

So I urge support for this amendment. And we ought to get on with the job of working on what can become law and not just fighting this fight of science denial and minimizing health risk which we hear from the Republican side of the aisle.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Ms. JACKSON LEE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. JACKSON LEE of Texas. I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

Mr. WHITFIELD. I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GRIFFITH of Virginia) having assumed the chair, Mr. WOMACK, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2250) to provide additional time for the Administrator of the Environmental Protection Agency to issue achievable standards for industrial, commercial, and institutional boilers, process heaters, and incinerators, and for other purposes, had come to no resolution thereon.

□ 1720

PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 2832, EXTENDING THE GENERALIZED SYSTEM OF PREFERENCE; PROVIDING FOR CONSIDERATION OF H.R. 3078, UNITED STATES-COLOMBIA TRADE PROMOTION AGREEMENT IMPLEMENTATION ACT; PROVIDING FOR CONSIDERATION OF H.R. 3079, UNITED STATES-PANAMA TRADE PROMOTION AGREEMENT IMPLEMENTATION ACT; AND PROVIDING FOR CONSIDERATION OF H.R. 3080, UNITED STATES-KOREA FREE TRADE AGREEMENT IMPLEMENTATION ACT

Mr. DREIER. Mr. Speaker, I ask unanimous consent that the Committee on Rules be permitted to file a supplemental report to accompany House Resolution 425.

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

There was no objection.

Mr. DREIER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 425 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 425

Resolved, That upon adoption of this resolution it shall be in order to take from the

Speaker's table the bill (H.R. 2832) to extend the Generalized System of Preferences, and for other purposes, with the Senate amendment thereto, and to consider in the House, without intervention of any point of order, a motion offered by the chair of the Committee on Ways and Means or his designee that the House concur in the Senate amendment. The Senate amendment shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. The previous question shall be considered as ordered on the motion to its adoption without intervening motion.

SEC. 2. Upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 3078) to implement the United States-Colombia Trade Promotion Agreement. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The bill shall be debatable for 90 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. The previous question shall be considered as ordered on the bill to final passage without intervening motion except one motion to recommitt.

SEC. 3. Upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 3079) to implement the United States-Panama Trade Promotion Agreement. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The bill shall be debatable for 90 minutes, with 30 minutes controlled by Representative Camp of Michigan or his designee, 30 minutes controlled by Representative Levin of Michigan or his designee, and 30 minutes controlled by Representative Michaud of Maine or his designee. Pursuant to section 151 of the Trade Act of 1974, the previous question shall be considered as ordered on the bill to final passage without intervening motion.

SEC. 4. Upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 3080) to implement the United States-Korea Free Trade Agreement. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The bill shall be debatable for 90 minutes, with 30 minutes controlled by Representative Camp of Michigan or his designee, 30 minutes controlled by Representative Levin of Michigan or his designee, and 30 minutes controlled by Representative Michaud of Maine or his designee. Pursuant to section 151 of the Trade Act of 1974, the previous question shall be considered as ordered on the bill to final passage without intervening motion.

SEC. 5. House Resolution 418 is laid on the table.

The SPEAKER pro tempore. The gentleman from California is recognized for 1 hour.

Mr. DREIER. For the purpose of debate only, I yield the customary 30 minutes to my very good friend from Worcester, Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this measure, all time yielded will be for debate purposes only.

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

GENERAL LEAVE

Mr. DREIER. I would also like to ask unanimous consent, Mr. Speaker, that

all Members have 5 legislative days in which to revise and extend their remarks on this resolution.

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

There was no objection.

Mr. DREIER. On November 6 of 1979, Ronald Reagan announced his candidacy for President of the United States. In that speech, he envisaged an accord of free trade among the Americas. He wanted to eliminate all barriers for the free flow of goods and services and products among all of the countries in this hemisphere.

On October 3 of 2011, President Obama sent three trade agreements to Capitol Hill for consideration. It has been a long time. I mean, 32 years, I guess, this coming November 6 we will mark the anniversary of President Reagan announcing his candidacy for the Presidency and of which he envisaged this accord.

It has been a very, very difficult struggle to get here; but, Mr. Speaker, today marks the first step in this last leg of what, as I said, has been an extraordinarily lengthy journey towards the passage of our three free trade agreements with Colombia, Panama, and South Korea.

For 4 years, workers and consumers in the United States and in all three FTA countries have waited for the opportunities that these agreements will create. Republicans and Democrats alike—and let me underscore that again. Republicans and Democrats alike have worked very hard to bring us to this point. We have done so, first and foremost, for the sake of job creation and economic growth.

We're regularly hearing discussion on both sides of the aisle about the imperative of creating jobs and getting our economy on track. The President of the United States delivered a speech here to a joint session of Congress in which he talked about the need to pass his jobs bill. Mr. Speaker, this is a very important component of that proposal that the President talked about when he was here. So, as I hear a great deal of discussion about a lack of willingness on Capitol Hill to address the President's jobs bill, it's not an "all or nothing" thing. We are taking the very, very important components that the President has proposed addressing. We've worked in a bipartisan way, and this measure before us is evidence of that.

As I said, the passage of these agreements will allow us to have an opportunity to create good jobs for union and nonunion Americans who are seeking job opportunities. Together, these agreements will give U.S. workers, businesses, farmers access to \$2 trillion of economic activity; and our union and nonunion workers, our farmers and people across this country will have access to 97 million consumers in these three countries.

President Obama, in his address here, made it very clear and has said repeatedly that the independent International Trade Commission has said that, in the coming months, we will add a quarter of a million new jobs right here in the United States of America—again, union and nonunion jobs. The independent International Trade Commission has projected that we will see a quarter of a million—250,000—new jobs for our fellow Americans seeking job opportunities.

I don't need to explain to anyone in this place why this is so critical for our ailing economy, but those of us who have joined together to finally pass these agreements are working towards something that is even bigger. We are working to restore the bipartisan consensus on the issue of open trade. Eradicating partisan politics from the debate on global economic liberalization and returning to a bipartisan consensus is essential in our quest to move our economy forward. These three agreements are enormously important; but, Mr. Speaker, as you know very well, there is still much work that remains to be done.

Now, I understand that the opponents of economic liberalization are very well-intentioned, and I don't fault them. I will say that, as we all know very well, we're in the midst of deeply troubling economic times. It's easy. We all want to look somewhere to point the finger of blame, and trade is a natural target. I mean, I often argue that I still have constituents in southern California who, when they get a hangnail, blame the North American Free Trade Agreement.

□ 1730

Trade is a natural target for frustration and anxiety, and we've seen that time and time again. And I know that there are people who believe that passage of these trade agreements which, according to the ITC, would create 250,000 new jobs right here in the United States of America, is, in fact, a bad thing. Trade is the wrong target, Mr. Speaker.

The worldwide marketplace, as we all know, is a big, dynamic, and complex operation. It offers tremendous opportunity for those who engage and tremendous peril for those who follow the isolationist path. Those who innovate, who aggressively pursue new ideas and new opportunities are able to compete and succeed. The U.S. has proven this time and time again. The American entrepreneurial spirit has enabled us to not just succeed, but, as we all know, we are the largest, most dynamic economy on the face of the Earth. These agreements will allow us to reaffirm and strengthen that.

We all know this, Mr. Speaker: Our country, the United States of America, is the birthplace of Google and Facebook, of Ford and IBM, of Caterpillar and Whirlpool, and of Coca-Cola and eBay. Unfortunately, over the last several years, while the three free

trade agreements have languished, the United States of America has stood still. We've let countless opportunities pass us by. We've let our competitors chip away at our market share. If we compete, the United States of America wins. If we compete, we win.

But what happens when we take ourselves out of the game, which has been the case for the last several years? We've literally taken ourselves out of the game of breaking down barriers, allowing for the free flow of goods and services and capital. What happens? We lose jobs. We lose market share, and we lose our competitive edge.

Now, I'm not going to say that we would not have gone through the terrible economic downturn that we've suffered over the past few years if we had, several years ago, passed these trade agreements. Negotiations began back in 2004 for these agreements. If we had stepped up to the plate, I am absolutely convinced that we would have mitigated the pain and suffering that our fellow Americans are going through with this ailing economy that we have.

Getting our economy back on track and reasserting our American leadership role in the worldwide marketplace will require far more than simply passing these free trade agreements, but it's a key and very important step. The agreements will open new markets for workers and job creators here in the United States; and perhaps even more important, it will send a signal to the world that the United States of America is back open for business.

The United States of America is once again choosing to shape the global marketplace rather than to allow ourselves to be shaped by it. Because, Mr. Speaker, if we don't shape the global marketplace, it will continue to be shaped by that global marketplace. We will also send a very powerful message to our allies that the United States of America is living up to its commitments.

Now, Mr. Speaker, it is utterly shameful that we have forced three close friends of the United States—two of our own neighbors right here in the Americas and one in an extraordinarily strategic region—to wait for 4 long years. It is shameful that we have forced these friends and allies, who negotiated in good faith with us for these agreements, to wait as long as they have.

One of the things we've observed is that the world has taken note. Our would-be negotiators—not only on trade agreements but on other issues as well—our would-be trade partners and negotiating partners, as I said, on issues beyond trade have taken note.

I don't believe that our credibility will be immediately restored with the passage of these free trade agreements, but we will at least begin the process. We will begin the process of demonstrating credibility on the part of the United States. We will signal that the U.S. is recommitting itself to its

partnerships, that our word at the negotiating table can be trusted.

Very sadly, over the past several years, our partners could come to no other conclusion than that our word cannot be trusted at the negotiating table because of action that was taken here a few years ago, rejecting an opportunity for consideration of these agreements.

Mr. Speaker, this rule puts in place a lengthy debate process, during which the tremendous economic and geopolitical benefits of these three trade agreements will be discussed, and the misinformation surrounding these agreements will be able to be refuted. That's why I think this is a very important debate. It's vitally important that we have this debate so that the facts can get on the table and the ability to refute specious arguments can be put forward. And that's what's going to happen this evening and tomorrow leading up to the votes that we are going to cast.

This rule provides also for the consideration of Trade Adjustment Assistance, a modest program that has helped to build that bipartisan consensus that I have been talking about and I believe is essential to our economic recovery. Now, I don't believe that the TAA program is perfect. Meaningful reforms have been incorporated. And most important, Mr. Speaker, the passage of Trade Adjustment Assistance will, in turn, help us not just pass the FTAs, but it will help us maintain what I have had as a goal going back two decades ago when we put together a trade working group that has had bipartisan participation. It will allow us to rebuild the bipartisan consensus that I think is so important. That will send a powerful message to the markets, to job creators, to workers in this country, to Americans who are seeking job opportunities, and it will send a very important message to our allies and we hope future allies throughout this world.

So, Mr. Speaker, I urge my colleagues to come together in a strong bipartisan way and support the rule that will allow us to have a very, very rigorous debate on the underlying agreements and Trade Adjustment Assistance.

With that, I reserve the balance of my time.

Mr. MCGOVERN. I thank the gentleman from California for providing me the customary 30 minutes, and I yield myself 5 minutes of that time.

Mr. Speaker, today we take up several trade bills. The Rules Committee had a chance to guarantee sufficient time for debate on each agreement and ensure that the time would be equally divided between those who support and those who oppose each bill. That's the way we should be debating these bills. That's the fair and the right thing to do.

But fairness was not part of the discussion in the Rules Committee. Instead, we have a rule that gives more

time to those in support of these bills and less time to those who have legitimate concerns about them. And if that weren't bad enough, this rule waives CutGo, just one more broken promise by this Republican Congress.

