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No. 119

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mrs. MILLER of Michigan).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
September 21, 2006.

I hereby appoint the Honorable CANDICE S. MILLER to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer: Lord God of our ancestors in faith, and animator of faith in the American people today, we come before You with humility and gratitude. As Christians and people of other faiths, we join our Jewish brothers and sisters as they approach Rosh Hashanah. Together we offer prayers of forgiveness, both as individuals and as a Nation.

If we cannot admit our mistakes before you, O Lord, and firmly desire to turn a new page, how can we become the people You require us to be, and where will people of virtue and true leadership be found in a world searching for stability and hope?

As the festival of Rosh Hashanah celebrates all the freshness of a new year and the abundance of a rich harvest, we ask You, Almighty Lord, to bless this Nation in its fullness and in all its institutions of lawful government.

Let our people taste the sweet honey of Your presence and serve You and one another with a refreshed perspective and renewed heart, now and forever. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Ohio (Mr. KUCINICH) come forward and lead the House in the Pledge of Allegiance.

Mr. KUCINICH led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain five 1-minute speeches per side.

LONE STAR VOICE: JASON PITTS, SABINE PASS, TEXAS

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

Mr. POE. Madam Speaker, last year the tiny coastal community of Sabine Pass, Texas, was literally drowned by Hurricane Rita. A year later it is still in shambles. Now the people who live in Sabine Pass say that they survived Rita, but they may not survive the illegals hired to repair the area.

Jason Pitts writes about these fears. In the morning hundreds of vehicles loaded with illegals make their way into my town of Sabine Pass. The traffic problems caused by the illegals are terrible. These drivers have no regard for traffic laws. They pass on the top of bridges, and they speed like they are in a NASCAR race.

To add to the insult, free washers and dryers were brought in for Sabine Pass citizens who lost everything. Soon, illegals were dropping off their clothes and their wives so they could get clothes cleaned for free.

My family and neighbors lost everything they own. There is no way to purchase food or fuel in my hometown. Immigration officials will not send anyone to Sabine Pass to perform immigration checks, because they have been mandated not to do so. This is not acceptable.

Madam Speaker, Jason Pitts is right. Seal our borders, crack down on employers hiring illegals, or risk losing the quality of life of our own citizens.

And that's just the way it is.

SIGNS OF WAR PREPARATION

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

Mr. KUCINICH. Madam Speaker, all the signs of preparation for war against Iran are there for anyone who can see. Covert action, the Strategic Air Command, the selection of 1,500 targets, and a plan for a naval blockade, a faked or hyped intelligence report on the degree of uranium enrichment and the manipulation of the media.

It is Iraq all over again, but instead of a Nation of 25 million, Iran is a Nation of 70 million sitting right next to Iraq, where 130,000 U.S. troops are in danger simply because of the war planning.

Today, while our government borrows money from China, Japan and Korea to pay for a war in Iraq that could cost up to \$3 trillion, the administration is preparing to spend more money for a war against Iran. This Congress must not permit this administration to open up another war without permission, without oversight, without justification, without the financial resources, without the human

This symbol represents the time of day during the House proceedings, e.g., 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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resources, without a shred of common sense or realism.

Bombs are no substitute for diplomacy. You can bomb the world to pieces, but you can't bomb the world to peace.

COMMENDING 125TH ANNIVERSARY OF NORWOOD, NORTH CAROLINA IN STANLY COUNTY

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

Mr. HAYES. Madam Speaker, today I want to recognize the town of Norwood, North Carolina, for its 125th anniversary. Norwood has a rich and vibrant history as the area's earliest settlers arrived in the 1750s, and the town officially was incorporated in 1881.

In the beginning, Norwood was a town thriving on agriculture and newly established railroad lines. Local entrepreneur Troy J.W. McKenzie relocated his business to Norwood and commented that the town will very soon, unless indications are false, become an important trade center.

McKenzie was correct. In the 21st century, Norwood is the home of many local and international manufacturing companies, and this business-friendly environment has the potential for continued economic growth. Today I say congratulations to the town of Norwood for 125 years, many exciting years to come.

FEDERAL CONTRACTS AND SUDAN

(Ms. LEE asked and was given permission to address the House for 1 minute.)

Ms. LEE. Madam Speaker, more than \$600 million of Federal contracts has gone to companies whose business in Sudan may directly or indirectly support the Sudanese Government's campaign of genocide in Darfur. No one should have to worry that their tax dollars are supporting genocide, and that is why I am introducing the Darfur Accountability and Divestment Act of 2006.

This bill is designed to wash the blood off of our Federal contracts and increase the financial pressure on Khartoum to end the genocide in Darfur. It also protects the rights of States to divest their own public pension funds from companies doing business in Sudan, because some in the other body insist on stripping that language out of the Darfur Peace and Accountability Act.

Divestment played a critical role in ending apartheid in South Africa, and it is unconscionable that anyone in Congress would try to prevent people from washing the blood from their pensions and doing their part to end this genocide. We have a moral responsibility to use every tool at our disposal to end this genocide.

I call on my colleagues to cosponsor my bill and support the growing national divestment movement.

PROTECT OUR BORDERS

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

Mr. STEARNS. Madam Speaker, it has been more than 5 years since the terrorist attacks on September 11. In looking back, we have made great progress in uprooting the terrorists from their havens and liberating millions of people. We also have provided our law enforcement and intelligence agencies with new tools to combat these threats. Yet there is so much more to do. We are at war with terrorists, and we must protect our borders.

If we cannot control our borders, how can we prevent those who would murder us from entering our Nation? Millions attempt to enter our Nation illegally every year. Many are apprehended.

I commend our Border Patrol for their fine work under difficult situations; however, millions have crossed the border successfully in the past 5 years, and we do not know how many terrorists there are. Our borders are another battleground in the war on terror.

HOLD ON FDA COMMISSIONER OVER RU-486

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

Mr. PITTS. Madam Speaker, I rise today to comment on Senator Jim DEMINT's decision to put a hold on Andrew van Eschenbach's nomination to head the FDA. This has to do with a drug, an abortifacient called RU-486. This drug has been linked to eight deaths, nine life-threatening incidents and more than 200 hospitalizations.

The FDA is charged with safeguarding public health, so it only makes sense that the FDA Commissioner would support suspension of the drug, RU-486, until a full investigation can be completed on its effect on women's health. Nine other drugs have been suspended in the past 8 years that didn't cause a single death, yet this known health threat remains on the market as we speak. Madam Speaker, this is nothing less than irresponsible, and it is time the FDA exerted some leadership on the issue.

Senator DEMINT has acted in the interest of women's health and common sense. I thank him for his leadership.

CONGRESS IS ACTING ON ILLEGAL IMMIGRATION

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

Mr. WILSON of South Carolina. Madam Speaker, faced with two conflicting bills regarding illegal aliens, the House-passed border security bill

and the Reid-Kennedy amnesty plan, House Republicans left Washington in August tasked with answering one question: How did the American people want us to handle this issue? After holding multiple field hearings and town hall meetings across America, we are back in Washington, and the American people expect us to act, and that is just what we are doing.

We began by passing the Secure Fence Act last week, and today we will consider three more bills vital to securing our borders and restricting the flow of illegal aliens into our country. It is time to curtail the invasion of illegal aliens, and we must begin at our borders. House Republicans are keeping up our end of the bargain. Now it is time for the Senate to follow suit.

In conclusion, God bless our troops, and we will never forget September 11.

APPOINTMENT OF MEMBER TO HOUSE COMMISSION ON CONGRESSIONAL MAILING STANDARDS

The SPEAKER pro tempore. Pursuant to 2 U.S.C. 501(b), and the order of the House of December 18, 2005, the Chair announces the Speaker's appointment of the following Member of the House to the House Commission on Congressional Mailing Standards:

Mr. EHLERS, Michigan, Chairman.

PROVIDING FOR CONSIDERATION OF H.R. 4830, BORDER TUNNEL PREVENTION ACT OF 2006; FOR CONSIDERATION OF H.R. 6094, COMMUNITY PROTECTION ACT OF 2006; AND FOR CONSIDERATION OF H.R. 6095, IMMIGRATION LAW ENFORCEMENT ACT OF 2006

Mr. GINGREY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1018 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1018

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 4830) to amend chapter 27 of title 18, United States Code, to prohibit the unauthorized construction, financing, or reckless permitting (on one's land) the construction or use of a tunnel or subterranean passageway between the United States and another country. The bill shall be considered as read. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary; and (2) one motion to recommit.

SEC. 2. Upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 6094) to restore the Secretary of Homeland Security's authority to detain dangerous aliens, to ensure the removal of deportable criminal aliens, and combat alien gang crime. The bill shall be considered as read. The previous question shall be considered as ordered on the bill to final passage

without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary; and (2) one motion to recommit.

SEC. 3. Upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 6095) to affirm the inherent authority of State and local law enforcement to assist in the enforcement of immigration laws, to provide for effective prosecution of alien smugglers, and to reform immigration litigation procedures. The bill shall be considered as read. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary; and (2) one motion to recommit.

□ 1015

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

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

Madam Speaker, H. Res. 1018 provides for consideration of H.R. 4830 under a closed rule. It allows 1 hour of debate in the House, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, it waives all points of order against consideration of the bill, and provides one motion to recommit H.R. 4830.

In addition, the rule provides for consideration of H.R. 6094 under a closed rule. It allows 1 hour of debate in the House, again equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, it waives all points of order against consideration of the bill, and provides one motion to recommit H.R. 6094.

Finally, Madam Speaker, the rule also provides for consideration of H.R. 6095 under a closed rule. It allows 1 hour of debate in the House, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, waives all points of order against consideration of the bill, and provides one motion to recommit H.R. 6095.

Madam Speaker, last December the House of Representatives debated and passed H.R. 4437, the Border Protection Antiterrorism and Illegal Immigration Control Act with a 57-vote margin. However, despite phone calls and letters from constituents, our hard work in December met difficulty because some of our colleagues in the other body opted to support an amnesty program that simply cannot be substituted for border security.

The need for immigration reform is critical and long overdue. I remind my colleagues that we need to secure our

borders before we consider any other immigration proposal, of which amnesty should never be a part.

Just about every congressional district in this country is affected by illegal immigration, not just border States. Securing our borders is not a Democratic versus Republican issue, and it is not about the election in 7 weeks. It is an issue of protecting our Nation and restoring integrity to our system of immigration.

If immigration were a Republican issue, 64 Democrats would not have voted last week for the Secure Fence Act. Indeed, we are a Nation of immigrants, but we are also a Nation of laws based on the principles found in the United States Constitution.

In 1986, President Reagan pushed for reforms to address the problem of illegal immigration. In 1996, the 104th Congress pushed for more reforms. And now, 10 years later, this Congress once again has an opportunity to debate how to best secure our borders and remove incentives for illegal immigration by enacting these meaningful changes.

Today this Congress continues an ongoing and difficult debate, and I want to thank Chairman SENSENBRENNER and Chairman DREIER for the bills being considered under this rule, H.R. 6094, the Community Protection Act of 2006, H.R. 6095, the Immigration Law Enforcement Act of 2006, finally H.R. 4830, the Border Tunnel Prevention Act of 2006.

Together, these three bills, along with the Secure Fence Act we passed last week, reaffirm some of the high-lights from the House-passed legislation in December, almost a year ago.

By addressing these issues separately, we have a better chance of achieving at least some degree of immigration reform in 2006. Procrastinating or ignoring this problem will simply not make it go away. Every day we put off debating and passing immigration reform creates more and more opportunities for illegal immigrants to break our laws and violate our borders. Each and every one of these offenses has social, economic and, indeed, security repercussions.

For instance, according to the United States Census Bureau release last month, there are an estimated 795,419 illegal immigrants who live in my home State of Georgia, almost double the same estimate from 2 years ago.

During the August district work period, I had an opportunity to visit some of the more porous areas on our southern border with my colleague Mr. SODREL from Indiana and Mr. PRICE from Georgia. After meeting with Border Patrol and Immigration and Customs Enforcement agents, inspecting the infrastructure, checking out places for improvement, the most important lesson that we learned was that with the right tools and with the right manpower, securing our border can be a reality, and it is not a lost cause, as some would suggest.

The morale of these dedicated men and women who are protecting our southern border is at an all-time high, because, as they said to us, Congress is finally paying attention.

Some of the improvements needed include more Border Patrol agents, more fencing and uniform penalties for smugglers, it is unbelievable that we don't already have that, and removing the question of jurisdiction for local law enforcement, an issue that my colleague from Georgia, Dr. Norwood, in his CLEAR Act has just emphasized over and over again and, thank goodness, was part of our original bill in December. We also need more on-site immigration judges, we are woefully inadequate in that manpower, border tunnel detection and criminal detention and removal.

The three bills we are considering under this bill address many of the problems that Customs and Border Patrol and ICE agents brought to our attention during that August trip to the three sectors of our border with Mexico.

The Community Protection Act of 2006 includes language from the Dangerous Alien Detention Act, the Criminal Alien Removal Act, and the Alien Gang Removal Act.

One of the most eye-opening moments on my tour of the border was seeing the transport of prisoners at an airport in El Paso, Texas. An airplane landed with prisoners for Mexico and so-called OTMs, other countries south of the border. These individuals were not being held and deported just simply because they had illegally crossed the border seeking jobs. No, these individuals were being sent back to their home countries after serving out sentences in this country for rape, murder, child molestation, and grand larceny.

The scenario addressed in H.R. 6094 would involve detaining individuals with similar offenses and also, also, Madam Speaker, in cases of highly contagious diseases and mental illnesses, detaining them longer than current law allows, a 6-month limit which begins when they are ordered removed. This legislation would make sure that these criminals are not released back into our society because of that 6-month rule to cause serious safety problems in our local communities.

Also included in H.R. 6095 is the Alien Gang Removal Act to deport alien gang members such as MS-13 and prevent them from being protected under this out-dated asylum law that we are burdened with. It is important to stop these gang members from entering and staying in the United States so that we can make progress toward not only deterring violent crime, but also the spread of the methamphetamine plague.

The Immigration Law Enforcement Act of 2006 would reaffirm, indeed, codify, the authority of local law enforcement officers to have jurisdiction in Federal immigration laws, CHARLIE NORWOOD's CLEAR Act. Many officers

want to enforce immigration law, but they fear repercussions at the Federal level. This language would allow local officers to assist Immigration and Customs Enforcement agents apprehending and removing illegal aliens from our cities and local communities, in essence, Madam Speaker, to deputize them and codify it.

Also included in H.R. 6095 is language to end this catch-and-release system that I mentioned earlier and expedite the process of removal of illegal immigrants. The legislation includes the Alien Smuggler Prosecution Act to create uniform guidelines, let me repeat, to create uniform guidelines for the prosecution of smuggling offenses.

On our trip to the southern border, we had a night tour at the Arizona sector. In our group, Congressman SODREL, the gentleman from Indiana, Congressman PRICE from Georgia and myself, we watched agents catch an individual trying to bring close to 400 pounds of marijuana into this country. The reason why, we were told by Customs and Border Patrol agents, that he chose 400 pounds was because in that particular area, in that particular county, there would be no prosecution for anything less than 500 pounds. So he was playing it safe, gaming the system, if you will. While some areas prosecute for 5 pounds, others will not budge for anything under 500. So we are addressing this problem of smuggling. We need uniform and stringent guidelines to prevent these smugglers from overwhelming certain areas of the border; and as I said, they are attempting to use this loophole to game the system. That has got to stop, Madam Speaker.

Finally, Border Tunnel Prevention Act, the Border Tunnel Prevention Act of 2006 introduced by Chairman DREIER to address the problem of these border tunnels. H.R. 4830 would increase penalties for border tunnel construction, with up to 20 years' imprisonment.

One of the agents I met in Nogales, Arizona, mentioned that they really need more tools to combat border tunnel construction, tougher penalties and a means to detect tunnels before their completion. Often organized crime on both sides of the United States-Mexican border will invest substantial resources into the construction of tunnels for drug smuggling and human trafficking. The tunnels, if we find them, they are filled with cement as soon as they are detected, but we don't know how many pounds of drugs or the number of illegal immigrants have made it through the tunnel before it was closed for business. Despite the aggressive nature of our Border Patrol, it is still difficult for them to detect tunnels and discourage their construction. H.R. 4830 takes the first step by increasing the penalties for that construction.

Madam Speaker, once again, I reiterate that border security is eminently doable. Our Immigration and Customs Enforcement and Border Patrol agents

are making progress, but they still need help. They know that border security is possible, and they work long hours trying to achieve that goal.

Our Border Patrol has not given up on us, and it is important for Congress not to give up on them. The three bills we are considering today will help them tremendously.

So I encourage all my colleagues on both sides of the aisle, please support this rule and support the underlying legislation.

Madam Speaker, I reserve the balance of my time.

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

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

Mr. MCGOVERN. Madam Speaker, I want to thank the gentleman from Georgia (Mr. GINGREY) for yielding me the customary 30 minutes.

Madam Speaker, immigration and border security are not new issues. These issues have been around for a while. They are serious issues, but they have been issues that have been ignored by this Republican leadership and this Republican Congress for years.

Notwithstanding the fact that President Bush has challenged us to come up with comprehensive immigration reform, which also includes tight border security, and notwithstanding the fact that this Congress passed what I believe is an objectionable immigration reform bill and the Senate has passed a more acceptable immigration reform bill and we are supposed to go to conference and work out the differences and produce a comprehensive immigration reform bill, as the President has requested, the leaders of this House have chosen to do nothing, not a thing.

So while many of us may disagree on some of the issues, this is a high priority for all Members of Congress. But some of us are questioning, why not do what we are supposed to do? Why not go to conference and work out the differences and come out with a comprehensive immigration reform bill that deals with border security and that deals with the issue that a lot of people are concerned about, what do you do with the 12 million people here in the United States who are undocumented?

□ 1030

Madam Speaker, the rule before us and the bills that will be considered if this rule is adopted is not about border security and immigration. That is not what we are doing here today. For those who are watching, this is not about real legislative progress. No, Madam Speaker, this rule and these bills are about politics. It is about a press release and trying to convince the voters that we in this Congress are actually doing something when, in fact, we are doing nothing.

Now, before my friends on the other side of the aisle roll their eyes and say,

there he goes again, let me urge them to look at the calendar. The Republican leadership cancelled votes for tomorrow and plans to adjourn for the elections next Friday, September 29. The Senate is following a similar schedule. That gives us 1 week to consider these bills in both Chambers, pass and reconcile them before next Friday.

Now, it is not impossible, but the truth is there are competing comprehensive immigration and border security bills that have been passed by the House and Senate, as I have mentioned. The House passed its bill on December 16, 2005, and the Senate passed its version on May 25, 2006, but again, this House has refused to go to conference. It is puzzling because the Republicans, Madam Speaker, control the White House, the Republicans control the House of Representatives, and the Republicans control the Senate. One would think that since the Republicans control everything, they can get along with each other and actually move important legislation forward.

Madam Speaker, what we see on the issue of immigration reform and border security, quite frankly, is a failure of leadership. You have a dismal record on protecting our borders, a dismal record on dealing with illegal immigration. This is a failure of being able to legislate, to be able to do your job.

Instead, we are here again with another set of immigration and border security bills. Let us be honest with the American public. This is not a serious effort to legislate. No, Madam Speaker, this is about election politics. This is about the Republican leadership in the House trying to appeal to the cheap seats and gain some political points 1 week before we adjourn for the November election.

The gentleman from Georgia mentioned with great pride this legislative accomplishment that we passed last week, the border fence security bill which the Senate is now dealing with. It is important to point out to the American people that while it sounds nice, there is no money in it. There is no money to provide for the construction of such a fence. The chairman of the Homeland Security Committee before the Rules Committee last week could not even tell me how much it was going to cost, but we know it is going to be hundreds of millions of dollars, if not billions of dollars. So we pass a bill saying we want to do this, but no money. Guess what? Without the money, you cannot build it.

So what are we really doing here? Are we protecting the borders, or are we trying to put on a show for the American people before elections that somehow we are doing something meaningful when, in fact, we are not? We are wasting time.

The American people want comprehensive, compassionate immigration reform, and they want strict border security plans, not partisan legislation and not just a show to imply that somehow we are doing something when, in fact, we are not.

Madam Speaker, for 5 years the Republican-controlled House, Senate and White House have failed to move forward on comprehensive immigration and border security. Done nothing. We have a crisis today. It is a serious crisis in border security because Republican infighting has crippled anyone's ability to enact comprehensive reform.

Madam Speaker, with 1 week left before we adjourn, we should be considering meaningful legislation that will actually affect people's lives today. Where is a clean bill increasing the minimum wage? The Federal minimum wage is at \$5.15 an hour. It has been that way for 9 years. I mean, how can you live on \$5.15 an hour? We need to pass an increase in the minimum wage, not a minimum wage increase tied to a tax break for millionaires, but let us all agree that \$5.15 an hour is not enough for somebody to live. They cannot get out of poverty on \$5.15 an hour. Why can we not pass a clean minimum wage bill today? That would be something meaningful. That would impact people's lives today. We had time this year to vote ourselves a pay raise here in the Congress. Do you not think we could take a few minutes and pass a pay raise for those workers who are earning \$5.15 an hour?

Where is legislation implementing the rest of the 9/11 Commission's recommendations? The gentleman talks about homeland security and the need to protect our border security. The nonpartisan 9/11 Commission has given this Congress Ds and Fs on implementing homeland security legislation. We should be ashamed of ourselves. We should be ashamed of ourselves that we have not enacted all of those recommendations. We need to do that. We could do that today. We should stay in session to tomorrow and do it.

Where is the Labor-HHS appropriation bill? Where are some of the other important pieces of legislation?

Madam Speaker, the truth is that this Republican leadership has proven that they are incapable of running the House of Representatives. Their priorities just do not mesh with those of the American people. Bringing divisive bills to the floor to be used as political ammunition in the upcoming elections is not leadership, but time and time again it is how the Republican leadership in the House operates. Instead of doing what is right for the American people, they continue to do what they think is necessary to be reelected.

Madam Speaker, the American people are sick and tired of business as usual. It is time for a change in leadership in this House. It is time for a new direction.

One other thing, Madam Speaker, this is a closed rule. It is a closed rule, which means you cannot amend it. You have to take it as is. No amendments are in order, not one. If these issues are so important, why can Members not have the opportunity to deliberate and to legislate, to be able to offer amendments? Why can we not amend these

bills? Why does this have to be brought up under a closed process?

This is one rule we are debating on which is a closed rule, but really it is three closed rules because there are three separate bills we are going to be taking up and all of them under a closed process; you cannot amend them.

Now, it is not surprising that it is being brought to the House in this manner because democracy is dead in the House of Representatives. This place is run poorly and cynically. It has lost the trust of the American people. Every public opinion poll out there shows that we are held in the lowest esteem possible. People have had it. They know the way this place operates. They want this to be the people's House, not the House where a few special interests get to call the shots.

Madam Speaker, over the last several years, the Democrats have tried to offer amendments to various bills to improve our border security. Over the last 5 years, if these amendments were adopted, there would be 6,600 more Border Patrol agents, 14,000 more detention beds and 2,700 more immigration and enforcement agents along the border that now exists. That would be a positive thing if those things were adopted, but each and every time they have been objected to by the Republican majority in this House. They have been against increasing Border Patrol agents, against increasing detention beds, against more immigration enforcement agents along our border that now exists. Instead, we get a fence bill that is not paid for. Instead, we get these bills that are before us today that in all likelihood are going nowhere before we adjourn for Congress.

This is not the way we should run the House of Representatives. This is not the way to deal with border security issues and immigration reform. This is cynical what is going on here today. This is a rifleshot approach to a problem that needs a comprehensive approach.

We need to do so much better. So I am asking my colleagues to defeat this rule.

Madam Speaker, I reserve the balance of my time.

Mr. GINGREY. Madam Speaker, I yield to myself such time as I may consume to respond to a couple of the comments that my good friend made in regard to the point of the Senate-passed bill that is more acceptable, the so-called comprehensive reform bill.

Well, I will tell you, my colleague said that would be more acceptable. That comprehensive reform bill, by the way, is just a euphemism for amnesty, and 90 percent of my constituents would beg to differ with him, and I think that is true across this country.

He also made the point about this Congress not doing its work and taking off tomorrow. Well, he knows and all of us know that the reason we are not going to be in session tomorrow is be-

cause the leadership of both the Democratic Party and the Republican Party, in deference to the fact that tomorrow is a high Jewish holiday, that we not be in so that people could worship and observe these holidays.

So it is disingenuous these things that my good friend and colleague is mentioning.

The other thing about going to conference with the Senate. Well, he knows that in the Senate bill there is a revenue provision which makes their bill unconstitutional. If they want to remove that provision and then send that bill back over, we can go to conference. So it is just a game that they are playing.

My colleague also, and he is perfectly within his rights to do this, he talks about some issues that are more important to him and maybe to his party and his leadership and brings up the issue of the minimum wage and a stand-alone minimum wage bill. Madam Speaker, if we solve this problem of porous borders and prevent these millions of illegal immigrants from flooding into this country, taking jobs away from American citizens and legal immigrants and, in the process, driving down wages, if we can stop that hemorrhaging, then we will not need to increase the minimum wage because it will be increased automatically by employers.

So he wants to take a rifle approach and say we are taking a shotgun approach. We are going to get the job done, and we are going to solve many of these problems with this bill.

Madam Speaker, I proudly yield 2½ minutes to the gentleman from Colorado (Mr. TANCREDO), my good friend who knows of what he speaks in regard to immigration and secure borders.

Mr. TANCREDO. Madam Speaker, I thank the gentleman for yielding.

We have used a lot of analogies here to describe what is happening, and, of course, I have one, too, and that is that we are looking at a patient that is the United States of America, and we are hemorrhaging at our borders. When that occurs, you first do something to stop the hemorrhaging. You may want to think about how you may treat the patient subsequent to that, but you stop the hemorrhaging, and this is what we are trying to do on the border. That is the first way of addressing this horrible problem that we have got.

It is important for us to do this and important for us to keep reminding the American people that there are things that can be done, that should be done by the Federal Government in order to try and protect them and do what we should be doing to live up to our responsibilities under the Constitution.

One of the bills today is of particular interest to me. It is the State and Local Law Enforcement Cooperation Act, and it talks about what we need to do and the authority of the State and local law enforcement to voluntarily investigate, identify, apprehend, arrest, detain, and transfer to Federal

custody aliens in the U.S. in order to assist in the enforcement of the immigration laws.

Let me tell you how important this. Just yesterday it was reported in Colorado, another event of one of hundreds that are around the country of a similar nature, where someone who was in the country illegally comes in contact with the local police. In this case, he was driving a car that had a warrant out for it across the country. He was driving without a license. He was driving with a forged identifier, something that was observable to the policeman, who said he saw that the picture had been cut out. That happened in early April. He was taken in and let go. No contact was made with ICE whatsoever.

Just a few days ago he dragged another person, we are not even sure who this other person is because there is not much left of the body, but dragged her behind a truck until she was dismembered.

Now, if the everybody had done their job there, including the Federal Government, and the job had been done at the local level, this gentleman would have been off of the streets. If it was done at the Federal level, he would have never gotten into the country. If the local police had been able to do their job, except for their sanctuary city provisions that stop them, he would have been off the streets in April and would not have been able to commit this horrible crime.

But all these things are happening. They happen on a daily basis. We need to engage the local communities in this effort to help us, and the Federal Government must take on the responsibility here to secure our borders. It is our true and one single responsibility.

I thank the gentleman for yielding the time.

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

Madam Speaker, let me again point out to everybody in this Chamber that the Republicans have controlled this place for a long time, and for the last 5 years, they have even controlled the White House. It is puzzling to me why they are all lamenting that we need to get things done when they have been in charge. Why can they not work with each other? Why can you not get things done?

The gentleman from Georgia talked about this comprehensive immigration bill. The one in the House he voted for. The one in the Senate he may not like. When the Senate passes a bill, and the House passes a bill, in this case Republican control both Houses, you get together, work out the differences and come up with a compromise.

□ 1045

You know, we should have a conferees meeting and work out that compromise and do what you are supposed to do, your job. This is not a radical or controversial idea. Let's work it out; let's do it right.

And he has yet to explain why all this has to be brought up under a closed process. Why can't we open this to amendments? We proposed last night in the Rules Committee, the Democrats, that this be an open rule, that Members be able to come down and amend this as they see fit. And that was voted down along party lines; all the Democrats voted for an open process, the Republicans as usual stuck together and voted to shut this process down. That is objectionable. This is so important, we should be able to, it should be open to amendments to any Member.

You know, again, I would say to the gentleman from Georgia, Democrats, if you would follow our lead and you had adopted the amendments that we proposed over the last 5 years, there would be 6,600 more Border Patrol agents, there would be 14,000 more detention beds, and 2,700 more immigration enforcement agents along our border than now exist. That, to me, would have been a positive accomplishment. But you rejected all that time and time again.

So I object to the manner in which you are bringing these bills up. This is all about politics. This is about trying to imply that you are doing something when you are not. And I object, once again, to a closed process. We need a little democracy in the House of Representatives. This should be an open process; it should be open to amendments.

I reserve the balance of my time.

Mr. GINGREY. Madam Speaker, at this time I want to proudly yield as much time as he may consume to the distinguished chairman of the Rules Committee, the gentleman from California (Mr. DREIER).

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

Mr. DREIER. Madam Speaker, I first want to extend my congratulations to my Rules Committee colleague, Dr. GINGREY, and thank him for his fine work on this rule as he does such a great job on so many other measures that we bring forward from the Rules Committee.

You know, this issue of working together which my friend from Massachusetts has just talked about is something I am very proud of. Included in this measure is a package that was first brought to my attention by my Democratic colleague from California who serves in the other body, DIANNE FEINSTEIN, and she raised concern about the issue of tunnels going between Canada and the United States and Mexico and the United States. And she and I spoke about this, and we said let's see if there would be a way in which we could put into place a commonsense reform.

She was shocked, my Democratic Senator, DIANNE FEINSTEIN, as I was shocked, when we found that it is not a crime to bore a tunnel from Mexico into the United States or to bore a tunnel

from Canada into the United States. It is not a crime to use property in the United States for the tunnel to come out and for drugs, human trafficking, other contraband to come through.

So we sat down, we joined with our colleagues DUNCAN HUNTER from San Diego, I know that J.D. HAYWORTH is strongly in support of this effort; and one of the items that we have here is something that I think again is a commonsense reform. Anyone can come to the conclusion that the idea of boring a tunnel between our two countries is just plain wrong. And so I believe that we have done the right thing. We have recognized that border security is national security. And while there is no evidence whatsoever of a Mexican terrorist, the threat of someone utilizing one of those tunnels to pose a terrorist threat to the United States is still there, and I believe that we need to do everything that we can to make sure that we secure it.

Madam Speaker, since September 11 of 2001, 38 tunnels have been discovered between the United States and Mexico and Canada and Mexico. Frankly, 37 of them between Mexico and the United States, one from Canada into the United States. And just this past weekend a tunnel was discovered from Mexicali to Calexico, in my State of California.

We have a problem. It needs to be addressed, and it is being addressed in a bipartisan way: Democrats and Republicans in the House working together, Democrats and Republicans in the Senate working together to try and step up to the plate and deal with this issue.

It is a very clear measure that we have, and I am very proud again to have such strong support for it. We criminalize the utilization of property, and we criminalize those who would bore under the border and come into the United States. And what we also do is we double the penalties for the areas where there already is criminalization. If the drugs are brought by way of a tunnel, we double the penalty, because it is outrageous that this kind of thing is being used.

We have a wide range of things that we have done. I heard my friend talk about the fact that we haven't been able to do a lot of things. The Senate just yesterday had a vote on cloture on bringing up the issue of building these strategic fences. Now, I don't believe that we can fence the entire border. I think that we have got 21st-century technology that can be utilized, with motion detectors, unmanned aerial vehicles, other things that can be used. But in heavy urban areas and in the five areas where we see a large problem with human and drug trafficking, building a fence is the right thing to do.

And I regularly heard my friends in the Rules Committee say, oh, the Senate is never going to bring this up. We passed it last week, and part of the criticism of it was the Senate wasn't

going to bring it up. The Senate has brought it up, and they are going to pass it. And so what we have done is we have found areas of agreement.

It is true there are aspects of the immigration debate that have great disagreement. But when we can find areas of agreement like securing our border and we in the House of Representatives can provide leadership to do that, it is something that needs to be done. Why? Because the American people are expecting us to do this. It is our responsibility; it is the Federal Government's responsibility to secure our borders.

Madam Speaker, I am proud of all three pieces of legislation that we have here. I am proud of the other things that we have done to make sure that we do secure our borders. It is our job to do it, and I am very happy that we are stepping up to the plate and doing that.

I thank my friend for yielding.

Mr. MCGOVERN. Madam Speaker, first let me say to my colleague, the chairman of the Rules Committee, that I am glad he can point to an instance where he has worked with a Democrat. My question remains, why can't Republicans work with Republicans? The comprehensive Senate immigration bill has a fence provision in it. And if the Senate and the House can go to conference and start working out these differences, he could get his fence and we could also get a lot of other issues solved as well.

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

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

Mr. DREIER. Madam Speaker, I would simply say to the gentleman that I very much want us to be able to complete and address a wide range of issues. The fact that we are able to come together now in a bipartisan way and address these areas of agreement is something I think that can be celebrated, because Republicans are working with Republicans, but Republicans are also working with Democrats who are like-minded to try and deal with some of these very important security issues. I thank my friend for yielding.

Mr. MCGOVERN. Again, it is frustrating that when the President of the United States is urging us to approach this issue in a comprehensive way, that the Republican leadership of this House can't get together with the Republican leadership of the Senate and address a whole range of issues.

I think it is also important to point out so that there is no misunderstanding for those who may be observing these proceedings that, even if the Senate passes the so-called fence bill, they should be under no illusion that all of a sudden a fence is going to be built along the southern border of this country. The fact of the matter is there is no money for it. This is an authorization, not an appropriation; and nobody has been able to identify where the money is going to come from.

The other thing is, again, I go back to what I said before. We need more

border security agents on the border right now. We need more detention beds. We need more immigration enforcement agents along the border. We have tried, we have tried over and over and over again to get the majority to allow us just the right to offer amendments to be able to address some of these issues and have been rejected over and over and over again.

So I would simply restate what I said in the very beginning, and that is that what is going on here today is somewhat cynical, because I think the other side knows that at least with the three bills that we are talking about here today, the chances of them being enacted by the Senate are almost zero between now and a week from Friday; and we are not going to accomplish anything except a press release. And at the same time, we are not addressing the challenge that President Bush has put before us, which is comprehensive immigration reform.

Madam Speaker, I yield 6 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. I thank the distinguished member of the Rules Committee, and I thank him for highlighting some of the failures in our Achilles heel in this process.

Certainly as a member of the House Judiciary Committee and the ranking member on the Judiciary Committee on Immigration, none of these bills have come through the committee. There have been no hearings, no fact finding. Certainly the reason might be given by our colleagues on the other side of the aisle is because we have already passed this bill. This bill is a clone of the Sensenbrenner bill passed through the House and ready for conference.

I think it is important to note that even though my friends in the other body have come to cloture on the tunnel provision or the fence provision, let me make it very clear that Senator FRIST, the majority leader, has indicated that there is a heavy, heavy agenda for next week. When the Senate goes out at the end of the week, the question is whether or not this will be an item that will be addressed.

What really should have happened 2 months ago, 3 months ago when both bills had been passed, the Senate passed a bill, the House passed a bill, we could have gone to conference. Maybe my colleagues don't realize that there was fencing language in the Senate bill. That means when you go to conference, you can expand that language if that was the desire.

Now, I know many of my friends on the other side of the aisle will talk about the immigration hearings that they attended, and I would venture to say that at many of them I met them because I had the responsibility and privilege of attending at least one-third to one-half of them. And those

hearings were redundant testimonies by people that had already been to Washington. They drove a wedge in whatever community we went to with protesters on both sides. There was a lot of maligning of innocent individuals who happened to be of Hispanic surname, suggesting in one hearing in California that all of the jailhouses were filled up with individuals from Mexico and other places, the mental facilities were filled up, the hospitals were filled up. It was an imbalance.

So we are simply asking that there be a comprehensive approach. And Democrats are not taking a back seat to border security, and that is why I am offering the previous question that indicates the hard work of Democrats, particularly as it relates to the idea of alien smuggling, and that we have offered amendments to enhance immigration enforcement resources. And as my good friend from Massachusetts has said, if our amendments had passed, we would have 14,000 more detention beds today, 2,700 more immigration agents along the borders.

I went to the borders. I saw our Customs and Border Protection agents working 7 days a week, 24 hours a day. And when they have to have what we call a secondary inspection, when you stop a car and then you say it doesn't look right, you must send them to the other building for a secondary inspection. Do you know that there is nobody there because we don't have enough staff. So it befuddles me when my Republican colleagues come forward with these three separate bills that are already in the bills we passed and we can just go to conference right now. And that is why we are offering this previous question so that we can ensure that you know on the record that out of this we will get 250 more immigration agents; detention officers by 250; U.S. marshal officers by 250; 25,000 more detention beds; and by 1,000 the number of investigators of fraudulent schemes and documents would increase.

□ 1100

None of this has happened. But on the other hand, we have three border bills that my friends on the other side of the aisle know for sure have poison pills. We are okay with the tunnel. Who wants to have our Nation exposed? But we want real border security, not forcing local jurisdictions to engage in civil enforcement.

Let me remind you of the Canadian citizen who was mislabeled as a terrorist and sent wrongly to Syria. This bill has provisions to detain people indefinitely who may be just children, mothers, fathers who have come across the border for economic reasons. Of course we want to regulate this process and make sure that we address comprehensively the immigration concern. We want to ask and answer the questions of Americans.

But Democrats have gone on the record year after year, these bills represent a series of poison pills that, if

you read them, embedded in them is violations of the rule of law. The alien gang removal possibly will remove people who live in a house where a gang member is.

So we believe that you vet a bill so that the American people can have confidence in this process. And we have these bills already passed.

My friend is going to get up and show horrific pictures. I come from Texas. There is a drug war at the border, but I go down to the border. I have friends at the border. I interact with the sheriffs and the mayors. There is also trade and jobs at the border. So they want a comprehensive approach. They want the bad guys arrested, drug dealers and smugglers, which we can do. Nobody here is talking about the Drug Enforcement Agency. Nobody is telling you that the Colombia cartels that were raging in the 1990s have been somewhat stomped out, and they moved to Mexico. Mexicans don't want the drug violence going on. Texans don't want the drug violence going on.

But it is not an immigration issue. We need to secure the borders, but we don't want to mix apples and oranges. We want to get rid of the alien smugglers and the drug smugglers, but these poison pills, and these bills are not the way to comprehensive immigration reform. I ask my colleagues to defeat the rule so the previous question can go forward.

I rise in opposition to House Rule H. Res. 1018, which provides for a closed rule on the Border Tunnel Prevention Act, H.R. 4830; the Community Protection Act, H.R. 6094; and the Immigration Law Enforcement Act, H.R. 6095. We need an Open Rule for these immigration bills so that they may properly be considered debated.

The Bush Administration has been in office for 6 years, and the majority has controlled Congress for more than 10 years, but only now, in an election year, have we begun to examine how to address the critical need to fix our broken immigration security systems.

The House and Senate passed their bills on immigration reform and border security months ago. Under regular order, we should be appointing conferees and engaging the process of reconciling the two bills. However, in a substantial deviation from normal practice, the House Majority Leadership decided to launch a traveling road-show of committee hearings in States across the country. The American people saw through this charade and condemned the hearings as a waste of time and taxpayer money, when Congress should have been focused on resolving the immigration problem in conference.

Now that it is September, and the nationwide hearings are over, the House Leadership continues to skirt its duty to conference with the Senate, hiding behind procedural hold-ups and creating busy-work by bringing these same provisions that were passed in H.R. 4437 last December to the floor again, just before the election.

Consistently, the majority has sought great fanfare and publicity for their supposed border security initiatives. But consistently, they have refused to fund these promises and have failed to carry out the security measures for

which they seek public acclaim. The problem is that immigration has become about talk and show, and winning elections.

The majority has done nothing to pass real, meaningful immigration reform that addresses all needs—including the 12 million undocumented already in our Nation, the needs for improved family reunification policies, and reforms to the non-functional workplace enforcement, in addition to the critically needed border security and enforcement enhancements.

We know that 5 years after 9–11, the Bush Administration still does not have any control over the borders. If the Bush Administration had properly secured the border, we would not be facing the security issue of millions of unknown people in our country.

If the Bush Administration had enforced the workplace laws, we wouldn't have more than 7 million undocumented aliens working in the United States.

If Congress had funded the 9–11 Commission's recommendations or conducted proper oversight, we would not be voting on these same enforcement provisions for the second or third time. We would be in conference, hammering out a compromise with the Senate as we were elected to do.

When we bring these bills to the floor, bills which we held no hearings on, which did not go through committee, we owe the American people a meaningful debate. We must have an Open Rule and an opportunity to debate our Amendments in the Nature of a Substitute to address the real needs of immigration and border security reform.

I urge you to vote against House Rule H. Res. 1018.

Mr. GINGREY. Madam Speaker, I would like to yield 3 minutes to the gentleman from California (Mr. ROYCE), who, in his capacity as chairman of the Subcommittee on International Terrorism and Nonproliferation, held hearings in August.

Mr. ROYCE. Madam Speaker, I rise in support of this rule.

We do have a philosophical disagreement over open borders. Some of us support fencing those borders. We do have a philosophical disagreement over a massive amnesty. Some of us believe that massive amnesty in 1986 made the situation worse. That is why we don't want to go forward with another amnesty of that type.

Let me say I did chair the hearings in San Diego and in Texas. I toured that southern border with local law enforcement and immigration officials. I heard their arguments in favor of putting up that border fence and their arguments about doing something about these tunnels. This was a tunnel that was six ballfields long. I went through this tunnel. Contraband was trafficked illegally over these cement floors, under electric lighting. The tunnel had water pumps, full ventilation, and a system of pulleys through it. There have been other tunnels discovered since. I don't believe in open borders. We are going to criminalize the action of putting up these tunnels.

We are also, with the Immigration Law Enforcement Act, we are going to allow local law enforcement, and there are 700,000 local law enforcement.

Wouldn't it be nice to allow them to voluntarily assist the 2,000 ICE agents in this country so when we have a situation in the future like we had on 9/11 where four of those hijackers had been stopped by local police for speeding prior to the attacks, they can call into that hotline and, if there is suspicious activity, can look into the immigration status of those people who are here in this country illegally.

Let me also say that the Community Protection Act is coming up under this rule, and criminal gangs today like MS-13 are no longer just the neighborhood kids who may be up to no good, the kinds of gangs we remember from our youth, because we have transnational criminal gangs active around the country that now resemble organized crime syndicates. They have highly organized leadership and organizational models, and networks that stretch across this Nation. They operate across the border. They will bring, in the words of one sheriff, anything or anybody across that border for a price.

I don't believe post-9/11 that we can have an open borders policy. I think we have to fence the borders. I think we need these commonsense bills to pass without that massive amnesty that our friends would like to attach to it. I urge passage of this measure.

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

I think we need to be careful with words. Nobody is advocating amnesty. I don't think President Bush is advocating an amnesty. I don't think Senators HAGEL or MARTINEZ or MCCAIN are advocating amnesty.

