

this bill over the last 3 years. And I would like to thank Mr. TERRY for the remarks that he made about the legislation.

This really is a very simple bill. It started out as a one-page bill, it's now maybe two and a few lines. It was never drafted with the intent that it would solve some of the great, great challenges that are facing our country. It is a small bill, but it is consumer friendly. And it does recognize the complaints that the American people have registered with the FCC over the last 50 years; in fact, it's been the top complaint.

I want to thank the broadcasters for working with us, for those that came up with the technology, the technology standard that will be the national standard for broadcasters, satellite and cable.

Again, I would like to thank all that were involved in this and urge my colleagues to vote for this bill. I think that we will have more peace in homes across the country, as Mr. TERRY described it.

Mr. GENE GREEN of Texas. Mr. Speaker, I am an original cosponsor of the House companion to the bill we are considering today.

I appreciate the leadership shown by Congresswoman ESHOO, who introduced the CALM Act and moved it through our committee and saw it passed by voice vote on the floor late last year.

I am pleased we have the opportunity to consider these measures once again, because I believe it is important to set some boundaries for reasonable practices for television advertisements.

Perhaps only during the Super Bowl do Americans actually look forward to television commercials.

The rest of the time, most of us are mildly inconvenienced but understand that this short time spent watching ads allows for the programming we enjoy.

What has become increasingly prevalent and extremely disruptive is the distinctly higher volume of sound of these commercials compared with the volume of the programming. There is a significant difference and it interferes with the viewer's ability to enjoy the experience.

This bill will effectively end this discrepancy in volume.

I believe that this is reasonable regulation and preserves the viewers' ability to control their own electronic devices without wildly fluctuating sound.

I urge my colleagues to support this bill.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. ESHOO) that the House suspend the rules and pass the bill, S. 2847.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. TERRY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the

Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

□ 1840

#### CONDEMNING NORTH KOREA FOR ATTACK AGAINST SOUTH KOREA

Mr. BERMAN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1735) condemning North Korea in the strongest terms for its unprovoked military attack against South Korea on November 23, 2010.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

##### H. RES. 1735

Whereas Yeonpyeong Island is a South Korean island in the Yellow Sea, inhabited by over 1,000 South Korean civilians and military personnel;

Whereas, on November 23, 2010, at approximately 2:34 p.m. local time, the North Korean military began firing artillery shells at Yeonpyeong Island;

Whereas North Korea fired over 100 artillery shells, causing considerable harm and damage;

Whereas the artillery barrage killed 2 South Korean marines, 2 civilians, and wounded at least 19 others;

Whereas the USS George Washington Carrier Strike Group is conducting exercises with Republic of Korea naval forces in the waters west of the Korean Peninsula;

Whereas North Korea's shelling of Yeonpyeong Island follows the hostile torpedo attack against the South Korean naval vessel Cheonan on March 26, 2010, that killed 46 sailors;

Whereas the North Korean artillery barrage was one of the most serious attacks on civilians since the Korean War, and press reports indicate the highest levels of North Korea's government ordered the attack;

Whereas the recent disclosure of a newly operational North Korean uranium enrichment plant is a violation of United Nations Security Council Resolutions 1695 (2006), 1718 (2006), and 1874 (2009); and

Whereas the United States is firmly committed to the defense of South Korea and to the maintenance of regional peace and stability: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) condemns North Korea in the strongest terms for its unprovoked military attack against South Korea in violation of the Korean War Armistice Agreement and for causing civilian casualties;

(2) calls for North Korea to renounce further acts of aggression and abide by the terms of the Korean War Armistice Agreement and its international obligations;

(3) expresses its deep condolences and sympathy to the South Korean victims and their families;

(4) stands in solidarity with the people and Government of the Republic of Korea at this time of national crisis;

(5) reaffirms its strong commitment to the alliance between the United States and the Republic of Korea, the security of South Korea, and stability on the Korean Peninsula;

(6) supports further close, security cooperation between the United States and the Republic of Korea;

(7) encourages continued dialogue and cooperation between the United States and

United States allies and other countries in the region in the interests of enhancing peace and security in the Asia-Pacific region;

(8) calls on China to restrain North Korea, its treaty ally, from further acts of belligerence and to work constructively with the international community to promote regional stability;

(9) calls upon North Korea to immediately cease any and all uranium enrichment activities and take concrete steps to dismantle, under international verification and assistance, all sensitive nuclear facilities, in accordance with United Nations Security Council Resolutions 1695 (2006), 1718 (2006), and 1874 (2009); and

(10) urges responsible nations to abide by United Nations Security Council Resolutions 1695, 1718, and 1874, and to fully implement the sanctions and other obligations contained therein.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. BERMAN) and the gentleman from Texas (Mr. POE) each will control 20 minutes.

