

Great Depression, creating, on average, only 42,000 jobs per month.

Now, in the meantime, millions of American families are living paycheck to paycheck, struggling to make ends meet and going deeper into debt. With an economic record like this, you would think Washington Republicans would be coming up with some ideas on how to improve the economy. But, instead, Republicans say the economy is great.

Now, Democrats know better. We are fighting to expand economic opportunity for all by increasing the minimum wage, eliminating tax giveaways that encourage companies to move jobs overseas, and giving tax breaks to parents and students to better afford a higher education.

The problem, Mr. Speaker, is that Republicans are content with the status quo. Democrats are proposing creative ideas.

#### BORDER VULNERABILITIES AND INTERNATIONAL TERRORISM

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

Mr. ROYCE. Mr. Speaker, the Subcommittee on International Terrorism that I chair held two field hearings last week, one in San Diego and one in Laredo, Texas, on border vulnerabilities and international terrorism.

The unfortunate fact is that we live in a time when terrorists want to hit us as hard as they can. And it is elementary that to defend ourselves against these determined and resourceful enemies, our border must be secure or, as the Border Patrol says, "We must have operational control of the border." We don't have that right now, and we don't have that despite a tenfold increase in what Republicans have done to fund homeland security.

But we need border fencing. And in Laredo, Texas, sheriffs told us of drug cartels and smuggling rings increasingly well equipped and more brazen than ever in attacking law enforcement officials. The Border Patrol warns of potential terrorists employing these networks to enter our country. Last year, it apprehended illegal border crossers from many countries designated state sponsors of terrorism or countries where terrorist organizations are active.

The sheriffs we heard from strongly seconded the Border Patrol's concerns about terrorists crossing our porous borders.

Colleagues, immigration reform must be national security reform.

#### DEMOCRATS AND REPUBLICANS WORKING TOGETHER TO PROTECT AMERICA

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

Mr. BILBRAY. Mr. Speaker, I would like to thank Chairman ROYCE for holding a hearing in Imperial Beach in San Diego County this week. And I think there was one very clear mes-

sage, that amnesty is the greatest mistake that we could have, not only for immigration, but for common sense, and if not for common decency, that we should not reward those who have broken our immigration laws while people, millions, wait to immigrate legally.

But the one consensus we could make in that hearing was that Democrats and Republicans agree that the missing link in immigration reform is not spending more money, but having more enforcement against the source of the major cause of illegal immigration. That is illegal employment.

And so I would ask Democrats and Republicans to find these hearings as a consensus to talk about what are we doing to stop illegal employment. And I would ask both of you to take a look at SILVESTRE REYES' and DAVID DREIER's bill, H.R. 98, which says that we are going to crack down on illegal employers. But we are going to create a very simple way for employers to know who is legal and who is illegal, and that is to have a Social Security card that is as tamper resistant as our voting card.

So let's get together. If SILVESTRE REYES and DAVID DREIER can work together, can't the House, both Democrats and Republicans, work together to protect America?

#### IRAQ

(Mr. GINGREY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GINGREY. Mr. Speaker, I rise today in support of the important progress being made in Iraq. Let me remind my colleagues and the American people of the incredible accomplishments United States troops and the Iraqi people have achieved over the last 4 years.

Saddam Hussein is behind bars, and al Qaeda's top leaders have been eliminated. Iraqi security forces currently participate in more than 90 percent of all security operations, and the Iraqi people are increasingly coming forth with actionable intelligence about terrorist activity.

But, Mr. Speaker, the progress in Iraq cannot be measured solely on our military success. The Iraqi people can now watch commercial television. They can read independent newspapers. Women are part of the political process. In fact, women secured 31 percent of the seats in the Iraqi National Assembly. Primary school enrollment has increased by nearly 3 million children, and Iraqi medical schools now graduate more than 2,000 doctors a year.

So, Mr. Speaker, as we congratulate the Iraqi people on these successes, let's not forget to thank our troops for the important work they are doing in Iraq, training soldiers, building schools, working every day for security and freedom in the Middle East.

#### PROVIDING FOR CONSIDERATION OF H.R. 4411, INTERNET GAMBLING PROHIBITION AND ENFORCEMENT ACT

Mr. GINGREY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 907 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 907

*Resolved*, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 4411) to prevent the use of certain payment instruments, credit cards, and fund transfers for unlawful Internet gambling, and for other purposes. In lieu of the amendments recommended by the Committees on Financial Services and the Judiciary now printed in the bill, the amendment in the nature of a substitute depicted in the Rules Committee Print dated July 5, 2006, shall be considered as adopted. The bill, as amended, shall be considered as read. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, equally divided among and controlled by the chairman and ranking minority member of the Committee on Financial Services and the chairman and ranking minority member of the Committee on the Judiciary; (2) the further amendment printed in the report of the Committee on Rules accompanying this resolution, if offered by Representative Berkley of Nevada or her designee, which shall be in order without intervention of any point of order or demand for division of the question, shall be considered as read, and shall be separately debatable for 20 minutes equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Georgia (Mr. GINGREY) is recognized for 1 hour.

Mr. GINGREY. Mr. Speaker, for the purpose of debate only I yield 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), 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. Speaker, this House resolution is a structured rule, House Resolution 907, and it provides 1 hour of debate in the House, equally divided among and controlled by the chairman and ranking minority member of the Committee on Financial Services and the chairman and ranking minority member of the Committee on the Judiciary.

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This resolution waives all points of order against consideration of the bill. It provides that in lieu of the amendments recommended by the Committees on Financial Services and the Judiciary now printed in the bill, the amendment in the nature of a substitute, depicted in the Rules Committee Print dated July 5, 2006, shall be considered as adopted. This resolution makes in order the amendment printed in the Rules Committee report accompanying the resolution, if offered by

Representative BERKLEY of Nevada or her designee, which shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question. This resolution waives all points of order against the amendment printed in the Rules Committee report, and it provides one motion to recommit with or without instructions.

Mr. Speaker, I rise today in support of House Resolution 907 and the underlying bill, H.R. 4411, the Unlawful Internet Gambling Enforcement Act.

First, I want to recognize and thank Chairman SENSENBRENNER and Chairman OXLEY for shepherding this bill through their committees to the floor for consideration. And, additionally, I would like to also recognize Representatives LEACH and GOODLATTE, the co-authors of H.R. 4411, for all of their hard work to ensure that laws are updated to the year 2006 and that we crack down on those who would circumvent existing law.

Mr. Speaker, H.R. 4411 would amend existing statutes to prohibit individuals and companies in the gambling industry from knowingly accepting credit card, check, electronic fund transfers, and other similar means or the proceeds of any other financial transaction in connection with unlawful Internet gambling. Further, this bill would direct the Secretary of the Treasury and the Board of Governors of the Federal Reserve System to develop and prescribe regulations which are necessary and proper to identify and prevent the previously mentioned types of transactions.

Essentially, Mr. Speaker, this bill aims to modernize existing law as established by the Wire Act of 1961 to both address the changing technological landscape and clarify the currently vague statutory definition of "bets and wagers." This clarification is needed in order to close the "blackjack" loophole that allows games like poker, blackjack, and roulette to slip through the cracks of existing law. Additionally, this bill would increase from 2 years to 5 years the penalty for violating the Wire Act as well as this underlying bill. This bill also reaffirms our commitment to federalism by protecting the rights of the States to regulate Internet gambling within their respective borders.

Mr. Speaker, H.R. 4411 is a good bill that makes sure the letter of the law catches up with the spirit of the law, given the emergence of new technologies and the proliferation of underground and overseas gambling organizations that attempt to skirt the rule of law and exploit individuals.

So as we move forward with this debate, I want to encourage my colleagues to support the rule and support this underlying bill.

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

Mr. MCGOVERN. Mr. Speaker, I thank the gentleman from Georgia

(Mr. GINGREY) for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, I am going to do something different today. I am going to commend the majority for this rule. Internet gambling is an issue that does not break along traditional partisan lines. There are Democrats and Republicans who support the underlying bill before us, and there are Democrats and Republicans who oppose it. This rule makes in order legislation that regulates Internet gambling, but it also makes in order an important amendment offered by Representatives BERKLEY, WEXLER, and CONYERS, Members who do not support the bill as it is currently written.

This is a fair rule because it accommodates all the views expressed last night in the Rules Committee. This is how the legislative process should work, and I hope the Republican leadership will report more rules like this.

