

Wamp	Whitfield
Weldon (FL)	Wicker
Weller	Wilson (NM)
Westmoreland	Wilson (SC)
NAYS—187	
Ackerman	Hinojosa
Allen	Holden
Andrews	Holt
Baca	Honda
Baird	Hooley
Baldwin	Hoyer
Barrow	Inslee
Bean	Israel
Becerra	Jackson (IL)
Berkley	Jackson-Lee
Berman	(TX)
Berry	Jefferson
Bishop (NY)	Johnson, E. B.
Blumenauer	Kanjorski
Boehlert	Kaptur
Boswell	Kennedy (RI)
Boucher	Kildee
Brady (PA)	Kilpatrick (MI)
Brown (OH)	Kind
Butterfield	Kucinich
Capps	Langevin
Capuano	Lantos
Cardoza	Larsen (WA)
Carnahan	Larson (CT)
Carson	LaTourette
Chandler	Lee
Clay	Levin
Cleaver	Lewis (GA)
Clyburn	Lipinski
Costello	LoBiondo
Crowley	Lofgren, Zoe
Cummings	Lowey
Davis (AL)	Lynch
Davis (CA)	Maloney
Davis (FL)	Markey
Davis (IL)	Marshall
DeFazio	Matsui
DeGette	McCarthy
Delahunt	McCullom (MN)
DeLauro	McDermott
Dicks	McGovern
Dingell	McIntyre
Doggett	McKinney
Doyle	McNulty
Emanuel	Meehan
Engel	Meek (FL)
Eshoo	Meeks (NY)
Etheridge	Melancon
Evans	Michaud
Farr	Millender-
Fattah	McDonald
Filner	Miller (NC)
Fitzpatrick (PA)	Miller, George
Frank (MA)	Mollohan
Gordon	Moore (KS)
Green, Al	Moore (WI)
Green, Gene	Moran (VA)
Grijalva	Murtha
Gutierrez	Nadler
Harman	Napolitano
Hastings (FL)	Neal (MA)
Herseth	Oberstar
Higgins	Olver
Hinchey	Ortiz

## NOT VOTING—11

Abercrombie	Jones (OH)
Brown, Corrine	Menendez
Cardin	Miller (FL)
Conyers	Myrick

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1843

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. MENENDEZ. Mr. Speaker, I was unavoidably detained on this last roll call vote. Had I been here to vote, I would have voted "no."

The SPEAKER pro tempore. Pursuant to section 5 of House Resolution

351, the text of H.R. 740, H.R. 741, and H.R. 742 as passed by the House, will be appended to the engrossment of H.R. 739 and H.R. 740, H.R. 741 and H.R. 742 shall be laid on the table.

## PERSONAL EXPLANATION

Mr. POMBO. Mr. Speaker, on July 12, 2005, I missed four recorded votes. Had I been present, I would have voted "yea" on H.R. 739, the Occupational Safety and Health Small Business Day in Court Act of 2005 (rollcall No. 369); "yea" on H.R. 740, the Occupational Safety and Health Review Commission Efficiency Act of 2005 (rollcall No. 370); "yea" on H.R. 741, the Occupational Safety and Health Independent Review of OSHA Citations Act of 2005 (rollcall No. 371); and "yea" on H.R. 742, the Occupational Safety and Health Small Employer Access to Justice Act of 2005 (rollcall No. 372).

## PERSONAL EXPLANATION

Mr. CONYERS. Mr. Speaker, I rise today to enter into the RECORD that on July 12 of this year, due to unavoidable circumstances, I was unable to be present. If I had not been detained today, July 12, 2005, I would have voted as follows:

On Previous Question on OSHA rollbacks, I would have voted "nay" to defeat the previous question on the Rule. If defeated we would have allowed the House to consider the Miller-Owens bill to raise the minimum wage. The minimum wage would be raised to \$7.25 an hour from \$5.15 an hour. The minimum wage has been frozen since 1997.

On H. Res. 351—rule providing consideration for 4 OSHA rollback bills—I would have voted "nay."

On H. Res. 352—providing that the House of Representatives will focus on removing barriers to competitiveness of the United States economy—I would have voted "nay." I would not have supported the legislation because it would not improve U.S. competitiveness. Instead this resolution attempts to blame trial lawyers and "regulation" for the challenges facing the U.S. economy.

On H. Res. 343—commending the State of Kuwait for granting women certain important political rights—I would have voted "yea."