The Chair recognizes the gentleman from California.

##### GENERAL LEAVE

Mr. BERMAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BERMAN. Mr. Speaker, I rise in strong support of this resolution, and I yield myself such time as I may consume.

A little over a week ago on November 23, North Korea launched a brazen daytime artillery barrage on a South Korean island inhabited by civilians. North Korea fired over 100 rounds at Yeonpyeong Island, killing two South Korean civilians and two young Marines. The shelling also caused considerable damage to the island.

This provocative military act by North Korea was one of the most serious attacks involving civilians since the end of the Korean War and is in violation of the Armistice Agreement.

This bipartisan resolution strongly condemns North Korea's unprovoked attack, calls on the North to renounce further acts of aggression and abide by the terms of the Armistice Agreement.

I would also like to express my deepest sympathies and condolences to the South Korean victims and their families.

This resolution expresses the House of Representatives' firm solidarity with the people and the government of South Korea. We stand shoulder-to-shoulder with them at this time of national crisis.

This resolution also expresses support for the continued close security cooperation between the United States and South Korea and for the alliance between our two nations. Indeed, a U.S. aircraft carrier strike group is currently conducting exercises with the

South Korean Navy in waters west of the Korean Peninsula. This exercise demonstrates the strength of the alliance and of U.S. commitment to regional stability through deterrence.

The United States is committed to the security of South Korea, maintaining stability on the Korean Peninsula, and ensuring peace in Northeast Asia. We are ready to encourage cooperation and dialogue with our allies and other countries in the region to promote peace and security in the Asia-Pacific.

Last week's artillery attack was just the latest in a long line of provocations by North Korea. The recent revelations about a new North Korean uranium enrichment facility are very troubling, as it will enable North Korea to again expand its nuclear arsenal.

The construction of this enrichment facility is a clear violation of Security Council resolutions that were passed in 2006 and 2009. We call on North Korea to cease its uranium enrichment activities, take concrete steps to dismantle all of its nuclear facilities, and fully and transparently abide by the relevant Security Council resolutions.

Finally, this resolution urges China to restrain North Korea from further acts of belligerence and to work constructively with the rest of the world to promote lasting peace on the Korean Peninsula and stability in Northeast Asia.

A longtime treaty ally of the North, China can clearly exercise significant leverage on that nation. No one wants to see another war on the Korean Peninsula, but North Korea must understand that its actions have consequences, that it cannot violate the Armistice, kill innocent civilians and break its international obligations.

I urge all of my colleagues to support this resolution.

I reserve the balance of my time.

Mr. POE of Texas. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong, vigorous support of this resolution condemning the continued belligerent behavior of North Korea. Pyongyang's brinkmanship threatens the peace and security of not only the Korean Peninsula but the whole region.

The artillery shelling of a South Korean island last week was the first such attack directed at civilians since the Korean War in the 1950s. We join our South Korean allies in mourning the deaths of both civilians and young Marines and offer our sincere condolences to the victims' families.

In addressing another Korean crisis, as a presidential candidate almost six decades ago, Dwight Eisenhower said, "In this anxious autumn for America one fact looms above all others in our people's minds. One tragedy challenges all men dedicated to the work of peace. This word is Korea."

For the shelling which we condemn today, and the treacherous attack on civilians, is merely the tip of the North Korean spear of hostility.

Another revelation came a mere week earlier of a North Korean secret uranium enrichment plant, a revelation described by a visiting American physicist as "stunning."

The plant also laid bare the duplicity, deceit, and treachery with which North Korea has approached the whole denuclearization issue for the past 20 years.

The unconscionable revelations of classified information in the past few days by WikiLeaks have nonetheless opened our eyes to the full extent of the North Korean cooperation with the little tyrant from the desert, Ahmadinejad, and the Iranian regime on missile technology. Thanks to Pyongyang's proliferation, Iranian warheads, possibly carrying a nuclear payload, can now reach American allies in the Middle East and even as far away as Europe.

We have also learned that Air Iran transports landed at a Beijing airport to carry missile equipment from North Korea to Iran. There is indeed a North Korean-Iranian axis of evil with malice toward mankind. Its linkage runs right through the heart of Beijing, China.

Does China, a permanent member of the U.N. Security Council, have no guilt or have no shame when it blatantly disregards the Security Council's resolutions directed at both Pyongyang and Tehran?

In that anxious autumn of 1952, Dwight Eisenhower pointed to his World War II experience as a roadmap for dealing with the dictators of Pyongyang. "I know something of this totalitarian mind," the General said. "Through the years of World War II, I carried a heavy burden of decision in the free world's crusade against the tyranny then threatening us all."