What people want is action. What people are frustrated with is the fact that this Republican Congress has done nothing. We passed the comprehensive immigration reform bill in the House. They passed one in the Senate. We want to go to conference to work out the differences and come up with an approach that will work.

Instead, what have you done? You have gone around the country holding hearings at taxpayers' expense, and the reviews have been dismal. The headlines from the leading newspapers from across the country are "All Talk No Action on Immigration," and "Immigration Hearings Misfire." "Field Hearings a Waste of Time and Money." "Immigration Hearing Staged to Run Out the Clock" so we don't do anything meaningful. That is not what we want; we want real action.

Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts (Mr. OLVER).

Mr. OLVER. Mr. Speaker, I thank the gentleman for yielding me this time, and I urge a "no" vote on the previous question and on the rule.

Mr. Speaker, America needs comprehensive immigration reform. I think every American who is paying any attention agrees we need comprehensive immigration reform.

Everybody in this people's House, Democrats, Republicans, and even the

Independent, understands that we need comprehensive immigration reform, and every Member of the other body, every Republican, every Democrat, and their Independent, understands that America needs comprehensive immigration reform.

Now every Member of this body, Republican and Democrat and Independent, every Member understands that in order to get a reform bill passed and signed by the President, that one has to have a single piece of legislation that is agreed to by both of the bodies.

So everyone knows that for immigration reform of a comprehensive form to become law, that that must pass both bodies in exactly the same form and be signed by the President or passed over with the President's veto.

Now, the process of doing that is not understood by everybody in this country, but in general form much of the country understands that. And I am not sure whether the majority party here believes that people in this country are not knowledgeable, ignorant of those processes, so much that they think that this kind of a sham that we are going through can be carried out.

The majority party in the House of Representatives is the Republican Party. The majority party in the other body is also the Republican Party. This process that we are engaged in today is a sham. It is meant to mislead people that something is actually being done about immigration before we go home for the elections in November, before we recess for those elections, when, in fact, nothing really is being accomplished.

In our people's House on the 16th of December last year, the Border Protection Antiterrorism and Illegal Immigration Act passed by 239-182, a margin much larger than is the margin by which the majority party holds the majority. So it was a bipartisan bill in part.

In the other body on the 25th day of May of this year, 4 months ago, their Comprehensive Immigration Reform Act was passed by a vote of 62-36, again by a margin much larger than the margin by which their majority party, also the Republican Party, passed the bill. It is again a comprehensive and bipartisan bill.

So this process where we have legislation where two of the bills are in large part within the legislation that is being put forward today, and also is part of the bill that passed back in December by this body, by this people's body, and the other one has been passed in a different form by the other body, all one has to do is go to conference. It would be possible to go to conference and work out the differences between those two pieces of legislation so a single bill could go to the President and be signed and provide what everyone in America, everyone in this body and everyone in the other body would call comprehensive immigration reform.

That is the way that this ought to be done. The process that we are involved

in today is a sham, and we should defeat the previous question and defeat the rule and go to comprehensive immigration reform by going to conference and doing it the way it has to be done in order to have a law be passed in this country.

Mr. GINGREY. Mr. Speaker, I am proud to yield 1½ minutes to the gentleman from Arizona (Mr. HAYWORTH), a member of the Ways and Means Committee.

Mr. HAYWORTH. Mr. Speaker, my colleagues, I rise in strong support of the rule and the legislation. Let me start with this observation.

With all due respect to my colleague from Massachusetts, it is never a sham when we come to the people's House with legitimately different points of view to be articulated. That is the strength of our constitutional Republic.

And to my other friend from Massachusetts managing the rule for the other side, let me respectfully suggest that this is not a Republican problem or a Democratic problem, it is an American problem.

Now, with the preceding speaker, I take great exception to the notion that somehow this is a masquerade. I appreciate the delineation of process, and following that logic, let's make this point. What we do in process is prioritize.

I, for example, have a provision in the underlying legislation that deals with outlawing the tunnels, which is not a crime, believe it or not. This is a reasonable and necessary action. This is a reasonable and necessary action to be taken.

My friend from Texas got up and spoke about a bill that had passed through the Senate dealing with a fence. The problem was that in the final bill passed by the Senate, there was a provision to ask for the Mexican Government's permission to have such a fence. Clearly that doesn't sit well with the American people.

Although my friends lament taking the hearings to the people out of Washington, D.C., it is exactly what we should have done. We have heard from the people. Support the rule and the legislation. Let's make these tunnels illegal, let's strengthen the border, and we can do it for America, not for either political party.

Mr. MCGOVERN. Mr. Speaker, I would just respond to the gentleman that I think he has conceded that this is a sham by virtue of the fact that it is being brought up under a closed rule, a closed process.

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

Mr. GINGREY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today in strong support of the rule for H.R. 4830, the Border Tunnel Prevention Act. Our Nation's border security is essential to having effective homeland security.

However, since September 11, 2001, foreigners have breached our borders with no less than 38 tunnels, and these are only the tunnels about which we know.

During July I was at a veterans' post in Florida in my district, and a gentleman had this shirt on. This, ladies and gentlemen, is what America wants. They want the borders closed. They want to make sure that people are not entering into our country illegally, either crossing the borders or via the tunnels.

We all know that coyotes use them to bring illegal aliens into the United States, bypassing our legal immigration system.

Listen up, America. Congress should not ignore these consistent breaches of our security.

□ 1115

And that is what the bill before us is all about. The bill before us will do just that. That is one reason why we absolutely need to pass this rule, because we need to make it a crime to build or finance an unauthorized tunnel into the United States.

I urge my colleagues to support the rule and the underlying bill.

Mr. MCGOVERN. Mr. Speaker, I yield myself the balance of my time.

I hope that all Members will join me and vote "no" on the previous question so I can amend the rule and allow the House to consider an amendment by Representative JACKSON-LEE that would really take on the issue of border security rather than just pay it lip service. The proposal would amend H.R. 6095 to equip the Department of Homeland Security with the resources the 9/11 Commission says we need to secure our borders, to shut down the alien smuggling business, and to catch and hold illegal immigrants entering our country.

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

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

There was no objection.

Mr. MCGOVERN. Mr. Speaker, the Republican majority in this House continues to approach border security and immigration control in its usual ineffective and piecemeal approach, putting election-year politics ahead of real and responsible solutions. Republicans are big talkers when it comes to border security and immigration reform, but they have never been willing to put their money where their mouth is. The bills we will consider on the House floor today are more of the same. This debate and these bills are supposed to remind voters that Republicans are somehow tough on immigration, but instead they just remind all of us that Republicans have not been able to make any progress on the urgent issue of border security.

So I urge all Members of this body to vote “no” on the previous question so that we can bring up this amendment to actually do something about the problems on our Nation’s borders instead of just talking about it.

The 9/11 Commission has given this Congress Ds and Fs when it comes to homeland security, and we have a particularly low grade when it comes to protecting our borders. Let us not only do the right thing. Let us do something that is real.

People are cynical. They are tired of politics as usual in this House. They are tired of these last-minute bills that come up before elections to somehow imply that we are doing something when we are not. We have a serious problem on our borders. We need serious action. This is not serious action.

I urge my colleagues to vote “no” on the previous question. If that vote does not prevail, vote “no” on a closed rule. If these issues are important, we should be able to amend these bills. We need a little democracy in this House. Let’s get this right.

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

Mr. GINGREY. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, in closing, I want to once again thank Chairman SENSENBRENNER, Chairman DREIER, and the House leadership for continuing the debate in favor of securing our borders. The pattern in recent years has been to address the issue of immigration and border security once a decade. In 1986 we had an immigration reform bill. In 1996 we had an immigration reform bill. But the results at best were mixed, and this year we have yet another opportunity to get it right. Ninety percent of the American people are demanding that we secure our borders and secure our borders now.

The legislation offered under this rule will help our current agents detain and apprehend criminals, not just those crossing in search of work, Mr. Speaker, but truly dangerous individuals as well. Security on our borders remains a crisis. Our agents on the border need our help. Our constituents are forcefully voicing their support for immigration reform, with an emphasis on border security.

And I ask my colleagues, please support this rule and the underlying bills so we can start to solve this problem and solve it now.

Mr. UDALL of Colorado. Mr. Speaker, it’s often said legislating is like making sausage—stuffing various ingredients into one product. But sometimes it’s more like slicing salami—cutting something into pieces, to be swallowed one at a time.

Today, the Republican leadership clearly has decided that sliced salami will be the blue plate special, and that there can be no changes or substitutions. They are saying they favor a piecemeal approach to immigration reform and are more interested in political posturing than in trying to enact legislation that will meet all the challenges involved in strengthening our borders, reducing illegal im-

migration, and addressing the status of illegal immigrants now in the United States.

So they have cut three pieces off the immigration bill the House passed last year, and are bringing them to the floor under this rule which prohibits us from even debating any amendments or offering any additions to the menu.

In other words, it’s take it or leave it, and forget about trying to make any improvements—just like it was with last week’s serving, the bill for 730 miles of high-price fencing along the border. I think that is wrong, and I cannot support that procedure.

However, I will vote for the three separate bills covered by this rule, because while I have some concerns about some of their provisions, on balance I think they would improve current law and policies.

That was why last year I voted for H.R. 4437, the Border Protection, Antiterrorism, and Illegal Immigration Control Act of 2005, the overall bill from which today’s bills have been sliced.

Among other ingredients, that bill also included provisions added by the amendment by our colleague from California, Mr. HUNTER. As I mentioned, those provisions were sliced off last week and served up as H.R. 6061, the so-called Secure Fence Act.

I am not opposed to the construction of fencing or other barriers along our borders, but I am not convinced Members of Congress should attempt to substitute our judgment about technical questions of engineering and law enforcement for the expertise of those responsible for border security.

I voted against the Hunter amendment, and against H.R. 6061, because Immigration and Customs Enforcement (ICE) authorities—those with the most experience in border security have not requested such a mandated expenditure, and in fact, have expressed a preference for different resources and tools to do their job. Moreover, I am skeptical that the kind of fence-building mandated by the Hunter amendment and H.R. 6061 is a cost-effective response to the problem of illegal entries into the United States.

According to the Department of Homeland Security, about 730 miles of new fencing would be required by H.R. 6061. They say that it costs about \$4.4 million for a single layer of fencing per mile—but the bill calls for double-fencing, which costs more, and also for building all-weather roads in the middle. So, using a conservative estimate of \$9 million a mile, it would cost nearly \$6.6 billion to build the 730 mile fence called for in H.R. 6061.

I think it would be better from Congress to resist the temptation to micro-manage the Department of Homeland Security and instead to allow it the discretion to spend those billions of dollars on a variety of measures—fences in some places and other kinds of barriers in other places, plus other technology and increased border patrol manpower—that it decides, based on experience and expertise, will do the best job of securing the border.

And if those steps turned out to cost less than 730 miles of double fencing, the Department could put the rest of the money to good use.

For example, \$2 billion would pay for the 35,000 detention beds called for the Intelligence Reform and Terrorism Prevention Act of 2004 (the 9/11 Act) that are need to implement the ending of the so-called catch and re-

lease of illegal aliens apprehended after they cross the border. It would take only \$360 million to hire, train and equip 2,000 border patrol agents, while \$400 million, 250 more port-of-entry inspectors and 25 percent more canine detection teams could be added to the field. Or for \$400 million every U.S. port of entry could have a radiation portal monitor, so that all incoming cargo can be screened to detect nuclear or radiological material.

The three bills we will consider today are not perfect, but they are less problematical and I will vote for them.

H.R. 4830, the Border Tunnel Prevention Act would establish new criminal penalties for people involved with constructing illegal tunnels beneath our borders, including those who knowingly finance such actions, with particularly severe penalties for using such tunnels to smuggle illegal immigrants, drugs, weapons of mass destruction or other illegal goods into the United States. I strongly support this strengthening of current law.

H.R. 6094, called the Community Protection Act, like corresponding parts of the larger bill I supported last year, would allow for longer detentions of illegal aliens prior to deportation if they have refused to comply with deportation proceedings, pose a threat to community safety or public health, because they have a highly communicable disease, or if their release would threaten national security or have serious adverse consequences for American foreign policy. It includes provisions for periodic review of such detentions and affords these detained aliens an opportunity to seek reconsideration of their cases and to present evidence in support of their release. In addition, it would centralize judicial review of legal challenges to the detention of illegal immigrants—something that I think is of dubious value but not so bad as to outweigh the rest of the legislation.

Further, the bill would explicitly bar admission to the United States of members of criminal street gangs, allow the deportation of illegal aliens who belong to gangs convicted of threatening or attempting crimes, and requires that they be held in detention prior to deportation and makes criminal street gang members ineligible to receive asylum or temporary protected status. I strongly support these provisions, because criminal street gangs whose members include illegal aliens are a serious and growing problem in too many communities.

Finally—for today, at least—H.R. 6095, the Immigration Law Enforcement Act would establish new procedures to speed resolution of lawsuits brought against the Federal Government that are based on the implementation of immigration laws and require the Justice Department to hire more people to prosecute human smuggling cases.

It also includes language reaffirming the existing inherent authority of the States, their political subdivisions, such as counties or cities, and their law-enforce agencies to investigate, identify, apprehend, arrest, detain, or transfer to Federal custody aliens in the United States . . . for the purposes of assisting in the enforcement of the immigration laws of the United States in the course of carrying out routine duties. I find this acceptable because the bill says “Nothing in this section may be construed to require law enforcement personnel of a State or political subdivision of a State to—(1) report the identity of a victim of,

or a witness to, a criminal offense to the Secretary of Homeland Security for immigration enforcement purposes; or (2) arrest such victim or witness for a violation the immigration laws of the United States.”

In other words, this is not a mandate and will not interfere with the ability or any state or local government to decide whether and how it will undertake to respond to question of immigration law and policy, matters which are essentially the responsibility of the federal government.

Mr. Speaker, nobody should think that passing these bills today—something I support—will come close to completing the work that Congress needs to do regarding immigration.

This plateful of slices is not even the full salami the House passed last year—a bill that, by itself, dealt with only part of the full menu of issues that must be addressed.

I voted for that bill because I think improving border security is absolutely necessary. But I am convinced it is not sufficient.

It does not address the most difficult and challenging aspect of immigration reform, namely the question of how to deal humanely and effectively with the millions of illegal immigrants currently living and working in this country or the difficulties that their employers including many Colorado companies that have contacted me—during the transition to a changed labor market that may follow revisions in current immigration laws.

As we all know, the Senate has passed what its supporters—including President Bush—say is intended to be a comprehensive immigration reform measure. We should follow their lead.

Following the Senate’s lead does not mean simply accepting their bill as it stands. I think that would be a mistake, because I think that bill has defects that must be remedied. Instead, it means recognizing the full dimensions of the problems that must be addressed and the need to address them without unnecessary delay. It means appointing House conferees and directing them to meet with their counterparts from the other body to resolve differences and shape a final, comprehensive bill that addresses those problems in a way that is in the best interests of our country and the American people.

If that effort succeeds—as I think it can and am convinced it must—the result not only will be better than any of the bills before us today, it will be better than either the bill we passed last year or the bill that the Senate passed earlier this year and in fact will deserve to be sent to the President for signing into law.

Mr. FARR. Mr. Speaker, how long will the Republican Majority continue to bring to this House Floor piecemeal legislation that purports to fix the immigration crisis in our country?

H.R. 4830, H.R. 6094 and H.R. 6095 are not real reform. In fact, these bills are largely a repackaging of previously enacted bills dressed up to look like the Republicans are serious about immigration reform. Higher monetary and sentencing penalties, more enforcement and the usurping of due process are all tactics that have been tried throughout the years and have brought us to the situation we find ourselves today. The American people are being duped into thinking these three Republican bills will prevent illegal immigrants from entering our country. I cannot in good conscience vote for these three bills not because

I don’t want to stop illegal immigration but because they are hollow authorizations without any funding to implement them. What we should be voting on and what I would support is the implementation of the 9/11 Commission immigration recommendations which I have voted for seven times in Committee or on the Floor. Those seven votes would have authorized and funded thousands of new immigration agents and detention beds. Instead we are voting to impose a HUGE unfunded mandate in our local law enforcement by deputizing them to be first line immigration officers. If the leadership in the House and Senate want real immigration reform, they need to fully fund all the immigration agents, detention officers as called for by the 9/11 Commission report.

I do not support illegal immigration and believe that anyone who enters the US in violation of U.S. immigration laws should be penalized. But our country is in need of an immigration policy that accounts for the fears 9/11 instilled, in addition to the hope that immigrants bring to our nation.

Immigration reform should include family reunification, asylum and refugee admissions, and employment-based immigration. It must be compassionate and humanitarian and strike the delicate balance between American jobs, border safety and national security interests. H.R. 4830, H.R. 6094, and H.R. 6095 do none of this.

I urge a “no” vote on these bills.

Mr. VAN HOLLEN. Mr. Speaker, I stand to explain my votes on the immigration bills that this Congress considered today.

I applaud our decision to pass the Border Tunnel Prevention Act (H.R. 4830), which would make it illegal for any person to build or finance a cross-border tunnel and for any person to use such a tunnel to smuggle drugs, weapons, or undocumented immigrants. These tunnels have become remarkably sophisticated ways for lawbreakers to enter our country, and I strongly support this bill to ban their construction and use. This is, at least, a small step to better border patrol.

But though we took one small step forward today, it is not enough. Instead of working on real reform, we passed the so-called “Community Protection Act” (H.R. 6094). This bill is not about protecting our community; it is about election-year scare tactics and fearmongering.

We need to fight crime and we need to deport criminals. But we can already do that. This bill does not deal with people who are in our country illegally. We can already deport individuals who are here illegally. Nor does this bill relate to non-U.S. citizens who are legally in the United States but commit a crime. We can already deport gang members and any foreign national who is convicted of a crime ranging from murder to shoplifting. This bill gives the Executive Branch unprecedented powers to deport legal immigrants who have not committed any crime. It gives the Attorney General of the United States the unprecedented power to declare any group a gang. And it gives the Department of Homeland Security the power to deport any non-citizen who is legally residing in the United States if they declare, without any due process, that such an individual is a member of those groups. This means the Department of Homeland Security can deport a legal immigrant who has obeyed all of our laws. This violates our First Amendment right of association and our Fifth Amendment right to be treated as individuals and not as guilty by association.

This bill also has an expedited removal process that severely curtails due process and could lead to erroneous removal of people who should not have been deported. This includes U.S. citizens who cannot provide proof of citizenship in the seven-day window, or someone abused or eligible for asylum who cannot build their case in time.

We all want to stop gang violence. It is an insidious problem in my district and in the districts of many of my colleagues. But we already have laws to deport criminals. We need to stop wasting time passing laws we don’t need to deport people who aren’t committing crimes and start working on real solutions to solve gang violence.

Unfortunately, it seems this Congress consistently passes laws that allow us to avoid real reform. The misnamed “Immigration Law Enforcement Act” (H.R. 6095) also passed today, is one such example. This bill should be renamed the “Pass the Buck for Immigration Law Enforcement Act.” While it claims to simply “reaffirm” the authority of states to enforce immigration law, it actually distracts local law enforcement from their most important job—safeguarding our communities—and forces them to do the job that this Congress has repeatedly failed to do. We should enact real border security and comprehensive immigration reform; instead, we are passing the buck to our local communities and, without direction or funding, making them carry out complicated immigration enforcement. Enforcement of our immigration laws is a federal responsibility. Let’s not shirk that responsibility. Let’s not pretend this is someone else’s problem.

The Montgomery County and Prince George’s County Police in my district are opposed to this legislation. They do not have the time or the resources to handle the increased workload that immigration enforcement brings. It is not their job. It is the job of the federal government. And we need to do our job. If we abdicate our responsibility on vital issues, we are failing the American people. Moreover, it is irresponsible to make local police forces handle immigration without giving them any additional resources or any training in immigration law. Our police are already overburdened. We cannot ask them to do our job, too.

I want to be clear—I believe that we should have tougher enforcement of our immigration laws. But we need to do it in a way that makes sense. And it does not make sense to pass the buck to local communities. This is another unfunded mandate from a Congress that repeatedly fails to seriously address the important issues.

So today this Congress has approved a bill that creates a law we don’t need to punish those who don’t break the law and a bill that passes the buck to local law enforcement. When is Congress going to do the work we were elected to do? When are we going to pass real immigration reform and real security instead of superficial band-aid bills? It’s time to stop playing politics, and to start protecting our borders.

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

PREVIOUS QUESTION ON H. RES. 1018, RULE FOR: H.R. 4830—BORDER TUNNEL PREVENTION ACT, H.R. 6094—COMMUNITY PROTECTION ACT, H.R. 6095—IMMIGRATION LAW ENFORCEMENT ACT

In the Section 3 of the resolution strike “and (2)” and insert the following:

“(2) the amendment printed in Section 4 of this resolution if offered by Representative Jackson Lee or a designee, which shall be in order without intervention of any point of order or demand for division of the question, shall be considered as read, and shall be separately debatable for 60 minutes equally divided and controlled by the proponent and an opponent; and (3)”

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

“Sec. 4. The amendment to H.R. 6095 referred to in Section 3 is as follows:

Insert the following in section 201(a):

“(2) Alien smuggling is a continuing threat to our nation’s security, leaving the United States vulnerable to terrorist attacks.

(3) Alien smuggling continues to be a threat to the security of the United States because of the record of failure of the Republican House, Senate and Administration, including:

(A) Seven times over the last four and a half years, Democrats have offered amendments to enhance immigration enforcement resources, which would have enhanced efforts to combat alien smuggling. If these Democratic amendments had been adopted, there would be 14,000 more detention beds, and 2,700 more immigration agents along our borders than now exist. Each time, these efforts have been rejected by the Republican majority.

(B) In the 9/11 Act of 2004, the Republican Congress promised to provide 8,000 additional detention beds and 800 additional immigration agents per year from FY 2006 through FY 2010. Over the last two years, the Republican Congress has left our nation short 5,000 detention beds and nearly 500 immigration agents short of the promises they made in the Intelligence Reform (or 9/11) Act of 2004, to the detriment of efforts to combat alien smuggling.

(C) From 1993–2000, the Clinton Administration added, on average, 642 new immigration agents per year. Despite the fact that 9/11 highlighted the heightened need for these resources, in its first five years, the Bush Administration added, on average, only 411 new immigration agents, to the detriment of efforts to combat alien smuggling.

(4) Alien smuggling continues to be a threat to the security of the United States because of continuing inaction by the Republican congress, including the failure to go to Conference to resolve differences between competing immigration reforms, was valuable resources and time on a series of field hearings during the Congressional recess that excluded the input of local citizens and leaders, and engaging in political showmanship by using the last few days of the Congress to consider new immigration legislation when it has failed to complete work on immigration bills that have already passed the House and Senate.”

Insert the following after section 201(c):

“(d) ADDITIONAL RESOURCES TO PROTECT AGAINST ALIEN SMUGGLING BY IMPLEMENTING THE 9/11 COMMISSION ACT.—In each of fiscal years 2007–2010, there are authorized such sums as may be necessary to increase by 2000 the number of Immigration agents, by 250 the number of detention officers, by 250 the number of U.S. Marshals, by 25,000 the number of detention beds, by 1000 the number of investigators of fraudulent schemes and documents which violate sections 274a, 274c, 274d of Title 2, Chapter 8 of the Immigration and Nationality Act.”

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against or-

dering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

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

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

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

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority’s agenda to offer an alternative plan.

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

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

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

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

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question on House Resolution 1018 will be followed by 5-minute votes as ordered on adopting the resolution, and suspending the rules and passing S. 418.

The vote was taken by electronic device, and there were—yeas 225, nays 195, not voting 12, as follows:

[Roll No. 461]

YEAS—225

Aderholt	Gallegly	Moran (KS)
Akin	Garrett (NJ)	Murphy
Alexander	Gerlach	Musgrave
Bachus	Gibbons	Myrick
Baker	Gilchrest	Neugebauer
Barrett (SC)	Gillmor	Northup
Bartlett (MD)	Gingrey	Norwood
Barton (TX)	Goode	Nunes
Bass	Goodlatte	Nussle
Beauprez	Granger	Osborne
Biggert	Graves	Otter
Bilbray	Green (WI)	Oxley
Bilirakis	Gutknecht	Paul
Bishop (UT)	Hall	Pearce
Blackburn	Hart	Pence
Blunt	Hastings (WA)	Peterson (PA)
Boehler	Hayes	Petri
Boehner	Hayworth	Pickering
Bonilla	Hefley	Pitts
Bonner	Hensarling	Platts
Bono	Herger	Poe
Boozman	Hobson	Pombo
Boustany	Hoekstra	Porter
Bradley (NH)	Hostettler	Price (GA)
Brady (TX)	Hulshof	Pryce (OH)
Brown (SC)	Hunter	Putnam
Brown-Waite,	Hyde	Radanovich
Ginny	Inglis (SC)	Ramstad
Burgess	Issa	Regula
Burton (IN)	Istook	Rehberg
Buyer	Jenkins	Reichert
Calvert	Jindal	Renzi
Camp (MI)	Johnson (CT)	Reynolds
Campbell (CA)	Johnson (IL)	Rogers (AL)
Cannon	Johnson, Sam	Rogers (KY)
Cantor	Jones (NC)	Rogers (MI)
Capito	Keller	Rohrabacher
Carter	Kelly	Ros-Lehtinen
Castle	Kennedy (MN)	Royce
Chabot	King (IA)	Ryan (WI)
Chocoba	King (NY)	Ryun (KS)
Coble	Kingston	Saxton
Cole (OK)	Kiame	Schmidtz
Conaway	Knollenberg	Schwartz (MI)
Crenshaw	Kolbe	Sensenbrenner
Culberson	Kuhl (NY)	Sessions
Davis (KY)	LaHood	Shadegg
Davis, Jo Ann	Latham	Shaw
Davis, Tom	LaTourette	Shays
Deal (GA)	Leach	Sherwood
Dent	Lewis (CA)	Shimkus
Diaz-Balart, L.	Lewis (KY)	Shuster
Diaz-Balart, M.	Linder	Simmons
Doolittle	LoBiondo	Simpson
Drake	Lucas	Smith (NJ)
Dreier	Lungren, Daniel	Smith (TX)
Duncan	E.	Soderl
Ehlers	Mack	Souder
Emerson	Manzullo	Stearns
English (PA)	Marchant	Sullivan
Everett	McCaul (TX)	Sweeney
Feeney	McCotter	Tancredo
Ferguson	McCrery	Taylor (NC)
Fitzpatrick (PA)	McHenry	Terry
Flake	McHugh	Thomas
Foley	McKeon	Thornberry
Forbes	McMorris	Tiahrt
Fortenberry	Rodgers	Tiberi
Fossella	Mica	Turner
Fox	Miller (FL)	Upton
Franks (AZ)	Miller (MI)	Walden (OR)
Frelinghuysen	Miller, Gary	Walsh

Wamp Westmoreland
Weldon (FL) Whitfield
Weldon (PA) Wicker
Weller Wilson (NM)

NOES—195

Abercrombie Green, Gene
Ackerman Grijalva
Allen Gutierrez
Andrews Harman
Baca Hastings (FL)
Baird Herseth
Baldwin Higgins
Barrow Hinchey
Bean Hinojosa
Becerra Holden
Berkley Holt
Berman Honda
Berry Hooley
Bishop (GA) Hoyer
Bishop (NY) Inslee
Blumenauer Israel
Boren Jackson (IL)
Boswell Jackson-Lee
Boucher (TX)
Boyd Jefferson
Brady (PA) Johnson, E. B.
Brown, Corrine Jones (OH)
Butterfield Kanjorski
Capps Kaptur
Cardin Kennedy (RI)
Cardoza Kildee
Carnahan Kilpatrick (MI)
Carson Kind
Chandler Kucinich
Clay Langevin
Cleaver Lantos
Clyburn Larsen (WA)
Conyers Larson (CT)
Cooper Lee
Costa Levin
Costello Lewis (GA)
Cramer Lipinski
Crowley Lofgren, Zoe
Cuellar Lowey
Cummings Lynch
Davis (AL) Maloney
Davis (CA) Markey
Davis (FL) Marshall
Davis (IL) Matheson
Davis (TN) Matsui
DeFazio McCarthy
DeGette McCollum (MN)
Delahunt McDermott
DeLauro McGovern
Dicks McIntyre
Dingell McKinney
Doggett McNulty
Doyle Meek (FL)
Edwards Meeks (NY)
Emanuel Melancon
Engel Michaud
Eshoo Millender-
Etheridge McDonald
Evans Miller (NC)
Farr Miller, George
Fattah Mollohan
Filner Moore (WI)
Ford Moran (VA)
Frank (MA) Murtha
Gonzalez Nadler
Gordon Napolitano
Green, Al Neal (MA)

NOT VOTING—12

Brown (OH) Gohmert
Capuano Harris
Case Kirk
Cubin Meehan

□ 1145

Messrs. OBEY, HOLDEN, GEORGE MILLER of California, DICKS and HOLT changed their vote from “yea” to “nay.”

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated for:

Mr. KIRK. Mr. Speaker, on rollcall No. 461 I was unavoidably detained. Had I been present, I would have voted “yea.”

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.

RECORDED VOTE

Mr. MCGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 227, noes 195, not voting 10, as follows:

[Roll No. 462]

AYES—227

Aderholt Gilchrest
Akin Gillmor
Alexander Gingrey
Bachus Gohmert
Baker Goode
Barrett (SC) Goodlatte
Barrow Granger
Bartlett (MD) Graves
Barton (TX) Green (WI)
Bass Gutknecht
Beauprez Hall
Pitts
Biggart Hart
Bilbray Hastings (WA)
Bilirakis Hayes
Bishop (UT) Hayworth
Blackburn Hefley
Blunt Hensarling
Boehlert Herger
Boehner Hobson
Bonilla Hoekstra
Bonner Hostettler
Bono Hulshof
Boozman Hunter
Boustany Hyde
Bradley (NH) Inglis (SC)
Brady (TX) Issa
Brown (SC) Istook
Jenkins Jones (NC)
Jindal Keller
Johnson (CT) Kelly
Johnson (IL) Kennedy (MN)
Johnson, Sam King (IA)
Jones (NC) King (NY)
Kingston King
Kirk
Kline
Knollenberg
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCauley (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons

Abercrombie Grijalva
Ackerman Gutierrez
Allen Harman
Andrews Hastings (FL)
Baca Herseth
Baird Higgins
Baldwin Hinchey
Bean Hinojosa
Becerra Holden
Berkley Holt
Berman Honda
Berry Hooley
Bishop (GA) Hoyer
Bishop (NY) Inslee
Blumenauer Israel
Boren Jackson (IL)
Boswell Jackson-Lee
Boucher (TX)
Boyd Jefferson
Brady (PA) Johnson, E. B.
Brown, Corrine Jones (OH)
Butterfield Kanjorski
Capps Kaptur
Cardin Kennedy (RI)
Cardoza Kildee
Carnahan Kilpatrick (MI)
Carson Kind
Chandler Kolbe
Clay Kucinich
Cleaver Langevin
Clyburn Lantos
Conyers Larsen (WA)
Cooper Larson (CT)
Costa Lee
Costello Levin
Cramer Lewis (GA)
Crowley Lipinski
Cuellar Lofgren, Zoe
Cummings Lowey
Davis (AL) Lynch
Davis (CA) Maloney
Davis (FL) Markey
Davis (IL) Marshall
Davis (TN) Matheson
DeFazio Matsui
DeGette McCarthy
Delahunt McCollum (MN)
DeLauro McDermott
Dicks McGovern
Dingell McIntyre
Doggett McKinney
Doyle McNulty
Edwards Meek (FL)
Emanuel Meeks (NY)
Engel Melancon
Eshoo Michaud
Etheridge Millender-
Evans McDonald
Farr Miller (NC)
Fattah Miller, George
Filner Mollohan
Ford Waxman
Frank (MA) Moran (VA)
Gonzalez Murtha
Gordon Nadler
Green, Al Napolitano
Green, Gene Neal (MA)

NOT VOTING—10

Brown (OH) Harris
Capuano Meehan
Case Moore (KS)
Cubin Ney

□ 1154

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.

MILITARY PERSONNEL FINANCIAL SERVICES PROTECTION ACT

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the Senate bill, S. 418.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky (Mr.

DAVIS) that the House suspend the rules and pass the Senate bill, S. 418, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 418, nays 3, not voting 11, as follows:

[Roll No. 463]

YEAS—418

Abercrombie	Davis (CA)	Honda
Ackerman	Davis (FL)	Hooley
Aderholt	Davis (IL)	Hoestettler
Akin	Davis (KY)	Hoyer
Alexander	Davis (TN)	Hulshof
Allen	Davis, Jo Ann	Hunter
Andrews	Davis, Tom	Hyde
Baca	Deal (GA)	Inglis (SC)
Bachus	DeFazio	Inslee
Baird	DeGette	Israel
Baker	Delahunt	Issa
Baldwin	DeLauro	Istook
Barrett (SC)	Dent	Jackson (IL)
Barrow	Diaz-Balart, L.	Jackson-Lee
Bartlett (MD)	Diaz-Balart, M.	(TX)
Barton (TX)	Dicks	Jefferson
Bass	Dingell	Jenkins
Bean	Doggett	Jindal
Beauprez	Doolittle	Johnson (CT)
Becerra	Doyle	Johnson (IL)
Berkley	Drake	Johnson, E. B.
Berman	Dreier	Johnson, Sam
Berry	Duncan	Jones (NC)
Biggert	Edwards	Jones (OH)
Bilbray	Ehlers	Kanjorski
Bishop (GA)	Emanuel	Kaptur
Bishop (NY)	Emerson	Keller
Bishop (UT)	Engel	Kelly
Blackburn	English (PA)	Kennedy (MN)
Blumenauer	Eshoo	Kennedy (RI)
Blunt	Etheridge	Kildee
Boehlert	Evans	Kilpatrick (MI)
Boehner	Everett	Kind
Bonilla	Farr	King (IA)
Bonner	Fattah	King (NY)
Bono	Feeney	Kingston
Boozman	Ferguson	Kirk
Boren	Filner	Kline
Boswell	Fitzpatrick (PA)	Knollenberg
Boucher	Foley	Kucinich
Boustany	Forbes	Kuhl (NY)
Boyd	Ford	LaHood
Bradley (NH)	Fortenberry	Langevin
Brady (PA)	Fossella	Lantos
Brady (TX)	Fox	Larsen (WA)
Brown (SC)	Frank (MA)	Larsen (CT)
Brown, Corrine	Franks (AZ)	Latham
Brown-Waite,	Frelinghuysen	LaTourette
Ginny	Gallegly	Leach
Burgess	Garrett (NJ)	Lee
Burton (IN)	Gerlach	Levin
Butterfield	Gibbons	Lewis (CA)
Buyer	Gilchrest	Lewis (GA)
Calvert	Gillmor	Lewis (KY)
Camp (MI)	Gingrey	Linder
Campbell (CA)	Gohmert	Lipinski
Cannon	Gonzalez	LoBiondo
Cantor	Goode	Lofgren, Zoe
Capito	Goodlatte	Lowey
Capps	Gordon	Lucas
Cardin	Granger	Lungren, Daniel E.
Cardoza	Graves	Lynch
Carnahan	Green (WI)	Mack
Carson	Green, Al	Maloney
Carter	Green, Gene	Manzullo
Castle	Grijalva	Marchant
Chabot	Gutierrez	Markey
Chandler	Gutknecht	Marshall
Chocola	Hall	Matheson
Clay	Harman	Matsui
Cleaver	Hart	McCarthy
Clyburn	Hastings (FL)	McCaul (TX)
Coble	Hastings (WA)	McCollum (MN)
Cole (OK)	Hayes	McCotter
Conaway	Hayworth	McCreery
Conyers	Hefley	McDermott
Cooper	Hensarling	McGovern
Costa	Herger	McHenry
Costello	Herseth	McHugh
Cramer	Higgins	McIntyre
Crenshaw	Hinchee	McKeon
Crenshaw	Hinojosa	McKinney
Cuellar	Hobson	McMorris
Culberson	Hoekstra	Rodgers
Cummings	Holden	Holt
Davis (AL)	Holt	McNulty

Meek (FL)	Putnam	Sodrel
Meeks (NY)	Radanovich	Solis
Melancon	Rahall	Souder
Mica	Ramstad	Spratt
Michaud	Rangel	Stark
Millender-	Regula	Stearns
McDonald	Rehberg	Stupak
Miller (FL)	Reichert	Sullivan
Miller (MI)	Renzi	Sweeney
Miller (NC)	Reyes	Tancredo
Miller, Gary	Reynolds	Tanner
Miller, George	Rogers (AL)	Tauscher
Mollohan	Rogers (KY)	Taylor (MS)
Moore (WI)	Rogers (MI)	Taylor (NC)
Moran (KS)	Rohrabacher	Terry
Moran (VA)	Ros-Lehtinen	Thomas
Murphy	Ross	Thompson (CA)
Murtha	Rothman	Thompson (MS)
Murphy	Royal-Allard	Thornberry
Myrick	Royce	Tiahrt
Nadler	Ruppersberger	Tiberi
Napolitano	Rush	Tierney
Neal (MA)	Ryan (WI)	Towns
Neugebauer	Ryun (KS)	Turner
Northup	Sabo	Udall (CO)
Norwood	Salazar	Udall (NM)
Nunes	Sánchez, Linda T.	Upton
Nussle	Sanchez, Loretta	Van Hollen
Obeyer	Sanders	Velázquez
Olver	Saxton	Visclosky
Ortiz	Schakowsky	Walden (OR)
Osborne	Schiff	Walsh
Otter	Schmidt	Wamp
Owens	Schwartz (PA)	Wasserman
Oxley	Schwarz (MI)	Schultz
Pallone	Scott (GA)	Waters
Pascrell	Scott (VA)	Watson
Pastor	Sensenbrenner	Watt
Payne	Serrano	Waxman
Pearce	Sessions	Weiner
Pelosi	Shadegg	Weldon (FL)
Pence	Shaw	Weldon (PA)
Peterson (MN)	Shays	Weller
Peterson (PA)	Sherman	Westmoreland
Petri	Sherwood	Wexler
Pickering	Shimkus	Whitfield
Pitts	Shuster	Wicker
Platts	Simmons	Wilson (NM)
Poe	Simpson	Wilson (SC)
Pombo	Skelton	Wolf
Pomeroy	Slaughter	Woolsey
Porter	Smith (NJ)	Wu
Price (GA)	Smith (TX)	Wynn
Price (NC)	Smith (WA)	Young (AK)
Pryce (OH)	Snyder	Young (FL)

NAYS—3

Flake	Kolbe	Paul
Bilirakis	Cubin	Ney
Brown (OH)	Harris	Ryan (OH)
Capuano	Meehan	Strickland
Case	Moore (KS)	

□ 1208

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the Senate bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BILIRAKIS. Mr. Speaker, I did not have the opportunity to cast a recorded vote on S. 418. Had I been present, I would have voted "yea."

BORDER TUNNEL PREVENTION ACT OF 2006

Mr. SENSENBRENNER. Madam Speaker, pursuant to House Resolution 1018, I call up the bill (H.R. 4830) to amend chapter 27 of title 18, United States Code, to prohibit the unauthorized construction, financing, or reckless permitting (on one's land) the construction or use of a tunnel or sub-

terranean passageway between the United States and another country, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4830

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Border Tunnel Prevention Act of 2006".

SEC. 2. CONSTRUCTION OF BORDER TUNNEL OR PASSAGE.

(a) IN GENERAL.—Chapter 27 of title 18, United States Code, is amended by adding at the end the following:

"§ 554. Border tunnels and passages

"(a) Any person who knowingly constructs or finances the construction of a tunnel or subterranean passage that crosses the international border between the United States and another country, other than a lawfully authorized tunnel or passage known to the Secretary of Homeland Security and subject to inspection by the Bureau of Immigration and Customs Enforcement, shall be imprisoned for not more than 20 years.

"(b) Any person who recklessly permits the construction or use of a tunnel or passage described in subsection (a) on land that the person owns or controls shall be imprisoned for not more than 10 years.

"(c) Any person who uses a tunnel or passage described in subsection (a) to unlawfully smuggle an alien, goods (in violation of section 545), controlled substances, weapons of mass destruction (including biological weapons), or a member of a terrorist organization (as defined in section 212(a)(3)(B)(vi) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(vi))) shall be subject to twice the penalty that would have otherwise been imposed had the unlawful activity not made use of such a tunnel or passage."

(b) CLERICAL AMENDMENT.—The table of sections for chapter 27 of title 18, United States Code, is amended by adding at the end the following:

"554. Border tunnels and passages."

(c) CRIMINAL FORFEITURE.—Section 982(a)(6) of title 18, United States Code, is amended by inserting "554," before "1425,"

SEC. 3. DIRECTIVE TO THE UNITED STATES SENTENCING COMMISSION.

(a) IN GENERAL.—Pursuant to its authority under section 994 of title 28, United States Code, and in accordance with this section, the United States Sentencing Commission shall promulgate or amend sentencing guidelines to provide for increased penalties for persons convicted of offenses described in section 554 of title 18, United States Code, as added by section 1.

(b) REQUIREMENTS.—In carrying out this section, the United States Sentencing Commission shall—

(1) ensure that the sentencing guidelines, policy statements, and official commentary reflect the serious nature of the offenses described in section 554 of title 18, United States Code, and the need for aggressive and appropriate law enforcement action to prevent such offenses;

(2) provide adequate base offense levels for offenses under such section;

(3) account for any aggravating or mitigating circumstances that might justify exceptions, including—

(A) the use of a tunnel or passage described in subsection (a) of such section to facilitate other felonies; and

(B) the circumstances for which the sentencing guidelines currently provide applicable sentencing enhancements;

(4) ensure reasonable consistency with other relevant directives, other sentencing guidelines, and statutes;

(5) make any necessary and conforming changes to the sentencing guidelines and policy statements; and

(6) ensure that the sentencing guidelines adequately meet the purposes of sentencing set forth in section 3553(a)(2) of title 18, United States Code.

The SPEAKER pro tempore (Mrs. EMERSON). Pursuant to House Resolution 1018, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Michigan (Mr. CONYERS) each will control 30 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. SENSENBRENNER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4830, currently under consideration.

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

There was no objection.

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

Madam Speaker, I rise in support of H.R. 4830, the Border Tunnel Prevention Act of 2006, to prohibit the construction and use of border tunnels for the purposes of smuggling.

For over a decade, drug cartels and "coyotes" have used border tunnels to smuggle illicit drugs and illegal immigrants into the United States. Border tunnels range from rudimentary gopher holes to more sophisticated tunnels equipped with electricity, ventilation and even rails for electric carts. These tunnels have been used to penetrate both our northern and southern borders. Fifty tunnels have been discovered along the southwest border since 1990, and 36 of them have been unearthed in just the last 5 years.

This January, a joint investigation between the U.S. and Mexican law enforcement led to the discovery of a narcotics smuggling tunnel just east of the Otay Mesa, California, port of entry. Authorities seized nearly two tons of marijuana. The tunnel, approximately 86 feet deep and nearly three-quarters of a mile long, began inside a small warehouse in Otay Mesa, Mexico, and ended inside a vacant warehouse in San Diego, California.

