

A TRIBUTE TO THE HONORABLE
HENRY HYDE

(Mr. DANIEL E. LUNGREN of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, last night I was unable to be here when we had a tribute to our departed colleague, Henry Hyde. I just wanted to say this about Henry Hyde: It was a privilege and an honor to serve in this House with him.

I recall a conversation I had with him a number of years ago at which time I talked to him about sometimes did he ever get tired about the fact that people beat him up on the issue of abortion. And Henry thought a minute and he said, You know, as I get older and I think of my own mortality, I look forward to the time when I might be entering those gates into heaven and the voices of all those young children that we saved welcoming me there.

They're giving you a great welcome right now, Henry. We miss you.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. CUELLAR). 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 SECOND AMENDMENT

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

Mr. POE. Mr. Speaker, the Supreme Court is considering Washington, DC's total handgun ban. It is illegal to buy, sell or own a handgun in this Nation's Capital of ours. Of course, DC has one of the highest homicide rates in the entire country.

The center of this debate is a question that has never really been clearly answered. What exactly does the second amendment to our Constitution mean? Did the Framers intend to protect an individual right or provide for State militias?

The second amendment states, "A well regulated militia being necessary to the security of a free state, right of the people to keep and bear arms, shall not be infringed."

Our Founding Fathers risked their lives in the American revolution to create our Nation. They distrusted government, especially a government that wouldn't trust its own citizens.

Our Founding Fathers knew the importance of an armed citizenry from their experiences in the American War of Independence. They trusted an armed citizenry and a citizen militia as the best safeguard against the tyranny of government.

To truly understand the meaning and purpose of the second amendment, we

need to understand the men that wrote the Constitution and what they said when it was ratified. The Founding Fathers were very concerned that a strong Federal Government would trample on individual freedom and individual rights because that's what happened to the colonists, and that's what governments historically do to their people, trample on individual rights.

So after the ratification of the Constitution, the Framers knew that a declaration of rights had to be added to protect basic individual rights, rights that are inalienable, created by our creator and not created by government.

So the Founders looked at the English common law, at the English declaration of rights of 1689, which specified the guaranteed right of the people to bear arms.

Those who claim there is no individual in the second amendment ignore the most basic feature of American rights: Rights in this nation belong to individuals.

The second amendment was included in the Bill of Rights to prevent the Federal Government from disarming the public like the British Army did to American citizens. The right of the free people to defend freedom and protect themselves was so important that it was placed second in the Bill of Rights.

Thomas Jefferson knew the importance of an armed citizenry. He said, "No free man shall ever be debarred from the use of arms."

Samuel Adams wrote that "The Constitution shall never be construed to prevent the people of the United States who are peaceable citizens from keeping their arms."

And of course James Madison, who helped write the Bill of Rights, once wrote that the Americans had "the advantage of being armed," and that other nations governments were "afraid to trust the people with such arms."

So, Mr. Speaker, the second amendment is a personal right for individuals in this country, and the DC ban is a violation of the United States Constitution, specifically, the second amendment to that Constitution.

And that's just the way it is.

□ 1815

THE SO-CALLED SURGE HAS FAILED

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

Ms. WOOLSEY. Mr. Speaker, as a member of the Foreign Affairs Committee, I was pleased to participate in a joint hearing that took testimony from General Petraeus and Ambassador Crocker. It was supposed to be a turning point in the occupation of Iraq. The purpose of this hearing was to get a report from our military and diplomatic

leaders about the record of the so-called surge or escalation in Iraq.

Let's first look at what the main purpose of the escalation really was. According to the chairman of the Joint Chiefs, Admiral Michael Mullen, the surge was to give space for political reconciliation. I quote him here: "Security is critical to providing the Government of Iraq the breathing space it needs to work toward political national reconciliation and economic growth. Barring that, no amount of troops in no amount of time will make much of a difference."

The President celebrates that there has been a short-term downward trend in violence. Of course that would happen. When we put our fighting men and women, the best in the world, on the ground in greater and greater numbers, of course they will bring some form of order. But let's be realistic. This is not sustainable. We cannot keep the same number of troops for very much longer. We simply do not have the resources to do so, and our troops should not have such a task.

