themselves through educational and work experiences. As these experiences accrue, they will present the foster youth with an idea of the opportunities latent within their world, and will hopefully inspire them to move forward in pursuit of job and educational opportunities.

As of 2003 there were 26,133 children in the Texas foster care system. Since then, the number has only risen. For many of these children the future will include stints in jail, poverty, and homelessness, yet strong action on the part of businesses and foster care programs in creating internships and partnerships may save many from this fate, leading them to secure jobs and successful lives. I have often concerned myself with issues regarding the safety and success of our future, our Nation's children. By preventing toxic lead levels in houses, by ensuring the safety of children in schools, and by encouraging businesses to form partnerships with foster care, we take small, but significant, steps toward guaranteeing the well-being of our children and the security our Nation's future. I urge my colleagues to support this legislation.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. HARE) that the House suspend the rules and agree to the resolution, H. Res. 1332.

The question was taken.

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

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

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

The point of no quorum is considered withdrawn.

□ 1945

ESTABLISHING AN EARNED IMPORT ALLOWANCE PROGRAM

Mr. MCDERMOTT. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 6560) to establish an earned import allowance program under Public Law 109–53, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6560

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

SECTION 1. EARNED IMPORT ALLOWANCE PROGRAM.

(a) IN GENERAL.—Title IV of the Dominican Republic-Central America-United States Free Trade Agreement Implementation Act (Public Law 109–53; 119 Stat. 495) is amended by adding at the end the following:

"SEC. 404. EARNED IMPORT ALLOWANCE PROGRAM.

''(a) PREFERENTIAL TREATMENT.—

''(1) IN GENERAL.—Eligible apparel articles wholly assembled in an eligible country and imported directly from an eligible country shall enter the United States free of duty, without regard to the source of the fabric or yarns from which the articles are made, if such apparel articles are accompanied by an earned import allowance certificate that reflects the amount of credits equal to the total square meter equivalents of fabric in such apparel articles, in accordance with the program established under subsection (b).

''(2) DETERMINATION OF QUANTITY OF SME.—For purposes of determining the quantity of square meter equivalents under paragraph (1), the conversion factors listed in 'Correlation: U.S. Textile and Apparel Industry Category System with the Harmonized Tariff Schedule of the United States of America, 2008', or its successor publications, of the United States Department of Commerce, shall apply.

''(b) EARNED IMPORT ALLOWANCE PROGRAM.—

''(1) ESTABLISHMENT.—The Secretary of Commerce shall establish a program to provide earned import allowance certificates to any producer or entity controlling production of eligible apparel articles in an eligible country for purposes of subsection (a), based on the elements described in paragraph (2).

''(2) ELEMENTS.—The elements referred to in paragraph (1) are the following:

''(A) One credit shall be issued to a producer or an entity controlling production for every two square meter equivalents of qualifying fabric that the producer or entity controlling production can demonstrate that it has purchased for the manufacture in an eligible country of articles like or similar to any article eligible for preferential treatment under subsection (a). The Secretary of Commerce shall, if requested by a producer or entity controlling production, create and maintain an account for such producer or entity controlling production, into which such credits may be deposited.

''(B) Such producer or entity controlling production may redeem credits issued under subparagraph (A) for earned import allowance certificates reflecting such number of earned credits as the producer or entity may request and has available.

''(C) Any textile mill or other entity located in the United States that exports qualifying fabric to an eligible country may submit, upon such export or upon request, the Shipper's Export Declaration, or successor documentation, to the Secretary of Commerce—

''(i) verifying that the qualifying fabric was exported to a producer or entity controlling production in an eligible country; and

''(ii) identifying such producer or entity controlling production, and the quantity and description of qualifying fabric exported to such producer or entity controlling production.

''(D) The Secretary of Commerce may require that a producer or entity controlling production submit documentation to verify purchases of qualifying fabric.

''(E) The Secretary of Commerce may make available to each person or entity identified in the documentation submitted under subparagraph (C) or (D) information contained in such documentation that relates to the purchase of qualifying fabric involving such person or entity.

