

stock in a corporation, "was not, under House precedents, sufficient to disqualify him from voting on" legislation that benefitted the corporation in which that Member held stock.

I currently own shares in at least two corporations that may benefit from the enactment of H.R. 5. Shares of these corporations are generally held, and do not represent "uniquely-held" financial interests. As a result, my participation in legislative consideration of H.R. 5 would not appear to violate current House Rules and established precedent. However, as in all matters susceptible to subjective examination, there are no bright line rules to determine whether a Member should not participate in legislation that may benefit that Member in a personal or financial manner.

In common parlance, the term "conflict of interest" is subject to various interpretations. However, the House Ethics Manual states that this term "is limited in meaning; it denotes a situation in which an official's conduct of his office conflicts with his private economic affairs."

The House Committee on Standards of Official Conduct has admonished all Members "to avoid situations in which even an inference might be drawn suggesting improper action."

The Committee on Standards and Ethics has also endorsed the principle that "each individual Member has the responsibility of deciding for himself whether his personal interest in pending legislation requires that he abstain from voting." I have concluded that my holdings in at least two corporations that may benefit if H.R. 5 is enacted into law, coupled with my Chairmanship of the Committee of primary jurisdiction over this legislation, raise legitimate questions concerning whether my participation in this legislation conflicts with my private economic affairs.

While this may be a gray area, questions concerning whether my participation in legislation may raise the appearance of a conflict of interest must be subject to no doubt. As a result, I wish to forcefully dispel any appearance of such a conflict by recusing myself from legislative consideration of H.R. 5.

Participation in the political process, particularly voting on legislation, is central to maintaining the official responsibilities to which Members of Congress are sworn. In all of my public life, I have striven to energetically and conscientiously discharge my official responsibilities while preserving the public trust and confidence I have been elected to uphold.

While House rules may provide an important benchmark for determining the propriety of a Member's decision to vote on legislation before the House, nothing can substitute for a Member's conscience. For this reason, I hereby recuse myself from participation in legislative consideration of H.R. 5 during the 109th Congress.

Mr. LIPINSKI. Mr. Speaker, I rise today in opposition to the closed rule on H.R. 5, the HEALTH Act. There is a need for medical malpractice reform, and the amendments offered

in the Rules Committee could have made this a good bill for improving patient access and care. I am deeply disappointed that the Committee refused consideration of all the amendments, including mine that would have reduced the number of malpractice cases in court by facilitating the use of mediation. Mediation has proven to be a cost-effective and timely way to settle malpractice cases. Rush Medical Center in Chicago now has one-third of its cases go to mediation instead of litigation. Other hospitals around the country have begun to implement similar programs, but have been hindered by the lack of mediators with a medical background. My amendment would have provided grants to set up mediation programs and to train medical malpractice mediators. This would have done exactly what this bill purports to do, reduce the burden of litigation. We should have an opportunity to debate this and all the amendments proposed, so I urge my colleagues to vote against this Rule.

Mr. COSTELLO. Mr. Speaker, I rise today in opposition to the rule and to the bill, H.R. 5. Republicans on the Rules Committee blocked the consideration of several amendments offered by me and my colleagues to this bill. This body should have the right to openly discuss and to consider each of these amendments.

One of the amendments blocked was one I offered that is modeled after the state of California's 1975 reform laws (Proposition 103) which has been successful in leveling off insurance rates.

My amendment would require the insurance commissioner or a similar public body in each respective State to hold public hearings when an insurer proposes a rate increase in premiums for medical malpractice liability insurance that exceed 15 percent. If a State has a lower insurance rate than 15 percent, this legislation would not apply.

Mr. Speaker, I believe that the issue of rising medical malpractice insurance premiums is best handled at the state level, as 29 states, including Illinois, have passed legislation to address this problem.

However, if Congress is going to consider legislation, it should be comprehensive. H.R. 5 is not a balanced piece of legislation. Earlier this year, I supported the Class Action Fairness bill because it was a product of bipartisan input and compromise. The bill we are considering today does not contain input from Democrats and fails to take a comprehensive approach to the problem of rising medical malpractice rates.

H.R. 5 is a caps only bill. Numerous studies show that caps alone do not lower insurance rates. According to the Medical Liability Monitor, states with caps on damages have average insurance premiums that are 9.8% higher than insurance premiums in states without caps on damages.

Under H.R. 5 insurance carriers can still raise rates any amount and at any time, without justifying their rate increases. A bill that

only places caps on non-economic and punitive damages but does not provide insurance reform will not solve our medical malpractice crisis today.

The insurance industry has been very clear: passing caps on non-economic damages will not result in reduced medical practice premiums. A recent study by the National Council of Insurance Commissioners revealed that medical malpractice carriers in Illinois raised their rates 13% last year, despite the fact that their direct losses only increased 3%.

Serious reform of the insurance industry must be part of any attempt to bring the cost of medical malpractice premiums down.

The material previously referred to by Mr. HASTINGS of Florida is as follows:

PREVIOUS QUESTION FOR H. RES. 385 H.R. 5—
MEDICAL MALPRACTICE ("HEALTH" ACT)

In the resolution strike "and (2)" and insert the following

"(2) the amendment printed in Section 2 of this resolution if offered by Representative Emanuel of Illinois or Representative Berry of Arkansas or a designee, which shall be in order without intervention of any point of order or demand for division of the question, shall be considered as read, and shall be separately debatable for 60 minutes equally divided and controlled by the proponent and an opponent; and (3)"

At the end of the resolution add the following new section:

"SEC. 3. The amendment by Representative Emanuel of Illinois and Representative Berry of Arkansas referred to in Section 1 is as follows:

"Strike section 7(c)".

Mr. GINGREY. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore (Mr. BASS). The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

PROVIDING FOR CONSIDERATION OF H.R. 3045, DOMINICAN REPUBLIC-CENTRAL AMERICA-UNITED STATES FREE TRADE AGREEMENT IMPLEMENTATION ACT

Mr. DREIER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 386 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 386

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 3045) to implement the Dominican Republic-Central America-United States Free Trade Agreement. All points of order against the bill and against its consideration are waived. The bill shall be considered as read. The bill shall be debatable for two hours equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. Pursuant to section 151 of the Trade Act of 1974, the previous question shall be considered as ordered on the bill to final passage without intervening motion.

SEC. 2. During consideration of H.R. 3045 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker in consonance with section 151 of the Trade Act of 1974.

SEC. 3. A motion to proceed to consideration of H.R. 3045 pursuant to section 151 of the Trade Act of 1974 shall be in order only if offered by the Majority Leader or his designee.

The SPEAKER pro tempore. The gentleman from California (Mr. DREIER) is recognized for 1 hour.

Mr. DREIER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. DREIER asked and was given permission to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, with today's consideration of the Dominican Republic-Central America Free Trade Agreement, we are now embarking upon debate on one of the most important national security issues of the 109th Congress. At the same time, we are addressing the extraordinarily important issues of border protection and economic growth in this country and throughout this hemisphere. These issues are becoming increasingly intertwined.

Just last week, India's Prime Minister stood right here in this Chamber and spoke very eloquently when he said the following: "Globalization has made the world so interdependent that none of us can ignore what happens elsewhere. Peace and prosperity are more indivisible than ever before in human history."

Mr. Speaker, Prime Minister Singh is absolutely right. We cannot afford to pretend that poor, political, and economic conditions outside our borders do not affect the security of our Nation. As we work to spread democracy in Iraq, Afghanistan, and elsewhere to combat global terrorism, we must not neglect the anti-democracy, anti-American forces that are at work in Latin America.

Although our neighbors to the south have chosen democracy over dictatorship, their old oppressors still refuse to

go quietly. Nicaragua's former communist dictator, Daniel Ortega, wants to return to power. He has tried time and time again, Mr. Speaker, to do that. And he is staking his campaign in large part on the defeat of the Dominican Republic-Central America Free Trade Agreement. He has found good company with Venezuela's Hugo Chavez, who is actively using his nation's oil proceeds to undermine democracy, free markets, and American interests throughout this hemisphere.