Having said that, Mr. Speaker, I do feel compelled to point out that the Republican leadership has scheduled the last vote today for some time around 2 or 3 o'clock. Tomorrow and Thursday are both expected to be short voting days, and we are not scheduled to be in session on Friday. There is plenty of time for the House to consider other important legislation, for example, an increase in the minimum wage that is long overdue and is supported by, I think, virtually all Democrats and even some Republicans. So, Mr. Speaker, where is the minimum wage?

To my friends on the other side of the aisle, why won't you allow this House to vote to increase the minimum wage?

Yesterday's Washington Post featured a front page article detailing the wage disparity in the metropolitan D.C. area. High-skilled workers are making increasingly higher salaries, but lower-skilled workers are being left behind. We know this is true for workers all across this country. The minimum wage is not keeping pace with the cost of living in America today. Housing costs are up, energy costs are through the roof, low-wage workers need help; and Congress cannot and should not continue to ignore the plight of low-income workers in America. Families are living paycheck to paycheck. They are struggling to make ends meet as the minimum wage is at its lowest level in 50 years, as I said, with rising health care costs, energy, and college costs that they have to deal with.

Poverty is getting worse in our country today. That is a fact. And it is frustrating that the leadership on the other side of the aisle seems indifferent to that sad reality. They pass tax cut after tax cut after tax cut after tax cut for millionaires, and yet they cannot find the time for us to consider an increase in the minimum wage.

This leadership has allowed for regular increases in congressional salary.

Now, I know Members of Congress work hard. I am not saying that people here do not deserve a good salary. But surely my friends on the other side of the aisle must recognize that low-wage workers work hard too. They have families to support too. They have bills to pay too.

Mr. Speaker, we have the opportunity to change this. The Republican leadership certainly cannot claim that we do not have the time to consider an increase in the minimum wage. And I am willing to stay in session after 3 p.m. today to vote on this. I am willing to stay here on Friday. I am willing to give up the August recess until we vote to increase the minimum wage.

Mr. Speaker, it is not a question of timing. We know there is enough time to consider a minimum wage increase. It is a question of priorities. And the priorities of this Congress always seem to ignore those who are struggling most. Mr. Speaker, the American people deserve better than this.

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

Mr. GINGREY. Mr. Speaker, at this time I yield such time as he may consume to the distinguished chairman of the Agriculture Committee, the gentleman from Virginia and coauthor of this bill, Mr. GOODLATTE.

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

Mr. GOODLATTE. Mr. Speaker, I thank the gentleman from Georgia (Mr. GINGREY) for his generously yielding me this time.

I rise in strong support of this rule reported out of the Rules Committee and of the underlying legislation, which I have been pleased to introduce along with the gentleman from Iowa (Mr. LEACH), the gentleman from Virginia (Mr. BOUCHER), and more than 150 other Members of the House to address something that is long overdue, and that is modernization of our laws, our Federal laws, dealing with gambling, particularly what is referred to as Internet gambling.

This is a scourge on our society. It causes innumerable problems. Historically, gambling in the United States has been illegal unless regulated by the States. But Internet gambling ignores the laws of the 50 States, which vary each one compared to the next. Some States, like Utah, ban all forms of gambling. Other States, like Nevada next door, legalize a great many forms of gambling. This legislation does not interfere with that, but it addresses the now hundreds and hundreds and hundreds of offshore sites that are sucking billions of dollars. The latest estimate is a \$12 billion industry with more than half of that coming out of the United States illegally, unregulated, untaxed.

Many like me who are opposed to gambling are concerned about the family problems. I have one family in my district whose son committed suicide because of debts run up on the Internet

due to gambling. Many are aware recently of the student at Lehigh University who ran up significant gambling debts and then robbed a bank in order to try to pay those off.

Those anecdotal evidences simply help to point out what is a magnifying problem of family problems, bankruptcy problems, problems with minors gambling, problems with addiction to gambling, problems with organized crime's being involved in gambling, all of which goes completely out of the purview of the States, which have jurisdiction over gambling in the United States.

So as a result of that, 48 out of 50 of our State attorneys general and the U.S. Justice Department and many other organizations, all the major sports organizations of the United States, many family organizations, many religious organizations, have come to the Congress asking for this legislation, asking to modernize the Wire Act, asking to take steps, as Congressman LEACH has ably done in his legislation coming out of the Financial Services Committee, to enable the Treasury Department, working with law enforcement, working with the financial industry in this country, to see that this flow of money going out to these sites is cut off.

This legislation accomplishes those goals. It is supported by the National Collegiate Athletic Organization that is concerned about the proliferation of sports betting on the Internet and the effect that it is having on their ability to keep these games fair and honest. We have had scandals in the past with regard to betting on sports. And all of the major sports organizations in the country, the National Football League, Major League Baseball, the National Hockey League, the National Basketball Association, have joined with the NCAA in supporting this legislation. But other groups, the Family Research Council, Focus on the Family, Advance USA, Eagle Forum, the United Methodists, Southern Baptists, and many, many other religious organizations and family organizations have joined in support of this effort to address this problem. And it is my hope that the House today will pass this legislation.

In the process it is very, very important that the amendment that has been made in order under the rule be defeated because this is, most clearly, a poison pill amendment. This amendment is designed to take away the carefully crafted legislation, the careful negotiations with the States to make it clear that the Congress is not attempting to interfere with the activities of the States that take place completely confined within their borders. This addresses interstate gambling on the Internet, and it addresses offshore gambling on the Internet. And this amendment would take out of the legislation those carefully crafted provisions and would effectively gut the bill and defeat the cooperative effort that the Congress has been engaged in with

the States, with the State attorneys general, with the Justice Department, and with others. So I would urge my colleagues to support the legislation and to defeat the amendment.

The legislation clarifies the Wire Act, the 1961 statute that made it a Federal felony for gambling businesses to use wire communication facilities to transmit bets or wagers or related money in interstate or foreign commerce. The Wire Act did not contemplate the Internet or wireless communications devices and is ambiguous as to whether it applies to only sports-related gambling or all forms of gambling. The bill updates the Wire Act to clarify that it covers all types of gambling and all types of communication facilities.

H.R. 4411 also increases the maximum penalty for violations of the Wire Act from 2 to 5 years in prison and explicitly preserves the right of the States to regulate gambling that occurs solely within State borders. And the bill cuts off the flow of money to Internet gambling Web sites by regulating payment systems. The Department of the Treasury and the Federal Reserve will jointly develop policies and procedures for identifying and preventing financial transactions related to illegal Internet gambling.

□ 1100

Payment systems will be required to comply with these regulations. Even when criminal law cannot be enforced, the Federal Government's jurisdiction over financial systems can nevertheless cut off the money sources for these illegal businesses.

The bill authorizes State and Federal law enforcement to seek injunctions against persons who facilitate illegal Internet gambling, even when the person is not criminally liable; and when deliberating with foreign governments, the U.S. Government is exhorted to advance international cooperation in law enforcement efforts against illegal gambling and related money laundering. The Secretary of the Treasury will report to Congress about these efforts.

Now, Mr. Speaker, there is another aspect of this legislation that many people are very familiar with, and that is that 6 years ago the predecessor to this legislation was killed on the floor of this House, and subsequently in another Congress in the Judiciary Committee, based upon the misleading representations and the flow of enormous sums of money related to lobbying activities of one Jack Abramoff, who has been widely reported in coverage in the Washington Post and elsewhere regarding the activities that he and others carrying his water, his dirty laundry, engaged in to misrepresent the purposes of this legislation and to defeat it.

Many in this House are very determined that they have the opportunity today to clear the record, to purge the smear on the Congress that was placed

on it by these actions; and Mr. Speaker, I urge my colleagues to take full advantage of that opportunity to do today what should have been done back then when this industry was much smaller. It has quadrupled in size since then, and we need to make sure that this legislation passes this House here today.

Mr. Speaker, I urge my colleagues to support the legislation, defeat the amendment and support the rule.

Mr. MCGOVERN. Mr. Speaker, as I said before, we don't have any problem with the rule that is before us today. We have a problem with the priorities of the Republican leadership in this House.

As I look at the schedule today, as I said before, we are out at 2 o'clock today. We are dealing with the bill that we are talking about right now and then some suspensions that really aren't terribly significant. I am willing to stay till 5 or 6 if we could debate the minimum wage.

Let's give the American workers an increase in their salaries. The average CEO in the United States earns 821 times more than the minimum wage worker, earning more before lunchtime than a minimum wage worker earns all year.

I think it is wrong to have millions of Americans working full time and year round and still living in poverty. I would like to think if you work in this country you can get out of poverty. I think it is wrong to give Congress a raise when millions of workers have not had a penny raise in 9 years.

