eliminate many options available for debate for the minority. So this is yet again another example.

Mr. ARMEY. Mr. Speaker, reclaiming my time, I thank the gentlewoman for her comments and remind the body that indeed the Contract With America was to bring to this floor for debate and to vote on this floor 10 items that were disallowed by the prior majority.

RECESS

The SPEAKER pro tempore (Mr. SIMPSON). Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 1 o'clock and 14 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1419

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LAHOOD) at 2 o'clock and 19 minutes p.m.

MOTION TO ADJOURN

Mr. HASTINGS of Florida. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentleman from Florida (Mr. HASTINGS).

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. HASTINGS of Florida. 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. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 45, nays 378, not voting 11, as follows:

[Roll No. 262]

YEAS—45

Ackerman
Berry
Bishop
Bonior
Brown (FL)
Capuano
Clay
Conyers
Cummings
DeFazio
Dicks
Dingell
Doggett
Evans
Farr
Filner
Hastings (FL)
Hilliard
Hinchey
Hoyer
Istook
Jackson (IL)
Johnson, E. B.
Jones (OH)
McDermott
McGovern
Meek (FL)
Mink
Moran (VA)
Napolitano
Olver
Pelosi
Sanchez
Sanders
Sandlin
Simmons
Stupak
Thompson (MS)
Thune
Towns
Velazquez
Waters
Watson (CA)
Waxman
Wynn

NAYS—378

Abercrombie
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Biggert
Bilirakis
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Boozman
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dooley
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Everett
Fattah
Ferguson
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Dan
Miller, Gary
Miller, George
Miller, Jeff
Mollohan
Moore
Moran (KS)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sawyer
Saxton
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Sullivan
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Turner
Udall (CO)
Udall (NM)
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watt (NC)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Woolsey
Wu
Young (FL)

NOT VOTING—11

Clayton
Doyle
LaFalce
Obey
Riley
Roukema
Smith (MI)
Traficant
Watts (OK)
Wolf
Young (AK)

□ 1442

Ms. BERKLEY, Mrs. MCCARTHY of New York, Messrs. JONES of North Carolina, BARTLETT of Maryland, KANJORSKI, SHADEGG, Ms. PRYCE of Ohio and Mr. BOOZMAN changed their vote from ''yea'' to ''nay.''

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

RELATING TO CONSIDERATION OF SENATE AMENDMENT TO H.R. 3009, ANDEAN TRADE PROMOTION AND DRUG ERADICATION ACT

Mr. REYNOLDS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 450 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 450

Resolved, That upon adoption of this resolution the bill (H.R. 3009) to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes, with the Senate amendment thereto, be, and the same is hereby, taken from the Speaker's table to the end that the Senate amendment thereto be, and the same is hereby, agreed to with the amendment printed in the report of the Committee on Rules accompanying this resolution. The House shall be considered to have insisted on its amendment to the Senate amendment and requested a conference with the Senate thereon.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from New York (Mr. REYNOLDS) is recognized for 1 hour.

Mr. REYNOLDS. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS) pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. REYNOLDS asked and was given permission to revise and extend his remarks.)

Mr. REYNOLDS. Mr. Speaker, House Resolution 450 is a functional rule relating to the consideration of the Senate amendment to H.R. 3009 extending

the Andean Trade Preference Act. The rule allows this House to prepare for a conference with the Senate on comprehensive trade legislation.

□ 1445

The rule provides that H.R. 3009 and Senate amendment thereto shall be taken from the Speaker's table and agreed to with the amendment printed in the report of the Committee on Rules accompanying this resolution.

The rule provides that the House shall be considered to have insisted on its amendment to the Senate amendment.

Finally, the rule provides that the House shall be considered to have requested a conference with the Senate.

Mr. Speaker, my colleagues may be wondering why a rule is needed for the House to put this conference into action. The answer is really one of simplification. The House has passed its version of Trade Promotion Authority and Andean Trade while the Senate has passed its own version, including some measures the House has not singularly considered.

This rule prepares the House for conference by giving us an appropriate and equitable foothold at the bargaining table. Without this amendment and this rule, the House would be at a great disadvantage going into conference. But passing this rule will put the House at a starting point equivalent with the other Chamber so that we can best represent the needs of our constituents during the deliberations.

Mr. Speaker, while this may seem like procedural jargon, I would like to remind my colleagues that the House would not be in this position had the Senate not taken up the Andean trade bill, stripped out all the House-passed provisions, and added countless other trade items, leaving the House with no position in the conference on all these measures.

On a larger scale, this rule is needed so we can proceed with the vital trade legislation that is long overdue. Each day that we delay, other countries around the world enter into trade agreements without us, gradually surrounding the United States with a network of trade agreements that benefit their workers, their farmers, their businesses, and their economies at the expense of ours.

How important is this to American jobs and the American economy? In my home State, international trade is a primary generator of business and job growth. In the Buffalo area, the highest manufacturing employment sectors are also among the State's top merchandise export industries, including electronics, fabricated metals, industrial machinery, transportation equipment, and food and food products. Consequently, as exports increase, employment in these sectors will also increase.

In the Rochester area, companies like IBM and Kodak play a significant impact on the local economy and employment, and they will benefit directly from increased exports and international sales that will result from new trade agreements and open markets negotiated under Trade Promotion Authority.

For example, about one in every five Kodak jobs in the United States depends on exports. New trade agreements are needed to break down foreign barriers and keep American made goods competitive overseas as well as opening up foreign markets to domestic companies.

From family farms to high-tech start-ups to established businesses and manufacturers, increasing free and fair trade will keep our economy going and creating jobs in our economy. And let us not forget the significant impact free trade can have on spreading democracy and democratic ideals across the globe.

As America perseveres in the war on terrorism, expanding global trade and heightening our role in global trade means greater economic prosperity and opportunities for Americans and our neighbors worldwide.

Let us also not forget that the rest of the world is not waiting while the United States putters along. Trade Promotion Authority offers the best chance for the United States to reclaim leadership in the opening of foreign markets, expanding global economic opportunities for American producers and workers, and developing the virtues of democracy around the world.

While long overdue, this is the right thing for America. Mr. Speaker, I strongly urge my colleagues to support this resolution.

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

Mr. HASTINGS of Florida. Mr. Speaker, I thank the gentleman from New York (Mr. REYNOLDS) for yielding me this time, and I yield myself such time as I may consume.