Together with Tomas Borge, the former defense minister, the only surviving founding member of the Sandinista Front, they oppose this agreement because it would solidify the region's commitment to political and economic freedom, thus subverting their plans for reinstalling leftist control in Nicaragua. The only alliance they seek would bind together other anti-American parties like Cuba's Fidel Castro.

Mr. Speaker, The Washington Post editorialized just yesterday in strong support of the Dominican Republic-Central America Free Trade Agreement, and they said the following: "The defeat of CAFTA would help . . . anti-American demagogues, starting with Mr. Chavez. For them, the retreat of the United States from partnership with Central America would be a major victory."

Mr. Speaker, ceding this victory to the likes of Chavez and Ortega clearly goes against our best interests, against our national security priorities. It would be the beginning of a return to the era that Central Americans, with the help of the United States, worked so hard during the decade of the 1980s to leave behind, an era marked by totalitarianism, unrest, and the poverty that breeds desperation. This would obviously be a harsh reality for the people of Central America.

But a return to the Ortega style of government would have grave consequences for the United States of America as well. Without political and economic freedom, there can be little hope for the future. And without hope, Central Americans with families to feed will look north for economic opportunity.

Nearly all illegal immigrants to the United States come in search of work because of limited opportunity at home. In fact, Mr. Speaker, T.J. Bonner, the president of the National Border Patrol Council, estimates that 98 percent of illegal immigrants come to this country for economic opportunity, seeking a chance to feed their families.

If we want to combat illegal immigration, we must address its root causes. By providing the tools for economic growth in the region, DR-CAFTA will create new opportunities and provide hope for the future in the region where these people are. The people of Central America will have a powerful incentive to stay and build their lives in their own countries rather

than make the dangerous and illegal attempt to enter our country.

Rejecting this agreement, Mr. Speaker, would simply sanction, even exacerbate, the problem of illegal immigration. We simply cannot ignore the fact that the strength of democratic and free market institutions throughout the globe, particularly in our own backyard, directly impacts our own security. By the same token, we cannot ignore the fact that the worldwide marketplace directly impacts our own economic strength.

Mr. Speaker, we all know and everyone recognizes that we have a global economy. We live in a world that continues to shrink, enabling us to, in the words of the New York Times columnist Tom Friedman, "reach around the world farther, faster, deeper, and cheaper than ever before."

Mr. Speaker, new technologies are connecting the world's entrepreneurs, risk takers, creative thinkers, and capital, including human capital. This worldwide network has been a powerful engine for growth in the United States economy. We have grown to an \$11.5 trillion economy. We are the world's largest exporter and importer. We lead the global economy not just by sheer size but by the force of our innovation.

But we cannot take our global economic leadership for granted. The worldwide economy is dynamic and fast paced. China has emerged as a global powerhouse and shows no signs whatsoever of slowing down. India, as we heard from the Prime Minister, is becoming a formidable competitor in one of our core areas of strength, the high-tech sector. Passage of the Dominican Republic-Central America Free Trade Agreement represents an opportunity we simply cannot afford to forfeit, the chance to dramatically strengthen our competitiveness as a country and as a region. Further integration of our regional economy will allow us to draw upon all of our strengths and resources to produce locally and compete globally.

□ 1830

The DR-CAFTA and U.S. economies already complement each other well. The textile and apparel industries are a great example of that, Mr. Speaker. The DR-CAFTA region represents our second largest market for fabric and our largest market for yarn. Nearly 25 percent of U.S. fabric exports and 40 percent of U.S. yarn exports are sent to the Central American countries and the Dominican Republic. The region exports nearly all of its apparel; 97 percent of its apparel comes to consumers right here in the United States of America.

As a result of this close, complementary relationship, apparel manufactured in the DR-CAFTA region is made up of 80 percent U.S.-made content. By contrast, Chinese apparel is made up of less than 2 percent U.S. content. Again, that is 80 percent versus 2 percent in terms of American-made content.

Now, I ask my colleagues, Mr. Speaker, in the face of the Chinese juggernaut, why on Earth would we turn our backs on the very region that supports U.S. industries and offers the opportunity for us to effectively compete with China and other global competitors?

Trade with the DR-CAFTA countries is so important precisely because of this global context. The U.S. economy will not be weakened as a result of the people of Latin America lifting themselves out of poverty, but it will be weakened if we reject the economic partnerships that make us strong and enable us to compete in the global economy.

In this interconnected world, isolation is simply not possible. The state of the global economy affects our economic strength. Our economic partnerships affect the prosperity of our neighbors and the security of our borders. Prosperity leads to a greater commitment to the principles of political and economic freedom; and strong, democratic institutions throughout the globe lead to greater security for our country.

National security and economic competitiveness must be addressed in a comprehensive way that fully accounts for this interconnected global context. With DR-CAFTA, we have the opportunity, Mr. Speaker, to do just that. We can enhance our competitiveness while creating new opportunities for growth in the DR-CAFTA countries. By spurring economic growth, we can reduce the incentives for illegal immigration and strengthen democracy and the rule of law in the region. And, by supporting democratic institutions, we can advance our own security and our interests.

Mr. Speaker, I urge my colleagues to support this rule and the very important vote that we are going to have on the Dominican Republic Central American Free Trade Agreement so that we can enhance the quality of life and the standard of living for the people of the United States of America, for the people of the five Central American countries impacted by this, and the people of the Dominican Republic.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I thank the distinguished gentleman from California (Mr. DREIER), the chairman of the Committee on Rules, for yielding me the customary 30 minutes.

(Mr. MCGOVERN asked and was given permission to revise and extend his remarks.)

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Today the House is debating a trade agreement of tremendous import not because the markets, exports or money involved are especially significant; the six countries involved, Costa Rica, El Salvador, Nicaragua, Guatemala, Honduras, and the Dominican Republic, are smaller in combined economic clout

than the average midsize American city. Most of their products already enter the United States duty free, and our exports to them are modest.

No, Mr. Speaker, this debate is important because it brings into sharp focus the differences over what our global economy should look like, of how we in the United States and our global trading partners seek to grow our national economies, create good jobs at decent wages, and generate the kind of revenue necessary to provide basic public goods and services, promote human health, and protect the environment.

That is why, Mr. Speaker, this rule is an outrage, an absolute disgrace. It is one of the most disrespectful rules issued by the Committee on Rules, which has become infamous for shutting down debate.

This rule allows for only 2 hours of debate on the CAFTA Implementation Act. That is just 60 minutes each for supporters and opponents of this agreement to make their voices heard on this very important and very controversial trade agreement.

I know that nearly every Member on this side of the aisle would like an opportunity to speak on this bill, to make clear to the American people, and especially to their constituents at home, why he or she supports or opposes this trade bill. Mr. Speaker, if every opponent wanted time to speak, then this rule would allow each of them to have just 16.8 seconds to make a statement, and the same holds true for those Members who support CAFTA. What a mockery of the democratic process.

In 1993, when the Congress debated the North American Free Trade Agreement, the rule granted Members 8 hours of debate; 8 hours, Mr. Speaker. Sadly, since Republicans have exercised control of Congress, we have seen the complete erosion of debate on trade agreements, where now just 2 hours of debate has become the standard. Well, a couple of hours might serve for a debate on a Free Trade Agreement with Australia or Jordan or even Chile or Singapore, agreements that garnered fairly broad bipartisan support and were not viewed as very controversial.

But CAFTA is arguably the most controversial trade agreement that has come before this House since NAFTA, and the Members of this House deserve much better than the shabby treatment handed to them by the Republicans of the Committee on Rules.

