

the Judiciary, under the Rules of the House, the nonpartisan Parliamentarian would have said that the Committee on the Judiciary must be involved, either through primary jurisdiction, through concurrent jurisdiction, or through sequential jurisdiction. None of those jurisdictional provisions were called for. Power grab?

It is interesting that the gentleman from Texas lays upon this small and modest bill what he perceives to be the sins of the Bush administration through the Attorney General to try to protect the American people from further terrorist acts. This bill contains money not only to help in protecting against terrorism, but against drug addiction and against child pornography. If folks believe that this one, small provision requested by Customs to protect Customs officers in the lawful carrying out of their job is just too much for them, then vote against increasing our ability to protect Americans against terrorism, vote against a better, more efficient drug addiction structure, and vote against all of the new technological capabilities in going after those who prey on our youth.

Now, the other thing that really amazes me, but sometimes my threshold for amazement is not as high as it probably should be; the gentlewoman from Texas in her remarks said this bill came out of committee on a party-line vote. Again, if my colleagues will check the records of the committee, she is absolutely, flat out, factually wrong. How can I say that? Because this did not come out of the committee with a vote recorded at all. Not only was it not a party-line vote, there was no vote. The record will show that there was no vote requested by the minority on ordering this bill from the committee to the floor. It was ordered from the committee to the floor on a voice vote. And yet, at the eleventh hour, all of these indignations are surfacing on a provision that was there, requested by the Customs officials, so that the hard-working, frontline soldiers at our border are not unnecessarily harassed in trying to carry out the law and in protecting Americans from drugs, from terrorism, and from child pornography.

So in terms of the criticism that how come it has taken so long to bring this to the floor, which we heard, and then how come we are rushing it through; once again, if we take every side of the argument to stop a piece of legislation, the assumption is we may not necessarily be arguing about what is in the legislation, we just want the world to stop. Because in stopping the world, then the things that need to be done will not go forward and maybe, just maybe, somebody might be fooled into thinking that this would be a reason to vote for one person over another. If that is, in fact, the reason that we are opposing this piece of legislation, that is probably the worst possible reason that anyone could offer.

What this is is a modest Customs reauthorization, and what it does is ex-

tend Customs' ability to deal with problems that are manifest, including the failure of the Customs Department to focus on areas that people who are concerned about illegal textiles, like transshipment, need to be focused on. We not only say more agents need to be involved, we say more money ought to be placed on the table. We do both in this bill. Is it enough? Probably not. Is it more than what we are doing now? Yes. Will it be better than yesterday? Yes.

The gentleman from Washington said that we placed a study in the bill; again, he is factually flat out wrong. I said at the beginning that we were removing provisions of the bill. We did not add a study; we removed a provision. So when someone stands up and exhorts all of the problems and arrows of the world that have been inflicted on them by everyone else and says, all of it is manifest in this particular bill, I would ask that they actually take a look at what it is that we are placing before the House of Representatives in this bill. It is Customs reauthorization. It deals with those frontline soldiers who have an extremely difficult job; it provides them with a few more resources; it provides them with a few more technological tools in doing the job that they do, on the whole, very well, and that, hopefully, with this particular piece of legislation, they will be able to do it even better.

Mr. OTTER. Mr. Speaker, I rise today to discuss H.R. 3129, the Customs Border Security Act of 2001. Most of H.R. 3129 is a well-crafted and needed response to the events of September 11. I firmly believe that we need to strengthen the U.S. Customs Service to properly guard against the threats we now face. I particularly support the bill's provision for 285 new customs officers along the Canadian border. I represent a State that borders Canada and have seen the vast increase in traffic along US-95, one of our Nation's NAFTA corridors. Adding more customs officers will help protect Idaho, and the United States, from those who would seek to use the world's longest peaceful border against us.

I also strongly support the provision raising the personal exemption for goods brought back into the United States from \$400 to \$800. This step will help facilitate the growth of tourism and cut through much useless red tape.

Unfortunately, H.R. 3129 contained provisions that forced me to vote against it. In particular, section 141 establishes so-called "good-faith" protection for customs officers who violate the law in the course of carrying out their duties. If enacted into law section 141 would prohibit those affected by such law-breaking from seeking damages from the guilty parties.

Working men and women are punished every day in Idaho for alleged violations of Federal laws they didn't even know existed. Sadly their "good-faith" carries no weight with the enforcement bureaucracies of the Federal Government. The officials who enforce these laws should be held to the same standards. Granting Federal bureaucrats special exemptions from the law is to establish an artificial separation of the government from the gov-

erned. Retaining the right to sue government officials for violations of our rights is the best defense imaginable for ensuring that those rights are protected in the first place. I cannot vote to remove this protection from my constituents.

I welcome the announcement by Chairman THOMAS that he will be bringing this bill up under regular order in the near future. I look forward to working with him and Members from both sides of the aisle to improve this bill and improve our Customs Service.

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

The SPEAKER pro tempore (Mr. ISAKSON). The question is on the motion offered by the gentleman from California (Mr. THOMAS) that the House suspend the rules and pass the bill, H.R. 3129, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. McDERMOTT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Debate has concluded on all motions to suspend the rules.

Pursuant to clause 8 of rule XX, the Chair will now put the question on motions to suspend the rules on which further proceedings were postponed earlier today.

Votes will be taken in the following order:

H.R. 3008, by the yeas and nays;

H.R. 3129, by the yeas and nays.

The Chair will reduce to 5 minutes the time for the second vote in this series.

TRADE ADJUSTMENT ASSISTANCE PROGRAM REAUTHORIZATION ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 3008, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. THOMAS) that the House suspend the rules and pass the bill, H.R. 3008, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 420, nays 3, answered "present" 1, not voting 9, as follows:

[Roll No. 477]

YEAS—420

Ackerman	Allen	Baca
Aderholt	Andrews	Bachus
Akin	Armey	Baird

Baker Emerson
 Baldacci Engel
 Baldwin English
 Ballenger Eshoo
 Barcia Etheridge
 Barr Evans
 Barrett Everett
 Bartlett Farr
 Barton Fattah
 Bass Ferguson
 Becerra Fletcher
 Bentsen Foley
 Bereuter Forbes
 Berkley Ford
 Berman Fossella
 Berry Frank
 Biggert Frelinghuysen
 Bilirakis Frost
 Bishop Gallegly
 Blagojevich Ganske
 Blumenauer Gekas
 Blunt Gephardt
 Boehlert Gibbons
 Boehner Gilchrist
 Bonilla Gillmor
 Bonior Gilman
 Bono Gonzalez
 Boozman Goode
 Borski Goodlatte
 Boswell Gordon
 Boucher Goss
 Boyd Graham
 Brady (PA) Granger
 Brady (TX) Graves
 Brown (FL) Green (TX)
 Brown (OH) Green (WI)
 Bryant Greenwood
 Burr Grucci
 Burton Gutierrez
 Buyer Gutknecht
 Callahan Hall (OH)
 Calvert Hall (TX)
 Camp Hansen
 Cannon Harman
 Cantor Hart
 Capito Hastings (FL)
 Capps Hastings (WA)
 Capuano Hayes
 Cardin Hayworth
 Carson (IN) Hefley
 Carson (OK) Herger
 Castle Hill
 Chabot Hilleary
 Chambliss Hilliard
 Clay Hinchey
 Clayton Hinojosa
 Clement Hobson
 Coble Hoeffel
 Collins Hoekstra
 Combest Holden
 Condit Holt
 Conyers Honda
 Cooksey Hoolley
 Costello Horn
 Cox Houghton
 Coyne Hoyer
 Cramer Hulshof
 Crane Hunter
 Crenshaw Hyde
 Crowley Inslee
 Culberson Isakson
 Cummings Israel
 Cunningham Issa
 Davis (CA) Istook
 Davis (FL) Jackson (IL)
 Davis (IL) Jackson-Lee
 Davis, Jo Ann (TX)
 Davis, Tom Jefferson
 Deal Jenkins
 DeFazio John
 DeGette Johnson (CT)
 Delahunt Johnson (IL)
 DeLauro Johnson, E. B.
 DeLay Johnson, Sam
 DeMint Jones (NC)
 Deutsch Jones (OH)
 Diaz-Balart Kanjorski
 Dicks Kaptur
 Dingell Keller
 Doggett Kelly
 Dooley Kennedy (MN)
 Doolittle Kennedy (RI)
 Doyle Kerns
 Dreier Kildee
 Duncan Kilpatrick
 Dunn Kind (WI)
 Edwards King (NY)
 Ehlers Kingston
 Ehrlich Kirk

Pryce (OH) Shadegg
 Putnam Shaw
 Kolbe Shays
 Radanovich Sherman
 Rahall Sherwood
 Ramstad LaFalce
 Rangel Shimkus
 Regula Shows
 Rehberg Shuster
 Reyes Simmons
 Reginolds Simpson
 Riley Skeen
 Rivers Skelton
 Rodriguez Slaughter
 Roemer Smith (MI)
 Rogers (KY) Smith (NJ)
 Rogers (MI) Smith (TX)
 Rohrabacher Smith (WA)
 Ros-Lehtinen Snyder
 Ross Solis
 Rothman Souder
 Roybal-Allard Spratt
 Royce Stark
 Rush Stearns
 Ryan (WI) Stenholm
 Ryun (KS) Strickland
 Sabo Stump
 Sanchez Stupak
 Sanders Sununu
 Sandlin Sweeney
 Sawyer Tancredo
 Saxton Tanner
 Schaffer Tauscher
 Schakowsky Tauzin
 Schiff Taylor (MS)
 Schrock Taylor (NC)
 Scott Terry
 Sensenbrenner Thomas
 Serrano Thompson (CA)
 Sessions Thompson (MS)

