

who had been fired. In addition to the strike, workers took the opportunity to successfully renegotiate working hours and split-shift schedules." UC at ¶12.

Follow-up Question: When was the worker reinstated? Was this worker also a representative committee leader? Please provide corroborating evidence. Also, what is "reftel"?

#### V. FOREIGN WORKERS

1. What approximate percentage of Oman's labor force is comprised of foreign workers in key sectors? Please identify the key sectors.

The cable provides the following information that is relevant to this question: "Foreign workers in Oman make up roughly 50 percent of the labor force and are concentrated in the following sectors:

Construction—28.2 percent; wholesale/retail—20.1 percent; domestic servants—13.4 percent; manufacturing—11.8 percent; agriculture—10.7 percent; hotels/restaurants—5.9 percent; and health/education/community/real estate, misc.—10 percent" UC at ¶14.

Follow-up Question: Does the 50 percent figure representing the number of foreign worker in Oman pertain to both public and private sectors? Based on information provided in ¶5 of the cable, it appears that approximately 80 percent of the private sector is comprised of foreign workers. Please confirm that these figures are consistent.

2. Are foreign workers participating in workers' organizations?

a. If so, what percentage of workers' organization members are foreign? What countries are they from (if possible, please provide an approximate break down of percentages)? With what companies are these foreign workers affiliated?

Not Answered: Please provide a response. Please also indicate whether the information provided as an attachment to e-mail correspondence of May 9, 2006 (specifically, the Table with Members of the General Assemblies of Representative Committees and the Number of Workers (Omanis and Expatriates) in Establishments Which Have Representative Committees) is accurate. Please also explain how the information in this chart compares or relates to information provided in the cable at ¶5, which states that "approximately nine percent of the workforce is not represented by a union."

b. How many foreigners or non-Arabic speaking workers hold leadership positions? Who are they? What countries are they from? What companies do they represent?

Not Answered: Please provide a response.

3. Do employers withhold foreign workers' legal documents, including employment contracts, employment letters, passports or visas?

The cable provides the following information that is relevant to this question: "While some employers have reportedly held passports of foreign workers, the MOM asserts that this practice is illegal and that legislation formalizing that will be forthcoming." UC at ¶15.

Follow-up Question: Through what accounts or by what means is it known that employers "reportedly" are holding passports? Does the MOM keep statistics? Have any instances been reported through the 24-hour hotline? Can you provide reports/accounts of any action taken against an employer for illegally holding a passport or other foreign workers legal documents?

#### VI. FORCED LABOR

2. Have there been any circumstances where forced labor has been exacted for public purposes in circumstances other than those enumerated in ILO Convention 29?

Not Answered: Please provide a response.

#### VII. WORST FORMS OF CHILD LABOR

3. Does Oman's labor law specifically prohibit harmful child labor? If so, what provision?

The cable provides the following information that is relevant to this question: "Forced or compulsory labor by children is specifically prohibited by law." UC at ¶17.

Follow-up Question: Please provide the citation to the specific relevant law, either in the Basic Statute or the 2003 Labor Law, or elsewhere. In addition, please also note where Oman's labor law specifically prohibits the following forms of harmful (or worst forms of) child labor: (a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom, including forced or compulsory recruitment of children for use in armed conflict; (b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances; (c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties; (d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

#### VIII. INSPECTIONS AND REPORTING OF WORKING CONDITIONS

1. Is there a government-level organization charged with inspecting conditions of labor? If so, what is the number of personnel charged with this task? What enterprises do they cover? In what sectors? In what regions? What is the size of their budget?

The cable provides the following information that is relevant to this question: "The Labor Care Directorate of the MOM is responsible for enforcement of, and compliance with, workplace laws and regulations. Its responsibilities include: occupational safety and health, labor inspections, dispute settlement, female employment, liaising with the Main Representative Committee, issues related to child labor and forced labor, and resolution of individual and collective labor disputes." UC at ¶19.

Partially Answered: What is the size of the Labor Care Directorate's budget?

2. Please provide additional information about the extent and nature of inspections into conditions of labor, such as number of total inspections, number of random inspections, in what areas, in what regions, number of enterprises and workers involved. Please also provide a relevant universe to serve as a point of comparison.

