

at infrastructure as it relates to trade. There are many barriers to trade, but transportation infrastructure should not be one of them.

This Agreement will also level the playing field of trade with Peru. Under the current trade preferences in place 99 percent of Peru's imports enjoy duty-free access to the U.S. In contrast, only 2 percent of U.S. agricultural products enjoy duty-free access to the Peruvian market. Once the Agreement enters into force, 90 percent of the current trade in U.S. agricultural products will enjoy duty-free access while the remaining products will be gradually phased out. California's exports have grown over 183 percent since the ratification of the U.S.-Chile Free Trade Agreement and I fully expect the U.S.-Peru Agreement to bring similar success to the California economy.

Mr. WAXMAN. Mr. Speaker, I rise in support of the U.S.-Peru Free Trade Agreement. This has not been an easy decision. This is not an ideal agreement. But it contains significant improvements negotiated by the Democratic leadership. And because of these changes the agreement represents a critical step toward a more progressive trade policy that raises standards for labor, the environment, and public health.

Under the Bush Administration, U.S. trade policy has gone from bad to worse. Instead of using trade agreements to raise standards of living, the U.S. Trade Representative has approached negotiations putting corporations ahead of consumers and profits ahead of people.

In recent agreements with Central America, Morocco, and others, labor standards and environmental rules have been made expendable and unenforceable on paper and in practice. Trade provisions aggressively pursued on behalf of the pharmaceutical industry have sought to delay generic competition in developing countries where the absence of affordable medicine can mean the difference between life and death.

Initially, the Peru FTA was no different. However, this spring the Democratic congressional leadership successfully negotiated substantial improvements to the agreement.

On the medicines issue, specifically, the revised FTA restores much of the flexibility needed to safeguard generic competition and protect public health. For example, patent extensions are no longer mandatory in the event of regulatory delays. The agreement directs patent disputes to be resolved through the court system, instead of forcing regulatory agencies to link marketing approval to the status of a drug's patent. Language was also added to make clear that the FTA does not and should not prevent Peru from taking measures to protect public health.

The Peru FTA is not perfect. There is a provision that delays the availability of generics for up to 5 years after a new drug is approved, even in the absence of a patent. USTR maintains that this "data exclusivity" provision is supposed to mirror a provision in U.S. law intended to incentivize research by allowing drug companies to recoup the costs associated with producing the clinical test data necessary for drug approval. But Peru is not a mirror image of the United States. It is a small developing market where the profitability for drug makers is minimal and the impact on a large population of poor and uninsured patients could be severe.

The revised Peru FTA does make clear that Peru can override this five-year restriction if public health needs demand it. Additionally, the new FTA has a mechanism for generic medicines to become available in Peru no later than they are available in the United States. However even with these key exceptions, I believe data exclusivity is a clear example of how further changes are necessary in our negotiations with developing countries.

Another area that needs reevaluation is the "investor-state" provisions that permit private investors to use trade tribunals to bypass regular legal channels in challenging government actions and regulations. While there have been some improvements to make the tribunals more transparent, greater reform is necessary to prevent abusive and unfair efforts by investors to undermine environment, health, safety and other laws and regulations. I would also like to see further progress to use trade agreements to strengthen adherence to core labor standards.

The bottom line is that overall the improvements to the Peru FTA are a real achievement. Today, we can finally put a stop to the Bush Administration's "one size fits all" approach to trade negotiations. While it will take more than a revised Peru FTA to overhaul our trade policy in broader ways, this trade agreement is an important first step in the right direction. For that reason I will support it today.

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

The SPEAKER pro tempore (Mr. SNYDER). All time has expired for debate this evening on this bill.

Pursuant to section 2 of House Resolution 801, further proceedings on the bill will be postponed.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore (Mr. PATRICK J. MURPHY of Pennsylvania). Under a previous order of the House, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

(Mr. CUMMINGS 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 gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WATERS) is recognized for 5 minutes.

(Ms. WATERS addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO 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 gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Mrs. McCARTHY) is recognized for 5 minutes.

(Mrs. McCARTHY of New York addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

(Mr. McDERMOTT 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 New Jersey (Mr. HOLT) is recognized for 5 minutes.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. POE (at the request of Mr. BOEHNER) for today after 8 p.m. and until 1 p.m. on November 8 on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. HARE) to revise and extend their remarks and include extraneous material:)

Mr. CUMMINGS, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Ms. WATERS, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mrs. McCARTHY of New York, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mr. McDERMOTT, for 5 minutes, today.

Mr. HOLT, for 5 minutes, today.

SENATE ENROLLED BILLS SIGNED

The Speaker announced her signature to enrolled bills of the Senate of the following titles:

S. 2206. An act to provide technical corrections to Public Law 109-116 (2 U.S.C. 2131a note) to extend the time period for the Joint Committee on the Library to enter into an agreement to obtain a statue of Rosa Parks, and for other purposes.

S.J. Res. 7. An act providing for the reappointment of Roger W. Sant as a citizen regent of the Board of Regents of the Smithsonian Institution.