Mr. Speaker, I strongly support the TAA and GSP bills. These programs provide America's companies and workers with stability and fairness and some minimum resources for those that suffer because of trade agreements. They have earned our support.

□ 1740

But I cannot say the same for the free trade agreements, and I would like to focus my remarks on just one of them, the Colombia FTA.

Mr. Speaker, I've gone to Colombia seven times over the past 10 years. Nearly everyone I talk to—the poor, the most vulnerable, those who defend basic human rights and dignity—they all believe that the United States stands for human rights, that we stand for justice. And I'd like to believe that's always true. But not if we pass this FTA.

Colombia is still the most dangerous place in the world to be a trade unionist. Each year, more labor activists are killed in Colombia than the rest of the world combined. A staggering 2,908 union members murdered since 1986. That's about one murder every 3 days for the past 25 years. One hundred fifty in just the past 3 years. If 150 CEOs had been assassinated over the past 3 years, would you still think Colombia is a good place to invest?

In 2010, 51 trade unionists were murdered; 21 survived attempts on their lives; 338 received death threats; and 7 disappeared. Their bodies may never be found. Forty have been murdered since President Santos took office.

As for justice, well, in Colombia that's still just a dream. Human Rights Watch just released a study that looked at convictions in cases of murdered trade unionists over the past 4½ years. They found “virtually no progress” in convictions in these killings. Just six out of 195 cases. And not a single, solitary conviction for the more than 60 attempted murders and 1,500 death threats during that same period. There's a name for that, Mr. Speaker. It's called complete and total impunity.

Just look at the faces of six of the 23 unionists murdered so far this year.

This man in the top right, Luis Diaz, he was a regional leader of the University Workers' Union and a security guard at Monteria Public University in Cordoba. He was assassinated near his home, shot four times.

I was in Cordoba at the end of August. It's controlled by paramilitaries, drug traffickers, and criminal networks. They work hand in glove with wealthy landed interests, and many local officials, judges, prosecutors, and police are corrupt or benefit from the violence. They are also the most likely parties in Cordoba to profit from the Colombia FTA.

Another fellow here, Jorge de los Rios. He was a teacher and an environmentalist who exposed damage to communities by open pit mining. On June 8, he was shot several times on the campus of his school.

This young man right here, Dionis Sierra, was an elementary school-teacher killed May 15, also in Cordoba.

Carlos Castro, an engineer, murdered in Cali on May 23. He was shot in the neck by two armed men. He was 41 and the father of three.

Here's Hernan Pinto right here, drinking a cup of coffee. He had taken the lead in the farm workers' struggle right before he was murdered in March.

Silverio Sanchez, just 37 years old, also a teacher. He died on January 24 from burns on 80 percent of his body from an explosive.

These men were husbands, fathers, brothers, and sons. If we don't stand up for them, then we also abandon the children, families, workers, and communities they left behind, those who continue to fight for labor rights, human rights, and basic human dignity.

As the old song goes, which side are you on?

Washington, DC, September 29, 2011.

DR. VIVIANE MORALES,
*Attorney General, Diagonal 22B, No 52-01,
Bogotá, Colombia.*

DEAR ATTORNEY GENERAL MORALES: I am writing to follow up on the very constructive meeting we had in Bogotá this June regarding the problem of impunity for anti-union violence in Colombia. We are encouraged by the steps the Attorney General's Office is currently taking under your leadership to address this longstanding problem. Yet we also believe further measures are needed to ensure that your efforts succeed and the era of unchecked violence against trade unionists in Colombia is finally overcome.

As you know, Colombia continues to face an extraordinarily high level of anti-union violence. While the number of trade unionists killed every year is certainly less today than a decade ago, it remains higher than any other country in the world. The National Labor School (ENS), Colombia's leading NGO monitoring labor rights, reports that in 2010 there were 51 killings of trade unionists, 22 homicide attempts, and 397 threats.

A major reason for this ongoing violence has been the chronic lack of accountability for cases of anti-union violence. Colombia has failed to deliver justice for more than 2,500 trade unionist killings committed over the past 25 years. As Vice-President Angelino Garzón acknowledged during a November 2010 speech, “[T]he immense majority of crimes [against] trade unionists remain in impunity . . . there have been advances in the investigations . . . but we still have not gotten to 200 court rulings, and there are thousands of workers and union leaders killed and disappeared.”

In 2006, the Attorney General's Office sought to end this impunity by establishing a sub-unit of prosecutors to focus exclusively on crimes against trade unionists. This initiative brought with it several important advantages: the sub-unit's prosecutors would receive extra material and human resources and have the opportunity to develop expertise in solving these crimes. By working out of Bogotá and other main cities, the prosecutors would generally be less vulnerable to pressure and threats than local justice officials.

Since its creation, the sub-unit has made important progress: there are now scores of convictions for trade unionist killings every year where before there were almost none. Over the past four-and-a-half years, the sub-unit has secured convictions for more than 185 trade unionist killings.

Yet this progress, while welcome, has in fact been very limited. And, unless urgent steps are taken to improve the sub-unit's performance, it will almost certainly prove to be unsustainable.

Over the past several months, Human Rights Watch has carried out a comprehensive evaluation of the sub-unit's work, reviewing hundreds of court judgments for crimes against trade unionists, examining the most recent available data provided by the Attorney General's Office on the status of investigations, and conducting dozens of interviews with prosecutors, judges, rights advocates, and victims.

Our research has found severe shortcomings in both the scope of the sub-unit's work and the investigative methodology that it employs. In terms of the scope, we found that:

The increase in the number of convictions since the sub-unit's creation, while substantial, represents only a small fraction of the total number of cases of trade unionist killings that still need to be investigated and prosecuted.

The increase in convictions is largely due to confessions provided by paramilitaries under the Justice and Peace process, which does not apply to cases of killings committed after 2006.

The sub-unit has made virtually no progress in obtaining convictions for killings from the past four-and-a-half years.

The sub-unit has made virtually no progress in prosecuting people who order, pay, instigate or collude with paramilitaries in attacking trade unionists.

In terms of the methodology of the investigations, we found that:

The sub-unit has routinely failed to thoroughly investigate the motives for the crimes.

The sub-unit has not conducted the type of systematic and contextualized investigations that are necessary to identify and prosecute all responsible parties.

While we were encouraged to encounter prosecutors in the sub-unit who are very professional and committed to advancing these cases, it is also clear that further measures must be taken to support their work and ensure the sub-unit overcomes its current limitations.

Under the current circumstances, what is at stake is the justice system's ability to act as an effective deterrent to anti-union violence. We are concerned that unless you take action to improve the sub-unit's performance, the office will continue to fall short in ensuring accountability for attacks on trade unionists, and Colombia will remain a uniquely dangerous country for workers seeking to exercise their basic labor rights.

THE SCOPE OF THE SUB-UNIT'S WORK CONVICTIONS REPRESENT FRACTION OF TOTAL KILLINGS

The annual number of convictions for cases of crimes against trade unionists has risen about nine-fold since the sub-unit began operating in 2007. Overall, the subunit has obtained convictions for more than 185 trade unionist killings.

Despite this accomplishment, a great deal of work remains to be done. At this stage, Colombia has obtained a conviction for less than 10 percent of the 2,886 trade unionist killings recorded since 1986 by the ENS. The sub-unit reported to Human Rights Watch that it had opened an investigation into 787

cases of trade unionist killings as of June 2011. Investigations into the more than 2000 other reported trade unionist murders presumably remain with ordinary prosecutors, who have long failed to resolve such cases. As concluded by the February 2011 International Labor Organization (ILO) High-level Tripartite Mission to Colombia, “The majority of [trade unionist killings] have not yet been investigated nor have the perpetrators, including the intellectual authors of these crimes, been brought to justice.”

RECENT PROGRESS IS LARGELY DUE TO JUSTICE AND PEACE PROCESS

The sub-unit’s progress in prosecuting anti-union violence has largely been due to confessions by paramilitaries participating in the Justice and Peace process. Human Rights Watch reviewed all 74 convictions handed down over the past year by the three specialized courts dedicated to crimes against trade unionists and found that 60 percent of the convictions were the direct result of plea bargains with demobilized paramilitaries participating in the Justice and Peace process. In a majority of the remaining rulings from this period, testimony by defendants in the Justice and Peace process also played an important role in producing the conviction.

This increase in the number of convictions spurred by the Justice and Peace process is certainly a positive development. Unfortunately, it does not by itself represent sustainable progress. The process has allowed prosecutors to resolve cases because it has provided extraordinary incentives for demobilized paramilitaries to confess to their crimes. But these incentives do not apply to crimes committed since paramilitary groups finished demobilizing in 2006 and therefore will not help prosecute individuals who assassinate trade unionists today or in the future.

LACK OF CONVICTIONS FOR RECENT TRADE UNIONIST KILLINGS

When it comes to obtaining convictions for cases from the past several years—which are not covered by the Justice and Peace process—the sub-unit has made virtually no progress. Of the more than 195 such killings that have occurred since the sub-unit started operating in 2007, the special office had obtained convictions in only six cases as of May 2011. It had not obtained a single conviction for the more than 60 homicide attempts, 1,500 threats and 420 forced displacements reported by the ENS during this period.

The sub-unit has not opened investigations into the majority of the trade unionist murders that have occurred since the office began operating in 2007. As of March, it had opened an investigation into only one of the 51 trade unionist killings committed in 2010. And the vast majority of the sub-unit’s investigations into killings since 2007 (89 percent) remain in a preliminary stage in which prosecutors have yet to formally identify a suspect.

We understand that the current Attorney General’s Office shares our concern with the lack of progress in prosecuting recent killings. As discussed below, your office has announced steps that could help address this problem, such as instructing prosecutors to prioritize investigations of crimes against trade unionists committed since 2007.

LACK OF PROSECUTIONS OF INTELLECTUAL AUTHORS AND ACCOMPLICES

We are also concerned that the prosecutions have focused almost exclusively on the commanders of armed groups or triggermen and have not extended to include other individuals who may have instigated or facilitated the crimes. Of the more than 275 con-

victions handed down through May 2011 by the specialized courts that handle the sub-unit’s cases, 80 percent have been against former members of the United Self-Defense Forces of Colombia (AUC). Yet there is compelling evidence that paramilitaries and the groups that replaced them have not acted alone in killing trade unionists. These groups have historically operated with the toleration or even active support of members of the public security forces, as well as in collaboration with politicians and allies in the private sector. According to several justice officials, rights advocates and victims’ lawyers close to these cases, paramilitaries appear to have killed trade unionists at the behest of employers, local officials, or other individuals with particular interests in eliminating the victims.

A review of 50 recent convictions for anti-union violence handed down by the specialized courts found that in nearly half of the cases under consideration, the judgments contained evidence pointing to the involvement of members of the security forces or intelligence services, politicians, landowners, bosses, or coworkers. Rulings in ten of these cases contained evidence indicating that individuals outside the armed groups (including two mayors, a hospital administrator, a plant manager, a captain of the Sectional Judicial Police, and a detective from the Colombian intelligence service) may have hired, ordered, or otherwise instigated paramilitaries to kill the trade unionists.

Yet despite the evidence of involvement and collusion by third parties in crimes committed by armed groups, the sub-unit has obtained virtually no results in bringing such individuals to justice. Only 10 of the more than 275 rulings handed down by specialized courts since 2007 have convicted politicians, members of the security forces, employers, or coworkers. Only one of the 50 rulings handed down between September 2010 and May 2011 that Human Rights Watch reviewed punished such individuals. Similarly, a comprehensive study by the Center for the Study of Law, Justice, and Society (DeJusticia) reveals that just 3 percent of the judgments in trade unionist cases handed down through March 2010 included the conviction of a “strategic intellectual author” (an individual outside of an armed structure who ordered or otherwise instigated the crime).

Prosecuting the triggermen and their commanders for these crimes is a crucial step for accountability. But identifying these individuals alone will not enable the justice system to act as an effective deterrent to anti-union violence. As long as some people believe they can get away with ordering, paying, or instigating armed groups to kill trade unionists, they will continue to find armed groups and gunmen for hire to do their dirty work.

FLAWS IN THE INVESTIGATIVE METHODOLOGY

Colombia’s progress in curbing impunity for anti-union violence, while important, has been limited by shortcomings in the investigative strategy pursued by the subunit of the Attorney General’s Office. The first is a routine failure to adequately investigate the motive in cases of trade unionist killings. The second—and more troubling—is the failure to conduct the sort of systematic and contextualized investigation necessary to identify and bring to justice all responsible parties.

As discussed below, the current administration of the Attorney General’s Office has recognized the problem of the sub-unit’s methodology and announced the adoption of measures to improve it. But these correctives remain to be fully implemented, and must be followed with additional measures to shore up the quality of the sub-unit’s work.

INADEQUATE INVESTIGATION OF MOTIVES

Prosecutors often base their charges almost entirely on testimony by paramilitaries participating in the Justice and Peace process without conducting a thorough investigation that could determine the actual motive for targeting the victim. According to one of the specialized judges, in many cases prosecutors base their charges on “two or three lines from what the defendant in Justice and Peace says.”

Given the lack of additional evidence gathered by prosecutors, the judges often rely primarily or exclusively on paramilitaries’ accounts to determine the motive for the crime.

Paramilitaries’ confessions frequently seek to justify trade unionist killings as counter-insurgency operations, claiming that their victims were guerrilla collaborators. Consequently, a substantial share of judgments for trade unionist killings have identified the victims’ alleged links to guerrilla groups as the motive behind the killings.

Yet, there are good reasons to suspect that in many cases the paramilitaries label the victims as guerrilla collaborators to disguise the true reasons for the killing. By offering defendants the same reduced sentence no matter how many abuses they admit to, the Justice and Peace Law provides paramilitaries with extraordinary incentives to confess to all of their crimes. But when it comes to testifying about their accomplices—who may have ordered trade unionist killings for their own political or economic interests—paramilitaries often have strong incentives to keep silent and justify the murders as part of their anti-guerrilla campaign. As revealed by several recent judicial investigations and news reports, there are credible allegations that paramilitaries have been repeatedly bribed or pressured to conceal the criminal activity of their political and economic allies. In cases involving collusion with powerful individuals, paramilitaries and their family members could face severe reprisals should they expose their accomplices.

In some court rulings, judges have found reason to doubt the veracity of paramilitaries’ anti-guerrilla justifications for the killings. For example, in one recent ruling against paramilitaries who claimed that the union leader had been killed because he was a guerrilla collaborator, the judge wrote that it appeared the group had been paid to murder the victim because of his union activity, noting that: “The excuse provided by the [defendants] regarding the motive of the killing . . . seems to actually be a form of hiding the existence of a particular interest to silence the victim.” The judgment explicitly described how the prosecutor had failed to collect key pieces of evidence that would have helped clarify the motive for the crime. According to DeJusticia’s 2010 study, while 102 of the 271 court rulings they analyzed identified the trade unionist’s alleged guerrilla ties as the motive for the killing, the judges explicitly rejected the allegations in nearly half of those judgments.

Given the inadequacy of investigations, it is impossible at this point to know how many killings were in fact motivated by the victims’ union activities. What is clear is that without more thorough investigations, prosecutors will not be able to determine with an adequate level of certainty whether or not the crimes were related to the victims’ participation in their union. This is a serious problem in Colombia given the tendency of some officials and commentators to downplay anti-union violence by dismissing the attacks as isolated crimes unrelated to the victims’ union affiliation. And worse still, if court rulings based on paramilitaries’

testimony indicate that the victims were guerrillas, the stigmatization is confirmed and the risks are worsened for those who exercise union activity.

LACK OF SYSTEMATIC AND CONTEXTUALIZED INVESTIGATIONS

With few exceptions, the sub-unit's prosecutors have not pursued investigations that take into account the context of crimes against other members of the victim's union from the same region and time period, and have often neglected to conduct serious inquiries into the victim's union activity at the time of the crime.

Instead, killings have generally been investigated in an isolated case-by-case manner and without any serious effort to determine how the crimes might form part of a broader pattern of anti-union violence. As one top official within the Attorney General's Office recently told Human Rights Watch, until now, the sub-unit has treated each case as "an island." Similarly, in separate interviews, all three current judges from the specialized courts that handle these cases told Human Rights Watch that the cases brought to their courts are investigated as isolated crimes. Victims' lawyers also said that the sub-unit's failure to draw connections between killings is one of the fundamental problems with the investigations.

This serious deficiency in the sub-unit's investigations is also evident in the judgments in cases of anti-union violence. According to DeJusticia's 2010 study, a "systematic approach" to investigations—defined as taking the general context of anti-union violence as the starting point for the investigation—was reflected in five of the 271 court rulings handed down through March 2010.

As a result of this investigative approach, prosecutors have not been able to identify patterns of crimes that could lead them to the individuals—including public officials and employers—who may have ordered, instigated, or otherwise colluded with armed groups in attacking trade unionists. As one of the three special judges who handle cases of anti-union violence said, "To know what's behind the crimes, if there was a state policy or company policy or not, there has to be a macro-investigation. [Prosecutors] have not done that." Another judge specified that the piecemeal investigations have impeded prosecutors from identifying intellectual authors: "It would make more sense to analyze the historical context of the union and the criminal organization that operates in the region. But in reality, [the cases] come [to the courts] as isolated victims. . . . The investigations have progressed very little in providing the judges with the context. The context would help identify intellectual authors."

This shortcoming is compounded by the sub-unit's failure to consistently conduct a thorough inquiry into the context of the victim's union activity at the time of the crime, which limits prosecutors' ability to establish leads that could help clarify the motive for the killing and identify potential suspects. While some prosecutors do make an effort to look into such activity, two judges we spoke with said that such rigorous inquiries are not the norm. In our review of 50 recent convictions in these cases, we found the majority of the rulings did not refer to the victim's union activity in the period leading up to the crime. (If the prosecutors had investigated such activity, a reference to this line of inquiry should at least appear in the judgment, according to jurists consulted by Human Rights Watch.) Of the judgments that did mention the victim's union activity at the time of the crime, most references were general, suggesting that no in-depth probe had been undertaken.

STEPS YOUR OFFICE HAS ANNOUNCED TO ADVANCE PROSECUTIONS

Based on our meeting last June, we know that your office is aware of the problems outlined above and has announced some important initial steps that could help address them.

In terms of increasing the quantity of cases investigated and prosecuted by the subunit, we were encouraged by the following measures announced by the Attorney General's Office:

The addition of 100 judicial police from the Directorate of Criminal Investigation and Interpol (DIJIN) and planned incorporation of 14 new prosecutors to the subunit;

Your office's June 2011 memorandum instructing prosecutors to prioritize cases of trade unionist killings committed since 2007;

Your office's April 2011 memorandum mandating the early identification in all new homicide cases of whether the victim was a union member, which should help ensure that in the future the sub-unit can immediately open investigations into these new cases;

Your office's recent transfer of 35 cases of trade unionist killings from 2009 to the sub-unit.

Your office also has announced measures that could improve the sub-unit's investigative methodology, such as:

Providing instructions within the April memorandum for prosecutors to take the urgent steps that will allow them "to determine the motives for the crime and the causal relationship between the [homicide] and victim's condition as a trade unionist";

Providing instructions within the June memorandum for prosecutors to analyze cases of trade unionist killings based on the region where the crimes occurred;

Adding six analysts to the sub-unit who will help identify links between cases in order to detect patterns of crimes against trade unionists.

In addition, the current coordinator of the sub-unit told us in May that the sub-unit has adopted a new methodology that involves grouping cases not only on the basis of location, but also based on the victim's union and the suspected responsible armed group.

Yet, we are concerned that the new methodology has not yet been effectively implemented. In separate interviews this May, the prosecutors within the sub-unit appeared to have very different understandings of how they were expected to proceed with their investigations. Two prosecutors said that the sub-unit had not in fact adopted a new methodology. "There is no policy that comes from the coordinators," one told us. "The methodology depends on each prosecutor. . . . Investigations are case-by-case. It would be important to group [cases] by trade union, but it has not been done." Other prosecutors mentioned the new investigative policy, but said that it remains to be carried out in practice.

Furthermore, your office's attempt to implement a systematic approach is undercut by the sub-unit's limited caseload and inefficient allocation of investigations among prosecutors. As discussed above, the sub-unit is not investigating the majority of reported trade unionist killings. Consequently, cases from the same union, region, and time period are often split between the sub-unit and ordinary local prosecutors. And of those investigations that have been assigned to the sub-unit, cases involving trade unionists from the same organization and region have generally been divided among the office's different prosecutors.

RECOMMENDATIONS

In order to build on your initial correctives and fully address the problems identified in

this letter, we believe it is crucial to adopt the following measures:

1) The sub-unit should investigate all reported cases of killings, enforced "disappearances," and homicide attempts committed against trade unionists. In order to do so, we recommend the Attorney General's Office:

a) Transfers to the sub-unit all reported cases of killings, enforced "disappearances," and homicide attempts against trade unionists that are currently assigned to local prosecutors;

b) Assigns to the sub-unit all future cases of killings, enforced "disappearances," and homicide attempts against trade unionists.

2) The sub-unit should implement a policy to conduct systematic, contextualized and thorough investigations. The policy should ensure that:

a) Rather than treating each killing as an isolated case, investigations also examine all other crimes against members of the same union in the same region and time period to identify possible connections and patterns of crimes that could help to determine the motive for the killing, and identify all the responsible parties;

b) Prosecutors do not rely inordinately on paramilitaries' confessions to resolve cases, but instead use this testimony as a starting point to pursue a solid judicial investigation;

c) Prosecutors conduct a thorough inquiry into the victim's union activity at the time of the crime in order to collect evidence that could help clarify the motive for the attack and identify potential suspects;

d) Prosecutors vigorously pursue leads that point to the possible involvement of state agents and other actors in crimes against trade unionists.

3) Cases should be distributed among the sub-unit's prosecutors based on the victim's union and the region where the crime occurred.

As we have pointed out on numerous occasions, overcoming ongoing impunity for violence against trade unionists requires confronting complex challenges. There is an enormous amount of work to be done, and success will not be achieved overnight. Yet we also believe that, if your office rigorously pursues the measures we are recommending here, it will be possible to make significant progress in prosecuting these cases and transform the sub-unit into an effective deterrent to future attacks on trade unionists in Colombia.

I reserve the balance of my time.

Mr. DREIER. Mr. Speaker, I yield myself 30 seconds to say that Colombia has gone through incredible tragedy over the past several years. It has been absolutely horrible. And the suffering that my colleague from Worcester has just shown is very, very disturbing. But I think we should note that we have seen an 85 percent decline in the murder rate. In fact, there are cities in this country that have a higher murder rate than exist in Colombia today.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. DREIER. I yield myself an additional 15 seconds, Mr. Speaker.

We also should make it very, very clear that it is safer to be a union member and union leader in Colombia because of the protection that's provided by the government than to be the average citizen. Let's solidify those gains, and that's exactly what these agreements will do.