"World War II should have taught us all one lesson. The lesson is this: to vacillate, to hesitate, to appease—even by merely betraying unsteady purpose—is to feed the dictator's appetite for conquest and to invite war itself."

Without firm resolve, more Six Party tea parties in Beijing, as proposed by China, will prove as meaningless as those that have occurred in the past. Beijing must come to understand and clearly demonstrate that it will no longer provide diplomatic, economic, and even military cover for Pyongyang's dangerously recklessly behavior.

From the Mediterranean to the Yellow Sea, through missiles and artillery, North Korea has become an increasing threat to the peace and the stability of the community of all nations. China must firmly rein in its out-of-control puppet state before events spiral completely out of control.

The risks are grave, Mr. Speaker. Our resolve must be firm as we stand with our South Korean allies in their hour of potential peril. I urge my colleagues to give their vigorous support to this resolution, which I am proud to be a cosponsor.

I reserve the balance of my time.

□ 1850

Mr. BERMAN. Mr. Speaker, I am pleased to yield 1 minute to a very distinguished member of our committee, the gentleman from Tennessee (Mr. TANNER).

Mr. TANNER. Thank you, Mr. Chairman.

I, too, want to express my appreciation for this resolution. I am proud to be a cosponsor. After this event happened, this unprovoked attack by the North on the island, my son and I communicated with a good friend of ours in Korea and learned of some of the devastation and so on. This is a serious matter. This resolution speaks in, I think, excellent detail as to what we expect in terms of activity by the North. And I want to again thank Chairman BERMAN and Mr. POE and others who have brought this to the floor.

Mr. POE of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Hawaii (Mr. DJOU).

Mr. DJOU. Mr. Speaker, I rise in strong support of this resolution.

Mr. Speaker, my congressional district potentially lies in the flight arc of North Korea's ballistic missiles. Should anything happen in the Korean Peninsula and deteriorate to war, it is the soldiers, sailors, and airmen in my congressional district at Pearl Harbor, Hickam Air Force Base, and Schofield Barracks who will be the first ones called into action on the Korean Peninsula.

The United States must make a firm and clear commitment not only to condemn these belligerent acts by North Korea, but also firmly commit our Nation to unifying the Korean Peninsula under a free, democratic, and capitalist regime. Our Nation must make a commitment to a unified, free, and capitalist Korea in the same fashion that we committed to a united, free, and capitalist Germany during the Cold War.

During this past year, the North Korean Government has shown its unwarranted, unprovoked attacks on South Korea by illegally seizing a South Korean fishing vessel and illegally sinking a South Korean naval vessel. And now the shelling of a South Korean island, unprovoked, shows that the North Korean regime cannot be trusted and must be changed.

This is why it is so important the United States commit to a quick and prompt passage of a free trade agreement between the United States and South Korea, and through the passage of this resolution. We must strengthen our bonds between the United States and South Korea to stand as a bulwark against the aggressive and repressive North Korean Government.

Mr. Speaker, I thank you for the opportunity to speak and urge passage of this resolution.

Mr. BERMAN. Mr. Speaker, I am pleased to yield 1 minute to my friend and colleague from the committee, as well as the Financial Services and Agriculture Committee, the gentleman from Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. Thank you very much, Chairman BERMAN.

This unwarranted attack by North Korea on South Korea demonstrates more than anything else the dangerous state that our world is in. It is extraordinarily important that we here in Congress condemn in the strongest possible way this act, unprovoked on the part of North Korea, and to let the people of South Korea and the people of the world know just where the United States stands. We stand strongly and firmly with our ally South Korea and condemn this unwarranted, gross, unjustified attack on South Korea. I commend Chairman BERMAN for bringing this important resolution to the floor.

Mr. POE of Texas. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey (Mr. SMITH), who is the ranking member of the Foreign Affairs Subcommittee on Africa and Global Health.

Mr. SMITH of New Jersey. I thank my good friend for yielding.

Mr. Speaker, I want to rise in strong support of H. Res. 1735, condemning North Korea's unprovoked shelling of the South Korean island of Yeonpyeong on November 23. I want to thank my good friend and colleague Chairman BERMAN and Ranking Member ILEANA ROS-LEHTINEN for introducing the resolution. And I, too, like Mr. POE and others, am very proud to be a cosponsor.

Mr. Speaker, with this resolution, we extend our deep condolences and sympathy to the families of those killed and injured in the attack. It's especially fitting that we as Americans do this since, along with the tremendous sacrifices for freedom made by the people of South Korea, we have lost tens of thousands of Americans in that same cause.