ADJOURNMENT

Mr. HARE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 18 minutes p.m.), the House adjourned until tomorrow, Thursday, November 8, 2007, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

4024. A communication from the President of the United States, transmitting a request for FY 2008 budget amendments for the Department of Homeland Security and Department of Justice; (H. Doc. No. 110-72); to the Committee on Appropriations and ordered to be printed.

4025. A letter from the Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Use of Indian Housing Block Grant Funds for Rental Assistance in Low-Income Housing Tax Credit Projects [Docket No. FR-4999-F-02] (RIN: 2577-AC61) received October 31, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4026. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b; to the Committee on Foreign Affairs.

4027. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(e) of the Arms Export Control Act, certification of a proposed license for the export of defense articles and services to the Republic of Korea (Transmittal No. DDTC 005-07); to the Committee on Foreign Affairs.

4028. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting consistent with the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Pub. L. 107-243), the Authorization for the Use of Force Against Iraq Resolution (Pub. L. 102-1), and in order to keep the Congress fully informed, a report prepared by the Department of State for the August 15, 2007 — October 15, 2007 reporting period including matters relating to post-liberation Iraq under Section 7 of the Iraq Liberation Act of 1998 (Pub. L. 105-338); to the Committee on Foreign Affairs.

4029. A letter from the Chairman, Council of the District of Columbia, transmitting a

copy of D.C. ACT 17-135, "Closing of a Portion of a Public Alley in Square 163, S.O. 05-8289, Act of 2007," pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

4030. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-171, "Housing Support for Teachers Act of 2007," pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

4031. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 17-172, "Jobs for D.C. Residents Amendment Act of 2007," pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

4032. A letter from the Secretary, Department of Housing and Urban Development, transmitting the Department's FY 2008 Annual Performance Plan, as well as revisions to the FY 2007 Annual Performance Plan; to the Committee on Oversight and Government Reform.

4033. A letter from the Administrator, Environmental Protection Agency, transmitting the semiannual report on the activities of the Office of Inspector General for the period April 1, 2007, through September 30, 2007, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

4034. A letter from the Chief Administrative Officer, United States Capitol Police, transmitting the semiannual report of receipts and expenditures of appropriations and other funds for the period April 1, 2007 through September 30, 2007 as compiled by the Chief Administrative Officer, pursuant to Public Law 109-55, section 1005; (H. Doc. No. 110-73); to the Committee on House Administration and ordered to be printed.

4035. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Processor Vessels Using Pot Gear in the Bering Sea and Aleutian Islands Management Area [Docket No. 070213033-7033-01] (RIN: 0648-XC99) received October 23, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4036. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Pot Gear in the Bering Sea and Aleutian Islands Management Area [Docket No. 070213033-7033-01] (RIN: 0648-XD00) received October 23, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4037. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Using Trawl Gear in Bering Sea and Aleutian Islands Management Area [Docket No. 070213033-7033-01] (RIN: 0648-XD08) received October 23, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

4038. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 620 of the Gulf of Alaska [Docket No. 070213032-7032-01] (RIN: 0648-XD06) received October 23, 2007, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Natural Resources.

4039. A letter from the Assistant Secretary of the Army for Civil Works, Department of Defense, transmitting the Department's support for the authorization and construction of navigation and ecosystem restoration improvements at the Corpus Christi Ship Channel (CCSC) and La Quinta Channel, Texas; to the Committee on Transportation and Infrastructure.

4040. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Management Costs [Docket ID FEMA-2006-0035] (RIN: 1660-AA21) received October 23, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4041. A letter from the Program Manager, CMM, Department of Health and Human Services, transmitting the Department's "Major" final rule — Medicare Program; Revisions to Payment Policies Under the Physician Fee Schedule, and Other Part B Payment Policies for CY 2008; Revisions to the Payment Policies of Ambulance Services Under the Ambulance Fee Schedule for CY 2008; and the Amendment of the E-Prescribing Exemption for Computer-Generated Facsimile Transmission [CMS-1385-FC] (RIN: 0938-AO65) received November 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

4042. A letter from the Program Manager, CMM, Department of Health and Human Services, transmitting the Department's "Major" final rule — Medicare Program: Changes to the Hospital Outpatient Prospective Payment System and CY 2008 Payment Rates, the Ambulatory Surgical Center Payment System and CY 2008 Payment Rates, the Hospital Inpatient Prospective Payment System and FY 2008 Payment Rates; and Payments for Graduate Medical Education for Affiliated Teaching Hospitals in Certain Emergency Situations [CMS-1392-FC] (RIN: 0938-AO71) received November 1, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Ms. SLAUGHTER: Committee on Rules. House Resolution 806. Resolution providing for consideration of the conference report to accompany the bill (H.R. 3222) making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes (Rept. 110-435). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Ms. SCHAKOWSKY (for herself, Mr. McGOVERN, Mr. FILNER, Mr. COHEN, Mr. ALLEN, Mr. GONZALEZ, Mr. RAFFAHL, Mr. ELLISON, Mr. GRIJALVA, and Mr. STARK):

H.R. 4102. A bill to phase out the use of private military contractors; to the Committee on Foreign Affairs, and in addition to the Committees on Armed Services, and Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker,