

He was the chief lay person at our church, the Penny's Chapel CME Church, for more than 50 years, drove the school bus after we got one because we did not always have one, and was oftentimes the bridge between the black and white factions of the community in a small, rural southern town. Mr. Vaughn worked hard, acquired property, was a leading advocate for education, and commanded the respect of all segments of the town and of the area.

Uncle Dude was the Sunday school superintendent at our church for decades, and I shall never forget that, as a teenager, he gave me the opportunity to teach Sunday school, which may have been the reason that I eventually became a schoolteacher. Even in our small semi-isolated town, and he and other adults expressed and conveyed a strong appreciation for education, and I remember my cousin Aubry graduating from high school as the only person in his class.

As an avid church leader, Uncle Dude became a member of the general board of the CME Church and expressed great pride in the fact that he was able to vote to change the name from Colored Methodist Episcopal Church to Christian Methodist Episcopal Church.

He was born the son of former slaves. Mr. Willie Vaughn epitomizes progress that this country has made. He is indeed a living legend who is still alive, alert, and spiritually as well as intellectually engaged. I would not be surprised to find out that he is watching these proceedings on C-SPAN. And if he is, I say congratulations, Uncle Dude, on a life well spent, a Nation well served, a family well loved, and a faith in God well preserved.

Madam Speaker, it is indeed with great pride that I urge passage of this bill and again thank the gentleman from Arkansas (Mr. ROSS) for introducing it.

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

Mr. PORTER. Madam Speaker, I urge all Members to support the passage of H.R. 3853. I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Nevada (Mr. PORTER) that the House suspend the rules and pass the bill, H.R. 3853.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. PORTER. Madam 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 and the Chair's prior announcement, further proceedings on this motion will be postponed.

RECOGNIZING THE SOUTH CAROLINA FARM BUREAU MUTUAL INSURANCE COMPANY ON ITS 50TH ANNIVERSARY

Mr. BARRETT of South Carolina. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 300) recognizing the South Carolina Farm Bureau Mutual Insurance Company on the occasion of its 50th anniversary and saluting the outstanding service of the Company to the people of South Carolina.

The Clerk read as follows:

H. RES. 300

Whereas the South Carolina Farm Bureau Mutual Insurance Company was organized on December 19, 1955, to provide members of the Farm Bureau Federation with insurance coverage that was difficult to obtain and to assist such members with safety programs and loss control measures;

Whereas the South Carolina Farm Bureau Mutual Insurance Company is the largest domestic property and casualty insurer in the State of South Carolina;

Whereas the South Carolina Farm Bureau Mutual Insurance Company has 245 employees and 250 exclusive licensed agents throughout South Carolina that offer various insurance and financial services;

Whereas the South Carolina Farm Bureau Mutual Insurance Company provides a diverse line of products, including auto, homeowners, and other insurance coverage with sales exceeding \$190,000,000 on more than 344,000 policies;

Whereas in 1999, after Hurricane Floyd struck the coast of South Carolina, 90 percent of reported claims made with the South Carolina Farm Bureau Mutual Insurance Company were settled within one week; and

Whereas the South Carolina Farm Bureau Mutual Insurance Company serves families of farmers and non-farmers in rural and urban communities and the slogan of the Company is, "Helping you is what we do best": Now, therefore, be it

Resolved, That the House of Representatives recognizes the South Carolina Farm Bureau Mutual Insurance Company on the occasion of its 50th anniversary and salutes the outstanding service of the Company to the people of South Carolina.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from South Carolina (Mr. BARRETT) and the gentleman from Georgia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from South Carolina (Mr. BARRETT).

GENERAL LEAVE

Mr. BARRETT of South Carolina. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to include extraneous material thereon.

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

There was no objection.

Mr. BARRETT of South Carolina. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I want to thank the gentleman from my home State of South Carolina (Mr. WILSON) for introducing this measure.

The South Carolina Farm Bureau Mutual Insurance Company motto is

"Helping you is what we do best." They have been committed to that motto for the past five decades. During that time, the company has grown from serving South Carolina's agricultural community to becoming the State's largest domestic insurer. Today we recognize the company's accomplishment of providing outstanding service to the people of South Carolina for the past 50 years.

As a coastal State, South Carolina has received its fair share of severe storms. When Hurricane Hugo devastating our State in 1989, the South Carolina Farm Bureau Mutual Insurance Company was there to pick up the pieces, paying out more than \$71 million in claims. Ten years later Hurricane Floyd slammed into our coast, and the company once again did a remarkable job helping us recover, settling 90 percent of its reported claims within 1 week.