Mr. Speaker, it is no wonder the American people have such disdain for politicians. The Republican leadership's rule this afternoon is the perfect example of back-room deals gone wrong, legislating under the cloak of darkness, and accountability at its most pernicious. The leadership has brought us a rule that not only structures the terms of debate but actually legislates within the rule.

My colleagues will hear from the distinguished chairman of the Committee on Ways and Means that much of this amendment has already passed the House. That is true, much has, but much has not. What we are being asked to do today is to not only weaken U.S. trade laws, and this clearly does that, but to completely eviscerate the regular order of procedures in this House.

At the Committee on Rules last week, not one member there could remember a time when the House had attempted such chicanery. The gentleman from California (Mr. DREIER), the chairman of the Committee on Rules, said, and I quote, ''It was unusual.'' Even the gentleman from California (Mr. THOMAS), the chairman of the Committee on Ways and Means, admitted that, quote, ''It was unprecedented.''

So how did we get here? Well, if we are to believe the chairman of the Committee on Ways and Means, it is because of what the other Chamber has done to our House-passed trade bills. Last week, the chairman accused the other body of all sorts of underhanded legislative witchcraft. And how do we answer that in the House? With our own Harry Potter-like sorcery.

If we consider the Senate action, as Chairman Thomas did, as a raw, and I quote him, political power play, then just what is it that we are doing? I mean, give me a break. This is theater of the absurd. It would not have surprised me if this bill was brought to us by Congressman George Orwell: up is down, war is peace. And this is serious legislation? I do not think so.

Is the House understanding this? If this rule passes, we will be giving the nine majority members of the Committee on Rules the power to legislate on all matters of jurisdiction within this House without the full House ever truly working its will. They are attempting to add the language of H.R. 3010, relating to the general system of preferences, to this rule, and having it considered as passed. This bill has never passed the House.

No matter. If it is an important trade bill that does not require full-House consideration today, why not a prescription drug bill tomorrow? Why not just take a Senate amendment to a House bill, amend it with all sorts of tinsel and ornaments, and bring it back to the House floor along with other legislation that would not have otherwise seen the light of day? This is outrageous.

Now, let us look seriously at how the House rule today undermines trade and the American family. First, as it relates to hardworking people who lose their jobs because their job is sent elsewhere or their employer closes the American factory to move to some far-off place, the Senate-passed bill includes much stronger language to help these types of workers.

Specifically as it relates to the health care provisions, the House amendment undermine's the Senate Trade Adjustment Act assistance by reducing the level of support from 70 percent to 60 percent. The House provision adds a means-testing requirement based on prior-year income and providing unusable tax credit to retired steelworkers for use in the private insurance market.

Under the gentleman from California's (Mr. THOMAS) plan, TAA and steelworker health care benefits would be severely limited in availability and cost too much for most workers to afford. Moreover the other body's bill would include other industries besides steelworkers and other suppliers. Farmers, for instance, a very large

group in my district in south Florida, would gain from the other body's bill. Fishermen, oil and gas producers, other raw goods suppliers, all good examples of hard-working people that stand to benefit under the compromise reached between the Senate and the Bush administration and all of whom stand to lose under the amendment the House is considering right now.

It is just this simple. One had better be the exact right person to get any sort of benefit from this House bill. This is what we are doing to the American people today. I am embarrassed, as rightly all of us should be.

Another interesting part of this amendment this afternoon is its inclusion of the so-called DeMint language. I found it passing strange that this language is in here in the first place. Not long ago, the gentleman from California (Mr. THOMAS), chairman of the Committee on Ways and Means, objected, and strongly objected, to this language. He said he did not like it and would not defend it, and yet it is here today. Why? Let me borrow another of the chairman's phrases from last week when he was alluding to the other body's actions, but equally useful here, ''It is a raw political power play.''

Rank politics is rank politics. It does not matter if it is in the House, in the other body, or where this rule belongs, somewhere out in the gutter.

I urge my colleagues to reject this odious rule.

Mr. Speaker, I reserve the balance of our time.

Mr. REYNOLDS. Mr. Speaker, I yield myself such time as I may consume.

Just want to remind the gentleman from Florida (Mr. HASTINGS), my colleague on the Committee on Rules, each day he brings a motion to make something in order, he is actually legislating in the Committee on Rules on legislation that he would like to see the Committee on Rules intertwine into legislation coming from committees of jurisdiction. I also want to take this time to remind all of the body that in the past the Committee on Rules has allowed rules providing the following: motions to go to conference, disposition of Senate amendments, allowing for amendments to the Senate amendments, and nothing on this legislation is binding on the Senate.

But just because we put it all in one package does not mean that we cannot do something somewhat unprecedented. We should look at the fact that the rulings of this House are deliberately crafted to permit flexibility for unique instances such as this and when the question comes from my colleagues on other side how did we get here, we got here because the Senate stripped all of the House language and sent it back. We are now having an opportunity to level the playing field of this House as this goes to conference.

Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. THOMAS).

(Mr. THOMAS asked and was given permission to revise and extend his remarks.)

Mr. THOMAS. Mr. Speaker, I thank my friend from Florida for stating the case; and the case is, as he indicated, we are asking the House to include in this rule to go to conference 191 pages. That is absolutely correct. Out of the 191 pages, more than 165 of them, over 80 percent, have already been passed by the House, some of these pieces more than 6 months ago.

But what the Senate did was to take the House-passed Andean trade bill which passed by a voice vote, it was so broadly supported, there was no recorded vote and it passed by a bipartisan vote. That Andean bill is 40 pages. That is what they sent us to go to conference. Under the rules of conference, that was what the House would have in front of us. What the Senate did was to pass 374 pages. This is what the Senate goes to conference with. How many of these pages have previously passed the Senate like the more than 80 percent of ours? Absolutely not one. So what the gentleman from Florida wants the House to do is to go to conference with this to battle the Senate against this, and what we are saying is let us just make it a little bit fair.

PARLIAMENTARY INQUIRY

Mr. McDERMOTT. Mr. Speaker.

The SPEAKER pro tempore (Mr. LAHOOD). Will the gentleman from California yield for the parliamentary inquiry?

Mr. THOMAS. Certainly, for parliamentary inquiry.