Over 9 years, this House has given themselves something like \$35,000 in pay increases, and we have not even addressed the issue of the minimum wage, and millions of our fellow citizens are locked into this minimum wage. It is wrong to give tax cut after tax cut after tax cut to millionaires and to special interests when you do nothing for minimum-wage workers.

Nearly 15 million Americans will benefit from a minimum wage increase to \$7.25 an hour, 6.6 million directly and 8.3 million indirectly. Almost 60 percent of these workers are women. Forty percent are people of color. Raising the minimum wage to \$7.25 an hour equals an additional \$4,400 a year for a family of three. That is 15 months of groceries, over 2 years of health care, 2 years of college tuition at a public 2-year college. I could go on and on and on.

It is astounding to me that we find ourselves back after the July 4 recess and we are told we will get to these important issues like the minimum wage when we can get to them. We have nothing going on this week that will keep us here beyond Thursday or keep us here until 5 o'clock today or even tomorrow.

What we are asking for is the opportunity to be able to debate the issue of increasing the Federal minimum wage and letting people in this Chamber,

both Republicans and Democrats, have an opportunity to vote up or down.

Mr. Speaker, I yield 7 minutes to the gentleman from California (Mr. GEORGE MILLER), a champion on this issue.

Mr. GEORGE MILLER of California. Mr. Speaker, I thank the gentleman from Massachusetts, and I just want to join him in his remarks that this really is not about this rule, but this is the only place where we can protest the priorities of this Congress when there are millions of American workers who work at the minimum wage, who are unable to provide for their families the basic necessities of their families. And Congress fails to address that issue and fails to address it especially when it is so clear the voids in the congressional schedule, where there are these huge gaps of time where it would be available to debate the minimum wage, hold hearings on the minimum wage, and report out a bill for consideration by the Members of Congress. And yet that is not being done.

It is not being done basically because the Republican leadership has committed itself to its supporters and the business community that it will not allow a minimum wage vote to come before the House of Representatives, even though it is clear that there is probably enough support to pass this legislation to increase the minimum wage to \$7.25 an hour over the next couple of years.

By doing that, we dramatically change the lives of those individuals who today work at \$5.15 an hour. We dramatically change the lives of the 1.6 million workers who are parents of children under the age of 18 who earn the minimum wage. All together those parents are working to raise more than 3 million children, and yet with the minimum wage stuck at \$5.15 an hour, they are unable to provide the necessities for their family, for those children.

Mind you, these families are stuck at a wage of 1997. The Members of this House cannot think of anything else that is stuck at 1997. The price of bread is not struck in 1997 prices. The price of gasoline is not at 1997 prices. The price of health care is not at 1997 prices. But for these people who work every day and work at very difficult jobs, jobs most other people might not take, certainly will not take at this wage, they end up at the end of the year poor.

At the end of this congressional year, this Congress will not be able to find the time to address this urgent economic need.

We have supporters for increasing the minimum wage, a company I don't generally agree with, but Wal-Mart, who says essentially, even at their stores where they advertise everyday low prices, that the people who shop in the stores at minimum wage are not making enough money to buy the basic necessities that are offered. There is not enough money in the communities to provide for the success of those stores.

This is about whether or not we are going to create an underclass in America, an underclass probably we already have because these people are stuck in 1997 wages. But now that you know it, what is the morality of ignoring them? What is the morality of making a conscious decision that you are going to go out of session today at 2 o'clock as opposed to staying a couple of hours longer and dealing with the minimum wage? What is the morality that you are going to end this session of Congress where I think we have maybe 30 days left before adjournment without addressing the minimum wage?

What is it you are saying to these people about the worth that they are worth, about their lives, about their desire to take care of their children, to provide the necessities, to provide the wherewithal for the education and the health and the nutrition of their children?

Try doing it on \$5.15 an hour. It won't buy you 2 gallons of gas today, so I hope you don't have to commute very far. It certainly won't help with health care payments because you have to pay the rent, and today we see rent is going up as housing markets go up.

So we leave these people stranded. And you want to talk about values, you want to talk about families, you want to talk about children, you want to talk about community, and you are creating an underclass that is so desperate, and yet these people make the decision to go to work every day. Explain the morality of that.

No, you are going to spend your morality on Internet gaming. We are going to say to people, if you bet on a horse, you are legal; if you bet on a dog, you are not. If you bet in one State, you are legal; not if in another. If you want to play Texas Hold 'Em, you are legal in some States, but not in other States.

No, let's talk about the morality of a family that is struggling every day to hold itself together at a time of increasing utility costs, increasing food costs, increasing transportation costs, increasing energy costs; and this Congress, under Republican leadership, simply will not make time to discuss this issue, to vote on this issue. We are not finding the time under this leadership to vote on this issue.

That is why we are going to ask for a vote on the previous question to suggest to you that there is another way to run this Congress, to run it for the benefit of these desperate Americans who are working hard every day, but not getting compensated in today's pay.

Imagine. You didn't think it was sufficient that you all get compensated here at 1997 wages, so we have continued to provide a COLA. I think it is justified, but the fact of the matter is, for millions of Americans, you have made a conscious decision while we get a COLA, we are going to trap them in 1997 wages.

I thank the gentleman, I thank him for his leadership, for allowing his co-

operation on allowing this opportunity to have this vote and again to try to express to this Congress, because now we are lobbying the Congress on behalf of the people that are not politically engaged, are not politically active. They are working too hard; they are working too hard at work, and they are working too hard the rest of the day trying to figure out how they hold their families together.

And what do they get from the Republican Congress? They get the back of their hand. They get the back of their hand. These people's workday does not end at 5 o'clock. They spend the rest of the time trying to figure out how they are going to juggle transportation costs, food costs, health care, education, how they are going to do that for those 3 million children. And we sit by and we end the workday at 2 o'clock? At 2 o'clock, they are just getting started. We end the work day at 5 o'clock; they are driving home and figuring out whether or not they can go by the supermarket. Or we are not going to work on Fridays. They go to work on Fridays. They go to work all day on Fridays. We are going to work at 6 o'clock on Monday night. They went to work at 6 o'clock Monday morning.

Do you start to get the sense of the inequities that are taking place here that are within your power to change?

Let me tell you, you say, oh, you are going to kill jobs. There is no evidence that that is the case. In fact, those States that have increased the minimum wage apparently are doing a little better economically and having more job creation than those States that did not. But let me tell you, if you have a business plan that is dependent upon paying people 1997 wages, there may be something wrong with your business plan.

I do not think we should become co-conspirators in creating this underclass, and we should not be able to look the other way as we live a life that is completely out of touch with the struggle of these people, with our neighbors, with people living in our community. They struggle on the job and off the job because it never ends for them trying to make ends meet. And we stroll in here on a Tuesday morning, we stroll out of here on a Thursday night. We stroll out of here for the month of August and we stroll out of here in November and we can't find time? We can't find time to address this issue?

We are not asking you to raise the wages from today. We are asking you to raise the wages from 1997.

I thank the gentleman for yielding the time.

Mr. GINGREY. Mr. Speaker, I yield myself 30 seconds.

It is interesting to hear from the other side the complaint about ending our workday at 2 o'clock or 3 o'clock or 4 o'clock in the afternoon, whatever the case may be, and yet we hear from them repeatedly of the accusation that

the Republicans are passing bills in the dark of the night. So no matter how we do it, they are going to criticize us.

I think the schedule that we keep is the one that gets things done and gets it done in an effective way.

Mr. Speaker, I yield 3 minutes to the gentleman from Tennessee (Mr. DUNCAN).

Mr. DUNCAN. Mr. Speaker, I thank the gentleman from Georgia for giving me this time, and I rise in strong support of this bill by the gentleman from Iowa (Mr. LEACH) and the gentleman from Virginia (Mr. GOODLATTE) and the rule which brings this bill to the floor. I am pleased to be a cosponsor of this legislation, which by the way, in case there is any confusion, has nothing whatsoever to do with the minimum wage.

We just heard a few minutes ago a very detailed explanation of this legislation by the gentleman from Virginia (Mr. GOODLATTE), one of the primary sponsors to deal with this, what he described as a \$12 billion industry growing very rapidly, this problem of Internet gambling. This bill, this legislation, is a very reasonable and rational response to what is a very fast-growing national problem.

For the past 40 years or so, governments at all levels have been shrinking the tax base by taking more and more property off the tax rolls. At the same time, demands for more and more funding from all government agencies has been growing. Governments at all levels have turned to gambling in a desperate attempt to raise more revenue. Many States now promote lotteries or even allow casinos or other forms of gambling.