''(F) The program shall be established so as to allow, to the extent feasible, the submission, storage, retrieval, and disclosure of information in electronic format, including information with respect to the earned import allowance certificates required under subsection (a)(1).

''(G) The Secretary of Commerce may reconcile discrepancies in the information provided under subparagraph (C) or (D) and verify the accuracy of such information.

''(H) The Secretary of Commerce shall establish procedures to carry out the program under this section by September 30, 2008, and may establish additional requirements to carry out the program.

''(c) DEFINITIONS.—For purposes of this section—

''(1) the term 'appropriate congressional committees' means the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate;

''(2) the term 'eligible apparel articles' means the following articles classified in chapter 62 of the HTS (and meeting the requirements of the rules relating to chapter 62 of the HTS contained in general note 29(n) of the HTS) of cotton (but not of denim): trousers, bib and brace overalls, breeches and shorts, skirts and divided skirts, and pants;

''(3) the term 'eligible country' means the Dominican Republic; and

''(4) the term 'qualifying fabric' means woven fabric of cotton wholly formed in the United States from yarns wholly formed in the United States and certified by the producer or entity controlling production as being suitable for use in the manufacture of apparel items such as trousers, bib and brace overalls, breeches and shorts, skirts and divided skirts or pants, all the foregoing of cotton, except that—

''(A) fabric otherwise eligible as qualifying fabric shall not be ineligible as qualifying fabric because the fabric contains nylon filament yarn with respect to which section 213(b)(2)(A)(vii)(IV) of the Caribbean Basin Economic Recovery Act applies;

''(B) fabric that would otherwise be ineligible as qualifying fabric because the fabric contains yarns not wholly formed in the United States shall not be ineligible as qualifying fabric if the total weight of all such yarns is not more than 10 percent of the total weight of the fabric, except that any elastomeric yarn contained in an eligible apparel article must be wholly formed in the United States; and

''(C) fabric otherwise eligible as qualifying fabric shall not be ineligible as qualifying fabric because the fabric contains yarns or fibers that have been designated as not commercially available pursuant to—

''(i) article 3.25(4) or Annex 3.25 of the Agreement;

''(ii) Annex 401 of the North American Free Trade Agreement;

''(iii) section 112(b)(5) of the African Growth and Opportunity Act;

''(iv) section 204(b)(3)(B)(i)(III) or (ii) of the Andean Trade Preference Act;

''(v) section 213(b)(2)(A)(v) or 213A(b)(5)(A) of the Caribbean Basin Economic Recovery Act; or

''(vi) any other provision, relating to determining whether a textile or apparel article is an originating good eligible for preferential treatment, of a law that implements a free trade agreement entered into by the United States that is in effect at the time the claim for preferential treatment is made.

''(d) REVIEW AND REPORT.—

''(1) REVIEW.—The United States International Trade Commission shall carry out a review of the program under this section annually for the purpose of evaluating the effectiveness of, and making recommendations for improvements in, the program.

''(2) REPORT.—The United States International Trade Commission shall submit to the appropriate congressional committees annually a report on the results of the review carried out under paragraph (1).

''(e) EFFECTIVE DATE AND APPLICABILITY.—

''(1) EFFECTIVE DATE.—The program under this section shall be in effect for the 10-year period beginning on the date on which the President certifies to the appropriate congressional committees that sections A, B, C, and D of the Annex to Presidential Proclamation 8213 (December 20, 2007) have taken effect.

''(2) APPLICABILITY.—The program under this section shall apply with respect to qualifying fabric exported to an eligible country on or after August 1, 2007.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Dominican Republic-Central America-United States Free Trade Agreement Implementation Act is amended by inserting after the item relating to section 403 the following:

''Sec. 404. Earned import allowance program.''.

SEC. 2. AFRICAN GROWTH AND OPPORTUNITY ACT.