In 2005, Federal agents discovered a 360-foot tunnel between British Columbia, Canada, and Washington State. This tunnel was also used for illegal drug trafficking, though DEA agents noticed that it could easily have been used to smuggle persons or to facilitate terrorism. We were reminded again of the growing problem just a few days ago when another drug smuggling border tunnel was discovered between California and Mexico.

Despite the clearly illegal purposes of these border tunnels, efforts to fully and effectively prosecute the smug-

glers are hampered by the fact that it is not a crime to construct, finance, or use a border tunnel. If there is insufficient evidence to prosecute these individuals for drug smuggling or alien trafficking, there are virtually no consequences for the criminal organizations that build and use these tunnels.

The Border Tunnel Prevention Act plugs this glaring loophole. The bill criminalizes the construction or financing of a tunnel or subterranean passage across our international border. An individual prosecuted under this offense faces a penalty of up to 20 years in prison. Additionally, any person convicted of using a tunnel or subterranean passage to smuggle aliens, weapons, drugs, terrorists, or illegal goods will be punished by doubling the sentence for the underlying offense.

The bill also provides for the forfeiture of assets or property traceable to the construction or use of a border tunnel and instructs the sentencing commission to adopt guidelines that properly reflect the severity of this offense.

Madam Speaker, the bill is supported by Members from both sides of the aisle. This legislation provides a critical tool for protecting our national security and combating the drug and alien smuggling that plagues our borders. I urge my colleagues to support it.

Madam Speaker, I reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I am pleased to yield such time as he may consume to the gentleman from Mississippi (Mr. THOMPSON), the ranking member of the Homeland Security Committee.

Mr. THOMPSON of Mississippi. Madam Speaker, it is with great disappointment that I stand before you today to discuss a bill that fails once again to provide us with a comprehensive approach to handling border security.

Last week, Republicans introduced a border fence bill which was exactly what they voted against in December 2005. Today we are going to discuss three bills already considered by this body. In other words, the Republican leadership is forcing us to participate in their cheap political gambit to mislead the public. Simply put, the Republicans have morphed from a "do-nothing" Congress to a "do-over" Congress. Unfortunately, we continue to have a long way to go, and we will get nowhere with this piecemeal approach they are masterminding.

□ 1215

The Bush administration has had almost 6 years, and the Republican Congress 11 years, to secure the border.

Since 9/11, House Republicans rejected eight Democratic amendments to enhance border security resources. If these Democratic amendments had been adopted, there would be 6,600 more Border Patrol agents, 14,000 more detention beds, and 2,700 more immigra-

tion agents along our borders that now exist.

On December 16, 2005, all 218 House Republicans voting that day opposed a Democratic motion to recommit to H.R. 4437 to improve border security and immigration enforcement by fulfilling the 9/11 Commission's border security recommendations.

Fifty days before election day, the House Republican leadership has scheduled votes on bills we have already voted on. As usual, Republicans are all talk, but cheap on action to securing the border. Last week they voted on a border fence bill, but refused to provide the money needed to build a 700-mile fence along the Texas-Mexico border.

If Republicans were serious, they would have moved forward with a House-Senate conference that protects United States borders, strengthens our Nation's security and addresses the Nation's immigration problems comprehensively. Instead, they spent the summer conducting 22 sham hearings across the Nation.

Republicans talk about the fence as if it is the sole solution. Meanwhile, on September 15, DEA agents discovered yet another tunnel located beneath a residence in Calexico, California, and extending approximately 400 feet to a residence in Mexicali, Mexico.

We are spending \$1.5 billion per week in Iraq, but the Republican leadership will not even commit to funding to secure our Nation's borders.

Democrats do not want to pass the buck on State and local governments to enforce immigration laws simply while the Republican-led Congress and administration fail to properly fund border security officers. States and localities are already robbing Peter to pay Paul by using a huge amount of their homeland security grant funding to secure the border, purchase communications equipment, and fortify bridges, ports and buildings.

Democrats do not want to stay the course on President Bush and the Republicans' failed border enforcement.

Madam Speaker, we need a comprehensive border security and immigration plan, not a piecemeal plan.

Mr. SENSENBRENNER. Madam Speaker, I yield myself ½ minute.

Madam Speaker, we hear complaints all the time about the fact that Republicans are not acting. We are acting today. We acted in December. We acted last week on the fence. We see the Democrat actions. All they do is say no, no, no, no.

They are not where the American people are. They are not where our priorities ought to be. The Senate has not messaged their bill, even though they passed it in May. We are running out of time in this Congress. The American people say border security first.

Madam Speaker, I yield 3 minutes to the gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Madam Speaker, I thank the chairman of the Judiciary Committee for the recognition.

I come to the well of the House to politely but profoundly take issue with my friend from Mississippi. You see, party labels do not ensure unanimity any more than trying to cast the challenge we confront as a people through a partisan prism.

I come to the floor of this House to reiterate the basic concern confronting us. The problem we are dealing with at the border is not a Democratic problem. It is not a Republican problem. It is an American problem. And, Madam Speaker, I politely take issue with my friend from Mississippi when he says a comprehensive approach is needed.

The trouble with that notion is that despite the goodwill and best intentions of many, regardless of party affiliation, so-called comprehensive reform subordinates the first and most basic responsibility of government, protection of our citizens to an economic exception of amnesty and special considerations for noncitizens.

To this provision before the House today, which I am proud to bring forward, again from bipartisan concerns, as noted earlier in another debate, the chairman of the Rules Committee mentioned that it was bipartisan, the senior Senator from his State happens to be a Democrat, working with the chairman of the Rules Committee, a Republican; my junior Senator from my State, working with me on this because it is an American problem. The chairman pointed out that there is currently a hole in the law as genuine as some of the holes in our border.

We have to criminalize the financing and construction of border-crossing tunnels that currently serve as smuggler subways and actually promote illegal access to our country. The chairman delineated the threat. Now we see contraband, we see narcotics brought through these tunnels, but the real question before this House and before the American people is this: If narcotics can be smuggled, what of a weapon of mass destruction? Just as assuredly as the House passed the fence bill last week and the other Chamber takes it up in the coming days to move forward, believe me, there will be intense and renewed interest in using subterranean facilities.

We must pass this bill today as part and parcel of what the American people are calling for, and they are calling for enforcement first. Pass this legislation. Let's get this done.

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

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

Mr. CONYERS. While my neighbor and friend J.D. HAYWORTH is on the floor, let me gain his attention for just a moment. I am sorry that you do not want a comprehensive bill. Most people do in the Congress. And I would like you to respond to this inquiry: Were there hearings held on this bill in the Homeland Security Committee?

Mr. HAYWORTH. Madam Speaker, will the gentleman yield?

Mr. CONYERS. I yield to the gentleman from Arizona.

Mr. HAYWORTH. Madam Speaker, I am not a custodian of the hearing record in the United States House of Representatives, any more than the gentleman is, no matter the—

Mr. CONYERS. So, in other words, you do not know.

Mr. HAYWORTH. Would the gentleman let me attempt to answer the question?

Mr. CONYERS. No. Let us ask the gentleman another question—

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Will the gentleman suspend?

Mr. CONYERS. Yes, ma'am.

The SPEAKER pro tempore. The gentleman from Michigan has the time. Members may not interject remarks in debate unless they have been recognized or yielded to for such purposes, and a Member under recognition should be allowed to yield and reclaim time in an orderly fashion.

The gentleman may continue.

Mr. CONYERS. Madam Speaker, thank you.

That was for your benefit.

Now, let me ask you another question. Were there Judiciary hearings, even though you are not a custodian of the record? Well, I can answer that one for you. I think you ought to listen to the Madam Speaker a little bit more. You cannot speak on the floor. I know you have been here a while. You cannot interrupt a speaker unless you are yielded to. And I would—

Mr. HAYWORTH. Madam Speaker, will the gentleman yield?

Mr. CONYERS. I would be very happy to yield to answer my question.

Mr. HAYWORTH. Madam Speaker, I would answer his question with an interrogative of my own. Is the gentleman aware of the extensive hearings held this summer by many different Members of the House outside Washington, D.C.—

Mr. CONYERS. Is the answer yes or no?

Mr. HAYWORTH. Equally as valid as any committee hearings held in Washington, D.C., no matter the jurisdiction?

Mr. CONYERS. Taking my time back, I assume that the gentleman knows that the Judiciary Committee did not hold hearings either.

And so we have this very urgent, important bill that has not had one hearing anywhere that I know of, and I think it explains something about the gentleman from Arizona's comment about what the American people want.

Because in today's newspaper, I am reading that only 25 percent in a poll voice approval of the Congress, an echo of 1994 findings. Links to special interests are cited. Standing of Bush also lags.

So I do not know if we are doing what the people really want that much. I think it is because we are not doing

what the people want and are not moving an immigration bill which has passed this House, the counterpart has passed in the Senate, and we have not gone to conference yet. Somebody in the course of this discussion and debate ought to be able to explain why that is.

Madam Speaker, I reserve the balance of my time.

Mr. SENSENBRENNER. Madam Speaker, I yield myself 1 minute.

First of all, the gentleman from Michigan says that we have not had any hearings in the Judiciary Committee. Since I became the chairman, we have had 68 hearings on the need to strengthen border security and enforcement of immigration law, and I will include the list of all 68 hearings in the RECORD at this point.

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Immigration, Border Security, and Claims 7-27-2006 Oversight—Oversight Hearing on "Whether Attempted Implementation of the Senate Immigration Bill Will Result in an Administrative and National Security Nightmare."

Immigration, Border Security, and Claims 7-18-2006 Oversight—Oversight Hearing on "Should We Embrace the Senate's Grant of Amnesty to Millions of Illegal Aliens and Repeat the Mistakes of the Immigration Reform and Control Act of 1986?"

Immigration, Border Security, and Claims 6-22-2006 Oversight—Oversight Hearing on "Is the Labor Department Doing Enough to Protect U.S. Workers?"

Immigration, Border Security, and Claims 6-8-2006 Oversight—Oversight Hearing on "The Need to Implement WHTI to Protect U.S. Homeland Security."

Immigration, Border Security, and Claims 5-18-2006 Hearing—Legislative Hearing on H.R. 4997, the "Physicians for Underserved Areas Act".

Immigration, Border Security, and Claims 3-30-2006 Oversight—Oversight Hearing on "Should Congress Raise the H-IB Cap?"

Immigration, Border Security, and Claims 3-2-2006 Oversight—Joint Oversight Hearing on "Outgunned and Outmanned: Local Law Enforcement Confronts Violence Along the Southern Border."

Immigration, Border Security, and Claims 11-17-2005 Oversight—Oversight Hearing on "How Illegal Immigration Impacts Constituencies: Perspectives from Members of Congress (Part II)."

Immigration, Border Security, and Claims 11-17-2005 Oversight—Joint Oversight Hearing on "Weak Bilateral Law Enforcement Presence at the U.S.-Mexico Border: Territorial Integrity and Safety Issues for American Citizens."

Immigration, Border Security, and Claims 11-10-2005 Oversight—Oversight Hearing on "How Illegal Immigration Impacts Constituencies: Perspectives from Members of Congress (Part I)."

Immigration, Border Security, and Claims 9-29-2005 Oversight—Oversight Hearing on "Dual Citizenship, Birthright Citizenship, and the Meaning of Sovereignty."

Immigration, Border Security, and Claims 9-15-2005 Oversight—Oversight Hearing on: "Sources and Methods of Foreign Nationals Engaged in Economic and Military Espionage." (Classified portion of hearing begins at 1 p.m.)

Immigration, Border Security, and Claims 9-15-2005 Oversight—CONTINUATION OF UNCLASSIFIED PORTION OF Oversight—Hearing on: "Sources and Methods of Foreign Nationals Engaged in Economic and Military Espionage."

Immigration, Border Security, and Claims 9-8-2005 Markup Subcommittee on Immigration, Border Security & Claims—Markup of H.R. 1219, the “Security and Fairness Enhancement for America Act of 2005.”

Immigration, Border Security, and Claims 7-28-2005 Markup Subcommittee on Immigration, Border Security & Claims Markup of H.R. 1219, the “Security and Fairness Enhancement for America Act of 2005.”

Immigration, Border Security, and Claims 6-30-2005 Oversight—Oversight Hearing on “Immigration Removal Procedures Implemented in the Aftermath of the September 11th Attacks.”

Immigration, Border Security, and Claims 6-28-2005 Hearing Legislative Hearing on H.R. 2933, the “Alien Gang Removal Act of 2005.”

Immigration, Border Security, and Claims 6-21-2005 Oversight—Oversight Hearing on the “Lack of Worksite Enforcement & Employer Sanctions.”

Immigration, Border Security, and Claims 6-15-2005 Oversight—Oversight Hearing on the “Diversity Visa Program.”

Immigration, Border Security, and Claims 5-12-2005 Hearing Legislative Hearing on H.R. 98, the “Illegal Immigration Enforcement and Social Security Protection Act of 2005.”

Immigration, Border Security, and Claims 5-5-2005 Oversight—Oversight Hearing on the “New ‘Dual Missions’ of the Immigration Enforcement Agencies.”

Immigration, Border Security, and Claims 5-4-2005 Oversight—Oversight Hearing on “New Jobs in Recession and Recovery: Who are Getting Them and Who are Not?”

Immigration, Border Security, and Claims 4-21-2005 Oversight—Oversight Hearing on “October 2005 Statutory Deadline for Visa Waiver Program Countries to Produce Security Passports: Why It Matters to Homeland Security.”

Immigration, Border Security, and Claims 4-13-2005 Oversight—Oversight Hearing on “Immigration and the Alien Gang Epidemic: Problems and Solutions.”

Immigration, Border Security, and Claims 3-10-2005 Oversight—Oversight Hearing on “Interior Immigration Enforcement Resources.”

Immigration, Border Security, and Claims 3-3-2005 Oversight—Oversight Hearing on the “Immigration Enforcement Resources Authorized in the Intelligence Reform and Terrorism Prevention Act of 2004.”

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Immigration, Border Security, and Claims 6-23-2004 Oversight—Oversight Hearing on “Families and Businesses in Limbo: The Detrimental Impact of the Immigration Backlog.”

Immigration, Border Security, and Claims 6-17-2004 Oversight—Oversight Hearing on “Families & Businesses in Limbo: The Detrimental Impact of the Immigration Backlog.”

Immigration, Border Security, and Claims 6-3-2004 Markup—Subcommittee Markup on H.R. 4453, the “Access to Rural Physicians Improvement Act of 2004.”

Immigration, Border Security, and Claims 5-18-2004 Oversight—Oversight Hearing on “Pushing the Border Out on Alien Smuggling: New Tools and Intelligence Initiatives.”

Immigration, Border Security, and Claims 4-29-2004 Oversight—Oversight Hearing on the “Diversity Visa Program, and its Susceptibility to Fraud and Abuse.”

Immigration, Border Security, and Claims 4-1-2004 Hearing—Legislative Hearing on H.R. 3191, To prescribe the oath of renunciation and allegiance for purposes of the Immigration and Nationality Act.

Immigration, Border Security, and Claims 3-24-2004 Oversight—Oversight Hearing on

“How Would Millions of Guest Workers Impact Working Americans and Americans Seeking Employment?”

Immigration, Border Security, and Claims 3-18-2004 Oversight—Oversight Hearing on “US VISIT: A Down Payment on Homeland Security.”

Immigration, Border Security, and Claims 3-11-2004 Oversight—Oversight Hearing on “Funding for Immigration in the President’s 2005 Budget.”

Immigration, Border Security, and Claims 3-4-2004 Oversight—Oversight Hearing on “Alien Removal Under Operation Predator.”

Immigration, Border Security, and Claims 2-25-2004 Oversight—Oversight Hearing on “Funding for Immigration in the President’s 2005 Budget.”

Immigration, Border Security, and Claims 10-30-2003 Oversight—Oversight Hearing on the “Prospects for American Workers: Immigration’s Impact.”

Immigration, Border Security, and Claims 10-16-2003 Oversight—Oversight Hearing on “Visa Overstays: A Growing Problem for Law Enforcement.”

Immigration, Border Security, and Claims 10-1-2003 Hearing—Legislative Hearing on H.R. 2671, the “Clear Law Enforcement for Criminal Alien Removal Act of 2003” (CLEAR Act).

Immigration, Border Security, and Claims 9-11-2003 Oversight—Oversight Hearing on “Should There Be a Social Security Totalization Agreement with Mexico?”

Immigration, Border Security, and Claims 7-15-2003 Markup—Subcommittee Markup of H.R. 2152, To amend the Immigration and Nationality Act to extend for an additional 5 years the special immigrant religious worker program.

Immigration, Border Security, and Claims 7-11-2003 Oversight—Oversight Hearing on “Immigration Relief Under the Convention Against Torture for Serious Criminals and Human Rights Violators.”

Immigration, Border Security, and Claims 6-26-2003 Oversight—Oversight Hearing on “The Federal Government’s Response to the Issuance and Acceptance in the U.S. of Consular Identification Cards.”

Immigration, Border Security, and Claims 6-24-2003 Oversight—Oversight Hearing on “The Deadly Consequences of Illegal Alien Smuggling.”

Immigration, Border Security, and Claims 6-19-2003 Oversight—Oversight Hearing on “The Issuance, Acceptance, and Reliability of Consular Identification Cards.”

Immigration, Border Security, and Claims 5-13-2003 Oversight—Oversight Hearing on “John Allen Muhammad, Document Fraud, and the Western Hemisphere Passport Exception.”

Immigration, Border Security, and Claims 5-8-2003 Oversight—Oversight Hearing on “War on Terrorism: Immigration Enforcement Since September 11, 2001.”

Immigration, Border Security, and Claims 5-6-2003 Hearing—Legislative Hearing on H.R. 1714, H.R. 1275, H.R. 1799, H.R. 1814, and H.R. 1685, the “House Military Naturalization Bills.”

Immigration, Border Security, and Claims 4-10-2003 Oversight—Oversight Hearing on “Department of Homeland Security Transition: Bureau of Immigration and Customs Enforcement.”

Immigration, Border Security, and Claims 4-2-2003 Oversight, Oversight Hearing on “Immigration Student Tracking: Implementation and Proposed Modifications.”

Immigration, Border Security, and Claims 2-27-2003 Oversight, Oversight Hearing on “New York City’s ‘Sanctuary’ Policy and the Effect of Such Policies on Public Safety, Law Enforcement, and Immigration.”

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“Immigration and Naturalization Service and the Executive Office for Immigration Review”, 5-15-2001 Oversight Hearing

“Guestworker Visa Programs”, 6-19-2001

“United States Population and Immigration”, 8-2-2001

“Using Information Technology to Secure America’s Borders: INS Problems with Planning and Implementation,” 10-11-2001

“Immigration and Naturalization Service Performance: An Examination of INS Management Problems,” 10-17-2001

“A Review of Department of Justice Immigration Detention Policies,” 12-19-2001

“The Operations of the Executive Office for Immigration Review,” 2-6-2001

“Implications of Transnational Terrorism and the Argentine Economic Collapse for the Visa Waiver Program,” 2-28-2001

“The INS’ March 2002 Notification of the Approval of Pilot Training Status for Terrorist Hijackers Mohammed Atta and Marwan Al-Shehhi”, 3-19-2001

“Immigration and Naturalization Service and Office of Special Counsel for Immigration Related Unfair Employment Practices,” 3-21-2001

The INS’ Interior Enforcement Strategy, 6-19-2002

Risk to Homeland Security from Identity Fraud and Identity Theft (Held jointly with the Subcommittee on Crime, Terrorism, and Homeland Security), 6-25-2002

“Role of Immigration in the Proposed Department of Homeland Security pursuant to H.R. 5005, the Homeland Security Act of 2002.”

“The INS’s Implementation of the Foreign Student Tracking Program,” 9-18-2002

“Preserving the Integrity of Social Security Numbers and Preventing Their Misuse by Terrorists and Identity Thieves (Held jointly with the Subcommittee on Social Security of the Committee on Ways and Means),” 9-19-2002

“The INS’s Interactions with Hesham Mohamed Mohamed Ali Hedayet,” 10-9-2002

“United States and Canada Safe Third Country Agreement,” 10-16-2002

Secondly, again, this Congress is running out of time. It is not the fault of anybody in the House of Representatives why a conference has not been created. We cannot set up a conference without the other body sending papers to us. They have not sent us the papers on the bill that they passed in May. Once the papers are here, then somebody can make a motion to send the bill to conference, but until the papers are here, there is nothing to send to conference.

On the other hand, when we passed our immigration bill last December, the papers had been sitting over in the other body. They can set up the conference merely by taking up the House-passed bill, striking out all after the enacting clause, inserting the Senate text and asking for a conference. They have not done it.

Madam Speaker, I yield 3 minutes to the gentleman from Indiana (Mr. SOUDER).

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

Mr. SOUDER. Madam Speaker, first off, I have had hearings on this very subject, not as a whole, but because certain gentlemen may only be absorbed in their own realm and may not

realize that there is a narcotics subcommittee on drug policy and criminal justice. We have had multiple hearings on the border over the past few years, multiple.

It has been brought to the attention in a bipartisan way about this problem with tunnels, and I am thrilled that the Judiciary Committee chairman has brought this bill. There have been 50 of these tunnels, 51 now with the new one just recently. There is a huge problem in the narcotics area.

The reason it is primarily an issue in the narcotics area is because of the cost of building these tunnels, because of the engineering, particularly the ones with lighting and ventilation, that go between warehouse to warehouse is so expensive, that you basically want to use it for high-dollar items. The high-dollar items are usually cocaine, heroin, marijuana. Narcoterrorism on the major streets in the United States is coming through these tunnels, and it is about time we dealt with this subject.

Furthermore, it appears, and the DEA believes, that the people who engineer and design these tunnels are then murdered afterwards, and sometimes the tunnels work night and day. The one in January was a larger one and appeared to be working night and day and were discovered; other ones they would only bring open for high-value targets to move through.

Now, a high-value target is in the eyes of the person willing to pay. Yes, cocaine, heroin, and those are the general things moved through, but a high-value target can also be a terrorist. A high-value target can also be someone who is dealing with chemical, biological or nuclear weapons, because they are willing to pay the amount to move through those tunnels. It is more than worth it to the person who built the tunnel to recoup their costs.

This is extremely important. It is a loophole in the law that we need to address.

I also serve on the border subcommittee on Homeland Security. The fact is we are making progress. We are stopping these people. The fact is the DEA, through their hard effort, have found 51 of these tunnels. What we need is a law that holds the people accountable who have done this, and it is that we cannot sit around and wait for the Senate to come back on all this kind of stuff. This should be done now, and the border needs to be secured.

I favor looking at comprehensive, but first seal this border. I thank the chairman for his leadership.

Mr. Speaker, given the more vigorous efforts in recent years to intercept drug traffickers on the high seas, drug-trafficking organizations (DTOs) have clearly shifted their operations to the U.S.-Mexico border. The vast bulk of these drugs are smuggled through the ports of entry and—to a lesser extent—between those ports. Such illegal shipments are difficult to intercept, in part due to the enormous volume of legitimate traffic of people and goods at these locations. But recent dis-

coveries of sub-terranean tunnels crossing the border point to the problem of a growing sophistication and determination of the DTOs to inflict their deadly product on the people of this country, regardless of expense and labor.

As the lead Federal agency tasked with bringing down the DTOs both in this country and abroad, the Drug Enforcement Administration (DEA) is well aware of this threat and has worked ceaselessly to counter it. Working with their Federal, State, local and foreign counterparts, the DEA has worked hard to develop confidential sources in this country and abroad who will provide information leading to the discovery of more of these tunnels.

It is evident from the size and sophistication of recently discovered tunnels that they are linked to some of the largest and most ruthless DTOs operating along our borders. Financial resources to construct and operate these tunnels cost millions of dollars, which are only available to these large-scale organizations. Tunnels discovered by DEA have been equipped with reinforced ceilings, water evacuation and ventilation systems, and even concrete floors. However, the smuggling of drugs through these tunnels can result in a significant return on this investment. As such, the discovery and removal from service of these tunnels significantly disrupts the operations of these organizations which count on these conduits for entry into the U.S. Most importantly, closing down these underground corridors hits the DTOs where it hurts—their bank accounts.

Recent successes have been encouraging. The most ambitious of these was discovered on January 26 of this year, a tunnel which opened into a vacant warehouse just east of the Otay Mesa port of entry in California. A tip from a confidential informant to the Tunnel Task Force—staffed by DEA and Immigration and Customs Enforcement (ICE)—led to the discovery of this tunnel, which started 150 yards south of the border and proceeded an incredible one-half mile into the United States. A DEA investigation determined that the tunnel—which was equipped with electric lighting and ventilation—had probably been operating since November and had been used day and night since its completion to smuggle marijuana and other illegal drugs into the country. Any trucks leaving the warehouse loaded with drugs would have quickly disappeared into the steady and heavy traffic of legitimate goods flowing through that immediate area.

Thanks to the hard work of DEA and other agencies, at least 51 of these tunnels have been discovered and shut down already. Almost all of these are in the San Diego and Tucson sectors of the border. Of note, Federal, state, and local organizations have banded together and fused resources in the establishment of a Tunnel Task Force, which is responsible for bringing to justice those responsible for this threat to our national security. Officers from DEA, ICE, CBP, the San Diego Police Department, Chula Vista Police Department, and the National City Police Department all participate in this endeavor.

But the discovery of a tunnel under the U.S.-Canada border into Washington State shows that our northern border can also be threatened by this new smuggling tactic. DEA agents working with their counterparts in the Royal Canadian Mounted Police discovered the 360-foot long tunnel after setting up secret surveillance on the American side in early

July. Three Canadian citizens were recorded moving large bags through the tunnel which later were found to contain heavy loads of marijuana and ecstasy. These individuals were later arrested, pled guilty to various offenses and were sentenced to nine years in Federal prison.

Finally, we can hardly forget that the terrorists who attacked us on September 11, 2001 did so under false pretenses. We have increased our security considerably since then, and this undoubtedly makes the possibility of entering this country through one of these tunnels a more attractive proposition for potential terrorists. While the DTOs are not likely to use their tunnels for smuggling average illegal immigrants, they might allow them to be used by special-interest aliens for the right price. Therefore, we can be thankful for all the efforts of DEA and other agencies to detect and shut down these tunnels before they lead to catastrophic harm to our people.

Mr. Speaker, the problems of cross-border tunnels is urgent and growing, and we would be shirking our duty to the people if we dither any more. We don't need to study and ponder the challenge any longer. We need to pass this bill now and give Federal agencies like DEA stronger leverage in going after those people who seek to use this insidious method to smuggle dangerous narcotics and—potentially—dangerous people into our country.

□ 1230

Mr. CONYERS. Madam Speaker, I now yield with pleasure to the ranking member of the Judiciary Subcommittee on Immigration, Ms. SHEILA JACKSON-LEE, as much time as she may consume.

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Madam Speaker, the gentleman from Michigan has been waging a valiant defense, if you will, of the ongoing efforts that we have made to confront this issue.

Might I take some of my time to correct the record. A good friend of mine who was just here on the floor did not want to answer some very simple questions. And you need not be the custodian of any records to know whether there have been specific hearings in the Homeland Security Committee on these bills. I am a member of that committee, and the answer is absolutely not. That is regular order. We do that not to hear ourselves talk; we do that so the American people can have a truly vetted bill that really addresses the question that you are concerned about. Then, if we want to know whether they have been in front of the Judiciary Committee, they have not. So we have not had an opportunity to determine the concreteness, if you will, of these bills and whether or not they will work.

The other aspect of it, let me let you attend to this factor, these are authorizing bills. None of these will go anywhere if they are not appropriated, if there are funds that are not appropriated. And that has been the general issue.

I listened to the eloquence of my friend from Indiana, and I agree with

him. There is no debate here on the floor regarding the criminalizing of those who build a tunnel. That is a commonsense, no-debate question. If you have a tunnel, and those who build it, many of the individuals who do it are coming across for criminal reasons, drug smugglers and others, then we should have some response.

But what we do today is only isolated today. There is no question that we have delayed and delayed and delayed and delayed the work of this House and this Senate and this body. We have delayed it because we passed 2, 3, 4 months ago comprehensive immigration reform. You may not have liked the bill out of the House, you may have voted for it or voted against it, but it did pass. You may not have liked the Senate bill. You may have voted "yes" or "no," but it passed. Regular order.

And I want to correct the record. Over and over again we hear: we can't do our job because they haven't sent papers. Well, my question is, did they not send papers on the Iraq resolution and we didn't resolve it? Did they not send papers on the Medicare bill? This is a paper response. This is a straw man's response.

Let me tell you what is being discussed. In the Senate bill there are what we call fee enhancers or tax provisions. The only authorizing entity that can increase taxes is the United States House of Representatives. Now, isn't it interesting that the House is controlled by Republicans, the Senate is controlled by Republicans. So, in essence, the Republicans can get together and work it out.

They want to have this conflict because, in fact, one of the Members here, it is alleged, in the House side would blue slip the Senate bill, this is all complicated, and that means they would stop it from going to conference. All of that can be worked out, my friends. That is like a playground squabble between siblings. And we know that it can be worked out. Mother can come to the playground, teacher can stop the siblings. But they want to use that as an excuse so they can frustrate the process and make the American people think we are doing our job.

Even if we pass this bill, which I think it is almost going to be quite a big vote because we are arguing against nothing and we are arguing against something that could have been handled in, if you will, in conference, there is no money. There is no money to do some of the things that many of these bills will be engaged in. And, frankly, that is why we come to the floor with these complaints.

Why not do comprehensive immigration reform, get ourselves in a posture to be able to appropriate immediately even in this session the dollars that we will need to fund comprehensive reform? The Border Tunnel Prevention Act will facilitate the prosecution of people who build or use tunnels across the border illegally. It will not secure our borders. It is not the only thing. I

have seen tunnels, I want them to be thwarted, and I want to make sure we have a system of protection of our borders. And, frankly, we have failed. We have failed that we don't have enough Customs and Border Protection agents so that when you come through the northern border and we note something suspicious and we are at the port of entry and we are in the outside area, there is not enough Custom and Border Protection agents that are there for what we call secondary inspection. That is shame on us.

This Congress, this Republican Congress, has refuted time and time again Democratic amendments that would have generated 14,000 detention beds, increased U.S. marshals, increased Border Patrol agents. It is all falling at the feet of this majority. Now they want to rush to the floor bills that have already been passed, but yet we haven't had any hearings to suggest that there might be some additions we might add. The rule is closed so we couldn't give you any enhanced, maybe we want to have immediate 100,000 detention beds. We couldn't even offer an amendment.

So, my friends, I simply want to suggest as the distinguished ranking member, and I want to thank him for his leadership, he has attended and been eloquent at the field hearings. And I think he would agree with me, in the ones that both of us have attended we were looking for the Americans, if you will. When I say that, we were looking for the people in Detroit, we were looking for the people in Iowa, we are looking for the people in New York; and all we had were witnesses. We appreciate those witnesses, who had been here over and over again in testimony in Washington. So when my good friend the chairman speaks about, and others about, these hearings, let me make it very clear. Whether you were against or for immigration, you are outside the room or you were in the audience. You were not witnesses. I mean, I went to many and there were protesters for and against. We didn't let them speak. And so it is disingenuous to suggest that these hearings heard anything from America.

When I went to Iowa, every single religious leader, bishops of the Lutheran Church, of the Methodist Church, and many others stood against the House bill. They were not allowed to testify. And in Houston, the chairman there played a 1992 tape about violence at the border. Couldn't even have current information.

Lastly, as I close, I have been working on this drug issue and drug violence for a number of years. I sit on the Subcommittee on Crime. I have toured the Caribbean and seen some of the work of our DEA agents. It is unfortunate that we mix drug violence at the border, which does occur, and we need funding of drug enforcement agents with this issue of immigration. Drug dealers use any mode so they may be engaged in smuggling, but that issue

needs its own hard crush of the law, it needs its own separate funding, it needs its own enhancement of drug enforcement agents who are out there working every day and we are underfunding them.

So when we talk about immigration, I go to my seat by simply saying, bring the tunnel prosecution on. This bill was offered by Senator FEINSTEIN on the Senate side. But the method and the methodology is failed. We need comprehensive immigration reform, we need a pathway to citizenship, we need to stop the farce, and we certainly need to stop telling the American people by passing these bills without funding that they are going to be any more secure than they were yesterday.

Democrats put their money where their mouth was and offered any number of amendments since 2004, all to be defeated by this Republican majority. I would think the question needs to be asked, are you serious, or you playing with the minds and hearts of the American people? My belief is that the American people deserve better, and comprehensive immigration reform is the call of the day.

I rise in opposition to the Border Tunnel Prevention Act of 2006, H.R. 4830. The Border Tunnel Prevention Act would make the construction and financing of tunnels crossing the U.S. international border a crime subject to a fine and up to 20 years of imprisonment. Also, landowners who know about or recklessly disregard the construction or use of a border tunnel would be subject to a fine and up to 10 years of imprisonment.

Border tunnels are a problem. A significant number of tunnels have been detected in recent years, and the fences that will be erected pursuant to a recently passed fence bill will result in even more tunnels. I agree that we need to prosecute people involved in building or using them. The question, however, is not whether we should facilitate such prosecutions but whether we should pass such narrowly focused legislation before we have addressed the larger immigration problems.

The Border Tunnel Prevention Act will facilitate the prosecution of people who build or use tunnels to cross the border illegally. It will not secure our borders. If tunnels cannot be built to cross under a fence, the immigrants simply will go around the fence. Instead of voting on H.R. 4830 and other bills that raise a few issues on a piecemeal basis, we should be going to conference to resolve the differences between the House and Senate immigration reform bills that have already passed.

If we fix our broken immigration system and provide a sufficient number of visas for lawful entries, we will not need to worry about tunnels that take people across the border.

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

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

Mr. SENSENBRENNER. Madam Speaker, I yield myself the balance of the time.

I think we ought to get back to what this bill does so that Members are properly advised on how to cast their votes.

What the bill does is to create a criminal offense to prohibit the unauthorized construction, financing, or reckless permitting on one's land the construction or use of a tunnel or subterranean passageway between the United States and another country.

Now, if you want that to be criminal, vote "aye," and if you don't, vote "no." I am going to vote "aye." I hope all the Members do.

Mr. SCHIFF. Madam Speaker, I rise today to express my support for H.R. 4830, the Border Tunnel Prevention Act.

Since September 11th, I have been extremely concerned with the security of our Nation's points of entry and the securing of weapons of mass destruction.

I have worked with my colleagues to establish screening of our air cargo, to deploy radiation detectors at our ports and borders, and to secure nuclear materials throughout the world. Most recently, I have worked with Senators FEINSTEIN and KYL on securing our seaports from terrorist attacks and sabotage, legislation that was signed into law earlier this year.

That is why the discovery in January of this year of a 2,400 foot tunnel near San Diego which was equipped with sophisticated draining, lighting, and pulley systems should shock the conscience of every Member of Congress. In fact, just this week, the U.S. Drug Enforcement Administration announced that they had discovered yet another cross-border drug-smuggling tunnel beneath a private residence in Calexico, California, that extended nearly 400 feet to a house in Mexicali, Mexico.

This is not a California problem or an Arizona problem—it is a national one.

Madam Speaker, all of our other efforts to secure our Nation's points of entry will be futile if this growing national security problem on our borders is not addressed. Although these tunnels have been principally used to smuggle drugs and illegal immigrants, there is nothing preventing their use for the smuggling of chemical, biological, or radiological material. The 9/11 Commission warned against a "failure of imagination", and it takes little to imagine terrorists making use of these holes in our border security.

Since 9/11, U.S. border officials have discovered 40 tunnels along American borders. They range in complexity from short "gopher holes" to massive drug-cartel built passages like the one found near San Diego in January.

We know that terrorists have and will continue to try to enter our country via our borders. The 2000 LAX millennium bomb attack plot was foiled when a terrorist was arrested at the U.S.-Canadian border after crossing by ferry. Customs officials found nitroglycerin and four timing devices concealed in a spare tire well of his automobile.

I am proud to be an original cosponsor to the legislation that we are considering today which would impose a punishment of up to 20 years in prison for individuals who are convicted of constructing or financing a subterranean tunnel under the U.S. border. It would, furthermore, impose a punishment of up to 10 years in prison for anyone who permits others to construct or use an unauthorized tunnel on their land. The bill also doubles penalties for those who use a tunnel or subterranean passage to smuggle aliens, weapons, drugs, terrorists or other illegal goods, and permits the

seizure of assets of anyone involved in the offense, or any property that is traceable to the offense.

While those attempting to enter our country were being closely scrutinized and airline passengers were taking their shoes off or turning over their nail clippers, 40 border tunnels were being constructed in the United States, and thousands of pounds of illegal drugs and illegal aliens were pouring into our country.

Those patrolling our borders believe there is a direct correlation between the increased fortification of the border and the increase in the number of tunnels being found. If this problem is not addressed, it will just be a matter of time before these tunnels serve as an entry point for weapons and explosives, dangerous materials, and terrorists.

As a former federal prosecutor, I can appreciate how this legislation will serve as a useful tool in going after those who finance or construct these tunnels.

If the tunnel discovered earlier this week in Calexico, California, had been abandoned with no evidence remaining of drug or alien smuggling, those responsible for its construction should not be free from punishment. And those who negligently permit a tunnel opening or passage on their property should not be able to escape harsh penalties.

I appreciate the opportunity to work with Senators FEINSTEIN and KYL and Representatives DREIER and HUNTER on this important legislation and I applaud Senator FEINSTEIN's leadership on this crucial issue.

We must address this crucial national security matter, and I ask my colleagues to join me in supporting this much-needed legislation to stiffen penalties and successfully prosecute those who construct or finance tunnels under the U.S. border.

Mr. BLUMENAUER. Mr. Speaker, it is time to stop this charade on immigration. Since the Republican leadership is unable to reach an agreement with its members, or even their Republican president, they have become more interested in producing harsh rhetoric and meaningless acts than passing comprehensive and realistic immigration reform.

The House and Senate have each passed their respective bills. It is past time to convene a conference committee to reconcile these bills. Both chambers must work together to reach an agreement that produces true immigration reform instead of wasting its time harassing immigrants and local businesses and passing meaningless provisions that have little chance of becoming law.

Mr. DREIER. Madam Speaker, illegal border tunnels entering our country undermine our efforts to protect the border and pose a significant threat to our national security. Last January, I was shocked to hear that the San Diego Tunnel Task Force, a group composed of agents from the Border Patrol, Immigration and Customs Enforcement (ICE), and Drug Enforcement Administration (DEA), discovered an elaborate border tunnel connecting Otay Mesa, California and Tijuana, Mexico; a complex 2,500 foot tunnel complete with electricity and ventilation systems, and harboring two tons of marijuana. Just last weekend, officials discovered a 400 foot tunnel connecting Calexico, California and Mexicali, Mexico. This tunnel was equipped with lighting and supported by wooden beams.

The underground corridors prove just how persistent the criminals and drug smugglers

who quietly slip into our country are. The existence of these tunnels also points to an even more ominous danger: they could be used by terrorists to exploit our porous borders and strike within the U.S. Unfortunately, the Otay Mesa and Calexico tunnels are just two of several underground corridors discovered between America's land borders, trafficking unknown numbers of individuals and illicit substances. In fact, 38 border tunnels have been discovered since September 11, 2001. All but one was on the Southern border.

Using manpower and technology to find these tunnels and shut them down will not stop others from being built and used. Tunneling will only begin to subside after tough and clear penalties are enacted for anyone involved in this pernicious violation of our border and our sovereignty. Surprisingly, the laws on the books are ineffectual and, in many ways, non-existent. This is a serious problem that deserves serious punishment for anyone who so flagrantly compromises our border security.

The Border Tunnel Prevention Act criminalizes the construction of border tunnels that span our international borders. Specifically, the bill creates a new Federal law to criminalize the construction of illegal border tunnels crossing into the U.S., punishable by a maximum 20 years in prison. It also imposes a maximum 10-year prison sentence on those who recklessly allow others to build such tunnels on their land. In addition, the bill doubles the sentence for using a tunnel to smuggle aliens, weapons, drugs, terrorists, or illegal goods. For example, under current law, knowingly smuggling an illegal alien into the U.S. is punishable by a maximum 10-year prison sentence. Under this bill, that penalty would double to a maximum 20-year prison term if the illegal alien was smuggled in through an illegal border tunnel. Finally, the bill enables the Federal Government to seize any of the assets or property involved in the construction of the illegal border tunnel.

The Border Tunnel Prevention Act is just the latest example of House Republicans taking a strong stand when it comes to border security. House Republicans have provided the funding to hire 1,500 new Border Patrol agents this year and 1,200 next year. Last December, we passed H.R. 4437, the Border Security Protection, Antiterrorism, and Illegal Immigration Control Act to enhance border security and reform our outdated immigration laws. Last week, we approved H.R. 6061, the Secure Fence Act, to construct fences at five specific border zones where deaths are common, drug smuggling is rampant and illegal border crossings are numerous. And today, we will consider legislation to swiftly detain and deport dangerous illegal immigrants and enhance prosecution of alien smugglers, cooperation between local law enforcement and Federal immigration officials, and removal of illegal immigrants.

Cracking down on those who use and construct tunnels, as well as those who allow them to be constructed on their property, is another commonsense step to our full-court press to securing our border. When combined with a strengthened Border Patrol, enhanced use of sensory technology, and strategic fencing in heavily trafficked areas, we will have an across-the-board approach to smarter border

security. Over land, in the air, and underground, we must make a commitment to control and secure the border. I urge all my colleagues to support this important border security bill.

Mr. STARK. Madam Speaker, I rise in opposition to H.R. 4830, the Border Tunnel Prevention Act, H.R. 6094, the Community Protection Act, and H.R. 6095, the Immigration Law Enforcement Act. Only in the backward world of Republican campaign strategy would passing more ineffective bills be seen as a way to highlight "progress" on illegal immigration.

I hope that the American people ask what happened to the massive immigration bill that the House passed in December. I hope they question why House Republicans are today spending time debating three bills they know the Senate will never consider. The truth is that Republicans aren't interested in stopping illegal immigration. If they were, they'd crack down on employers. Or at least make an effort to resolve differences with their colleagues in the Senate.

If you define progress by anything other than fear-mongering rhetoric, then this Congress is no more likely to secure the border than the Capitol Police are to stop an armed intruder.

Because this Republican Congress long ago abandoned the idea of purposeful governing, they slapped together these three immigration bills without concern for constitutionality or feasibility. No bad idea from a backbench right-winger was too extreme. If these bills became law:

Immigrants could be indefinitely detained at the whim of the Department of Homeland Security. Hey, it hasn't worked at Guantanamo, but why not try it on U.S. soil?

The Attorney General could order immediate deportation of anyone deemed to be a member of a designated street gang, regardless of whether members had committed crimes. In other words, hanging around the wrong crowd, at least in the eyes of Alberto Gonzales, would be a deportable offense.

Federal courts hearing immigration cases would be instructed that any relief granted to immigrants would have to be the "minimum necessary" and "least intrusive" to government agencies. So if the government wrongly jailed you for 20 years, you might get released, but don't expect any compensation for the loss of your livelihood.

They say that desperate times call for desperate measures, and the Republican Party is clearly desperate to cling to power. I urge my colleagues to vote no.

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

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 1018, the bill is considered read and the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

COMMUNITY PROTECTION ACT OF 2006

Mr. SENSENBRENNER. Madam Speaker, pursuant to House Resolution 1018, I call up the bill (H.R. 6094) to restore the Secretary of Homeland Security's authority to detain dangerous aliens, to ensure the removal of deportable criminal aliens, and combat alien gang crime, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6094

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Community Protection Act of 2006".