This sounds great, of course, for a politician to create a park, but we have now taken so much land off the tax rolls that we continuously hear about shortfalls in funding for every government activity. Half the land is now in some type of public or quasi-public ownership.

But gambling should not be the answer, Mr. Speaker. Several million people already are addicted to one form of gambling or another. This problem is going to grow, and many families will suffer if government keeps promoting gambling, and especially if it can be done by pushing a few buttons in the privacy and comfort of a home.

The Internet is addictive for many people, anyway, and online gambling can be doubly addictive. We need to put modest and reasonable limitations in place on Internet gambling, and this bill does that.

I urge its support.

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

Mr. Speaker, the bill before us today supposedly is part of the Republican Family Values Agenda. But going back to what my colleague from California (Mr. MILLER) asked, shouldn't any family value agenda include guaranteeing

working families a livable, decent wage?

The fact of the matter is, if the minimum wage had increased at the same rate as the salary increase CEOs had received, it would now be \$23.03 an hour. Members of Congress, as I have reminded my colleagues, have awarded themselves eight pay raises since they last raised the minimum wage. Thirty-five percent of workers who received a minimum wage are their family's sole earners. Sixty-one percent are women. And almost one-third of these women are raising children.

Oftentimes we hear the other side say that this will somehow hurt small business. Well, the fact of the matter is, small businesses perform better in States with higher minimum wages. Between 1998 and 2004, the job growth for small businesses in States with a minimum wage higher than the Federal level was 6.2 percent compared to a 4.1 percent growth in States where the Federal level prevailed.

The bottom line is, those of us on this side believe that increasing the minimum wage for working families in this country needs to be a priority, and we would prefer to have this discussion during a debate on the minimum wage. Unfortunately, the leadership on the other side continues to deny us that opportunity. So again I would urge my colleagues on the other side of the aisle who agree with us to press your leadership to allow us to have a vote on the minimum wage. We could do it today.

Again, I would remind my friend from Georgia (Mr. GINGREY) that according to the schedule that we are out by 2 today. We have plenty of time to do it today. We could do it tomorrow. We could do it Friday. We have the whole day on Friday we could do it. So again I would urge my colleagues to support any effort to increase the Federal minimum wage.

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

Mr. GINGREY. Mr. Speaker, I yield 3 minutes to the gentleman from Nebraska (Mr. OSBORNE), and I trust that he will be speaking about H.R. 4411 and this rule concerning the Unlawful Internet Gambling Enforcement Act of 2006.

Mr. OSBORNE. Mr. Speaker, I would like to thank Mr. GINGREY for yielding me time. I also thank Chairman OXLEY and Representative GOODLATTE for their work on this bill, and Representative LEACH and many others.

Mr. Speaker, I would like to emphasize that this is a tremendously important piece of legislation. This is not a filler. This is not something we are just going through the motions on. The reason I say this is that gambling causes poverty. It causes poverty, in many cases, as much as the wage actually paid an individual. It causes family dysfunction. It causes crime, embezzlement, theft.

There is nothing that we can do right now at this particular time that I think is more germane to the welfare

of families and people in the United States than this legislation. The proliferation of Internet gambling is fueling the growth of illegal sports gambling on college campuses across the country. That is why this legislation is endorsed by the NCAA, the NFL and Major League Baseball. The reason I am coming at it from this perspective is, as a coach for 36 years, I was always very concerned about the impact of gambling on athletics.

A 2003 study by the NCAA showed that almost 35 percent of male student athletes engaged in some type of sports wagering behavior in the previous year, and roughly 10 percent of female student athletes did as well. For instance, one athlete reported a \$10,000 Internet gambling debt.

Now, when you have that type of debt, and you are a student, there is almost no way you can pay it off except you can possibly say, well, you know, if I cooperate with the gamblers, and if I miss a free throw or fumble the football or fix a game, then I can be made whole.

And so the integrity of athletics is pretty much at jeopardy in this regard, and particularly because Internet gambling can be done in such an inconspicuous way. Almost every college student has access to a computer, and 70 percent of them have credit cards. Therefore, this is a huge problem on the college campus.

College students are more likely to fall victim to serious gambling problems. According to a 1997 study by Harvard University, college students show the highest percentage of pathological and problem gambling of any subgroup in the country.

So because of the pervasive, legal, economic and social challenges posed by the rapid growth of Internet gambling, the National Gambling Impact Study Commission unanimously recommended, in its 1999 final report, that the Federal Government prohibit all Internet gambling not authorized and legalized by law.

H.R. 4411, the Unlawful Internet Gambling Enforcement Act, provides new law enforcement mechanisms to stop offshore casinos that are violating existing State and Federal laws against Internet gambling. The ease of Internet gambling poses a very serious threat to our families and our society.

Mr. Speaker, I am pleased to be a cosponsor of this legislation. I urge support by my colleagues. Support the rule and underlying legislation to crack down on illegal Internet gambling.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. CONYERS).

Mr. CONYERS. Mr. Speaker, I thank the gentleman for yielding to me.

Ladies and gentlemen of the House, H.R. 4111 can also be considered Abramoff's revenge. Because as the Cato Institute itself, not the most liberal think tank around, has suggested, we are doing exactly what he wanted us to do.

What he wanted us to do is to push this bill as the anti-Abramoff bill, which is quite disingenuous. The Abramoff stuff is just latching on to the backlash to try to push it through.

And so for all of you who thought that we were doing something that he might not approve of, I just want you to know that this measure offers the gambling bill as something that he would now support in its present form. It is a very critical point to consider. It is a bill that he would have supported in 2000. And though the bill is being rationalized as a way to exorcise the demons of 2000, the reality is the bill serves the client, his clients or ex-clients' interests indeed.

I am hopeful that the Members, particularly my friend from Iowa, will recognize that what they are trying to do and that we know about his past involvement in the killing of the 2000 bill is now just the reverse.

JULY 11, 2006.

DEAR COLLEAGUE: "Lobbyist Jack Abramoff and his team were beginning to panic.

"An anti-gambling bill had cleared the Senate and appeared on its way to passage by an overwhelming margin in the House of Representatives. If that happened, Abramoff's client, a company that wanted to sell state lottery tickets online, would be out of business." ("How a Lobbyist Stacked the Deck: Abramoff Used DeLay Aide, Attacks On Allies to Defeat Anti-Gambling Bill," Susan Schmidt and James V. Grimaldi, Washington Post, October 16, 2005)

If he were still lobbying and not on his way to jail, Abramoff and his former client would have no reason to panic about H.R. 4411, the revised Internet gambling bill scheduled for a vote on Wednesday. That's because H.R. 4411 contains precisely the loophole for state lotteries that Abramoff was hired to secure in 2000.

The bill's supporters often invokes the defeat of his bill in 2000 and lobbyist Jack Abramoff's role in that defeat as a reason to enact this year's bill. However, supporters conspicuously fails to note that Abramoff's goal was to preserve the ability of his then-client, ELottery.com, to bring state lotteries onto the Internet. He only worked to defeat the Goodlatte bill when it was clear that state lotteries would not be exempt from the ban.

He would be able to rest easy today. That's because H.R. 4411 contains an amendment to the Federal Wire Act that would allow states (and companies working with those states) to sell lottery tickets online so long as certain minimal conditions are met, e.g. the State must specifically authorize online lottery ticket sales. Given that some states already are looking to sell tickets online in order to boost revenues, the new version of the bill will give those states a green light.

H.R. 4411 is Abramoff's revenge. It is a bill that he could have supported in 2000. And though passage of this bill is rationalized as a way to exorcise the demons of 2000, the reality is this bill serves his client's interests..

Sincerely,

JOHN CONYERS, Jr.,  
Ranking Member.

GOP OFFERS GAMBLING BILL AS ABRAMOFF  
ELIXIR

(By Kathryn A. Wolfe)

Some Republicans are touting Internet gambling legislation the House likely will

pass Tuesday as evidence that disgraced lobbyist Jack Abramoff's influence is gone—even though the measure would protect many of the gambling interests he once represented.

Abramoff's lobbying activities, including actions he took on behalf of the Connecticut-based gambling company eLottery, are under Justice Department investigation. He separately pleaded guilty Jan. 4 to conspiracy and fraud charges stemming from the 2000 purchase of a gambling boat fleet and was sentenced to five years and 10 months in prison.

eLottery, which helps state and international governments and Indian tribes market lottery tickets online, hired Abramoff to lobby against a 2000 bill that sought to establish criminal penalties for Web sites offering Internet gambling, including those selling tickets for state lotteries online. He sought to kill the bill entirely, or alternatively to carve exceptions for certain powerful gambling industries. The measure was defeated on the House floor July 17, 2000.