The SPEAKER pro tempore. Does the gentleman from California (Mr. THOMAS) yield for that purpose?

Mr. THOMAS. Is it my time?

The SPEAKER pro tempore. The gentleman has the right to yield.

Mr. THOMAS. Is it coming out of my time?

The SPEAKER pro tempore. The gentleman from California's time.

Mr. THOMAS. No, I will not yield for a parliamentary inquiry on my time.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. THOMAS. I appreciate the gentleman from Florida's (Mr. HASTINGS) attempt to stop the rhythm, but the rhythm will not change when what they want us to do is to go to conference on one bill when the Senate put 15 different bills together. These are all within the scope of the conference. The Senate has these in front of the conference, and the House of Representatives would have only 40 pages.

POINT OF ORDER

Mr. RANGEL. Mr. Speaker, the gentleman is referring to the other body. That is a violation of the House rules.

The SPEAKER pro tempore. The gentleman from California will suspend.

Mr. RANGEL. The gentleman is violating the House rules by referring to the other body.

I ask to be recognized by the Chair. Regular order. Parliamentary inquiry. Point of order.

□ 1500

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from New York (Mr. RANGEL) is recognized.

Mr. RANGEL. Mr. Speaker, I say that the gentleman from California (Mr. THOMAS) is violating the House rules by referring to the other body, and ask for a ruling.

The SPEAKER pro tempore. The Chair advises that Members may describe actions of the other body factually on a matter pending before the House, but they may not characterize such action. The gentleman from California has not characterized Senate action.

Mr. THOMAS. Mr. Speaker, I did not characterize. I indicated factually what the Senate was doing; and would Members notice, I have had two consecutive interruptions on parliamentary procedure which were both wrong and simply an attempt to cover up the facts because they will not be able to argue on the substance.

These 191 pages are 80 percent passed already by the House. These 374 pages by the Senate had not passed the House until they put it together this way. The institution of the House should not go to a conference with the Senate unilaterally disarming. That is wrong institutionally.

All this rule does is put bills that we have passed previously together so we can have our bills in front of the conference, as the Senate has as well. Members might learn something from this. We can actually say what we need to do in 191 pages; the Senate needs 374.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. RANGEL), a member of the Committee on Ways and Means.

(Mr. RANGEL asked and was given permission to revise and extend his remarks.)

Mr. RANGEL. Mr. Speaker, I wish the gentleman from California (Mr. THOMAS) would share with me those 191 pages, because the gentleman's admission on this floor means that they are prepared to just tear up the House rules. Just saying that 20 percent of it has not been passed by the House is like saying someone is half pregnant.

Mr. Speaker, what gives the gentleman of the Committee on Ways and Means the right to decide what is going to go to conference with the so-called other body?

Whatever happened to House conferees going into conference with the other body and saying we will not tolerate the other body taking over our jurisdiction? Do we have to make up legislation and say, hey, act like this has passed because when we meet with the other body, or the Senate, as the gentleman calls them, we get weak-kneed.

If we do not have any legislation passed, we make it up as we go along. Sure, 80 percent of the 191 pages are cats and dogs that we passed at one time or the other. So that should give

us a little more weight in terms of the paper, if not the intellect, that we take to the conference.

But the other part, why did not the distinguished chairman from California share with us what he made up? He certainly did not make it up in the committee. He did not make it up on the House floor. Even Republicans do not know what is in it, but we should really count on the chairman of the Committee on Ways and Means to go in conference with, what, 20 percent of paper that he brings to the Committee on Rules to legislate.

What does it mean? That we do not need any more committees? We do not need subcommittees? We do not need legislation on the floor, just hope and pray Members can get on the Committee on Rules and be on the majority because they will be able to not only legislate but dictate what goes into conference.

Mr. Speaker, I submit this is not just an insult to the members of the Committee on Ways and Means, this is not just an insult to the House rules and traditions, it is an insult to the American people.

Mr. REYNOLDS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I remind Members that there is nothing in this rule that is binding on the Senate or the conference committee.

Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. CRANE), a leading expert on trade in America.

Mr. CRANE. Mr. Speaker, I rise in strong support of the rule which provides a motion to go to conference on the omnibus trade package approved by the Senate on May 23. Today's vote is a procedural vote that puts the House in the best position to negotiate the most solid conference agreement.

I am gratified that the Senate has finally acted on H.R. 3009, the Andean Trade Promotion and Drug Eradication Act. I agree with the President that this bill is central to U.S. national security and our efforts to combat drug trafficking both here in the United States and in the Andean region. We need this critical legislation to expand U.S. trade and to help Andean entrepreneurs find practical and profitable alternatives to cultivating crops for the production of illicit drugs.

Trade promotion authority is about arming President Bush and his team with the authority to achieve trade agreements written in the best interest of U.S. farmers, companies and workers. It assures that the President will negotiate according to clearly defined goals and objectives written by Congress.

The House TPA bill strikes a two-way partnership between the President and Congress on our common objective for international trade negotiations in which the U.S. participates. Its passage will ensure that the world knows that Americans speak with one voice on issues vital to our economic security.

I am also supportive of conferencing with the Senate on the extension of the generalized system of preferences, which expired 9 months ago.

Trade adjustment assistance plays an important role in helping workers and the economy adjust themselves to the new economic environment fostered by trade, and I support a bipartisan package that helps American workers adjust and builds a better, stronger economy.

Reauthorization of Customs and the other trade agencies will provide resources in the war against terrorism, drugs and international child pornography. We also facilitate trade by directing funds towards Customs' new computer system; and we help Customs protect our borders by giving them better, more sophisticated inspection equipment and legal tools to collect critical data.

This conference provides us an opportunity to send an important signal that the United States is committed to our trading partners around the world, to U.S. workers here at home, and to the global trading system in general. I encourage Members to vote yes on the motion to go to conference.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. LEVIN).

(Mr. LEVIN asked and was given permission to revise and extend his remarks.)

Mr. LEVIN. Mr. Speaker, let no one be fooled by what is going on here today. This is horrible process, but it is a smoke screen on substance. It is not to level the playing field; it is to rig it.

Members who vote for this will be voting for provisions that never went through any committee: TAA, DeMint, a $50 million dispute fine fund.

