and this, Mr. Speaker, creates an uncompetitive marketplace, stifles competition from other rating agencies, lowers the quality of ratings and allows conflicts of interest to go unchecked. It is bad for the market and it is hurtful to individual investors.

Last week, I introduced the Credit Rating Agencies Relief Act of 2005, H.R. 2990, which will inject greater competition, transparency and accountability in the credit rating industry through market-based reform. I encourage my colleagues to review and to cosponsor H.R. 2990.

### WRONG PRIORITIES AT VETERANS ADMINISTRATION

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2005, the gentleman from New Jersey (Mr. PALLONE) is recognized during morning hour debates for 5 minutes.

Mr. PALLONE. Mr. Speaker, despite the Bush administration finally admitting that veterans' health care is underfunded by \$1 billion, yesterday we learned that the VA's main priority has absolutely nothing to do with veterans. Instead, the number one priority surrounds a picture of VA Secretary Jim Nicholson. On May 27, an under secretary at the VA sent a memo out to all veterans' facilities around the Nation voicing concern that a large number of them did not have the most current picture of Secretary Nicholson hanging in their facilities. In the memo, the under secretary writes, "We are asking that you give this your highest priority. We will continue to ask for daily updates on the status of the picture until we are assured that

all of our facilities have a current picture displayed."

Are they kidding, Mr. Speaker? At a time when the Department of Veterans Affairs is forcing drastic veterans' cuts, do they really want their officials out at their facilities concentrating on the best place to display a picture of the VA Secretary?

Here is the response from an official at one of the VA's facilities, and again I am quoting: "And here we're trying to figure out where our next patient meal is coming from and what furniture to sell to buy drugs next year."

Mr. Speaker, while Washington Republicans are willing to support our troops while they are at war, they are unwilling to properly support them when they return from the battlefield as veterans.

Last week, the Bush administration finally released budget information that showed veterans' health care is underfunded over the next year by \$1 billion. Many of my Democratic colleagues have long suspected this funding shortfall, but the Bush administration did not come clean with the information until just last week. When Congress learned of the shortfall, House Republicans still refused to support an amendment to the Labor-HHS bill last week that would have restored the \$1 billion needed for veterans' health care, including the health care of some 86,000 veterans who have returned from Iraq and Afghanistan.

Mr. Speaker, while House Republicans refuse to fund veterans' health care, the Veterans' Administration says its top priority is to make sure veterans' facilities have the most current picture of Secretary Nicholson on the wall. Talk about misguided priorities, Mr. Speaker. Rather than worrying about a picture of Secretary Nicholson, should the VA not be focusing on how it is going to continue to provide promised services to our Nation's veterans? At a time when thousands of soldiers are returning from

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



Printed on recycled paper.

H5255

Iraq and Afghanistan as new veterans, you would think House Republicans would be willing to stand behind their promise to provide necessary health care to these new veterans.

Mr. Speaker, it is sad that Washington Republicans are unwilling to give America's veterans the support they deserve. America's veterans should be outraged by the treatment they are now receiving from the Bush administration and the House Republican leadership.

#### CAFTA

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2005, the gentleman from Ohio (Mr. BROWN) is recognized during morning hour debates for 5 minutes.

Mr. BROWN of Ohio. Mr. Speaker, last year, TOM DELAY, the most powerful Republican in the Congress, promised this House that we would vote on the Central American Free Trade Agreement, so-called CAFTA, before the end of last calendar year, before December 31 of 2004. Then earlier this year he promised we would vote on CAFTA sometime before Memorial Day. Then he promised that we would vote on CAFTA sometime before July 4. The simple question is why has Congress not voted on the Central American Free Trade Agreement? The simple answer is that dozens of Republicans and Democrats, small businesses and manufacturers, farmers, ranchers, workers, environmentalists and food safety advocates all across the board oppose this agreement. There simply are not enough votes in this Congress to pass the Central American Free Trade Agreement.

During this whole period, supporters of CAFTA continued to make the same old, tired promises about trade. They promised that passage of CAFTA would reduce our trade deficit, but it continues the failed trade policy of the last dozen years. In 1992, the year I ran for Congress, we had in this country a \$38 billion trade deficit. Last year, a dozen years later, our trade deficit had mushroomed to \$618 billion. From \$38 billion to \$618 billion and the CAFTA supporters say that CAFTA will reduce our trade deficit.

CAFTA supporters say it will increase manufacturing jobs. Again, another broken promise from these trade agreements. The facts are that in the last 5 years, the U.S. has lost more than 2 million manufacturing jobs, more than 200,000 of them in my State of Ohio, another 200,000 in Michigan and Pennsylvania and New York, hundreds of thousands in Texas and California, in the southeast North Carolina, South Carolina, Georgia, those regions of the country.

