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House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Ms. HIRONO).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
September 14, 2009.

I hereby appoint the Honorable MAZIE K. HIRONO to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2009, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 30 minutes and each Member, other than the majority and minority leaders and the minority whip, limited to 5 minutes.

CARGO SCREENING SOLUTION

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

Mr. STEARNS. Madam Speaker, last week marked the eighth anniversary of 9/11. Congress should honor the memory of that tragedy by solidifying its homeland security agenda. That means taking the right steps to keep the Nation safe, free and prosperous. At the same time, Congress should resist initiatives that do not actually improve security and impair international trade.

The international maritime community has long voiced their concerns

with the blanket application of the 9/11 law mandating 100 percent scanning of all U.S.-bound containers from more than 700 ports around the world. The countries that have raised concern include United States allies such as the United Kingdom, Germany, Japan, the Netherlands, New Zealand and Singapore.

H.R. 1, implementing the 9/11 Commission Recommendations Act of 2007, called the public's attention to issues of supply chain security and the potential threats faced by this Nation and all of those with a stake in this supply chain.

One hundred percent container scanning as a security tool may seem like an appealing way to ensure container security, but it is fraught with various operational and technical challenges. In addition, it provides a false sense of security, as the effectiveness of the analysts become degraded, given that there will be information overload and desensitization of the analysts.

Requiring 100 percent scanning of all in-bound sea containers, more than 11 million containers annually, may be well-intentioned, but it is not feasible, given the current technology. A 100 percent scanning requirement could simply strangle commerce, have a significantly damaging impact on American manufacturing and cost a lot of jobs.

The international flow of containers will also be slowed as a result of the severe bottleneck in busy ports. Similarly, U.S. ports such as Long Beach, New Jersey and Los Angeles will have their congestion problems exacerbated if the international maritime community makes similar reciprocal demands on the United States.

One other important point: The backup in cargo traffic caused by 100 percent scanning could inadvertently cause a higher security risk. Major delays in inspecting and processing containers would put the cargo in

greater risk of tampering at the docks. 100 percent scanning will also bring about huge costs to port operators, shippers and ocean carriers. Costs incurred through such a requirement will eventually filter down to the very constituents that we are trying to protect. This will be essentially hurtful as consumers deal with rising prices and a weak economy.

U.S. manufacturers, large and small, have a substantial interest and concern regarding the security of our Nation's ports and the safe transport of their products. This legislation would levy counterproductive Federal mandates on industry, unnecessarily increase costs, cause massive delays and disruptions in the global supply chain and ultimately cost American jobs.

More can and should be done to secure our borders and supply chains against terrorist activities. H.R. 1, however, will impose additional cost burdens on the United States economy, both small and large, with the establishment of cargo security inspection protocols that rely simply on unproven technologies and that do not ensure security improvements that are commensurate with the expenses that would be incurred to implement these programs. This legislation will add uncertainty and costs to the international supply chain, severely impacting the flow of legitimate trade, but with little demonstrative improvement in security.

My colleagues, there is an alternative approach which has broader international consensus, and that is a risk-based approach, coupled with the concept of total supply security along the chain. Such an approach, where all stakeholders in the supply chain undertake security measures to protect their cargo, is less duplicative and more holistic. A layered, risk-based, targeted approach to cargo security, rather than a one-size-fits-all, such as in H.R. 1, will provide more effective security with better utilization of limited resources.

□ 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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So, my colleagues, striking the proper balance between security needs and the free flow of legitimate trade will continue to be a challenge that will face all of us into the future. Unfortunately, slowing the international supply chain and adding significant costs by implementing unproven technologies is not consistent with the challenge today.

Congress should rethink cargo screening mandates in H.R. 1 before more time, money and limited resources are wasted by the Department of Homeland Security.

HAVING HONEST, MEANINGFUL DEBATE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 5 minutes.

Mr. GOHMERT. Madam Speaker, I appreciate, as always, the chance to address the House.

You know, two days before the President gave his speech here to the joint session last Wednesday, the President was on television, and I watched and typed up his comments, and he talked about the critics of his health care plan, including me as a critic of what I understand his health care plan to be. And the President said these exact words.