TITLE I—DANGEROUS ALIEN DETENTION ACT OF 2006

SEC. 101. DETENTION OF DANGEROUS ALIENS.

Section 241(a) of the Immigration and Nationality Act (8 U.S.C. 1231(a)) is amended—

(1) by striking "Attorney General" each place it appears, except for the first reference in paragraph (4)(B)(i), and inserting "Secretary of Homeland Security";

(2) in paragraph (1), by adding at the end of subparagraph (B) the following:

"If, at that time, the alien is not in the custody of the Secretary of Homeland Security (under the authority of this Act), the Secretary shall take the alien into custody for removal, and the removal period shall not begin until the alien is taken into such custody. If the Secretary transfers custody of the alien during the removal period pursuant to law to another Federal agency or a State or local government agency in connection with the official duties of such agency, the removal period shall be tolled, and shall begin anew on the date of the alien's return to the custody of the Secretary, subject to clause (ii).";

(3) by amending clause (ii) of paragraph (1)(B) to read as follows:

"(i) If a court, the Board of Immigration Appeals, or an immigration judge orders a stay of the removal of the alien, the date the stay of removal is no longer in effect.";

(4) by amending paragraph (1)(C) to read as follows:

"(C) SUSPENSION OF PERIOD.—The removal period shall be extended beyond a period of 90 days and the alien may remain in detention during such extended period if the alien fails or refuses to make all reasonable efforts to comply with the removal order, or to fully cooperate with the Secretary of Homeland Security's efforts to establish the alien's identity and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the alien's departure, or conspires or acts to prevent the alien's removal subject to an order of removal.";

(5) in paragraph (2), by adding at the end the following: "If a court, the Board of Immigration Appeals, or an immigration judge orders a stay of removal of an alien who is subject to an administratively final order of removal, the Secretary, in the exercise of the Secretary's discretion, may detain the alien during the pendency of such stay of removal.";

(6) by amending paragraph (3)(D) to read as follows:

"(D) to obey reasonable restrictions on the alien's conduct or activities, or perform affirmative acts, that the Secretary of Homeland Security prescribes for the alien, in order to prevent the alien from absconding, or for the protection of the community, or for other purposes related to the enforcement of the immigration laws.";

(7) in paragraph (6), by striking "removal period and, if released," and inserting "removal period, in the discretion of the Secretary of Homeland Security, without any limitations other than those specified in this section, until the alien is removed. If an alien is released, the alien"; and

(8) by redesignating paragraph (7) as paragraph (10) and inserting after paragraph (6) the following:

"(7) PAROLE.—If an alien detained pursuant to paragraph (6) is an applicant for admission, the Secretary of Homeland Security, in the Secretary's discretion, may parole the alien under section 212(d)(5) and may provide, notwithstanding such section, that the alien shall not be returned to custody unless either the alien violates the conditions of the alien's parole or the alien's removal becomes reasonably foreseeable, but in no circumstance shall such alien be considered admitted.

"(8) ADDITIONAL RULES FOR DETENTION OR RELEASE OF CERTAIN ALIENS WHO HAVE MADE AN ENTRY.—The following procedures apply only with respect to an alien who has effected an entry into the United States. These procedures do not apply to any other alien detained pursuant to paragraph (6):

"(A) ESTABLISHMENT OF A DETENTION REVIEW PROCESS FOR ALIENS WHO FULLY COOPERATE WITH REMOVAL.—For an alien who has made all reasonable efforts to comply with a removal order and to cooperate fully with the Secretary of Homeland Security's efforts to establish the alien's identity and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the alien's departure, and has not conspired or acted to prevent removal, the Secretary shall establish an administrative review process to determine whether the alien should be detained or released on conditions. The Secretary shall make a determination whether to release an alien after the removal period in accordance with subparagraph (B). The determination shall include consideration of any evidence submitted by the alien, and may include consideration of any other evidence, including any information or assistance provided by the Secretary of State or other Federal official and any other information available to the Secretary of Homeland Security pertaining to the ability to remove the alien.

"(B) AUTHORITY TO DETAIN BEYOND THE REMOVAL PERIOD.—

"(i) IN GENERAL.—The Secretary of Homeland Security, in the exercise of the Secretary's discretion, without any limitations other than those specified in this section, may continue to detain an alien for 90 days beyond the removal period (including any extension of the removal period as provided in paragraph (1)(C)).

"(ii) SPECIFIC CIRCUMSTANCES.—The Secretary of Homeland Security, in the exercise of the Secretary's discretion, without any limitations other than those specified in this section, may continue to detain an alien beyond the 90 days authorized in clause (i)—

"(I) until the alien is removed, if the Secretary determines that there is a significant likelihood that the alien—

"(aa) will be removed in the reasonably foreseeable future; or

“(bb) would be removed in the reasonably foreseeable future, or would have been removed, but for the alien’s failure or refusal to make all reasonable efforts to comply with the removal order, or to cooperate fully with the Secretary’s efforts to establish the aliens’ identity and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the alien’s departure, or conspiracies or acts to prevent removal;

“(II) until the alien is removed, if the Secretary of Homeland Security certifies in writing—

“(aa) in consultation with the Secretary of Health and Human Services, that the alien has a highly contagious disease that poses a threat to public safety;

“(bb) after receipt of a written recommendation from the Secretary of State, that release of the alien is likely to have serious adverse foreign policy consequences for the United States;

“(cc) based on information available to the Secretary of Homeland Security (including classified, sensitive, or national security information, and without regard to the grounds upon which the alien was ordered removed), that there is reason to believe that the release of the alien would threaten the national security of the United States; or

“(dd) that the release of the alien will threaten the safety of the community or any person, conditions of release cannot reasonably be expected to ensure the safety of the community or any person, and either (AA) the alien has been convicted of one or more aggravated felonies (as defined in section 101(a)(43)(A)) or of one or more crimes identified by the Secretary of Homeland Security by regulation, or of one or more attempts or conspiracies to commit any such aggravated felonies or such identified crimes, if the aggregate term of imprisonment for such attempts or conspiracies is at least 5 years; or (BB) the alien has committed one or more crimes of violence (as defined in section 16 of title 18, United States Code, but not including a purely political offense) and, because of a mental condition or personality disorder and behavior associated with that condition or disorder, the alien is likely to engage in acts of violence in the future; or

“(ee) that the release of the alien will threaten the safety of the community or any person, conditions of release cannot reasonably be expected to ensure the safety of the community or any person, and the alien has been convicted of at least one aggravated felony (as defined in section 101(a)(43)); or

“(III) pending a determination under subclause (II), so long as the Secretary of Homeland Security has initiated the administrative review process not later than 30 days after the expiration of the removal period (including any extension of the removal period, as provided in subsection (a)(1)(C)).

“(C) RENEWAL AND DELEGATION OF CERTIFICATION.—

“(i) RENEWAL.—The Secretary of Homeland Security may renew a certification under subparagraph (B)(ii)(II) every 6 months without limitation, after providing an opportunity for the alien to request reconsideration of the certification and to submit documents or other evidence in support of that request. If the Secretary does not renew a certification, the Secretary may not continue to detain the alien under subparagraph (B)(ii)(II).

“(ii) DELEGATION.—Notwithstanding section 103, the Secretary of Homeland Security may not delegate the authority to make or renew a certification described in item (bb), (cc), or (ee) of subparagraph (B)(ii)(II) below the level of the Assistant Secretary for Immigration and Customs Enforcement.

“(iii) HEARING.—The Secretary of Homeland Security may request that the Attorney General or the Attorney General’s designee provide for a hearing to make the determination described in item (dd)(BB) of subparagraph (B)(ii)(II).

“(D) RELEASE ON CONDITIONS.—If it is determined that an alien should be released from detention, the Secretary of Homeland Security, in the exercise of the Secretary’s discretion, may impose conditions on release as provided in paragraph (3).

“(E) REDETENTION.—The Secretary of Homeland Security, in the exercise of the Secretary’s discretion, without any limitations other than those specified in this section, may again detain any alien subject to a final removal order who is released from custody if the alien fails to comply with the conditions of release, or to continue to satisfy the conditions described in subparagraph (A), or if, upon reconsideration, the Secretary determines that the alien can be detained under subparagraph (B). Paragraphs (6) through (8) shall apply to any alien returned to custody pursuant to this subparagraph, as if the removal period terminated on the day of the redetention.

“(F) CERTAIN ALIENS WHO EFFECTED ENTRY.—If an alien has effected an entry, but has neither been lawfully admitted nor has been physically present in the United States continuously for the 2-year period immediately prior to the commencement of removal proceedings under this Act or deportation proceedings against the alien, the Secretary of Homeland Security, in the exercise of the Secretary’s discretion, may decide not to apply paragraph (8) and detain the alien without any limitations except those which the Secretary shall adopt by regulation.

“(9) JUDICIAL REVIEW.—Without regard to the place of confinement, judicial review of any action or decision pursuant to paragraphs (6), (7), or (8) shall be available exclusively in habeas corpus proceedings instituted in the United States District Court for the District of Columbia, and only if the alien has exhausted all administrative remedies (statutory and regulatory) available to the alien as of right.”

SEC. 102. DETENTION OF ALIENS DURING REMOVAL PROCEEDINGS.

(a) DETENTION AUTHORITY.—Section 235 of the Immigration and Nationality Act (8 U.S.C. 1225) is amended by adding at the end the following:

“(e) LENGTH OF DETENTION.—

“(1) IN GENERAL.—With regard to length of detention, an alien may be detained under this section, without limitation, until the alien is subject to an administratively final order of removal.

“(2) CONSTRUCTION.—The length of detention under this section shall not affect the validity of any detention under section 241.

“(f) JUDICIAL REVIEW.—Without regard to the place of confinement, judicial review of any action or decision made pursuant to subsection (e) shall be available exclusively in a habeas corpus proceeding instituted in the United States District Court for the District of Columbia and only if the alien has exhausted all administrative remedies (statutory and nonstatutory) available to the alien as of right.”

(b) JUDICIAL REVIEW.—Section 236(e) of such Act (8 U.S.C. 1226(e)) is amended by adding at the end the following: “Without regard to the place of confinement, judicial review of any action or decision made pursuant to subsection (f) shall be available exclusively in a habeas corpus proceeding instituted in the United States District Court for the District of Columbia and only if the alien has exhausted all administrative remedies (statutory and nonstatutory) available to the alien as of right.”

(c) LENGTH OF DETENTION.—Section 236 of such Act (8 U.S.C. 1226) is amended by adding at the end the following:

“(f) LENGTH OF DETENTION.—

“(1) IN GENERAL.—With regard to length of detention, an alien may be detained under this section, without limitation, until the alien is subject to an administratively final order of removal.

“(2) CONSTRUCTION.—The length of detention under this section shall not affect the validity of any detention under section 241 of this Act.”

SEC. 103. SEVERABILITY.

If any provision of this title, or any amendment made by this title, or the application of any such provision to any person or circumstance, is held to be invalid for any reason, the remainder of this title, and of the amendments made by this title, and the application of the provisions and of the amendments made by this title to any other person or circumstance, shall not be affected by such holding.

SEC. 104. EFFECTIVE DATES.

(a) SECTION 101.—The amendments made by section 101 shall take effect on the date of the enactment of this Act, and section 241 of the Immigration and Nationality Act, as amended, shall apply to—

(1) all aliens subject to a final administrative removal, deportation, or exclusion order that was issued before, on, or after the date of the enactment of this Act; and

(2) acts and conditions occurring or existing before, on, or after the date of the enactment of this Act.

(b) SECTION 102.—The amendments made by section 102 shall take effect upon the date of the enactment of this Act, and sections 235 and 236 of the Immigration and Nationality Act, as amended, shall apply to any alien in detention under provisions of such sections on or after the date of the enactment of this Act.

TITLE II—CRIMINAL ALIEN REMOVAL ACT

SEC. 201. EXPEDITED REMOVAL FOR ALIENS INADMISSIBLE ON CRIMINAL GROUNDS.

(a) IN GENERAL.—Section 238(b) of the Immigration and Nationality Act (8 U.S.C. 1228(b)) is amended—

(1) in paragraph (1)—

(A) by striking “Attorney General” and inserting “Secretary of Homeland Security in the exercise of discretion”; and

(B) by striking “set forth in this subsection or” and inserting “set forth in this subsection, in lieu of removal proceedings under”;

(2) in paragraph (3), by striking “paragraph (1) until 14 calendar days” and inserting “paragraph (1) or (3) until 7 calendar days”;

(3) by striking “Attorney General” each place it appears in paragraphs (3) and (4) and inserting “Secretary of Homeland Security”;

(4) in paragraph (5)—

(A) by striking “described in this section” and inserting “described in paragraph (1) or (2)”; and

(B) by striking “the Attorney General may grant in the Attorney General’s discretion” and inserting “the Secretary of Homeland Security or the Attorney General may grant, in the discretion of the Secretary or Attorney General, in any proceeding”;

(5) by redesignating paragraphs (3), (4), and (5) as paragraphs (4), (5), and (6), respectively; and

(6) by inserting after paragraph (2) the following new paragraph:

“(3) The Secretary of Homeland Security in the exercise of discretion may determine inadmissibility under section 212(a)(2) (relating to criminal offenses) and issue an order of removal pursuant to the procedures set forth in this subsection, in lieu of removal

proceedings under section 240, with respect to an alien who—

“(A) has not been admitted or paroled;

“(B) has not been found to have a credible fear of persecution pursuant to the procedures set forth in section 235(b)(1)(B); and

“(C) is not eligible for a waiver of inadmissibility or relief from removal.”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act but shall not apply to aliens who are in removal proceedings under section 240 of the Immigration and Nationality Act as of such date.

TITLE III—ALIEN GANG REMOVAL ACT OF 2006

SEC. 301. RENDERING INADMISSIBLE AND DEPORTABLE ALIENS PARTICIPATING IN CRIMINAL STREET GANGS.

(a) INADMISSIBLE.—Section 212(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(2)) is amended by adding at the end the following:

“(J) CRIMINAL STREET GANG PARTICIPATION.—

“(i) IN GENERAL.—Any alien is inadmissible if—

“(I) the alien has been removed under section 237(a)(2)(F); or

“(II) the consular officer or the Secretary of Homeland Security knows, or has reasonable ground to believe that the alien—

“(aa) is a member of a criminal street gang and has committed, conspired, or threatened to commit, or seeks to enter the United States to engage solely, principally, or incidentally in, a gang crime or any other unlawful activity; or

“(bb) is a member of a criminal street gang designated under section 219A.

“(ii) DEFINITIONS.—For purposes of this subparagraph:

“(I) CRIMINAL STREET GANG.—The term ‘criminal street gang’ means a formal or informal group or association of 3 or more individuals, who commit 2 or more gang crimes (one of which is a crime of violence, as defined in section 16 of title 18, United States Code) in 2 or more separate criminal episodes in relation to the group or association.

“(II) GANG CRIME.—The term ‘gang crime’ means conduct constituting any Federal or State crime, punishable by imprisonment for one year or more, in any of the following categories:

“(aa) A crime of violence (as defined in section 16 of title 18, United States Code).

“(bb) A crime involving obstruction of justice, tampering with or retaliating against a witness, victim, or informant, or burglary.

“(cc) A crime involving the manufacturing, importing, distributing, possessing with intent to distribute, or otherwise dealing in a controlled substance or listed chemical (as those terms are defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).

“(dd) Any conduct punishable under section 844 of title 18, United States Code (relating to explosive materials), subsection (d), (g)(1) (where the underlying conviction is a violent felony (as defined in section 924(e)(2)(B) of such title) or is a serious drug offense (as defined in section 924(e)(2)(A)), (i), (j), (k), (o), (p), (q), (u), or (x) of section 922 of such title (relating to unlawful acts), or subsection (b), (c), (g), (h), (k), (l), (m), or (n) of section 924 of such title (relating to penalties), section 930 of such title (relating to possession of firearms and dangerous weapons in Federal facilities), section 931 of such title (relating to purchase, ownership, or possession of body armor by violent felons), sections 1028 and 1029 of such title (relating to fraud and related activity in connection with identification documents or access devices), section 1952 of such title (relating to

interstate and foreign travel or transportation in aid of racketeering enterprises), section 1956 of such title (relating to the laundering of monetary instruments), section 1957 of such title (relating to engaging in monetary transactions in property derived from specified unlawful activity), or sections 2312 through 2315 of such title (relating to interstate transportation of stolen motor vehicles or stolen property).

“(ee) Any conduct punishable under section 274 (relating to bringing in and harboring certain aliens), section 277 (relating to aiding or assisting certain aliens to enter the United States), or section 278 (relating to importation of alien for immoral purpose) of this Act.”.

(b) DEPORTABLE.—Section 237(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(2)) is amended by adding at the end the following:

“(F) CRIMINAL STREET GANG PARTICIPATION.—

“(i) IN GENERAL.—Any alien is deportable who—

“(I) is a member of a criminal street gang and is convicted of committing, or conspiring, threatening, or attempting to commit, a gang crime; or

“(II) is determined by the Secretary of Homeland Security to be a member of a criminal street gang designated under section 219A.

“(ii) DEFINITIONS.—For purposes of this subparagraph, the terms ‘criminal street gang’ and ‘gang crime’ have the meaning given such terms in section 212(a)(2)(J)(ii).”.

(c) DESIGNATION OF CRIMINAL STREET GANGS.—

(1) IN GENERAL.—Chapter 2 of title II of the Immigration and Nationality Act (8 U.S.C. 1181 et seq.) is amended by adding at the end the following:

“DESIGNATION OF CRIMINAL STREET GANGS

“SEC. 219A. (a) DESIGNATION.—

“(1) IN GENERAL.—The Attorney General is authorized to designate a group or association as a criminal street gang in accordance with this subsection if the Attorney General finds that the group or association meets the criteria described in section 212(a)(2)(J)(ii)(I).

“(2) PROCEDURE.—

“(A) NOTICE.—

“(i) TO CONGRESSIONAL LEADERS.—Seven days before making a designation under this subsection, the Attorney General shall, by classified communication, notify the Speaker and Minority Leader of the House of Representatives, the President pro tempore, Majority Leader, and Minority Leader of the Senate, and the members of the relevant committees of the House of Representatives and the Senate, in writing, of the intent to designate a group or association under this subsection, together with the findings made under paragraph (1) with respect to that group or association, and the factual basis therefor.

“(ii) PUBLICATION IN FEDERAL REGISTER.—The Attorney shall publish the designation in the Federal Register seven days after providing the notification under clause (i).

“(B) EFFECT OF DESIGNATION.—

“(i) A designation under this subsection shall take effect upon publication under subparagraph (A)(ii).

“(ii) Any designation under this subsection shall cease to have effect upon an Act of Congress disapproving such designation.

“(3) RECORD.—In making a designation under this subsection, the Attorney General shall create an administrative record.

“(4) PERIOD OF DESIGNATION.—

“(A) IN GENERAL.—A designation under this subsection shall be effective for all purposes until revoked under paragraph (5) or (6) or set aside pursuant to subsection (b).

“(B) REVIEW OF DESIGNATION UPON PETITION.—

“(i) IN GENERAL.—The Attorney General shall review the designation of a criminal street gang under the procedures set forth in clauses (iii) and (iv) if the designated gang or association files a petition for revocation within the petition period described in clause (ii).

“(ii) PETITION PERIOD.—For purposes of clause (i)—

“(I) if the designated gang or association has not previously filed a petition for revocation under this subparagraph, the petition period begins 2 years after the date on which the designation was made; or

“(II) if the designated gang or association has previously filed a petition for revocation under this subparagraph, the petition period begins 2 years after the date of the determination made under clause (iv) on that petition.

“(iii) PROCEDURES.—Any criminal street gang that submits a petition for revocation under this subparagraph must provide evidence in that petition that the relevant circumstances described in paragraph (1) are sufficiently different from the circumstances that were the basis for the designation such that a revocation with respect to the gang is warranted.

“(iv) DETERMINATION.—

“(I) IN GENERAL.—Not later than 180 days after receiving a petition for revocation submitted under this subparagraph, the Attorney General shall make a determination as to such revocation.

“(II) PUBLICATION OF DETERMINATION.—A determination made by the Attorney General under this clause shall be published in the Federal Register.

“(III) PROCEDURES.—Any revocation by the Attorney General shall be made in accordance with paragraph (6).

“(C) OTHER REVIEW OF DESIGNATION.—

“(i) IN GENERAL.—If in a 5-year period no review has taken place under subparagraph (B), the Attorney General shall review the designation of the criminal street gang in order to determine whether such designation should be revoked pursuant to paragraph (6).

“(ii) PROCEDURES.—If a review does not take place pursuant to subparagraph (B) in response to a petition for revocation that is filed in accordance with that subparagraph, then the review shall be conducted pursuant to procedures established by the Attorney General. The results of such review and the applicable procedures shall not be reviewable in any court.

“(iii) PUBLICATION OF RESULTS OF REVIEW.—The Attorney General shall publish any determination made pursuant to this subparagraph in the Federal Register.

“(5) REVOCATION BY ACT OF CONGRESS.—The Congress, by an Act of Congress, may block or revoke a designation made under paragraph (1).

“(6) REVOCATION BASED ON CHANGE IN CIRCUMSTANCES.—

“(A) IN GENERAL.—The Attorney General may revoke a designation made under paragraph (1) at any time, and shall revoke a designation upon completion of a review conducted pursuant to subparagraphs (B) and (C) of paragraph (4) if the Attorney General finds that—

“(i) the circumstances that were the basis for the designation have changed in such a manner as to warrant revocation; or

“(ii) the national security of the United States warrants a revocation.

“(B) PROCEDURE.—The procedural requirements of paragraphs (2) and (3) shall apply to a revocation under this paragraph. Any revocation shall take effect on the date specified in the revocation or upon publication in

the Federal Register if no effective date is specified.

“(7) EFFECT OF REVOCATION.—The revocation of a designation under paragraph (5) or (6) shall not affect any action or proceeding based on conduct committed prior to the effective date of such revocation.

“(8) USE OF DESIGNATION IN HEARING.—If a designation under this subsection has become effective under paragraph (2)(B) an alien in a removal proceeding shall not be permitted to raise any question concerning the validity of the issuance of such designation as a defense or an objection at any hearing.

“(b) JUDICIAL REVIEW OF DESIGNATION.—

“(1) IN GENERAL.—Not later than 30 days after publication of the designation in the Federal Register, a group or association designated as a criminal street gang may seek judicial review of the designation in the United States Court of Appeals for the District of Columbia Circuit.

“(2) BASIS OF REVIEW.—Review under this subsection shall be based solely upon the administrative record.

“(3) SCOPE OF REVIEW.—The Court shall hold unlawful and set aside a designation the court finds to be—

“(A) arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law;

“(B) contrary to constitutional right, power, privilege, or immunity;

“(C) in excess of statutory jurisdiction, authority, or limitation, or short of statutory right;

“(D) lacking substantial support in the administrative record taken as a whole; or

“(E) not in accord with the procedures required by law.

“(4) JUDICIAL REVIEW INVOKED.—The pendency of an action for judicial review of a designation shall not affect the application of this section, unless the court issues a final order setting aside the designation.

“(c) RELEVANT COMMITTEE DEFINED.—As used in this section, the term ‘relevant committees’ means the Committees on the Judiciary of the House of Representatives and of the Senate.”

(2) CLERICAL AMENDMENT.—The table of contents for the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) is amended by inserting after the item relating to section 219 the following:

“Sec. 219A. Designation of criminal street gangs.”

SEC. 302. MANDATORY DETENTION OF SUSPECTED CRIMINAL STREET GANG MEMBERS.

(a) IN GENERAL.—Section 236(c)(1)(D) of the Immigration and Nationality Act (8 U.S.C. 1226(c)(1)(D)) is amended—

(1) by inserting “or 212(a)(2)(J)” after “212(a)(3)(B)”; and

(2) by inserting “or 237(a)(2)(F)” before “237(a)(4)(B)”.

(b) ANNUAL REPORT.—Not later than March 1 of each year (beginning 1 year after the date of the enactment of this Act), the Secretary of Homeland Security, after consultation with the appropriate Federal agencies, shall submit a report to the Committees on the Judiciary of the House of Representatives and of the Senate on the number of aliens detained under the amendments made by subsection (a).

SEC. 303. INELIGIBILITY FROM PROTECTION FROM REMOVAL AND ASYLUM.

(a) INAPPLICABILITY OF RESTRICTION ON REMOVAL TO CERTAIN COUNTRIES.—Section 241(b)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1251(b)(3)(B)) is amended, in the matter preceding clause (i), by inserting “who is described in section 212(a)(2)(J)(i) or section 237(a)(2)(F)(i) or who is” after “to an alien”.

(b) INELIGIBILITY FOR ASYLUM.—Section 208(b)(2)(A) of such Act (8 U.S.C. 1158(b)(2)(A)) is amended—

(1) in clause (v), by striking “or” at the end;

(2) by redesignating clause (vi) as clause (vii); and

(3) by inserting after clause (v) the following:

“(vi) the alien is described in section 212(a)(2)(J)(i) or section 237(a)(2)(F)(i) (relating to participation in criminal street gangs); or”.

(c) DENIAL OF REVIEW OF DETERMINATION OF INELIGIBILITY FOR TEMPORARY PROTECTED STATUS.—Section 244(c)(2) of such Act (8 U.S.C. 1254(c)(2)) is amended by adding at the end the following:

“(C) LIMITATION ON JUDICIAL REVIEW.—There shall be no judicial review of any finding under subparagraph (B) that an alien is in described in section 208(b)(2)(A)(vi).”

The SPEAKER pro tempore. Pursuant to House Resolution 1018, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Michigan (Mr. CONYERS) each will control 30 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. SENSENBRENNER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 6094 currently under consideration.

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

There was no objection.

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

Madam Speaker, I rise in strong support of H.R. 6094, the Community Protection Act, which consists of 3 crucial provisions to ensure the safety of all Americans:

Title I includes the Dangerous Alien Detention Act which contains provisions similar to those passed by the House last December as a part of H.R. 4437.

In *Zadvydas v. Davis* (2001) and *Clark v. Martinez* (2005), the Supreme Court decided that under current law, immigrants under orders of removal can almost never be detained for more than 6 months if for some reason they cannot be removed from the country within that time. As a result, the Department of Homeland Security has had no choice but to release hundreds of criminal aliens back into our communities.

The Department of Justice has testified that the government is now required to release numerous rapists, child molesters, murderers, and other dangerous illegal aliens into our streets. “Vicious criminal aliens are now being set free within the United States.” One of the aliens released was subsequently arrested for shooting a New York state trooper in the head.

This bill will end this perilous practice by allowing the Department of Homeland Security to detain certain

dangerous aliens beyond 6 months when they cannot successfully be removed. This would include immigrants whose release would have serious adverse foreign policy considerations or threaten the national security or community safety. Such aliens may be detained for periods of 6 months at a time and the period of detention can be renewed.

The title also provides for appropriate judicial review of detention decisions.

Title II, the Criminal Alien Removal Act, was also passed as a part of H.R. 4437. It would allow the Department of Homeland Security to use the same expedited procedures available for the removal of aggravated felons to remove other inadmissible criminal aliens who are not permanent residents and otherwise are ineligible for release. At the present time, these aliens must be placed in lengthy removal proceedings before an immigration judge, despite the fact that they are not eligible for any relief.

□ 1245

This title permits removal of criminal aliens as expeditiously as possible.

Title III of the bill contains the “Alien Gang Removal Act” authored by the gentleman from Virginia (Mr. FORBES), which was also included in H.R. 4437. Crime by alien members of criminal street gangs is a growing menace. Moreover, while criminal alien gangs are spreading throughout the country, they often terrorize immigrant communities and subvert the qualities of honesty and hard work that typify most of these communities.

Despite the clear threat that the violent street gangs pose to our neighborhoods and communities, immigrants who are members of these gangs are not deportable or inadmissible, and can receive asylum and temporary protected status. DHS must wait until they are caught and convicted of a specific criminal act before it can act to remove them.

One of the most violent and fastest-growing gangs, MS-13, was formed by Salvadorans who entered the U.S. during the civil war in El Salvador in the 1980s, and has an estimated 8,000 to 10,000 members in 31 States.

This bill renders alien gang members deportable and inadmissible, mandates their detention, and bars them from receiving asylum or temporary protected status. The bill adopts procedures similar to those used by the State Department to designate foreign terrorist organizations in order to enable the Attorney General to designate gangs as criminal street gangs.

Madam Speaker, I urge my colleagues to support this bill to make America’s streets safer for all.

Madam Speaker, I reserve the balance of my time.

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

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

Mr. CONYERS. Madam Speaker, it is unfortunate that we are not focusing our attention on proposals that would actually make our Nation's borders more secure, but I think we find ourselves once again on the floor of the House engaging in a kind of a political gamesmanship that forecasts an election some 48 days from now.

By now many people in our country have lost their patience for political theater and expect movement toward comprehensive immigration reform. I used that phrase earlier, and it was rejected by a Member on the other side of the aisle as not being pragmatic.

The House and the Senate have passed bills on immigration reform and border security a number of months ago. Under regular order we should have had conferees appointed and been engaged in the process of reconciling the two bills. As a matter of fact, the chairman of this committee and myself as ranking member would undoubtedly have been two of the conferees.

However, in a substantial deviation from what is normal practice in the House, the leadership decided to launch a traveling road show of committee hearings in the States across the country in an attempt to make citizens believe that they were being active on this subject of comprehensive immigration reform. But most Americans, or at least many of them, saw through the charade and the hearings were condemned in the media across the country as both a waste of taxpayers' money and a waste of congressional time when we should have been focused on resolving the immigration differences that we have between the two committees.

Now here we are at the end of September. The nationwide hearings are over, some 21 hearings covering more than a dozen States, and we still have no notice of when we are going to have a conference on the two measures concerning immigration that have been already passed months ago by the House of Representatives and the Senate.

Now, by bringing parts of these provisions to the floor again, I don't think is going to give much encouragement to the citizens who are quickly losing confidence in the Congress. I think our ratings are down to 25 percent support. That's as of today. We may fall lower after these hearings because people are tired of theater, and they would like to have a little show, a little progress, a little action.

So here we are reworking many provisions that were already passed in H.R. 4437 last December. I think very few people are going to be fooled by what it is that is going on here.

Madam Speaker, I reserve the balance of my time.

Mr. SENSENBRENNER. Madam Speaker, I yield 2 minutes to the gentleman from California (Mr. ROYCE).

Mr. ROYCE. Madam Speaker, I thank the gentleman for yielding me this time.

The border security bill that was passed by the House of Representatives

is being criticized by the Democrats. But our hearings were not condemned by the media. Far from it, because at our hearings we heard from the border agents, the sheriffs, the investigators, the men and women whose task it is to enforce border security. They called for the border fence that the Democrats opposed.

Now the Democrats are referring to their motion to recommit our bill, H.R. 4437. Well, their motion would have gutted this critical immigration enforcement bill. If the Democrat motion had passed, there would have been no provision to crack down on violent alien gang members. There would have been no provision to allow for the detention of dangerous aliens. There would be no provision to crack down on employees hiring those here illegally.

Their motion to recommit was meaningless and ineffectual. Only the Appropriations Committee can actually allocate funds. The Democrats know this, and they know that our appropriators over this year and next have increased Border Patrol strength by 2,700 agents. This is the maximum number of new agents who can realistically be recruited and adequately trained in that time span.

But in the meantime we have the question of the broader border security issue of whether you are going to erect that fence, whether you are going to allow State and local law enforcement to assist our ICE agents, whether or not you are going to crack down on criminal gangs. Those are the provisions that we are bringing up today and passing over into the Senate.

Our hope is that the Senate leadership, Republican leadership, can get past the Democratic opposition this time and get past the argument that all we should do is a blanket amnesty. We tried a blanket amnesty in 1986. It didn't work. It did not work. And the concept that the answer to all of this is open borders and another blanket amnesty is simply wrong. It is a wrong-headed notion. I urge passage.

Mr. CONYERS. Madam Speaker, I am very pleased to yield to the gentlewoman from California (Ms. ZOE LOFGREN), a distinguished member of the Committee on the Judiciary and a member on the Immigration Subcommittee, such time as she may consume.

Ms. ZOE LOFGREN of California. Madam Speaker, as the ranking member has mentioned, I am a member of the Immigration Subcommittee and also the Homeland Security Committee. As a consequence, I had an opportunity to participate in some of these so-called immigration hearings in the last several months.

I must say that the impression that one receives, the inevitable impression, is that there has been a lot of talk, but as they say in the South, not much walk. Unfortunately, I think today is more of the same.

Since 1995, when the Senate and House gained their Republican majori-

ties, 5.3 million undocumented immigrants have come into the United States. Since 2001, when President Bush assumed the Presidency, over 2 million undocumented immigrants came into the United States. We have seen 12 years, basically, 12 years of Republican rule in the House and Senate, their power, and basically nothing has happened. Nothing has happened.

And now with 5 legislative days left before we adjourn and go out to meet our voters, there are these bills that are being brought to the floor that haven't had hearings, that don't scratch the issues of the real security issues that face us. Interesting enough, these bills don't even come close to what several of the witnesses at what Congressman FLAKE termed the "faux" hearings in August, what those witnesses told us.

For example, Sheriff Lee Baca of Los Angeles County, I think the largest sheriff's jurisdiction in the country, said he supported comprehensive reform, not piecemeal reform and sets of bills that failed to address the full border security issue.

I think if we take a look at the substance of these bills, and I don't think that is even what is intended here, but if we do, we will see how little these proposals would actually accomplish.

No one is going to stick up for criminal alien gangs, not me, not anybody. But the provisions in the act are not going to be effective.

The State and local cooperation, the enforcement of the Immigration Law Act, does not require police to report immigration status of crime victims, and it really is not going to do what I think the authors suggest.

Title II, is a provision, it is a sense of the Congress that the Attorney General should adopt guidelines for the prosecution of smuggling offenses. That should have been done quite some time ago. It reminds me of the bill that we passed earlier this week, and I was unable to be on the floor, where we urge that the Attorney General and the Department of Homeland Security gain control of our borders in 18 months' time. What about now? What about the last 12 years?

So again, we are going through pretty much a charade here. Meanwhile, the President zeroed out funding for the State criminal alien assistance program. Really every year since 2001 he has zeroed it out, and the Republican-controlled Congress barely funded it at half of what was authorized. In fiscal year 2006, Congress only appropriated \$405 million even though \$750 million was authorized.

The list of failures goes on and on, but the truth or the proof is in the pudding. And I think as voters take a look at a situation that is not a good one, the border is not orderly, at millions of illegal aliens who have come in under the watch of the Republican Congress and see here today the scrambling around to look like we are doing something, I think they will understand that they are being played for fools.

Mr. SENSENBRENNER. Madam Speaker, I yield myself 1 minute.

Madam Speaker, what we have heard from the other side of the aisle I think basically falls into the category of the perfect being the enemy of the good. When the perfect defeats the good, then bad prevails.

The way checks and balances were set up, it is really hard to pass a perfect bill. I think one has been passed since 1789 in this House of Representatives.

What we are doing at the end of the session is some good stuff. Criminal alien gangs and all of the other things that I described in my opening statements, I think they are good. If they are good, we ought to vote for them. If it isn't good to deal with criminal alien gangs that are poisoning and terrorizing our streets, then vote "no."

Madam Speaker, I yield 4 minutes to the gentleman from Virginia (Mr. FORBES).

Mr. FORBES. Madam Speaker, I want to begin by thanking Chairman SENSENBRENNER for taking up this fight and for not giving up on this fight and continuing to work hard to get some of these provisions through.

I guess the longer I am here, I should not be surprised by anything that I hear on the floor, but I still am shocked. I am shocked this afternoon as I hear statements like, "There has been a lot of talk, but not much walk," and then that bringing part of these provisions certainly will not give any confidence to our citizens.

Madam Speaker, I say that because I want to talk about just one part of these provisions today, and that is violent criminal gangs. When we began talking about violent criminal gangs and trying to do something about it, our friends on the other side of the aisle first suggested to us in the committees that we didn't even have a problem with violent criminal gangs in the United States.

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But today they have backed off of that because they know that as we are sitting here talking today, there are over 850,000 criminal gang members in this country.

A lot of talk, but not much walk. They have fought us on every single aspect of trying to do something to stop those violent criminal gangs. And, Madam Speaker, I would just tell you that of those 850,000 violent criminal gang members, if you look at the most violent gangs, all of our testimony in the Judiciary Committee suggested that between 60 and 85 percent of them were here illegally.

When they come into our country, we don't even ask them today if they are a member of a violent criminal gang; and what is worse is once they get here, we actually cloak them in protections, either by giving temporary protected status or by giving them political asylum, which basically means this: they can stand outside our

schools, stand outside our neighborhoods with a placard that says: I am a member of the most violent criminal gang in the world. I am here illegally, and our law enforcement people cannot do anything at all to touch them.

And the common sense of this provision is simply this: it says, first of all, when they come into the country, we are going to treat them like we do terrorists, and we are going to say if you are a member of a violent criminal gang, we are not letting you in. If you get into the country and you are here as our guest and we let you in and you join a violent criminal gang, we don't believe there is any socially redeeming value at all in being a member of a violent criminal gang.

So if you join that gang, we are going to send you out of this country, and we are not going to just set up some hearing date that is 30, 60, 90 days away that you won't show up at, but we are going to stop you. We are going to detain you, and we are going to send you out before we have a victim of a violent crime.

Madam Speaker, I would just close by saying we had testimony of one situation in Massachusetts where we had a young girl who was deaf and she had a mental illness. She was in a wheelchair, and she and another handicapped child were taken out and raped by six gang members, and two of them were here, one protected by temporary protected status and the other one who had applied for it.

Madam Speaker, I think it is time for us to use some common sense when dealing with violent criminal gangs and to say that we are going to do something about them. We are not going to just talk about them, but we are going to get some action done.

I thank the chairman for continuing this fight, and I hope we will pass this measure.

Mr. CONYERS. Madam Speaker, I yield such time as she may consume to Ms. LOFGREN.

Ms. ZOE LOFGREN of California. Madam Speaker, really, we are talking a lot, but if we had acted in the last 12 years, we would be in a lot better situation.

It has been mentioned that violent gang members should not be admitted to the United States and that somehow we need to change the law in order to accomplish that. I would note, however, that under section 212 of the Immigration and Nationality Act, gang members are already inadmissible to the United States; and if we had adequate personnel, they would have been turned away at the border. And thinking about what we could have done, we could have voted the resources over the years to do that. I will just mention a few votes that every Republican on the floor voted against.

In 2001, rollcall vote No. 454 in November of 2001, Democrats suggested that we add \$223 million for border security to help meet the promises of the PATRIOT Act on border staffing and

what the 9/11 Commission recommended. What happened? On a party-line vote, that additional resources to keep gang members out was defeated.

In 2003, rollcall vote No. 301 in June of 2003, Republicans voted against consideration of an amendment that would have added \$300 million for border security, including making a further down payment on the promise of the Congress in the 2001 PATRIOT Act to triple the number of border agents and inspectors along the northern border, and all the Republicans on the floor here today voted against that.

Vote No. 305 in 2003 was additional appropriations that Democrats were recommending, \$300 million, again to enhance border security and keep gang members and others out of the United States. And again Republicans all voted against it; the Democrats voted for it.

Rollcall vote No. 243 in 2004, again Republicans voted against consideration of an amendment that would have added \$750 million for border security.

In 2005, rollcall vote No. 160, Democrats tried again, and Republicans voted against a motion to report back to conference with instructions to add \$284 million for additional border security measures. That \$284 million would have included funding for an additional 550 Border Patrol agents, 200 additional immigration agents, and additional border aerial vehicles.

In 2005, rollcall vote 174, once again Republicans voted against consideration of amendments that would have added \$400 million to border security. And later in 2005, rollcall vote No. 187, Republicans voted against a Democratic substitute that would have added 800 additional immigration agents and 8,000 additional detention beds, helping to meet the promise of the 9/11 Commission.

In 2005, rollcall vote 188, again Republicans voted against a motion to recommit the Homeland Security Authorization bill with instructions so that we could add 800 additional immigration agents and 8,000 additional detention beds.

And, of course, rollcall vote 56 in 2006, Republicans defeated an amendment to H.R. 4939, the supplemental approps that would have added \$600 million for border security measures in the bill, including \$400 million for installation, 1,500 radiation portal monitors and air patrols and the like.

Again, rollcall vote 210 this year, Republicans voted against consideration of an amendment that would have added \$2.1 billion for border security, helping us to meet our commitments by adding additional Border Patrol agents, immigration agents, and detention beds.

Now, in the face of all of this negativity, we have here in the last 6 days of this Congress fluff. Fluff. I don't think the American people are going to buy it.

Mr. CONYERS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, the gentlewoman from California has recited a litany of roll-calls, and all of those roll-calls, from what I heard, deal with appropriations legislation.

We have a budget. We cannot fully fund every request that comes down in the budget; otherwise, the deficit would balloon to even higher levels. But the fact is that the most generous parts of the budget have been for defense and homeland security since 9/11, and there have been some pretty large increases in that.

Then the gentlewoman from California says that this bill is unnecessary because we already can refuse to admit gang members into this country. And she is not correct on that. In order to refuse to admit a gang member into this country under the Immigration and Naturalization Act, that gang member had to have been convicted of a crime. And the difference between her side of the argument and our side of the argument is pretty simple:

They require there to be a victim first. Somebody has to be a victim of a crime that has been committed by a gang member who serves time in an American prison and then is deported and attempts to come back.

We don't think that a gang member should have to be convicted first to keep him out of our country. That is a big difference between the Democrats and the Republicans.

Now, we have heard an awful lot of rhetoric on this floor about the fact that we have to have a comprehensive immigration bill. We passed a comprehensive immigration bill in 1986, and the failure of that bill has caused the problems that this country faces today with 11 to 12 million illegal immigrants in this country and the number growing by over half a million every year.

The 1986 bill was triggered by a commission that was appointed by President Carter which was headed by the then-President of Notre Dame University, Father Theodore Hesburgh. Let me quote a little bit from the commission report, and, remember, this was the Hesburgh Commission.

Five years before the 1986 bill was passed, the Hesburgh Commission said: "We do not believe that the United States should begin the process of legalization until new enforcement measures have been instituted to make it clear that the United States is determined to curtail new flows of undocumented/illegal aliens. Without more effective enforcement than the U.S. has had in the past, legalization could serve as a stimulus to further illegal entry. The select commission is opposed to any program that would precipitate such movement."

That was true 25 years ago when Father Hesburgh and his commission

penned those words. It is true today, particularly in the light of the failure of the 1986 Simpson-Mazzoli bill.

The legislation we have before us now attempts to fulfill the admonition that Father Hesburgh and his commission gave to the country in 1981. That is why it should pass.

Ms. KILPATRICK of Michigan. Mr. Speaker, I rise today in opposition to H.R. 6064, the Community Protection Act of 2006. The Nation has been calling for comprehensive immigration reform. By focusing only on enforcement, the majority would have us ignore our Nation's economic dependence on immigrant labor and does nothing to address the millions of undocumented individuals already living and working in the country today.