This year, lawmakers, eager to turn the Abramoff scandal into something positive, have begun a new push to enact slightly different legislation intended to curb Internet gambling. Much of the rhetoric swirling around the bills portrays them as the mop with which lawmakers will cleanse the Capitol of Abramoff's influence.

During a House Financial Services Committee markup on March 14, Jim Leach, R-Iowa, a sponsor of one measure to curb Internet gambling (H.R. 4411), hinted at Abramoff's past involvement in killing the 2000 bill, suggesting the affair is a stain on Congress.

"Congress is in certain disrepute," Leach said. "[The bill] is part and parcel of what I consider to be necessary to clean up the Congress."

Leach's bill would prohibit banks and credit card companies from processing payments for online gambling bets.

Republican leaders decided to fold another Internet gambling bill (H.R. 4777) by Robert W. Goodlatte, R-Va., into Leach's bill for floor action Tuesday.

Goodlatte's bill—approved 25-11 by the Judiciary Committee on May 25—would prohibit gambling businesses from accepting credit cards and electronic transfers for online betting. It also would modify the 1961 Wire Act (PL 87-216) to clarify that its prohibitions apply to Internet gambling, not just sports bets placed over telephone wires.

It appears likely the gambling legislation will win sizable Democratic support on the floor. Goodlatte's bill was supported by four Democrats on the Judiciary panel. The Financial Services Committee approved Leach's bill by voice vote.

However, some congressional aides and policy analysts who have followed the legislation say little has changed since Abramoff succumbed to scandal.

"If they pass this bill, it will be clear that Abramoff has won and everything he fought for is still protected—all the industries, carve-outs and exceptions," said a Democratic aide familiar with the bills.

Indeed, neither Goodlatte's nor Leach's bill would apply its prohibitions to interstate online wagering on horse races. And Goodlatte's bill contains an exemption for online state lotteries.

Both measures also contain exemptions for fantasy sports leagues that offer cash prizes at the behest of Major League Baseball and grass-roots fan organizations such as the Fantasy Sports Association.

Goodlatte's bill expressly states that it would not prohibit activities allowed under

the Interstate Horseracing Act (PL 95-515), the 1978 law that allows off-track betting facilities to accept interstate horse bets. The horse wagering industry and the Justice Department are locked in a battle over whether that law allows online interstate horse betting.

GOP leaders decided to allow one floor amendment to be offered to the bill, which would eliminate all waivers or exceptions for certain types of Internet gambling.

Goodlatte bristles at suggestions that his bill contains "carve-outs" for the horse-racing industry, arguing that it does not get involved in the issue. "I have very carefully stayed away from that debate," Goodlatte said. "This legislation is not the place to get into this issue."

But Radley Balko, a policy analyst for the Cato Institute, a libertarian think tank, says that by remaining silent on the debate, the measures in effect contain an exemption.

Balko said the horse-racing industry will likely attempt to use the bills to bolster its case in its spat with the Justice Department by arguing that lawmakers' silence on the issue is tacit approval from Congress.

"This is exactly the bill Jack Abramoff would've wanted," Balko said. "So to push it as the anti-Abramoff bill is disingenuous. The Abramoff stuff is just latching on . . . to the backlash to try to push this through."

Goodlatte has been particularly vocal about the online wagering issue's connection with Abramoff. During a February appearance on CNBC, Goodlatte noted that he introduced his bill with 116 cosponsors, saying many who voted against the 2000 bill "were misled by Mr. Abramoff and others about the function of the legislation [and] are now saying 'We want on board.'"

Those who voted against the 2000 measure who this year are cosponsoring Goodlatte's bill include House Majority Whip Roy Blunt, R-Mo.; Dave Camp, R-Mich.; Steve Chabot, R-Ohio; Gene Green, D-Texas; Bill Jenkins, R-Tenn.; Thomas M. Davis III, R-Va.; Jack Kingston, R-Ga.; and Fred Upton, R-Mich. Tom DeLay, R-Texas, also signed on as a cosponsor, although he has since resigned from Congress.

The lawmakers who answered requests for comment on the matter—Blunt, Camp and Green—brushed aside suggestions they were influenced on the 2000 bill by Abramoff's efforts, saying this year's bills simply take a better approach. The rest did not return calls seeking comment.

"Congressman Blunt had concerns regarding potential loopholes in the bill when the House last voted," said spokeswoman Jessica Boulanger. "His major concerns have been addressed and it is clear that the benefits of getting this bill done expeditiously outweigh any other concerns."

Supporters of cracking down on Internet gambling, including the conservative Christian group the Traditional Values Coalition, view online gambling as a conduit for money laundering and a breeding ground for a host of social ills.

Opponents of the bills include professional and recreational gamblers, the online gambling industry, libertarian groups and some financial institutions, especially small banks, which fear it will be impossible to comply with the bills' directives.

Mr. GINGREY. Mr. Speaker, I yield 4½ minutes to the coauthor of this important piece of legislation, the gentleman from Iowa (Mr. LEACH).

Mr. LEACH. Mr. Speaker, I hadn't intended to speak during the rule. I

would comment to begin with on Mr. MCGOVERN's point. I think he has a really quite excellent one on the minimum wage. But I must frankly differ quite profoundly with the comments of my good friend, the distinguished ranking member of the Judiciary Committee from Michigan.

The public record is very clear, JOHN, and there is no equivocation, no conceivable other interpretation. A bill was brought to the floor in the year 2000, which was brought by BOB GOODLATTE, and a great deal of lobbying went into it to defeat it by Mr. Abramoff. It did not get the requisite two-thirds vote.

Subsequently, in addition, the record is quite clear, on three separate occasions, the House banking committee brought a bill out that was not allowed to come to the floor. And there is every indication that it was a group led by Mr. Abramoff and others that blocked the leadership from allowing the bill to come to the floor.

And so I do not want anyone to think and be sidetracked into any other interpretation. This is an interpretation, by the way, fully shared by all of the outside groups looking at the issue. I know of no group that has a different interpretation than this.

Now, I recognize the gentleman has a long-held view about the appropriateness, and it is a credible approach of legalizing gambling. It is not an approach that I share, but it is credible. And this bill goes in the other direction.

As we go down this path, it is important that we all reflect the issues that we believe in from one perspective or another, but I don't think we should misinterpret history. And I know Mr. GOODLATTE from your committee has personal scars on what happened from influence peddlers from the outside world that have come and blocked approaches that he has advocated for long periods of time, and I have advocated also for a fair length of time.

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

Mr. LEACH. I yield to the gentleman from Michigan.

Mr. CONYERS. Mr. Speaker, I want to ask the question, Does this not contain carve-outs for horse racing?

Mr. LEACH. Actually, let me respond to that.

Mr. CONYERS. And lottery?

Mr. LEACH. Let me respond directly to that. The horse racing provisions in this bill reflect the Interstate Horse Racing Act. To the degree that there is any change, it is a slight upgrading restriction in horse racing, because the new definitional structures put in this bill apply to the Wire Act. This bill does not touch the dispute between the Justice Department and the horse racing community. But it increases the strength of the Justice Department's position in the sense that these new definitional structures that will apply to the Wire Act will also apply to horse racing itself.

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

Mr. LEACH. I yield to the gentleman from Virginia.

Mr. GOODLATTE. Mr. Speaker, I thank very much the gentleman for yielding. I want to be very, very clear about this. This legislation is very, very similar to the legislation that Jack Abramoff helped to defeat. He in no way supports it, number one. Number two, there is no carve-out in this legislation for horse racing or for lotteries.

That has been misrepresented time and time again. That is exactly the device, that is exactly the argument that Jack Abramoff used to defeat this legislation twice before. So to make the argument again I think is entirely wrong; it is entirely misleading. The fact of the matter is that the horse racing industry has a separate statute, the Interstate Horse Racing Act, and this legislation does nothing to enhance that legislation nor to repeal it.

The Justice Department negotiated very carefully the language that preserves their right to proceed against the horse racing industry if they choose to do so, because they maintain that separate statute, the Interstate Horse Racing Act, does not allow them to do what they are doing.

But this legislation does nothing to enable that in any way, shape or form; nor does it do anything to enable State lotteries to engage in Internet gambling operations.

The legislation makes it very clear that for any type of operation to take place, it must be confined within the borders of the State which cannot be done on the Internet.

Mr. MCGOVERN. Mr. Speaker, I yield 30 seconds to the gentleman from Michigan (Mr. CONYERS).