Madam Speaker, the South Carolina Farm Bureau Mutual Insurance Company has helped many South Carolinians through difficult times. It is no wonder the company received an excellent rating from the world's leading insurance rating agency.

Again let me thank the gentleman from South Carolina (Mr. WILSON) for introducing this measure on behalf of the South Carolina Farm Bureau Mutual Insurance Company.

Madam Speaker, I reserve the balance of my time.

Mr. SCOTT of Georgia. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I too join with my colleagues, especially the gentleman from South Carolina (Mr. WILSON) in introducing House Resolution 300, in recognition of the South Carolina Farm Bureau Mutual Insurance Company.

Madam Speaker, as a member of the Committee on Financial Services, I want to join with all of my colleagues in supporting this legislation that gives due recognition to the South Carolina Farm Bureau Mutual Insurance Company on its 50th anniversary.

□ 1430

I recognize the mutual insurance company both as a member of the Committee on Financial Services and as a member of the Committee on Agriculture, but Madam Speaker, even more so, I recognize South Carolina's Farm Bureau because I am a native of South Carolina, having been born on a farm in Aynor, South Carolina, raised in an agricultural community in the tobacco farming area. I have now fond memories, as I serve in Washington, often remembering my days of cropping and suckering and dragging and curing tobacco and then taking it to market in some of the areas around Mullins and Marion and Conway, South Carolina.

On December 19, 1955, the South Carolina Farm Bureau Mutual Insurance Company was organized and began

selling greatly needed insurance products to farmers; and, today, the company is the largest domestic insurer in the State serving South Carolinians from many, many walks of life.

The South Carolina Farm Bureau Insurance Company came along at a time when South Carolina farmers were looking for better options in the way of obtaining good insurance coverage that was also affordable. Five decades later, the company supplies a diversity of insurance products to South Carolinians from all walks of life.

The weather-related disasters affecting the gulf coast, and now the new England area, gives us all evidence that mutual insurance companies are essential in helping communities rebuild. The South Carolina Farm Bureau Mutual Insurance Company faced a similar tragedy in 1989.

That year, a category 4 hurricane named Hugo created over \$7 billion in damage to the Palmetto State of South Carolina; and at the time, Hugo was the costliest hurricane in United States history. The mutual insurance company's staff worked days and worked nights, 24 hours a day, to help make sure its policyholders were dealt with and served correctly; and they settled over 16,264 claims.

In 1999, Hurricane Floyd struck the coast of South Carolina. The South Carolina Farm Bureau Mutual Insurance Company settled 90 percent of the reported claims within 1 week.

Today, the South Carolina Farm Bureau Insurance Company has a presence in every county in the State of South Carolina, which is one reason why they are able to provide such timely and quality service.

As its motto, "Helping you is what we do best," suggests, the South Carolina Farm Bureau Insurance Company has provided a wide range of financial services to the people of South Carolina for a half a century. Five decades of growth and successful development is a wonderful milestone that should be recognized not only by South Carolinians but by all of us throughout this entire Nation as well.

Madam Speaker, I reserve the balance of my time.

Mr. BARRETT of South Carolina. Madam Speaker, I yield as much time as he may consume to the gentleman from South Carolina (Mr. WILSON), the author of the resolution and a genuine friend of the farm bureau.

Mr. WILSON of South Carolina. Madam Speaker, I thank the gentleman from South Carolina (Mr. BARRETT) for the time.

Madam Speaker, I am honored to speak on behalf of H. Res. 300. I appreciate the leadership of the gentleman from South Carolina (Mr. BARRETT), my neighbor and long-time friend, for coordinating this resolution, along with the gentleman from Georgia (Mr. SCOTT), our South Carolina-born friend.

Henry Ford once said that "quality means doing it right when no one is looking."

Today, I am honored to recognize a South Carolina company that epitomizes Mr. Ford's definition of quality service. For over 50 years, the South Carolina Farm Bureau Mutual Insurance Company has quietly built a distinguished record of providing quality products and excellent customer service to thousands of families across my home State.

The company's story began in the 1950s when many residents of South Carolina simply could not have access to affordable insurance coverage. When disaster struck their homes or vehicles, they were unable to pay for the damages and often found themselves facing a financial crisis.

On December 10, 1955, a group of innovative South Carolinians responded to the needs of citizens by establishing the South Carolina Farm Bureau Mutual Insurance Company.

Today, South Carolina families have come to trust and rely upon the South Carolina Farm Bureau Mutual Insurance Company, led today by chief executive officer Phillip Love, for a diverse line of auto, homeowners and other insurance coverage.