Mr. Speaker, this is not a debate over whether or not to trade with Central America. We already trade extensively with Central American countries and the Dominican Republic. But this is a debate, Mr. Speaker, about people's jobs, both here in the United States and in Central America. Now, maybe they do not care about jobs on the other side of the aisle, but, to the average worker, it is a big deal.

I am tired of trade agreements that do not improve workers' wage protec-

tions or benefits, but, rather, are a rush to the bottom that puts profits above people.

Since 2000, the United States has lost 2.8 million manufacturing jobs and 1 million high-technology jobs. We now have a \$162 billion trade deficit with China, and a \$42 billion deficit with Mexico. Clearly, the rules of international trade have failed the American worker, the American standard of living, and the American dream, and have made American jobs our number one export. CAFTA will further this trend by rewarding companies that throw U.S. workers out on the streets and by creating jobs in countries where labor is cheapest, environmental laws are weakest, and where the rights of workers are violated and scorned.

But this rule, Mr. Speaker, will deny Members the right to debate these very serious matters.

I urge my colleagues on both sides of the aisle to reject this rule and demand the right to speak.

Mr. Speaker, today the House is debating a trade agreement of tremendous import—not because the markets, exports or money involved are especially significant—the six countries involved—Costa Rica, El Salvador, Nicaragua, Guatemala, Honduras and the Dominican Republic—are smaller in combined economic clout than the average mid-size American city. Most of their products already enter the United States duty-free, and our exports to them are modest.

No, Mr. Speaker, this debate is important because it brings into sharp focus the differences over what our global economy should look like; of how we in the United States and our global trading partners seek to grow our national economies, create good jobs at decent wages, and generate the kind of revenue necessary to provide basic public goods and services, promote human health, and protect the environment.

This is not a debate over whether or not to trade with Central America. We already trade extensively with all the Central American countries and the Dominican Republic. In addition, we have special trade relations with all of them under the GSP and the Caribbean Basin Initiative.

Mr. Speaker, the months and weeks leading up to this vote have been filled with the sounds of battle between so-called "free trade" versus "fair trade." Mr. Speaker, I am more interested in "smart" trade.

Smart trade is about who gets protected under this agreement and who does not.

Smart trade provides significant gains for U.S. workers and consumers, as well as businesses.

Smart trade supports and strengthens development, democracy and the rule of law.

Smart trade guarantees economic opportunity for those who may be displaced by trade.

Smart trade is concerned about what happens to the most vulnerable—in our country and in our trading partners.

Smart trade is sustainable, both here at home and abroad, because it is created in a bipartisan fashion—and because it brings the benefits of trade to all countries, and to all the people of those countries, including the poorest.

Judged against these standards and principles, CAFTA is neither “free” nor “fair” trade, and it is certainly not “smart trade.”

Mr. Speaker, since the year 2000, the United States has lost 2.8 million manufacturing jobs and one million high-technology jobs. We now have a \$162 billion trade deficit with China and a \$45 billion deficit with Mexico. Clearly, the rules of international trade have failed the American worker, the American standard of living and the American dream, and have made American jobs our number one export. CAFTA will further this trend by rewarding companies that throw U.S. workers out on the streets, and by creating jobs in countries where labor is cheapest, environmental laws are weakest, and where the rights of workers are violated and scorned.

Even so, CAFTA is not likely to provide any real increase in U.S. jobs or production. The six CAFTA countries together currently account for barely one percent of U.S. trade. In addition, about 80 percent of the people in CAFTA countries live at or below the poverty line—which is about two to three dollars a day—or \$400 to \$900 a year, depending on which country we’re looking at. Almost half the population works in subsistence agriculture. The only significant export industries in these countries—with the exception of Costa Rica—are apparel and agriculture.

This is the reality of life in Central America, and it should be a sobering reminder to all of us: The overwhelming majority of people in the CAFTA-DR region are not consumers of high-value American goods—but they are extremely vulnerable to the kind of dislocation caused by such trade openings.

Mr. Speaker, we should not visit the mistakes of NAFTA upon the people of Central America. To take just one example, wages for Mexican workers are even lower today than they were before NAFTA.

And while U.S. agricultural exports to Mexico greatly increased, millions of poor Mexican farmers lost what little income they had, often even losing their small plots of land. In order to survive, they now farm even more marginal land, cut down forests, or use chemical inputs that pollute the water and poison the soil. Is this what we have in mind for Central America’s campesino farmers? It is if we adopt this CAFTA agreement.

Mr. Speaker, a critical issue in strengthening democracy is to protect and expand human rights. Workers’ rights are human rights. They are not a luxury. As every wealthy nation can attest, they are central to improving living standards and quality of life, and creating a broad middle class.

While there are a number of labor provisions in the CAFTA agreement, they are enforceable under only one trigger: Namely, if a country fails to enforce its own labor laws. CAFTA countries’ labor laws, Mr. Speaker, are internationally recognized as weak.

Whether you are looking at reports by Human Rights Watch, Amnesty International, the International Labor Organization, the United Nations, or our own State Department Country Reports—Central American labor laws are criticized for failing to meet international standards of freedom of association, the right to organize, and the right to bargain collectively. This doesn’t even begin to touch upon the lack of health and safety guarantees in the workplace.

Also universally acknowledged is that even these weak laws are not enforced. Ineffective

judicial systems, coupled with the power exercised by political and economic elites, derail nearly every attempt to enforce current labor laws.

We had an opportunity under CAFTA to negotiate provisions that would have promoted the enactment of stronger labor laws and dispute mechanisms in the CAFTA region. But under the agreement before us today, that opportunity has been squandered.

Mr. Speaker, I am very familiar with the CAFTA region. I have traveled widely throughout Central America, especially in El Salvador, Guatemala and Nicaragua. I have formed deep attachments to the people of this region, and I appreciate how far these countries have come since the wars there ended. I want to see their democracies thrive; I want to see their lives and livelihoods improve; and I think a good trade agreement could make a valuable contribution to these efforts.

But this CAFTA is not such an agreement. All the issues of concern that will be raised during today’s debate are not new. They have been cited and documented for the past 3 years in anticipation of the initiation of talks between the U.S. and the Central American governments, during the negotiations, and after CAFTA was signed.

The central design for fast-track, up-or-down voting procedures on trade agreements was to place a premium on consultation and accommodation during the conception and negotiations of trade agreements—in effect, to pursue a bipartisan trade policy. But the DR-CAFTA negotiations turned its back on this process. Not just Democrats—but anyone and everyone who tried to raise issues about labor rights, or environmental protection, or transparency and participation, or the need for access by the poor to critical life-saving drugs, or the vulnerability of critical agricultural or manufacturing industries, or the need to account for the vulnerability of the rural poor—were completely and totally shut down and shut out.

This is why this trade agreement in particular has been so universally criticized throughout Central American and the United States by religious leaders and communities, labor organizations, campesino groups, environmental and women’s organizations, legal advocates, small farmers, and consumer groups.

When the U.S. Trade Representative announces there is absolutely no way for CAFTA to be renegotiated, I can only ask, “Why not?” If the fast track, one-vote-is-all-you-get process results in the defeat of this CAFTA agreement, then wouldn’t the House clearly be calling for a renegotiation of the agreement? Saying—Pay attention to our concerns and go back to the table? It took the Bush administration barely 1 year to negotiate this CAFTA—why not take some time to get it right?

Mr. Speaker, this agreement fails to learn from the mistakes of NAFTA. It fails poor workers and poor farmers throughout the CAFTA region, who make up the majority of the people. And most importantly, it fails our own workers, consumers and communities.

Vote it down, Mr. Speaker. Vote it down.

Mr. MCGOVERN. Mr. Speaker, I reserve the balance of my time.

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume.

Let me just say that one of our colleagues on the Committee on Rules, the gentleman from Utah (Mr. BISHOP),

said we should make it retroactive, the 2 hours of debate. We clearly have been debating this issue for weeks and months, Special Orders have been taken out here, and we are looking forward to a rigorous debate not only during the hour on this rule, but for an additional 2 hours, or 3 hours this evening at this point.

Mr. Speaker, I yield 2 minutes to the gentleman from Miami, Florida (Mr. LINCOLN DIAZ-BALART), my very distinguished friend, the vice chairman of the Committee on Rules, and a great champion for political pluralism and democratic institutions in this region.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, every once in a while, a vote comes before us that is evidently more than important, and this is one such vote. This is an historic vote that we are taking today on a special relationship with the countries of Central America and the Dominican Republic. Those countries, their Presidents, their Parliaments, have taken a definitive step; they have resisted the totalitarian temptations, the destabilization efforts of the axis of Ortega and Chavez with his hundreds of millions of dollars that he is pouring into these countries and the entire region to destabilize them. They have resisted that access, and they have voted for a special relationship with the United States.

Talk about pressure, I say to my colleagues. Mr. Speaker, the pressures that are genuine, that are extraordinary, are the ones that are felt by those countries, the countries of Central America and the Dominican Republic, to accept, to go forth with a totalitarian temptation, and they have rejected that.

They have provided troops to help us in the war against terrorism in Iraq. What would we be saying, Mr. Speaker, if we voted against CAFTA today? “Thank you. Thank you for your help in Iraq. Thank you for progressing with democratic reforms, for establishing democracy. Thank you, but no thanks. We do not want you to tie your histories, your destinies, your futures to the United States, which is what you have decided to do.”

We have an obligation, Mr. Speaker, to say, yes, we are proud of our special relationship with our brother countries of this hemisphere. We recognize that you are our allies, you are our friends. You have stood with us in peace, you have stood with us in war, you have decided to tie your futures to us, and we say, welcome.

That is what this vote is all about, Mr. Speaker. It is a critically important historic vote. Say “yes” to the rule and say “yes” to this agreement. Say “yes” to CAFTA.

Mr. MCGOVERN. Mr. Speaker, at this time I yield 5 minutes to the distinguished gentlewoman from New York (Ms. SLAUGHTER), the ranking Democrat on the Committee on Rules and someone who believes that we should have a deliberative process here in the House.

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I am deeply concerned that as this discussion on CAFTA moves forward that the majority will, once again, succumb to the temptation to twist, bend, and break off the rules of debate and consideration in order to meet their objectives, just as they did during the Medicare debate of the 108th Congress.

During that debate the vote on final passage was held open for a shameful 3 hours while the Republican leadership twisted arms and cut deals to make up their vote deficit. The events of that night constituted one of the worst abuses of power I have witnessed in my almost 20 years in this House.

In the aftermath, allegations of bribery were leveled by a Republican Congressman, and an Ethics Committee investigation followed closely behind, one that ended in the admonishment of the majority leader of this House.

It is no secret that, just like last time, the Republican leadership is desperately scrambling to find the votes necessary to pass this bill, which I and many of my colleagues strongly oppose. But I would warn my friends in the majority that we dare not see a return to those underhanded tactics used by the leadership during the 108th Congress. There should be no votes held open for 3 hours. There should be no unethical arm-twisting on this House floor. The American people are watching this time.

Sadly, though, we are already seeing evidence that this pattern of abuse will once again carry the day. Last night in the Committee on Rules, we were given a paltry 1 hour's notice by the Republicans that we would be considering the most controversial trade agreement this body has contemplated since NAFTA. And of the three contentious bills that we considered in the Committee on Rules, not a single amendment was allowed, nor even a single substitute. It was a shut-out of democracy. And coming from a country trying to export democracy to the rest of the world, it showed us on our side of the Committee on Rules that we do not have it right yet.

Even though the House rules clearly state that 20 hours of debate is appropriate for a trade agreement, we offered to accept only 8 hours as a compromise, but that was too much democracy for this leadership. For the most contested trade agreement this body has considered in 12 years, we will have a whopping 2 hours of debate, less time than it would take you to watch "Saving Private Ryan" on a DVD.

We were actually given more time to debate the renaming of five post offices Monday. Most high school debate teams spend more time considering the serious issues that face our country than we do here in the House.

But CAFTA clearly warrants our full and undivided attention. This is a major piece of legislation that will af-

fect the lives of every American. CAFTA threatens to export even more American jobs and encourages American companies to relocate their factories in other countries. It does not provide adequate protection for workers, it turns back the clock on labor standards, and it does not provide any safeguards for improving environmental standards.

We need trade agreements that expand our access to the new markets and raise the standard of living for American families. This legislation falls far short on each of those standards.

As the arbiters of the rules of this hallowed institution, the Committee on Rules has a special responsibility to ensure that the integrity of the democratic process is preserved. That is why last night I asked the Republicans on the Committee on Rules for their assurance that we will not again see the egregious abuses of power and the trampling of the democratic process that we experienced in the last Congress on the Medicare debate, because we should be having 8 hours of debate and a 15-minute vote, not the other way around. Their reply was that "rules would be followed," but they must not have meant the Rules of the House of Representatives when they made that promise, because what actually followed was a shut-down of any consideration of amendments to the medical malpractice bill, the prevention of any up-or-down votes on amendments to the China Trade Act, and the restriction of debate in consideration of CAFTA.

For the sake of the millions of American families depending on this Congress to spend the time and get it right on legislation, and especially on CAFTA, I hope that this time the debate lasts longer than the vote.

□ 1845

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me just say that this rule is in compliance with the 1974 Trade Act, which calls for an up-or-down vote on these agreements.

And I also believe that it is very important to note, as my colleague has just pointed out, that for more than a decade, on every single trade agreement that has come before this House, we have had 2 hours of general debate.

Mr. Speaker, I yield 3 minutes to the gentleman from Washington (Mr. HASTINGS).

Mr. HASTINGS of Washington. Mr. Speaker, I thank the gentleman for yielding me the time. I want to congratulate him on the work that he has done on free trade issues in this Congress.

Mr. Speaker, I rise in support of this rule and the underlying bill, to implement the Dominican Republic-Central America-United States Free Trade Agreement. This agreement is especially important for my State of Washington, which is one of the most trade-dependent States in the Nation.

Mr. Speaker, we live in a global economy. And while 80 percent of Central American and Dominican Republic products enter the United States duty free, American exports face tariffs of 33 to 100 percent or higher in these countries; this is simply not a level playing field.

By approving CAFTA-DR, tariffs on American exports will be drastically reduced or eliminated. In fact, under CAFTA-DR, 80 percent of U.S. exports will become duty free immediately and the remaining tariffs will be phased out over 10 years.

Mr. Speaker, more than half of current U.S. farm exports to Central America and the Dominican Republic will gain immediately duty-free access, including beef, wheat, wine, fruits, and vegetables.

In particular, the agreement includes a provision I worked for that would grant central Washington's apple, pear, and cherry growers immediate duty-free access to Central America and to Dominican Republic markets.

These tariffs currently range from 14 to 25 percent. And our fruit growers' major competitor in the region, Chile, which has already signed a trade treatment with CAFTA countries, is not subject to similar duties. This does level the playing field.

Mr. Speaker, this agreement will help potato growers in central Washington fairly compete with Canadian potato exporters who are subject to lower tariffs because of favorable trade agreements reached by Canada and Costa Rica. According to the Washington State Potato Commission, central Washington and U.S. potato exports to Costa Rica have declined by 81 percent as a result of the Canada-Costa Rica agreement, and U.S. producers will continue to lose market share unless CAFTA-DR is approved.

Many associations in my State have voiced support for CAFTA-DR, including the Washington State Farm Bureau, the Northwest Horticultural Council, the Washington State Hispanic Chamber of Commerce, the Washington Apple Commission, the Washington State Potato Commission, to name only a few.

Mr. Speaker, CAFTA-DR will help level the playing field for our farmers and tree fruit growers and is a crucial step forward for agriculture and many other industries that create jobs and play important roles in the long-term growth of our economy.

The Senate has approved this agreement by a vote of 54 to 45. It is now time for the House to do the same to ensure that this measure and the benefits that it will provide will become law.

Mr. Speaker, I urge my colleagues to support the rule and the underlying bill.

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. HASTINGS) who believes that if 8 hours of debate was good enough for NAFTA, it should be good enough for CAFTA.

Mr. HASTINGS of Florida. I thank the gentleman for yielding me the time. Mr. Speaker, I thank him also for his articulate leadership on this issue and the others which affect working people throughout this country.

Let my say at the outset, I opposed this closed rule and the limited amount of time to debate the underlying legislation. Like the owner of the restaurant in Casablanca who feigned surprise at the illegal gambling in his club, let me just say that I am shocked, shocked that the majority would bring a bill of such importance to the House floor and only permit 2 hours of debate to be split by the 440 Members of the House of Representatives.

This is not about trade. Trade is a two-way economic street. And the simple fact of the matter is, no one can demonstrate to me what Guatemala and Nicaragua are going to be buying from Florida and elsewhere in the United States. It is a one-way agreement.

Look, NAFTA was bad for your district like it was for the State of Florida. This deal is going to make things worse. If CAFTA is like NAFTA, too many Americans will get the shaft. Ten years of NAFTA have shown just how devastating these agreements can be for working families and the environment.

Florida has lost more than 35,000 jobs because of NAFTA. Industries that once were thriving and successful in the State of Florida and elsewhere in this Nation employing tens of thousands of hard-working Americans have been shipped south of the border where labor is cheap and environmental protections are but a figment of our imagination.

Mr. Speaker, I voted for NAFTA and the administration was unable to uphold the things that they said they were going to do with reference to the environment and labor standards. And I doubt very seriously if this administration can do any better than the previous one. My distinguished friend, and he is my good friend, the gentleman from California (Mr. DREIER), began his remarks this evening by saying national security and border security.

I invite the chairman to tell me how it is our border security is better on Mexico because of NAFTA, or that our national security is better. In western Palm Beach County, a region which I am proud to represent, and is our country's second most sugar cane-intensive area, unemployment is already above 15 percent.

Under CAFTA, the future of this industry, which provides more than 20,000 jobs to this area alone, will undoubtedly be in jeopardy.

Considering who wins and who loses with CAFTA, it is clear that only the most selfish of fat cats would favor this terrible agreement. I challenge any of my colleagues to raise a family on a minimum wage in America, and indeed to find a job in America when CAFTA

has sucked yet more of our factories and other businesses out of our country.

But a bigger challenge would be to survive as a campesino in any Central American nation, where wages are even lower, where environmental controls are weak or non-existent, where there is little or no access to health care, and where openly complaining about working conditions could mean death or disappearance. This is what the majority claims they want to approve today. We should be ashamed of ourselves.

Mr. Speaker, I urge a "no" vote.

Mr. DREIER. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. SHAW).

Mr. SHAW. Mr. Speaker, I have heard for so long we keep talking about NAFTA as if it was somewhat of a disaster. But I think there are some statistics that have to be really examined when we are talking about NAFTA.

Sure, there have been some jobs lost in this country because of NAFTA. There have also been some jobs created. In fact, there are many more jobs created since NAFTA than there are jobs that went overseas.

Since NAFTA was formed in 1994, U.S. exports of manufacturing goods to Canada and Mexico have grown 55 percent faster than shipments to the rest of the world. And when you look down and see what has happened in Chile, actually our exports have vastly outpaced our imports from Chile.

Now, let U.S. talk about what we are trying to do here. We are just trying to have fair trade. Right now, the Central American countries have a preference where their goods come into this country without paying any meaningful tariffs, and there are very few areas where they are restricted.

We simply now say give U.S. that privilege in Central America, and Central America says, yes, we will do that, because they know that that is good for their future.

And we have another thing to do think about. What about the security interests there? I was here and the gentleman from California (Mr. DREIER) when we first came in 1981 during the Reagan administration. We had huge security problems in Central America. Communism was on the rise; Castro was having all kinds of influence in that part of the world.

Since then, wonderful things have happened. These communist countries have collapsed. They have embraced democracy. They have embraced capitalism. And they are looking where? They are looking north to the United States. There is where they find their future. There is where their future is. Let us not cut them short.

This is a good, good bill. It is well balanced. It is good for American business. It is good for American farmers. It is good for American laborers. Let us get together and pass this bill.

Mr. MCGOVERN. Mr. Speaker, I yield 5 minutes to gentlewoman from California (Ms. MATSUI).

(Ms. MATSUI asked and was given permission to revise and extend her remarks.)

Ms. MATSUI. Mr. Speaker, I thank the gentleman from Massachusetts for yielding me this time.

Mr. Speaker, I rise in opposition to the rule and the underlying measure to implement CAFTA. As we debate CAFTA, I can only express my disappointment from the restrictive rule limiting debate to the failure of the administration to use the full force and weight of the United States in negotiating all aspects of this agreement.

Because CAFTA has sparked much debate, the House needs robust discussion of this legislation. And during the Rules Committee hearing on CAFTA, I offered an amendment to allow 8 hours of debate, the same as for NAFTA.

But the Republicans on the committee voted down the amendment. And we have a mere 2 hours to debate an agreement, which in its entirety is over 3,600 pages, the implications of which may well determine the future direction of U.S. trade policy.

As a world leader, the United States has a crucial role to play on trade. We cannot step back from the global community. However, free trade must be tempered with meaningful policy which acknowledges that each trade agreement produces winners and losers, and it is our responsibility to do right by those displaced in the process.

CAFTA falls far short in this regard and is thus fatally flawed. Those flaws are apparent throughout CAFTA's chapters and are most egregious on labor and environmental protections, for CAFTA offers only tokens and symbols.

In contrast are the intellectual property provisions where it is obvious the United States Trade Representative used the full weight of the United States to ensure protection for business interests.

This administration's handling of workers' protections relative to other issues raises troubling questions about their agenda for these negotiations. The only enforceable worker protections in CAFTA state that participating countries must enforce their own laws. It does not set any standards those laws must meet.

Yet CAFTA countries already have a history of failing to provide even minimal worker protections.

There is nothing within CAFTA to prohibit these countries from weakening their labor laws. If a CAFTA country wants to pass a law that encourages child labor, CAFTA merely requires that country to enforce its own law. These enforcement provisions are a step back from the previous accord governing trade with Central America established in 1984.

This is different than labor management debates here in the United States. This is about basic human decency and fairness. There is a reason for the bipartisan opposition to CAFTA. It cannot pass this Chamber on its merits.

I am sure no one will be surprised if this vote is held open until enough Members relent, as we have seen before. But this flawed agreement should be returned to the President to be renegotiated.

Trade is a powerful phenomenon that is capable of raising living standards, encouraging innovation, and building lasting ties between nations. And as we work to conclude the Doha Round, global trade is at a critical point.

America must promote trade policies that acknowledge the fundamental rights of workers and reassert our belief that the benefits of trade should flow throughout the population. If the House passes CAFTA, we will be abdicate this duty.

The future direction of trade will be shaped by our actions today, as the implication of the vote will resonate far beyond Latin America. While trade agreements encourage the flow of goods and services, they also embody important values and principles.

What message does it send if we start passing trade agreements that concentrate benefits in the hands of special interests and the privileged few at the expense of workers in the United States and in some of the poorest countries in the world?

I have heard some of my colleagues on the other side of the aisle hesitantly talk about this agreement saying trade is usually a good thing, so I guess I will vote for CAFTA.

I say to you, that, yes, free trade agreements are a good thing, but only when based on solid principles that reflect the concern for all parties involved. CAFTA fails to meet the standard.

I urge my colleagues to reject this inferior agreement. If we do not get CAFTA right, we risk undercutting support for all future trade agreements.