Because no one believed these promises that it would cut the trade deficit, that it would increase our exports, the promise that it would raise the standard of living in Central America, they now are bringing out a whole nother

round of promises. One promise they have made, CAFTA will stop illegal immigration from Central America. The facts are that based on a report by the Pew Hispanic Center, a quarter million undocumented Mexican-born workers entered the U.S. from 1990 to 1994, prior to NAFTA. Then NAFTA passed, the number of illegals entering the U.S. sharply increased to almost a half million from 2000 to 2004. Free trade agreements are not a solution for illegal immigration.

Another promise they made, another wild, unsubstantiated promise, is that CAFTA will stop illegal drugs from entering the U.S. However, all you have got to do is look at what happened with NAFTA. Despite the passage of NAFTA, the State Department says Mexico is the principal transit country for South American cocaine entering the U.S. The report says that Mexican drug traffickers have steadily increased operations in all illicit drug sectors in the U.S. during the period after NAFTA.

Another wild, unsubstantiated claim is that CAFTA will stop al Qaeda from utilizing our southern border to enter the U.S. Geography 101, Mr. Speaker, shows that our southern border is with Mexico, not Central America, and despite claims made about NAFTA, border security remains low. CAFTA supporters fail to argue how passage of the Central American Free Trade Agreement will fix the Mexico border problem.

Another wild, unsubstantiated claim is that Central American presidents support labor unions. The facts are very different from that. In every one of these CAFTA countries, Dominican Republic and the five countries in Central America, these nations are not compliant with internationally recognized labor standards today as defined by the International Labor Organization. Most CAFTA nations have inadequate protection for workers who try to join unions in violation of ILO Convention 98's right to organize and bargain collectively. They maintain onerous strike requirements in violation of the right to associate under ILO Convention 87. In Honduras, not a single one of the 8,000 workers in the Porvenir Export Processing Zone has the right of freedom of association. One worker in that zone said, "Look, there's a whole mountain of workers who have been fired over the last few years for trying to organize in the industrial park. They simply don't allow it." In other words, these nations, one after another, continue to violate International Labor Organization standards.

CAFTA would lock in those lower wage standards, lower worker safety standards, right to organize, bargain collectively, prohibition on child labor, all of those things that we hold dear as our moral values in this country, human rights issues, protecting workers, protecting children, protecting against forced labor.

Mr. Speaker, the answer is, defeat this CAFTA. It has been promised that

it would come to the floor week after week, month after month. Defeat this CAFTA and renegotiate a Central American Free Trade Agreement that workers and small businesses and farmers and manufacturers and environmentalists and food safety advocates and businesses can support.

#### ON SUPREME COURT RULING REGARDING PRIVATE PROPERTY RIGHTS

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2005, the gentleman from Texas (Mr. GOHMERT) is recognized during morning hour debates for 5 minutes.

Mr. GOHMERT. Mr. Speaker, in ancient days of kingdoms and fiefdoms, those in authority would sometimes arbitrarily and sometimes capriciously order the transfer of property from one owner to another person who was in greater favor with the ruler at that particular moment. The owner from whom the property was taken had no recourse once the king or ruler had made the decision to transfer the property. To back up the transfer, the tyrannical despot would make clear that the full weight of his military or local law enforcement could be brought to bear against anyone who attempted to stand in the way of the transfer.

In the recent Supreme Court case of *Kelo et al. v. City of New London et al.*, the elaborate 20-page majority opinion of the United States Supreme Court is one of the most eloquent, articulate, intellectual efforts to ever rationalize or try to cerebrally legitimize the forced transfer from the legal, legitimate owner of nonblighted property to someone who is in greater favor with the ruler of that area. It is something that our high court can point to with pride that they almost make it sound fair that private property can be taken from one legitimate owner and forcibly transferred to one who offers greater financial rewards to the ruler of that area.

What a great day for the intellectual superiority of the highest court of the land as it gets a 10 rating in the field of mental gymnastics, even from the Russian judge. But what a very, very sad day for truth, justice and what used to be the American way.

#### UPPER MISSISSIPPI PROJECT TO BE CONSIDERED IN WRDA

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2005, the gentleman from Oregon (Mr. BLUMENAUER) is recognized during morning hour debates for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, the House Water Resources Development Act is on its way to the floor this week, perhaps as early as Thursday. In that bill, there is authorized a \$1.8 billion expansion of lock work on the Mississippi and Illinois Rivers, despite three National Academy of Science reports concluding that realistic projections of the traffic that it is meant to