Any Member who votes for this is going to be voting against meaningful TAA and health care provisions. They are going to be voting for foreign investors to have greater rights than U.S. investors. They are going to vote to renege on our CBI commitments, and they are going to be voting to strip Dayton-Craig.

Mr. Speaker, just a few days ago, 18 Republicans wrote a letter to the Speaker saying we support Dayton-Craig. Members who vote today for this bill are voting to take it out.

Look, Members are voting with this bill to destroy Senate provisions. This House got off on the wrong foot 6 months ago on a very partisan basis. This is a further misstep. We cannot build viable trade policy on a partisan basis. We would be building it on sand. Today, the other side is pouring more sand under a viable trade policy.

For reasons of process and for substance, I urge Members to vote against this rule. It is a bill with a rule wrapped around it. Members are voting to undercut what was in the Senate provision and voting to say to House Members, go and fight sound, viable trade policy. Vote no.

Mr. REYNOLDS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in the history of this House, I do not believe there has ever been a time when the House has stripped language from the Senate. As we move forward here, we have an opportunity to correct a wrong that has occurred on the Senate with us.

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

Mr. HASTINGS of Florida. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Ms. SLAUGHTER).

Ms. SLAUGHTER. Mr. Speaker, as a member of the Committee on Rules, I am extremely troubled by the lengths to which the majority has gone to block a real debate on trade. This self-executing rule denies us the opportunity to debate, amend or offer a substitute; and if this resolution passes, the bill passes.

Last week, before the Committee on Rules, the leadership kept insisting that this 191-page document is necessary to ensure that the House is not steamrolled by the Senate in the conference committee. If so, then this rule should simply strip away the Senate provisions.

This measure does not leave us with legislation identical to what the House passed by a one-vote margin. It actually alters the substance of the Senate version and in some ways weakens our current trade laws.

With all due respect, I have all the confidence in the world that the Members we send to conference will be tenacious, so what is the chairman afraid of? A real debate? That Members of the body actually reading this document might have some questions or objections?

Mr. Speaker, I know first hand about the sometime high price of trade. In the Rochester, New York, area and throughout upstate New York, I hear constantly from constituents who no longer, but used to have, well-paying, stable jobs with well-established American firms.

This rule places new hurdles in front of unemployed families struggling to maintain health care coverage. It reduces the health care tax credit to 60 percent and means tested based on the prior year's income. It simply short-changes American workers.

Mr. Speaker, I also believe the omission of the Dayton-Craig provision signals to our trading partners that the U.S. is ready to cave on U.S. trade remedy laws, and that is absolutely the wrong message.

Moreover, the rule further undermines our trade laws by including new language that undermines our existing anti-dumping laws. The inclusion of language subjecting ''abusive'' anti-dumping laws of our trading partners to negotiations actually undermines our efforts to rigorously enforce our anti-dumping trade laws.

If we ask our trading partners to put their anti-dumping laws on the table, we open the door to doing the same.

Mr. Speaker, I strongly urge my colleagues to defeat this rule. It denies Members from engaging in a real trade

debate on issues that affect real Americans.

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

Mr. HASTINGS of Florida. Mr. Speaker, I yield 1½ minutes to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I call upon Members of the House to have self-respect for this institution and for our rules and for our process. This is called a self-executing rule. It is an unfair rule.

Let me read from the chairman of the Committee on Rules, the predecessor to the gentleman from California (Mr. DREIER). He said, ''The guiding principles will be openness and fairness. The Rules Committee will no longer rig the procedure to contrive a predetermined outcome. From now on, the Committee on Rules will clear the stage for debate, and let the House work its will.''

This is a self-executing rule. It executes fairness. It executes good process. It executes bipartisanship. It executes comity. It executes trust. It executes opportunity for partnership on this critical issue.

Mr. DREIER. Mr. Speaker, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from California.

□ 1515

Mr. DREIER. I thank my friend for yielding. There is absolutely nothing whatsoever in this that is self-enacting. All we are trying to do is strengthen the hand of those negotiators. My friend does understand the procedures of this House and the rules of this House. Nothing is self-enacting in this rule at all.

Mr. HOYER. Reclaiming my time, what the gentleman seeks to do is create an unfair advantage for the Republican negotiators in the conference. That is what he seeks to do. He executes fairness, bipartisanship, good process, and an opportunity to provide for the bipartisan consideration of this issue. The gentleman and I have been together oftentimes on these kinds of issues. He makes a mistake. The Committee on Rules makes a mistake.

My colleagues, do not compound that mistake. Reject this rule.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LAHOOD). The Chair would appreciate it if Members would abide by the Chair's announcement of time having expired.

Mr. REYNOLDS. Mr. Speaker, I yield myself such time as I may consume.

I just told the chairman of the Committee on Rules, I think we have put the previous speaker down as ''undecided.''

I want to point out as we listened a little earlier from my colleague on the Committee on Rules, it becomes very important as we look at why we are here today, why this debate will go on. My colleague from New York asked why this rule could not simply strip out the Senate language. As a fellow member of the Committee on Rules, the gentlewoman knows full well that the House cannot strip the Senate position. At the very least, we can try to make the House position equitable, as the chairman of the Committee on Rules has just previously tried to outline. That is why we are here today doing what we are today, to give the House an equitable position at the bargaining table of the conference.

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

Mr. HASTINGS of Florida. Mr. Speaker, once again I ask that the Speaker advise the respective parties how much time remains.

The SPEAKER pro tempore. The gentleman from Florida has 16½ minutes and the gentleman from New York has 19½ minutes.

Mr. HASTINGS of Florida. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Ohio (Mr. BROWN), my colleague that I came here with and we hope to stay here.

Mr. BROWN of Ohio. Mr. Speaker, let us call this vote what it is. This is a brand-new fast track bill. Rules do not include 191 pages of never-before-considered legislative changes to a bill that passed the House by a single, weeping, arm-twisted vote.

No one here can remember any rule that has ever employed the procedural deceptiveness of this rule. No hearings on these provisions. No opportunity to offer amendments. No opportunity for substantive debate.

Members are being asked to accept that the chairman of the Committee on Ways and Means is the best judge of the needs and concerns of House Members and their constituents. Right.

This rule would only complicate efforts to convene a cooperative, bipartisan conference on fast track. Defeat the rule.

Mr. REYNOLDS. Mr. Speaker, I yield myself such time as I may consume.