He said, "You have heard the lies. I have got a question for all those folks. What are you going to do? What's your answer? What's your solution? And, you know what? They don't have one."

That is simply not true. It is so difficult to try to have a meaningful debate over a bill, and even as I have, take H.R. 3200, the bill we have been given, and read directly out loud from that bill to show what it actually says, and then have the President of the United States call critics of the bill liars. We are lying. You have heard our lies.

He keeps talking about "his plan," "his bill," "this plan," "this bill." Then he came over as a guest here in the Chamber. Now, some people don't understand why the President speaks from the lower podium rather than the upper podium. It is because this is the People's House. He is an invited guest into this House, and that is why he is at the lower podium.

We were given just excerpts just minutes before the speech started, and that came by Blackberry, by e-mail, because we were told there was simply not time to get us a copy of the speech, as has always been done in a joint session any time I have been here in the last 4½ years, and I am told that has been the tradition. It is not a right, so nobody made demands. But imagine our surprise when we look up here in the gallery and see that every reporter appeared to have an entire transcript that they looked through as they went through his bill.

But I kept seeing in the transcript of the brief excerpts we were given the President referring to "the plan," "this

plan," "our plan," "this bill," and again "this plan," without telling us what bill he is talking about if it is not H.R. 3200.

How do you have debate on a bill that is not the one before you? And there was debate all the next day among people. Is he embracing H.R. 3200? Some thought he was. Some thought he wasn't. Well, what bill? He says he is going to call us out if we misrepresent "his bill."

Tell us, Madam Speaker, we need to be told what the bill is before we can be called out as misrepresenting it. I would try read from the bill, if you would tell us what it is.

He also said in that speech, and I will read from the excerpt we were given, he said, "If you come to me with a serious set of proposals, I will be there to listen. My door is always open."

Well, I talked to my congressional friend TOM PRICE, who says he has been trying week after week to get to come talk to the President about his serious proposal. He has got a great one. I have a proposal. We have called over. And I am not going to call the President a liar, because I believe he knows his door is open. The problem is there are these massive gates and heavily armed guards between us and that open door that he says that is open to us.

Anyway, we had the Speaker of the House previously this year say the CIA lied. Now, of course, we have had the President say that we have spread lies. And they both used that "L" word.

We have been told that abortion is not covered, and everybody should know, especially people brilliant like the President, if it is not specifically excluded, it is included.

The President told the CIA they were not going to be pursued over the interrogations, that he had their back. I am not going to say he lied, because he didn't say whether he was going to stab it or protect it.

But it is time for the President and our leadership over here to quit using the "L" word, because that "L" word goes down in our well, and as my late mother used to say, Madam Speaker, what is in the well will come up in the bucket.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 42 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LARSEN of Washington) at 2 p.m.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Eternal Father, strong to save, You are ever faithful in Your love and concern for us all. In turn, You ask us to be faithful, listening to Your word and taking it to heart.

You require us to be faithful to our commitments, to Your commandments, to each other and those we serve in Your holy name.

Forgive our faults and failures. Help us to learn from our mistakes. May we recognize personal shortcomings so to make us all the more understanding of others.

May Your forgiveness free us to live a new life and be more forgiving. Thus may Your compassion for the poor, the weak and the alienated, Lord, guide us now and forever.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Texas (Mr. GOHMERT) come forward and lead the House in the Pledge of Allegiance.

Mr. GOHMERT led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

HEALTH CARE REFORM FOR ALL AMERICANS

(Mr. SABLAN asked and was given permission to address the House for 1 minute.)

Mr. SABLAN. Mr. Speaker, in his recent speech to the House and Senate, President Obama stated that leaving Americans without health insurance is wrong and "should not happen in the United States of America."

I could not agree more strongly with our President. When it is accessible and affordable, health care ensures high quality of life, helps families, and saves life.

In my home, the Northern Mariana Islands, our health care system is sorely in need of improvement. But the current health care bills being debated in the House and Senate exclude the U.S. territories from the exchange and affordability credits, denying the men, women, and children living there the benefits their fellow citizens will enjoy.

Mr. Speaker, to quote our President, this is wrong, and it should not happen in the United States of America.

I ask for the support of my colleagues in bringing health care reform