Mr. CONYERS. Mr. Speaker, I am deeply impressed by the passion that my comments have raised. But remember that the old bill that he killed did not contain a lottery exemption that Abramoff wanted, and this one does. CQ may have gotten it wrong, ladies and gentlemen, I doubt it. Republicans are touting Internet gambling legislation the House will likely pass as evidence that disgraced lobbyist Jack Abramoff's influence is gone, even though the measure would protect many of the gambling interests he once represented.

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentlewoman from Nevada (Ms. BERKLEY).

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

Mr. Speaker, hypocrisy is certainly rampant here in the House today. Mr. GOODLATTE, the gentleman from Virginia, apparently wants it both ways. He wants to tell us that the Department of Justice is opposed to horse race gambling, but on the other hand the horse race industry is happy as a clam.

Let me quote for you what they have said in their March 15, 2006, press re-

lease. It said they had secured language in the Leach bill to protect Internet and account wagering on horse racing. Also, NTRA worked with Congressman GOODLATTE to ensure that H.R. 4411 also contained language that protects online and account pari-mutuel wagering.

□ 1130

Obviously, nobody has told the horse racing industry that they are not exempt from this legislation.

After the Judiciary Committee approved the Goodlatte bill in May, the *Thoroughbred Times* printed an article titled "Gambling Bill Passes Committee With Racing Exemption Intact," which includes the sentence, "The bill includes an exemption that would allow the United States horse racing industry to continue to conduct interstate account and Internet wagering."

Now, I was raised in Las Vegas, Mr. Speaker, where gambling is legal. My children were born in Las Vegas; my parents live in Las Vegas. We are now three generations there. I take great exception to those colleagues of mine that malign the gaming industry and, thereby, the State of Nevada.

Now, I know firsthand, coming from a family whose father was a waiter, and on a waiter's salary in Las Vegas because of a strong gaming economy made enough money to put food on the table, clothes on our back, a roof over our head, and two daughters through college and law school. That is not so bad on a waiter's salary, and it doesn't happen too many other places but the State of Nevada because of our strong gaming economy. I can assure you that neither my sister nor I nor any of our friends nor any of our children have had any bad consequences because of the gaming industry.

So when I hear the gentleman from Virginia speak of a carefully crafted compromise, which this bill supposedly is, I think what he means is that he made a deal with the horse racing lobby to exempt them from this bill. And why is that? Because he knew they would fight it tooth and nail unless he gave them an exemption. And his comments to the contrary doesn't make it so.

And when the gentleman from Nebraska stands up and speaks about protecting college students, I have been down this road with him before. When it comes to gambling online, there is nothing, nothing, let me repeat that as loudly as possible for everyone to hear, there is nothing in this legislation that is going to protect college kids on campus from gambling online. We are talking about off-shore gambling sites, Internet sites that are outside of the reach of our judicial system and our regulators.

#### PARLIAMENTARY INQUIRIES

Mr. GINGREY. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore (Mr. MURPHY). The gentleman will state his inquiry.

Mr. GINGREY. Mr. Speaker, is it appropriate for a Member to characterize the motivation of another Member, which I think the gentlewoman from Nevada, whether intentionally or unintentionally, just did? In addition to that, of course, reference the member as a hypocrite. And I just would like to know from the Parliamentarian, is this appropriate for a Member to characterize the motivation of another Member as Ms. BERKLEY just did regarding the distinguished author of this bill, Mr. GOODLATTE?

The SPEAKER pro tempore. The Chair reminds all Members to refrain from personalities regarding other Members' motives.

Ms. BERKLEY. May I make an inquiry?

The SPEAKER pro tempore. The gentlewoman will state her inquiry.

Ms. BERKLEY. What would you call it when you are attempting to outlaw Internet gaming but create an exemption for horse race gambling online?

The SPEAKER pro tempore. The gentlewoman is not stating a parliamentary inquiry.

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

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Speaker, one of the problems with the discussion so far is we keep talking about prohibiting Internet gambling. There is nothing in the bill that prohibits Internet gambling. The prohibition is against running a gambling operation on the Internet in the United States. If you are running one offshore, there is no prohibition. So what we are doing is setting up a monopoly for offshore operations beyond the reach.

We are also setting up a credit card situation which cannot be enforced. How is a credit card company going to deny a bill coming in when they don't know what it is for? The credit card company has got to know it is illegal, they have got to know it was for illegal gambling rather than for something else. A lot of companies that have a lot of different entities, they may be charging for a hotel room, not for Internet gambling. And it cannot possibly be enforced. So you have a regulatory scheme that can't work and no prohibition against gambling.

If we wanted to get serious about Internet gambling, you should have put in there it is illegal to gamble. That is not in the bill. This bill is a message bill. It is unenforceable; you can't regulate it. It would make more sense since the cat is out of the bag, many countries are running Internet gambling operations already. If we are going to do anything, we ought to regulate the operations, supervise it, and tax it.

Mr. GINGREY. Mr. Speaker, I would agree with the gentleman from Virginia, it would be nice if we could in the United States Congress with our laws regulate what folks can do in

Aruba or Bimini or Paradise Island. Unfortunately, we can't do that. But this bill does prohibit the use of financial instruments to pay for that gambling activity that is run offshore.

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

Mr. MCGOVERN. If I could inquire of my friend from Georgia how many more speakers he has.

Mr. GINGREY. We currently have no more requests for speakers at this time, so I am reserving for the purpose of closing.

Mr. MCGOVERN. I am the final speaker on our side, so I will proceed.

May I inquire how much time I have remaining.

The SPEAKER pro tempore. The gentleman has 7 minutes remaining.

Mr. MCGOVERN. Mr. Speaker, I will urge all Members of this House to vote "no" on the previous question so that I can amend the rule and allow the House to vote on H.R. 2429, the Miller-Owens bill to increase the Federal minimum wage for the first time in nearly a decade. We have the time. According to the schedule, we are out at 2 o'clock today. The American workers deserve a pay increase.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment and extraneous materials immediately prior to the vote on the previous question.

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

There was no objection.

Mr. MCGOVERN. Mr. Speaker, my amendment provides that immediately after the House adopts this rule it will bring H.R. 2429 to the House floor for an up or down vote. This bill will gradually increase the minimum wage from the current level of \$5.15 an hour to \$7.25 after about 2 years. The amendment also phases in coverage of the Federal minimum wage for the Commonwealth of the Northern Marianas.

Mr. Speaker, how long are we going to wait before we start helping American workers and their families? Instead of passing significant legislation week after week, or, even worse, enacting bills to make the richest of this Nation even richer, when are we going to do something that is meaningful for the average American worker? It is simply disgraceful that less than 1 month ago we passed yet another massive tax break for our Nation's multimillionaires, but failed to help those American families who earn the least. In fact, the leadership of this House actually blocked consideration of a bill that contained an increase in the minimum wage. The leadership of this House actually and affirmatively went out there and blocked a bill that contained an increase in the minimum wage.

It is getting harder and harder and harder every day for those making at or near minimum wage to make ends meet. It doesn't take a genius to figure out that paying \$3 or more for a gallon

of gas by itself can eat up a \$5.15-an-hour paycheck. And we all know that, when gas prices increase, it has a ripple effect throughout the country, increasing costs for food and other necessities in life.

Mr. Speaker, just yesterday The Washington Post reported on a new study that shows that in the Washington, D.C. area, wages are rising more than twice as fast for highly paid employees as they are for workers. These people need our help, and they need it immediately. Let's not allow any more time to go by before we do the right thing and adopt an immediate increase in the minimum wage. Let's show the American people that we are looking out for their best interests. And we can do this today, Mr. Speaker, if we vote down the previous question and amend the rule.

I urge all Members of this body to vote "no" on the previous question so we can help the 7 million-plus American workers who will directly benefit from an increase in the minimum wage.

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

Mr. GINGREY. Mr. Speaker, I rise again in support of this rule and in recognition of the importance of this underlying bill. I want to again commend Chairman OXLEY and Chairman SENBRENNER for their stewardship of the bill, as well as Representatives LEACH and GOODLATTE, the sponsors of the bill.

H.R. 4411 goes a long way to modernize and clarify existing law, to turn back the tide of offshore Internet gambling sites that penetrate our borders and computers across this country with virtually no legal oversight. These organizations have the ability to prey on children as well as those citizens who suffer from a gambling addiction, and they must be stopped.

Mr. Speaker, H.R. 4411 does a very good job of getting at the root of the problem and targeting those organizations that enable this illicit activity by tightening legal definitions and toughening the penalties for violations. This bill achieves these ends while also preserving the rights of our States and their regulatory powers. So for the sake of minors who might be lured into gambling, and, in truth, citizens of all ages, I want to encourage my colleagues to support both this rule and the underlying bill.