(a) IN GENERAL.—Section 112 of the African Growth and Opportunity Act (19 U.S.C. 3721) is amended—

(1) in subsection (b)(6)(A), by striking ''ethic'' in the second sentence and inserting ''ethnic''; and

(2) in subsection (c)—

(A) in paragraph (1), by striking '', and subject to paragraph (2),'';

(B) by striking paragraphs (2) and (3);

(C) in paragraph (4)—

(i) by striking ''Subsection (b)(3)(C)'' and inserting ''Subsection (b)(3)(B)''; and

(ii) by redesignating such paragraph (4) as paragraph (2); and

(D) by striking paragraph (5) and inserting the following:

''(3) DEFINITION.—In this subsection, the term 'lesser developed beneficiary sub-Saharan African country' means—

''(A) a beneficiary sub-Saharan African country that had a per capita gross national product of less than $1,500 in 1998, as measured by the International Bank for Reconstruction and Development;

''(B) Botswana;

''(C) Namibia; and

''(D) Mauritius.''.

(b) APPLICABILITY.—The amendments made by subsection (a) apply to goods entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of the enactment of this Act.

(c) REVIEW AND REPORTS.—

(1) ITC REVIEW AND REPORT.—

(A) REVIEW.—The United States International Trade Commission shall conduct a review to identify yarns, fabrics, and other textile and apparel inputs that through new or increased investment or other measures can be produced competitively in beneficiary sub-Saharan African countries.

(B) REPORT.—Not later than 7 months after the date of the enactment of this Act, the United States International Trade Commission shall submit to the appropriate congressional committees and the Comptroller General a report on the results of the review carried out under subparagraph (A).

(2) GAO REPORT.—Not later than 90 days after the submission of the report under paragraph (1)(B), the Comptroller General shall submit to the appropriate congressional committees a report that, based on the results of the report submitted under paragraph (1)(B) and other available information, contains recommendations for changes to United States trade preference programs, including the African Growth and Opportunity Act (19 U.S.C. 3701 et seq.) and the amendments made by that Act, to provide incentives to increase investment and other measures necessary to improve the competitiveness of beneficiary sub-Saharan African countries in the production of yarns, fabrics, and other textile and apparel inputs identified in the report submitted under paragraph (1)(B), including changes to requirements relating to rules of origin under such programs.

(3) DEFINITIONS.—In this subsection—

(A) the term ''appropriate congressional committees'' means the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate; and

(B) the term ''beneficiary sub-Saharan African countries'' has the meaning given the term in section 506A(c) of the Trade Act of 1974 (19 U.S.C. 2466a(c)).

(d) CLERICAL AMENDMENT.—Section 6002(a)(2)(B) of Public Law 109–432 is amended by striking ''(B) by striking'' and inserting ''(B) in paragraph (3), by striking''.

SEC. 3. GENERALIZED SYSTEM OF PREFERENCES.

Section 505 of the Trade Act of 1974 (19 U.S.C. 2465) is amended by striking ''December 31, 2008'' and inserting ''December 31, 2009''.

SEC. 4. CUSTOMS USER FEES.

(a) IN GENERAL.—Section 13031(j)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)) is amended—

(1) in subparagraph (A), by striking ''November 14, 2017'' and inserting ''January 31, 2018''; and

(2) in subparagraph (B)(i), by striking ''October 7, 2017'' and inserting ''January 31, 2018''.

(b) REPEAL.—Section 15201 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246) is amended by striking subsections (c) and (d).

SEC. 5. TIME FOR PAYMENT OF CORPORATE ESTIMATED TAXES.

The percentage under subparagraph (C) of section 401(1) of the Tax Increase Prevention and Reconciliation Act of 2005 in effect on the date of the enactment of this Act is increased by 1.75 percentage points.

SEC. 6. TECHNICAL CORRECTIONS.

Section 15402 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246) is amended—

(1) in subsections (a) and (b), by striking ''Carribean'' each place it appears and inserting ''Caribbean''; and

(2) in subsection (d), by striking ''231A(b)'' and inserting ''213A(b)''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. MCDERMOTT) and the gentleman from California (Mr. HERGER) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

GENERAL LEAVE

Mr. MCDERMOTT. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

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

Beginning a generation ago under the leadership of John F. Kennedy, the United States became a world leader in ensuring that American trade policy is designed to encourage economic growth in developing countries. President Kennedy said that American apathy toward poor-country development ''would be disastrous to our national security, harmful to our comparative prosperity, and offensive to our conscience.'' It is a moral imperative for the United States to construct trade policies that foster development.