I just want to remind my colleagues that while we do have a 190-page amendment before us, the Senate and what some of the Members of this body would like to have happen is that we just address 374 pages that the Senate did while they stripped out the House language. I also want to remind my colleagues both here and throughout the offices that the majority of this legislation has passed the House, some as long as 6 months ago. Members certainly would have read it thoroughly before voting on it when it came to the floor.

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

Mr. HASTINGS of Florida. Mr. Speaker, I am pleased to yield 1¼ minutes to the distinguished gentlewoman from California (Ms. ESHOO).

Ms. ESHOO. Mr. Speaker, I thank my colleague for yielding me this time.

I rise today in opposition to this self-executing rule and specifically because of the trade adjustment provisions in it. The TAA provisions in this bill are vastly different than the compromise reached by the Senate and the Bush administration. I know the TAA provisions very well, along with the gentleman from Texas (Mr. BENTSEN), because we wrote and carried the legislation in the House of Representatives. The compromise that was reached was historic in that it recognizes the duality to trade and the need to deal with the downsides of it in a very real 21st-century way.

The Senate-White House compromise provides health care for all displaced workers at 70 percent while the Thomas bill legislates on this rule a means-tested situation based on income and the largest benefit would be 60 percent if an individual makes less than $20,000. The Senate-White House compromise provides an additional $150 million for worker training. This GOP provision only provides for an additional $30 million.

When I was growing up, the nuns used to mark the report card in a very important way. That was for conduct. I give my colleagues on the other side of the aisle an F for conduct on how you have conducted yourself on this rule. You are squandering a political opportunity for the people of this country. I urge my colleagues to vote against it.

Mr. REYNOLDS. Mr. Speaker, it is important to remind the gentlewoman that the structures referred to on TAA passed this House twice.

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

Mr. HASTINGS of Florida. Mr. Speaker, I yield 15 seconds to the gentleman from Michigan (Mr. LEVIN).

Mr. LEVIN. Mr. Speaker, all that passed here was an extension of TAA, and for the gentleman to get up here and say otherwise is simply wrong. We did not consider anything but the very, very continuation of the present structure for a short period of time.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. PASCRELL).

(Mr. PASCRELL asked and was given permission to revise and extend his remarks.)

Mr. PASCRELL. Mr. Speaker, article 1, section 8 of the United States Constitution states very clearly that the Congress shall have power to lay and collect taxes, duties, imposts and excises. If we vote ''yes'' on this rule today, the House will be on record abdicating yet another constitutionally granted right. This undermines the Congress; this undermines this institution as a separate and coequal branch of government. In fact, one could question whether we have the right to do it.

In 1980, a President of the United States taxed oil and the courts overruled him. We do not have the power to surrender this right now. Edmund Randolph put it all very nicely. He worried about the executive power, calling it ''the fetus of monarchy.''

What you are doing is running down this institution, not only by the process but what you want the end product

to be. We are a people's house and should represent the people of the United States in every one of our districts.

Mr. REYNOLDS. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. THOMAS), the chairman of the Committee on Ways and Means, the committee that has jurisdiction on trade matters.

Mr. THOMAS. I thank the gentleman for yielding time.

Mr. Speaker, some of us over here are somewhat baffled because, as we had stated earlier, more than 160 pages that are contained here are bills that have previously passed the House. But the way in which the Senate called us to go to conference, those bills would not have been within the scope of conference. All we are doing is taking previously passed work product of the House and placing it before the conference.

As far as health credits are concerned, the 60 percent structure was contained in the stimulus bill. As you will recall, this House passed it four times until the Senate finally passed it. Two of those times it had health credits in there. I do not understand why my colleagues do not want to take previously passed House work product and make it in order in front of the Senate so we have a chance that the House-passed work product could be in competition with the Senate-passed product.

That is all this does is take passed, previously-agreed-to measures like the Andean bill, like the trade promotion bill, and put it in front of the Senate. Why are you so afraid of using a House-passed product as the House's position?

PARLIAMENTARY INQUIRY

Mr. RANGEL. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. RANGEL. Mr. Speaker, I make a parliamentary inquiry as to whether in the history of this august body has ever before a self-executing rule such as this in wrapping a 191-page bill ever been given to the Committee on Rules to be enacted into law with the exception of the time that the Republicans closed down the House of Representatives?

Mr. THOMAS. Will the gentleman yield?

Mr. RANGEL. I made a parliamentary inquiry. Unless the gentleman is the Parliamentarian.

The SPEAKER pro tempore. The Chair would like to respond to the gentleman from New York. The Chair is not the historian of the House and therefore cannot make any kind of a ruling.

The Chair recognizes the gentleman from Florida.

Mr. RANGEL. Could I get a parliamentary answer to my question, Mr. Speaker?

The SPEAKER pro tempore. The parliamentary answer is that the Chair is not the historian. The Chair is not able to put the issue in historical context.

Mr. RANGEL. Could I get an answer from the Parliamentarian?

The SPEAKER pro tempore. If the gentleman from New York would like to ask the Parliamentarian to check the precedents of the House previously, he is more than welcome to do that.

The Chair recognizes the gentleman from Florida.

Mr. RANGEL. If the Speaker would yield just for a moment, I have checked with the Parliamentarian to ask what the history was, and I would like it reaffirmed by the Speaker that this has never been done before.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida.

Mr. HASTINGS of Florida. Mr. Speaker, how much time does each side have?

The SPEAKER pro tempore. The gentleman from Florida has 13 minutes. The gentleman from New York has 18.

Mr. HASTINGS of Florida. Mr. Speaker, I would respectfully reserve the balance of my time and ask my colleague if he would use some of the time because of the imbalance of time as it is considered.

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

Mr. HASTINGS of Florida. Is the gentleman prepared to yield back the balance of his time?

Mr. REYNOLDS. If you are intending to yield back the balance of your time, I will follow you with that, and we will move ahead to a vote.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

First let me become the Parliamentarian of the House. It was Chairman THOMAS who agreed that there was absolutely no precedent for this and Chairman DREIER said the same thing last week. Either it is something different today, or last week up in the Rules Committee it was something else.

For Chairman THOMAS' benefit, you are attempting to add in that 31 pages that you are not talking about the language of H.R. 3010, the general system of preferences, to this rule and it has never passed this House.

Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. BONIOR).