H.R. 6064 will have the effect of restricting the rights of immigrants to due process protections, like judicial review and immigration hearings, and could have serious, possibly life-endangering consequences for immigrants and asylum-seekers. Permitting the indefinite detention of an individual, even a non-citizen, is a practice one would associate with oppressive regimes. Applying that decision retroactively is a direct violation of due process; due process is essential when you consider the number of documented failures in custody review procedures and administrative delays.

The measure grants Department of Homeland Security officials, rather than immigration officials or other courts, the authority to determine whether expedited removal of individuals is admissible. The language does not specify that an individual be convicted of any crime; it instead allows low-level officers to play judge and jury deciding whether an individual poses a threat to public safety. In doing so it denies individuals the rights to safeguards provided by judicial review, which has been so important to protecting civil liberties in our Nation.

I strongly encourage my colleagues to reject this measure and instead move forward with negotiations for comprehensive immigration reform that responsibly addresses all aspects of this critical issue.

Ms. LEE. Mr. Speaker, I rise today in strong opposition to all three of these bills.

We should be passing real immigration reform today not these mean-spirited, divisive bills.

Real immigration reform should include a clear path to citizenship not targeting people who don't fit the Republican majority's conception of what a citizen should look like. Under the provisions of H.R. 6094, they want to be able to single out two or three minorities walking down the street, call them a gang, and have an easy route to deport them by classifying them as a "criminal street gang." Not only is that an infringement on the constitutional guarantee of right of assembly, it's indicative of the xenophobic sentiment shrouding the Republican's version of immigration reform.

Real immigration reform should take meaningful steps at securing our borders like investing in infrastructure at our ports and airports. We shouldn't be deputizing local law enforcement as border police.

Real immigration reform should recognize the intrinsic value that diversity through immigration has brought to our Nation and not seek to divide us as these three bills do. Unfortunately, this debate is no longer about border security, jobs, or the economy—it has be-

come about spewing hateful, rhetoric. These bills will contribute to the incitement of attacks against the immigrant community, such as the recent arson on a Mexican restaurant in California, or the attack on the young Latino student in Texas earlier this year.

Mr. Speaker, these bills are nothing but a cynical attempt 7 weeks before an election to score political points. That's not only irresponsible it's reprehensible.

I urge my colleagues to reject these hateful bills.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in opposition to the Community Protection Act of 2006, H.R. 6094. H.R. 6094 will not protect United States borders, strengthen our national security, or address the Nation's immigration problems comprehensively. Instead of voting on H.R. 6094 and other bills that raise a few issues on a piecemeal basis, we should be going to conference to resolve the differences between the House and Senate immigration reform bills that have already passed.

The Community Protection Act would permit indefinite detention of aliens who are considered dangerous and are waiting for the execution of a final order of deportation. The most common reason for a delay in executing the order is difficult in obtaining travel documents that authorize the alien's admission to another country.

I object to the practice of indefinite detention for a number of reasons, but the one that concerns me most is the possibility that people will spend the rest of their lives in detention simply because they are viewed as being dangerous.

In *Zadvydas v. Davis* (2001), the U.S. Supreme Court held that a statute permitting indefinite detention would raise serious constitutional problems because the due process clause of the fifth amendment prohibits depriving any person, including aliens, of liberty without due process of law.

The Community Protection Act would allow expedited removal of aliens who have not been inspected or paroled into the United States, are inadmissible on the basis of a criminal ground, a conviction would not be required, do not have a credible fear of persecution, and are not eligible for a waiver or relief from removal.

The Immigration and Nationality Act, INA, already has provisions for the expedited removal of criminal aliens, but it applies to aliens who have been convicted of an aggravated felony. As a practical matter, relief from deportation is not available to an alien who has been convicted of an aggravated felony. Only two issues are involved in these cases, is the person an alien and has he been convicted of an aggravated felony.

In contrast, H.R. 6089 would establish expedited removal proceedings for aliens who do not have a credible fear of persecution and are inadmissible under section 212(a)(2) of the INA on the basis of a crime involving moral turpitude, a controlled substance violation, two or more offenses for which the aggregate sentence was 5 years or more, prostitution or commercialized vice, trafficking in persons, money laundering, and other criminal offenses.

These cases would raise complicated legal issues and difficult questions of fact, such as whether the alien is removable under any of the numerous grounds of inadmissibility in

section 212(a)(2) of the INA, and, if so, whether he eligible for a waiver of inadmissibility. These issues cannot properly be adjudicated in expedited removal proceedings.

H.R. 6094 addresses the problem of gang violence in the United States. This is a very serious problem that needs to be addressed, but H.R. 6094 does not take the right approach. It would cast a broad net that would ensnare innocent children along with the dangerous criminals.

H.R. 6094 would establish new grounds of inadmissibility, which would include the belief of an immigration inspector that the alien is a gang member entering to engage in unlawful activity. It also would make someone removable solely on the basis of membership in a group that has been designated by the Attorney General as "a criminal street gang."

In addition, members of designated criminal street gangs would be ineligible for asylum, withholding of removal, and Temporary Protected Status; and they would be subject to the criminal alien detention provisions.

This approach might be less objectionable if every youth in a gang was a violent criminal, but that is not the case.

I urge you to vote against the Effective Immigration Enforcement and Community Protection Act.

Mr. SMITH of Texas. Mr. Speaker, H.R. 6094, the Community Protection Act of 2006, will fix a U.S. Supreme Court decision that has inadvertently put us in danger.

The bill allows the Federal Government to detain illegal immigrants convicted of serious crimes for 6-month periods beyond their incarceration, as long as at the end of each 6-month period the detention is renewed by the Department of Justice.

Current law states that if a convicted illegal immigrant is ordered deported, but can't be deported because their home country refuses to take them back, the U.S. Government can only detain them for a 6-month period.

After that, the Government is forced to release the criminal immigrant knowing they may be a danger to the community.

We have a responsibility to make sure the laws of this land protect Americans rather than endanger them.

Under this bill convicted illegal immigrants will be detained until arrangements can be made to have them deported.

I urge my colleagues to support the bill.

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

The SPEAKER pro tempore (Mr. CULBERSON). All time for debate has expired.

Pursuant to House Resolution 1018, the bill is considered read and the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. GUTIERREZ

Mr. GUTIERREZ. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. GUTIERREZ. In its present form, I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Gutierrez moves to recommit the bill H.R. 6094 to the Committee on the Judiciary with instructions to report the same back to the House forthwith with the following amendment:

Page 34, after line 8, insert the following:

SEC. 304. PROVISION OF ADDITIONAL RESOURCES TO APPREHEND CRIMINAL ALIENS.

(a) FINDINGS.—The Congress finds as follows:

(1) In the 9/11 Act of 2004, the Republican Congress promised to provide 8,000 additional detention beds and 800 additional immigration agents per year from fiscal year 2006 through fiscal year 2010. Over the last two years, the Republican Congress has left our Nation short 5,000 detention beds, and nearly 500 immigration agents short of the promises they made in the Intelligence Reform (or 9/11) Act of 2004, to the detriment of efforts to apprehend criminal aliens.

(2) Criminal aliens continue to be a problem in part because the Committee on the Judiciary and other relevant committees have not engaged the Senate Committee on the Judiciary in discussion on resolving the differences between the House and Senate on immigration legislation that the House of Representatives or the Senate have already passed during the 109th Congress and has not reported the same back to the House in a form agreed to by the two committees, in consultation with other relevant committees, that protects United States borders, strengthens our national security, and addresses the Nation's immigration problem comprehensively.

(b) ADDITIONAL RESOURCES TO APPREHEND CRIMINAL ALIENS BY IMPLEMENTING THE 9/11 COMMISSION ACT.—In each of fiscal years 2007 through 2010, there are authorized to be appropriated such sums as may be necessary to increase—

(1) by 2,000 the number of immigration agents;

(2) by 250 the number of detention officers;

(3) by 250 the number of U.S. Marshals;

(4) by 25,000 the number of detention beds; and

(5) by 1,000 the number of investigators of fraudulent schemes and documents that violate sections 274A, 274C, and 274D of the Immigration and Nationality Act (8 U.S.C. 1324a, 1324c, 1324d).

Mr. GUTIERREZ (during the reading). Mr. Speaker, I ask unanimous consent that the motion to recommit be considered as read and printed in the RECORD.

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

Mr. SENSENBRENNER. Mr. Speaker, reserving the right to object, has the minority provided our side of the aisle with a copy of this motion?

Mr. GUTIERREZ. Yes.

Mr. SENSENBRENNER. Further reserving the right to object, Mr. Speaker, we do not have it. I object. I ask that the motion be read.

The SPEAKER pro tempore. Objection is heard.

The Clerk will continue reading.

The Clerk continued to read the motion to recommit.

Mr. SENSENBRENNER (during the reading). Mr. Speaker, I withdraw my objection to waive the reading.

The SPEAKER pro tempore. Without objection, the reading is suspended.

There was no objection.

Mr. SENSENBRENNER. Mr. Speaker, I reserve a point of order.

The SPEAKER pro tempore. The point of order is reserved.

The gentleman from Illinois is recognized for 5 minutes.

Mr. GUTIERREZ. Mr. Speaker, here we go again. More piecemeal proposals. More tired, old, narrow, short-sighted policies of the past.

I think we should let the people around the country who are watching and listening to this debate know that they are not watching a rerun. This is, in fact, original programming. Yes, the plot lines are the same. We even have many of the same characters, many of the same arguments; and if the issues weren't so serious to our national security, it would almost be humorous.

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But it is not, Mr. Speaker. It is unforgivable. It is unforgivable that instead of rolling up our sleeves and getting a real immigration bill to the President's desk, we are revisiting issues that this body has already addressed.

Why? Why are we doing this again if similar language has already passed? Could it be that there are less than 7 weeks to the next election? We have so much work to get done. Why are we going back and repassing provisions and addressing issues that have already passed this body?

A poll out today by CBS and the New York Times showed that only 25 percent, 25 percent of the American people approve of the job Congress is doing. And two-thirds said they believe Congress accomplished less than it typically does in a 2-year session.

Maybe that is because the majority is bringing up the same bills over and over and over again. Mr. Speaker, I know that the men and women of this Chamber are good people, I know they are compassionate, and they are serious about addressing the needs of our Nation. So let's show the American people that we care about their families, that we care about husbands, American citizen husbands and wives being separated by our bad immigration policy.

We care about defenseless children who are being punished for decisions that they have no control over. We care about workers who are being exploited, about the father who is fighting to remain with his wife and daughter in America.

Mr. Speaker, rather than just talking about family values, we have the opportunity today to show the American people that we really, really believe in family values. We have that ability today. Mr. Speaker, the motion to recommit I am offering is really simple. The House has already passed an immigration bill. I do not like it, but that is how the process works. The Senate passed its own immigration bill. Some on the other side do not like that version. That is the way democracy works.

But let's get into conference in regular order and reconcile the differences between the two bills. Let's allow the legislative process to work. Let's make this not about politics, but about enacting good policy.

My motion to recommit will also ensure that we enact the recommendations laid out by the 9/11 Commission and increase the number of detention beds and immigration agents. Mr. Speaker, the American people want action, they do not want more talk. They do not want more excuses, they certainly do not want more debate. They want solutions, and that is why they sent us here.

At the end of the day, if these bills pass, what have those who support them really done to address the issue of our broken immigration system? They have done nothing. Because, as former Secretary of Homeland Security Tom Ridge wrote just last week, he said, "Trying to gain operational control of the borders is impossible unless our enhanced enforcement efforts are coupled with a robust temporary guest worker program and a means to entice those now working illegally out of the shadows into some type of legal status."

Homeland Security Secretary Tom Ridge said, "It is impossible." Mr. Speaker, impossible. For the sake of our national security, for the sake of millions of families adversely affected by our immigration laws, for the sake of our economy, let's work together to make comprehensive immigration reform a reality. Let's name the conferees and allow them the time to work it out. Let's ensure that the important recommendations of the 9/11 Commission are fulfilled, because each day that goes by with silence and inaction on this issue means the potential for another dead body turning up in the desert, another child separated from her parents, another worker exploited, another dream denied. The current system is failing our Nation, Mr. Speaker. It hurts families, it hampers business, it harms the United States of America, it makes us less safe.

The status quo is simply unacceptable to the needs of our Nation and unworthy of our Nation's proud history of welcoming newcomers seeking a better life. So let's work together to create an immigration that works for families, works for businesses, and works to keep our Nation truly safe. The time to do so is now, and the time for excuses is over.

I urge you to vote "yes" on my motion to recommit, so that we can show the American people that this Congress is truly serious about protecting our borders, bolstering our national security, and fixing our broken immigration system.

POINT OF ORDER

Mr. SENSENBRENNER. Mr. Speaker, I insist upon my point of order.

The SPEAKER pro tempore (Mr. CULBERSON). The gentleman will state his point of order.

Mr. SENSENBRENNER. Mr. Speaker, the motion to recommit is not germane, because clause 7 of rule XVI precludes an amendment on a subject matter different from that under consideration.

Mr. Speaker, I ask to be heard on my point of order.

The SPEAKER pro tempore. The gentleman may be heard on the point of order.

Mr. SENSENBRENNER. Mr. Speaker, H.R. 6094 restores the Secretary of Homeland Security's authority to detain certain dangerous aliens, to ensure the removal of the deportable criminal aliens and to combat alien gang crime.

The legislation provides DHS authority to detain beyond 6 months aliens under orders of removal who cannot be removed in a number of situations, such as if an alien has a highly contagious disease, release would have serious adverse foreign policy consequences, release would threaten national security, or release would threaten the safety of the community and the alien is either an aggravated felon or is mentally ill and has committed a crime of violence.

The legislation also provides DHS with expedited procedures for the removal of inadmissible criminal aliens and provides new tools to prosecute criminal alien gang members.

The motion to recommit pertains to a subject matter different from that contained in the legislation under consideration. Specifically on page 2, line 18 of the motion to recommit, it increases the number of United States marshals.

United States marshals do not do immigration enforcement, and thus it expands the bill beyond the scope of the bill and is nongermane. And as a result, the motion fails the test of germaneness contained in clause 7 of rule XVI and thus is not in order.

Mr. GUTIERREZ. Mr. Speaker, I would like to be heard on the point of order.

Mr. Speaker, the gentleman makes a point of order that the proposed subsection 3 that I would add to section 210(a) of the bill is not germane.

I would argue that this paragraph is germane to the bill. When the subject matter of the whole bill is taken into consideration, H.R. 6094 presents a number of different immigration reform proposals that my subsection 3 addresses, related legislation that addresses the same exact subject matter.

All day today, Mr. Speaker, we have been hearing the proponents of this bill argue that the various immigration reform proposals included in the bill are a valuable alternative to a more comprehensive immigration reform legislation that is stalled in the 109th Congress.

In other words, Mr. Speaker, they are conceding that this bill is related to the many other immigration reform proposals this House has considered over the past 2 years.

Republicans are trying to pretend that the 109th Congress has not debated the immigration issue on many other occasions other than today. That is simply not the case and is wrong, Mr. Speaker. This House has debated the subject matter of this bill many times. My motion simply suggests a better way to handle the subject matter of this bill, which is to go to conference with the comprehensive bills the two Houses have already passed, and that is why I consider it germane.

Look, we all agree the drug dealers, gang members have no place in our society. Alien smugglers who live out of the hopes and aspirations of this who wish to come, but rape and rob and murder people should be thrown into jail, and we should throw away the key.

There are 11 to 12 million people walking around this country, and we do not know who they are. We do not have an address, an employer. We believe that they should have a place in this society if they have followed the rules.

Mr. SENSENBRENNER. Mr. Speaker, point of order.

The SPEAKER pro tempore. The gentleman will suspend. The gentleman from Illinois must confine his remarks to the point of order before the House.

Mr. GUTIERREZ. Mr. Speaker, I will. I believe I have. I want to do exactly the same thing. Members on this side of the aisle want to do exactly the same things, and we can agree on them. Let's sit down at a table. Let's do it in a comprehensive manner.

Mr. Speaker, that is why think the point of order is not good on this particular issue, I think it is germane.

The SPEAKER pro tempore. The Chair is prepared to rule. The bill is confined to immigration matters. As argued by gentleman from Wisconsin, the motion to recommit addresses U.S. marshals beyond their work in an immigration context.

Accordingly, the point of order is sustained.

Mr. GUTIERREZ. With all due respect, Mr. Speaker, I move to appeal the ruling of the Chair on the point of order.

Mr. SENSENBRENNER. Mr. Speaker, I move to lay the appeal on the table.

The SPEAKER pro tempore. The question is, shall the decision of the Chair stand as the judgment of the House?

MOTION TO TABLE OFFERED BY MR. SENSENBRENNER

Mr. SENSENBRENNER. Mr. Speaker, I move to lay the appeal on the table.

The SPEAKER pro tempore. The question is on the motion to table.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 15-

minute vote on the motion to lay the appeal on the table may be followed by a 5-minute vote on passage, if arising without further debate or proceedings in recommittal.

The vote was taken by electronic device, and there were—yeas 225, nays 195, not voting 12, as follows:

[Roll No. 464]
YEAS—225

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggart
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehrlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite,
Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach

Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Inglis (SC)
Issa
Istook
Jenkins
Ginny
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marshall
McCauley (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (NM)
Murphy
Musgrave
Myrick
Neugebauer

Northup
Norwood
Nunes
Nussle
Osborne
Oster
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sweeney
Tancredo
Taylor (NC)
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—195

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Bean

Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren

Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps

Capuano
Cardin
Cardoza
Carnahan
Carson
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshool
Etheridge
Evans
Farr
Fattah
Finer
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Hereth
Higgins
Hinchee
Hinojosa
Holden
Holt
Honda
Hoolley
Hoyer
Inslee

Israel
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larson (WA)
Larson (CT)
Davis (CA)
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meeke (NY)
Melancon
Michaud
Millender-
McDonald
Miller (NC)
Miller, George
Mollohan
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Oliver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne

Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sanchez, Linda
T.
Sanchez, Loretta
Lee
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—12

Case
Cubin
Harris
Hyde

Meehan
Meek (FL)
Moore (KS)
Ney

Strickland
Sullivan
Thomas
Whitfield

□ 1352

Mr. MEEKS of New York changed his vote from “yea” to “nay.”

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 328, nays 95, not voting 9, as follows:

[Roll No. 465]

YEAS—328

Aderholt
Allen
Alexander

Allen
Baca
Bachus

Baird
Baker
Barrett (SC)

Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Berkley
Berry
Biggart
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehrlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite,
Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chandler
Chocola
Clay
Clyburn
Coble
Cole (OK)
Conaway
Cooper
Costa
Costello
Cramer
Crenshaw
Cuellar
Culberson
Davis (AL)
Davis (CA)
Davis (FL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeLauro
Dent
Dicks
Doggett
Doolittle
Drake
Dreier
Duncan
Edwards
Ehlers
Emerson
English (PA)
Etheridge
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxy
Franks (AZ)
Frelinghuysen

Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Gutknecht
Hall
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Holden
Hoolley
Hostettler
Hulshof
Hunter
Inglis (SC)
Issa
Istook
Jefferson
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marshall
Matheson
McCarthy
McCauley (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
Rodgers
Mica

Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mollohan
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Ortiz
Osborne
Otter
Oxley
Pascrell
Paul
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Rothman
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Ryun (KS)
Salazar
Sanchez, Loretta
Sanders
Saxton
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Souder
Spratt
Stearns
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas

Thompson (CA)	Visclosky	Wicker
Thompson (MS)	Walden (OR)	Wilson (NM)
Thornberry	Walsh	Wilson (SC)
Tiahrt	Wamp	Wolf
Tiberi	Weldon (FL)	Wu
Tierney	Weldon (PA)	Young (AK)
Turner	Weller	Young (FL)
Udall (CO)	Westmoreland	
Upton	Whitfield	

NAYS—95

Abercrombie	Holt	Owens
Ackerman	Honda	Pallone
Andrews	Hoyer	Pastor
Baldwin	Israel	Payne
Becerra	Jackson (IL)	Price (NC)
Berman	Jackson-Lee	Rangel
Blumenauer	(TX)	Ros-Lehtinen
Brady (PA)	Jones (OH)	Roybal-Allard
Capps	Kilpatrick (MI)	Rush
Capuano	Kolbe	Sabo
Carson	Kucinich	Sánchez, Linda
Cleaver	Lee	T.
Conyers	Lewis (GA)	Schakowsky
Crowley	Lofgren, Zoe	Scott (GA)
Cummings	Lowey	Scott (VA)
Davis (IL)	Lynch	Serrano
DeGette	Maloney	Sherman
Delahunt	Markey	Solis
Diaz-Balart, L.	Matsui	Stark
Diaz-Balart, M.	McCollum (MN)	Towns
Dingell	McDermott	Udall (NM)
Doyle	McGovern	Van Hollen
Emanuel	McKinney	Velázquez
Engel	Meek (FL)	Wasserman
Evans	Meeks (NY)	Schultz
Farr	Millender	Waters
Fattah	McDonald	Watson
Filner	Miller, George	Watt
Frank (MA)	Moore (WI)	Waxman
Grijalva	Nadler	Weiner
Gutierrez	Napolitano	Wexler
Hastings (FL)	Neal (MA)	Woolsey
Hinchev	Oliver	Wynn

NOT VOTING—9

Case	Harris	Moore (KS)
Cubin	Hyde	Ney
Eshoo	Meehan	Strickland

□ 1402

Mr. ISRAEL changed his vote from “yea” to “nay.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES ON H.R. 5631, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2007

Mr. YOUNG of Florida. Mr. Speaker, pursuant to clause 1 of rule XXII and by direction of the Committee on Appropriations, I move to take from the Speaker’s table the bill (H.R. 5631) making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The motion was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. KUHLMAN of New York). Without objection, the Chair appoints the following conferees: Messrs. YOUNG of Florida, HOBSON, BONILLA, FRELINGHUYSEN, TIAHRT, WICKER, KINGSTON, Ms. GRANGER, Messrs. LAHOOD, LEWIS of California, MURTHA, DICKS, SABO, VISCLOSKY, MORAN of Virginia, Ms. KAPTUR, and Mr. OBEY.

There was no objection.

MOTION TO CLOSE CONFERENCE COMMITTEE MEETINGS ON H.R. 5631, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2007, WHEN CLASSIFIED NATIONAL SECURITY INFORMATION IS UNDER CONSIDERATION

Mr. YOUNG of Florida. Mr. Speaker, pursuant to clause 12 of rule XXII, I move that meetings of the conference between the House and the Senate on H.R. 5631 be closed to the public at such times as classified national security information may be broached, providing that any sitting Member of the Congress shall be entitled to attend any meeting of the conference.

The SPEAKER pro tempore. Pursuant to clause 12 of rule XXII, the motion is not debatable, and the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 411, nays 12, not voting 9, as follows:

[Roll No. 466]

YEAS—411

Abercrombie	Cardin	Feeney
Ackerman	Cardoza	Ferguson
Aderholt	Carnahan	Filner
Akin	Carson	Fitzpatrick (PA)
Alexander	Carter	Flake
Allen	Castle	Foley
Andrews	Chabot	Forbes
Baca	Chandler	Ford
Bachus	Chocola	Fortenberry
Baird	Clay	Fossella
Baker	Cleaver	Fox
Baldwin	Clyburn	Frank (MA)
Barrett (SC)	Coble	Franks (AZ)
Barrow	Cole (OK)	Frelinghuysen
Bartlett (MD)	Conaway	Gallely
Barton (TX)	Conyers	Garrett (NJ)
Bass	Cooper	Gerlach
Bean	Costa	Gibbons
Beauprez	Costello	Gilchrest
Becerra	Cramer	Gillmor
Berkley	Crenshaw	Gingrey
Berman	Crowley	Gohmert
Berry	Cuellar	Gonzalez
Biggett	Culberson	Goode
Bilbray	Cummings	Goodlatte
Bilirakis	Davis (AL)	Gordon
Bishop (GA)	Davis (CA)	Granger
Bishop (NY)	Davis (FL)	Graves
Bishop (UT)	Davis (IL)	Green (WI)
Blackburn	Davis (KY)	Green, Al
Blunt	Davis (TN)	Green, Gene
Boehlert	Davis, Jo Ann	Grijalva
Boehner	Davis, Tom	Gutierrez
Bonilla	Deal (GA)	Gutknecht
Bonner	DeFazio	Hall
Bono	DeGette	Harman
Boozman	Delahunt	Hart
Boren	DeLauro	Hastings (FL)
Boswell	Dent	Hastings (WA)
Boucher	Diaz-Balart, L.	Hayes
Boustany	Diaz-Balart, M.	Hayworth
Boyd	Dicks	Hefley
Bradley (NH)	Dingell	Hensarling
Brady (PA)	Doggett	Herger
Brady (TX)	Doolittle	Herseth
Brown (OH)	Doyle	Higgins
Brown (SC)	Drake	Hinojosa
Brown, Corrine	Dreier	Hobson
Brown-Waite,	Duncan	Hoekstra
Ginny	Edwards	Holden
Burgess	Ehlers	Holt
Burton (IN)	Emanuel	Honda
Butterfield	Emerson	Hooley
Buyer	Engel	Hostettler
Calvert	English (PA)	Hoyer
Camp (MI)	Eshoo	Hulshof
Campbell (CA)	Etheridge	Hunter
Cannon	Evans	Hyde
Cantor	Everett	Inglis (SC)
Capito	Farr	Inslee
Capuano	Fattah	Israel

Issa	Miller (MI)	Sanders
Istook	Miller (NC)	Saxton
Jackson (IL)	Miller, Gary	Schiff
Jackson-Lee	Miller, George	Schmidt
(TX)	Mollohan	Schwartz (PA)
Jefferson	Moore (WI)	Schwarz (MI)
Jenkins	Moran (KS)	Scott (GA)
Jindal	Moran (VA)	Scott (VA)
Johnson (CT)	Murphy	Sensenbrenner
Johnson (IL)	Murtha	Serrano
Johnson, E. B.	Musgrave	Sessions
Johnson, Sam	Myrick	Shadegg
Jones (NC)	Nadler	Shaw
Jones (OH)	Napolitano	Shays
Kanjorski	Neal (MA)	Sherman
Kaptur	Neugebauer	Sherwood
Keller	Northup	Shimkus
Kelly	Norwood	Shuster
Kennedy (MN)	Nunes	Simmons
Kennedy (RI)	Nussle	Simpson
Kildee	Oberstar	Skelton
Kilpatrick (MI)	Obey	Slaughter
Kind	Olver	Smith (NJ)
King (IA)	Ortiz	Smith (TX)
King (NY)	Osborne	Smith (WA)
Kingston	Otter	Snyder
Kirk	Owens	Sodrel
Kline	Oxley	Solis
Knollenberg	Pallone	Souder
Kolbe	Pascrell	Spratt
Kuhl (NY)	Pastor	Stearns
LaHood	Paul	Stupak
Langevin	Payne	Sullivan
Lantos	Pearce	Sweeney
Larsen (WA)	Pelosi	Tancredo
Larson (CT)	Pence	Tanner
Latham	Peterson (MN)	Tauscher
LaTourette	Peterson (PA)	Petri
Leach	Petri	Taylor (MS)
Levin	Pickering	Taylor (NC)
Lewis (CA)	Pitts	Terry
Lewis (KY)	Platts	Thomas
Linder	Poe	Thompson (CA)
Lipinski	Pombo	Thompson (MS)
LoBiondo	Pomeroy	Thornberry
Lofgren, Zoe	Porter	Tiahrt
Lowey	Price (GA)	Tiberi
Lucas	Price (NC)	Tierney
Lungren, Daniel	Pryce (OH)	Towns
E.	Putnam	Turner
Mack	Radanovich	Udall (CO)
Maloney	Rahall	Udall (NM)
Manzullo	Ramstad	Upton
Marchant	Rangel	Van Hollen
Markey	Regula	Velázquez
Marshall	Rehberg	Visclosky
Matheson	Reichert	Walden (OR)
Matsui	Renzi	Walsh
McCarthy	Reyes	Wamp
McCaul (TX)	Reynolds	Wasserman
McCollum (MN)	Rogers (AL)	Schultz
McCotter	Rogers (KY)	Watson
McCrery	Rogers (MI)	Watt
McGovern	Rohrabacher	Waxman
McHenry	Ros-Lehtinen	Weiner
McHugh	Ross	Weldon (FL)
McIntyre	Rothman	Weldon (PA)
McKeon	Roybal-Allard	Weller
McMorris	Royce	Westmoreland
Rodgers	Ruppersberger	Wexler
McNulty	Rush	Whitfield
Meek (FL)	Ryan (OH)	Wicker
Meeks (NY)	Ryan (WI)	Wilson (NM)
Melancon	Ryun (KS)	Wolf
Mica	Sabo	Wu
Michaud	Salazar	Wynn
Millender-	Sánchez, Linda	Young (AK)
McDonald	T.	Young (FL)
Miller (FL)	Sanchez, Loretta	

NAYS—12

Blumenauer	Lewis (GA)	Schakowsky
Hinchev	Lynch	Stark
Kucinich	McDermott	Waters
Lee	McKinney	Woolsey

NOT VOTING—9

Capps	Harris	Ney
Case	Meehan	Strickland
Cubin	Moore (KS)	Wilson (SC)

□ 1423

So the motion was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

**PERMISSION TO REDUCE TIME
FOR ELECTRONIC VOTING DURING
FURTHER PROCEEDINGS
TODAY**

Mr. BOEHNER. Mr. Speaker, I ask unanimous consent that, during further proceedings today, the Chair be authorized to reduce to 2 minutes the minimum time for electronic voting on any question that otherwise could be subjected to 5-minute voting under clause 8 or 9 of rule XX.

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

There was no objection.

**REMOVAL OF NAME OF MEMBER
AS COSPONSOR OF H.R. 2048**

Mr. ROTHMAN. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 2048.

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

There was no objection.

**IMMIGRATION LAW ENFORCEMENT
ACT OF 2006**

Mr. SENSENBRENNER. Mr. Speaker, pursuant to House Resolution 1018, I call up the bill (H.R. 6095) to affirm the inherent authority of State and local law enforcement to assist in the enforcement of immigration laws, to provide for effective prosecution of alien smugglers, and to reform immigration litigation procedures, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6095

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Immigration Law Enforcement Act of 2006".

TITLE I—STATE AND LOCAL LAW ENFORCEMENT COOPERATION IN THE ENFORCEMENT OF IMMIGRATION LAW ACT

SEC. 101. FEDERAL AFFIRMATION OF ASSISTANCE IN IMMIGRATION LAW ENFORCEMENT BY STATES AND POLITICAL SUBDIVISIONS OF STATES.

(a) IN GENERAL.—Notwithstanding any other provision of law and reaffirming the existing inherent authority of States, law enforcement personnel of a State or a political subdivision of a State have the inherent authority of a sovereign entity to investigate, identify, apprehend, arrest, detain, or transfer to Federal custody aliens in the United States (including the transportation of such aliens across State lines to detention centers), for the purposes of assisting in the enforcement of the immigration laws of the United States in the course of carrying out routine duties. This State authority has never been displaced or preempted by Congress.

(b) CONSTRUCTION.—Nothing in this section may be construed to require law enforcement personnel of a State or political subdivision of a State to—

(1) report the identity of a victim of, or a witness to, a criminal offense to the Secretary of Homeland Security for immigration enforcement purposes; or

(2) arrest such victim or witness for a violation of the immigration laws of the United States.

TITLE II—ALIEN SMUGGLER PROSECUTION ACT

SEC. 201. EFFECTIVE PROSECUTION OF ALIEN SMUGGLERS.

(a) FINDINGS.—The Congress finds as follows:

(1) Recent experience shows that alien smuggling is flourishing, is increasingly violent, and is highly profitable.

(2) Alien smuggling operations also present terrorist and criminal organizations with opportunities for smuggling their members into the United States practically at will.

(3) Alien smuggling is a lucrative business. Each year, criminal organizations that smuggle or traffic in persons are estimated to generate \$9,500,000,000 in revenue worldwide.

(4) Alien smuggling frequently involves dangerous and inhumane conditions for smuggled aliens. Migrants are frequently abused or exploited, both during their journey and upon reaching the United States. Consequently, aliens smuggled into the United States are at significant risk of physical injury, abuse, and death.

(5) Notwithstanding that alien smuggling poses a risk to the United States as a whole, uniform guidelines for the prosecution of smuggling offenses are not employed by the various United States attorneys. Understanding that border-area United States attorneys face an overwhelming workload, a lack of sufficient prosecutions by certain United States attorneys has encouraged additional smuggling, and demoralized Border Patrol officers charged with enforcing our anti-smuggling laws.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that the Attorney General should adopt, not later than 3 months after the date of the enactment of this Act, uniform guidelines for the prosecution of smuggling offenses to be followed by each United States attorney in the United States.

(c) ADDITIONAL PERSONNEL.—In each of the fiscal years 2008 through 2013, the Attorney General shall, subject to the availability of appropriations, increase by not less than 20 the number of attorneys in the offices of United States attorneys employed to prosecute cases under section 274 of the Immigration and Nationality Act (8 U.S.C. 1324), as compared to the previous fiscal year.

TITLE III—ENDING CATCH AND RELEASE ACT OF 2006

SEC. 301. APPROPRIATE REMEDIES FOR IMMIGRATION LITIGATION.

(a) REQUIREMENTS FOR AN ORDER GRANTING PROSPECTIVE RELIEF AGAINST THE GOVERNMENT.—

(1) IN GENERAL.—If a court determines that prospective relief should be ordered against the Government in any civil action pertaining to the administration or enforcement of the immigration laws of the United States, the court shall—

(A) limit the relief to the minimum necessary to correct the violation of law;

(B) adopt the least intrusive means to correct the violation of law;

(C) minimize, to the greatest extent practicable, the adverse impact on national security, border security, immigration administration and enforcement, and public safety; and

(D) provide for the expiration of the relief on a specific date, which is not later than the earliest date necessary for the Government to remedy the violation.

(2) WRITTEN EXPLANATION.—The requirements described in paragraph (1) shall be discussed and explained in writing in the order granting prospective relief and must be suffi-

ciently detailed to allow review by another court.

(3) EXPIRATION OF PRELIMINARY INJUNCTIVE RELIEF.—Preliminary injunctive relief shall automatically expire on the date that is 90 days after the date on which such relief is entered, unless the court—

(A) makes the findings required under paragraph (1) for the entry of permanent prospective relief; and

(B) makes the order final before expiration of such 90-day period.

(4) REQUIREMENTS FOR ORDER DENYING MOTION.—This subsection shall apply to any order denying the Government's motion to vacate, modify, dissolve or otherwise terminate an order granting prospective relief in any civil action pertaining to the administration or enforcement of the immigration laws of the United States.

(b) PROCEDURE FOR MOTION AFFECTING ORDER GRANTING PROSPECTIVE RELIEF AGAINST THE GOVERNMENT.—

(1) IN GENERAL.—A court shall promptly rule on the Government's motion to vacate, modify, dissolve or otherwise terminate an order granting prospective relief in any civil action pertaining to the administration or enforcement of the immigration laws of the United States.

(2) AUTOMATIC STAYS.—

(A) IN GENERAL.—The Government's motion to vacate, modify, dissolve, or otherwise terminate an order granting prospective relief made in any civil action pertaining to the administration or enforcement of the immigration laws of the United States shall automatically, and without further order of the court, stay the order granting prospective relief on the date that is 15 days after the date on which such motion is filed unless the court previously has granted or denied the Government's motion.

(B) DURATION OF AUTOMATIC STAY.—An automatic stay under subparagraph (A) shall continue until the court enters an order granting or denying the Government's motion.

(C) POSTPONEMENT.—The court, for good cause, may postpone an automatic stay under subparagraph (A) for not longer than 15 days.

(D) ORDERS BLOCKING AUTOMATIC STAYS.—Any order staying, suspending, delaying, or otherwise barring the effective date of the automatic stay described in subparagraph (A), other than an order to postpone the effective date of the automatic stay for not longer than 15 days under subparagraph (C), shall be—

(i) treated as an order refusing to vacate, modify, dissolve or otherwise terminate an injunction; and

(ii) immediately appealable under section 1292(a)(1) of title 28, United States Code.

(c) SETTLEMENTS.—

(1) CONSENT DECREES.—In any civil action pertaining to the administration or enforcement of the immigration laws of the United States, the court may not enter, approve, or continue a consent decree that does not comply with subsection (a).

(2) PRIVATE SETTLEMENT AGREEMENTS.—Nothing in this section shall preclude parties from entering into a private settlement agreement that does not comply with subsection (a) if the terms of that agreement are not subject to court enforcement other than reinstatement of the civil proceedings that the agreement settled.

(d) EXPEDITED PROCEEDINGS.—It shall be the duty of every court to advance on the docket and to expedite the disposition of any civil action or motion considered under this section.

(e) DEFINITIONS.—In this section:

(1) CONSENT DECREE.—The term "consent decree"—

(A) means any relief entered by the court that is based in whole or in part on the consent or acquiescence of the parties; and

(B) does not include private settlements.

(2) **GOOD CAUSE.**—The term “good cause” does not include discovery or congestion of the court’s calendar.

(3) **GOVERNMENT.**—The term “Government” means the United States, any Federal department or agency, or any Federal agent or official acting within the scope of official duties.

(4) **PERMANENT RELIEF.**—The term “permanent relief” means relief issued in connection with a final decision of a court.

(5) **PRIVATE SETTLEMENT AGREEMENT.**—The term “private settlement agreement” means an agreement entered into among the parties that is not subject to judicial enforcement other than the reinstatement of the civil action that the agreement settled.

(6) **PROSPECTIVE RELIEF.**—The term “prospective relief” means temporary, preliminary, or permanent relief other than compensatory monetary damages.

SEC. 302. EFFECTIVE DATE.

(a) **IN GENERAL.**—This title shall apply with respect to all orders granting prospective relief in any civil action pertaining to the administration or enforcement of the immigration laws of the United States, whether such relief was ordered before, on, or after the date of the enactment of this Act.

(b) **PENDING MOTIONS.**—Every motion to vacate, modify, dissolve or otherwise terminate an order granting prospective relief in any such action, which motion is pending on the date of the enactment of this Act, shall be treated as if it had been filed on such date of enactment.

(c) **AUTOMATIC STAY FOR PENDING MOTIONS.**—

(1) **IN GENERAL.**—An automatic stay with respect to the prospective relief that is the subject of a motion described in subsection (b) shall take effect without further order of the court on the date which is 10 days after the date of the enactment of this Act if the motion—

(A) was pending for 45 days as of the date of the enactment of this Act; and

(B) is still pending on the date which is 10 days after such date of enactment.

(2) **DURATION OF AUTOMATIC STAY.**—An automatic stay that takes effect under paragraph (1) shall continue until the court enters an order granting or denying the Government’s motion under section 301(b). There shall be no further postponement of the automatic stay with respect to any such pending motion under section 301(b)(2). Any order, staying, suspending, delaying or otherwise barring the effective date of this automatic stay with respect to pending motions described in subsection (b) shall be an order blocking an automatic stay subject to immediate appeal under section 301(b)(2)(D).

The **SPEAKER** pro tempore. Pursuant to House Resolution 1018, the gentleman from Wisconsin (Mr. **SENSENBRENNER**) and the gentleman from Michigan (Mr. **CONYERS**) each will control 30 minutes.

GENERAL LEAVE

Mr. **SENSENBRENNER**. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 6095 currently under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 6095, the Immigration Law Enforcement Act of 2006, which will allow Federal, State, and local law enforcement officers to more effectively enforce our immigration laws along the border and in the interior of the United States.

Title I of the legislation is based on an amendment to H.R. 4437 offered by the gentleman from Georgia (Mr. **NORWOOD**). The title reaffirms the inherent authority of State and local law enforcement to voluntarily, and I emphasize the word “voluntarily,” assist in the enforcement of U.S. immigration laws. Many local and State law enforcement officers are eager to assist in the enforcement of our immigration laws to protect their communities and serve as a valuable force multiplier to overburdened Department of Homeland Security officers. We should provide them with the clear authority they seek rather than placing obstacles in their way.

Title II of the bill contains the Alien Smuggler Prosecution Act. Currently, the various United States Attorney offices do not use uniform guidelines to prosecute smuggling offenses. While border area U.S. Attorneys face a heavy workload, a lack of sufficient smuggling prosecutions in some areas has become a serious problem. This has encouraged additional smuggling and demoralized Border Patrol and DHS agents who have seen many of the smugglers they have apprehended released.

This title contains a sense of Congress that the Attorney General should adopt uniform guidelines for the prosecution of smuggling offenses by each U.S. Attorney’s office and authorizes an increase in the number of attorneys in U.S. Attorneys’ offices to prosecute such cases. The bill requires an increase of not less than 20 new attorneys over the previous years’ level in each of fiscal years 2008 to 2013, to affirm the urgency of prosecuting the alien smugglers who prey on the most vulnerable.

Title III provides for ending the Catch and Release Act. DHS is subject to Federal court injunctions entered as much as 30 years ago that impact its ability to enforce immigration laws. For instance, one injunction dating from the El Salvadoran civil war of the 1980s effectively prevents DHS from placing Salvadorans in expedited removal proceedings. DHS is using expedited removal to expeditiously remove other non-Mexican illegal immigrants who are apprehended along the southern border in order to end the policy of catch and release, but not Salvadorans.

Under the catch and release policy, non-Mexican illegal aliens picked up by the Border Patrol were simply released into our communities and told to show up months later for removal hearings. They almost never attended. Catch and release made a mockery of border enforcement and has terribly demoralized Border Patrol agents.

Mr. Speaker, this provides law enforcement agencies at all levels of government with the clear authority to help ensure the integrity and enforceability of our Nation’s immigration laws.

I urge my colleagues to support the bill.

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

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

Today, my colleagues, we are going through an exercise to convince the American people that now is the time for comprehensive reform, a week before recess, with continued disagreement between the House, the Senate, and the administration, and with narrowly repackaged bills.

These bills, and this one before us introduced just 2 days ago, are substantively flawed and do not provide for comprehensive reform.

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H.R. 6095 is touted as a law enforcement bill, but it is opposed by our State and local law enforcement officials.

Mr. Speaker, I include for the **RECORD** the comments of law enforcement associations and departments, police chiefs, sheriff associations, department heads across this country, and other law enforcement individuals to demonstrate how the policy is considered dangerous in this proposal.

This bill, opposed by State and local law enforcement raises the question: Why would they be opposed to a bill in which they are being invited in to take over some national law enforcement responsibilities?

Well, it is because it will strain the relationship between the police and immigrants and citizens. It will obstruct police in their mission of keeping our streets safe. Essentially the bill is asking the State and local police to pick up the slack for the Federal Government.

Now, title II of this same measure, the Alien Smuggler Prosecution Act, should really be examined carefully. Increasing resources for alien smuggling prosecution is quite appropriate; however, this bill will not decrease immigrant smuggling, and it will not resolve any of the fundamental flaws in our immigration system. The bill has nothing to do with the practice known as “catch and release” which has been referred to already. This proposal does little more than tie the hands of courts in immigration cases. Judges will be burdened with new requirements, and other civil cases will be denied their day in court.

Just like the field hearings between the bills passed in the House and the immigration bills passed in the Senate, today’s bills are clearly meant to distract the American public. Too bad, though, this country has already gotten wise to the smoke-and-mirrors show. Americans want comprehensive immigration reform and secure borders, and once again this body is failing to deliver.