With that, I am happy to yield 2 minutes to a very, very thoughtful individual committed to the trade agenda,

my good friend from Hinsdale, Illinois (Mrs. BIGGERT).

Mrs. BIGGERT. I thank the chairman for yielding to me.

Mr. Speaker, today I rise with great enthusiasm because at long last the House and Senate are poised to act on the most bipartisan, economically compelling jobs bills of the Obama Presidency. By supporting this rule and ratifying these agreements, we are taking a huge step towards leveling the playing field for U.S. goods and services. And in doing so, we can create hundreds of thousands of good-paying jobs right here in America.

And thanks to the pending free trade agreements with Colombia, Panama, and South Korea, the tariffs on many American products will come down immediately, giving a massive boost to our economy at a time when we need it more than ever.

All told, these fair trade agreements would support an estimated quarter-million American jobs and increase exports by \$13 million. And my home State of Illinois will be among the first to benefit. Currently, Illinois ranks sixth in the Nation in terms of total exports; 109 companies in my district alone export abroad, and local exports support nearly 65,000 jobs in just DuPage, Cook and Will counties.

These aren't just large manufacturers like Boeing, Navistar, and Kraft; they're also small businesses with a handful of employees. In fact, 90 percent of Illinois exporters are small businesses, exporting everything from computer chips to financial services.

Already, trade with South Korea in my district alone supports 1,137 jobs, and that number has the potential to rise dramatically after this week's agreements go into effect. Now imagine that impact multiplied hundreds of times across congressional districts throughout the Nation.

Mr. Speaker, passing these agreements is one of the most common sense, low cost, and economically sound things that Congress can do right now to boost job growth. And now that the President has finally sent the agreements to Capitol Hill, we must act immediately. I urge my colleagues to support this rule.

Mr. McGOVERN. Mr. Speaker, I yield myself 25 seconds to respond to the gentleman from California.

In 2009 the number of total murders per capita in the U.S.A. was 5 per 100,000. In Mexico, it was 18.4, and in Colombia it was 37.3. These are all government statistics.

If 23 labor leaders and 29 civil rights leaders and 6 priests were targeted and murdered in Los Angeles so far this year because of their work in the community, I would like to think that the city or the gentleman from California would be up in arms about that. But that's the reality in Colombia.

At this time I would like to yield 3 minutes to the gentlewoman from New York, the ranking Democrat on the Rules Committee, Ms. SLAUGHTER.

Ms. SLAUGHTER. I thank the gentleman for yielding.

I cannot state strongly enough I am vigorously opposed to the three free trade bills that we are considering today.

On behalf of the businesses and workers of western New York, I implore my colleagues to vote against today's free trade but not fair trade bills and put an end to the era of giveaway trade.

None of the free trade bills we voted on in the last 20 years, including these bills today, were designed to protect American manufacturing and American jobs. They were designed to protect multinational corporations operating in the towers of New York, London, and Shanghai. These companies could care less where their goods are made as long as we allow them to sell them all over the world. As American legislators, we have different responsibilities. We must care where goods are made. We must do everything we can to ensure they are made in the U.S.A.

I think many people would be shocked to know that there is little in the current trade agreement to prevent our own trading partners from developing new regulations that we have done all these years making it harder for us to sell our goods in their countries. Using nontariff barriers, they could place a dozen arbitrary restrictions on American-made cars, and they do in order to stop Chevy, Ford, and GM from being sold in South Korea. Do you know how many car dealers sell American cars in Korea? Twenty-six. I imagine most major cities in the United States have 26 car dealers who sell Korean cars in their city alone. There's something wrong with that picture. This is not free-flowing trade. We are restricted, but under these proposed free trade agreements, we can't do a thing to make sure that our companies are treated fairly. And they call it a good deal.

Currently, nontariff barriers are playing a vital role in preventing U.S.-made cars from being sold in Japan. According to the American Auto Council, for every one car that the U.S. exports to Japan, Japan exports at least 180 vehicles to the United States. That's 1 to 180. U.S. auto exports to Japan were limited to 8,000 cars last year. That's all we could sell in all of Japan. The USTR says, A variety of nontariff barriers have traditionally impeded access to Japan's automobile and automotive parts market. Overall sales of U.S.-made vehicles remain low, which is a serious concern.

But despite that, what they think with that hand, the government's left hand, the government's right hand is going to sign more trade bills that do exactly the same thing.

□ 1750

It is an action, as far as I'm concerned, that defies common sense. Instead of wasting our time voting for a bad trade bill, I have introduced a bill

that will legally ensure a fair playing field for American manufacturers. It's H.R. 1749. The Reciprocal Market Access Act would require both the U.S. Government to consider tariff and nontariff barriers when negotiating a trade agreement with another country and not reduce our tariffs until that has been done. This approach would guarantee that American manufacturers have the same opportunity as foreign competition to sell their goods around the world.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. McGOVERN. I yield the gentlewoman 1 additional minute.

Ms. SLAUGHTER. If a foreign country is caught trying to stop the sale of American-made goods, we have a "snap-back" provision which will stop the free trade agreement.

It's a no-nonsense approach. It is bipartisan in the House. It has been endorsed by Corning; Hickey-Freeman; Hart Schaffner Marx; Globe Specialty Metals; American Manufacturing Trade Action Coalition; the AFL-CIO; the United Steelworkers; and the Auto Workers, even though they are the only union that will benefit somewhat by the Korean pact.

Congress needs to wake up, and we need to make countries like China and Germany see who's going to dominate the green manufacturing for generations to come. We have just about lost that great thing we pioneered here. Over and over again we have waited and watched. And the most recent ones that trouble me so much is General Electric giving away the intellectual property on airplane engines to China and GM forced to give over the technology of the Volt to be able to sell there.

Mr. Speaker, the time is now. We're not going to maintain a superpower status as long as all we can do is give each other haircuts and serve each other dinner. We've got to make things here at home so that our businesses can finally benefit by some fair trade.

Mr. DREIER. Mr. Speaker, I yield myself 15 seconds to say that free trade is fair trade. And it's interesting to note that the United Auto Workers supports the agreement that exists. I totally concur with my friend from Rochester in arguing, Mr. Speaker, that we must enforce the agreements that we have, including on intellectual property issues.

With that, I reserve the balance of my time.

Mr. McGOVERN. Mr. Speaker, at this time I would like to yield 3 minutes to the gentleman from California, the ranking Democrat on the Education and Workforce Committee, Mr. MILLER.

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Speaker, Members of the House, one of our most important responsibilities as elected officials is to promote

and protect American jobs and values. When it comes to trade, jobs and values go hand-in-hand. To promote American jobs, we must promote American values. We do this by ensuring that our workers are protected from unfair competition with countries that keep wages artificially low by repressing essential democratic rights: the right to speak out, the right to organize, the right to bargain, the right for a better life without fear of reprisals.

And so as we now consider the trade agreement with Colombia, what do you get when you exercise your rights in Colombia today? You get death threats and death squad activities against you and your families. Colombia is the most dangerous place on Earth for workers who dare to exercise their rights. During the last Colombian President's 8 years in office, 570 union members were assassinated. To date, only 10 percent of the thousands of killings over the last 25 years have been resolved.

The problems here are undeniable. So I appreciate that the U.S. and the Colombia Governments have finally brought labor rights into the equation. They have agreed to a Labor Action Plan requiring Colombia to change some labor laws and to commit more resources to fight the violence and impunity.

But that plan is fatally flawed. It only demands results on paper. It does not demand real change. Colombia could have a record year for assassinations and still meet the requirements of the plan. Sure enough, real change is yet to come to Colombia. Since President Santos took office last year, press reports indicate at least 38 trade unionists have been murdered—16 since the Labor Action Plan was announced.

In mid-June of this year, I met with a Port Workers Union leader from Colombia in my office about his concerns with the free trade agreement. He told me that he was not provided protection and that the abusive cooperative system was still in place despite commitments made by the Colombian Government to remedy both. In July, I spoke directly to his concerns on the floor of the House. And 2 weeks later, this leader received death threats via text message. The message said, "If you continue to create problems and denounce things, you will die in a mortuary union."

It's under these conditions that we are asked to approve this deal. If we approve the deal now, any incentive for Colombia to truly improve will vanish. Now is not the time to reward violence with impunity with the seal of approval from the United States. The deal with Colombia is neither fair nor free. Telling Colombian workers that if they speak out for higher wages, they will die—that's not freedom. Telling American workers to compete with that kind of repression—that's not fair to our workers or our values.

Stand for American values, and reject the Colombia Free Trade Agreement.

Mr. DREIER. Mr. Speaker, I am happy to yield 2 minutes to one of our thoughtful, hardworking new Members, the gentleman from Fowler, Kansas (Mr. HUELSKAMP).

Mr. HUELSKAMP. I appreciate the opportunity to visit with you on the floor today.

Every day that goes by without these agreements is a missed opportunity. Hundreds of missed opportunities have passed because of years of delay, which is why we cannot afford to waste one more day. The fact is, today in South Korea, for example, beef costs nearly \$24 a pound. Pork costs nearly \$10 a pound. These facts can only work to the mutual benefit of both U.S. producers and Korean consumers.

When America is starved for jobs and economic growth, agreements with Colombia, Panama, and South Korea present an occasion for Washington to address these challenges. Up to a quarter million new jobs and a hundred billion-dollar boost to the country's GDP are glimmers of hope in what is otherwise a bleak economic outlook. And not a dime of taxpayer money has to be spent to create good American jobs.

For America to be part of the 21st-century economy, it is not enough to simply buy American. We have to sell American. America's safe and efficient ag, energy, and manufacturing production makes the U.S. an attractive trading partner. Americans can compete, and we can win.

When the Ambassador of Vietnam to the United States toured a hog farm in my district in August, he was both impressed and astonished by the safety and cleanliness of our facilities. That signaled to me that America, and Kansas in particular, has much to offer the world.

In sum, these agreements are an opportunity for a nation seeking more affordable and safe goods and an opportunity for our Nation to benefit with jobs and economic growth. I urge my colleagues to move quickly and join me in supporting this rule and the underlying agreements. We need the jobs, Mr. Speaker.

Mr. MCGOVERN. Mr. Speaker, at this time I would like to yield 3 minutes to the gentleman from Connecticut (Ms. DELAURO).

Ms. DELAURO. I rise in opposition to this rule and the trade agreements underlying it—particularly the agreement with Colombia. Nothing is more important to our economy right now than creating jobs and putting America back to work. And yet we have now before us three NAFTA-style trade agreements with South Korea, Colombia, and Panama that we know from experience will lead to more jobs being shipped overseas and greater trade deficits. In fact, the Economic Policy Institute has estimated this agreement with Colombia will result in the loss of 55,000 American jobs.

The Colombia deal is particularly galling because it will do more than just destroy American jobs. It will

bring into question whether our Nation continues to be a defender of human rights and workers' rights around the world. According to the International Trade Union Confederation, more unionists are killed every year in Colombia than in the rest of the world combined. Last year saw 51 murders. As the AFL-CIO's Richard Trumka noted: "If 51 CEOs had been murdered in Colombia last year, this deal would be on a very slow track indeed."

This year, we have seen 23 more men and women killed. Human Rights Watch reviewed these and hundreds of other cases of antiunion violence there and concluded that Colombian authorities have "made virtually no progress in obtaining convictions for killings from the past 4½ years."

□ 1800

In fact, in only 6 percent of the 2,860 trade unionist murders since 1986 have there been any convictions. That means 94 percent of the killers are walking away. Worse, 16 of the murders this year have occurred after the labor action plan put forward by the administration and the Colombian Government was put into effect.

This action plan is a fig leaf, pure and simple. It is not legally binding. It makes promises that the Colombian Government will step up its protections, but it demands no concrete results before this free trade agreement is implemented. According to the National Labor School, if Congress passes the free trade agreement, "the limited willingness for change will be further reduced and the action plan will be turned into a new frustration for Colombian workers, in addition to causing other serious consequences." In other words, more violence—murders—against trade unionists will be just the cost of doing business.

We should not be sanctioning such a system of violence, terror, and abuse. We have a responsibility to protect the human rights defenders and working families in Colombia who are exercising, and only exercising, their fundamental rights. And we have a responsibility to stand up for our American working families who do not need to see any more good, well-paying jobs shipped overseas.

I urge my colleagues to oppose this rule and this unconscionable agreement.

Mr. DREIER. Mr. Speaker, I yield myself 1 minute to say that we are going to respond to some of these arguments that have been made.

First, Colombia is not the safest place in the world. I'm the first to acknowledge that. There are terrible, terrible problems there. We've been dealing with the Revolutionary Armed Forces of Colombia, the FARC, the paramilitaries, and serious, serious problems that have existed in Colombia. No one is trying to whitewash or dismiss the serious challenges that exist there. But it's important to note that nearly 2,000 labor leaders in Colombia, Mr. Speaker, have around-the-

clock bodyguards protecting them. And in Colombia, it is safer to be a unionist than it is the average citizen.

So I'm not saying that things are perfect. No one is making that claim. But when we've seen an 85 percent decrease in the murder rate since 2002, when we've seen more murders take place—tragically—in some of our cities than have taken place in some areas of Colombia, that is something that has to be seen as progress.

The SPEAKER pro tempore (Mr. THORNBERRY). The time of the gentleman has expired.

Mr. DREIER. I yield myself an additional 15 seconds, Mr. Speaker, to say that I believe we can, in a bipartisan way, work to address these very important issues. And we are going to do just that. We are going to ensure that this kind of agreement effectively addresses these problems.

My friend, Mr. FARR, and I have sat together in the Office of the Fiscalia in Colombia, in Bogota.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. DREIER. I yield myself an additional 15 seconds.

We have sat and painstakingly, with several other of our colleagues, Democrats and Republicans alike, gone through these pending cases to bring about a resolution on this issue; and in just a few minutes, I'm going to be yielding to my friend, Mr. FARR, to talk specifically about this and the challenges we have.

With that, Mr. Speaker, I am happy to yield 1½ minutes to my very good friend, the chair of the Committee on Foreign Affairs, who represents what she calls the gateway to the Americas. I think Los Angeles comes pretty close to that too. But Miami, Mr. Speaker, is the gateway to the Americas, and they are very ably represented by our colleague from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. I thank the esteemed chairman of the Rules Committee for highlighting what a transformation Colombia has made in recent years, thanks to the strong leadership from the top down to the cop on the beat.

If the American people are listening to this debate, they would think that Colombia is a war zone equal to Iraq and Afghanistan. And I believe that those Members have not gone to Colombia in many a year.

But I rise in strong support of the free trade agreements with Colombia, Panama, and South Korea. I thank my good friend from California for his strong leadership on these three trade deals that we've been waiting so many years, Mr. Speaker, for them to be sent to Congress. I am pleased that at last we have the chance to vote on them, because their passage will mean American businesses will finally have a competitive level playing field.

And to give you just one example, American industrial exports to Pan-

ama—one of our sister countries to south Florida, we have so many Panamanian Americans living in our area—now face tariffs as high as 81 percent, but almost all of these will be eliminated thanks to this trade agreement.

By the administration's own estimates, Mr. Speaker, the U.S.-South Korea free trade agreement alone will generate around 70,000 new American jobs. And as the Rules Committee chairman pointed out, south Florida is indeed the gateway to Latin America.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. DREIER. I yield my friend an additional 30 seconds.

Ms. ROS-LEHTINEN. Thank you.

We will see significant benefits in south Florida, and not just for large companies but for small and medium-sized ones as well.

Let's talk about Colombia. Flower importers in the area estimate that they will save \$2 million per month in duties that they now are paying on imports from Colombia.

And also, we should point out how important these trade agreements are, because these three allies are of great importance to our national security. You can't ask for better partners for peace and making sure that we have democracy in the region than South Korea, Colombia, and Panama.

I thank the gentleman for the time, and I'm pleased to support the rule.

Mr. MCGOVERN. I yield myself 20 seconds.

Mr. Speaker, if Colombia is so safe, then why do 2,000 labor leaders need round-the-clock protection? I mean, if Colombia is so safe, why are there nearly 5 million internally displaced people and over 1 million Colombian refugees in neighboring countries? It is because they're fleeing the violence and civil unrest.

Mr. Speaker, at this point I would like to yield 3 minutes to the gentleman from Maine (Mr. MICHAUD).

Mr. MICHAUD. I want to thank my friend for yielding to me.

This rule makes in order three NAFTA-style free trade agreements, one with Korea, one with Panama, and one with Colombia, all of which I oppose. But I want to focus my remarks today on the trade agreement with Colombia because it hits so close to home for me.

You will hear from Members that feel passionately about Colombia from their experience in that country. They support the free trade agreement, and I respect their perspectives. But there are some of us who feel just as passionately about our brothers and sisters who are killed in Colombia just because they are members of a union, and we oppose the agreement.

I am a proud, card-carrying member of the United Steelworkers Union. I've been a member of the union for over 39 years and served as vice president of Local 152. Workers in Colombia are being killed for the exact same thing.

Since January, 23 unionists have been assassinated. Fifty-one were killed last year, more than the rest of the world combined. Just for carrying a union card like mine, nearly 3,000 workers have been killed in Colombia over the past 25 years.

The administration's Labor Action Plan is intended to address some of the decades-old problems of violence against unionists and the lack of impunity for their perpetrators, but it falls far short from doing so:

First, there has not been meaningful collaboration with the Colombian unions to make sure the action plan is being implemented thoroughly;

Second, the Attorney General's office, according to Human Rights Watch, hasn't made any progress in investigating the murder cases over the last 4 years. Ensuring that murder investigations are conducted and completed and the real killers are brought to justice is a critical component of protecting our union brothers and sisters in Colombia. So far, the government hasn't done it; and

Third, employers continue to force workers into collective pacts so they cannot form unions.

By passing this FTA, Congress is blessing this lack of rights and this longstanding trend of violence. We are choosing to stand in solidarity with a government that can't protect its own people instead of the people who need the protecting.

I urge my colleagues to think about the fact that if they had a card like this and if they were a leader in a union in Colombia, they would be a target. We should not reward this country's disregard for basic rights within an FTA.

I urge my colleagues to vote "no" on the rule and vote "no" on the Colombian free trade agreement.

Mr. DREIER. Mr. Speaker, I yield myself 30 seconds to say that it's obvious that Colombia is not a safe place. I'm not claiming that at all. There have been murders that have taken place and it still is a very dangerous spot. But it's important to note that a Mr. Gomez, who is the leader of one of the three main labor organizations in Colombia, has said that the labor agreements included in this package are the single greatest achievement for social justice in the last 50 years of Colombia's history.

□ 1810

We still have a long way to go, Mr. Speaker. We still have a long way to go, but progress is being made.

With that, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, at this time I would like to yield 2 minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. This is momentous. We're finally talking about jobs on the floor of the House of Representatives. And the United States of America is

number one. Let's have a little enthusiasm. We're number one. We're number one, and we want to make certain that we continue that status.

What are we number one in? We are number one in exporting jobs to foreign lands over the last 20 years. Every day we lose 1,370 manufacturing jobs because of our failed trade policies. And guess what? These agreements are duplicates of all failed past trade agreements.

Now, the chairman of the committee says we're going to have lengthy debate, and we will dispel misinformation. Well, the first misinformation is that we're having any lengthy debate here on the floor of the House; 4½ hours for three trade agreements, 270 minutes, boy, a lot of time. Not exactly like we're burning the midnight oil around here, or even working 5 days a week. Couldn't we have a little more time?

Fast Track would have allowed for 20 hours on each of the two Fast Track agreements and who knows what? So that would have been 40 hours. No, we're going to have 165 minutes by the proponents to dispel the misinformation, and 105 by those of us who are opposed to these job-killing trade agreements. That's fair, 165 on their side and 105 on our side because our arguments are honest, and theirs aren't. But that's the way things break around here. That is lengthy debate.

Let's talk for a minute about Colombia. You know, in Colombia, the average income is \$3,200. Think of all the U.S. manufactured goods those Colombians are going to buy with \$3,200 of income. Whoa, thousands of Americans go to work.

Does that remind you of the myth about NAFTA?

No, this is about yet one more platform to get and access abused labor, unorganized labor under Colombian law to send goods back to the United States of America.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MCGOVERN. I yield the gentleman an additional 30 seconds.

Mr. DEFAZIO. I thank the gentleman.

And then there's the issue of, yes, we will get some more agriculture exports, insignificant to our industry, won't employ any Americans, may employ some more people who are in this country to harvest the crops.

But it will cut dramatically into the principal form of employment in Colombia. There'll be a 75 percent drop potentially in rural employment in Colombia. And where will they turn?

The noted economist Joseph Stiglitz says they will turn from traditional farming and farming for their own economy to growing coca. So not only are we going to facilitate the collapse of their agricultural economy, like we did in Mexico; we're going to facilitate the drug lords with this crummy agreement.

Mr. DREIER. Mr. Speaker, I yield myself 30 seconds to say to my friend

that we have been debating this issue since the negotiations began in 2004. Time and time again on this House floor, we've had very rigorous debates on these agreements. And I will acknowledge, we do have problems with job creation and economic growth.

What this measure does, Mr. Speaker, is it eliminates the barrier for union and nonunion workers and farmers in this country to have access to new markets.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. DREIER. I yield myself an additional 30 seconds, Mr. Speaker.

On August 15, because we had done nothing, our Colombian friends negotiated a free trade agreement with the Canadians, with our good friends to the north, the Canadians.

And guess what, Mr. Speaker. In literally 1 month, there was an 18½ percent increase in Canadian wheat exports to Colombia. This is the kind of opportunity that we've been prevented from having, and we've been debating this for 5 years. It's high time that we vote, and that's exactly what we're going to do, after hours of debate, both tonight and tomorrow.

With that, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself 25 seconds to respond to the gentleman from California.

He mentioned a labor leader, in his remarks before, as saying how wonderful the Labor Action Plan was. I should point out to him that last Monday, on October 3, that same labor leader joined in a press conference with other Colombian unions to express his frustration with the Colombian Government's failure to implement the Labor Action Plan.

I also would point out that the Colombia Labor School also has issued a long statement about how the Colombian Government has failed to enact the Labor Action Plan.

I don't care what the Canadians do. In the United States of America, we're supposed to respect human rights.

Mr. Speaker, at this time I would like to yield 3 minutes to the gentleman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. I thank you, Congressman MCGOVERN, for your tireless commitment to promoting human rights around the world.

I rise in strong opposition to this rule and to the three pending free trade agreements. The Bush-negotiated Colombia, Panama and South Korea FTAs expand the NAFTA-style trade model that has proven destructive to the American economy and harmful to the workers in the United States and abroad.

Instead of considering a jobs bill, we are instead voting on trade deals that the Economic Policy Institute estimates will eliminate or displace an additional 200,000 American jobs. In particular, I believe we should not extend additional trade privileges to Colombia without seeing significant progress on human rights.