Mr. BONIOR. I thank my good friend from Florida for yielding me this time.

Mr. Speaker, today's headlines: ''WorldCom Says Its Books Are Off By $3.8 billion.'' What do WorldCom, Arthur Andersen, Global Crossing, Enron, K-Mart, DCT, CMS Energy, and Merrill Lynch have in common? They support the idea of a fast track, all these trade laws, even though they themselves have been ethically challenged companies that have fleeced their workers, their retirees, have caused the market to take a terrible toll on retirees and those who invest in it. They are the people behind this kind of trade negotiation and deal.

And in this very bill that we are arguing about today are provisions that will gut health care benefits for steelworkers. You go out there in that 95-degree temperature like we have got today and you work, you pour your heart and soul into every paycheck, you punch a clock and pack a lunch, come home and then have them tell you that you cannot have your health care benefits. They are going to get caught. That is what is wrong with trade readjustment under their proposal, and that is what is wrong with fast track.

Vote ''no'' on this proposal.

Mr. REYNOLDS. Mr. Speaker, I yield myself such time as I may consume.

It is an honor and privilege for me to serve on the Committee on Rules, as I think it is on both sides of the aisle. Just because the House has not done something exactly like this before does not mean it should never be done. The rules of this House are deliberately crafted to permit flexibility for unique instances such as this.

Mr. Speaker, as I stated earlier, but its importance bears repeating, so I am going to say it again: the House would not be in this position had the Senate not taken up the Andean trade bill, stripped out all of the House-passed provisions and added countless other trade items, leaving the House with no position in the conference on all these measures.

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

Mr. HASTINGS of Florida. Mr. Speaker, I am pleased to yield 1 minute to the distinguished gentleman from Texas (Mr. BENTSEN).

(Mr. BENTSEN asked and was given permission to revise and extend his remarks.)

Mr. BENTSEN. I thank the gentleman for yielding time.

Mr. Speaker, I was one of 21 Democrats who voted for the TPA bill. I think it is a good bill.

□ 1530

I want to see the President get Trade Promotion Authority; I voted for it for President Clinton and I will vote for it for President Bush, if it is done the right way. I did that last fall, but what we are doing today is not the way to get there.

The Senate has passed a substantial trade adjustment assistance package that is good public policy, that helps workers who do lose their jobs to trade. What the House is being asked to do today is to state a new position on the part of the House to strengthen the hand of the Republicans in the conference. There is nothing that precludes the conferees on the part of the House to put forth a position or to hammer out a conference agreement with the other body, including provisions which were not addressed in this body. This is all designed to provide political leverage. It is not a practical rules effect. In fact, the Committee on Rules can waive on the issue of scope.

The bill before us today is a dramatic rewrite of the Bush-backed, bipartisan

Senate trade adjustment assistance package. We should reject this. If we want to get real TPA, let us take the Bush and the Senate bipartisan package and put it together.

Mr. REYNOLDS. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. THOMAS), the chairman of the Committee on Ways and Means.

Mr. THOMAS. Mr. Speaker, for those of us who really want to know, the Senate passed an Andean trade act bill this month. Into that bill, because they could not pass them separately, they amended the trade promotion act bill that this House passed back in December. They amended into it the trade adjustment assistance that this House passed back in November. They amended into it a Customs border security bill that we passed back in May. They could not pass bills the way we usually do.

We should have gone to the Trade Promotion Authority conference 5 months ago. We should have gone to the TAA conference 4 months ago. The Senate could not pass individual bills, so in an unprecedented way, they took all of those bills, rolled them into one, and then said, let us go to conference.

All we are doing are taking the bills we have passed in the past, put them together now, and going to conference in the way the Senate is going to conference, with all of the bills together.

I guess it is our fault that we did our work earlier this year.

PARLIAMENTARY INQUIRIES

Mr. BENTSEN. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman will state it.

Mr. BENTSEN. Mr. Speaker, with all due respect to the chairman, do the rules of the House preclude conferees on the part of the House, when going into conference on this particular bill that is being discussed as part of this rule, do the rules of the House preclude the House conferees from negotiating other parts of the bill, even though it is being considered under the Senate, the other body's Andean trade bill, or are the House conferees limited only to that portion? Because the argument that is being put forth is, in some respects, that our conferees on the part of the House may only discuss certain portions and not the entire scope of the bill, or bills, as they are packaged together.

Mr. THOMAS. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from California will state it.

Mr. THOMAS. The Speaker just said that the rules of both the House and the Senate require those bodies in the unique situation under the Constitution, when bills have passed both Houses in different forms, to come together to reconcile the differences. That is a conference.

The scope of the conference is defined by the bills that are brought to the conference. The Senate brings 374 pages of 15 different bills.

What the Democrats are asking us to do is to go to conference with one bill, the Andean bill, which is what the Senate requested that we go to conference over.

What we want to do is take the bills that have been passed, put them into this motion, go to conference with the scope of the conference being fair and equal on both sides, and that is the sum and substance of the response of the Speaker to the parliamentary inquiry of the gentleman from Texas.

Mr. BENTSEN. Mr. Speaker, I have a further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Texas will state it.

Mr. BENTSEN. Mr. Speaker, two inquiries. One, may the Committee on Rules suspend rule XXII for purposes of House conferees?

Question number two is, again, does that preclude in a conference with the other body the House conferees from discussing or bringing up any provisions related to those other items, other than the bill that passed the House?

The SPEAKER pro tempore. The Committee on Rules does have the authority to waive certain rules of the House.

Mr. BENTSEN. Mr. Speaker, with respect to the other inquiry?

The SPEAKER pro tempore. The Chair cannot judge what will be discussed in the conference or give anticipatory rulings thereon.

Mr. BENTSEN. Mr. Speaker, I have a further parliamentary inquiry, and I am trying to get to the point of what the chairman is discussing.

The SPEAKER pro tempore. Briefly.

Mr. BENTSEN. Very briefly. Do the rules preclude House conferees from discussing or bringing up any portion of a conference, other than the portion of the conference related to the Andean trade bill? Are they allowed to vote and make suggestions, make recommendations, make legislative recommendations on the other portions of the conference?

The SPEAKER pro tempore. The Chair can only judge that when the Chair sees the work of the conferees in the conference report.