Thornberry
 Thune
 Thurman
 Tiahrt
 Tiberi
 Tierney
 Toomey
 Towns
 Traficant
 Turner
 Udall (CO)
 Udall (NM)
 Upton
 Velazquez
 Visclosky
 Vitter
 Walden
 Walsh
 Wamp
 Waters
 Watkins (OK)
 Watson (CA)
 Watt (NC)
 Watts (OK)
 Waxman
 Weiner
 Weldon (FL)
 Weldon (PA)
 Weller
 Wexler
 Whitfield
 Wicker
 Wilson
 Wolf
 Woolsey
 Wu
 Wynn
 Young (FL)

CUSTOMS BORDER SECURITY ACT OF 2001

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 3129, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. THOMAS) that the House suspend the rules and pass the bill, H.R. 3129, as amended, on which the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 256, nays 168, not voting 9, as follows:

[Roll No. 478]
 YEAS—256

Aderholt	Fossella	Luther
Akin	Frelinghuysen	Maloney (CT)
Armey	Gallegly	Maloney (NY)
Bachus	Ganske	Manzullo
Baird	Gekas	Matheson
Baker	Gibbons	McCrery
Ballenger	Gilchrist	McHugh
Barr	Gillmor	McInnis
Bartlett	Gilman	McIntyre
Barton	Goode	McKeon
Bass	Goodlatte	Mica
Bentsen	Gordon	Miller, Dan
Bereuter	Goss	Miller, Gary
Berry	Graham	Miller, Jeff
Biggert	Granger	Moran (KS)
Bilirakis	Graves	Moran (VA)
Blunt	Green (TX)	Morella
Boehlert	Green (WI)	Myrick
Boehner	Greenwood	Nethercutt
Bonilla	Grucci	Ney
Bonior	Gutknecht	Northup
Bono	Hall (OH)	Norwood
Boozman	Hall (TX)	Nussle
Borski	Hansen	Ortiz
Boswell	Hart	Osborne
Boucher	Hastings (WA)	Ose
Boyd	Hayes	Oxley
Brady (TX)	Hayworth	Pence
Brown (FL)	Hefley	Peterson (PA)
Brown (OH)	Herger	Petri
Bryant	Hilleary	Phelps
Burr	Hobson	Pickering
Burton	Hoekstra	Pitts
Buyer	Horn	Platts
Callahan	Houghton	Pombo
Calvert	Hulshof	Pomeroy
Camp	Hunter	Portman
Cannon	Hyde	Price (NC)
Cantor	Isakson	Pryce (OH)
Capito	Israel	Putnam
Capps	Issa	Radanovich
Capuano	Istook	Ramstad
Cardin	Jenkins	Regula
Carson (IN)	John	Rehberg
Carson (OK)	Johnson (CT)	Reyes
Castle	Johnson (IL)	Reynolds
Chabot	Johnson, Sam	Riley
Chambliss	Jones (NC)	Rogers (KY)
Clay	Kaptur	Rogers (MI)
Clayton	Keller	Rohrabacher
Clement	Kelly	Ros-Lehtinen
Coble	Kennedy (MN)	Ross
Collins	Kerns	Royce
Combest	King (NY)	Ryan (WI)
Condit	Kingston	Ryun (KS)
Conyers	Knollenberg	Saxton
Cooksey	Kolbe	Schaffer
Costello	LaFalce	Schrock
Cox	LaHood	Sensenbrenner
Coyne	Langevin	Sessions
Cramer	Largent	Shadegg
Crane	Larsen (WA)	Shaw
Crenshaw	Latham	Shays
Crowley	LaTourette	Sherwood
Culberson	Leach	Shimkus
Cummings	Lewis (CA)	Shows
Cunningham	Lewis (KY)	Shuster
Davis (CA)	Linder	Simmons
Davis (FL)	Lipinski	Simpson
Davis (IL)	LoBiondo	Skeen
Davis, Jo Ann	Lucas (KY)	Smith (MI)
Davis, Tom	Lucas (OK)	Smith (NJ)
Deal		
DeFazio		
DeGette		
Delahunt		
DeLauro		
DeLay		
DeMint		
Deutsch		
Diaz-Balart		
Dicks		
Dingell		
Doggett		
Dooley		
Doolittle		
Doyle		
Dreier		
Duncan		
Dunn		
Edwards		
Ehlers		
Ehrlich		

NAYS—3

Abercrombie	Flake	Paul
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ANSWERED "PRESENT"—1

	Filner	
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NOT VOTING—9

Brown (SC)	Hostettler	Quinn
Clyburn	Meek (FL)	Roukema
Cubin	Morella	Young (AK)

□ 1148

Mr. TAYLOR of Mississippi changed his vote from "nay" to "yea."

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: "A bill to reauthorize the trade adjustment assistance program under the Trade Act of 1974, and for other purposes."

A motion to reconsider was laid upon the table.

Stated for:
 Mr. BROWN of South Carolina. Mr. Speaker, on rollcall No. 477 I was unavoidably detained. Had I been present, I would have voted "yea."

Mr. ABERCROMBIE. Mr. Speaker, in the matter of rollcall 477, H.R. 3008, I was recorded as voting "no" when I intended to vote "yea."

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ISAKSON). Pursuant to clause 8 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting on the motion to suspend the rules on which the Chair has postponed further proceedings.