The material previously referred to by Mr. MCGOVERN is as follows:

PREVIOUS QUESTION ON H. RES. 907, RULE FOR H.R. 4411 UNLAWFUL INTERNET GAMBLING ENFORCEMENT ACT OF 2006

At the end of the resolution add the following new section:

"Sec. 2. Immediately upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 2429) to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage. The bill shall be considered as read for amendment. The previous question shall be considered as ordered on the

bill to final passage without intervening motion except: (1) 60 minutes of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce; and (2) one motion to recommit with or without instructions."

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308-311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Republican majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution \* \* \* [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule \* \* \* When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is the one of the only available

tools for those who oppose the Republican majority's agenda to offer an alternative plan.

Mr. GINGREY. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Mr. MCGOVERN. 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.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting, if ordered, on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 214, nays 189, not voting 29, as follows:

[Roll No. 360]  
YEAS—214

- |                 |                  |                    |
|-----------------|------------------|--------------------|
| Aderholt        | Emerson          | LaTourette         |
| Akin            | English (PA)     | Lewis (CA)         |
| Alexander       | Everett          | Lewis (KY)         |
| Bachus          | Feeney           | Linder             |
| Baker           | Ferguson         | LoBiondo           |
| Barrett (SC)    | Fitzpatrick (PA) | Lucas              |
| Bartlett (MD)   | Flake            | Lungren, Daniel E. |
| Barton (TX)     | Foley            | Mack               |
| Bass            | Fortenberry      | Manzullo           |
| Beauprez        | Fossella         | Marchant           |
| Biggart         | Fox              | McCaul (TX)        |
| Bilbray         | Franks (AZ)      | McCotter           |
| Bilirakis       | Frelinghuysen    | McCrery            |
| Bishop (UT)     | Gallely          | McHenry            |
| Blackburn       | Garrett (NJ)     | McHugh             |
| Blunt           | Gerlach          | McKeon             |
| Boehlert        | Gibbons          | McMorris           |
| Boehner         | Gilchrest        | Mica               |
| Bonilla         | Gillmor          | Miller (FL)        |
| Bonner          | Gingrey          | Miller (MI)        |
| Bono            | Gohmert          | Miller, Gary       |
| Boozman         | Goodlatte        | Moran (KS)         |
| Boustany        | Granger          | Murphy             |
| Bradley (NH)    | Graves           | Musgrave           |
| Brady (TX)      | Gutknecht        | Myrick             |
| Brown (SC)      | Hall             | Neugebauer         |
| Brown-Waite,    | Harris           | Ney                |
| Ginny           | Hart             | Northup            |
| Burgess         | Hastings (WA)    | Norwood            |
| Burton (IN)     | Hayes            | Nunes              |
| Buyer           | Hayworth         | Osborne            |
| Calvert         | Hefley           | Otter              |
| Camp (MI)       | Hensarling       | Oxley              |
| Campbell (CA)   | Herger           | Paul               |
| Cannon          | Hobson           | Pearce             |
| Cantor          | Hoekstra         | Hostettler         |
| Capito          | Hostettler       | Hulshof            |
| Carter          | Hulshof          | Hunter             |
| Castle          | Hunter           | Inglis (SC)        |
| Chabot          | Inglis (SC)      | Issa               |
| Choccola        | Issa             | Jindal             |
| Coble           | Jindal           | Johnson (CT)       |
| Cole (OK)       | Johnson (CT)     | Johnson (IL)       |
| Conaway         | Johnson (IL)     | Johnson, Sam       |
| Crenshaw        | Johnson, Sam     | Jones (NC)         |
| Cubin           | Jones (NC)       | Keller             |
| Culberson       | Keller           | Kennedy (MN)       |
| Davis (KY)      | Kennedy (MN)     | King (IA)          |
| Davis, Tom      | King (IA)        | King (NY)          |
| Deal (GA)       | King (NY)        | Kingston           |
| Dent            | Kingston         | Kirk               |
| Diaz-Balart, L. | Kirk             | Kline              |
| Diaz-Balart, M. | Kline            | Knollenberg        |
| Doolittle       | Knollenberg      | Kolbe              |
| Drake           | Kolbe            | Kuhl (NY)          |
| Dreier          | Kuhl (NY)        | LaHood             |
| Duncan          | LaHood           | Latham             |
| Ehlers          | Latham           |                    |

- |               |             |              |
|---------------|-------------|--------------|
| Ros-Lehtinen  | Simpson     | Walden (OR)  |
| Royce         | Smith (TX)  | Walsh        |
| Ryan (WI)     | Sodrel      | Wamp         |
| Ryun (KS)     | Souder      | Weldon (FL)  |
| Saxton        | Stearns     | Weldon (PA)  |
| Schmidt       | Sweeney     | Weller       |
| Schwarz (MI)  | Tancredo    | Westmoreland |
| Sensenbrenner | Taylor (NC) | Whitfield    |
| Shadegg       | Terry       | Wicker       |
| Shaw          | Thomas      | Wilson (NM)  |
| Sherwood      | Thornberry  | Wilson (SC)  |
| Shimkus       | Tiberi      | Wolf         |
| Shuster       | Turner      | Young (AK)   |
| Simmons       | Upton       | Young (FL)   |

NAYS—189

- |                |                 |                   |
|----------------|-----------------|-------------------|
| Abercrombie    | Green, Al       | Oberstar          |
| Ackerman       | Green, Gene     | Obey              |
| Allen          | Grijalva        | Oliver            |
| Andrews        | Harman          | Ortiz             |
| Baca           | Hastings (FL)   | Pallone           |
| Baird          | Herseth         | Pascarell         |
| Baldwin        | Higgins         | Pastor            |
| Barrow         | Holden          | Payne             |
| Bean           | Holt            | Pelosi            |
| Becerra        | Honda           | Peterson (MN)     |
| Berkley        | Hooley          | Pomeroy           |
| Berman         | Hoyer           | Price (NC)        |
| Berry          | Insole          | Rahall            |
| Bishop (GA)    | Israel          | Reyes             |
| Bishop (NY)    | Jackson (IL)    | Ross              |
| Blumenauer     | Jackson-Lee     | Rothman           |
| Boren          | (TX)            | Roybal-Allard     |
| Boswell        | Jefferson       | Ruppersberger     |
| Boucher        | Johnson, E. B.  | Rush              |
| Boyd           | Kanjorski       | Ryan (OH)         |
| Brady (PA)     | Kaptur          | Sabo              |
| Brown (OH)     | Kennedy (RI)    | Salazar           |
| Brown, Corrine | Kildee          | Sanchez, Linda T. |
| Butterfield    | Kilpatrick (MI) | Sanchez, Loretta  |
| Capps          | Kind            | Sanders           |
| Capuano        | Kucinich        | Schakowsky        |
| Cardin         | Langevin        | Schiff            |
| Cardoza        | Lantos          | Schwartz (PA)     |
| Carnahan       | Larsen (WA)     | Scott (GA)        |
| Carson         | Larson (CT)     | Scott (VA)        |
| Case           | Leach           | Serrano           |
| Chandler       | Lee             | Shays             |
| Clay           | Levin           | Sherman           |
| Cleaver        | Lewis (GA)      | Skelton           |
| Clyburn        | Lipinski        | Smith (WA)        |
| Conyers        | Lofgren, Zoe    | Snyder            |
| Cooper         | Lowey           | Solis             |
| Costa          | Lynch           | Spratt            |
| Costello       | Maloney         | Stark             |
| Cramer         | Markey          | Stupak            |
| Crowley        | Marshall        | Tanner            |
| Cuellar        | Matheson        | Tauscher          |
| Cummings       | Matsui          | Taylor (MS)       |
| Davis (AL)     | McCarthy        | Thompson (CA)     |
| Davis (CA)     | McCollum (MN)   | Thompson (MS)     |
| Davis (IL)     | McDermott       | Tierney           |
| Davis (TN)     | McGovern        | Towns             |
| DeFazio        | McIntyre        | Udall (CO)        |
| DeGette        | McKinney        | Udall (NM)        |
| Delahunt       | Meehan          | Van Hollen        |
| DeLauro        | Meek (FL)       | Velázquez         |
| Dingell        | Meeks (NY)      | Vislousky         |
| Doggett        | Melancon        | Wasserman         |
| Edwards        | Michaud         | Schultz           |
| Emanuel        | Millender       | Waters            |
| Engel          | McDonald        | Watson            |
| Eshoo          | Miller, George  | Watt              |
| Etheridge      | Mollohan        | Waxman            |
| Farr           | Moore (KS)      | Weiner            |
| Fattah         | Moore (WI)      | Woolsey           |
| Filner         | Moran (VA)      | Wu                |
| Ford           | Murtha          | Wynn              |
| Frank (MA)     | Nadler          |                   |
| Gonzalez       | Napolitano      |                   |
| Gordon         | Neal (MA)       |                   |