One billion people exist on less than $1 a day right now. The income gap between the least developed countries and the world's industrialized countries grew by nearly 40 percent over the last 25 years. The income of those people in rich countries is now 93 times that of those living in the least developed countries.

For nearly a generation, we know that the world's poor have gotten much poorer. When we consider President Kennedy's words, the call to action is compelling.

While we work toward a broad, multilateral agreement to lower trade barriers to goods and services produced in poor countries, we should also ensure that our unilateral policies are constructed as wisely as possible in order to spur development. The legislation before us takes a critical step in that direction. Let me highlight some of the important provisions in H.R. 6560, which is supported by a broad range of stakeholders including producers, importers, and consumer groups.

H.R. 6560 will extend the Generalized System of Preferences for 1 year providing producers in poor countries the certainty they need to retain and attract investment while providing importers effective access to affordable goods that are critical to their supply chain. U.S. consumers will benefit as a result. Importantly, this extension provides the Congress some breathing room to examine how GSP can improve to foster greater development abroad while also providing American producers greater certainty and opportunity.

The bill before us makes a narrow but critical change to the way we treat apparel imports from the Dominican Republic. This change, which is supported by all of the key stakeholders, including the U.S. textile industry, will better enable the Dominican Republic's apparel producers to compete with producers in East and Southeast Asia.

Anchoring a textile and apparel industry in Central America strengthens the economies of the entire Western Hemisphere. This provision also builds upon progress made earlier this year with respect to Haiti, helping to foster a much-needed economic growth in the Caribbean.

Lastly, this bill addresses two issues which are of specific concern to me because they're related to our trade policy towards sub-Saharan Africa.

For the past decade, my colleagues and I have continued to explore ways to encourage more investment in job creation in sub-Saharan Africa. We have done this primarily through enacting the African Growth and Opportunity Act in 2000, and some of our wishes have come true. We've seen the growth of an apparel industry in southern Africa, which has created hundreds of thousands of jobs and has provided hope for economic progress and justice. AGOA has contributed positively toward an increase in exports from sub-Saharan Africa in many countries, and a diversification of exports, which is good for economic growth and for stability in the region.

But it has also demonstrated that a trade policy is only one component of a development policy. Beginning in 2006, we experimented with a new idea to encourage greater investment in the upstream production of apparel. It was called the Abundant Supply Provision. It encouraged or required African apparel producers to first use locally produced fabric before sourcing fabric from producers in places like Asia. While well-intended, this provision has had the opposite effect of what the proponents sought.

Earlier this month, the Committee on Ways and Means hosted the trade ministers from the countries of sub-Saharan Africa. They told us that apparel exports under AGOA have declined 15 percent this year and that thousands of jobs are at risk if we do not repeal this abundant supply provision. By doing so today, we demonstrate that we have listened to Africa and that we are responding, not as Democrats or Republicans, but as Americans.

In addition, we will help enable the sub-Saharan African nation of Mauritius to compete in the global apparel industry by enabling them the ability to use third-country fabric in apparel exports that qualify under AGOA.

I'm looking forward to working with my colleagues to devise other measures that will better encourage upstream investment in sub-Saharan Africa, to promote job creation, and economic growth.

This legislation is a strong bipartisan measure, and I want to recognize the leadership of Ways and Means Chairman CHARLES RANGEL, Ranking Member JIM MCCRERY, Trade Subcommittee Chairman SANDER LEVIN, and Subcommittee Ranking Member WALLY HERGER, who we will hear from in a moment.

I also want to recognize and thank the staff whose tireless efforts in the trenches have been invaluable. They are Tim Reif, Angela Ellard, Behnaz Kibria, and Warren Payne.

I believe our rightful place is at the front of the line when it comes to fighting global poverty by supporting economic and social justice. I believe that's what the U.S. meant in 2000 when we signed on to the United Nations Millennium Development Goals.

We know our current policies fall short, but tonight we're moving in the right direction. I urge my colleagues to support H.R. 6560 because John F. Kennedy was right back then and today. Let us learn from history and follow the inspiration of a great American leader who believed the United States, Democrat and Republican, had the legislative duty and the moral responsibility to lead the world.