The cable provides the following information that is relevant to this question: "The MOM employed approximately 82 labor inspectors who conducted 4,541 workplace inspections, including an unknown number of random inspections, in 2005 that represented 19 percent of the workforce. Labor inspectors are spread throughout the Sultanate." UC at ¶19.

Follow-up Question: Can you provide an estimate or percentage of the number of random inspections? If not, are there any criteria by which the Labor Care Directorate considers when conducting random inspections? Are they more prevalent in any particular sector or area? How many workers were involved in the 4,541 workplace inspections?

3. Is there communication channel or other type of means for workers to contact the government to report labor-related complaints or grievances?

a. If so, by what means?

The cable provides the following information that is relevant to this question: "The MOM operates a 24-hour hotline (English and Arabic) for workers throughout Oman to report complaints, offer suggestions or seek responses to questions about the labor law." UC at ¶19.

Follow-up Question: Are the majority of foreign workers in Oman English-speaking or

from English-speaking or Arabic-speaking countries? Has the MOM given any thought to including other languages?

b. Do workers utilize this means? If so, what statistics are available with respect to use, types of complaints and number of resolutions?

The cable provides the following information that is relevant to this question: "The MOM estimates that while it takes thousands of general inquiries a year on the hotline, it only receives about 150 complaints that require formal processing and action." UC at ¶19.

Follow-up Question: Does the MOM keep official statistics of complaints? Please provide examples of the types of complaints that have been made that require formal processing and action.

### CONGRESSIONAL CONSTITUTION CAUCUS

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

Mr. GARRETT of New Jersey. Mr. Speaker, I would like to begin this evening with a quote that I think pretty well sums up very neatly the theme for this week's Congressional Constitution Caucus time here on the floor as we are here each week at this time. That quote is: "For most Americans, the Constitution has become a hazy document cited on ceremonial occasions, but forgotten on the daily transactions of life." Arthur Schlesinger.

As we have come to this floor in the past and pointed out, we will continue into the future, until this Congress and future Congresses reverse the course of straying from the Constitution, straying and drifting away from the original intent of this constitution, that very finally crafted document with its sections and verses, its guidelines, its limitations on powers of the government that it is written to impose. We do this because we realize that this Congress has turned from what the Founding Fathers had originally intended from the times of the original debates with the anti-Federalists of the day.

We may wonder why we have turned from this original course of this Nation. We wonder is it because of times and age, is it different today than in the past? Is it because we have lost the fact that at one time we were under tyrannical rule and we no longer are? Maybe.

But perhaps, Mr. Speaker, it is because we simply don't cherish this document, the U.S. Constitution, like the Founders once did.

So through these weekly constitutional hours, we are here to help educate, help illuminate, help to inform this body and the American public on the intricacies, the nuances, the rule of law, the circumstances and the times that inspired the Founding Fathers, all those things that make up the United States Constitution. It is the single most ingenious political document ever devised. And while we will continue to come to the floor to give these orations on the deeper meanings of this document and what this body can do to better live by them, tonight let me come

here to stress a far simpler way to understand the Constitution.

Let me simply say that we should each take the time to simply sit down and read it. Those who are in a position to make our Nation's laws should do so being fully versed in the laws that guide us here as well, and those are written right here in the Constitution. And that is why I am so proud to come and support my good friend from Texas, Mr. CONAWAY, who just spoke a little bit ago, on his bill, H.R. 883. It is a piece of legislation that every Member of this House should sign up in support of and support hopefully in September. It is the AMERICA Act of 2006, A Modest Effort to Read and Instill the Constitution Again and take the commonsense approach by stating that Members of Congress take the oath of office to uphold the Constitution and using the powers delegated to them under the Constitution, so Members and staff should take the time periodically to sit down with that Constitution.

And I might just say on an aside when I mention staff, there is member of staff of the U.S. House of Representatives who has not only taken time to read the Constitution, but this woman has also taken the time to put together a book on the Constitution. It is called "The Constitution Translated For Kids." So if a Member of the staff can take the time to write a book on it and can write a book for kids to be able to read the Constitution, then I think it becomes the obligation of each Member of Congress to sit down with this Constitution as well.

Mr. Speaker, as the Constitution is very clear on the rights that it protects and the protections of the guidelines for this Nation provided for a limited in scope and nature of Federal Government, it is vitally important that we write our laws and perform all of our other official duties with this in mind. We owe it all to our constituents as well as in the past and into the future. For how can we uphold the Constitution if we are simply unclear as to what it says?