□ 1900

Mr. DREIER. Mr. Speaker, I would say to my colleague that free trade is a good thing. The labor rights that are recognized here in the opening up of markets for U.S. workers into Central America is very important.

Mr. Speaker, I yield 2 minutes to the gentleman from Indianapolis, Indiana (Mr. BURTON), my very good friend, the distinguished chairman of the Subcommittee on the Western Hemisphere, who has been a champion for freedom and democracy in Central America for years.

Mr. BURTON of Indiana. Mr. Speaker, I thank my colleague for that very eloquent introduction. I am not sure I deserve it, but I appreciate it.

Let me say to my colleagues who are undecided and my colleagues on the Democrat side of the aisle, I voted against NAFTA. I voted against GATT. I voted against the World Trade Organization. So why am I for CAFTA? And I want to tell you why, because I think it is extremely important. There are three reasons.

First of all, right now as the gentleman from Florida (Mr. SHAW) said a minute ago, the trade balance is in favor of the countries in the Caribbean and the Central American nations because they have duty free into our country, and we have to pay a duty to sell products in their country. CAFTA will change that. It will balance it out so there will be free trade in both directions. That will encourage more trade in both directions.

Second, this is a national security issue, and the President of the United States talked about this today, and we need to talk about it right now on this floor.

The gentleman from Florida (Mr. SHAW) talked about what went on in the early 1980s when we had wars in Nicaragua and El Salvador, and people's bodies were laying all over the place because of this insurrection and these civil wars down there. If we do not do something to stabilize those countries in Central and South America, we will see wars not only in Nicaragua and El Salvador and possibly other Central American countries, we will see them in South America. We have got governments down there that are trying to export revolution right now by undermining some of the fledgling democracies in Central and South America.

CAFTA is one of the mechanisms that we could use to stabilize those fledgling democracy by creating more jobs and helping fight poverty in those countries. It is extremely important from a national security standpoint. That is one of my biggest concerns. If there is destabilization in those Central and South American countries, you can rest assured that there will be massive flight from those countries when wars break out, and they will be coming north. We have an immigration problem right now that we must solve, and we have talked about this time and again. But the problem is going to be exacerbated and made a lot worse if we let those countries, those fledgling democracies, starting to be destabilized by revolutionaries. There are governments down there right now that are using their resources to undermine some of these democracies, and we need to do everything we can to countermand that.

This is a very important piece of legislation. It is very important. I hope my colleagues will see that and vote for it.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. NEAL), who believes that it is shameful that the majority has stifled debate on this important trade agreement.

(Mr. NEAL of Massachusetts asked and was given permission to revise and extend his remarks.)

Mr. NEAL of Massachusetts. Mr. Speaker, I want to make a quick note of this. Is the previous speaker arguing that NAFTA derailed illegal immigration to the United States or slowed it down?

Mr. Speaker, let me stand in opposition to the Central American Free Trade Agreement. Let me say at the outset that I do not reflexively oppose international trade. The previous speaker noted the trade agreements he has voted against. Let me talk about the trade agreements I have voted for, all of them from this administration: Australia, Singapore, Chile, Morocco; and in the past, China, GATT and WTO.

I know that done the right way with carefully balanced provisions, these agreements can expand the U.S. economy and create jobs. Trade can really be good for American workers and American businesses. Indeed, I believe we could have struck an acceptable agreement with Central America. I have no choice but to oppose this agreement because it failed to reach a crucial balance. In truth, it did not even come close.

CAFTA would exacerbate the crisis in our country's trade deficit, and it is completely unfair to U.S. workers and companies. We have already got trade deficits with every one of the CAFTA countries, and this agreement will only make that situation worse. What is more, it is the first time that the United States has negotiated a trade agreement with developing countries that have weak labor laws and histories of violent suppression of worker rights.

CAFTA should have stipulated that our trading partners adhere to basic internationally recognized labor standards like prohibitions on child labor, prison labor, and guaranteeing workers the right to organize. Instead, it only requires that those countries enforce whatever laws they happen to have on their books. Those laws are wholly inadequate, and they will only get worse because CAFTA will set off a race to the bottom. We are already seeing it. Some of the CAFTA countries have already taken steps to water down their labor laws so that they are the cheapest destination for foreign investment.

This CAFTA agreement passed up an opportunity to conduct trade the right way. It passed up an opportunity to expand the U.S. economy and create jobs. It passed up an opportunity to help our neighbors to the south develop safe and decent workplaces. It passed up an opportunity to reduce our country's trade deficit. It passed up an opportunity to do the right thing by U.S. workers and firms.

I intend to oppose this misguided agreement, and I urge the rest of the Members of this institution to do the same.

Mr. DREIER. Mr. Speaker, I yield 2½ minutes to the very distinguished gentleman from Birmingham, Alabama (Mr. BACHUS).

Mr. BACHUS. Mr. Speaker, I rise in support of the rule. Let me say that there have been several newspaper articles lately dealing with these side agreements that we had under NAFTA and China, NTPR, and the two fast tracks. And, in fact, here is one in a

newspaper yesterday after the side agreement that we made on textiles. It said, The nonprofit Public Citizen reviewed past trade votes and found that 89 percent of the side deals affecting trade policy were broken. Never enacted. And, in fact, I got that information, and it is about a 40-page attachment with all the broken side agreements. Very sobering to read. Promises made in the midst of negotiations, then promises broken.

But let me just say this, and I want to be positive here. These are the trade agreements, these are the side agreements that President Bush made, and although there have been almost 89 broken agreements, President Clinton, of all the ones he has made, 3 of the over 80 have been by President Bush. The vast majority of the side agreements that President Bush has made he has kept, and they are on the books today.

So is there a difference between this and past agreements? I think the difference is that we have a President who has honored his side agreements in the past 3 or 4 years and will honor them again. That is his track record. He has made side agreements, and the vast majority of those he has abided by.

As we talk about these side agreements, and I will just say that here it says, "Democrats opposing CAFTA have warned colleagues about last-minute promises in exchange for votes. 'Side letters and so-called side agreements promised are not worth the paper they are written on,' said Sherrod Brown, Democrat of Ohio, Jan Schakowsky, Democrat of Illinois."

There is a lot of truth to that. There is a record of broken side agreements, but not by President Bush. The Business Week says, "Signed, sealed and undelivered. The history of broken side agreements." That was in the paper about CAFTA.

Again, I will say to you, this President has honored his agreements.

Mr. MCGOVERN. Mr. Speaker, let me just say, if it is not in the agreement, it is not in the agreement.

Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New Jersey (Mr. MENENDEZ), who believes that the debate on CAFTA should be longer than the vote on CAFTA.

(Mr. MENENDEZ asked and was given permission to revise and extend his remarks.)

Mr. MENENDEZ. Mr. Speaker, the Republican leadership has submitted a rule for CAFTA that makes a mockery of our Democratic process. The restrictive rule is part and parcel of a Republican leadership strategy to win passage of CAFTA at any cost, whatever the price to the taxpayer, whatever the damage to the fabric of our democracy. The Republican leadership has shown that when it comes to CAFTA, they will cross any line and stifle any voice.

CAFTA will hurt workers here at home and devastate the lives of the rural poor in Central America, a region where the inequality of income is the

leading economic and political challenge. It will widen the gap between the haves and have-nots, weaken labor and environmental standards, and set a dangerous precedent for future trade agreements.

Carnegie Endowment points out that under NAFTA, the rural population in Mexico suffered the greatest consequences, losing 1.3 million agricultural jobs. Repeating that outcome in Central America will leave only more of the poorest in the region to migrate north, further exacerbating the challenges we face in securing our border.

It is appalling and inexcusable how President Bush has sold the CAFTA deal with one hand while busily cutting aid that helps the poor throughout Central America with the other. Not only is this agreement bad for Central America, it also undermines labor policy and workers around the world. Under this agreement, countries get paid for the abuses suffered by workers because the fines paid for violations go to the countries in which it was committed. Some justice.