Mr. Speaker, since the shelling of Yeonpyeong Island was an act of aggression committed against an ally, the resolution also rightly affirms our alliance with South Korea, supports further cooperation on security matters, and calls on China to use its influence to restrain North Korea.

Mr. Speaker, it's important to remember that North Korea's aggression toward South Korea has almost been nonstop since 1950. It has taken the form of either full-scale war or, since 1953, sporadic shelling and shooting and skirmishing near the DMZ, or tunneling under the DMZ, or seizing the Pueblo, an American vessel, in 1968, or kidnapping South Koreans abroad, or torpedoing the Cheonan, a South Korean vessel, in March of this year.

Similarly, since 1950, the North Korean Government has treated its own citizenry with profound disrespect and outright hostility. It makes normal human relations impossible for them by creating a system in which parents and children, friends and relatives are forced to spy and report on each other—an atmosphere of total distrust, total fear, and total social atomization.

It terrorizes them into worshipping the Kims, father and son, as if they were gods. Their personality cult is the only religion permitted in North Korea. Economic life is such madness that, about 10 years ago, as many as 2 million North Koreans starved to death. And within this large gulag that is North Korea, the Kim family has created smaller, more severe gulags, Kwan-li-so prison camps, and sent an estimated 200,000 people to live or, better stated, survive in them. Here we move from the nightmare of everyday life into a veritable hell on Earth, where forced labor, near starvation, rape, and the cruelest forms of torture prevail, and forced abortion and chemical experimentation on inmates is commonplace.

Mr. Speaker, our government must continue to stand in solidarity with all those threatened and terrorized by the monstrous Government of North Korea, and with the residents of Yeonpyeong Island, and with all the people of both South and North Korea. I urge strong support for the resolution.

Mr. BERMAN. Mr. Speaker, I reserve the balance of my time.

Mr. POE of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee, Dr. ROE.

Mr. ROE of Tennessee. Mr. Speaker, I rise in strong support of this resolution condemning North Korea's act of aggression toward South Korea. Thirty-seven years ago, I was stationed in Korea, within an artillery shell of the DMZ. I have seen firsthand and up close what freedom can do. When I arrived there, it was a military dictatorship. Today, you have a market economy with a freely elected democracy that's being attacked relentlessly, as other speakers have said, by the rogue nation in the North.

I can't emphasize strong enough how important it is for us to act decisively against this act of aggression against a free nation. And I want to associate my remarks also with all of the speakers that have been here today. I also want to call on China to exert every bit of pressure they can on the rogue nation of North Korea. I urge my colleagues to support this resolution.

Mr. BERMAN. I reserve the balance of my time.

Mr. POE of Texas. I yield myself such time as I may consume.

In closing, Mr. Speaker, the United Nations reports that North Korea trades in missiles and nuclear technology with not only Syria and Iran, but even Burma. And this is a grave situation since China won't do anything, and North Korea takes our western money with the empty promises of peace, but still rattles its sabers and soon will rattle its nuclear weapons.

□ 1900

The United States must finally adopt a policy that holds both North Korea and China accountable for their belligerent actions against South Korea and the free world.

I do want to thank the chairman for bringing this strong resolution to the House floor. I urge all my colleagues to adopt this resolution.

I yield back the balance of my time.

Mr. BERMAN. Mr. Speaker, I join in asking for an "aye" vote, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BERMAN) that the House suspend the rules and agree to the resolution, H. Res. 1735.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. POE of Texas. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

#### PROVIDING FOR APPROVAL OF U.S.-AUSTRALIA NUCLEAR ENERGY AGREEMENT

Mr. TANNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6411) to provide for the approval of the Agreement Between the Government of the United States of America and the Government of Australia Concerning Peaceful Uses of Nuclear Energy.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6411

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. APPROVAL OF AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF AUSTRALIA CONCERNING PEACEFUL USES OF NUCLEAR ENERGY.

(a) IN GENERAL.—Notwithstanding the provisions for congressional consideration of a proposed agreement for cooperation in subsection d. of section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153), the Agreement Between the Government of the United States of America and the Government of Australia Concerning Peaceful Uses of Nuclear Energy, done at New York, May 4, 2010, may become effective on or after October 8, 2010, as if all the requirements in such section 123 for consideration of such agreement had been satisfied, subject to subsection (b) of this section.

(b) APPLICABILITY OF ATOMIC ENERGY ACT OF 1954 AND OTHER PROVISIONS OF LAW.—Upon coming into effect, the agreement referred to in subsection (a) shall be subject to the provisions of the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.) and any other applicable United States law as if such agreement had come into effect in accordance with the requirements of section 123 of the Atomic Energy Act of 1954.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from