So, yes, they are temporarily keeping a lid on the uprising and attacks. In fact, they've reached back to 2006 numbers, which at that time appalled us, and it should not be something we celebrate today. We are missing our ultimate goal. Like the Chairman of the Joint Chiefs said, the purpose of the surge was political reconciliation. If the White House put even half of the resources, political and fiscal, behind political reconciliation, we would be in a much different place right now. We would have a stable and inclusive Iraqi national government, not one propped up by the United States. It would have the support of the Iraqi people, and it would be providing strength and dependable security. That, Mr. Speaker, is not what we have. In fact, just last month, a new deal called the Declaration of Principles was inked between President Bush and Prime Minister al-Maliki. It's basically a blueprint to keep our troops in Iraq indefinitely, and it allows permanent bases.

It may even provide for arming insurgent security forces, which actually looks like arming a militia. The last time we got into the business of arming folks, we ended up with the Taliban. Are we ever going to learn the lesson not to repeat the mistakes of the past? It will be interesting to see how the two leaders will try to jam this latest agreement down the throats of the Iraqi Parliament because the Iraqi Parliament has clearly stated that they are not pleased with the agreement, to say the very least. Let's take a good look at what's going on: The surge has failed. The new White House agreement would keep our troops in Iraq indefinitely. This is not the road to success. This will not make America safer.

Mr. Speaker, it's time for bold action. Our friends in the other Chamber and the resident down the road on Pennsylvania Avenue need to face up

to reality. Let's act boldly and fulfill our mandate. It's time to end this misguided occupation. It's time to bring our troops home.

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

(Mr. HASTINGS of Washington 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 Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

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

H-2B RETURNING WORKER PROGRAM

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

Mr. STUPAK. Mr. Speaker, I rise today in support of extending the H-2B returning worker program this year.

The H-2B visa program was created to provide access to nonimmigrant temporary workers for seasonal and peak load needs when no American workers can be found. Foreign workers offer small and seasonal businesses short-term help and return to their home country at the end of the season.

H-2B visas are capped at 66,000 visas per year. Even with 66,000 visas a year, it still does not meet the labor needs of seasonal businesses. To help fill these additional needs, Congress established the H-2B returning worker program in 2005. This program exempts returning workers who have received an H-2B visa in one of the three previous fiscal years from counting against the 66,000 cap. However, this program expired on September 30.

On September 27, 4 days before the season even started, the U.S. Citizenship and Immigration Service had already received enough visa petitions to exceed the cap for H-2B visas for the first half of fiscal year 2008. The application process for the second half of fiscal year 2008 began on December 3, two days ago.

Without extending the returning worker program, it's expected that the visas will go quickly, leaving many businesses without the workers they need to fulfill their business needs. This demand highlights the immediate need for Congress to extend the H-2B returning worker program to help small and seasonal businesses fill their seasonal labor needs and keep full-time Americans and their businesses working.

These returning workers have provided relief to small businesses throughout the Nation, covering a

broad spectrum of industries like landscapers, tourism, seafood processors and carnivals.

At this time, I will enter into the RECORD a letter from the H-2B Workforce Coalition in support of extending the H-2B returning worker program.

WORKFORCE COALITION,
November 19, 2007.

DEAR REPRESENTATIVE: As representatives of tens of thousands of seasonal employers throughout the country, we urge you to support H.R. 1843, the "Save Our Small and Seasonal Business Act of 2007."

This bipartisan bill would simply renew the highly successful relief provision for the H-2B visa program that was initially approved by the Senate by 94-6 in 2005. This provision recognizes the reliability and trustworthiness of past participants in the H-2B program by exempting those temporary seasonal workers who have participated fiscal the H-2B visa program and have completely followed the law during the past three fiscal years from counting toward the statutory cap.

The congressionally mandated 66,000 annual cap on the number of workers allowed to participate in the program that was established in 1990 does not reflect current economic realities or meet the needs of businesses which are seasonal or have peak load needs that rely on these workers.