Tonight will be a defining moment for this Congress. The American people are watching this debate, and they will not stand for waking up tomorrow to read that in the darkness of the night, the leadership of this House has passed yet another bill by holding a vote open for hours while the purveyors of threats and intimidation perform their work under the cover of darkness.

This ill-conceived measure is a bad deal for workers, a bad deal for America, and a bad vote.

Mr. DREIER. Mr. Speaker, as I listen to people malign the procedure we are going under, let me just say the procedure is the procedure that is prescribed by the 1974 Trade Act, which says, "No amendment to an implementing bill or approval resolution shall be in order in either the House of Representatives or the Senate."

Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. HENSARLING), a the dear friend, a hard-working Member committed to free trade.

Mr. HENSARLING. Mr. Speaker, I rise tonight in support of the rule for CAFTA. For over 200 years America has benefited from trade. It means American families can buy more, using less of their paycheck. Trade means more competition. Competition is the consumer's best friend, and it does not matter whether that competition comes from Houston or Honduras or El Paso or El Salvador.

Now, CAFTA is a very simple trade agreement regardless of what you hear tonight. It allows our consumers to buy a few more items from Central America, and it allows our producers to sell a whole lot more to those same countries. It creates jobs. It will help ease our trade deficit. It is more than fair trade for us.

Now, you hear some people opposing CAFTA, claiming that somehow this is actually going to hurt jobs. Yet 80 per-

cent of Central America are already entering our country duty free. What will help us is our ability to export to those countries duty free.

Now, some are talking about labor and environmental standards; but, Mr. Speaker, by helping further impoverish Latin America, we are somehow going to help improve their labor standards? We are somehow going to help improve their environmental standards? I think not.

There is no rational economic reason, Mr. Speaker, to oppose CAFTA. Increasingly this debate against CAFTA is boiling down to raw protectionism and bitter partisanship. It is amazing how many people love competition and the products they buy, but they seem to hate competition in the products they sell. That just cheats American consumers.

And then there are those who just reflexively oppose anything that President Bush favors, anything, regardless of its merits. Mr. Speaker, we ought to all read the headlines. Everybody knows about the threats and arm-twisting taking place on the Democrat side of the aisle. It is time to put aside protectionism, put aside the bitter partisanship. It is time to vote for personal economic freedom. Vote for more American exports, and vote for the rule for the Central American Free Trade Agreement.

Mr. MCGOVERN. Mr. Speaker, I would just like to point out that the little black book that the chairman of the Committee on Rules read from also said that the Rules of the House allows for up to 20 hours of debate on trade agreements.

Mr. Speaker, I yield 4 minutes to the gentleman from Maryland (Mr. CARDIN), who believes that a full and thorough debate is a good thing.

(Mr. CARDIN asked and was given permission to revise and extend his remarks.)

Mr. CARDIN. Mr. Speaker, let me thank my friend for yielding me time.

Mr. Speaker, I, along with many Democrats, have supported every trade agreement that has been presented. We do that because we believe trade has the potential to generate economic growth and raise the standard of living. The trick though is to make sure that we realize that potential.

During the last several decades we have really changed our focus in opening up markets for American manufacturers and producers. We have initially worked on removing tariff barriers. Now we are concerned about nontariff barriers. It does not mean we have done all we need to on tariff barriers, but the priority in our country has been to open up markets by removing nontariff barriers. That is why we spend a lot of time on intellectual property protection, on opening up opportunity for services, and, yes, Mr. Speaker, working on basic international labor standards.

I believe everybody in this body would agree with me that we do not

want products coming into this country that violate child labor standards. Well, the same is true with other basic internationally recognized labor rights. We have made progress. The Caribbean Basin Initiative, the CBTPA, AGOA and GSP all have improved labor standards around the globe because we have raised the issue and raised the bar.

□ 1915

In the Central American countries today, we have the Caribbean Basin Initiative. It has worked. It gives trade preferences to the Central American countries provided that they recognize international labor standards. The failure to do so allows us to impose trade sanctions. The threat has made progress in raising international labor standards and workers' rights in the Central American countries.

Mr. Speaker, I do not expect the administration to perform miracles when they negotiate free trade agreements, but I do expect them to represent the priorities of our Nation. In the CAFTA agreement, they repeal the rights we currently have under CBI, under the Caribbean Basin Initiative. Therefore, CAFTA is left with a weaker standard than current law in regards to workers' rights.

All CAFTA provides is for a country to enforce their own laws, regardless of how they may be; and then the sanction for failure to enforce their own laws that we have under the dispute settlement resolution are weaker standards. We cannot impose trade sanctions. All we can do is impose a fine, and that fine goes back to their own country. We cannot even enforce these weak standards.

You have to draw a line somewhere, Mr. Speaker. We have the constitutional responsibility on trade. We have to make that judgment. This agreement fails in that regard.

I had hoped that we would be able to renegotiate so that we could have a strong bipartisan vote on CAFTA. After all, we did that with textiles, and we could have done that with workers' rights. But this administration chose not to do it. In a way, Mr. Speaker, it is more important for a CAFTA agreement than some of the other agreements that have passed, for Chile and Singapore, Morocco and Australia, because of the standard of living in the Central American countries. For people living in poverty, trade, if properly structured, holds out the promise of more meaningful economic opportunities and a better way of life. But trade without basic labor standards will not do that.

I think this agreement is not a good agreement for the Central American countries, and it is not a good agreement for the United States.

Mr. DREIER. Mr. Speaker, may I inquire of the Chair how much time remains on each side.

The SPEAKER pro tempore (Mr. BASS). The gentleman from California

(Mr. DREIER) has 5½ minutes remaining, and the gentleman from Massachusetts (Mr. MCGOVERN) has 6 minutes remaining.

Mr. DREIER. Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield 1½ minutes to the gentleman from New Jersey (Mr. PASCRELL), who believes that 2 hours of debate is an insult to American workers.

Mr. PASCRELL. Mr. Speaker, I rise in strong opposition to this rule. Think of the voiceless, the poor for once, and not play and pray at the alter of the multinational corporations.

I just talked to a group of folks that came back from Nicaragua, and that you have the nerve to stand before this House and talk about those six governments of purity is an insult to our intellect. Some of these politicians that run these countries are despised by the very people in their country. It is those leaders that made the deal, not the people of those countries. In every one of those countries, the majority of the people are against this deal.

Trade agreements are not just tariff levels and quotas; they are human beings. By passing this agreement, Congress is giving up more of its authority under article I, section VIII. We have done that under three Presidents in a row. Our CAFTA becomes a legally-bound treaty. It will supersede any legislation passed by this Congress.

And by the way, a slight detail: the CBO has told us that CAFTA will cost the American taxpayers \$4.4 billion over the next 10 years. And since those in favor of CAFTA turn to this document, Mr. Speaker, this document shows that of the 14 agreements, the 14 agreements since Bush became the President of the United States, only three have been outrightly kept. He has as bad a record as President Clinton.

Mr. DREIER. Mr. Speaker, I yield myself 30 seconds to say that the democratically elected parliaments in El Salvador, Honduras, and Guatemala all have had votes on this issue. It was 49 to 30 in the democratically elected parliament of El Salvador; 126 to 12 in the democratically elected parliament of Guatemala; and 100 of 128 legislators in Honduras were supportive of the Central American Free Trade Agreement.

Mr. Speaker, I yield 2 minutes to the gentleman from Midland, Texas (Mr. CONAWAY), my very good friend and a hard-working new Member of Congress.

Mr. CONAWAY. Mr. Speaker, I appreciate the gentleman yielding me this time, and I rise tonight to support this rule and also the underlying document that we will vote on later on tonight.

We have heard it is important for national security issues, and it is. Strengthening these six democracies, fledgling though they may be, makes America a safer place to be.