And it is not sufficient just to say, well, Colombia is a dangerous place to live. Colombia has a longstanding legacy of serious abuses; and despite some positive rhetoric by the Santos administration, we have yet to see a tangible improvement.

The recently agreed-to Labor Action Plan includes language to prevent and punish abuses against labor leaders and trade unionists, but it is not legally binding or included in the FTA before us today. We need to see results before granting preferential trade treatment.

Under this agreement, if violence and impunity continue, the U.S. will have no mechanism for holding the Colombian Government accountable to the promises in the Labor Action Plan.

Mr. Speaker, the fact is that human rights abuses are not just a thing of the past in Colombia. Recently published statistics show that Colombia is still the deadliest place in the world to be a trade unionist, with 51 murders in 2010, 25 trade unionists have been murdered so far in 2011, and 16 since this Labor Action Plan went into effect. And this cycle of violence is going to continue because the Colombian Government has made little progress toward prosecuting perpetrators and ending impunity.

The bottom line is this: The Labor Action Plan and the Colombia FTA reward promises, not progress. Mr. Speaker, the consideration of any trade deal with Colombia is inappropriate until we see tangible and sustained results. As AFL-CIO President Richard Trumka has said, and think about this, he said, "We have no doubt that if 51 CEOs had been murdered in Colombia last year the deal would be on a very slow track indeed."

I strongly urge my colleagues to join me in opposing this rule and the three underlying trade agreements.

Mr. DREIER. Mr. Speaker, I yield myself 30 seconds to say that my friend from Illinois is absolutely right: Colombia is not a safe place. But we have seen an 85 percent reduction since 2002 in the murder rate among trade unionists. It's not perfect and it still is a very dangerous place, but that is progress.

I'd also like to say to my friend from Worcester—and I appreciate the fact that he didn't say it—Mr. Gomez is still supportive of the Colombia-U.S. free trade agreement that he mentioned in his remarks. And I think that he voiced frustration over the implementation of agreements. That's something that takes place in a free society. That's something we see here regularly and there regularly. Implementation of this will help with that enforcement.

With that, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, at this point it is my privilege to yield 2 minutes to the gentleman from Michigan, the ranking Democrat on the Ways and Means Committee, Mr. LEVIN.

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

□ 1820

Mr. LEVIN. The Bush administration negotiated three seriously flawed FTAs. The key flaw in the South Korea FTA was that it violated a fundamental principle of sound, overall trade policy: two-way trade. It locked in one-way trade for Korea in the automotive sector, the source of three-quarters of the American trade deficit with Korea. Last year, urged by congressional Democrats, the Obama administration negotiated specific provisions opening up the Korean market for automotive products made in America.

These vital changes would not have happened if, as the Republicans continually insisted, the FTA had passed as originally negotiated. The Panama FTA as originally negotiated by the Bush administration failed to carry out another key provision of sound trade policy, incorporating international standards on worker rights. Congressional Democrats and the Obama administration successfully worked with the Panamanian Government to correct these flaws, and it also took the necessary concrete steps to change its role as a tax haven.

The Colombia FTA, as originally negotiated, fell far short of addressing the longstanding concerns about the specific challenges in Colombia to worker rights and the persistence of violence and impunity. The Obama administration and the new Santos administration undertook the important steps of discussions on these issues, culminating in an action plan relating to labor rights. Unfortunately, there remains serious shortcomings in the plan's implementation. What's more, giving in to congressional Republican insistence, there is completely lacking any link in the implementation bill to the action plan, necessary to assure its present implementation and future enforcement actions under the FTA.

In view of those conditions, I oppose the Colombia FTA.

Mr. DREIER. Mr. Speaker, may I inquire of my good friend and Rules Committee colleague, the gentleman from Worcester, how many speakers he has remaining on his side?

Mr. MCGOVERN. We have the gentleman from Washington (Mr. McDERMOTT), and then I will close.

Mr. DREIER. I have a couple of speakers. How much time is remaining on each side, Mr. Speaker?

The SPEAKER pro tempore. The gentleman from California has 7¼ minutes remaining. The gentleman from Massachusetts has 4¼ minutes remaining.

Mr. MCGOVERN. Then I will reserve the balance of my time.

Mr. DREIER. Mr. Speaker, I mentioned the bipartisan nature of this, and to stress that, and being the only one who will yield time to Democrats who are in support of these agreements, I am happy to yield 2½ minutes to my very good friend and a man with whom I have spent time in Colombia on numerous occasions and will in just a

few weeks, the gentleman from Carmel, California, a Peace Corps volunteer who served four decades ago in Colombia and knows about it as well as anyone, Mr. FARR.

Mr. FARR. Thank you, Mr. Chairman, for yielding. I look forward to this debate.

As was said, I lived in Colombia, and I have a different perspective than a lot of people. First of all, I think we have to put in perspective that the Latin American market is important to the United States. If you take Brazil, Mexico, and Colombia, just three countries, they equal the entire European trade, and they exceed the trade with Japan and China. It's a very important market.

Colombia is a country that you have heard a lot about, particularly on crime. And as you remember, there is big, big drug production and a lot of crime, particularly paramilitaries who have killed a lot of labor leaders. But what has not been stated is that Colombia is one of the few countries in the world that keeps track of crimes against people who happen to be unionists, not necessarily that they are killed because they are unionists, but because they are killed and they happen to be a member of a union. So they have this data. We don't do that in the United States.

Colombia has set up a separate ministry just to handle labor crimes and put those judges, prosecutors, investigators, and everybody in place in every single one of the departments or states in Colombia. We don't do that in the United States.

Colombia has created a protection system for unionists, including people who want to form unions, who want to advocate for unions, teachers, and retirees of unions who may be threatened because of their activity in unions. We don't do that in the United States. They have all set up a hotline, full disclosure, and you can do that anonymously. You can either email in or you can call in anonymously to the government reporting any labor violations. We don't do that in a national way here in the United States. So there are a lot of issues here that we ought to recognize when we're talking about Colombia.

But I think most of all we've got to talk about this in terms of American jobs. We sell a lot of things that we make here in America to Colombia. Let's take Caterpillar, for example. Canada has just adopted a free trade agreement. Europe is about to adopt a free trade agreement with Colombia. And we're not going to have one. That means our goods are going to be more expensive in Colombia. They're not going to buy from us. We're going to lose the market share. Caterpillar will be out of business. They'll be buying that heavy equipment from Europe, they'll be buying it from Brazil, and they'll be buying it from Canada—countries that have entered into a free trade agreement.

Let's preserve American jobs and let's think about American jobs. This is a huge exporter. In my district alone, it's the number one country in Latin America that we export produce to. So it's an important country to us.

Let the debate begin. The debate can't begin without passing the rule.

Mr. MCGOVERN. I would like to yield 2 minutes to the gentleman from Washington from the Committee on Ways and Means, Mr. McDERMOTT.

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

Mr. McDERMOTT. Mr. Speaker, in my district, one out of three or maybe one out of four people make their job some way in relationship to foreign trade, either directly through the seaport or through the companies that operate in my district, or the agricultural sector of eastern Washington. Now, all of us in Seattle know that trade is not bad if it's done right, and that's really the issue that we're debating here tonight under this rule which I support.

Two of the agreements that we have before us, Korea and Panama, are examples of doing it right. The Bush administration went in and signed agreements that were flawed, and, in fact, were held up, and then were renegotiated and are, in my opinion, a good place for the trade issue for these two countries. We rejected those flawed agreements because we wanted to do it right.

Now with these new rewritten agreements, we have some real change. In Panama's case, it is no longer a tax haven. It was the best tax haven on the face of the Earth before. Now we have a trade agreement, we have an implemented tax agreement that will make it transparent and no longer will that happen.

Unfortunately, Colombia is a glass that you could hold up and say, is it half full or half empty? There clearly have been problems, for many of us who have been resistant to this for a long time, and I will resist that particular one tonight because, and most importantly, Colombia has moved. They've made beautiful speeches. Speeches don't change anything. My old friend, Ronald Reagan, who I admired greatly, said "trust but verify." And when the Republicans refused to put into this trade agreement that the work action plan would be included, they sent the message "we're not serious." And that's why you're going to get so much opposition.

I urge the adoption of the rule, and we'll debate the issues later.

Mr. DREIER. At this time I'm happy to yield 2 minutes to a very, very strong free trader, a bold and courageous friend from New York City, Mr. MEEKS.

Mr. MEEKS. Mr. Speaker, I feel a sense of urgency about passage of the FTAs before us. Urgency because while we have been waiting on the passage of the agreements, South Korea has

moved forward on trade with Europe, and Colombia and Panama are moving forward on several bilaterals of their own with Canada, China, and others.

And trade is never just about economics. It's also about our relationships with other nations, our allies. It's about strengthening the rule of law, and it's about deepening ties. A recent report by the Council on Foreign Relations said it well, "Trade has been and remains a major strategic instrument of American foreign policy. It binds together countries in a broad and deep economic network that constitutes a bulwark against conflict." But let me also talk specifically about the Colombia free trade agreement.

□ 1830

Many of my colleagues have talked today about the violent past in Colombia and of the remaining vestiges of that past. Having traveled extensively in Colombia over the last decade, I can tell you personally that Colombia is not what it used to be. It's far from it. Even if it is not where it wants to be just yet, there has been major progress in Colombia, and this has been with a tremendous amount of cooperation with and between our great nations. The agreement with Colombia certainly has its many economic benefits for America. We are leveling the playing field for American business.

Beyond that, what I want to emphasize right now is a role that the agreement plays in strengthening the rule of law, specifically as it relates to labor. The agreed-upon action plan between the Obama administration and the Santos administration brings about important changes that labor groups in Colombia have sought to solidify for years. In fact, several labor organizations in Colombia made public statements about the importance of the action plan. One of Colombia's major labor federations lauded the action plan, signifying that, if one of the results of the FTA is the advancement of labor and is an increase in the guarantees to exercise freedom of association, then the FTAs are welcome. Moreover, the federation and others have stated that this action plan will continue to fight against impunity.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. DREIER. I yield the gentleman an additional 15 seconds.

Mr. MEEKS. I am pleased to say that just last month, the Obama administration announced that Colombia has fully complied with its commitments under the Labor Action Plan that was set for completion in mid-September. At the same time, the State Department also notified that Colombia is meeting statutory criteria relating to human rights that call for the obligation of U.S. assistance funds for the Colombian Armed Forces.

Let's pass this agreement.

Mr. MCGOVERN. Mr. Speaker, Congress was right in refusing to take up the Colombia FTA when it was signed

in 2006. Supporters of the FTA now talk about those years as Colombia's dark past, but they supported the FTA then just as they do now. The House was right to block the FTA in 2008. Supporters then extolled the virtues of the Uribe government, but Colombia's new Attorney General has revealed mind-boggling corruption in every agency of Uribe's government. Criminal acts were the norm.

I believe the Santos government is Colombia's best chance to bring about much needed reforms and institutional change. I want him to succeed, but goodwill is not enough. We have had promises before. We need time to see if good intentions result in concrete change on labor and human rights.

This is Tito Diaz. He was the mayor of El Roble in Sucre. In 2003, he denounced the links between public officials and paramilitaries. For this, he was tortured and murdered. His body was found strung up like a crucifix and shot 11 times—his fingernails ripped out, his knees bludgeoned, and his mayor's I.D. card taped to his forehead.

His son, Juan David, carried on his father's work, leading the victims' movement in Sucre. He survived four assassination attempts but finally fled the country. Others took his place. Since 2006, five more victims' rights leaders in Sucre have been murdered—two this year.

