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No. 28

## House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. PRICE of Georgia).

### DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,

March 7, 2006.

I hereby appoint the Honorable TOM PRICE to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,

*Speaker of the House of Representatives.*

### MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 31, 2006, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to 30 minutes and each Member other than the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from Florida (Mr. STEARNS) for 5 minutes.

### THE SOLOMON AMENDMENT

Mr. STEARNS. Mr. Speaker, on Monday, the Supreme Court unanimously upheld a Federal law ensuring that colleges and universities who receive Federal funds permit open access for military recruiting on their campus. This ruling will allow the United States military to recruit the best and the brightest this Nation has to offer and will also greatly enhance our national security. I commend the Supreme Court for upholding this law.

This issue is of particular interest to me. I attended college on an Air Force

ROTC scholarship and know firsthand the importance of the Armed Forces. Therefore, in order for the United States to win the global war on terrorism, the Armed Forces need access to the highest caliber of people, and that is why we must ensure equal access for military recruiters.

In 1996, Congress enacted a provision of law that came to be known as the Solomon amendment. This provision is named for our former colleague from New York and former Rules Committee chairman, the late Jerry Solomon. This provision provides for the Secretary of Defense to deny Federal funding to colleges and universities if they do not provide military recruiters entry to campuses and access to students that is at least equal in quality and scope to that provided to any other employer.

The Solomon amendment was made necessary when a number of universities began restricting the access of military recruiters because of disagreement with certain military policies, such as the military's "don't ask, don't tell" policy.

Mr. Speaker, I will include the entire list of these universities in the RECORD.

Monday's ruling stems from a challenge from a group of law schools on the constitutionality of the Solomon amendment. A number of universities are denying equal access to military recruiters in protest of the "don't ask, don't tell" policy. Last year, I had an amendment on the floor that was patterned after the Solomon amendment, and it also passed.

Mr. Speaker, some of the universities who are denying equal access to military recruiters, are also receiving millions and millions of hardworking Americans' tax dollars every year in terms of research dollars and other things.

Harvard Law School, for example, allowed military recruiters to interview students at the offices of its Veterans

Association, but did not use its open personnel to set up the interviews as it did for other recruiters. In the wake of the Supreme Court hearing last fall, Harvard has reversed its decision and now plans to fully cooperate with the military recruiters.

Another example is Yale Law School, who had been letting recruiters use a room to meet with students, but had not been helping to arrange the interviews, as they did with other recruiters. These universities allow IBM, General Electric and other corporations full access, but not the military.

Equal access for military recruiters is an urgent issue. With the U.S. engaged in the global war on terrorism, it is more important than ever for the Armed Forces to recruit high-quality, well-qualified and well-trained personnel. This is why it is so important that the Supreme Court made such a strong statement in support of full and equal access to military recruiters on campus.

Chief Justice John Roberts, who wrote for the courts, said that the Solomon amendment "neither limits what law schools may say nor requires them to say anything. Law schools remain free under the statute to express whatever views they may have on the military's congressionally mandated employment policy. Nothing about recruiting suggests that the law schools agree with any speech by recruiters, and nothing in the Solomon amendment restricts what the law schools may say about the military's policies."

The Court went on to say that the law regulates conduct, not speech, and the hosting of recruiters is not expressive conduct that sends out a message as a former protest.

Mr. Speaker, so in conclusion, once again, I commend the Supreme Court for unanimously upholding the Solomon amendment. As the U.S. is engaged in the global war on terrorism, it is more vital than ever to our national

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

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



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security that the United States Armed Forces have access to recruit the best people to serve in this country.

The material previously referred to is as follows:

[From SolomonResponse.Org]

**FAIR PARTICIPATING LAW SCHOOLS**

The members of FAIR willing to be named publicly are:

1. The Faculty of Capital University Law School
  2. The Faculty of Chicago-Kent College of Law
  3. The Faculty of City University of NY (CUNY) Law School
  4. The Faculty of DePaul University College of Law
  5. The Faculty of University of the District of Columbia David A. Clarke School of Law
  6. The Faculty of Fordham University School of Law
  7. The Faculty of Georgetown University Law Center
  8. George Washington University Law School
  9. Golden Gate University School of Law
  10. The Faculty of Hofstra University Law School
  11. The Faculty of the John Marshall School of Law
  12. New York Law School
  13. New York University School of Law
  14. Northeastern University School of Law
  15. The Faculty of the University of Minnesota Law School
  16. The Faculty of Pace University School of Law
  17. The Faculty of the University of Puerto Rico School of Law
  18. The Faculty of Roger Williams University Ralph R. Papitto School of Law
  19. The Faculty of the University of San Francisco School of Law
  20. The United Faculty of Stanford Law School
  21. The Faculty of Suffolk University Law School
  22. Vermont Law School
  23. The United Faculty of Washington University School of Law
  24. The Faculty of Whittier Law School
- faculties: 24 (18 public)  
institutions: 12 (6 public)

**CONSIDERATION OF H.R. 4167, THE NATIONAL UNIFORMITY FOR FOOD ACT OF 2005**

The SPEAKER pro tempore. Pursuant to the order of the House of January 31, 2006, the gentleman from Michigan (Mr. STUPAK) is recognized during morning hour debates for 5 minutes.