As the largest domestic property and casualty insurer in South Carolina, this company now employs almost 500 people and administers over 344,000 policies.

After Hurricane Floyd devastated parts of our State in 1999, the South Carolina Farm Bureau Mutual Insurance Company settled 90 percent of reported claims in 1 week. The company's excellent track record continues to prove that it epitomizes quality customer service.

Today, I am honored to congratulate the South Carolina Farm Bureau Mutual Insurance Company on over 50 years of great accomplishment and wish the company continued success.

I urge my colleagues to support H. Res. 300.

Mr. SCOTT of Georgia. Madam Speaker, I yield such time as he may require to the distinguished gentleman from South Carolina (Mr. SPRATT).

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

Mr. SPRATT. Madam Speaker, I thank the gentleman for yielding me time.

Madam Speaker, I want to commend the gentleman from South Carolina (Mr. BARRETT) for taking this initiative, and I want to join my other colleague from South Carolina in recognizing the South Carolina Farm Bureau Mutual Insurance Company on its 50th anniversary. Its motto is "Helping you is what we do best," and as that motto suggests, the South Carolina Farm Bureau Insurance Company has provided a wide range of financial services, insurance services to the people of our State for nearly a half century now.

The South Carolina Farm Bureau Insurance Company came along at a time when farmers in our State were look-

ing for better options in the way of obtaining good insurance coverage that was also affordable. Recognizing that need, the organizers of the South Carolina Farm Bureau Federation went to work and secured a charter from the South Carolina Secretary of State on December 1, 1955. The result, five decades later, is a company that supplies a whole diversity of insurance products to South Carolinians from all walks of life, not just farmers. Among some of the services they provide are auto insurance, homeowners insurance, life insurance, as well as financial services such as banking, individual retirement accounts and credit cards.

I was here in 1989, and I recall well the bedlam in our State after Hurricane Hugo struck in Charleston and then moved inward, coming all the way to Charlotte, North Carolina. The South Carolina Farm Bureau Insurance faced probably the biggest natural disaster in the history of our State except for the Charleston earthquake, and it faced the test of its ability to handle such a massive amount of claims, but it rose to the occasion. It settled some 16,000 claims and paid out more than \$71 million.

Then, in 1999, the South Carolina Farm Bureau Insurance Company was tested again. Hurricane Floyd struck our coast, and 90 percent of the reported claims were settled within 1 week, which would set a model, if not a record, for fast and expeditious claims management. It is no surprise then that this company has prospered and succeeded over the years.

Today, the South Carolina Farm Bureau Insurance Company has a presence in every county in our State, and that is one reason they are able to provide such timely and quality service. Theirs has become a name that folks trust and know and feel comfortable with. I am proud of their service to our State. I rise to salute them, and I wish them the best as they celebrate their 50th anniversary and look to the future.

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

Mr. BARRETT of South Carolina. Madam Speaker, I want to close in saying I thank the gentleman from South Carolina (Mr. WILSON) for being the author of the resolution. There is no doubt that the South Carolina Farm Bureau Insurance Corporation has had a fantastic effect on every segment of South Carolina life. I urge my colleagues to support H. Res. 300.

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

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from South Carolina (Mr. BARRETT) that the House suspend the rules and agree to the resolution, H. Res. 300.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF S. 397, PROTECTION OF LAWFUL COMMERCE IN ARMS ACT

Mr. GINGREY. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 493 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 493

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (S. 397) to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages, injunctive or other relief resulting from the misuse of their products by others. The bill shall be considered as read. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary; and (2) one motion to recommit.

The SPEAKER pro tempore. The gentleman from Georgia (Mr. GINGREY) is recognized for 1 hour.

Mr. GINGREY. Madam Speaker, for the purpose of debate only, I yield 30 minutes to the gentleman from Florida (Mr. HASTINGS), 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.

Madam Speaker, House Resolution 493 is a closed rule. It provides 1 hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. It waives all points of order against consideration of the bill, and it provides one motion to recommit.

Madam Speaker, before we open debate on the rule for S. 397, the Protection of Lawful Commerce in Arms Act prohibiting frivolous lawsuits against the firearm industry, I would like to say that our Nation's judicial system is out of control. If a group or a person does not like what someone else does or believes, they try to sue them out of existence. This seems to be the case for the firearms industry.

Our Founding Fathers designed our second amendment rights to be absolute rights that shall not be infringed. However, those who find the second amendment offensive have made a concerted effort to sue out of existence those who lawfully and legally facilitate a constitutionally guaranteed right. America's firearm companies are directly connected to and span our national history, but they are currently threatened by a lawsuit-friendly culture.