This is the reality for Colombia's human rights defenders, 29 of whom have been killed this year; 51 priests murdered in the past decade, six so far this year. In this violent reality, Colombian workers attempt to exercise their rights.

I ask my colleagues to think about the lives of all the brave labor leaders, human rights defenders, religious and community leaders. Do not turn your backs on them. Demand concrete change on the ground before approving the Colombia FTA. You know that that is the right thing to do. If the United States of America stands for anything, we ought to stand out loud and four-squared for human rights. Let's remember that as we deliberate on the Colombia FTA. It is just wrong to rationalize, or explain away, the human rights situation in Colombia. We are better than that. We should demand more on behalf of the workers and the human rights defenders in Colombia.

Vote "no" on the rule, and vote "no" on the Colombia FTA.

A BRIEF HISTORY OF THE VICTIMS' RIGHTS MOVEMENT (MOVIE) IN THE DEPARTMENT OF SUCRE (COLOMBIA)

EUDALDO "TITO" DIAZ

1. Biographical Note on Eudaldo "Tito" Diaz Summary

Eudaldo "Tito" Diaz was the mayor of El Roble municipality in Sucre Department, Colombia. He was killed for denouncing the links between public officials and paramilitary death squads. On the 5th of April 2003, Mr. Diaz was disappeared, tortured for five days and murdered. His body was found, strung up like a crucifix. He had been shot eleven times, his fingernails ripped out and his knees bludgeoned. On his forehead, the

assassins had placed his mayor's identity card, as a warning to others who would speak out against the paramilitaries and public officials who supported them.

Background

Eudaldo "Tito" Diaz was the mayor of El Roble municipality in Sucre Department, Colombia. He was killed for denouncing the links between public officials and paramilitary death squads. After speaking out, he was sacked and his security detail was withdrawn. He knew that his actions carried a high price: "they are going to kill me" he said, at a televised public meeting on February 1, 2003, at which he spoke out about the corruption and threats. The meeting was attended by former president Uribe and then governor of Sucre, Salvador Arana Sus, whom Mr. Diaz had publicly denounced. Two months later, on April 5, 2003, Mr. Diaz was called to a meeting by governor Arana, colonel Norman León Arango (the former Police Chief of Sucre), Alvaro García Romero (former Senator, sentenced for his role in the Chengue massacre and for his links to paramilitaries), Jaime Gil Ortega (former Inspector General of Sucre), Guillermo Merlano Martínez (former Inspector General of Sucre) and Eric Morris Taboada (former governor of Sucre during 1997–2001, sentenced for his links with paramilitary groups). On his way to that meeting, Mr. Diaz was disappeared, tortured for five days and murdered. On April 10th, his body was found, strung up like a crucifix. He had been shot eleven times, his fingernails ripped out and his knees bludgeoned. The ulcer in his stomach showed that he had been deprived of food and water. On his forehead, the assassins had placed his mayor's identity card, as a warning to others who would speak out against the paramilitaries and politicians who supported them.

Mr. Diaz' son, Juan David, carried on his father's work. He has survived four assassination attempts and received over 20 death threats. The day his father was killed, he received his first death threat. Soon after, governor Arana was named ambassador to Chile by president Uribe. Mr. Arana is currently serving a 40-year sentence for Mr. Diaz' murder. At least 12 of the witnesses in the case have been killed.

2. Prosecutions for Assassination of Eudaldo "Tito" Diaz

Salvador Arana Sus, former governor of Sucre, sentenced to 40 years for forced disappearance, aggravated homicide with political motives, and promotion of illegal armed groups. He had been appointed by former president Uribe as ambassador to Chile 2003–2005.

Angel Miguel Berrocal Doria alias "El Cocha," a paramilitary, sentenced to 37 years for homicide.

Rodrigo Antonio Mercado Pelufo, alias "Cadena," head of the paramilitary group Héros de los Montes de Maria, sentenced in absentia to 40 years for aggravated homicide and simple kidnapping.

Emiro José Correa alias "Convivir" and José Tomas Torres alias "Orbitel," known paramilitaries who allegedly carried out governor Sus' instruction to kill Mr. Diaz, were absolved in 2011. Diana Luz Martínez, former director of the La Vega prison, who allegedly enabled the paramilitaries to leave the prison where they were detained in order to carry out the assassination, was absolved of all charges.

The paramilitaries Edelmiro Anaya, alias "El Chino," Carlos Verbel Vitola, alias "Caliche," Wilson Anderson Atencia, alias "El Gafa" and Jhon Ospino, alias "Jhon" are also under investigation. Colonel Norman León Arango, then police chief of Sucre, has been formally linked to the assassination.

3. Members of MOVICE Assassinated (Nationwide)

Thirteen members of MOVICE have been assassinated since the movement was created in 2005. Five of those were in the Department of Sucre:

1. Garibaldi Berrio Bautista, MOVICE Sucre, 10 April 2007
2. Jose Dionisio Lozano Torralvo, MOVICE Sucre, 12 August 2007
3. Carlos Burbano, MOVICE Caqueta, 8 March 2008
4. Luis Mayusa Prada, MOVICE Arauca, 8 August 2008
5. Walberto Hoyos, MOVICE Choco, 14 October 2008
6. Carlos Rodolfo Cabrera, MOVICE Arauca, 28 November 2008
7. Carmenza Gomez Romero, MOVICE Bogota, 4 February 2009
8. Jhonny Hurtado, MOVICE Meta, 15 March 2010
9. Nilson Ramirez, MOVICE Meta, 7 May 2010
10. Rogelio Martinez, MOVICE Sucre, 18 May 2010
11. Oscar Maussa, MOVICE Choco, 24 November 2010
12. Eder Verbel Rocha, MOVICE Sucre, 23 March 2011
13. Ana Fabricia Cordoba, MOVICE Antioquia, 7 June 2011

I yield back the balance of my time. Mr. DREIER. I yield myself the balance of my time.

I'd like to get the debate back to where it was. We have before us four pending issues. We have trade agreements with Colombia, Panama, South Korea, and we have the very important trade adjustment assistance.

Mr. Speaker, our fellow Americans are hurting. Job creation and economic growth is something that Democrats and Republicans alike are talking about. I was listening to the words of one of the protest leaders up in New York. This guy was saying that the protests are about economic and social justice, and he said working class Americans can no longer be ignored.

Now, this measure that is before us, according to the International Trade Commission, will create 250,000 new jobs here in the United States of America. I argue that, if we had had these agreements in place, the pain that so many of our fellow Americans are feeling at this moment would not be as great as it has been because, for half a decade, these agreements have been languishing, waiting to be considered.

The last two speakers I yielded to happen to be Democrats. I am very proud of having worked closely together with SAM FARR and GREGORY MEEKS on these agreements. There are lots of other people who have been involved and who have worked tirelessly for years. Over the last two decades, I've had a working group that I started with former Ways and Means Committee Chairman Bill Archer, going all the way up now to working with DAVE CAMP and KEVIN BRADY and WALLY HERGER and others. There have been many people who have been involved in working with this. Democrats have joined with our bipartisan trade working group because there are Democrats and Republicans who want us to get

back to the bipartisan approach to our global leadership role. They want to open up markets around the world for the United States of America; and with the passage of these three agreements, we're going to have access to \$2 trillion of economic activity and to 97 million consumers.

Mr. Speaker, we need to support this rule. We're going to have debate going into this evening, and we're going to have debate throughout the day tomorrow. Let's support the rule.

With that, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered. The SPEAKER pro tempore. The question is on the resolution.

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 281, nays 128, not voting 24, as follows:

[Roll No. 571]

YEAS—281

- | | | |
|---------------|---------------|-----------------|
| Adams | Culberson | Henger |
| Aderholt | Davis (CA) | Herrera Beutler |
| Akin | Davis (KY) | Himes |
| Alexander | Denham | Hirono |
| Amash | Dent | Hoyer |
| Amodei | DesJarlais | Huelskamp |
| Austria | Deutch | Huizenga (MI) |
| Bachus | Diaz-Balart | Hultgren |
| Barletta | Dicks | Hunter |
| Bartlett | Dingell | Hurt |
| Barton (TX) | Dold | Inslie |
| Bass (CA) | Dreier | Issa |
| Bass (NH) | Duffy | Jackson (IL) |
| Benishek | Duncan (SC) | Jenkins |
| Berg | Duncan (TN) | Johnson (GA) |
| Berman | Ellmers | Johnson (IL) |
| Biggett | Emerson | Johnson (OH) |
| Bilbray | Eshoo | Johnson, E. B. |
| Bilirakis | Farenthold | Johnson, Sam |
| Bishop (GA) | Farr | Jordan |
| Bishop (UT) | Fincher | Kelly |
| Black | Fitzpatrick | King (IA) |
| Blackburn | Flake | King (NY) |
| Blumenauer | Fleischmann | Kingston |
| Bonner | Fleming | Kinzinger (IL) |
| Bono Mack | Flores | Kline |
| Boren | Forbes | Labrador |
| Boustany | Fortenberry | Lamborn |
| Brady (TX) | Fox | Lance |
| Brooks | Franks (AZ) | Landry |
| Broun (GA) | Frelinghuysen | Lankford |
| Buchanan | Galleghy | Larsen (WA) |
| Bucshon | Gardner | Latham |
| Buerkle | Garrett | LaTourette |
| Burgess | Gerlach | Latta |
| Butterfield | Gibbs | Levin |
| Calvert | Gibson | Lewis (CA) |
| Camp | Gingrey (GA) | LoBiondo |
| Campbell | Gohmert | Lofgren, Zoe |
| Canseco | Goodlatte | Long |
| Cantor | Gosar | Lucas |
| Capito | Gowdy | Luetkemeyer |
| Cardoza | Graves (GA) | Lummis |
| Carney | Griffin (AR) | Lungren, Daniel |
| Carter | Griffith (VA) | E. |
| Cassidy | Grimm | Mack |
| Castor (FL) | Guinta | Manzullo |
| Chabot | Guthrie | Marchant |
| Chaffetz | Gutierrez | Marino |
| Coble | Hall | Matheson |
| Coffman (CO) | Hanabusa | Matsui |
| Cole | Hanna | McCarthy (CA) |
| Conaway | Harper | McCaul |
| Connolly (VA) | Harris | McClintock |
| Cooper | Hartzler | McCotter |
| Costa | Hastings (FL) | McDermott |
| Cravaack | Hastings (WA) | McHenry |
| Crawford | Hayworth | McKeon |
| Crenshaw | Heck | McKinley |
| Cuellar | Hensarling | |

- | | | |
|--------------------|---------------|---------------|
| McMorris
Rogers | Ribble | Sires |
| Meehan | Rigell | Smith (NE) |
| Meeks | Rivera | Smith (NJ) |
| Mica | Roby | Smith (TX) |
| Miller (FL) | Roe (TN) | Smith (WA) |
| Miller (MI) | Rogers (AL) | Southerland |
| Miller, Gary | Rogers (KY) | Stearns |
| Moran | Rogers (MI) | Stivers |
| Mulvaney | Rohrabacher | Stutzman |
| Murphy (PA) | Rokita | Sullivan |
| Myrick | Rooney | Terry |
| Neugebauer | Ros-Lehtinen | Thompson (CA) |
| Noem | Roskam | Thompson (PA) |
| Nugent | Ross (AR) | Thornberry |
| Nunes | Ross (FL) | Tiberi |
| Olson | Royce | Tipton |
| Owens | Runyan | Turner (NY) |
| Palazzo | Rush | Turner (OH) |
| Paulsen | Ryan (WI) | Upton |
| Pearce | Scalise | Walberg |
| Peterson | Schiff | Walden |
| Petri | Schilling | West |
| Pitts | Schmidt | Westmoreland |
| Platts | Schock | Whitfield |
| Poe (TX) | Schrader | Wilson (SC) |
| Pompeo | Schwartz | Wittman |
| Posey | Schweikert | Wolf |
| Price (GA) | Scott (SC) | Womack |
| Quayle | Scott, Austin | Sessions |
| Rangel | Sensenbrenner | Sewell |
| Reed | Sessions | Shimkus |
| Rehberg | Shuster | Shuster |
| Reichert | Simpson | Simpson |
| Renacci | | |