Mr. STUPAK. Mr. Speaker, I rise today in strong opposition to H.R. 4167, the National Uniformity for Food Act. If passed, this bill will be a huge setback to consumer safety, public health and America's war on terror. This bill wipes out over 80 State food safety laws and puts our Nation's food safety standards squarely in the hands of the FDA.

State laws that will be overturned include warnings as to the risk of cancer, birth defects, reproductive health issues and allergic reactions associated with sulfiting agents in bulk food. That is why 37 State attorney generals, Democrats and Republicans, oppose this bill. A bipartisan Association of Food and Drug officials also have strong concerns about the legislation.

Let me quote from them. It says, this bill, H.R. 4167, "undermines our Nation's whole biosurveillance system by preempting and invalidating many of the State and local food safety laws and regulations that provide necessary authority for State and local agencies to operate food safety and security programs. The pre-9/11 concept embodied in this bill is very much out of line with the current threats that confront our food safety and security system."

The Association of Food and Drug Officials also said that H.R. 4167 will severely hamper the FDA's ability to detect and respond to acts of terrorism. Again, quoting from this report, it says our current food safety and security system will be significantly disrupted, and our inability to track suspected acts of intentional alteration will be exploited by those who seek to do our Nation harm.

Mr. Speaker, I would like to direct your attention to these two pictures. Which meat do you think is older, the red meat on top or the brown meat on the bottom? It is not really a trick question, but both of these packages of meat were packaged at the same time. Both have been sitting in a refrigerator side by side for 5 months. The meat on the top has been packaged with carbon monoxide which causes the meat to look fresh and red long into the future. The meat on the bottom has not been treated with carbon monoxide. It is brown and it is slimy.

Like I said, the meat on the top is 5 months old and looks as good as new, but it is not. If consumed, you could become severely ill from a food-borne pathogen like E. coli and possibly die from the red meat here on the top.

The FDA, without any independent study, has no objection to allowing meat to be packaged in carbon monoxide. The FDA merely reviewed the meat industry's carbon monoxide proposal. Review is not the same as independent research. By allowing the injection of carbon monoxide in meat and seafood packaging, the meat industry stands to gain \$1 billion per year because meat begins to turn brown. When it does, consumers reject it.

Consumers rely on color to determine freshness. Numerous studies from 1972 to 2003 cite color as the most important factors consumers use to determine what meat to buy. The whole purpose behind this carbon monoxide packaging is to extend the shelf life of meat and seafood and to deceive the consumer into thinking the product is fresh. Today, States may pass their own laws and put labels on meat that has been packaged with carbon monoxide, but those laws will be overturned if this bill, H.R. 4167, becomes law.

I will be offering an amendment which allows States to label carbon monoxide packaging of meat, so consumers will know the meat may not look as fresh as it may appear.

Is this really the standard we want for our country? Do we offer low car-

bon monoxide in meat packaging to make it look fresher, to stay on the shelf longer, and expose our country and consumers to the health and risk of eating contaminated meat and seafood? Public health and safety for food primarily have been the responsibility of States. We should not tie the hands of States who want to protect the health of their citizens. I urge my colleagues to support the Stupak carbon monoxide labeling amendment and vote "no" on H.R. 4167.

**ADDRESSING THE ROOT CAUSE OF ILLEGAL IMMIGRATION**

The SPEAKER pro tempore. Pursuant to the order of the House of January 31, 2006, the gentleman from California (Mr. DREIER) is recognized during morning hour debates for 5 minutes.

Mr. DREIER. Mr. Speaker, this past weekend, under the leadership of our colleagues JIM KOLBE and JOHN CORNYN, a bipartisan, bicameral delegation attended the 45th meeting of the U.S.-Mexico Inter-Parliamentary group that was held in Mexico. The House Members, on Saturday, then went to the Mexico-Arizona border. We had the opportunity there to meet with local law enforcement officials and hospital administrators to discuss the tremendous strain that illegal immigration imposes on resources and law and order in our communities.

As an advocate of greater security at our borders, I have long supported addressing the root cause of illegal immigration, and that is a lack of economic opportunity that exists at home for the people in Mexico. We know that the majority of illegal immigrants come to this country for one very simple reason. They are seeking economic opportunity. They want to better their lives. They want to feed their families. Economic growth, job creation, and higher wages in Mexico are special components to a long-term solution to the very serious problem of illegal immigration.

By pursuing an open trade agenda that expands economic engagement in this hemisphere, we are not only shoring up our regionally based economy, and creating new opportunities for the United States workers, we are benefiting workers, the business owners and investors as well.

Mr. Speaker, we are hoping to drive the economic growth necessary to reduce the number of illegal immigrants who are trying to make that dangerous trek across the border, doing so simply because of the fact that they are wanting, as I said, to feed their families. It was therefore with great interest that I read a recent Business Week article describing the emergence of a growing middle class in our neighbor to the south.

The success of the North American Free Trade Agreement can be seen in the greater economic stability outlined in this Business Week piece. It talked