I reserve the balance of my time.

Mr. HERGER. Madam Speaker, I yield myself so much time as I may consume.

Madam Speaker, I rise in support of H.R. 6560. This bill extends the existing Generalized System of Preferences for 1 year, provides additional benefits to sub-Saharan African beneficiary countries, and improves U.S. implementation of the Central American-Dominican Republic Free Trade Agreement.

The GSP program is an important development tool for poor countries and allows U.S. manufacturers and consumers to obtain products at competitive prices. The additional benefit for the African countries will help spur job creation in these countries at a time of significant economic uncertainty. Most importantly, the improvements to CAFTA demonstrate how fair trade agreements benefit American workers.

Three years ago, many Members of Congress opposed CAFTA, fearing that it would result in outsourcing of U.S. jobs. We now know that those fears were greatly misplaced, and instead, CAFTA has been a tremendous success for American workers. CAFTA leveled the playing field for American-made products by going from a one-way preference to reciprocal, two-way free trade.

The CAFTA countries already had access to our market, but we did not have access to their markets. CAFTA opened these growing markets to exports of American-made products. As a result, U.S. exports of manufacturing products to CAFTA increased by 33 percent since 2004.

In 2007, the United States had a manufacturing product trade surplus of $1.1 billion with CAFTA, moving us away from the pre-CAFTA deficit that we had with these same countries. This agreement has become an important example of how American workers benefit from fair trade agreements. As of May of this year, the United States had a trade surplus in manufactured products with all our agreement partners combined, including Canada and Mexico.

This legislation before us today will create further incentives for U.S. manufacturing exports to the region. It is completely noncontroversial and supported strongly by the U.S. textile industry.

However, Congress should not stop here. We can create even more opportunities to expand exports of American-made products by passing the U.S.-Colombia Fair Trade Agreement. Like CAFTA, the Colombia Fair Trade Agreement would level the playing field for U.S. workers by giving the products they make the same access to the Colombian market that Colombian exporters already have to the U.S. market.

According to the U.S. International Trade Commission, U.S. exports of manufactured products and the American workers who produce them would be among the biggest beneficiaries of the Colombia Fair Trade Agreement. According to the ITC, U.S. exports of paper products would increase by 28 percent; chemical and plastic exports would increase by 23 percent; metal products by 56 percent; motor vehicles exports would increase to these countries by 44 percent, and machinery and equipment exports to these same countries by 15 percent. The growth in these exports would support good-paying American manufacturing jobs.

CAFTA provided American workers an advantage over their competitors in other countries. If Congress doesn't act on the Colombian agreement, American workers will be even further disadvantaged than they are now. Canada has already completed a trade agreement with Colombia, and the EU is negotiating an agreement at this moment. If these agreements go into effect before the U.S.-Colombia Fair Trade Agreement, American workers will lose out to their competitors in Canada and the EU.

Madam Speaker, passing this bill today will help American workers, but Congress must also take the next step and pass the U.S.-Colombia Fair Trade Agreement to create even more opportunities for American workers.

I reserve the remainder of my time.

Mr. MCDERMOTT. Madam Speaker, I have no further speakers, and I reserve the balance of my time.

Mr. HERGER. Madam Speaker, I would like to yield so much time as he may use to the gentleman from Texas (Mr. BRADY), a very active member of the Ways and Means Committee and the Trade Subcommittee.

□ 2000

Mr. BRADY of Texas. Madam Speaker, I rise today in support, with my colleagues, of H.R. 6560, a bill that as has been said will make certain changes to the Dominican Republic-Central America Free Trade Agreement, which the House passed exactly 3 years ago yesterday. It will also make changes to our African trade preference program and will extend the generalized system of preference for one more year.

The changes to the DR-CAFTA agreement will encourage the use of American-made fabrics in the production of

pants in the DR. This helps to support American textile jobs, and it gives the Dominican Republic more flexibility to strengthen its competitiveness, too. So it is a win-win for jobs here in America and for jobs in Central America as well. It's a small change, but it can help American exporters and Dominican producers, and it's evidence of how the agreement has created economic benefits for all participants.