We have heard that it is good for immigration control, and it is. Prosperity and jobs created in Central American

countries will lessen the pressure of those folks trying to percolate up through Mexico and trying to get into America to get a job here.

We have heard it is good for trade, and it is. Our manufacturers and producers will no longer pay the tariffs and duties we are currently paying. Manufacturers like Kraft Macaroni & Cheese and breakfast cereals will now be able to be sold in these Central American countries with that trade.

It seems odd to me if I have a job, and a group comes to me and says we want to help you get a better job, we want you to earn more and we want the labor standards to be improved, but we want you to keep that job, well, that is the kind of idea I would like to have help with. But if I have another side that says I want to help you with labor standards and I want to help you have a better job, but in the meantime I want you to be unemployed, that does not make a lot of sense to me.

Mr. Speaker, I ask my colleagues to vote for this rule and the underlying bill.

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER), the distinguished minority whip who recognizes that curtailment debate is an abuse of power.

Mr. HOYER. Mr. Speaker, I have been a strong advocate for free trade and open markets because I believe that the American businesses and workers can compete in a global market. The United States is the most powerful Nation in the world, and it is incumbent upon us to lead, to foster global trade, to engage our partners in a system based on rules and law and to work to raise the living standards of working men and women both at home and abroad.

However, the centrality of free trade in our interdependent world cannot relegate our commitment to working men and women to the peripheral. We must seek to provide a level playing field for American workers and improve living and working conditions for foreign workers by guaranteeing fair wages and basic workplace protections. I have consistently supported legislation and trade agreements that have furthered these goals.

I was hopeful the Bush administration would pursue these objectives in negotiating CAFTA and that we would ultimately be presented an agreement that advanced the cause of free trade, promoted the rule of law, and generated economic development in countries in great need, and extended to U.S. workers, farmers, and businesses the advantages of expanded access to new markets. Regrettably, the agreement before us does not meet these goals.

Specifically, CAFTA fails to ensure the implementation and enforcement of the five core internationally recognized labor rights. Compounding the problem is the failure to allow trade sanctions to enforce the deal's modest labor provisions. In other words, the enforcement structure is absent.

I am, therefore, regrettably unable to support the Central American Free Trade Agreement for its failure to guarantee basic workplace protections for Central Americans and a level playing field for American workers.

It is interesting, Mr. Speaker, that given the problems that we have with CAFTA, given the questions that have been raised, that the majority is unwilling to give sufficient debate to develop the arguments. This is a critically important issue. NAFTA was an important issue. It was 8 hours of debate. This is one-quarter of that.

We are unable to fully develop the deficiencies in this bill with the 1 hour of debate that the minority will be given. Perhaps that is the point. Perhaps that is the objective. Perhaps the meaning of this rule is to shut us up, shut us out, and shut us down. That is a shame, that my colleagues do not have the confidence in their proposition that they put on this floor to give it a full airing, a full debate in the light of day.

Why do these issues always come up in the late of night? I do not understand that. Oppose this rule. Oppose this bill. It is not good for America. It is not good for the countries that have signed it.

Mr. DREIER. Mr. Speaker, I reserve the balance of my time.

Mr. McGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, fast track up-or-down voting procedures place a premium on consultation and accommodation during the conception and negotiation of trade agreements. But the DR-CAFTA negotiations turned its back on this process. Everyone who raised concerns about labor rights, environmental standards, or the vulnerability of key agricultural and manufacturing sectors was shut out. That is why this agreement has been so universally criticized throughout Central America and the United States.

Mr. Speaker, I am very familiar with Central America. I have deep attachments to the people, and I appreciate how far these countries have come since the wars there ended. I want their democracies to thrive. I want their lives and livelihoods to improve. And I think a good trade agreement could make a valuable contribution to these efforts. But this CAFTA is not that agreement, and this rule deprives Members of their democratic rights to speak on the floor of the House on this controversial issue.

It is shameful how the Republican leadership of this House continues to use the Committee on Rules as a weapon to undermine the deliberative process. It is disrespectful to American workers that the Republican leadership is shortchanging this debate. It is a disgrace. But, sadly, that has become the norm around here. I urge all my colleagues to vote down this rule and vote down this CAFTA bill.

Mr. Speaker, I yield back the balance of my time.

Mr. DREIER. Mr. Speaker, I yield 1 minute to the gentleman from Morris,

Illinois (Mr. WELLER), a hard-working member of the Committee on Ways and Means.

Mr. WELLER. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise in support of the rule as well as in support of the Dominican Republic-Central American Free Trade Agreement.

Let me ask a very simple question. Next door to you is a neighbor, and you are charged by your neighbor to enter his back yard. But then when he comes over to visit your back yard, he can come in free. That is really what this trade agreement is all about.

Right now, 80 percent of all manufactured goods made in the Dominican Republic-Central America come in duty free into Illinois, into my State in the United States, and 99 percent of all farm products from the DR and Central America come into Illinois and the United States duty free.

Now, is there reciprocity under the current status quo? No. Illinois corn faces a 20 percent tariff, Illinois soybeans a 30 percent tariff, Illinois pork a 40 percent tariff. Under DR-CAFTA, those tariffs are either eliminated immediately or phased out very quickly.

We make yellow bulldozers. Caterpillar is the biggest manufacturer in the State of Illinois and the biggest employer in my district. Those yellow bulldozers made in Joliet face a 14 to 20 percent tariff under the status quo. Under DR-CAFTA it is eliminated immediately.

Vote "yes" for DR-CAFTA. It is good for Illinois workers and good for Illinois farmers.

Mr. DREIER. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, back on November 6 of 1979, Ronald Reagan announced his candidacy for President of the United States; and in that announcement, he envisaged a free trade accord of all the Americas, where we could have the free flow of goods and services and capital and ideas.

□ 1930

This is a very important part of that vision which has not only been supported by Republicans, but President Clinton was a strong supporter of that notion, the free trade area of the Americas; back in 1993, by a 392-18 vote, passed the Caribbean Basin Initiative. Why, so rather than sending aid, we would open up the U.S. market to these struggling countries in the Caribbean.

We now have an opportunity to respond to the fact that we have provided unlimited access to our consumer market by these countries.

Mr. Speaker, it is true, the gentleman from Florida (Mr. SHAW) and I have been here for a quarter century, the gentleman from Indiana (Mr. BURTON) a little less than that. I have never witnessed greater politicization or a greater mischaracterization of a piece of legislation than I have this. For the last decade we have had 2 hours of debate on trade agreements

that we have dealt with. Yes, the statute says up to 20 hours. The last time that happened was November 14, 1980. And once they started it, they pared it back.

We have been debating this issue for literally months. Special Orders and 1-minute speeches have taken place. It is time for us to vote. I believe we are going to have a great opportunity, a great opportunity, to enhance the standard of living for people in the United States and in this region. It is going to create an opportunity for us to better compete globally, and as we enhance the standard of living in Latin America, it will clearly help us with this very important problem that we have of border security and illegal immigration.

We have a win-win all of the way around. We have seen great benefits from trade. The much-maligned North American Free Trade Agreement has created a scenario whereby we have a third of a trillion dollars in trade between Mexico and the United States. Mexico's population now has a middle class that is larger than the entire Canadian population. Yes, there is poverty; yes, it needs to improve, but clearly the cause of freedom is an important one. The cause of stability in our region is a very, very important one.

I urge support of this rule. I urge support of the Dominican Republic-Central American Free Trade Agreement.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered. The SPEAKER pro tempore (Mr. BASS). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. McGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered. The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3304

Mr. GERLACH. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 3304.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

SURFACE TRANSPORTATION EXTENSION ACT OF 2005, PART V

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent that the Committee on Transportation and Infrastructure, the Committee on Ways and Means, the Committee on Science, and the Committee on Resources be discharged from further consideration of the bill (H.R. 3453) to provide an extension of highway, highway safety, motor