PROPOSALS TO EXPAND THE IMMIGRATION AUTHORITY OF STATE AND LOCAL POLICE—DANGEROUS PUBLIC POLICY ACCORDING TO LAW ENFORCEMENT, GOVERNMENTS, OPINION LEADERS, AND COMMUNITIES
LAW ENFORCEMENT ASSOCIATIONS AND DEPARTMENTS

International Association of Chiefs of Police, President Joseph Estey—"Many leaders in the law enforcement community have serious concerns about the chilling effect any measure of this nature would have on legal and illegal aliens reporting criminal activity or assisting police in criminal investigations. This lack of cooperation could diminish the ability of law enforcement agencies to police effectively their communities and protect the public they serve." (IACP press release, 12/1/2004)

International Association of Chiefs of Police, Legislative Counsel Gene Voegtlin—"A key concern is that state and local enforcement involvement in immigration can have a chilling effect on the relationship with the immigrant community in their jurisdiction." ("Cities and States Take on Difficult Duty of Handling Undocumented Workers," *The Wall Street Journal*, 2/2/2006)

Major Cities Chiefs Association—"Such a divide between the local police and immigrant groups would result in increased crime against immigrants and in the broader community, create a class of silent victims and eliminate the potential for assistance from immigrants in solving crimes or preventing future terroristic acts." (Immigration Committee Recommendations for Enforcement of Immigration Laws By Local Police Agencies, adopted June 2006)

California State Sheriffs' Association, President Bruce Mix—"CSSA is concerned that the proposed CLEAR Act will undermine our primary mission of protecting the public. In order for local and state law enforcement associations to be effective partners with their communities, we believe it is imperative that they not be placed in the role of detaining and arresting individuals based solely on a change in their immigration status." (letter to Senator Feinstein, 3/10/2004)

California Police Chiefs Association, President Rick TerBorch—"It is the strong opinion of the California Police Chiefs' Association that in order for local and state law enforcement organizations to be effective partners with their communities, it is imperative that they not be placed in the role of detaining and arresting individuals based solely on a change in their immigration status." (letter to Senator Feinstein, 9/19/2003)

Connecticut Police Chiefs' Association, President James Strillacci—"We rely on people's cooperation as we enforce the law in those communities. With this [legislation], there's no protection for them." ("Mayor asks for federal help," *Danbury News-Times*, 3/26/2004)

El Paso (TX) Municipal Police Officers' Association, President Chris McGill—"From a law-enforcement point of view, I don't know how productive it would be to have police officers ask for green cards. It's more important that people feel confident calling the police." ("Immigration proposal puts burden on police," *El Paso Times*, 10/9/2003)

Virginia Association of Chiefs of Police, Executive Director Dana Schrad—"There's a real concern among [the immigrant community] that [a new Virginia law] means police are going to sweep through neighborhoods and pick up anyone with immigration violations and deport them; that isn't true. We are concerned we'll lose cooperation of law-abiding residents who have helped solve crimes." ("Some Immigrants Can Be Held For Up To Three Days," *Daily News-Record*, 6/30/2004)

Hispanic American Police Command Officers Association, National President Elvin Crespo—"The CLEAR Act jeopardizes public safety, it undermines local police roles in enhancing national security, it undermines federal law Enforcement priorities, it piles more onto state and local police officers' already full platters, it bullies and burdens state and local governments, it is unnecessary law-making and most significantly, it forgets the important fact that you can't tell by looking who is legal and who isn't." (letter to National Council of La Raza, 10/21/2003)

National Latino Peace Officers Association, Founder Vicente Calderon—"The role of police is to protect and serve. Clear Law Enforcement for Criminal Alien Removal [CLEAR Act] will greatly contribute toward hindering police from accomplishing these goals." (letter to National Council of La Raza, 10/16/2003)

Federal Hispanic Law Enforcement Officers Association, National President Sandalio Gonzalez—"The CLEAR Act bullies and burdens State and Local governments by coercing them into participating, even though it means burdensome new reporting and custody requirements, because failure to do so means further loss of already scarce federal dollars." (letter to President Bush and Congress, 9/30/2003)

Costa Mesa (CA) Police Department, Chief John Hensley—"We're not going to be doing sweeps. We're not going to be squeezing employers. We do not want to be the enemy of the immigrant community." ("City puts itself on immigration watch," *USA Today*, 1/26/2006)

West Palm Beach (FL) Police Department, Officer Freddy Naranjo—"The major thing is to come out and report these crimes, not hold back." ("Here Illegally, Guatemalans Are Prime Targets of Crime," *New York Times*, 8/27/2006)

Phoenix (AZ) Police Department, Sergeant Andy Hill—"As we move out deeper into the community, especially with reaching out to the Spanish-speaking community, we believe there may be other victims out there that haven't come forward," Hill said. "We want that information. We need that information. There will not be sanctions to victims who come forward as far as their status in this community other than the fact that they are victims." ("Police want Spanish speakers' help in serial killer search," *Associated Press*, 7/27/2006)

Phoenix (AZ) Police Department, Chief Jack Harris—"There are a lot of folks here in the Valley that may have limited English skills, and they can still very much be witnesses or know something about these crimes, so we want to step forward and go out to that community and seek their assistance." ("Police want Spanish speakers' help in serial killer search," *Associated Press*, 7/27/2006)

Fresno (CA) Police Department, Captain Pat Farmer—"Sometimes folks are here illegally, and they're the victim of a crime. We want them to call us. If someone is a witness, we want them to trust us. [A month earlier, after a shooting outside a convenience store] there were numerous witnesses, a lot of folks who were probably illegal. It was critical that they talk to our detectives." ("Shift Work: Should policing illegal immigration fall to nurses and teachers?" *Washington Monthly*, April 2006)

Fairfax County (VA) Police Department, Spokesman Jon Fleischman—"Our job is to protect people. And I'm concerned that people who are victims of a crime, whether citizens or not, are not calling us because they're afraid we're going to check [legal] status only." ("Va. Police Back off Immigration Enforcement," *Washington Post*, 6/6/2005)

Gilroy (CA) Police Department, Assistant Chief Lanny Brown—"We're not going out and doing sweeps for illegal immigrants or anything like that, because we don't believe that's the right thing to do. But it sure makes sense to us if people are here—committing crimes, convicted of crimes, and are here illegally—to turn them over to ICE so they can be deported." ("Immigration Officials Ask for Police Assistance," *The Gilroy Dispatch* (CA), 9/12/2005)

Princeton (NJ) Police Department, Chief Anthony V. Federico—"Local police agencies depend on the cooperation of immigrants, legal and illegal, in solving all sorts of crimes and in the maintenance of public order. Without assurances that they will not be subject to an immigration investigation and possible deportation, many immigrants with critical information would not come forward, even when heinous crimes are committed against them or their families." ("State orders cops to help U.S. immigration agents," *The Record*, 9/20/2005)

El Paso (TX) Police Department, Chief Richard Wiles—"There is no way that we would be able to take any time away from an officer's busy day to enforce immigration laws." ("EP chief opposes bill to let police go after immigrants," *El Paso Times*, 10/6/2005)

San Diego (CA) Police Department, Chief William Lansdowne—"The only time we work with the Border Patrol is if there is a criminal nexus." (Police Chief William Lansdowne, "Local Police, U.S. Agents Differ on Raids," *Los Angeles Times*, 6/6/2005)

Muscataine (IA) Police Department, Chief Gary Coderoni—"These proposals are unnecessary, and counterproductive to the public safety of our city residents. They will place an added burden in our department and instill fear and non-cooperation in the community." (letter to Congress, 6/2004)

Nashville (TN) Metropolitan Police Department, Chief Ronal Serpas—"With great respect and deference to our federal partners, we are not the INS (Immigration and Naturalization Service). As long as I am chief of the Nashville police department, I'm going to be steadfastly against police being INS agents. It's just not our job." ("Hispanics press police for more help," *Tennessean*, 2/24/2004)

Boston (MA) Police Department, Commissioner Paul Evans—"The Boston Police Department, as well as state and local police departments across the nation have worked diligently to gain the trust of immigrant residents and convince them that it is safe to contact and work with police. By turning all police officers into immigration agents, the CLEAR Act will discourage immigrants from coming forward to report crimes and suspicious activity, making our streets less safe as a result." (letter to Senator Kennedy, 9/30/2003)

Arlington County (VA) Police Department, Spokesman Matt Martin—"[A] very likely outcome of local enforcement of immigration laws is] an entire segment of the population shutting down because they are afraid of you. And what you create is a group of people who's ripe for additional victimization." ("Some Laborers Arrested In Va. Face Deportation," *Washington Post*, 10/27/2004)

Dearborn (MI) Police Department, Chief Timothy Strutz—"In my opinion, the best way to fight criminals of all types, including terrorists, would be to have an excellent, trusting, working relationship with the community, with them being your eyes and ears. I think much of that important information would be stifled [if the CLEAR Act passed]." ("Metro police balk at plan to hunt illegal immigrants," *Detroit News*, 5/11/2004)

Seattle (WA) Police Department, Chief R. Gil Kerlikowske—"Traditionally we have seen that reporting of crime is much lower in

immigrant communities because many are leaving countries where the police cannot be trusted for good reason. Adding the fear of arrest or deportation to this could have a tremendous impact on the rate of reporting. At a time when trusting relationships between immigrant communities and the police are vital, the CLEAR Act would have just the opposite effect." (letter, 3/4/2004)

Clearwater (FL) Police Department, Chief Sid Klein—"It doesn't take very long for that open door of communication to be slammed shut. Then we in local law enforcement (pay the price)." ("Immigration duty a burden, police say," St. Petersburg Times, 7/19/2004)

Los Angeles County Sheriff's Department, Sheriff Leroy Baca—"I am responsible for the safety of one of the largest immigrant communities in this country. My Department prides itself in having a cooperative and open relationship with our immigrant community. [The CLEAR] act would undermine this relationship." (letter to Los Angeles County Neighborhood Legal Services, 10/6/2003)

Kansas City (KS) Police Department, Chief Ronald Miller—"Our Police Department has taken the lead in establishing a meaningful relationship with our minority communities, especially the Hispanic community. If the CLEAR Act becomes law, it will have a devastating effect on how we provide law enforcement/police service." (letter to Senators Brownback and Roberts, 11/19/2003)

Hillsborough (FL) Sheriff's Office, Spokesman Rod Reeder—"We obviously need [immigrants] to trust us. Our main focus is on the crime itself. We're not immigration experts." ("Immigration duty a burden, police say," St. Petersburg Times, 7/19/2004)

Montgomery County (MD) Police Department, Captain John Fitzgerald—"We absolutely do not enforce any immigration law. We encourage our residents to trust their police department regardless of their immigration status. We want them to know that if they are victims, we'll help them, and if they're witnesses, we need their help." ("Groups Fret Over Giving Police Immigration Control," Fox News Channel, 10/29/2003)

Tampa Police Department, Officer Brenda Canino-Fumero—"If the CLEAR Act passes, (immigrants) are not going to come to police and report anything." ("Immigration duty a burden, police say," St. Petersburg Times, 7/19/2004)

Lowell (MA) Police Department, Police Superintendent Edward Davis III—"If the CLEAR Act were passed into law, residents would be less likely to approach local law enforcement for fear of exposing themselves or their immigrant family members to deportation. This would make state and local law enforcement officers' jobs nearly impossible." (letter to Senator Kennedy, 3/9/2004)

Dearborn (MI) Police Department, Corporal Daniel Saab—"If the CLEAR Act passed people would not work with us. It would make it very hard for us to do our job." ("Metro police balk at plan to hunt illegal immigrants," Detroit News, 5/11/2004)

Ann Arbor (MI) Police Department, Chief Dan Oates—"I have a great deal of concern about altering hard-won relationships with immigrant communities. Having those communities think we are agents of the federal government—that can do real harm." ("Police could get more power," Detroit Free Press, 6/1/2004)

San Jose Police Department, Chief Rob Davis—"We have been fortunate enough to solve some terrible cases because of the willingness of illegal immigrants to step forward, and if they saw us as part of the immigration services, I just don't know if they'd do that anymore. That would affect our mission, which I thought was to protect and

serve our community." ("CLEAR Act puts cuffs on police; Giving them another duty, immigration enforcement, would make us all less safe," San Jose Mercury News editorial, 4/15/2004)

Hamtramck (MI) Police Department, Chief Jim Doyle—"It is important that people learn to trust us without looking over their shoulders and thinking, These are the guys that are going to deport us." ("Metro police balk at plan to hunt illegal immigrants," Detroit News, 5/11/2004)

Orange County (CA) Sheriff's Office, Assistant Sheriff George Jaramillo—"We wouldn't be interested in pulling people over and trying to figure out what their status is." ("Police May Join Hunt for Illegal Migrants; Advocates see a way to boost enforcement, but officers and civil rights groups fear abuses," Los Angeles Times, 11/11/2003)

Bexar County (TX) Sheriff's Office, Sheriff Ralph Lopez—"I'm totally against [the CLEAR Act]. It plays the race card, and from that perspective it is just a bad act. We will not go out and create probable cause just because we think this person, who is dark-complected or speaks with an accent or dresses different, should be automatically questioned about their legal status. That is a total violation of due process." ("Politicians are using fear to push through the CLEAR Act, one of the most sinister changes in immigration policy," The San Antonio Current, 12/11/2003)

Overland Park (KS) Police Department, Chief John Douglass—"The CLEAR Act would be a detriment to all who live, work, and visit Overland Park. We want all to know that the police are available to protect them no matter whom they are or where they come from." (letter to Representative Moore, 10/29/2003)

Portland (ME) Police Department, Chief Michael Chitwood—"As Police Chief of Portland, Maine and someone who has been involved in law enforcement for nearly forty years, I can tell you with certainty that the CLEAR Act is a bad idea." (letter to Congress, 11/11/2003)

St. Paul (MN) Police Department, Chief William Finney—"How am I supposed to decide as a police officer who I should ask for papers? Well can't you look at them and tell you should be asking them for papers? No, I can't! . . . So I'd just have to ask everybody. All the 'real Americans' would be very offended, because they've got First Amendment rights. But people that are brand new here don't. Well, that's not what the Constitution says; everybody in this country's got First Amendment rights." ("This is your ministry," Minnesota Spokesman-Recorder, 12/11/2003)

Los Angeles Police Commission, President David S. Cunningham III—"There are safety mechanisms in place for deporting people who are criminally inclined. In the end, the policy position on Special Order 40 is that we are a nation of immigrants and we don't want to dissuade them from having contact with police." ("Is L.A. soft on illegals?" Los Angeles Daily News, 11/15/2003)

Lenexa (KS) Police Department, Chief Ellen T. Hanson—"We are, like many jurisdictions across the country, short on resources and manpower and struggling to meet our citizen's service demands. This mandate will magnify that problem and force us to make cuts in other areas to comply with the CLEAR Act. . . . The most troubling aspect of this act is that it would cause members of certain groups to not report crimes or come forward with information about crimes for fear of being deported." (letter to Representative Moore, 8/26/2003)

South Tucson (AZ) Police Department, Chief Sixto Molina—"We don't have the time

and the personnel to be immigration agents. Murderers, rapists, robbers, thieves and drug dealers present a much bigger threat than any illegal immigrant." (Tucson Citizen editorial, "Immigration role not for local police," 10/15/2003)

Des Moines (IA) Police Department, Chief William McCarthy—"When we don't acknowledge the reality of who is here, we create our own problems, and we are a better society than that, frankly. They (illegal immigrants) are family-oriented people and underpin our churches and society in many ways. Plus they are human beings. They are here. And we ought to deal with them as human beings." ("Cops shouldn't be INS agents," Des Moines Register editorial, 10/13/2003)

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

Mr. SENSENBRENNER. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I want to give an example of why this bill is necessary. Again, there is a differentiation between what Republicans and Democrats are saying here. The Democrats want to have a victim first before somebody is deported. Republicans want to make sure that there isn't a victim by making them excludable and, if they are caught, kicking them out.

So let's talk about domestic violence. On Monday, 2 days ago, the strangled and battered body of an as yet unidentified woman was found in a subdivision about 20 miles south of Denver. An orange tow rope was found around her neck, and her face was unrecognizable. Preliminary autopsy results indicated that the woman died of asphyxiation and head injuries after being dragged along a road for more than a mile.

A suspect was arrested Tuesday night in that case. Jose Luis Rubi-Nava, age 36, is being held without bail on a first degree murder charge at the Douglas County, Colorado, jail. The New York Times reported this morning that Mr. Rubi-Nava is an illegal immigrant. News reports suggest that the victim was his girlfriend.

Records obtained by KUSA-TV, the Denver NBC affiliate, showed that Rubi-Nava was arrested on April 1 and charged with false identification and driving without a driver's license and proof of insurance, but was let go.

If local law enforcement had detained this illegal immigrant for ICE, he could have been removed from the United States. He was not, and now there is a woman that is dead. If this bill had been law and there had been a voluntary agreement between local law enforcement and the Federal Government, this horrible crime could have been avoided.

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

Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Mr. Speaker, I thank my Michigan colleague for yielding me this time.

I rise to oppose H.R. 6095, but let me follow up on what the chairman of the committee talked about. If somebody

committed a crime, and they were here legally or illegally, the standard practice for local law enforcement is to pick that person up, arrest them, and then they will be punished. Then they will be turned over to ICE, Immigration Control and Enforcement.

What this bill would do is allow for our local police and sheriffs and constables to actually be standing in the place of immigration officers. I support strong law enforcement of our immigration laws, but we shouldn't burden our local law enforcement officers to enforce Federal immigration laws.

This Congress and this administration has cut the COPS program since 2001. Asking our local law enforcement agencies to enforce Federal immigration law without any commitment of funds is unfair and takes officers out of our neighborhoods and off our streets. The role of local law enforcement is to protect our property and our families. Most local police departments are already stretched thin as it is. In Houston, our officers have had the challenge of protecting an additional 100,000 people who evacuated to Houston from New Orleans over a year ago. Adding immigration enforcement to their duties would make their jobs tougher and our neighborhoods less safe.

Currently if law enforcement officers catch someone committing a crime that is here illegally or legally, they are turned over to Immigration Control and Enforcement, and they are deported. Now, they need to pay their debt to our own county or State, but they will be deported. If someone breaks into my home, either the Houston Police Department, the sheriff's department or the county constables will show up, not the Border Patrol, not Immigration Customs Enforcement officers. They don't come to protect my home.

Securing our borders is a Federal responsibility. This body is responsible for ensuring that there is enough funding for detention beds and Border Patrol officers. We shouldn't put the responsibility on our local law enforcement officers to fill the gaps, and we should be doing our own part to ensure the security of our borders and interior enforcement. The cuts in funds for local police make it hard to protect our lives and property. I urge my colleagues to vote against H.R. 6095.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. BILBRAY).

Mr. BILBRAY. Mr. Speaker, I rise today in support of H.R. 6095. Let me say as somebody who was involved in local law enforcement as a county supervisor, mayor, and city council member, it is astonishing to me when it comes down to enforcing our immigration laws how individuals in this institution can find every excuse in the world to not enforce the laws or not wanting the laws enforced.

Now, in all fairness, you want to talk about the cost of law enforcement. Mr. Speaker, in my County of San Diego,

the cost of illegal immigration to our law enforcement agencies is \$50 million a year, just identified from the County of San Diego. The fact is that there should be involvement in local law enforcement to have the option. But actively there are groups here and groups in California that are telling local law enforcement officers they can't get involved in the illegal immigration issue until there has been a major crime such as murder, rape or mayhem. That is absolutely absurd.

The frustration in law enforcement is being pulled both ways on these issues. Anyone who is sworn to enforce the law knows the impact of illegal immigration, and every law enforcement officer in the long run wants to do everything they can to participate.

I just cringe to think about what our drug policy and drug enforcement policy would be in this country if we took the same attitude, that if a San Diego police officer saw a drug smuggler coming across the border, somehow he or she could not intervene because that is a Federal drug law that is being addressed.

Mr. Speaker, I ask that we stop finding excuses on not allowing our local law enforcement to get involved.

Let me throw this out. If we want to talk about the money issue, let's ask our colleagues on the other side of the aisle to join with us, and why don't we talk about doing fines and forfeiture allocations like we do with drug interdiction. Let's allow the local law enforcement to be able to keep a large percentage of the assets if they catch someone smuggling or is caught. Maybe that is something we can talk about, but not today find an excuse for not giving the authority to our local law enforcement to do what they know is right, and that is fight illegal immigration.

Mr. CONYERS. Mr. Speaker, I am pleased now to yield to a distinguished member of the Committee on the Judiciary, the gentleman from California (Mr. BERMAN) for 5½ minutes.

Mr. BERMAN. Mr. Speaker, I thank my ranking member for yielding.

Mr. Speaker, I would like to remind the body of what we have here. We have a bill with three sections, the first of which, in the chairman's own words, reinforces the authority of the local governments to do something that he apparently believes and we all accept that they would have the authority to do anyway.

I call that one the let's use the Iraq model for dealing with the issue of illegal immigration; subcontract large functions of it, but unlike in Iraq where we overpay the subcontractors, here tell the local law enforcement people we are giving up at the Federal level trying to deal with this problem, we are not going to give you a penny for more jail cells or a penny for more resources, we are not going to give you a single dime to do anything about it, but we are here to tell you if you want to, you have the authority to arrest

and detain people who are in this country illegally without regard to whatever acts they may have committed.

The second section of the bill is alien smuggling. It has a bunch of findings, it has a sense of Congress, and then says we authorize, but no funding, 20 more people to do something about alien smuggling.

And the third one is designed to deal with catch and release, the practice whereby non-Mexicans who are caught in this country in the past have been released rather than returned immediately to the country they came from because Mexico is not the country that they are from.

According to the Director of the Department of Homeland Security, we are currently detaining all El Salvadorans, or virtually all, because we now have enough beds, and we have enough to significantly reduce the total number of non-Mexicans. Catch and release is over. This bill won't make it. It is over. No one should be under the illusion that we are doing anything about the program catch and release by this bill because that program has ended.

What this bill in the larger context is, it is another one-House bill. Let me quote from the September 21 Washington Post. "With little more than a week left before the September 29 start of the Congress's scheduled recess, GOP leaders are considering appending some or all of the bills to must-pass spending measures before they leave town. But Senate Appropriations Committee Chairman THAD COCHRAN (R-MS) appeared to close off that avenue last night, saying he will not add any legislative language onto the spending bills that could slow their progress in the final days before the coming recess."

Another one-House bill. And then what will happen, a week from now we will recess, and the Republicans and the majority hope that the American people will be conned into thinking they have done something about one of the most serious national crises we have, and that is the crisis of inability to enforce our borders. There are 12 million people in this country using false identifiers, the absence of any employer verification system.

But in reality, none of that will have happened. The Republican Congress will have recessed for the elections with the mere hope that maybe when we come back with the lame duck, or maybe if you reelect us next year, we will get serious about this problem.

There is nothing in this bill or other bills that are being sent over to a House that will not take them up and not consider them that will make this crisis better.

And what do we have to do to do something serious? Back in June or July or in the beginning of September, a motion to go to conference on the two larger bills that the Senate and the House passed. This won't work. This bill is nothing. It doesn't do anything for anybody. It won't become law.

So you can have the meaningless gesture act that this bill represents. You can pass some of these other bills that are being brought up at the last minute to go into that vacuum on the other side; but one day I would like to understand how the majority explains the fact that they were not willing to make a motion to go to conference to reconcile the differences between the two bills, because in 1 week we will have done nothing to implement an employer verification system. We will have done nothing about 12 million people who are here under false identifiers, some portion of whom might be actual threats to our own national security. We will have done nothing to provide the meaningful, comprehensive approach, which is the only way to deal with the problem of illegal immigration in this country.

□ 1445

Mr. SENSENBRENNER. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, once again the gentleman from California repeats the same old refrain that it is the fault of this House that a conference has not been set up.

That is not the case. The Senate never messaged their bill to the House when they passed it in May. The only place where a conference can be set up is in the other body, and they can take up the House-passed bill and strike out all after the enacting clause and set up a conference. And only they can explain why that has not been done.

Secondly, the gentleman from California says that the catch and release change is meaningless. The Secretary of Homeland Security disagrees. I have a letter supporting the changes, specifically stating that the injunction that was issued against expedited removal of Salvadorans is costing the taxpayers money. This bill changes that.

And I will include the letter sent to me by Secretary of Homeland Security Michael Chertoff on September 20 in the RECORD at this point.

DEPARTMENT OF HOMELAND SECURITY,
Washington, DC, September 20, 2006.

Hon. F. JAMES SENSENBRENNER, JR.,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your support of critical injunction reform legislation, which will significantly support the Department of Homeland Security's (DHS) efforts to maintain "catch and remove" of non-Mexican illegal aliens apprehended along our Nation's borders. DHS urgently needs Congress to approve this legislation to ensure that long-outdated court decisions do not frustrate efforts to secure the border.

DHS has made great strides in increasing the number of non-Mexican illegal aliens detained for removal along the Nation's borders. In fact, DHS now detains all eligible individuals for prompt removal upon apprehension along both the Southwest and Northern borders. However, I am concerned that DHS will not be able to maintain this success because of a 1988 court order that impedes its ability to quickly remove Salvadorans caught after illegally crossing the Nation's borders.

The 1988 court decision hinders DHS's ability to place aliens subject to the injunction into expedited removal proceedings—proceedings that allow for quicker immigration processing. Instead, these aliens must be placed into full administrative immigration proceedings. Consequently, they are detained for an average of 48 days prior to removal in contrast to those aliens apprehended on the Southwest border for illegal entry and placed into expedited removal who are detained for an average of only 19 days prior to removal. At an average cost of \$95 per day for detention, the inability to fully utilize expedited removal for this population costs the taxpayer approximately \$2,755 per alien.

In addition, the injunction requires that unrepresented aliens subject to the court decision be detained in the same geographic area in which they are apprehended for seven days prior to transfer in order to afford them the opportunity to obtain counsel. DHS acquires detention space based on current migration trends. If aliens shift migration routes to a jurisdiction outside of the current area where extra bed space is available, this injunction could have serious repercussions on DHS's ability to detain such aliens due to the restriction on transferring them to areas of higher detention capacity. If the shift is sudden and large, the injunction could place enormous strain on available detention space, potentially forcing a return to the recently ended practice of "catch and release" until additional resources could be obtained, if available, in appropriate locations.

This decision was issued at a time when El Salvador was in the midst of a civil war and when immigration was governed by very different statutes. Yet, the decision continues to dictate the processing of Salvadorans almost 20 years later. On November 17, 2005, DHS fully explained to the district court the dramatic changes in the facts and the law that have occurred since the entry of its perpetual injunction in 1988. DHS asked the district court to lift its order; but, I have no firm date for when this process will reach its conclusion in the district court or upon appeal.

There are additional longstanding civil injunctions that impede DHS's ability to effectively enforce the Nation's immigration laws. These district court decisions have created onerous operating procedures that require the commitment of vast amounts of government resources. They detrimentally impact immigration enforcement on a daily basis, often frustrating DHS's efforts. One such order has resulted in the creation of extra procedures requiring substantial additional resources for routine visa processing. Another such injunction has resulted in certain Freedom of Information Act requests being given priority over other pressing work.

For all practical purposes, such invasive court-ordered requirements hamstringing the President and the Congress's authority over the borders even when the conditions that gave rise to such requirements may have changed. Under current law and court procedures, it can be extremely time-consuming and difficult to end these injunctions. With this legislation, Congress will be taking significant steps to ensure that DHS is no longer held hostage by these antiquated court orders.

Thank you again for your support of DHS's immigration enforcement efforts. I look forward to continuing to work with you on this and other measures to ensure that this issue is fully resolved.

Sincerely,

MICHAEL CHERTOFF.

Mr. Speaker, I now yield 3 minutes to the gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. Mr. Speaker, I thank the chairman for yielding, and I certainly thank him for his leadership on a variety of issues to help strengthen our border.

Mr. Speaker, I rise in strong support of H.R. 6095. But before I address the specific provisions of this legislation, I think it is important to put this bill in the larger context because, Mr. Speaker, we are having a debate that has been ongoing for a number of months in this body; and, Mr. Speaker, there are many of us who believe that border security is national security. We ignore our borders at our own peril.

Iraqis have been caught trying to infiltrate our southern border. Jordanians have been captured. Iranians have been captured, having infiltrated our border. Areas of the world where al Qaeda recruits, these people have crossed our border. Al Qaeda has made contact with human smugglers in Mexico. Every evening thousands are attempting to cross our borders, and only some are apprehended.

Now, Mr. Speaker, I know that many are good folks who are merely trying to feed their families and mean us no harm. Yet some also come here because they seek free education and free health care and welfare. Some are coming here because they are bringing violence and pushing drugs to our children and grandchildren. And, unfortunately, there may be a few who are coming here to try to bring down our airlines.

Again, we ignore border security at our own peril. Yet Democrats are holding our border security hostage for their views on amnesty, their views on giving government benefits and welfare to those who are here illegally. Mr. Speaker, this is unacceptable.

Now, this bill will help, help eliminate the catch and release program. At least in my part of Texas when constituents hear "catch and release," they think it has something to do with bass. They have no idea that we have been apprehending illegal immigrants and letting them back on this side of the border. That is unacceptable. And contrary to what some of our friends have said on the other side of the aisle, this does not mandate that local law enforcement get involved in this battle, but it helps empower them. And we are fighting a global war on terror, and shoring up porous borders is a critical part of that war. Why can't we come together as Republicans and Democrats and Independents and secure our border first?

I understand there are many legitimate issues, but at the end of the day, Mr. Speaker, we are not debating immigration, yes or no; but we are debating immigration, legal or illegal, and we allow illegal immigration at our own peril.

Let's secure our borders, and let's support H.R. 6095.

Mr. CONYERS. Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from California (Mr. BERMAN).

Mr. BERMAN. Mr. Speaker, I will be very brief.

There is only one response to my friend the chairman. If the issue is about papers and the only reason we haven't gone to conference committee is because the papers haven't been delivered, I do have Senator FRIST's phone number, and I am happy to provide it. I cannot conceive that it is a matter of paperwork and process that is keeping us from going to conference committee on one of the most serious domestic issues this country has faced.

Secondly, in response to the following speaker, the reason we cannot quite unite to do something here, apparently, is because we are not going to unite on a fool's errand. Everyone on your side of the aisle, from the gentleman from Colorado (Mr. TANCREDO) to the chairman to others, has acknowledged over and over again we are not going to deport 12 million people. You are not going to have local law enforcement pick up the task for you of deporting 12 million people.

A meaningful response is border security, because there are people there who are national security issues and there are people who are aiming to hurt us who want to cross this border illegally, and dealing with 12 million people who are operating under false identifiers, some of whom are bad people, and finding some system to either isolate and narrow that group or have them come forward, and most important of all, to get an employer verification system in place. None of these bills does anything about it. We are going to leave here in a week doing nothing about it. I don't understand how you are going to explain to your constituents and the people who are understandably upset about this issue that this Congress has addressed a very serious, urgent issue in a serious and coherent fashion. We haven't.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, the gentleman from California is right. This is an issue about papers. It is about a pretty important paper that has served our country well called the Constitution of the United States. Article I, section 7 says: "All bills for raising revenue shall originate in the House of Representatives, but the Senate may propose or concur with amendments as on other bills."

The "comprehensive amnesty immigration bill" that the Senate passed and didn't message contains \$50 billion in new taxes. They ignore this sacred paper that has been the foundation of our government, and are we supposed to ignore that and thus subject anything they do to endless litigation because they deliberately violated the Constitution? I think not.

Mr. Speaker, I now yield 4 minutes to the gentleman from Georgia (Mr. NORWOOD).

Mr. NORWOOD. Mr. Speaker, I rise very much in support of this bill.

Is it exactly like I want? No. Obviously, it is not like what Mr. BERMAN

wants either. And if you don't like the bill, just vote "no," as you have on many immigration bills. But this is what we have today, and the American people want to see us proceed.

This bill reasserts that State and law enforcement can and should help Federal officers on immigration law whenever they reasonably can and if they choose to. What a weird thought. We might get help from our local law enforcement as they do in drug enforcement.

It is a policy that our law enforcement community has conducted successfully for decades in helping this government, the Federal Government, enforce Federal drug and racketeering laws. This is not new.

Why then the outrage and the mass lobbying against it by the pro-illegal immigration crowd, or should I say open border crowd?

Because this bill goes to the heart of our enforcement problem, that is, simply a lack of enforcement. That has been our problem. Across the board, from the borders to the workplace to illegal immigrant crime, we have allowed the odds to become hopelessly stacked against enforcement.

In regards to rounding up criminal illegal aliens, we currently have roughly 5,000 Federal agents trying to apprehend 500,000 illegal aliens with court orders against them. Eighty thousand of them are serious felons, such as murderers, drug dealers, child molesters, and rapists. Vote against this bill if you want those people to stay out on the street. That is all right.

These odds, obviously, are impossible. There is no way we are going to have 5,000 Feds catch 500,000 violent criminals. But if we allow our 700,000 State and local police to volunteer to help, and they are American citizens too, the odds get a lot better. That might start an epidemic of looking at other ways to improve our odds, Mr. Speaker, in fighting overall illegal immigration.

And that undermines the illegal immigration lobby's theme song, which is the lie that we cannot stop illegal immigration. So, well, let's just give up. Let's just give in.

Well, we can stop all these problems if we only have the will. This body needs to have the will. The Senate has to do what it has to do, but we are the people's House. We need to show the gumption to get this done. This legislation proves how using commonsense partnerships between State and Federal authorities to multiply manpower will get the job done.

We are not talking about going after illegal aliens who are otherwise obeying our laws and are just here to work. This bill is targeted only on criminal aliens. Ironically, most of their fellow victims are their fellow immigrants.

Let's make one point absolutely clear. There is nothing in this bill that prevents local police from granting immunity from being reported for deportation to any illegal immigrant crime victim who comes to them for help.

Mr. Speaker, this short bill is the key component in the CLEAR Act that I introduced 3 years ago. It has already passed this House twice as a part of larger legislation. I think my friend from California didn't vote for it, but it did pass this House. Let's send this over to the Senate as a clean, short bill and see what they have got to say about that.

I thank the chairman for yielding me the time.

Mr. CONYERS. Mr. Speaker, before I yield to Mr. BECERRA, I yield myself such time as I may consume.

I always like to hear the gentleman from Georgia describe these bills. He says it only targets violent felons, and I would love to find that place in the bill where that is the case.

Nothing in this bill says that State and local law enforcement are authorized to enforce immigration law but only to focus their efforts on immigrants who are serious felons. In a news release, the gentleman from Georgia said that this bill would provide funding for training and resources for State and local enforcement agencies to voluntarily enforce immigration laws. Nothing in the bill provides any money for training or resources for State and local law enforcement. Not a dime. And that is why I have 25 pages of law enforcement officers that are opposed to the bill. Chiefs of police, mayors, sheriffs are all opposed to this bill. Republicans and Democrats, I might add.

And, of course, I should remind everyone in the body that we can already detain criminals or anyone that commits a criminal act, whether they are an immigrant or a citizen, but the problem is that only the Federal Government can deport anyone. So anybody committing a crime is subject to being detained.

□ 1500

This bill isn't about immigration reform. It is further evidence of a failure of leadership for us to have this body connect with the other body to get a conference going.

The gentleman from California (Mr. BERMAN) offered to make a phone call. I would offer to bring the news of the passage of the immigration bill in the House to the majority leader of the Senate myself. I will deliver it if that would help them get the news that there ought to be a conference.

I think that patently it is obvious that they know about this, and somewhere in the Republican leadership there is a huge desire not to have a conference.

Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. BECERRA), a former member of the Judiciary Committee.

Mr. BECERRA. Mr. Speaker, I thank the gentleman for yielding me the time and for his leadership.

Mr. Speaker, with 5 days left in this session, with the failure of this House to pass comprehensive immigration reform to accept the challenge posed by

the Senate which did pass comprehensive immigration reform, we are now left with a campaign stunt to try to pass something out of this House so that it can appear that as Members of Congress go home to campaign that we have done something on the issue of our broken immigration system.

Unfortunately, this legislation, like the previous bills that we are debating on this floor, fail to do one very important thing, and that was, ask the very people who this bill would impact most. And that is our local and State law enforcement officers what they think about this.

Because if you would have talked to them, they would tell you, please do not do this. We have had sufficient experience with what the Federal Government wishes to do when it comes to its Federal laws on immigration, and that is, it passes the buck without passing the money. This bill is no different. This passes the buck, but offers not a single cent to enforce the immigration laws that are a Federal responsibility.

For years our State and local governments have been asking Congress to fix the broken immigration laws that we have. Instead, this bill asks State and local police officers to pick up the tab, pick up the slack where the Feds have failed.

Mr. Speaker, you do not need to look very far for proof of that. Take a look at the State Criminal Alien Assistance Program. That is the Federal Government's effort to try to help States deal with the incarceration of criminal aliens.

The President's budget included not a single dime of funding to help States offset the cost of having to incarcerate criminal aliens. The Congress did a little bit better, but still is funding that program for all 50 States at less than one-third of what they are currently spending to incarcerate aliens who should be deported but committed crimes in our country.

What else? Take a look at the Federal Government's enforcement of our laws that prohibit individuals in this country from fraudulently hiring people who do not have permission to work in this country. How many enforcement actions did this government, this Federal Government, take against people who are abusing the laws and taking advantage of the fact that American citizens would like to take those jobs? Three enforcement actions in all of 2004.

State and local law enforcement officers know what happens when those bills are passed: the buck gets passed with it, and no money gets passed along. Mr. Speaker, police officers are also telling us why would we want to have to enforce Federal immigration laws when we have to enforce the local laws to protect our citizenry.

If a crime is committed, why would an immigrant who is already living in the shadows come out of the shadows to report a crime that he or she wit-

nessed, if he or she knows that now we will pick them up on an immigration infraction? This is crazy. But this is what we are left with these last final days.

Mr. Speaker, we can have comprehensive immigration reform. The Senate did it. It is a shame that the House has not decided to follow suit. I would urge Members to vote against this legislation.

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

What we are witnessing in the last few days is an effort to make sure somebody believes that we have sincerely worked on immigration rather than going to conference with the two major bills left.

We tried during the recent recess by holding a series of hearings across 13 States, to make sure people thought that we were working and concerned about immigration. As the newspaper reports show, it failed dismally.

So what we are doing now is to say let's keep the immigrants out. Let's keep them out. Let's keep them out. But let's let them in through the back door. Republicans do not prosecute employers, but then they blame Democrats for talking about other ways to deal with those who are already working here. We all know that letting immigrants in helps corporations and businesses that are using immigrants as the cheapest labor that they can find to benefit their activities.

And the reason we are not at conference is because many in our business world need immigrant labor, and the companies that support the Republican Party that says, get tough on immigrants, are the same ones that then turn their back and do nothing.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield myself the balance of the time.

Mr. Speaker, during the debate on this bill and the debate on the two previous border security and law enforcement bills, we have heard time and time again why there not a conference between the Senate and the House on the differing bills that we passed, and that this is just merely a matter of papers, and this can be solved with a couple of phone calls over to the other body.

Well, the constitutional problem cannot be solved with a couple of phone calls. Because the Constitution's mandate that revenue-raising bills originate in the House of Representatives is pretty clear, and it has been there since 1789.

Frankly, the other body has not passed a bill that can be sent to conference because of the revenue-raising provisions that were contained in their bill. They chose to do that; we did not. And it is unfair and probably unconstitutional to blame this House for not rolling over and playing dead over the fact that the Senate bill violates article I, section 7 of the Constitution of the United States.

Having said that, let's get down to the nub of this bill. The nub of this bill specifically authorizes voluntary agreements between the Federal Government and local law enforcement to help in the assistance and enforcement of our immigration laws. Let me say again what we are dealing with is voluntary.

No local government agency or local law enforcement agency is forced to do anything under this piece of legislation in helping the Federal Government enforce our immigration laws.

But if they do do it, they should have statutory authorization. And where are the benefits going to be if there is cooperation between the Federal Government and State and local law enforcement in helping enforce our immigration laws? It is going to be in the immigrant communities themselves. Because most of the crimes that are committed by illegal immigrants in our country are against other immigrants, both legal and illegal.

As a result of the current system, which this bill hopes to encourage to change, we will be able to make those immigrant communities safer. Now, the bill specifically states that nothing in it may be construed to require State or local law enforcement personnel to report the identity of a victim or a witness to a criminal offense to the Department of Homeland Security.

So if one of the bad guys hits an illegal immigrant over the head, the local law enforcement that investigates this does not have to report to DHS the fact that the victim is an illegal immigrant, and nor does that illegal immigrant victim have to be arrested because that person is a victim or a witness, and the arrest would be for an immigration law violation.

State and local law enforcement are not going to be reporting victims of crime. And they know best how to integrate immigration law enforcement into their duties in a way that will increase the safety and well-being of immigrant communities.

Now, many immigrant communities are held hostage by violent alien gangs. Many of those gang members have already been deported for criminal activity and have returned to this country illegally. If State and local law enforcement officers identify such aliens, they can either turn a blind eye or wait until the aliens commit new crimes, or they can apprehend the gang members and turn them over to the Department of Homeland Security to get them out of this country.

Clearly, immigration communities will be safer if those vicious criminals are taken off the streets before they can kill or rob again. And what other circumstances are State and local law enforcement likely to report to DHS? As an example, they may report on illegal aliens they come across in the normal course of carrying out their duties, such as after stopping for speeding a smuggling van carrying illegal immigrants.

Mr. Speaker, this is a good bill. It helps leverage the assets that we have. I am for increasing the number of ICE agents and Border Patrol agents and increasing the number of detention beds, but passing this bill is something that we can do now to increase the effectiveness of law enforcement in dealing with these issues.

Mr. Speaker, I will repeat once again that the communities that will be safer will be the immigrant communities, both the legal immigrants that are present there as well as those that are not legal. Pass the bill.

Mr. ISSA. Mr. Speaker, I rise today in support of H.R. 6095, the "Immigration Law Enforcement Act of 2006." This legislation takes an important step toward greater prosecution of human smugglers, known as "coyotes," and I thank Judiciary Committee Chairman JIM SENSENBRENNER for bringing this legislation before us. This legislation also authorizes State and local cooperation with Federal immigration enforcement efforts, as well as helping to end the catch-and-release of criminal aliens.

I have spoken about the need for increased prosecution of coyotes many times. I have corresponded numerous times with the Attorney General on the subject imploring increased prosecution. Last year I introduced the Criminal Alien Accountability Act that would stiffen the penalties for coyotes and other criminal aliens. My legislation was incorporated in large part into H.R. 4437, the "Border Protection, Antiterrorism, and Illegal Immigration Control Act of 2005," which passed the House last December. However, major roadblocks impeding the prosecution of coyotes remain, and they are the lack of acceptance of these cases by U.S. Attorneys and a lack of uniform prosecution guidelines among the U.S. Attorney offices along the southern border.

The U.S. Attorney's Office has stated in the past that it does not have the resources needed to fully prosecute arrested coyotes. For example, the Border Patrol was instructed to release known coyote Antonio Amparo-Lopez, an individual with 21 aliases and 20 arrests. Releasing a criminal such as this is completely unacceptable, and is demoralizing to the Border Patrol agents who work so hard to make the arrests in the first place.