Before employers can hire temporary seasonal workers under the program, they must advertise their job openings, work with local unemployment offices to identify potential American workers and offer the positions to any qualified domestic applicants. The jobs these guest workers fill do not take jobs away from Americans. It is not until employers have carried out this time consuming and expensive due diligence in trying to hire American workers that they are allowed to petition the federal government for a labor certification and ultimately bring in temporary workers—their final option to run their seasonal businesses.

In fiscal year 2004, the statutory cap was reached on March 9—only six months into the fiscal year and before many summer employers had an opportunity to apply for seasonal workers. As a result, many of these businesses had to cancel events, operate at partial capacity, not open parts of their businesses, or have their full-time staff work overtime to the point of burnout.

Each subsequent year, the cap has been reached sooner as a result of the increased need for seasonal workers and an increasing labor shortage. The cap for the first half of fiscal year 2008 was reached on September 27—3 days before the fiscal year even began.

Without immediate action by Congress, widespread economic consequences will severely impact diverse economic sectors throughout the country including lodging, restaurants, landscaping, clubs, amusement parks, ski resorts, food processing, stone, travel and tourism, horse sports, construction, entertainment, hospitality, recreation and many other seasonal industries.

On behalf of thousands of small businesses and seasonal employers throughout the country, we urge you to support H.R. 1843 and secure its immediate passage.

Sincerely,

National Organizations:

American Forest & Paper Association
American Horse Council
American Hotel & Lodging Association
American Immigration Lawyers Association
American Nursery and Landscape Association
American Rental Association
American Trucking Associations

Asian American Convenience Store Association

Asian American Hotel Owners Association
Associated Builders and Contractors
Associated General Contractors of America
Federation of Employers and Workers of America

International Association of Amusement Parks and Attractions
Interlocking Concrete Pavement Institute
International Franchise Association
National Club Association
National Federation of Independent Business

National Restaurant Association
National Roofing Contractors Association
National Ski Areas Association
National Thoroughbred Racing Association
Outdoor Amusement Business Association
Professional Landcare Network
Tree Care Industry Association
U.S. Chamber of Commerce

State and Regional Organizations:
Alabama Forestry Association
Alabama Hospitality Association
Alabama Restaurant Association
Alaska Hotel & Lodging Association
Alaska Restaurant & Beverage Association
Arizona Hotel & Lodging Association
Arizona Landscape Contractors Association

Arkansas Forestry Association
Arkansas Hospitality Association
Associated Landscape Contractors of Colorado

Branson Lakes Area Lodging Association
California Hotel & Lodging Association
California Ski Industry Association
Chesapeake Bay Seafood Industries Association
Colorado Association of Lawn Care Professionals

Colorado Hotel & Lodging Association
Colorado Restaurant Association
Commercial Flower Growers of Wisconsin
Delaware Restaurant Association
East Hampton Chamber of Commerce
Florida Forestry Association
Florida Restaurant and Lodging Association

Georgia Hotel & Lodging Association
Georgia Restaurant Association
Gulf Oyster Industry Council
Hawaii Hotel & Lodging Association
Hilton Head Island-Bluffton Chamber of Commerce
Hospitality Association of South Carolina
Hotel and Lodging Association of Greater Kansas City

Idaho Nursery & Landscape Association
Indiana Hotel & Lodging Association
Illinois Hotel and Lodging Association
Illinois Landscape Contractors Association
Iowa Lodging Association

Iowa Restaurant Association
Kentucky Hotel & Lodging Association
Kentucky Nursery & Landscape Association

Kentucky Restaurant Association
Kentucky Turfgrass Council
Landscape Contractors Association MD-DC-VA

Lawns of Wisconsin Network
Long Island Hotel and Lodging Association
Long Island Convention and Visitors Bureau

Maine Campground Owners Association
Maine Innkeepers Association
Maine Merchants Association
Maine Restaurant Association
Maine Tourism Association
Maryland Hotel & Lodging Association
Massachusetts Lodging Association
Massachusetts Nursery & Landscape Association

Massachusetts Restaurant Association
Metro Atlanta Landscape & Turf Association