Mr. HASTINGS of Florida. Mr. Speaker, I am pleased to yield 1 minute to the gentlewoman from California (Mrs. TAUSCHER), my good friend.

Mrs. TAUSCHER. Mr. Speaker, I rise to oppose this rule. I voted for TPA when it was called Fast Track at least twice before, and I am for open and free trade. But I am not for ramming it through the House with this closed, surgically enhanced rule.

This resolution would send to conference some legislation we have not even voted on and sneaks in Member-to-Member favors. Simply put, this self-executing rule is unnecessary and amounts to parliamentary maneuvering and election year politics at its worse.

Mr. Speaker, I want the President to have fast track authority, but we also need a robust trade adjustment assistance package to help American workers displaced by expanding trade. This rule effectively guts TAA by reducing health care assistance and only helps workers whose jobs have gone to Mexico or Canada.

In today's global economy, America needs free trade. We must free our President to negotiate trade deals while assisting American workers who are affected by changing markets. I look forward to voting for a trade bill out of the conference, but I cannot support a rule that plays games with such an important bill.

Mr. REYNOLDS. Mr. Speaker, I yield myself such time as I may consume.

I just think it is important to point out to the previous speaker and to the gentlewoman from California, at first he addressed the thing on the Senate and it is clear that the Senate can do whatever they may wish to do relative to the conference, and our action today would not impede that from doing that. Then I watch him turn on the dime when he wants us to totally reverse a rule.

I think it is important for Members to know that clause 9 of House rule XXII provides the definition of scope for House conferees. The House rules on the scope of a conference committee are very precise and well defined. The CRS report 98–696 CV on resolving legislative differences between the two bodies of Congress is available to any Member who would like to review the process of going to conference with the other Chamber.

The report states that there are significant restrictions on the authority of House conferees. Their authority is restricted by the scope of the differences between the House and Senate over the matters in disagreement between them. It goes on to explain how difficult it is to define the scope of the differences, and it also depends on how the second Chamber to act on the measure has cast the matters in disagreement. And the second Chamber that acts on the measure typically casts its version in the form of an amendment in the nature of a substitute. This is exactly what the Senate did. That comes from the CRS report 98–696.

The report goes on to explain that the second House substitutes make it much harder, if not impractical, to specifically identify each matter in disagreement and the scope of the differences over the matter. This matter could have been easily avoided if the Senate had simply taken up H.R. 3005, the House-passed TPA legislation, and acted on it. Then a conference committee could have been convened and the final bill sent to both bodies.

Instead, the Senate took up the Andean trade bill, stripped it out of the language, and inserted its own trade agenda. We are left with no alternative but to protect the interests of this House and to assure that our conferees are able to go into conference with a

House position on all of these extra trade measures that the Senate included. Why should we allow the House to be put in a weakened position with this important legislation?

That is what this debate is about and shortly, when we have a vote, it will reflect the vote of this House.

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

Mr. HASTINGS of Florida. Mr. Speaker, after that procedural gobbledygook, it still does not make what they are doing correct and precedential. There is no precedent for what we are doing.

Mr. Speaker, I yield 1 minute to the distinguished gentleman from Texas (Mr. DOGGETT), my good friend.

Mr. DOGGETT. Mr. Speaker, a vote for this rule damages our environment. I am all for trade, but trading clean water for sour, pure air for fouled, open justice for star chamber proceedings, that is not a good trade. Free trade is not ''free'' when it comes at the expense of such imperatives.

My concern about the failed Chapter 11 NAFTA model that this proposal endorses is similar to my concern about the mismanaging of this fast track trade debate. Both result from a secret, closed-door process, both ignore the Sierra Club, Consumers Union and others concerned with our sovereignty, our environment, and our health and safety; and both relegate important decisions to a self-selected few, although the burden will be borne by many.

They violate the whole spirit of our Texas open-government laws. We could use a little Texas sunshine in on our trade policy.

The only thing transparent about this fast track process is the heavy-handed, insular way that it has been handled by the Chairman since day one. A ''no'' vote is a vote for openness, a vote for the democratic process, and for our environment.

Mr. REYNOLDS. Mr. Speaker, I yield myself such time as I may consume.

I knew it would take just a little time of this debate to kind of pick apart whether one is a free trader and what the perfect debate is and how it happens; and whether you are really a trader or whether you are not; whether you are a protectionist; or, I wanted to support it, but it did not have all of the things I needed in it.

Well, today as we have a vote on this, the determination in a bipartisan solution, as trade has always been in this House, we are either going to support free trade and we are going to move the agenda forward, or we are going to reject it. But for those 21 Democratic votes or for others who may consider future votes on trade, this is going to end up with a bottom-line deal here.

The bottom line is you either support free trade and give the House the ability to go as a conference and continue to move on trade, or you are not. But you cannot go home and tell everybody, I am a free trader, but it just was not a perfect way for me to cast my vote. Because it is going to be measured. It is going to be measured not only in D.C., but throughout the land. You are either voting for free trade or you are rejecting it.

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

Mr. HASTINGS of Florida. Mr. Speaker, I yield 1 minute to the gentleman from Indiana (Mr. VISCLOSKY), my good friend.

Mr. VISCLOSKY. Mr. Speaker, I appreciate the gentleman yielding me this time.

In response to the previous gentleman's remark, I would suggest that the bottom line is jobs. This rule is about jobs; and as far as I am concerned, it represents bad policy for America, it represents bad policy for people in this country who still make a living wage, and it is very bad and horrific policy for all of the people who are going to lose their jobs because of the attempt to give any administration this type of trade authority.

One of the fatal flaws is not allowing us consideration of provisions that might undermine and weaken our trade remedy laws that are on the books today. That includes industries in the United States that used to make and may still make some pencils, may grow garlic, may make cement clinkers, may produce petroleum wax candles. There are 265 industries and growers who have sought relief for these important protections.

This is about jobs. It is about the 210 people who have no work at Calumet Steel in Chicago Heights, Illinois, because of illegal trade that takes place.

Mr. REYNOLDS. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. ISSA).

Mr. ISSA. Mr. Speaker, my colleague on the other side of the aisle is absolutely right, this is about jobs. I have listened for almost an hour to people talk about the rule and about what kind of rule this is and whether it is fair. I would like to speak about jobs.

Before I came to this body, I spent over 20 years in the American electronics business, and I sold freely in those countries that had free trade; and I was either locked out or severely limited in the countries that we had not opened trade with.