I, along with Chairman SENSENBRENNER, recently met with U.S. Border Patrol Sector Chief Darryl Griffin and U.S. Attorney Carol Lam in San Diego to discuss these problems. Our meetings demonstrated the differences in opinion between those who arrest human smugglers and those who prosecute them. Importantly, we learned that U.S. Attorney offices have varying prosecution guidelines for human smugglers depending on where the office is located. This causes smugglers to use access points in states with weaker prosecution standards, increasing the criminal element in those communities.

H.R. 6095 calls on the Attorney General to adopt uniform guidelines for the prosecution of smuggling offenses. This change could help lessen the burden on border areas within the United States that currently are overrun by coyote operations, in addition to reducing smuggling in total. Additionally, H.R. 6095 authorizes 20 new U.S. attorneys for each year from FY 2008 through FY 2013 to help prosecute human smuggling offenses.

I will continue to work with others in Congress, the Administration, and the public at large to ensure the prosecution and removal of every criminal alien that is apprehended.

Mr. BACA. I rise today to express strong opposition to the majority's failure to seriously address the important issue of immigration reform.

Congress has had a real opportunity this year to produce meaningful bipartisan comprehensive immigration reform. But instead Republican leaders have decided to play election year politics and cater to their base with bills like these. These bills are further proof that Republicans are not serious about real reform on immigration.

On the other hand, Democrats are serious about immigration reform and border security. If our amendments had been adopted over the last five years, there would be 6,600 more Border Patrol Agents and 2,700 more immigration enforcement agents along our borders.

Republicans instead have held "sham" hearings that produced no results—nothing, zero. Second, they have not moved forward with a House-Senate conference on border security/immigration reform legislation. Finally, they are trying to fool our American public by bringing up these token bills that will not be even considered in the Senate.

These narrow-minded bills would have little impact on closing the numerous security gaps along our borders. Let's not confuse, again and again, the real concern here.

After five years Republicans have nothing to show except for a few votes on band-aid attempts to address a complex issue.

It's time for a new direction.

Mr. ORTIZ. Mr. Speaker, it is deeply offensive for this House to continue on a piecemeal approach to the border security and immigration problem.

The fact is this Congress has not done any heavy lifting to effectively solve our border security crisis.

That's an awful record for the majority party to carry into the election season, so we are forced to deal again with redundant legislation so the majority party can seem to be accomplishing something.

But we aren't accomplishing a single thing.

What we're doing today—in all these bills—is blowing more hot air at voters who are angry that we say we're doing things to improve our border security—but we never pay for them.

Each year since 2001, Democrats have tried to add amendments to defense, homeland security, and emergency supplemental appropriations bills.

Not a single one was passed—if they were, we'd have 6,600 more Border Patrol agents, 14,000 more detention beds, and 2,700 more immigration agents.

On the border, our not funding our promises brings local law enforcement a very large bill—yet another unfunded mandate.

When Border Patrol finds an immigrant lawbreaker—mostly small drug possessions—they take them to the local jail where the local taxpayers foot the bill to hold them.

The same local taxpayers then have to pay for the prosecutors and there aren't enough judges. This is a cycle that won't end.

Now the House Leadership is cutting up legislation we've already passed into many different bills to make it seem like we are working on this issue.

Mr. Speaker, the American people have every right to be angry with this Congress.

Let's use the 9–11 legislation they were embarrassed into passing in December 04 as an example.

Not only did we not fund most of that bill, breaking many of our promises in it we passed virtually the same bill but added extreme provisions to criminalize those here.

In May of 2006, when the Senate passed an astonishingly better bill, the House closed down the process—refused to negotiate a final bill.

Instead, they passed an awful bill last December then spent the summer stalling any negotiation with deceptive "hearings."

If the House Republicans were serious about border security, they would have moved forward with a House-Senate conference on border security and actual immigration reform legislation.

Today—in an effort to appear to have accomplished something, anything related to immigration and border security—we are considering the same bill we passed twice already, just chopped into smaller pieces.

This is what it means to fool people.

So, let us remember the old wisdom: you can fool some of the people some of the time, but thank God, you can't fool all the people all the time.

That, I suppose, is the bad news for the crowd that thinks passing the same bills over and over is good politics.

Good politics these days means paying for the Nation's protection and none of these bills take care of that business.

Mr. BONILLA. Mr. Speaker, I am proud that today Congress will pass vital legislation based upon legislation I drafted, the Fairness in Immigration Litigation Act of 2006, to close an egregious loophole that allows thousands of illegal aliens to remain in our country every week. Passage of this legislation will result in safer communities across our nation.

Currently, the Orantes injunction mandates that the U.S. Government afford all Salvadoran immigrants the benefit of full deportation proceedings and undermines the authority of the Department of Homeland Security to apply expedited removal procedures. The court order was issued in 1988 when El Salvador was in the midst of a bloody civil war and was designed to protect those seeking refuge in the United States. However, on January 16, 1992, a peace accord was signed ending 11 years of civil war and implementing strict human rights restrictions. Today El Salvador enjoys a democratically elected government and a developing economy.

Illegal aliens stream across our border by the hundreds on a daily basis. They present an immediate danger to the lives of people in every Texas community and across the United States of America. For over 14 years I have worked to raise awareness on Capitol Hill about the crisis facing our border communities. I have met with law enforcement officials along the border and discussed this critical issue with my colleagues in Congress, providing those in Washington with a firsthand perspective on how to increase our border security.

However, gangs such as Mara Salvatrucha, otherwise known as MS-13, and members of drug cartels now exploit this loophole in our legal system to thwart our immigration laws and obtain release into our communities. This legislation removes obstacles that prevent our government from effectively enforcing the immigration laws that Congress intended.

The threat of terrorism is real. Each day our border communities witness violence and fear created by ruthless members of drug cartels. We must not allow terrorists and criminals from around the world to abuse loopholes in our legal system, turning our southwest border into a revolving door. The efforts of our law enforcement officials to catch, detain, and deport those who enter illegally must not be obstructed by those looking to abuse the system. I am proud that today Congress will overturn the outdated and obsolete Orantes injunction to protect the integrity of our legal immigration process.

Mr. SMITH of Texas. Mr. Speaker, I support H.R. 6095, the Immigration Law Enforcement Act of 2006.

It's important to Americans that local law enforcement officials are doing everything possible to arrest and prosecute criminals.

And it's important that law enforcement officials know under exactly what circumstances they can lawfully arrest or detain a suspected criminal.

Take for instance the situation in which a police officer has reasonable suspicion to stop an individual and finds out that individual is in the United States in violation of our immigration laws. It's contrary to common sense that the police officer would not be able to arrest that person simply because immigration is a Federal responsibility. But this is the argument of those who oppose this bill.

H.R. 6095 affirms the authority of State and local law enforcement officials to investigate, apprehend, and arrest illegal immigrants.

Several Federal Courts of Appeals, including the Tenth and Fifth Circuits, have agreed that State and local law enforcement officials have the authority to do so.

Unfortunately, opponents of this legislation believe that if a police officer comes in contact with a suspected criminal who has violated immigration law, they should simply let the person go.

This situation was addressed in the 1996 immigration legislation that I authored. Because of that law, the Immigration and Nationality Act contains section 287(g), which allows the Attorney General to enter into written agreements with States and localities to set out provisions under which State and local law enforcement officers can help enforce Federal immigration laws.

But the law does not mean that just because there is no such written agreement, the police don't have the authority to arrest illegal immigrants.

Law enforcement officers should arrest anyone who breaks the law. This bill is necessary to settle the debate once and for all.

I urge my colleagues to support the bill.

Ms. JACKSON-LEE of Texas, Mr. Speaker, I rise in opposition to the Immigration Law Enforcement Act of 2006, H.R. 6095. It will not protect United States borders, strengthen our national security, or address the nation's immigration problems comprehensively. Instead of voting on H.R. 6095 and other bills that raise a few issues on a piecemeal basis, we should

be going to conference to resolve the differences between the House and Senate immigration reform bills that have already passed.

H.R. 6095 presents a sense of Congress that the Attorney General should adopt, not later than three months after the date of the enactment, uniform guidelines for the prosecution of smuggling offenses to be followed by each United States attorney in the United States. It also requires the hiring of additional personnel for prosecuting alien smuggling cases. For each year from FY2008 through FY2013, subject to the availability of appropriations, the Justice Department would be required to increase by not less than 20 the number of attorneys in the offices of United States attorneys employed to prosecute alien smuggling cases.

I find nothing objectionable about these provisions, but I do not believe that they will substantially improve our ability to deal with the alien smuggling problem. It would be more productive to consider an alien smuggling bill that I introduced a few years ago, the Commercial Alien Smuggling Elimination Act of 2003, the CASE Act. It would establish a three-point program that was drafted with assistance from government officials who are involved in the investigation, disruption, and prosecution of commercial alien smugglers.

H.R. 6095 would give State and local police officers the authority to enforce civil immigration laws. I do not want local police forces to enforce immigration law. Immigration violations are different from the typical criminal offenses that police officers normally face. The typical law enforcement activities of local police officers involve crimes such as murders, assaults, narcotics, robberies, burglaries, domestic violence, and traffic violations. It would require extensive training to prepare them to enforce civil immigration provisions.

If police act as immigration agents, undocumented immigrants are likely to be afraid to contact the police when a crime has been committed. If they as victims, witnesses, or concerned residents contact the police, they or their family members could risk deportation. Experience shows that this fear would extend not only to contact with local police, but also to the fire department, hospitals, and the public school system.

H.R. 6095 also would undermine local police's role in enhancing national security. National security experts and State and local law enforcement officers agree that good intelligence and strong community relationships are the keys to keeping our Nation and our streets safe. Undocumented immigrants who might otherwise be helpful to security investigators would be reluctant to come forward for fear of immigration consequences.

H.R. 6095 has an "Ending Catch and Release Act of 2006," title, but the provisions under that title deal with injunctions in federal immigration litigation. "Catch and release" is a reference to the practice of apprehending aliens in the vicinity of the border and then releasing them pending removal proceedings. Apparently, the connection is the permanent injunction in *Orantes-Hernandez v. Gonzalez*, No. 82-1107KN (C.D. Cal. 1982). Homeland Security Secretary Chertoff has claimed that the Orantes injunction interferes with efforts to end the catch and release practice.

I am not aware of any provision in the Orantes injunction that would interfere with ef-

orts to end the catch and release practice. In issuing the injunction, the court found that the former Immigration and Naturalization Service had engaged in a pattern and practice of coercing and otherwise improperly encouraging Salvadorans to waive their rights to a deportation hearing and to seek asylum as a defense to deportation.

H.R. 6095 appears to be an attempt to terminate the Orantes injunction through legislation, but its reach goes beyond the injunction. Among other things, a judge would not be permitted to provide relief in any immigration case without attaching a written explanation of the impact the relief would have on national security, border security, immigration administration and enforcement, and public safety. It also would impose arbitrary, unreasonable time limits on courts attempting to provide prospective relief.

DHS has filed a motion to dissolve the injunction. *Wilfredo v. Gonzales*, No. CV 82-1107MM (C.D. Cal. 2005).

I urge you to vote against the Immigration Law Enforcement Act of 2006.

AUGUST 14, 2006.

HOUSE OF REPRESENTATIVES,
Committee on Homeland Security, Sub-Committee on Immigration, Washington, DC.

DEAR SUB-COMMITTEE MEMBERS: I am writing to respond to your invitation to testify before your sub-committee hearing on Wednesday, August 16th, 2006, at 9:30 a.m., at the Civil Courthouse 201 Caroline St., Houston Texas. First let me say as Chief of the Houston Police Department (HPD) and also as President of the Major Cities Chiefs Association (MCC) that I appreciate and wish to thank you for the honor and privilege of putting into the official congressional record Law Enforcement's comments and concerns on Immigration prior to the full enactment of any legislation on this important subject. I will be submitting as an attachment to my testimony today the MCC's Immigration Committee Recommendations for Enforcement of Immigration Laws by Local Police Agencies (chaired by my Deputy Director Craig E. Ferrell, Jr.), which were adopted on June 7th by the MCC for inclusion in the official congressional record. I also have additional attachments for the sub-committee members, but due to their length I have been told they can not be part of the written record.

Let me begin by giving my reaction to a recent federal legislative amendment aimed at eliminating federal law enforcement funding to local police. In short, both myself and chiefs of major cities across the country are dismayed by any legislative action aimed at excluding the City of Houston and/or other local jurisdictions from receiving needed federal law enforcement funds. These funds are needed to put more officers on the streets of Houston, protect our neighborhoods, investigate and prevent murders, rapes, assaults, robberies, burglaries, and provide for homeland security efforts. It seems clear that some in Congress and the public fervently believe local police should become involved in enforcing federal civil immigration laws. Given these strong beliefs, we are left to wonder why the recent legislative amendments were not written to provide increased federal funding to local police to support such enforcement. Instead the amendments have sought to eliminate funding and penalize not only the City of Houston, but also Harris County, and other local and national jurisdictions, which will be negatively affected by this amendment. The end result of any law enforcement funding exclusion amendment, if it is applied to Houston and

other communities like Houston would be to make our local communities less safe. In other words these amendments would have the opposite effect of their purported purpose.

Illegal immigration is being hotly debated in Congress and in our local communities. Opinions on how to address this complex issue differ greatly and emotions run high. Extremes exist on either side of the debate as represented by the recent mass demonstrations by immigrant groups and their supporters and the funding exclusion amendment and the referendum effort of the group Protect Our Citizens in Houston. Both myself and chiefs of police in MCC representing first responders to over fifty (50) million residents respectfully disagree with any effort to eliminate federal law enforcement funding and in effort to create an unfunded mandate. Illegal immigration is an issue that effects our nation as a whole and any solution should begin first at the federal level with securing the borders and increasing enforcement by federal agencies.

Local enforcement of immigration laws raises complex legal, logistical and resource issues for local communities and their police agencies. The City of Houston's policies and those of most major cities across America reflect the challenges and realities faced by a City and police agency that is responsible for protecting and serving a diverse community comprised of citizens, non-citizens, legal residents, visitors and undocumented immigrants. The City's policies seek to best protect and serve this diverse community as a whole, while taking into account: the reality that the City does not have unlimited resources; its officers are prohibited by state law from racial profiling and arresting persons without warrants and without well established probable cause; is subject to civil liability for violating such laws; and has the clear need to foster assistance and cooperation from the public including those persons who may be undocumented immigrants. In an effort to clarify the City's reasoned and model approach to this issue I have provided the following statements regarding the City's policy and why we oppose the positions represented by the federal fund exclusion amendment and Protect Our Citizens' referendum.

City does not have a sanctuary policy

Currently, the police department is operating under General Order 500-5 [See attached Exhibit 1]. General Order 500-5 was implemented in 1992 by then Chief Nuchia, who is currently serving as a Justice in the Texas Judiciary's First Court of Appeals. The General Order includes the following provisions:

Houston police officers may not stop or apprehend individuals solely on the belief that they are in this country illegally.

Officers shall not make inquiries as to the citizenship status of any person, nor will officers detain or arrest persons solely on the belief that they are in the country illegally.

Officers will contact the [Federal Immigration Authorities] regarding a person only if that person is arrested on a separate criminal charge (other than Class C misdemeanor) and the officer knows the prisoner is an illegal alien."

The department has issued clarifications of our "immigration" policies and implemented changes to the department's enforcement policies to increase cooperation between the department and federal agencies on immigration matters that are criminal in nature. [Exhibit 2] In the summer of 2005, I directed Executive Assistant Chief Thaler, Assistant Chief Perales and Deputy Director/General Counsel Craig Ferrell to meet jointly with representatives of the U.S. Attorney's office

and I.C.E. to discuss the department's response to immigration detainees. Based on those discussions, the department developed procedures to accept and act upon criminal immigration detainees issued by I.C.E. The police department further clarified that our officers are allowed to take into custody any person who the federal authorities state is a criminal suspect and for whom they will authorize detention directly into a federal detention facility. In addition, whenever the department has a person in custody on other criminal charges, the department will not release the person from custody for up to 24 hours after we have received formal notice from federal authorities that they are wanted for criminal violations.

The City is committed to assisting I.C.E. and any other federal agency wherever possible and reasonable to enforce against criminal violations and address criminal matters. The Houston Police Department has always acted to enforce laws relative to criminal violations and criminal matters, accepted criminal warrants and criminal detainees and assisted in criminal investigations, regardless of whether they emanated from other jurisdictions or arose out of federal or state laws. Our officers are currently involved in various federal task forces addressing criminal matters including violent criminal gangs. Because we have and will continue to enforce laws relative to criminal violations against any and all persons, regardless of their immigration status, the department and thus the City does not have a "sanctuary policy" as opponents of our policies have alleged. This is not only the City's or the police department's opinion but also that of Robert Rutt the Deputy Special Agent in Charge for Immigration and Customs Enforcement [I.C.E.]. In a recent Houston Chronicle article he stated that "Houston is not a sanctuary City . . ." In the same article he further acknowledged the police department's significant cooperation with I.C.E. [Exhibit 3]

Concerns with local enforcement of federal immigration law

Local enforcement of federal immigration laws raises many daunting and complex legal, logistical and resource issues for the City of Houston and the diverse community it serves. Like other jurisdictions our policy in this area must recognize the obstacles, pitfalls, dangers and negative consequences to local policing that would be caused by immigration enforcement at the local level.

* * * * *

were detained by the police were later determined to be either citizens or legal immigrants with permission to be in the country. The Katy police department faced suits from these individuals and eventually settled their claims out of court.

Because local police officers currently lack clear authority to enforce immigration laws, are limited in their ability to arrest without a warrant, are prohibited from racial profiling and lack the training and experience to enforce complex federal immigration laws, it is more likely the City/police department will face the risk of civil liability and litigation if we actively enforced federal immigration laws.

UNDERMINES TRUST AND COOPERATION OF
IMMIGRANT COMMUNITIES

Major urban areas throughout the nation are comprised of significant immigrant communities. In some areas the immigrant community reaches 50-60 percent of the local population. Local agencies are charged with providing law enforcement services to these diverse populations with communities of both legal and illegal immigrants. The reality is that undocumented immigrants are a

significant part of the local populations major police agencies must protect, serve and police. The City of Houston faces the same challenges.

Local officers have worked very hard to build trust and a spirit of cooperation with immigrant groups through community based policing and outreach programs and specialized officers who work with immigrant groups. We have a clear need to foster trust and cooperation with everyone in these immigrant communities. Assistance and cooperation from immigrant communities is especially important when an immigrant, whether documented or undocumented, is the victim of or witness to a crime. These persons must be encouraged to file reports and come forward with information. Their cooperation is needed to prevent and solve crimes and maintain public order, safety, and security in the whole community. Local police contacts in immigrant communities are important as well in the area of intelligence gathering to prevent future terrorist attacks and strengthen homeland security.

Immigration enforcement by local police would likely negatively effect and undermine the level of trust and cooperation between local police and immigrant communities. If the undocumented immigrant's primary concern is that they will be deported or subjected to an immigration status investigation, then they will not come forward and provide needed assistance and cooperation. Distrust and fear of contacting or assisting the police would develop among legal immigrants as well. Undoubtedly legal immigrants would avoid contact with the police for fear that they themselves or undocumented family members or friends may become subject to immigration enforcement. Without assurances that contact with the police would not result in purely civil immigration enforcement action, the hard won trust, communication and cooperation from the immigrant community would disappear. Such a divide between the local police and immigrant groups would result in increased crime against immigrants and in the broader community, create a class of silent victims and eliminate the potential for assistance from immigrants in solving crimes or preventing future terroristic acts.

Ms. FOXX. Mr. Speaker, today I rise in strong support of H.R. 6095, the Immigration Law Enforcement Act of 2006 and to affirm the inherent authority of State and local law enforcement to assist in the implementation of our immigration laws.

This year, I had the privilege to participate in two Government Reform Subcommittee field hearings in North Carolina on this very subject, one of which took place in my district.

Illegal immigration has consistently been the No. 1 topic prompting my constituents to write and call my office. It is also the No. 1 problem expressed to me by many of the local officials I represent.

In recent years, State and local governments have had to make extraordinary adjustments to accommodate illegal immigration. Over 300,000 illegal aliens are estimated to reside in North Carolina, and that number is increasing. As a whole, our counties and communities, now saturated with illegal aliens, are spending billions of dollars on public health, public education, law enforcement and social services for people who are residing here illegally. Every dollar spent on an illegal alien is a dollar diverted away from a law abiding, tax-paying citizen. Illegal immigration affects virtually every aspect of life in America.

Few States have had to struggle with this burden as much as North Carolina, where the

illegal immigration population is rapidly approaching half a million. North Carolina is currently one of the six major destination States for illegal aliens and has one of the five highest ratios of illegal immigrants to legal immigrants. During the 90s, the immigrant population of Forsyth County alone exploded by 515 percent, meaning that two-thirds of the county's foreign-born population had entered in just 10 years.

My State's government estimates that Medicaid costs due to illegal immigration have doubled in 5 years. The State is spending over \$200 million annually to educate the children of illegal aliens, more than a 2,000 percent increase in 10 years. Across the State, the criminal justice system is disrupted as courts and law enforcement struggle, particularly in rural counties, to find translators to assist in investigations and court proceedings for foreign-speaking defendants.

Too many stresses and strains are being put on State and local governments at once and there is a clear need for government officials at all levels to decisively reverse these trends.

It is in cities like Winston-Salem, as well as smaller communities, that the presence of illegal aliens who've committed other crimes is most keenly felt. One solution to these dilemmas that has been growing in use since it was first tried in 2002 is known as the "287(g) cross-designation training" program. By the authority of section 287(g) of the Immigration and Nationality Act, the Department of Homeland Security can enter into assistance agreements with State and local agencies. The 287(g) training and certification gives local law enforcement a vital tool in combating the growing problems from illegal immigration. Many illegal aliens who've committed crimes in America can now be held and processed for deportation or Federal prosecution through use of the 287(g) program. State and local officers can even interview suspects and prison inmates to determine if immigration laws have been violated; they can process and fingerprint them for such violations; and they can prepare documents for deportation and refer criminal aliens to ICE for potential Federal prosecution.

It is the constitutional responsibility of the Federal Government to protect the borders and enforce our laws. Given the scope of the problem of illegal immigration, the Federal Government should move quickly to provide authority to State and local law enforcement to combat illegal immigration. We will never get a handle on this growing problem if we don't.

Mr. DINGELL. Mr. Speaker, I rise in strong opposition to the three bills being considered today in House. The rush to bring these bills to the floor for a vote makes it clear that the majority has one thing on its mind, election year political concerns. As far as I can tell, these bills were not given hearings or marked up in committee. In fact, two of these bills were just introduced this week. Members have had very little time to look at these bills, and to consider the ramifications should these bills be enacted into law. This is no way to craft good, solid legislation.

These bills represent a half-hearted attempt at beefing up immigration enforcement and border security. Instead of taking a rifle shot approach to the immigration issue, the House and Senate should have went to conference on the immigration bills that passed each

chamber. Unfortunately, rather than coming together and hashing out differences, the two Chambers began holding field hearings about why their Chamber's bill was better than the other Chamber's bill. It is time to stop these antics and appoint conferees so we can create a good bill.

Mr. Speaker, given the fact that we have had very little time to consider this legislation, and that we cannot even offer amendments on the floor to try and do what the committees could not, I will vote "no" and urge my colleagues to do the same.

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

The SPEAKER pro tempore (Mr. SWEENEY). Pursuant to House Resolution 1018, the bill is considered read and the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. GUTIERREZ

Mr. GUTIERREZ. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. GUTIERREZ. Mr. Speaker, I am in its present form.

Mr. SENSENBRENNER. Mr. Speaker, I reserve a point of order on the motion.

The SPEAKER pro tempore. The gentleman from Wisconsin reserves a point of order.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Gutierrez moves to recommit the bill H.R. 6095 to the Committee on the Judiciary with instructions to report the same back to the House forthwith with the following amendments:

Page 3, after line 12, insert the following:

(2) In the 9/11 Act of 2004, the Republican Congress promised to provide 8,000 additional detention beds and 800 additional immigration agents per year from fiscal year 2006 through fiscal year 2010. Over the last two years, the Republican Congress has left our Nation short 5,000 detention beds, and nearly 500 immigration agents short of the promises they made in the Intelligence Reform (or 9/11) Act of 2004, to the detriment of efforts to combat alien smuggling.

(3) Alien smuggling continues to be a problem in part because the Committee on the Judiciary and other relevant committees have not engaged the Senate Committee on the Judiciary in discussion on resolving the differences between the House and Senate on immigration legislation that the House of Representatives or the Senate have already passed during the 109th Congress and has not reported the same back to the House in a form agreed to by the two Committees, in consultation with other relevant committees, that protects United States borders, strengthens our national security, and addresses the nation's immigration problem comprehensively.

Page 3, line 13, strike "(2)" and insert "(4)".

Page 3, line 17, strike "(3)" and insert "(5)".

Page 3, line 21, strike "(4)" and insert "(6)".

Page 4, line 3, strike "(5)" and insert "(7)".

Page 4, after line 25, insert the following:

(d) ADDITIONAL RESOURCES TO PROTECT AGAINST ALIEN SMUGGLING BY IMPLEMENTING THE 9/11 COMMISSION ACT.—In each of fiscal years 2007 through 2010, there are authorized to be appropriated such sums as may be necessary to increase—

(1) by 2,000 the number of immigration agents;

(2) by 250 the number of detention officers;

(3) by 250 the number of U.S. Marshals;

(4) by 25,000 the number of detention beds;

(5) by 1,000 the number of investigators of fraudulent schemes and documents that violate sections 274A, 274C, and 274D of the Immigration and Nationality Act (8 U.S.C. 1324a, 1324c, 1324d).

Mr. GUTIERREZ (during the reading). Mr. Speaker, I ask unanimous consent that the motion to recommit be considered as read and printed in the RECORD.

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

There was no objection.

POINT OF ORDER

Mr. SENSENBRENNER. Mr. Speaker, I make a point of order against the motion to recommit.

The SPEAKER pro tempore. The gentleman from Wisconsin is recognized.

Mr. SENSENBRENNER. Mr. Speaker, I make a point of order against the motion to recommit for the same reason that I made a point of order against the gentleman from Illinois' previous motion to recommit.

Clause 7 of rule XVI precludes amendments on a subject different from that under consideration.

□ 1515

H.R. 6095 reaffirms the inherent authority of State and local law enforcement to voluntarily investigate, identify, apprehend, arrest, detain or transfer to Federal custody aliens in the United States in order to assist in the enforcement of immigration laws, and clarifies guidelines for the prosecution of smuggling offenses. It also ends the practice of catch and release by DHS to ensure that immigration laws are enforced in the manner in which they were intended.

This motion to recommit pertains to a subject matter different from the legislation under consideration. It is the same motion to recommit that the gentleman from Illinois made to the previous bill by increasing the number of U.S. marshals by 250, which is on page 2, line 15 of the motion to recommit.

The U.S. marshals do not have a role in enforcing the immigration law. Thus, the motion to recommit expands the scope of the bill and is non-germane, and it fails the test of germaneness contained in clause 7 of rule XVI.

The SPEAKER pro tempore. Do other Members wish to be heard on the point of order?

The Chair recognizes the gentleman from Illinois.

Mr. GUTIERREZ. Mr. Speaker, I would argue that it is germane to the bill. When you take the whole bill subject to consideration, and we look at

representing a number of different immigration reform proposals, and my sections address those same exact matters. All day, Mr. Speaker, we have been hearing from the proponents of this and other immigration bills argue that the various immigration reform proposals included in this bill are viable alternatives to much more comprehensive immigration reform legislation that has stalled in the 109th Congress.

In other words, Mr. Speaker, they are conceding that this bill is related to many other immigration reform proposals this House has considered over the past 2 years. Republicans are trying to pretend that the 109th Congress has not debated the immigration issues on many other occasions other than today. That is simply wrong. This House has debated the subject matter of this bill many times.

My motion certainly suggests a better way to handle the subject matter on this bill, which is to go to conference with the comprehensive bills that the two Houses have already passed. The subject matter of this bill is immigration reform. The subject matter of my motion to recommit is also immigration reform. The only difference is that my proposal would actually require Congress to do something.

Republicans are addressing the immigration issue with press releases. I am saying the more responsible way to address the subject matter of this bill is to go to conference and actually pass a law.

Mr. SENSENBRENNER. Mr. Speaker, point of order.

The SPEAKER pro tempore. The gentleman will suspend.

Mr. SENSENBRENNER. Mr. Speaker, the gentleman's comments are not addressing the point of order which I have raised.

The SPEAKER pro tempore. The gentleman from Illinois must confine his remarks to the point of order.

Mr. GUTIERREZ. Well, it seems to me that it is germane, Mr. Speaker. We have heard on repeated occasions that what we are considering is the first step. We have heard that repeatedly here today. We have other bills, and simply what my motion to recommit instructs us that we go to conference to take it into consideration into the totality.

We agree, Mr. SENSENBRENNER and I, if we were actually to sit around a table and use regular order, we would find that we have much agreement on securing our borders, on a number of the issues that have been raised here today. No one on this side of the aisle is pretending to stand up for gang members and drug dealers. We want them out of the country also.

But we also understand that like Mr. Tom Ridge, of Homeland Security, and Congressman SENSENBRENNER referred to the current Homeland Secretary in his statement, we have statements from the former Director of Homeland Security that we need to deal with. So I think it is germane, Mr. Speaker.

The SPEAKER pro tempore. Does any other Member wish to be heard on the point of order?

The Chair is prepared to rule.

The bill is confined to matters of immigration. The motion to recommit addresses matters unrelated to immigration. For the reasons stated by the Chair earlier today, the motion is not germane.

The point of order is sustained.

MOTION TO RECOMMIT OFFERED BY MR. REYES

Mr. REYES. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. REYES. Yes, I am.

Mr. SENSENBRENNER. Mr. Speaker, I reserve a point of order on his motion to recommit as well.

The SPEAKER pro tempore. The gentleman from Wisconsin reserves a point of order.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Reyes moves to recommit the bill H.R. 6095 to the Committee on the Judiciary with instructions to report the same back to the House forthwith with the following amendments:

Page 3, after line 12, insert the following:

(2) Alien smuggling is a continuing threat to our Nation's security, leaving the United States vulnerable to terrorist attacks.

(3) Alien smuggling continues to be a threat to the security of the United States because of, among other things, the following:

(A) The 9/11 Act of 2004 provided for 8,000 additional detention beds and 800 additional immigration agents per year from fiscal year 2006 through fiscal year 2010, which provision has not been implemented. Over the last two years, the Nation has been left short 5,000 detention beds, and nearly 500 immigration agents short of the authorized amount in the Intelligence Reform (or 9/11) Act of 2004, to the detriment of efforts to combat alien smuggling.

(B) From 1993 to 2000, there were added, on average, 642 new immigration agents per year. Despite the fact that 9/11 highlighted the heightened need for these resources, from 2001 to 2006, there were added, on average, only 411 new immigration agents, to the detriment of efforts to combat alien smuggling.

(4) Since 2001, the Congress has not enacted legislation to address the 9/11 Commission recommendations to combat alien smuggling.

Page 3, line 13, strike "(2)" and insert "(5)".

Page 3, line 17, strike "(3)" and insert "(6)".

Page 3, line 21, strike "(4)" and insert "(7)".

Page 4, line 3, strike "(5)" and insert "(8)".

Page 4, after line 25, insert the following:

(d) ADDITIONAL RESOURCES TO PROTECT AGAINST ALIEN SMUGGLING BY IMPLEMENTING THE 9/11 COMMISSION ACT.—In each of fiscal years 2007 through 2010, there are authorized to be appropriated such sums as may be necessary to increase—

(1) by 2,000 the number of immigration agents;

(2) by 250 the number of detention officers;

(3) by 250 the number of U.S. Marshals to assist the courts in immigration matters;

(4) by 25,000 the number of detention beds;

(5) by 1,000 the number of investigators of fraudulent schemes and documents which

violate sections 274A, 274C, 274D of the Immigration and Nationality Act (8 U.S.C. 1324a, 1324c, 1324d).

Mr. REYES (during the reading). Mr. Speaker, I ask unanimous consent that the motion to recommit be considered as read and printed in the RECORD.

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

There was no objection.

POINT OF ORDER

Mr. SENSENBRENNER. Mr. Speaker, I make a point of order against the motion to recommit. It is the same point of order that I made on the previous motion to recommit. The motion to recommit violates clause 7 of rule XVI and on page 3, lines 1 and 2, it has the same defect of increasing the number of U.S. marshals who do not have jurisdiction over immigration violations.

The SPEAKER pro tempore. Does any Member wish to be heard on the point of order?

The Chair recognizes the gentleman from Texas.

Mr. REYES. Mr. Speaker, my motion to recommit states that the assets would go to the immigration matters that are in the jurisdiction of the Judiciary Committee. It has no reference at all about going to conference. I think those are very germane differences.

The SPEAKER pro tempore. Does any other Member wish to be heard on the point of order?

Does the gentleman from Wisconsin insist on his point of order?

Mr. SENSENBRENNER. Mr. Speaker, I withdraw the point of order.

The SPEAKER pro tempore. The point of order is withdrawn.

Pursuant to the rule, the gentleman from Texas is recognized for 5 minutes in support of his motion.

Mr. REYES. Mr. Speaker, before being elected to represent a border district in Congress, I served for 26½ years in the United States Border Patrol, including 13 years as sector chief in McAllen and El Paso, Texas. I have years of experience of patrolling the tough terrain of the U.S.-Mexico border region, supervising thousands of dedicated Border Patrol agents and working to do everything in our power to strengthen America's borders and to reduce illegal immigration. So I know from firsthand personal experience what works and what doesn't when it comes to border security and to immigration law enforcement.

Given my background, Mr. Speaker, I attended many of the hearings on the border security and immigration that were called by the majority this summer, along with my Republican colleagues. It is obvious from the bill before us today, however, that though the Republicans held these hearings, they did not actually do very much listening. Rather than charging our already overburdened local law enforcement agencies with enforcing immigration law, which is, I might point out, a Federal responsibility, we need to give the

Department of Homeland Security the resources that they need to do their job.

With this motion to recommit, we help rectify the failure of the Republican leadership to fulfill the recommendations of the 9/11 Commission, which, by the way, Mr. Speaker, is 5 years overdue.

Specifically, over the next 4 years, we would authorize a total of 8,000 new Border Patrol immigration agents, 1,000 additional immigration detention officers, 1,000 more U.S. marshals and 100,000 new detention beds.

The idea that we have here, Mr. Speaker, is simple. If we are really serious about helping to stop illegal immigration, we have to give the Department of Homeland Security the personnel and the detention space that they so desperately need today.

Unfortunately, Mr. Speaker, it is clear to me that there are some Members of this House who either have no idea what Congress really needs to do to help keep Americans safe, or they are more interested in scoring cheap political points with the voters back home this election season than in actually protecting our country.

It is now 5 years after the terrorist attacks of 9/11, and the Republican leadership is still wasting our precious time. We need real action now. We don't need more rhetoric. The American people are counting on us, and we cannot fail them yet again. Let's finally give the Department of Homeland Security the resources that they need to keep this great country of ours safe.

I ask all my colleagues to vote in favor of this motion to recommit.

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

Mr. SENSENBRENNER. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Wisconsin is recognized for 5 minutes.

Mr. SENSENBRENNER. Mr. Speaker, this motion to recommit guts the bill. There is no question about the fact. My friends on the other side of the aisle do not want to have cooperative agreements between the Federal Government and State and local law enforcement to help enforce the immigration laws.

The bill that was never messaged by the other body prohibits such a practice, and that means that our State and local law enforcement officials have their hands tied behind their back when they see violations of immigration laws. They have to see a crime actually committed, which means that if the other side has their way, you are going to have victims, and we don't want that. We want to make sure that the immigration laws are enforced, and we need the help, voluntarily, of State and local law enforcement to be able to do that.

The motion to recommit also guts the ability to ensure vigorous enforcement against alien smugglers, and it

also guts the ability to end the catch and release of illegal immigrants caught along our borders. Now, in the letter from Secretary Chertoff of the Department of Homeland Security that I introduced into the RECORD earlier in this debate, clearly shows the problem that has occurred as a result of an injunction against expedited removal of Salvadorans.

Now, what nationality are the people in the MS-13 gangs? Largely Salvadorans. So to get rid of MS-13, we have got to pass this bill and vote down the motion to recommit.

Now, this motion is ineffectual, because only the Appropriations Committee can actually fund increases in any account, whether it is the Department of Homeland Security or anyplace else.

Led by Republicans, the House and Senate Appropriations Committee have done a stellar job in increasing the funding for new agents. Over this year and next, our appropriators will increase Border Patrol strength by 2,700 agents. This is close to the maximum number of new agents who can realistically be recruited and adequately trained in this time span.

Now, the other side can have a pie-in-the-sky number, thousands or hundreds of thousands and the like, but we have a limited capacity to recruit and train new agents, and the appropriators are very close to the max in doing this.

Vote down this pernicious motion; pass the bill.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 2-minute votes on passage of the bill, passage of H.R. 4830, and motion to suspend the rules on S. 2832, if ordered.

The vote was taken by electronic device, and there were—yeas 196, nays 226, not voting 10, as follows:

[Roll No. 467]

YEAS—196

Abercrombie	Blumenauer	Chandler
Ackerman	Boren	Clay
Allen	Boswell	Cleaver
Andrews	Boucher	Clyburn
Baca	Boyd	Conyers
Baird	Brady (PA)	Cooper
Baldwin	Brown (OH)	Costa
Barrow	Brown, Corrine	Costello
Bean	Butterfield	Cramer
Becerra	Capps	Crowley
Berkley	Capuano	Cuellar
Berman	Cardin	Cummings
Berry	Cardoza	Davis (AL)
Bishop (GA)	Carnahan	Davis (CA)
Bishop (NY)	Carson	Davis (FL)

Davis (IL)	Lantos	Rangel
Davis (TN)	Larsen (WA)	Reyes
DeFazio	Larson (CT)	Ross
DeGette	Lee	Rothman
Delahunt	Levin	Royal-Allard
DeLauro	Lewis (GA)	Ruppersberger
Dicks	Lipinski	Rush
Dingell	Lofgren, Zoe	Ryan (OH)
Doggett	Lowey	Sabo
Doyle	Lynch	Salazar
Emanuel	Maloney	Sánchez, Linda T.
Engel	Markey	Sanchez, Loretta
Eshoo	Marshall	Sanders
Etheridge	Matheson	Schakowsky
Farr	Matsui	Schiff
Fattah	McCarthy	Schwartz (PA)
Filner	McCollum (MN)	Scott (GA)
Ford	McDermott	Scott (VA)
Frank (MA)	McGovern	Serrano
Gonzalez	McIntyre	Sherman
Gordon	McKinney	Skelton
Green, Al	McNulty	Slaughter
Green, Gene	Meehan	Smith (WA)
Grijalva	Meek (FL)	Snyder
Gutierrez	Meeks (NY)	Solis
Harman	Melancon	Spratt
Hastings (FL)	Michaud	Stark
Herseth	Millender-Stark	Stupak
Higgins	McDonald	Tanner
Hinchey	Miller (NC)	Tauscher
Hinojosa	Miller, George	Taylor (MS)
Holden	Mollohan	Thompson (CA)
Holt	Moore (WI)	Tierney
Honda	Moran (VA)	Towns
Hooley	Murtha	Udall (CO)
Hoyer	Nadler	Udall (NM)
Inslee	Napolitano	Van Hollen
Israel	Neal (MA)	Velázquez
Jackson (IL)	Oberstar	Vislosky
Jackson-Lee (TX)	Obey	Wasserman Schultz
Jefferson	Olver	Waters
Johnson, E. B.	Ortiz	Watson
Jones (OH)	Owens	Watt
Kanjorski	Pallone	Waxman
Kaptur	Pascrell	Weiner
Kennedy (RI)	Pastor	Wexler
Kildee	Payne	Woolsey
Kilpatrick (MI)	Pelosi	Wu
Kind	Peterson (MN)	Wynn
Kucinich	Pomeroy	
Langevin	Price (NC)	
	Rahall	

NAYS—226

Aderholt	Davis (KY)	Hayworth
Akin	Davis, Jo Ann	Hefley
Alexander	Davis, Tom	Hensarling
Bachus	Deal (GA)	Herger
Baker	Dent	Hobson
Barrett (SC)	Diaz-Balart, L.	Hoekstra
Bartlett (MD)	Diaz-Balart, M.	Hostettler
Barton (TX)	Doolittle	Hulshof
Bass	Drake	Hunter
Beauprez	Dreier	Hyde
Biggert	Duncan	Inglis (SC)
Bilbray	Edwards	Issa
Bilirakis	Ehlers	Istook
Bishop (UT)	Emerson	Jenkins
Blackburn	English (PA)	Jindal
Blunt	Everett	Johnson (CT)
Boehner	Feeney	Johnson (IL)
Bonilla	Ferguson	Johnson, Sam
Bonner	Fitzpatrick (PA)	Jones (NC)
Bono	Flake	Keller
Boozman	Foley	Kelly
Boustany	Forbes	Kennedy (MN)
Bradley (NH)	Fortenberry	King (IA)
Brady (TX)	Fossella	King (NY)
Brown (SC)	Fox	Kingston
Brown-Waite, Ginny	Franks (AZ)	Kirk
Burgess	Frelinghuysen	Kline
Burton (IN)	Gallely	Knollenberg
Buyer	Garrett (NJ)	Kolbe
Calvert	Gerlach	Kuhl (NY)
Camp (MI)	Gibbons	LaHood
Campbell (CA)	Gilchrest	Latham
Cannon	Gillmor	LaTourette
Cantor	Gingrey	Leach
Capito	Gohmert	Lewis (CA)
Carter	Goode	Lewis (KY)
Castle	Goodlatte	Linder
Chabot	Granger	LoBiondo
Chocola	Graves	Lucas
Coble	Green (WI)	Lungren, Daniel E.
Cole (OK)	Gutknecht	Mack
Conaway	Hall	Manzullo
Crenshaw	Hart	Marchant
Culberson	Hastings (WA)	McCaul (TX)
	Hayes	

McCotter Pombo Simpson
 McCrery Porter Smith (NJ)
 McHenry Price (GA) Smith (TX)
 McHugh Pryce (OH) Sodrel
 McKeon Putnam Souder
 McMorris Radanovich Stearns
 Rodgers Ramstad Sullivan
 Mica Regula Sweeney
 Miller (FL) Rehberg Tancredo
 Miller (MI) Reichert Taylor (NC)
 Miller, Gary Renzi Terry
 Moran (KS) Reynolds Thomas
 Murphy Rogers (AL) Thornberry
 Musgrave Rogers (KY) Tiahrt
 Myrick Rogers (MI) Tiberi
 Neugebauer Rohrabacher Turner
 Northup Ros-Lehtinen Upton
 Norwood Royce Walden (OR)
 Nunes Ryan (WI) Wamp
 Nussle Ryun (KS) Weldon (FL)
 Osborne Saxton Weldon (PA)
 Otter Schmidt Schwarz (MI)
 Oxley Sensenbrenner Weller
 Paul Sessions Westmoreland
 Pearce Whitfield Wicker
 Pence Shadegg Wilson (NM)
 Peterson (PA) Shaw Wilson (SC)
 Petri Shays Wolf
 Pickering Sherwood Young (AK)
 Pitts Shimkus Young (FL)
 Platts Shuster
 Poe Simmons

NOT VOTING—10

Boehlert Harris Thompson (MS)
 Case Moore (KS) Walsh
 Cubin Ney
 Evans Strickland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The Acting SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1552

Messrs. BRADY of Texas, DENT, SAXTON, BROWN of South Carolina, Mrs. MYRICK, Mr. HALL, Mr. TIBERI, Ms. GRANGER and Mrs. EMERSON changed their vote from “yea” to “nay.”