Our collective efforts in this Constitutional Caucus is in large part because we feel that the Congress has drifted beyond its constitutional limits. Enacting and living by recommendations of the AMERICA Act of 2006 will be helpful to set that ship aright again.

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It will be helpful to make sure that we abide by the Constitution.

So I simply suggest that Members need not wait also until this legislation is passed by this House. They actually can do it right today. They can sit down and read the Constitution.

And I make this final suggestion that if anyone is in need of a Constitution, feel free to contact my office and we will humbly provide them with one.

#### THE IMPORTANCE FOR MEMBERS OF CONGRESS AND STAFF TO READ THE CONSTITUTION

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

Mr. BISHOP of Utah. Mr. Speaker, I also appreciate the opportunity of being here to talk about Mr. CONAWAY's piece of legislation dealing with the Constitution.

In *Mack v. The United States*, Justice Scalia said, "The Constitution protects us from our own best intentions. It divides power among sovereigns," that is the national and State government, "and among the branches of government," the executive, legislative, and judicial, "precisely so that we may resist the temptation to concentrate power in one location as an expedient solution to the crises of the day."

The Founding Fathers also understood this when they were trying to sell the Constitution originally. Madison wrote in *Federalist 45* that "The powers delegated by the proposed Constitution to the Federal Government are few and defined" and those to the States are "numerous and indefinite. Those we were supposed to deal with were the external objects like war, peace, negotiations, foreign commerce. The States were supposed to deal with everything which affected the ordinary course of affairs, concerns the lives and liberties and properties of the people, internal order, improvement of prosperity of the States."

So why don't we really do that today? It is not because we are deliberately trying to trample upon the concepts of the Constitution. It is not something that is vicious. It is something that we simply do not do because we tend to base our actions on the traditions of what we have always done, rather than the principles of what we ought to do.

So enter Mr. CONAWAY and his resolution. Why should we do it? Well, maybe if we did read that document more often we would not follow the traditions we have always done instead of the principles we ought to do. It does not happen by itself.

I was a poly sci major. Three of my children are. None of us were ever required to actually look at the document itself. When I taught AP government classes, I required our classes to read the document every year. It took a week to just go through it going at a fast clip.

But none of my kids were ever required to replicate that experience when they were in college, even if they were poly sci majors. My kids did know at that time what the *Gitlow* decision in the 1920s did to impact the 14th amendment in the 1950s. They did know the answers that I am repeatedly asked, like how often are congressman up for reelection or which Senator is supposed to represent our part of the State of Utah or when you go down to the Senate Chamber that was restored, why are there 11 chairs instead of nine?

They understand the concept of the Supreme Court's declaring things unconstitutional. It is not written in the document itself. It is a precedent that was established 15 years after the document was written. Jefferson always thought the legislative branch should be the one doing that job. Washington, and he was there when this thing was written, always thought the executive should declare things unconstitutional, and that was the purpose of the veto. In fact, the first six Presidents of the United States only vetoed items for constitutional issues.

I always ask my students if the Constitution allows you a guaranteed right of a secret ballot. And when they say, yes, I say that is a unique concept, especially since it was not popular only until 100 years after the Constitution was actually written. Why else would George Washington be able to buy a round of drinks for all the people that voted for him for the House of Burgess? Or when Thomas Nast draws his cartoons and there is this round globe there, what is that? In fact, it took a while to realize that was the ballot box of the 1800s. It was clear you got your ballots from the political parties. They were color coded; so everyone knew how you voted publicly. And, in fact, in New York one year, they even perfumed the ballots in case you were color blind so you could at least smell the proper ballot to cast.

It is fitting and proper that we and staff read the Constitution. Why? Well, maybe we will start asking the right questions or maybe it is just the right thing to do. If the Boy Scouts of America can insist that every kid wanting to get an Eagle has to read the Constitution first, if it is good enough for a 13-year-old kid, it ought to be good enough for us and for our staffs.

In fact, we should thank Mr. CONAWAY for making it an easy resolution. He is simply asking us to read the document. He could have made it tougher by asking us to understand it at the same time.

Maybe it would even allow us to rein in the size and growth of the Federal Government because, as PJ O'Rourke very clearly said, "The mystery of government is not how Washington works but how to make it stop."

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

(Mr. JONES of North Carolina addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. OSBORNE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)