On H.R. 804—to exclude from consideration as income certain payments under the national flood insurance program—I would have voted "yea."

On H.R. 68—NASA and JPL 50th Anniversary Commemorative Coin Act—I would have voted "yea."

On H.R. 739—OSHA rollback on employer citations—I would have voted "nay." I would not have supported the legislation because it undermines the timely abatement of unsafe working conditions, encouraging employers to challenge OSHA citations. One of the principal purposes of the Occupational Safety and Health Act is "to assure so far as possible every working man and woman in the nation safe and healthful working conditions." However, this bill effectively delays the timely abatement of unsafe working conditions, by encouraging employers to litigate citations rather than correcting health and safety hazards.

On H.R. 740—OSHA rollback to stack the Occupational Safety and Health Review Com-

mission—I would have voted "nay." I would not have supported the legislation because it unjustifiably ensures that only lawyers are appointed to the Commission.

On H.R. 741—OSHA rollback of the Secretary of Labor's authority to issue citations—I would have voted "nay." I would not have supported the legislation because it provides that the OSHA Review Commission shall have deference to override the Secretary of Labor's reasonable interpretations of the Secretary's own workplace safety standards—thereby increasing the incentives for challenges to Labor Department's rules and regulations.

On H.R. 742—OSHA rollback to require OSHA to pay attorneys' fees—I would have voted "nay." I would not have supported the legislation because it requires OSHA to pay attorneys' fees and costs for employers with 100 or less employees and a net worth of \$7 million or less in an administrative or judicial proceeding in which OSHA does not prevail. It is a blatant attempt to chill OSHA's exercise of statutory responsibility to enforce the Occupational Safety and Health (OCS) Act, by penalizing the agency for every instance in which it attempts to do so unsuccessfully, and therefore, undermined the enforcement of workplace health and safety laws.

## PERSONAL EXPLANATION

Mr. KUCINICH. Mr. Speaker, I was testifying before the BRAC Commission on June 27 for the purpose of protecting 1,075 jobs in Cleveland, Ohio, from removal by the BRAC process. Had I been here, I would have cast the following votes: roll call 322, aye; roll call 323, aye.

□ 1845

## ECONOMIC AND JOB GROWTH

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute.)

Mrs. BLACKBURN. Mr. Speaker, you know last night I came down and had a little bit to say about the jobs, 146,000 new jobs that this economy, this private sector has grown in June, and near historic lows in unemployment at 5 percent.

And with the economic growth, the tax reductions, our deficit will be \$100 billion lower than original projections. And we are going to continue to build on all of this.

Today, Mr. Speaker, I want to call attention to another article, this one on spending regulation keeps growing. And I think that is one of the things that we continue to look at and one of the reasons that we are addressing some of the bills and legislation that we are this week.

It is also the reason that we continue to address waste, fraud and abuse in this Congress, finding ways to reduce the cost of government so that this economy will continue to move forward and continue to grow.

HONORING THE LIFE AND CONTRIBUTION OF LIEUTENANT MICHAEL MURPHY

(Mr. BISHOP of New York asked and was given permission to address the House for 1 minute.)

Mr. BISHOP of New York. Mr. Speaker, I rise today to recognize a fallen hero from my district who gave his life for our Nation. Lieutenant Michael P. Murphy, a U.S. Navy SEAL, age 29, was killed in action last week when he and three other SEALS were ambushed by terrorists during a reconnaissance mission in Afghanistan.

Lieutenant Murphy was from Patchogue, a town on Long Island which will never forget the ultimate sacrifice of one of its favorite sons. A common thread ran through Lieutenant Murphy's life, his selfless and steadfast dedication to others.

Growing up as a life guard, he watched out for local residents in the town of Brookhaven. After he graduated from Penn State, he chose his country first. He turned down acceptance to two law schools to pursue his dream of defending this country as a highly trained member of the special forces.

But Lieutenant Murphy's dedication would not have stopped there. He planned on joining the FBI's counter-terrorist unit after he left the Navy. Lieutenant Murphy died doing what he loved, as he once described military service to his father.

It is fitting that he be awarded the Silver Star posthumously for his valor and sacrifice. Mr. Speaker, our thoughts and prayers remain with Lieutenant Murphy's family and his fiance. We owe him a debt of gratitude that can never be repaid.

LACK OF SUPPORT FOR CAFTA

(Mr. BROWN of Ohio asked and was given permission to address the House for 1 minute.)