In fact, if you drill down a little deeper into this agreement, in the past 3 years, even though it's really not fully implemented, Guatemala, for example, has not only shown remarkable economic progress and growth since the CAFTA agreement was put into place, but a lot of their jobs that they're creating are in the rural areas, in the poorest of the poor. So they're helping not just the number of a few big producers; they're helping the average person in Guatemala by raising the standard of living and by their having some hope for the future just as it is creating jobs here in America.

What we have learned over the years is that it's not enough to simply buy American. You have to sell American. We have to aggressively sell our American products and services all throughout this world.

For the U.S., as it has been pointed out, our $1.9 billion trade deficit with the six partners in Central America has now turned into a $3.6 billion trade surplus thanks to this agreement. That means we're selling more than we're buying and that we're supporting good paying American jobs in manufacturing, in services, in transportation, in logistics, and in agriculture.

We recently learned that, if you take all of our current free trade and fair trade agreements, we see the same trend, that deficits are turning into surpluses across the board. We now have a surplus of nearly $3 billion, and our free trade agreement partners, who are only a small part of the world economy, now account for half of all that America sells overseas. So we are creating some of the best customers for American products and for American workers here in our agreements.

In fact, if you look at the American economy today, nearly 40 percent of our economic growth comes from selling our products all around the world, and we're selling them to the countries we have these agreements with. They are great customers, and we need more of them.

What I've realized is that, as to the giant sucking sound that was predicted for trade agreements, it turns out that that's the hot air deflated from the critics who've been proven wrong about each one of them, especially about CAFTA. This is yet another reason why this Congress needs to pass the U.S.-Colombian Trade Promotion Agreement.

Like Central America before it, Colombia already enjoys access to America. They can sell their products almost duty free into the United States, but when we try to sell our products back into Colombia, their tariff is almost 14 percent, much higher than Central America's was before. They don't create a level playing field for American workers. We want to have two-way trade and equal competition.

An agreement would lock in Colombia's trade preferences while creating a better investment climate for the country, which would help build its legitimate economy, which is dynamic throughout this region. A stable Colombia is good for the United States and for the hemisphere.

If you've been following the news, you've seen remarkable progress by Colombia and by President Uribe on human rights, on labor rights and especially, just lately, on its remarkable rescue of the American hostages after their being 5 years within the FARC. They are taming the terrorist organizations with our help, and they deserve our continued support in that effort.

Madam Speaker, the Central American agreement has helped to bolster ties with our partners in the region. It has helped to create U.S. jobs and to encourage economic growth in neighboring countries. Colombia will do the same. I reiterate my call for the leadership of this House to schedule an up-or-down vote on Colombia this year. Given the nature of our trade laws, it will be too late if this gets put on hold until next year, and we will have missed a critical opportunity to strengthen our relationship with an important partner in the region and to create fair trade for Americans.

Ladies and gentlemen, the whole world is watching America. Let's not turn our back on Colombia. Let's not show the world we're economic isolationists—afraid to compete or afraid to hold out our hand to partners in our backyard. Let's not as a Congress be beholden to a few special interests. Democrats and Republicans, Defense Secretaries and Secretaries of State agree that this is one of the most important foreign policy decisions that we can make. The whole world is watching. Let us schedule a vote for Colombia and pass it this year.

Mr. HERGER. Madam Speaker, I don't have any further speakers, and I yield back the remainder of my time.

Mr. MCDERMOTT. Madam Speaker, earlier today, regrettably, there was a failure to move forward on the multilateral trade talks known as DOHA. Some are calling this a collapse in trade talks, but I believe that we can and that we must continue to make progress in multilateral trade talks. We must spend our energy not by placing blame but by considering solutions to the current challenges.

The World Trade Organization serves a crucial role in the trade system of the world. I believe I speak on behalf of the entire Ways and Means Committee when I say that we remain committed to a robust DOHA agreement. The bill before us demonstrates America's continued commitment to alleviating poverty through our trade policies. I urge the Members to support H.R. 6560.