NAYS—128

- | | | |
|---------------|----------------|------------------|
| Ackerman | Fudge | Oliver |
| Altmire | Garamendi | Pallone |
| Andrews | Gonzalez | Pascrell |
| Baca | Green, Al | Pastor (AZ) |
| Baldwin | Hahn | Payne |
| Barrow | Heinrich | Pelosi |
| Becerra | Higgins | Peters |
| Berkley | Hochul | Pingree (ME) |
| Bishop (NY) | Holden | Price (NC) |
| Boswell | Holt | Quigley |
| Brady (PA) | Honda | Rahall |
| Braley (IA) | Israel | Reyes |
| Capps | Jackson Lee | Richmond |
| Capuano | (TX) | Rothman (NJ) |
| Carnahan | Jones | Royal-Allard |
| Carson (IN) | Kaptur | Ruppersberger |
| Chandler | Keating | Ryan (OH) |
| Chu | Kildee | Sanchez, Loretta |
| Cicilline | Kissell | Sarbanes |
| Clarke (MI) | Kucinich | Schakowsky |
| Clarke (NY) | Langevin | Scott (VA) |
| Clay | Larson (CT) | Scott, David |
| Cleaver | Lee (CA) | Serrano |
| Clyburn | Lewis (GA) | Sherman |
| Cohen | Lipinski | Shuler |
| Conyers | Loeb sack | Slaughter |
| Costello | Lowey | Speier |
| Courtney | Lujan | Stark |
| Critz | Lynch | Sutton |
| Crowley | Maloney | Thompson (MS) |
| Cummings | Markey | Tierney |
| Davis (IL) | McCarthy (NY) | Tonko |
| DeFazio | McColum | Towns |
| DeGette | McGovern | TSongas |
| DeLauro | McIntyre | Van Hollen |
| Doggett | McNerney | Velázquez |
| Donnelly (IN) | Michaud | Walz (MN) |
| Doyle | Miller (NC) | Waters |
| Edwards | Miller, George | Watt |
| Ellison | Moore | Waxman |
| Engel | Murphy (CT) | Welch |
| Fattah | Nadler | Woolsey |
| Filner | Neal | Yarmuth |

NOT VOTING—24

- | | | |
|-------------|------------|----------------|
| Bachmann | Hinchey | Richardson |
| Brown (FL) | Hinojosa | Sánchez, Linda |
| Burton (IN) | Kind | T. |
| Frank (MA) | Napolitano | Visclosky |
| Giffords | Nunnelee | Walsh (IL) |
| Granger | Paul | Wasserman |
| Graves (MO) | Pence | Schultz |
| Green, Gene | Perlmutter | Wilson (FL) |
| Grijalva | Poils | |

□ 1900

Mr. CUMMINGS, Ms. TSONGAS, and Messrs. GARAMENDI, COHEN, and CROWLEY changed their vote from "yea" to "nay."

Ms. ZOE LOFGREN of California and Messrs. DANIEL E. LUNGREN of California and SMITH of New Jersey changed their vote from "nay" to "yea."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. GENE GREEN of Texas. Mr. Speaker, on rollcall No. 771, had I been present, I would have voted "nay."

EPA REGULATORY RELIEF ACT OF 2011

The SPEAKER pro tempore (Mr. LATOURETTE). Pursuant to House Resolution 419 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2250.

□ 1900

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2250) to provide additional time for the Administrator of the Environmental Protection Agency to issue achievable standards for industrial, commercial, and institutional boilers, process heaters, and incinerators, and for other purposes, with Mr. THORNBERRY (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 3 printed in the CONGRESSIONAL RECORD by the gentlewoman from Texas (Ms. JACKSON LEE) had been postponed.

Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in the CONGRESSIONAL RECORD on which further proceedings were postponed, in the following order:

Amendment No. 11 by Mr. WAXMAN of California.

Amendment No. 18 by Mr. CONNOLLY of Virginia.

Amendment No. 7 by Mr. MARKEY of Massachusetts.

Amendment No. 2 by Ms. EDWARDS of Maryland.

Amendment No. 1 by Ms. SCHA-KOWSKY of Illinois.

Amendment No. 12 by Mr. ELLISON of Minnesota.

Amendment No. 19 by Mr. WELCH of Vermont.

Amendment No. 3 by Ms. JACKSON LEE of Texas.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 11 OFFERED BY MR. WAXMAN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. WAX-

MAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 164, noes 254, not voting 15, as follows:

[Roll No. 772]

AYES—164

Ackerman	Green, Al	Nadler
Andrews	Grijalva	Neal
Baca	Gutierrez	Oliver
Baldwin	Hahn	Pallone
Bass (CA)	Hanabusa	Pascrell
Becerra	Hastings (FL)	Pastor (AZ)
Berkley	Heinrich	Payne
Berman	Higgins	Pelosi
Bishop (NY)	Himes	Perlmutter
Blumenauer	Hinchev	Peters
Boswell	Hirono	Pingree (ME)
Brady (PA)	Hochul	Price (NC)
Braley (IA)	Holden	Quigley
Capps	Holt	Rahall
Capuano	Honda	Rangel
Carnahan	Hoyer	Reyes
Carney	Insole	Richardson
Carson (IN)	Israel	Richmond
Castor (FL)	Jackson (IL)	Rothman (NJ)
Chu	Jackson Lee	Roybal-Allard
Ciçilline	(TX)	Ruppersberger
Clarke (MI)	Johnson (GA)	Rush
Clarke (NY)	Johnson (IL)	Ryan (OH)
Clay	Johnson, E. B.	Sanchez, Loretta
Cleaver	Kaptur	Sarbanes
Clyburn	Keating	Schakowsky
Cohen	Kildee	Schiff
Connolly (VA)	Kissell	Schrader
Conyers	Kucinich	Schwartz
Cooper	Langevin	Scott (VA)
Courtney	Larsen (WA)	Scott, David
Critz	Larson (CT)	Serrano
Crowley	Lee (CA)	Sewell
Cummings	Levin	Sherman
Davis (CA)	Lewis (GA)	Sires
Davis (IL)	Loebsack	Slaughter
DeFazio	Lofgren, Zoe	Smith (WA)
DeGette	Lowe	Speier
DeLauro	Lujan	Stark
Deutch	Lynch	Sutton
Dicks	Maloney	Thompson (CA)
Dingell	Markey	Thompson (MS)
Doggett	Matsui	Tierney
Doyle	McCarthy (NY)	Tonko
Edwards	McCollum	Towns
Ellison	McDermott	Tsongas
Engel	McGovern	Van Hollen
Eshoo	McIntyre	Velázquez
Farr	McNerney	Walz (MN)
Fattah	Meeks	Waters
Filner	Miller (NC)	Watt
Frank (MA)	Miller, George	Waxman
Fudge	Moore	Welch
Garamendi	Moran	Woolsey
Gibson	Murphy (CT)	Yarmuth

NOES—254

Adams	Black	Cardoza
Aderholt	Blackburn	Carter
Akin	Bonner	Cassidy
Alexander	Bono Mack	Chabot
Altmire	Boren	Chaffetz
Amash	Boustany	Chandler
Amodei	Brady (TX)	Coble
Austria	Brooks	Coffman (CO)
Bachus	Broun (GA)	Cole
Barietta	Buchanan	Conaway
Barrow	Bucshon	Costa
Bartlett	Buerkle	Costello
Barton (TX)	Burgess	Cravaack
Bass (NH)	Burton (IN)	Crawford
Benishek	Butterfield	Crenshaw
Berg	Calvert	Cuellar
Biggart	Camp	Culberson
Bilbray	Campbell	Davis (KY)
Bilirakis	Canseco	Denham
Bishop (GA)	Cantor	Dent
Bishop (UT)	Capito	DesJarlais

Diaz-Balart	Kingston	Renacci
Dold	Kinziger (IL)	Ribble
Donnelly (IN)	Klione	Rigell
Dreier	Labrador	Rivera
Duffy	Lamborn	Roby
Duncan (SC)	Lance	Roe (TN)
Duncan (TN)	Landry	Rogers (AL)
Ellmers	Lankford	Rogers (KY)
Emerson	Latham	Rogers (MI)
Farenthold	LaTourrette	Rohrabacher
Fincher	Latta	Rokita
Fitzpatrick	Lewis (CA)	Rooney
Flake	Lipinski	Ros-Lehtinen
Fleischmann	LoBiondo	Roskam
Fleming	Long	Ross (AR)
Flores	Lucas	Ross (FL)
Forbes	Luetkemeyer	Royce
Fortenberry	Lummis	Runyan
Fox	Lungren, Daniel	Ryan (WI)
Franks (AZ)	E.	Scalise
Frelinghuysen	Mack	Schilling
Gallegly	Manzullo	Schmidt
Gardner	Marchant	Schock
Garrett	Marino	Schweikert
Gerlach	Matheson	Scott (SC)
Gibbs	McCarthy (CA)	Scott, Austin
Gingrey (GA)	McCaul	Sensenbrenner
Gohmert	McClintock	Sessions
Gonzalez	McCotter	Shimkus
Goodlatte	McHenry	Shuler
Gosar	McKeon	Shuster
Gowdy	McKinley	Simpson
Granger	McMorris	Smith (NE)
Graves (GA)	Rodgers	Smith (NJ)
Green, Gene	Meehan	Smith (TX)
Griffin (AR)	Mica	Southerland
Griffith (VA)	Michaud	Stearns
Grimm	Miller (FL)	Stivers
Guinta	Miller (MI)	Stutzman
Guthrie	Miller, Gary	Sullivan
Hall	Mulvaney	Terry
Hanna	Murphy (PA)	Thompson (PA)
Harper	Murphy	Thornberry
Harris	Myrick	Tiberti
Hartzler	Neugebauer	Tipton
Hastings (WA)	Noem	Turner (NY)
Hayworth	Nugent	Turner (OH)
Heck	Nunes	Upton
Hensarling	Olson	Walberg
Herger	Owens	Walden
Herrera Beutler	Palazzo	Webster
Huelskamp	Paulsen	West
Huizenga (MI)	Pearce	Westmoreland
Hultgren	Pence	Petri
Hunter	Peterson	Whitfield
Hurt	Hunter	Wilson (SC)
Issa	Pitts	Wittman
Jenkins	Platts	Wolf
Johnson (OH)	Poe (TX)	Womack
Johnson, Sam	Pompeo	Woodall
Jones	Posey	Yoder
Jordan	Price (GA)	Young (AK)
Kelly	Quayle	Young (FL)
King (IA)	Reed	Young (IN)
King (NY)	Rehberg	
	Reichert	

NOT VOTING—15

Bachmann	Napolitano	Visclosky
Brown (FL)	Nunnelee	Walsh (IL)
Giffords	Paul	Wasserman
Graves (MO)	Polis	Schultz
Hinojosa	Sánchez, Linda	Wilson (FL)
Kind	T.	

□ 1919

Mr. BARTLETT changed his vote from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 18 OFFERED BY MR. CONNOLLY OF VIRGINIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.