Mr. BROWN of Ohio. Mr. Speaker, the Central American Free Trade Agreement will likely be brought up for a vote this month. The opposition to CAFTA is broad and deep. Dozens of Republicans and Democrats in this body oppose the Central American Free Trade Agreement.

Small manufacturers and organized labor oppose the Central American Free Trade Agreement. Family farmers and small ranchers and environmentalists oppose the Central American Free Trade Agreement.

Catholic bishops in Central American, in fact the cardinal from Central America is visiting this Chamber, this House this week, and Lutheran and Presbyterian and Jewish leaders in the United States are opposing the Central American Free Trade Agreement.

The reason there is this broad and deep opposition is because the Central American Free Trade Agreement was negotiated by a select few for a select few. We do not oppose trade; we sup-

port fair trade. Renegotiate the Central American Free Trade Agreement. Defeat this CAFTA. Bring forward a CAFTA that can get the broad support of farmers and ranchers and businesses and labor.

FREEDOM OF WORSHIP

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, it was my great pleasure to attend services earlier this month at Arlington First Baptist Church in Jonesville, North Carolina, at the invitation of Pastor Jerry Fugate and my dear friends Ray and Betty Shore.

Area elected officials were invited to worship that day and to celebrate our country's independence. On the front of the bulletin was Romans 13:4: "For government is God's servant for good."

On the back of the bulletin was this message: "The first part of the First Amendment to the U.S. Constitution says, 'Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof.' Yet today we see a constant barrage of individuals and organizations who prattle on and on about the separation of church and State, a concept nowhere to be found in the Constitution or its amendments."

I thank Pastor Fugate for the focus on the first amendment of the Constitution. I urge other churches to do all they can to help our citizens know what our Constitution says so they can be protected by it and help preserve it.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2567

Ms. SCHAKOWSKY. Mr. Speaker, I ask unanimous consent that my name be removed as cosponsor of H.R. 2567.

The SPEAKER pro tempore (Mr. WALDEN of Oregon.) Is there objection to the request of the gentlewoman from Illinois?

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 COST OF ILLEGAL IMMIGRATION ON THE PEOPLE OF THE UNITED STATES

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

Mr. POE. Mr. Speaker, I rise today to bring attention to the issue of illegal immigration that is perhaps the most important concern to my Texas constituents.

I want to address just one matter, the cost. Government and academic es-

timates indicate there are 9 to 11 million illegal people living in the United States. Immigration officials estimate that the illegal population grows by as many as 500,000 a year; some say 4,000 a day cross into Texas from their southern border.

Someone pays for this illegal activity, and that somebody is the American public, not the illegal immigrants. There is a tremendous strain on local and State communities because of unrestricted illegal immigration throughout Texas and the entire United States.

While it is the Federal Government's responsibility to control immigration, it is the people of the States and local communities that pay the cost. They are the victims of illegal immigration. Those Americans spend millions of tax dollars on education, health care, and criminal justice for those that are here illegally.

Donald Huddle, a Rice University economics professor, has done a study that estimated the cost that we pay for illegals in this country. This chart here shows that the American public pays approximately \$32 billion a year for the cost of illegal immigrants, such as public education. It is about \$5 billion Americans pay.

Social security, \$3 billion. Medicaid, \$3 billion. Total cost to American taxpayers, about \$32 billion a year we pay the cost of illegal immigration. When this study was done, the population of illegals in the United States was about 5 million. Now the population has doubled, and the costs have more than doubled.

Besides these stunning costs, Americans have to pay for their own health care and their own education of their own kids. Many Americans cannot afford these costs for their own families, but they are made to pay the same costs for illegals.

Mr. Speaker, education, public safety and basic health care are the roles provided primarily by our States and local communities. U.S. taxpayer dollars on the local level are used to pay for these services. Yet these communities are continuing to absorb more and more demand for these services while the resources to provide them cannot keep up.

I would like to specifically point out some of the costs that citizens must provide: one, health care. Emergency rooms, the most expensive health care system, are used by illegal immigrants because of the compassion of Americans. We do not turn people down at these hospitals. If the immigrants do not pay, Americans pay.

Some trauma centers in urban areas have closed because they cannot absorb the costs to pay. People are in the system who do not contribute to it financially.

In Michigan, 23 criminal cases were filed alleging that pregnant women from Syria, Lebanon and Yemen flew into the United States, falsified information on Medicaid forms to cover those costs of delivering their babies,