Ms. ROS-LEHTINEN. Madam Speaker the most important argument in favor of the United States-Colombia Free Trade Agreement is that it is manifestly good for the United States and our interests.

The most obvious benefit is expanded trade.

Opponents claim that the agreement will force the U.S. to remove restrictions on Colombia's exports, resulting in more imports and leading to a loss of jobs and income in the U.S.

But these opponents do not understand that, because most of Colombia's exports already enter the U.S. with few or no restrictions, it is Colombia's barriers that will be removed and U.S. exporters that will benefit.

And expanded U.S. exports to Colombia translate directly into increased jobs and income here at home.

Colombia will certainly benefit, but the U.S. will benefit more.

This free trade agreement is about more than economics. It is essential to securing U.S. strategic interests in the Hemisphere.

In a region in which anti-American regimes are aggressively targeting U.S. interests, Colombia remains a steadfast ally.

That ally is battling an array of internal and external enemies, and the U.S. has an enormous stake in ensuring that Colombia wins that fight.

Long under siege from FARC guerrillas who once controlled nearly half the country, Colombia has, in recent months, inflicted major defeats on an armed insurgency that has: sought to overthrow Colombia's democratic government; killed and kidnapped thousands of Colombians, as well as Americans and other foreigners; and provided protection to drug kingpins shipping billions of dollars of cocaine, heroin, and other illegal drugs to the U.S. every year.

Colombia looks poised to free itself from these threats and achieve peace and long-term stability.

Given the stakes, our friends and enemies in this Hemisphere are watching how we treat this vital ally in the region.

The Colombian government has done everything we have asked of it, even renegotiating the already concluded agreement to add new provisions regarding labor and environmental issues. But to no avail.

As a result, our friends and enemies are in danger of concluding that the U.S. has turned its back on Colombia and that the assault on U.S. interests and allies is paying off.

Over the past decade, the once near-hopeless security situation in Colombia has been transformed, with crucial assistance and unwavering support provided by the United States.

But there is much left to be done.

Although the insurgency has been severely weakened, there are many thousands of guerrillas still operating. The cultivation and export to the U.S. of illegal drugs continues. And there are large areas of Colombia in which the central government has virtually no presence.

U.S. assistance and support for Colombia has been instrumental in its success, and will continue to be so in the future.

But that means more than simply security assistance and money. The easiest, most direct, and most effective means we have to bolster Colombia at this critical stage is passage of the free trade agreement.

Congress has a golden opportunity to support our embattled ally and further our own interests. If we falter, so may Colombia, and the achievements of a decade will be needlessly squandered. And then some may ask: ''Who lost Colombia?''

Mr. MCDERMOTT. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. MCDERMOTT) that the House suspend the rules and pass the bill, H.R. 6560, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 6599, MILITARY CONSTRUCTION AND VETERANS AFFAIRS APPROPRIATIONS ACT, 2009

Ms. CASTOR, from the Committee on Rules (during consideration of H.R. 6560), submitted a privileged report (Rept. No. 110–800) on the resolution (H. Res. 1384) providing for consideration of the bill (H.R. 6599) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2009, and for other purposes, which was referred to the House Calendar and ordered to be printed.

HUBBARD ACT

Mr. KIND. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 6580) to ensure the fair treatment of a member of the Armed Forces who is discharged from the Armed Forces, at the request of the member, pursuant to the Department of Defense policy permitting the early discharge of a member who is the only surviving child in a family in which the father or mother, or one or more siblings, served in the Armed Forces and, because of hazards incident to such service, was killed, died as a result of wounds, accident, or disease, is in a captured or missing in action status, or is permanently disabled, to amend the Internal Revenue Code of 1986 to repeal the dollar limitation on contributions to funeral trusts, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6580

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Hubbard Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SEC. 2. CONTINUED PAYMENT OF BONUSES AND SIMILAR BENEFITS FOR MEMBERS OF THE ARMED FORCES WHO RECEIVE SOLE SURVIVORSHIP DISCHARGE.