□ 1545

I would like to remind my friends on both sides of the aisle that we cannot pick our friends and enemies on free trade. Some of the most protectionist countries are our close allies. In fact, we need this kind of trade promotion authority if we are going to open those markets, many of them with European countries that today freely trade between each other and, in fact, are limiting our products.

So, Mr. Speaker, I strongly rise in support of this rule and of the underlying language. I ask for my Democrat colleagues to please go beyond the 22 and vote this up.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I guess what my colleagues are saying is trade, yes; House precedents, no.

Mr. Speaker, I yield 1 minute to my good friend, the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Speaker, I thank the gentleman for yielding time to me.

I wish to say that this Republican-led Congress is trying to enlarge NAFTA to all the countries of Latin America and to do so not by regular order but by this outrageous tourniquet rule, because the rule basically locks in the deals of the powerful few against the workers of this country and, indeed, our hemisphere. We have seen it before.

The leadership knows it cannot win it on the merits, on the up and up, so they intimidate Members, or they produce a rule like this that even the authors cannot fully understand. But we know what it does is it will tie the hands of our conferees so they cannot deal with the needs of displaced workers, and they cannot extend health benefits to them.

It reminds me of how the GATT vote was passed. When they could not pass it, they figured out, let us do it in a lame duck session after 2 a.m. in the morning when nobody will know what happens anyway. The American people will not pay attention.

Mr. Speaker, the American people are paying attention. When they cannot win on the merits, they rig the rules.

I say to my colleagues, vote no on this rule. Do not vote for any more NAFTAs.

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

Mr. HASTINGS of Florida. Mr. Speaker, I yield 1 minute to my good friend, the distinguished gentleman from Massachusetts (Mr. LYNCH).

Mr. LYNCH. Mr. Speaker, I rise today in opposition to this rule, which would try to silence the voices on both sides of the aisle who oppose this fast track legislation.

Mr. Speaker, this rule, as well as the whole fast track procedure, takes Congress out of the equation, takes Congress out of the debate and, by doing so, also takes the American people out of the debate. Fast track is nothing more than a silent auction, a silent auction of American jobs, so I am not surprised that the Republican leadership wants this rule. This is not something that they would do in the light of day and with open and honest debate.

There was an interesting story in the Washington Post last week where the companies that actually went down to Mexico and ran out on the United States are now leaving Mexico and the maquilladoras for Asian countries because the Mexican workers have had the audacity to ask for $5 an hour in wages.

This is a race to the bottom. This should not happen. We should be protecting American jobs.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. LEVIN).

Mr. LEVIN. Mr. Speaker, first of all, I would say to the gentleman from New York (Mr. REYNOLDS), 161 Democrats voted for the fast track bill. Do not stand up here and say the issue is whether one is for or against free trade. That is nonsense.

Mr. Speaker, also nonsense is this argument about the Senate stripping House language using an Andean bill. That is pure hokum. What the Senate did was to take the Andean bill that passed here and put other trade bills in it, including their Andean bill.

So Members do not need this bill. The subjects are on the table for the conference. They are trying to load the deck. That is what they are trying to do. They are trying to do it by a rule that has 191 pages and adding DeMint, which might be the only subject that could not be brought in the conference. That is what they are doing here. Be honest, they are trying to load the deck as they enter conference, and they should not be handling serious trade matters in this way.

For that reason, because we see through the smoke screen, Members should vote no on this bill.

Mr. REYNOLDS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I have great respect and admiration for the gentleman from Michigan, but, for the life of me, I cannot understand why the minority must not have the confidence in the Senate conferees. They must not trust their ability to negotiate, the integrity of the Senate language.

But what I find most perplexing is how the minority, with a clear conscience, would want to send our own conferees into conference with no position, because what is there are the Senate provisions in the conference. I have read the report under our rule that was the opinion of CRS that clearly talks about definitions of that position.

It is important for us to reflect on the fact that the chairman of the Committee on Ways and Means, in seeing that, clearly brought to this House, which we will have a vote on in a moment, but to the Committee on Rules the fact that we were not on a level playing field, and that was not right. It was not right for this House, and it is not right for the debate that needs to happen in that conference report.

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

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I ask the gentleman from New York to look at me: this side of my mouth, that side of my mouth. You are talking out of both sides of your mouth. What you are saying is that, on the one hand, you have 160 pages that you passed; and then you say we have no position. You cannot have it both ways.

MOTION TO ADJOURN

Mr. HASTINGS of Florida. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the motion to adjourn offered by the gentleman from Florida (Mr. HASTINGS).

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. HASTINGS of Florida. 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. Evidently, a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 40, nays 384, not voting 10, as follows:

[Roll No. 263]

YEAS—40

Berry
Bishop
Boucher
Brown (FL)
Capuano
Carson (IN)
Clay
Conyers
DeFazio
Dingell
Doggett
Evans
Farr
Filner
Gonzalez
Hastings (FL)
Hoekstra
Honda
Hoyer
Jackson-Lee (TX)
Johnson, E. B.
Jones (OH)
Kaptur
Lynch
McDermott
McGovern
Meek (FL)
Mink
Obey
Olver
Pelosi
Sanders
Sandlin
Stupak
Taylor (MS)
Thompson (MS)
Towns
Velazquez
Waters
Wynn

NAYS—384

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Biggert
Bilirakis
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Boozman
Borski
Boswell
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Carson (OK)
Castle
Chabot
Chambliss
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeGette
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Everett
Fattah
Ferguson
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Dan
Miller, Gary
Miller, George
Miller, Jeff
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Oberstar
Ortiz
Osborne
Ose
Otter
Oxley
Pallone
Pascrell
Paul
Payne
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sawyer
Saxton
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stearns
Stenholm
Strickland
Stump
Sullivan
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Turner
Udall (CO)
Udall (NM)
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Young (AK)
Young (FL)

NOT VOTING—10

Delahunt
Jefferson
LaFalce
Nussle
Owens
Pastor
Roukema
Smith (MI)
Stark
Traficant

□ 1613

Mrs. JO ANN DAVIS of Virginia, Mrs. JOHNSON of Connecticut, Ms. RIVERS, Mr. HILLEARY and Mr. PICKERING changed their vote from ''yea'' to ''nay.''

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.