Addressing the burden of frivolous lawsuits has become a necessity for free enterprise. It seems that for some individuals lawsuits have become the

latest get-rich scheme. Frivolous lawsuits drive up the cost of goods and services, and they put law-abiding companies out of business.

The passage of this legislation is time-sensitive. Every day without this legislation puts more stress on firearm manufacturers, their customers, and their employees. Indeed, some lawsuits are motivated by ideology and a distaste for the firearm industry and guns in general. They will simply keep suing until either the firearm companies are out of business or the guns are too expensive to purchase.

This form of gun control will not only compromise one of our constitutional rights but, Madam Speaker, it threatens the jobs of many Americans.

So it is important to note that S. 397, the Protection of Lawful Commerce in Arms Act, does allow the following types of lawsuits to be filed: number 1, an action against a person who transfers a firearm or ammunition, knowing that it will be used to commit a crime of violence, or drug trafficking crime or comparable or identical State felony law; secondly, an action brought against the seller for negligent entrustment; third, actions in which a manufacturer or seller of a qualified product violates a State or Federal statute applicable to sales or marketing when such violation was a proximate cause of the harm for which relief is sought.

□ 1445

This exception would specifically allow lawsuits against firearms dealers such as the dealer whose firearm ended up in the hands of the D.C. snipers who failed to maintain a required inventory list necessary to ensure that they are alerted to any firearm thefts.

Fourth, actions for breach of contract or warranty in connection with the purchase of a firearm or ammunition; and fifth, actions for damages resulting directly from a defect in design or manufacture of a firearm or ammunition.

So, under this legislation, manufacturers and sellers must operate entirely within Federal and State law. More than half our States have passed similar legislation, and I encourage passage of this rule and consideration of the underlying legislation.

Madam Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Madam Speaker, I thank the gentleman from Georgia (Mr. GINGREY) for yielding me this time, and I yield myself such time as I may consume.

Madam Speaker, I rise today in strong opposition to this closed rule and the underlying legislation. My friends in the majority are again bringing to the floor a rule that blocks debate in the body before it begins. Under this rule not one Member of the House, Republican or Democrat, is permitted to offer an amendment. Under this rule and under this bill, the gun lobby is rewarded while public safety is thwarted.

A few examples: The gentleman from Maryland (Mr. VAN HOLLEN) and the

gentleman from California (Mr. WAXMAN) offered an amendment last night that prohibits suspected and known terrorists from purchasing firearms. That was not made in order. The gentlewoman from New York (Mrs. MCCARTHY), my good friend who will speak on this issue later, had an amendment that expands existing prohibitions on armor-piercing bullets to include those bullets capable of piercing body armor. And the gentlewoman from California (Ms. LINDA SANCHEZ) offered an amendment that permits courts to hear suits based on the sale of weapons to persons with domestic convictions.

Under this rule, however, not one of these amendments, or any of the five other commonsense amendments offered by Democrats in the Committee on Rules last night, will be given any consideration by the full House.

Madam Speaker, our government was built on the foundation of an open and transparent participatory process. Yet, since 1994, when Republicans regained control of the House; I might add, Republicans that argued against closed rules, participation has been limited to only those who share their beliefs.

The underlying legislation, which dismisses existing lawsuits against gun manufacturers and dealers and prohibits the filing of future suits, is not sound public policy. On the contrary, it is outright political grandstanding.

During the last 3 years, more than 34 government entities have filed valid lawsuits against gun manufacturers, distributors, and trade associations. At the beginning of 2005, 18 of those suits had won favorable rulings, while only a handful had been dismissed. The remaining cases are still in court, and I gather that this legislation contemplates eliminating those citizens' rights to be in court.

In fact, several State appeals and supreme courts have also ruled that gun manufacturers and dealers can be held liable for the reasonably foreseeable use of firearms for criminal purposes. Settlements from these cases have forced gun manufacturers to make necessary safety modifications that the industry had previously refused to do. How many times do we have to see a baby with a gun in its hand or at its head or killing some member of the family before we get to safety modifications?

The ruling in the D.C. sniper case forced the gun manufacturer Bushmaster to inform its dealers of safer sales practices that will prevent other criminals from obtaining guns, something that Bushmaster had never done before. Other rulings have resulted in major crackdowns on "straw purchases," where legally purchased guns are resold to individuals unable to lawfully purchase a weapon on their own. In each of these instances, it is beyond fair to say that they were not frivolous lawsuits. Yet, if the underlying legislation becomes law, when the cases are heard then none of them would have even been filed.