(a) EFFECT OF SOLE SURVIVORSHIP DISCHARGE.—Section 303a(e) of title 37, United States Code, is amended—

(1) in paragraph (1), by striking ''A member'' and inserting ''(A) Except as provided in paragraph (2), a member'';

(2) by redesignating paragraph (2) as subparagraph (B) of paragraph (1); and

(3) by inserting after paragraph (1), as so amended, the following new paragraph (2):

''(2)(A) If a member of the uniformed services receives a sole survivorship discharge, the Secretary concerned—

''(i) shall not require repayment by the member of the unearned portion of any bonus, incentive pay, or similar benefit previously paid to the member; and

''(ii) may grant an exception to the requirement to terminate the payment of any unpaid amounts of a bonus, incentive pay, or similar benefit if the Secretary concerned determines that termination of the payment of the unpaid amounts would be contrary to a personnel policy or management objective, would be against equity and good conscience, or would be contrary to the best interests of the United States.

''(B) In this paragraph, the term 'sole survivorship discharge' means the separation of a member from the Armed Forces, at the request of the member, pursuant to the Department of Defense policy permitting the early separation of a member who is the only surviving child in a family in which—

''(i) the father or mother or one or more siblings—

''(I) served in the Armed Forces; and

''(II) was killed, died as a result of wounds, accident, or disease, is in a captured or missing in action status, or is permanently 100 percent disabled or hospitalized on a continuing basis (and is not employed gainfully because of the disability or hospitalization); and

''(ii) the death, status, or disability did not result from the intentional misconduct or willful neglect of the parent or sibling and was not incurred during a period of unauthorized absence.''.

(b) SENSE OF CONGRESS.—In light of the extraordinary discretion granted to the Secretary of a military department by statute and policy to continue to pay the unpaid amounts of a bonus, incentive pay, or similar benefit otherwise due to a member of the Armed Forces under the jurisdiction of the Secretary who receives a sole survivorship discharge, it is the sense of Congress that the Secretaries of the military departments should aggressively use such discretion to the benefit of members receiving a sole survivorship discharge.

SEC. 3. AVAILABILITY OF SEPARATION PAY FOR MEMBERS OF THE ARMED FORCES WITH LESS THAN SIX YEARS OF ACTIVE SERVICE WHO RECEIVE SOLE SURVIVORSHIP DISCHARGE.

Section 1174 of title 10, United States Code, is amended—

(1) by redesignating subsection (i) as subsection (j); and

(2) by inserting after subsection (h) the following new subsection:

''(i) SPECIAL RULE FOR MEMBERS RECEIVING SOLE SURVIVORSHIP DISCHARGE.—(1) A member of the Armed Forces who receives a sole survivorship discharge shall be entitled to separation pay under this section even though the member has completed less than six years of active service immediately before that discharge. Subsection (e) shall not apply to a member who receives a sole survivorship discharge.

''(2) The amount of the separation pay to be paid to a member pursuant to this subsection shall be based on the years of active service actually completed by the member before the member's sole survivorship discharge.

''(3) In this subsection, the term 'sole survivorship discharge' means the separation of a member from the Armed Forces, at the request of the member, pursuant to the Department of Defense policy permitting the early separation of a member who is the only surviving child in a family in which—

''(A) the father or mother or one or more siblings—

''(i) served in the Armed Forces; and

''(ii) was killed, died as a result of wounds, accident, or disease, is in a captured or missing in action status, or is permanently 100 percent disabled or hospitalized on a continuing basis (and is not employed gainfully because of the disability or hospitalization); and

''(B) the death, status, or disability did not result from the intentional misconduct or willful neglect of the parent or sibling and was not incurred during a period of unauthorized absence.''.

SEC. 4. TRANSITIONAL HEALTH CARE FOR MEMBERS OF THE ARMED FORCES WHO RECEIVE SOLE SURVIVORSHIP DISCHARGE.

Section 1145(a)(2) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

''(E) A member who receives a sole survivorship discharge (as defined in section 1174(i) of this title).''.

SEC. 5. TRANSITIONAL COMMISSARY AND EXCHANGE BENEFITS FOR MEMBERS OF THE ARMED FORCES WHO RECEIVE SOLE SURVIVORSHIP DISCHARGE.

Section 1146 of title 10, United States Code, is amended—