NOT VOTING—29

- |               |             |            |
|---------------|-------------|------------|
| Davis (FL)    | Hinojosa    | Radanovich |
| Davis, Jo Ann | Hyde        | Rangel     |
| Dicks         | Istook      | Sessions   |
| Doyle         | Jenkins     | Slaughter  |
| Evans         | Jones (OH)  | Smith (NJ) |
| Forbes        | Pryce (OH)  | Kelly      |
| Goode         | McNulty     | Strickland |
| Green (WI)    | Ramstad     | Sullivan   |
| Gutierrez     | Regula      | Tiahrt     |
| Hinchey       | Rehberg     | Wexler     |
|               | Reichert    |            |
|               | Renzi       |            |
|               | Reynolds    |            |
|               | Rogers (AL) |            |
|               | Rogers (KY) |            |
|               | Rogers (MI) |            |
|               | Rohrabacher |            |

□ 1210

Mr. PALLONE changed his vote from "yea" to "nay."  
So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. REHBERG). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### MAKING IN ORDER POSTPONE- MENT OF FURTHER CONSIDER- ATION OF H.R. 4411, INTERNET GAMBLING PROHIBITION AND ENFORCEMENT ACT

Mr. GINGREY. Mr. Speaker, I ask unanimous consent that during consideration of H.R. 4411, pursuant to House Resolution 907, notwithstanding the ordering of the previous question, it may be in order at any time for the Chair to postpone further consideration of the bill until a later time to be designated by the Speaker.

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

There was no objection.

#### GENERAL LEAVE

Mr. OXLEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 4411.

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

There was no objection.

#### INTERNET GAMBLING PROHIBI- TION AND ENFORCEMENT ACT

Mr. OXLEY. Mr. Speaker, pursuant to House Resolution 907, I call up the bill (H.R. 4411) to prevent the use of certain payment instruments, credit cards, and fund transfers for unlawful Internet gambling, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4411

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

##### SECTION 1. SHORT TITLE.

This Act may be cited as the "Unlawful Internet Gambling Enforcement Act of 2005".

##### SEC. 2. PROHIBITION ON ACCEPTANCE OF ANY PAYMENT INSTRUMENT FOR UNLAW- FUL INTERNET GAMBLING.

(a) IN GENERAL.—Chapter 53 of title 31, United States Code, is amended by adding at the end the following new subchapter:

##### "SUBCHAPTER IV—PROHIBITION ON FUNDING OF UNLAWFUL INTERNET GAMBLING

##### "§ 5361. Congressional findings and purpose

"(a) FINDINGS.—The Congress finds the following:

"(1) Internet gambling is primarily funded through personal use of payment system instruments, credit cards, and wire transfers.

"(2) The National Gambling Impact Study Commission in 1999 recommended the passage of legislation to prohibit wire transfers

to Internet gambling sites or the banks which represent such sites.

"(3) Internet gambling is a growing cause of debt collection problems for insured depository institutions and the consumer credit industry.

"(4) New mechanisms for enforcing gambling laws on the Internet are necessary because traditional law enforcement mechanisms are often inadequate for enforcing gambling prohibitions or regulations on the Internet, especially where such gambling crosses State or national borders.

"(b) RULE OF CONSTRUCTION.—No provision of this subchapter shall be construed as altering, limiting, or extending any Federal or State law or Tribal-State compact prohibiting, permitting, or regulating gambling within the United States.

##### "§ 5362. Definitions

"In this subchapter, the following definitions shall apply:

"(1) BET OR WAGER.—The term 'bet or wager'—

"(A) means the staking or risking by any person of something of value upon the outcome of a contest of others, a sporting event, or a game subject to chance, upon an agreement or understanding that the person or another person will receive something of value in the event of a certain outcome;

"(B) includes the purchase of a chance or opportunity to win a lottery or other prize (which opportunity to win is predominantly subject to chance);

"(C) includes any scheme of a type described in section 3702 of title 28;

"(D) includes any instructions or information pertaining to the establishment or movement of funds by the bettor or customer in, to, or from an account with the business of betting or wagering; and

"(E) does not include—

"(i) any activity governed by the securities laws (as that term is defined in section 3(a)(47) of the Securities Exchange Act of 1934 for the purchase or sale of securities (as that term is defined in section 3(a)(10) of that Act);

"(ii) any transaction conducted on or subject to the rules of a registered entity or exempt board of trade under the Commodity Exchange Act;

"(iii) any over-the-counter derivative instrument;

"(iv) any other transaction that—

"(I) is excluded or exempt from regulation under the Commodity Exchange Act; or

"(II) is exempt from State gaming or bucket shop laws under section 12(e) of the Commodity Exchange Act or section 28(a) of the Securities Exchange Act of 1934;

"(v) any contract of indemnity or guarantee;

"(vi) any contract for insurance;

"(vii) any deposit or other transaction with an insured depository institution; or

"(viii) any participation in a simulation sports game, an educational game, or a contest, that—

"(I) is not dependent solely on the outcome of any single sporting event or nonparticipant's singular individual performance in any single sporting event;

"(II) has an outcome that reflects the relative knowledge of the participants, or their skill at physical reaction or physical manipulation (but not chance), and, in the case of a simulation sports game, has an outcome that is determined predominantly by accumulated statistical results of sporting events; and

"(III) offers a prize or award to a participant that is established in advance of the game or contest and is not determined by the number of participants or the amount of any fees paid by those participants.

"(2) BUSINESS OF BETTING OR WAGERING.—The term 'business of betting or wagering' does not include a financial transaction provider, or any interactive computer service or telecommunications service.

"(3) DESIGNATED PAYMENT SYSTEM.—The term 'designated payment system' means any system utilized by a financial transaction provider that the Secretary, in consultation with the Board of Governors of the Federal Reserve System and the Attorney General, determines, by regulation or order, could be utilized in connection with, or to facilitate, any restricted transaction.

"(4) FINANCIAL TRANSACTION PROVIDER.—The term 'financial transaction provider' means a creditor, credit card issuer, financial institution, operator of a terminal at which an electronic fund transfer may be initiated, money transmitting business, or international, national, regional, or local network utilized to effect a credit transaction, electronic fund transfer, stored value product transaction, or money transmitting service, or a participant in such network, or other participant in a designated payment system.

"(5) INTERNET.—The term 'Internet' means the international computer network of interoperable packet switched data networks.

"(6) INTERACTIVE COMPUTER SERVICE.—The term 'interactive computer service' has the same meaning as in section 230(f) of the Communications Act of 1934.

"(7) RESTRICTED TRANSACTION.—The term 'restricted transaction' means any transaction or transmittal involving any credit, funds, instrument, or proceeds described in any paragraph of section 5363 which the recipient is prohibited from accepting under section 5363.

"(8) SECRETARY.—The term 'Secretary' means the Secretary of the Treasury.

"(9) UNLAWFUL INTERNET GAMBLING.—

"(A) IN GENERAL.—The term 'unlawful Internet gambling' means to place, receive, or otherwise knowingly transmit a bet or wager by any means which involves the use, at least in part, of the Internet where such bet or wager is unlawful under any applicable Federal or State law in the State or Tribal lands in which the bet or wager is initiated, received, or otherwise made.

"(B) INTRASTATE TRANSACTIONS.—The term 'unlawful Internet gambling' shall not include placing, receiving, or otherwise transmitting a bet or wager where—

"(i) the bet or wager is initiated and received or otherwise made exclusively within a single State;

"(ii) the bet or wager and the method by which the bet or wager is initiated and received or otherwise made is expressly authorized by and placed in accordance with the laws of such State, and the State law or regulations include—

"(I) age and location verification requirements reasonably designed to block access to minors and persons located out of such State; and

"(II) appropriate data security standards to prevent unauthorized access by any person whose age and current location has not been verified in accordance with such State's law or regulations; and

"(iii) the bet or wager does not violate any provision of the—

"(I) Interstate Horseracing Act;

"(II) Professional and Amateur Sports Protection Act;

"(III) Gambling Devices Transportation Act; or

"(IV) Indian Gaming Regulatory Act.

"(C) INTRATRIBAL TRANSACTIONS.—The term 'unlawful Internet gambling' shall not include placing, receiving, or otherwise transmitting a bet or wager where—