Mr. CLAY changed his vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

Mr. SENSENBRENNER. Mr. Speaker, on that I demand the yeas and nays. The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—yeas 277, nays 140, not voting 15, as follows:

[Roll No. 468]

YEAS—277

Aderholt Bilirakis Brady (TX)
 Akin Bishop (GA) Brown (OH)
 Alexander Bishop (NY) Brown (SC)
 Bachus Bishop (UT) Brown-Waite,
 Baird Blackburn Ginny
 Baker Blunt Burgess
 Barrett (SC) Boehner Burton (IN)
 Barrow Bonilla Butterfield
 Bartlett (MD) Bonner Buyer
 Barton (TX) Bono Calvert
 Bass Boozman Camp (MI)
 Bean Boren Campbell (CA)
 Beauprez Boswell Cannon
 Berry Boustany Cantor
 Biggert Boyd Capito
 Bilbray Bradley (NH) Cardoza

Castle Israel
 Chabot Issa
 Chandler Istook
 Chocola Jenkins
 Coble Jindal
 Cole (OK) Johnson (CT)
 Conaway Johnson (IL)
 Cooper Johnson, Sam
 Costa Jones (NC)
 Cramer Kanjorski
 Crenshaw Kaptur
 Culberson Keller
 Davis (AL) Kelly
 Davis (FL) Kennedy (MN)
 Davis (KY) King (IA)
 Davis (TN) King (NY)
 Davis, Jo Ann Kingston
 Davis, Tom Kirk
 Deal (GA) Kline
 DeFazio Knollenberg
 Dent Kuhl (NY)
 Doolittle LaHood
 Drake Latham
 Dreier LaTourrette
 Duncan Leach
 Edwards Lewis (CA)
 Ehlers Lewis (KY)
 Emerson Linder
 English (PA) Lipinski
 Etheridge LoBiondo
 Everrett Lucas
 Feeney Lungren, Daniel
 Ferguson E.
 Fitzpatrick (PA) Mack
 Flake Manullo
 Foley Marchant
 Forbes Marshall
 Ford Matheson
 Fortenberry McCarthy
 Fossella McCaul (TX)
 Foxx McCotter
 Franks (AZ) McCrery
 Frelinghuysen McHenry
 Gallegly McHugh
 Garrett (NJ) McIntyre
 Gerlach McKeon
 Gibbons McMorris
 Gilchrest Rodgers
 Gillmor McNulty
 Gingrey Melancon
 Gohmert Mica
 Goode Miller (FL)
 Goodlatte Miller (MI)
 Gordon Miller (NC)
 Granger Miller, Gary
 Graves Mollohan
 Green (WI) Moran (KS)
 Gutknecht Moran (VA)
 Hall Murphy
 Harman Murtha
 Hart Musgrave
 Hastings (WA) Myrick
 Hayes Neugebauer
 Hayworth Northup
 Hefley Norwood
 Hensarling Nunes
 Hergert Nussle
 Herseth Obey
 Higgins Osborne
 Hobson Otter
 Hoekstra Oxley
 Holden Paul
 Hoolley Pearce
 Hostettler Pence
 Hulshof Peterson (MN)
 Hunter Peterson (PA)
 Hyde Petri
 Inglis (SC) Pickering

NAYS—140

Abercrombie Cleaver Engel
 Ackerman Clyburn Eshoo
 Allen Conyers Farr
 Andrews Costello Fattah
 Baca Crowley Filner
 Baldwin Cuellar Frank (MA)
 Becerra Cummings Gonzalez
 Berkeley Davis (CA) Green, Al
 Berman Davis (IL) Green, Gene
 Blumenauer DeGette Grijalva
 Boucher Delahunt Gutierrez
 Brady (PA) DeLauro Hastings (FL)
 Brown, Corrine Diaz-Balart, L.
 Capps Diaz-Balart, M.
 Capuano Dicks Holt
 Cardin Dingell Honda
 Carnahan Doggett Hoyer
 Carson Doyle Inslee
 Clay Emanuel Jackson (IL)

Jackson-Lee Meeks (NY) Sanders
 (TX) Michaud Schakowsky
 Jefferson Millender Schiff
 Johnson, E. B. McDonald Scott (VA)
 Jones (OH) Miller, George Serrano
 Kennedy (RI) Moore (WI) Sherman
 Kildee Nadler Slaughter
 Kilpatrick (MI) Napolitano Smith (WA)
 Kind Neal (MA) Snyder
 Kolbe Oberstar Solis
 Kucinich Olver Stark
 Langevin Ortiz Tierney
 Lantos Owens Towns
 Larsen (WA) Pallone Udall (NM)
 Larson (CT) Pascrell
 Lee Pastor Van Hollen
 Levin Payne Velázquez
 Lewis (GA) Pelosi Wasserman
 Lofgren, Zoe Price (NC) Schultz
 Lowey Rangel Waters
 Lynch Reyes Watson
 Maloney Ros-Lehtinen Watt
 Markey Rothman Waxman
 Matsui Roybal-Allard Weiner
 McCollum (MN) Ruppertsberger Wexler
 McDermott Rush Wilson (NM)
 McGovern Sabo Woolsey
 McKinney Sánchez, Linda Wynn
 Meehan T.
 Meek (FL) Sanchez, Loretta

NOT VOTING—15

Boehlert Harris Reynolds
 Carter Moore (KS) Strickland
 Case Ney Thompson (MS)
 Cubin Pitts Walsh
 Evans Rehberg Weldon (PA)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there is 1 minute remaining on this vote.

□ 1556

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

BORDER TUNNEL PREVENTION ACT OF 2006

The SPEAKER pro tempore. The pending business is the vote on passage of H.R. 4830, on which the yeas and nays are ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill.

This will be a 2-minute vote.

The vote was taken by electronic device, and there were—yeas 422, nays 0, not voting 10, as follows:

[Roll No. 469]

YEAS—422

Abercrombie Bilirakis Burgess
 Ackerman Bishop (GA) Burton (IN)
 Aderholt Bishop (NY) Butterfield
 Akin Bishop (UT) Buyer
 Alexander Blackburn Calvert
 Allen Blumenauer Camp (MI)
 Andrews Blunt Campbell (CA)
 Baca Boehner Cannon
 Bachus Bonilla Cantor
 Baird Bonner Capito
 Baker Bono Capps
 Baldwin Boozman Capuano
 Barrett (SC) Boren Cardin
 Barrow Boswell Cardoza
 Bartlett (MD) Boucher Carnahan
 Barton (TX) Boustany Carson
 Bass Boyd Carter
 Bean Bradley (NH) Castle
 Beauprez Brady (PA) Chabot
 Becerra Brady (TX) Chandler
 Berkeley Brown (OH) Chocola
 Berman Brown (SC) Clay
 Berry Brown, Corrine Cleaver
 Biggert Brown-Waite, Clyburn
 Bilbray Ginny Coble

Cole (OK) Honda
 Conaway Hooley
 Conyers Hostettler
 Cooper Hoyer
 Costa Hulshof
 Costello Hunter
 Cramer Murtha
 Crenshaw Inglis (SC)
 Crowley Inslee
 Cuellar Israel
 Culberson Issa
 Cummings Istook
 Davis (AL) Jackson (IL)
 Davis (CA) Jackson-Lee
 Davis (FL) (TX)
 Davis (IL) Jefferson
 Davis (KY) Jenkins
 Davis (TN) Jindal
 Davis, Jo Ann Johnson (CT)
 Davis, Tom Johnson (IL)
 Deal (GA) Johnson, E. B.
 DeFazio Johnson, Sam
 DeGette Jones (NC)
 Delahunt Jones (OH)
 DeLauro Kanjorski
 Dent Kaptur
 Diaz-Balart, L. Keller
 Diaz-Balart, M. Kelly
 Dicks Kennedy (MN)
 Dingell Kennedy (RI)
 Doggett Kildee
 Doolittle Kilpatrick (MI)
 Doyle Kind
 Drake King (IA)
 Dreier King (NY)
 Duncan Kingston
 Edwards Kirk
 Ehlers Kline
 Emanuel Knollenberg
 Emerson Kolbe
 Engel Kucinich
 English (PA) Kuhl (NY)
 Eshoo LaHood
 Etheridge Langevin
 Everett Lantos
 Farr Larsen (WA)
 Fattah Larson (CT)
 Feeney Latham
 Ferguson LaTourette
 Filner Leach
 Fitzpatrick (PA) Lee
 Flake Levin
 Foley Lewis (CA)
 Forbes Lewis (GA)
 Ford Lewis (KY)
 Fortenberry Linder
 Fossella Lipinski
 Foxx LoBiondo
 Frank (MA) Lofgren, Zoe
 Franks (AZ) Lowey
 Frelinghuysen Lucas
 Gallegly Lungren, Daniel
 Garrett (NJ) E.
 Gerlach Lynch
 Gibbons Mack
 Gilchrest Maloney
 Gillmor Manzullo
 Gingrey Marchant
 Gohmert Markey
 Gonzalez Marshall
 Goode Matheson
 Goodlatte Matsui
 Gordon McCarthy
 Granger McCaul (TX)
 Graves McCollum (MN)
 Green (WI) McCotter
 Green, Al McCrery
 Green, Gene McDermott
 Grijalva McGovern
 Gutierrez McHenry
 Gutknecht McHugh
 Hall McIntyre
 Harman McKeon
 Hart McKinney
 Hastings (FL) McMorris
 Hastings (WA) Rodgers
 Hayes McNulty
 Hayworth Meehan
 Hefley Meek (FL)
 Hensarling Meeks (NY)
 Herger Melancon
 Hersheth Mica
 Higgins Michaud
 Hinchey Millender-
 Hinojosa McDonald
 Hobson Miller (FL)
 Hoekstra Miller (MI)
 Holden Miller (NC)
 Holt Miller, Gary

Miller, George
 Mollohan
 Moore (WI)
 Moran (KS)
 Moran (VA)
 Murphy
 Neal (MA)
 Neugebauer
 Northup
 Norwood
 Nunes
 Nussle
 Oberstar
 Terry
 Smith (NJ)
 Smith (TX)
 Smith (WA)
 Snyder
 Sodrel
 Solis
 Souder
 Spratt
 Stark
 Stearns
 Nadler
 Napolitano
 Neal (MA)
 Neugebauer
 Northup
 Norwood
 Nunes
 Nussle
 Oberstar
 Terry
 Thomas
 Thompson (CA)
 Thornberry
 Tiahrt
 Tiberi
 Tierney
 Towns
 Turner
 Udall (CO)
 Udall (NM)
 Upton
 Van Hollen
 Velázquez
 Visclosky
 Walden (OR)
 Wamp
 Wasserman
 Schultz
 Waters

Boehler
 Case
 Cubin
 Evans
 Harris
 Moore (KS)
 Ney
 Strickland
 Thompson (MS)
 Walsh

NOT VOTING—10

□ 1602

So the bill was passed.
 The result of the vote was announced as above recorded.
 A motion to reconsider was laid on the table.

APPALACHIAN REGIONAL DEVELOPMENT ACT AMENDMENTS OF 2006

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the Senate bill, S. 2832.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. SHUSTER) that the House suspend the rules and pass the Senate bill, S. 2832.

The question was taken.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—yeas 215, nays 204, not voting 13, as follows:

[Roll No. 470]
 YEAS—215

Abercrombie
 Aderholt
 Alexander
 Burton (IN)
 Butterfield
 Baker
 Buyer
 Calvert
 Cannon
 Cantor
 Barton (TX)
 Bass
 Beauprez
 Becerra
 Biggart
 Bilbray
 Blackburn
 Blunt
 Boehner
 Bonner
 Bono
 Boozman
 Boucher
 Boustany
 Bradley (NH)
 Brady (PA)
 Brady (TX)
 Brown (OH)
 Brown (SC)
 Burton (IN)
 Butterfield
 Baker
 Buyer
 Calvert
 Cannon
 Cantor
 Barton (TX)
 Bass
 Beauprez
 Becerra
 Biggart
 Bilbray
 Blackburn
 Blunt
 Boehner
 Bonner
 Bono
 Boozman
 Boucher
 Boustany
 Bradley (NH)
 Brady (PA)
 Brady (TX)
 Brown (OH)
 Brown (SC)
 Burton (IN)
 Butterfield
 Baker
 Buyer
 Calvert
 Cannon
 Cantor
 Barton (TX)
 Bass
 Beauprez
 Becerra
 Biggart
 Bilbray
 Blackburn
 Blunt
 Boehner
 Bonner
 Bono
 Boozman
 Boucher
 Boustany
 Bradley (NH)
 Brady (PA)
 Brady (TX)
 Brown (OH)
 Brown (SC)
 Burton (IN)
 Butterfield
 Baker
 Buyer
 Calvert
 Cannon
 Cantor
 Barton (TX)
 Bass
 Beauprez
 Becerra
 Biggart
 Bilbray
 Blackburn
 Blunt
 Boehner
 Bonner
 Bono
 Boozman
 Boucher
 Boustany
 Bradley (NH)
 Brady (PA)
 Brady (TX)
 Brown (OH)
 Brown (SC)
 Burton (IN)
 Butterfield
 Baker
 Buyer
 Calvert
 Cannon
 Cantor
 Barton (TX)
 Bass
 Beauprez
 Becerra
 Biggart
 Bilbray
 Blackburn
 Blunt
 Boehner
 Bonner
 Bono
 Boozman
 Boucher
 Boustany
 Bradley (NH)
 Brady (PA)
 Brady (TX)
 Brown (OH)
 Brown (SC)
 Burton (IN)
 Butterfield
 Baker
 Buyer
 Calvert
 Cannon
 Cantor
 Barton (TX)
 Bass
 Beauprez
 Becerra
 Biggart
 Bilbray
 Blackburn
 Blunt
 Boehner
 Bonner
 Bono
 Boozman
 Boucher
 Boustany
 Bradley (NH)
 Brady (PA)
 Brady (TX)
 Brown (OH)
 Brown (SC)
 Burton (IN)
 Butterfield
 Baker
 Buyer
 Calvert
 Cannon
 Cantor
 Barton (TX)
 Bass
 Beauprez
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Paul	T.	Tauscher
Payne	Sanders	Thompson (CA)
Pelosi	Schakowsky	Thornberry
Pence	Schiff	Tierney
Peterson (MN)	Schwartz (PA)	Towns
Petri	Scott (GA)	Udall (CO)
Platts	Scott (VA)	Van Hollen
Poe	Sensenbrenner	Velázquez
Pomeroy	Serrano	Wasserman
Price (GA)	Sessions	Schultz
Rangel	Shadegg	Watt
Reyes	Sherman	Waxman
Rohrabacher	Skelton	Weiner
Rothman	Slaughter	Westmoreland
Royce	Snyder	Wexler
Ruppersberger	Solis	Wilson (SC)
Rush	Stark	Wolf
Ryan (WI)	Stearns	Wu
Sabo	Stupak	Wynn
Salazar	Sweeney	

NOT VOTING—13

Ackerman	Granger	Ney
Boehler	Harris	Strickland
Case	Millender-	Thompson (MS)
Cubin	McDonald	Walsh
Evans	Moore (KS)	

□ 1610

Messrs. GUTKNECHT, PETRI, SWEENEY, BURGESS, INGLIS of South Carolina, and FORD, and Ms. GINNY BROWN-WAITE of Florida changed their vote from “yea” to “nay.”

So (two-thirds of those voting having not responded in the affirmative) the motion was rejected.

The result of the vote was announced as above recorded.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 65

Mr. SIMMONS. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 65.

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

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 5441, DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2007

Mr. ROGERS of Kentucky. Mr. Speaker, pursuant to clause 1 of rule XXII and by direction of the Committee on Appropriations, I move to take from the Speaker's table the bill (H.R. 5441) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2007, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The motion was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Messrs. ROGERS of Kentucky, WAMP, LATHAM, Mrs. EMERSON, Messrs. SWEENEY, KOLBE, ISTOOK, CRENSHAW, CARTER, LEWIS of California, SABO, PRICE of North Carolina, SERRANO, Ms. ROYBAL-ALLARD, Messrs. BISHOP of Georgia, BERRY, EDWARDS, and OBEY.

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 65

Mr. FARR. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 65.

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

There was no objection.

LEGISLATIVE PROGRAM

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

Mr. HOYER. Mr. Speaker, at this time I yield to my friend, the majority leader, Mr. BOEHNER, for the purposes of inquiring about the schedule for the week to come.

Mr. BOEHNER. I thank my colleague from Maryland for yielding.

Next week, Mr. Speaker, the House will convene on Monday at 12:30 for morning hour and 2 p.m. for legislative business. No votes will occur before 6:30 on Monday evening. We will have a number of measures considered under suspension of the rules. We will have a final list of those bills to Members' offices by tomorrow afternoon.

For the balance of the week, the House will consider H.R. 6054, the Military Commissions Act; H.R. 5825, the Electronic Surveillance Modernization Act; H.R. 748, the Child Interstate Abortion Notification Act; H.R. 2679, the Public Expression of Religion Act; H.R. 5631, Department of Defense appropriations conference report; the National Institutes of Health reauthorization bill; H.R. 5313, Open Space and Farmland Preservation Act; and H.R. 5092, the BATFE Modernization and Reform Act of 2006.

In addition to that, I would note that a conference report may be brought up at any time, and I expect to see H.R. 5122, the Sonny Montgomery National Defense Authorization Act for Fiscal Year 2007 conference report.

In addition to these, we do hope to have suspension authority for all of next week to try to accommodate Members who have suspension items on both sides of the aisle. It is expected that there will be many suspensions next week, and I want to prepare Members for that.

□ 1615

Mr. HOYER. I thank the gentleman for that information. To clarify, am I correct that the three bills that you mentioned prior to the mentioning of the last conference report, the NIH authorization bill, the Open Space and Farmland Preservation Act, and the Bureau of Alcohol, Tobacco and Firearms Modernization Reform Act, am I correct they will all be suspension bills?

Mr. BOEHNER. Likely they will.

Mr. HOYER. I thank the gentleman.

On the schedule, last week we talked about the 29th being the target date,

and that we were going to get out on the 29th. But that being Friday, we might go over to Saturday if we did not finish on Friday, and we have advised Members to make sure that their Saturday schedule was flexible to accommodate that. But can you clarify that additionally as to what your thoughts are and the possibility of being here on Saturday?

I yield to my friend.

Mr. BOEHNER. I thank my colleague for yielding.

I have told Members and have told you for months that we will be finished on the 29th. We will be finished on the 29th. Now, how long the 29th lasts, I don't know. But I would expect that we would be here on the evening of the 29th and hopefully not much longer than that.

Mr. HOYER. I thank the gentleman for that information.

It reminds me that before we had a court of appeals opinion in Maryland, before I went to the Senate, constitutionally you had a 90-day session, but as you point out, on the last day you weren't quite sure how long that last day would be.

Mr. BOEHNER. If the gentleman would yield, we have both been here long enough to know that that last day before the recess for the election lasts a little longer than an average day.

Mr. HOYER. I hear you. I will advise our Members not to have Friday night planes scheduled, and to have maybe a little later Saturday scheduled, maybe well into the morning.

November is when we will next reconvene, it is my understanding. You previously indicated that after we have our last votes, the House will not be in session again until Monday, November 13. Is that still your intention?

I yield to my friend.

Mr. BOEHNER. It is.

Mr. HOYER. What can you tell us about the rest of the November and December schedule so that Members might be planning for that as well? Are we likely to have votes on Friday, the 17th, for example; and what about the following week and Thanksgiving week?

Mr. BOEHNER. I would expect that we would have votes all that week, including the 17th. But once you get beyond there, it really is unclear as to when we will be back. I have been working with the Senate leadership trying to come to some understanding. We have not come to any agreement or understanding. But I can say this. If we cannot complete our work by Thanksgiving, which in my view is doubtful, that the House would be off the week of Thanksgiving and the following week and would come back the week of December 4 for a week or two to finish our business.

I think that is the most realistic schedule that I see. Is it firm? Nowhere close. But in terms of trying to be helpful to Members as they plan, that is as helpful as I can be with the knowledge that I have today.

Mr. HOYER. I thank the gentleman for that information. We understand it has to be tentative, and we understand that the leader cannot anticipate exactly what will and will not pass within certain time frames. We appreciate sort of the ballpark estimate of what would be available for time if we need it.

You have not noted, but there has been a lot of talk about tax-related legislation and speculation as to whether or not we will consider any tax or trade-related legislation, for example, the tax extenders, prior to leaving for the elections. It is not on your schedule. Do you have any expectation that we would be considering prior to the election, not after the election but prior to, any tax legislation, extenders or otherwise?

Mr. BOEHNER. I do not.

Mr. HOYER. You do not. Thank you.

There is noted on the calendar a bill which is the Child Interstate Abortion Notification Act. Would it be your expectation there would be any other legislation prior to the election dealing with that subject, abortion?

Mr. BOEHNER. I am not sure that there is any definitive answer on that. We do have this interstate notification bill up next week. There was some consideration to the unborn child pain bill that some Members have been hoping to get up. At this point I do not expect to have it on the floor next week. But at this point that is as much information as I have.

Mr. HOYER. I thank you for that.

You mentioned we are going to have, and you are going to try to pass a rule, I suppose, to give you suspension authority all of next week. Are there any other bills that you are contemplating bringing up under suspension? You noted the three that we discussed. Are there any others?

I yield to my friend.

Mr. BOEHNER. Which of the several hundred bills that Members have asked me to bring to the floor next week would you like to know about?

Mr. HOYER. It is a challenge, isn't it, Mr. Leader?

Mr. BOEHNER. If the gentleman would yield, we are working with Members on both sides of the aisle who have issues that have been through committee or are almost through committee that they would like to bring to the floor. As typically happens, I and my staff will work closely with you and your staff to schedule those so everyone has fair notice and we have gone through the usual scrubbing process.

Mr. HOYER. I thank the gentleman. I understand there are a lot of bills that are possible, and we appreciate that fact and appreciate his working with us to try to accommodate Members on both sides.

Two last things. Mr. GOODLATTE and Mr. PETERSON have been very concerned, as you know, about the drought and the stress that many of our farmers in rural areas of our country have

been experiencing. There has been a lot of discussion about assistance that we could give. Is there any contemplation that next week we might be able to consider an emergency disaster assistance bill, H.R. 5099, that will help our farmers and ranchers who have been badly hurt by floods, droughts and other natural disasters?

Mr. BOEHNER. I am not familiar with the bill, but I will be happy to take a look at it.

Mr. HOYER. I appreciate that.

The last question will not come as a surprise to you, I know. We still have yet to pass one appropriation bill.

Mr. BOEHNER. That's right. We are still talking about it.

Mr. HOYER. We have passed the others, but it is still out there. It is a large bill that deals with the education of our children, the health of our people, and the ability of our working people to succeed. I know that there is great attention being given to that bill. We are hopeful that it will come to the floor, and we are hopeful when it comes to the floor, there will be an opportunity to vote up or down on increasing the minimum wage over a period of time. Is there any hope or expectation that that bill might come to the floor?

Mr. BOEHNER. The gentleman is aware there are some problems with the bill. We have been having conversations about trying to solve those problems. I don't expect it to be on the floor next week.

With regard to raising the minimum wage, the House did, in fact, vote on that in late July. We sent it to the Senate where it remains under consideration.

Mr. HOYER. I thank the gentleman. Reclaiming my time, we would hope that you would continue to consider that.

ADJOURNMENT TO MONDAY, SEPTEMBER 25, 2006

Mr. BOEHNER. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday next for morning hour debate.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. BOEHNER. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

WIRETAPPING SURVEILLANCE PROGRAM

(Ms. FOXX asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FOXX. Mr. Speaker, I rise today in support of the President's initiative to surveil known and suspected terrorists who call from outside the United States into their calls within our borders. Simply put, this initiative has saved lives by gathering valuable intelligence our law enforcement has used to prevent and foil terrorist attacks that have and continue to be planned, as I speak.

It simply escapes me how anyone, especially the Democrats, could be against such a vital program in the global war on terror.

Maybe my colleagues are confused about the purpose and parameters of this program. This is not a program to listen in on American citizens' conversations. To the contrary, it is a narrowly tailored program that is used only in the case of international calls coming into the United States from known or suspected terrorists.

As a Nation, we are facing a new kind of war and an enemy using new and unconventional means of warfare. Many have characterized this war as a clash of civilizations. It is time we face the realization that we can use all of the tools available to win this war, or we can ignore the threat and pay heavy consequences through American lives.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. EMANUEL) is recognized for 5 minutes.

(Mr. EMANUEL addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

REPUBLICANS OUT OF TOUCH

Mr. McDERMOTT. Mr. Speaker, I ask unanimous consent to speak out of turn.

The SPEAKER pro tempore. Without objection, the gentleman from Washington is recognized for 5 minutes.

There was no objection.

Mr. McDERMOTT. Mr. Speaker, on November 7 the American people will go to the polls. As the New York Times reported this morning, only one in four Americans approves of the job being done by the Republican-controlled Congress. Seventy-five percent of American believes that Republicans have not governed in the best interests of the American people. That is a landslide vote of no confidence to the Republican Party, and I will include for

the RECORD the New York Times story found on page 1.

The American people have given up on the Republican Party because the Republican Party has given in to special interests. The Republican vision for America is to let the privileged few run the country. That's what the record demonstrates. As incredible as it is, the American people today are subsidizing oil companies. Democrats introduced legislation months ago to end the taxpayers' subsidy, but Republicans will not even debate it. At a time when the American people are paying \$3 a gallon for gas, they are paying even more to Big Oil in taxpayers' subsidies.

Republicans are out of touch with the American people. Their taxpayer subsidy pipeline flows your money to Big Oil.

So does the doughnut hole that the elderly are beginning to fall through because Republicans care more about drug companies than they do about the American elderly. A report released by the House Ways and Means Committee Democrats concludes that 88 percent of seniors who bought a drug plan through Medicare bought one with a big financial hole in it, dug by Republicans. We are talking about 7 million seniors. Within a month, they will have to pay their drug bill even as they continue their insurance premium to big business.

□ 1630

Under Republican rules, special interests got special treatment and the seniors fell in the hole. The Republicans have left no special interest behind. College tuition is up 57 percent at public universities since President Bush took office. What did the Republican-controlled Congress do for the middle class? They passed legislation cutting \$12 billion in student aid, and they raised the interest rates on student loans.

Republicans also passed sweetheart rules to indenture the American people to banks after personal bankruptcy. It is worth noting that the number one reason for personal bankruptcy in America today is staggering, unpaid medical expenses. What have the Republicans done? They have allowed the number of uninsured in this country to swell to almost 47 million people. They gave the rich a tax cut, called health savings accounts, out of reach for most Americans. Out of reach, out of touch. The Republican Party caters to the top 1 percent.

The Republicans gave the superrich on average \$100,000 a year in tax breaks while the average American gets 50 bucks. Then the Republicans held hostage the Democrats' proposal to raise the minimum wage for the first time in 9 years. They do not care about workers. And while Republicans talk a lot about being afraid, they fail to protect the American people by implementing the recommendations of the bipartisan 9/11 Commission. Republicans spend

more effort instilling fear in the Americans than they do in fighting the war on terror.

The President unilaterally chooses which laws he will enforce and which laws he just suspends. The President considers Syria our enemy, but his administration used flimsy Canadian intelligence to deport a Canadian citizen to Syria, where he was tortured. The man was innocent. Colin Powell, the former Republican Secretary of State for Mr. Bush, said, "The world is beginning to doubt the moral basis of our fight against terrorism."

This President answers to no one because congressional Republicans have surrendered oversight to the White House. So it should come as no surprise that the Republicans decided to erect a security fence throughout America, separating millions of Americans from their constitutional right to vote. They did it yesterday.

Some say Republicans have given America a do-nothing Congress. But the record shows that the Republicans have done one thing after another over and over again. They have sold out the American people to the special interests. And payback is coming on the 7th of November. The American people will have an opportunity to change and reach for new directions where we will take care of student loans. We will take care of health care. We will take care of security. We will take care of the things that the middle class in this country wants taken care of, not the 1 percent at the top.

[From the New York Times, Sept. 21, 2006]
ONLY 25 PERCENT IN POLL APPROVE OF THE
CONGRESS

(By Adam Nagourney and Janet Elder)

With barely seven weeks until the midterm elections, Americans have an overwhelmingly negative view of the Republican-controlled Congress, with substantial majorities saying that they disapprove of the job it is doing and that its members do not deserve re-election, according to the latest New York Times/CBS News poll.

The disdain for Congress is as intense as it has been since 1994, when Republicans captured 52 seats to end 40 years of Democratic control of the House and retook the Senate as well. It underlines the challenge the Republican Party faces in trying to hold on to power in the face of a surge in anti-incumbent sentiment.

By broad margins, respondents said that members of Congress were too tied to special interests and that they did not understand the needs and problems of average Americans. Two-thirds said Congress had accomplished less than it typically did in a two-year session; most said they could not name a single major piece of legislation that cleared this Congress. Just 25 percent said they approved of the way Congress was doing its job.

But for all the clear dissatisfaction with the 109th Congress, 39 percent of respondents said their own representative deserved re-election, compared with 48 percent who said it was time for someone new.

What is more, it seems highly unlikely Democrats will experience a sweep similar to the one Republicans experienced in 1994. Most analysts judge only about 40 House seats to be in play at the moment, compared

with over 100 seats in play at this point 12 years ago, in large part because redistricting has created more safe seats for both parties.

The poll also found that President Bush had not improved his own or his party's standing through his intense campaign of speeches and events surrounding the fifth anniversary of the 9/11 attacks. The speeches were at the heart of a Republican strategy to thrust national security to the forefront in the fall elections.

Mr. Bush's job approval rating was 37 percent in the poll, virtually unchanged from the last Times/CBS News poll, in August. On the issue that has been a bulwark for Mr. Bush, 54 percent said they approved of the way he was managing the effort to combat terrorists, again unchanged from last month, though up from this spring.

Republicans continued to hold a slight edge over Democrats on which party was better at dealing with terrorism, though that edge did not grow since last month despite Mr. Bush's flurry of speeches on national security, including one from the Oval Office on the night of Sept. 11.

But the Times/CBS News poll found a slight increase in the percentage of Americans who said they approved of the way Mr. Bush had handled the war in Iraq, to 36 percent from 30 percent. The results also suggest that after bottoming out this spring, Mr. Bush's approval ratings on the economy and foreign policy have returned to their levels of about a year ago, both at 37 percent. The number of people who called terrorism the most important issue facing the country doubled to 14 percent, from 7 percent in July; 22 percent named the war in Iraq as their top concern, little changed from July.

Across the board, the poll found marked disenchantment with Congress, highlighting the opportunity Democrats see to make the argument for a change in leadership and to make the election a national referendum on the performance of a Republican-controlled Congress and Mr. Bush's tenure.

In one striking finding, 77 percent of respondents—including 65 percent of Republicans—said most members of Congress had not done a good enough job to deserve re-election and that it was time to give new people a chance. That is the highest number of voters saying it is "time for new people" since the fall of 1994.

"You get some people in there, and they're in there forever," said Jan Weaver, of Aberdeen, S.D., who described herself as a Republican voter, in a follow-up interview. "They're so out of touch with reality."

In the poll, 50 percent said they would support a Democrat in the fall Congressional elections, compared with 35 percent who said they would support a Republican. But the poll found that Democrats continued to struggle to offer a strong case for turning government control over to them; only 38 percent said the Democrats had a clear plan for how they would run the country, compared with 45 percent who said the Republicans had offered a clear plan.

Overall discontent with Congress or Washington does not necessarily signify how people will vote when they see the familiar name of their member of Congress on the ballot, however.

Democrats face substantial institutional obstacles in trying to repeat what Republicans accomplished in 1994, including a Republican financial advantage and the fact that far fewer seats are in play.

Thus, while 61 percent of respondents said they disapproved of the way Congress was handling its job, just 29 percent said they disapproved of the way their own "representative is handling his or her job."

The New York Times/CBS News poll began last Friday, four days after the commemoration of the fifth anniversary of the 9/11 attacks, and two weeks after the White House

began its offensive on security issues. A USA Today-Gallup Poll published Tuesday reported that Mr. Bush's job approval rating had jumped to 44 percent from 39 percent. The questioning in that poll went through Sunday; The Times and CBS completed questioning Tuesday night. Presidential addresses often produce shifts in public opinion that tend to be transitory.

The nationwide poll was conducted by telephone Friday through Tuesday. It included 1,131 adults, of whom 1,007 said they were registered to vote, and had a margin of sampling error of plus or minus three percentage points.

As part of the Republican effort to gain advantage on the war in Iraq, Republicans have accused Democrats who want to set a timetable for leaving Iraq of wanting to "cut and run." But 52 percent of respondents said they would not think the United States had lost the war if it withdrew its troops from Iraq today.

The poll also found indications that voters were unusually intrigued by this midterm election: 43 percent said they were more enthusiastic than usual about voting. However, with turnout promising to be a critical factor in many of the closer Senate and House races, there was no sign that either party had an edge in terms of voter enthusiasm.

Evidence of the antipathy toward Congress in particular—and Washington in general—was abundant: 71 percent said they did not trust the government to do what is right.

"If they had new blood, then the people that influence them—the lobbyists—would maybe not be so influential," said Norma Scranton, a Republican from Thedford, Neb., in a follow-up interview after the poll. "They don't have our interest at heart because they're influenced by these lobbyists. If they were new, maybe they would try to please their constituents a little better."

Lois Thurber, a Republican from Axtell, Neb., said in a follow-up interview: "There's so much bickering, so much disagreement—they just can't get together on certain issues."

"They're kind of more worried about themselves than they are about the country."

Incumbents and challengers nationwide are trying to accommodate this sour mood. Democrats are presenting themselves as a fresh start—"Isn't it time for a change?" asked an advertisement by the Democratic Senatorial Campaign Committee directed against Senator Jim Talent, Republican of Missouri.

And Republican incumbents are seeking to distance themselves from fellow Republicans in Washington. "I've gone against the president and the Republican leadership when I think they are wrong," Representative Christopher Shays, a Connecticut Republican locked in a tough reelection battle, said in a television advertisement broadcast this week.

The Republicans continue to be seen as the better party to deal with terrorism, but by nowhere near the margin they once enjoyed: it is now 42 percent to 37 percent. When asked which party took the threat of terrorism more seriously, 69 percent said they both did; 22 percent named Republicans, compared with 6 percent who said Democrats.

Voters said Democrats were more likely to tell the truth than Republicans when discussing the war in Iraq and about the actual threat of terrorism. And 59 percent of respondents said Mr. Bush was hiding something when he talked about how things were going in Iraq; an additional 25 percent said he was mostly lying when talking about the war.

Not that Democrats should draw any solace from that: 71 percent of respondents said

Democrats in Congress were hiding something when they talked about how well things were going in Iraq, while 13 percent said they were mostly lying.

Robert Allen, a Democrat from Ventura, Calif., said: "We're in a stalemate right now. They're not getting hardly anything done." He added, "It's time to elect a whole new bunch so they can do something."

APPRECIATION FOR U.S. BORDER PATROL AGENTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES of North Carolina. Mr. Speaker, I am on the floor today to express appreciation for the more than 12,000 U.S. Border Patrol agents who perform an invaluable service to our Nation.

Though support for the U.S. Border Patrol and other law enforcement officers often goes unspoken, the American people and Members of Congress owe our sincere appreciation for these courageous men and women for their dedication to keeping our Nation safe by protecting our borders.

While protecting the United States from an influx of illegal immigration, drugs, counterfeit goods, and terrorists, U.S. Border Patrol agents face high-risk situations and dangerous environments while working on our borders. Often working alone in some of the most remote and dangerous areas of the country, these agents routinely encounter heavily armed human and drug traffickers.

Despite these dangerous conditions, the men and women of the U.S. Border Patrol work tirelessly to protect our Nation's borders, and they deserve the utmost praise for their dedication and bravery.

Unfortunately, Mr. Speaker, two U.S. Border Patrol agents who deserve our appreciation have instead become victims of a grave injustice.

Agents Ramos and Compean were found guilty in a Federal court for wounding a drug smuggler who brought 743 pounds of marijuana across our southern border into Texas. These agents now face up to 20 years in Federal prison.

Agent Ramos served the Border Patrol for 9 years and was a former nominee for Border Patrol Agent of the Year. Agent Compean had 5 years of experience as a Border Patrol agent.

These agents never should have been prosecuted for their actions last year. By attempting to apprehend a Mexican drug smuggler, these agents were simply doing their job to protect the American people. These agents should have been commended for their actions, but instead the U.S. Attorney's Office prosecuted the agents and granted full immunity to the drug smuggler for his testimony against our agents.

The drug smuggler received full medical care in El Paso, Texas, was permitted to return to Mexico, and is now suing the Border Patrol for \$5 million

for violating his civil rights. He is not an American citizen. He is a criminal.

Mr. Speaker, I have spoken to numerous people inside Texas and outside of Texas regarding this outrage, including the attorney for one of these agents. I have written to the President of the United States, asking him to please look into this matter. I have written two letters to Attorney General Gonzales, asking him to reopen this case for a fuller investigation before these men are sentenced in October of this year. I hope that the American people will agree that this prosecution is an outrageous injustice and that the situation must be investigated.

With that, Mr. Speaker, I will close by asking my colleagues on both sides of the political aisle to please join us in this and find out why these two agents were prosecuted and will be sent to a Federal prison on October 19.

Mr. Speaker, I ask God to please bless our men and women in uniform and their families.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

(Mr. PALLONE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

U.S. CONGRESS MUST LEAD ON PEACE

Ms. WOOLSEY. Mr. Speaker, I ask unanimous consent to speak out of order.

The SPEAKER pro tempore. Without objection, the gentlewoman from California is recognized for 5 minutes.

There was no objection.

Ms. WOOLSEY. Mr. Speaker, today, September 21, 2006, the world celebrates International Peace Day. Unfortunately, as we look around the world, we see more unrest and more people living in poverty, and certainly not more genuine peace.

This administration has chosen the road of conflict and war, leaving diplomacy and discussion on the side of the road. The President's cowboy swagger and use of "You're either with us or you're against us" gets us absolutely nowhere.

Mr. Speaker, today, International Peace Day, is the appropriate time for a new direction for our foreign policy and for our country. That is why on Tuesday of next week I will be hosting a third congressional forum on the occupation of Iraq. I am doing this because until the Congress begins real oversight into the tragedies of our occupation in Iraq, forums like these serve as one of the only ways, the only ways to examine our actions.

I am organizing this forum on the cost of our actions in Iraq because President Bush's Iraq policy has been an absolute failure and our Nation will suffer. Our Nation will suffer its effects for years to come. Besides making us

less safe, it has ruined our Nation's credibility in the eyes of the world, and it has made us worse off economically and militarily as well.

On Tuesday we will hear from experts, including Lieutenant General William Odem and former CIA employee and Georgetown professor Dr. Paul Pillar. Additional testimony will come from experts from Save the Children, the National Priorities Project, and a representative from the Iraq and Afghanistan Veterans of America.

This war, Mr. Speaker, has many unseen costs: the costs to our military and diplomatic standing in the region; the cost to the Iraqi civilians, especially the most innocent victims, the children; the cost to America's working families who see funds being diverted away from important domestic programs to fund the ongoing occupation; and the cost to our brave men and women in service to our country. Almost 2,700 troops have given their lives for this misguided cause.

And the costs to our veterans, which may be the most heartbreaking of all: the underfunding of veterans clinics, the lack of support for those dealing with posttraumatic stress, the families left behind with little benefits or support from the Department of Defense. Veterans have sacrificed for our country. They deserve to receive our Nation's support. We have a responsibility, Mr. Speaker, a responsibility to take care of those who sacrifice and defend us during times of war.

Mr. Speaker, I voted against this war. Some of my colleagues voted for it. We disagreed then, but I think we can all agree now our troops need our support, and the best way to support the troops is to bring them home.

Earlier this year I introduced H.R. 5875, a bill to repeal the President's Iraq war powers, because Congress needs to stand up. Congress needs to take back its constitutional responsibilities. And Congress needs to insist that the President, the Commander in Chief, stop this misguided occupation of Iraq.

I urge my colleagues to join me at the forum on Tuesday from 2 to 4 p.m., and I urge you to cosponsor the Iraq War Powers Repeal Act. I also urge you to stand up for our troops by standing up for peace.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nebraska (Mr. OSBORNE) is recognized for 5 minutes.

(Mr. OSBORNE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

COMMEMORATING THE 1-YEAR ANNIVERSARY OF HURRICANE RITA

Mr. BOUSTANY. Mr. Speaker, I ask unanimous consent to speak out of turn.

The SPEAKER pro tempore. Without objection, the gentleman from Louisiana is recognized for 5 minutes.

There was no objection.

Mr. BOUSTANY. Mr. Speaker, this week southwest Louisiana will pause to commemorate the 1-year anniversary of Hurricane Rita, the third most expensive natural disaster in U.S. history.

Rita was as equally devastating as Hurricane Katrina, causing widespread destruction to our communities and our Nation's critical energy infrastructure. Since then there has been a palpable view among many of my constituents that their story has been forgotten and their needs unknown.

Throughout the past year, I have worked hard to ensure that Rita does not become "the forgotten storm" among Members of this body, and to date Congress has approved unprecedented Federal funding for our recovery. And for this the people of southwest Louisiana are grateful.

But not until you visit the coastal parishes of southwest Louisiana, Vermilion Parish, Calcasieu Parish, and Cameron Parish, can you understand the scope and magnitude of the destruction of Rita and the long road we have to protect our coast and our energy infrastructure from future disaster.

In the year since Rita, I have brought 19 House Members, including Speaker HASTERT, to southwest Louisiana to see these towns and communities and to meet the great residents of my district who were able to ensure a safe and thorough evacuation that did not result in the loss of life as we saw in New Orleans.

All of my colleagues who have joined me in visiting the communities hit hardest by Rita have come away with an increased awareness of the importance of southwest Louisiana to the energy infrastructure of the United States, as well as the need to protect our coastal wetlands and provide a continuous stream of funding to protect our communities.

The eye of Hurricane Rita made landfall in Cameron Parish, Louisiana, bringing with it a storm surge over 15 feet. In the coastal parishes of Vermilion, Cameron, and Calcasieu, the destruction was undescrivable, but no lives were lost. Local officials in southwest Louisiana were commended for managing an orderly evacuation of residents and offering a detailed plan for recovery and rebuilding. In short, the people of southwest Louisiana did, and are doing, everything right.

Amidst the ruin, the one constant was the spirit and determination of the people of southwest Louisiana. The common question from local residents was not, "Where do we go from here?" but rather, "When can we rebuild our homes, our businesses, and our way of life?"

More than any other storm, Rita exposed the critical state of our coastal wetlands and the role they play in supporting the energy infrastructure of the United States. These wetlands serve as a critical buffer against ocean

storms as well as protect industries and cities further inland. Before Rita, the projected land loss in Louisiana was approximately 24 square miles per year, the equivalent of two football fields an hour. After Rita, our coast is even more vulnerable, and some worry a modest category one hurricane could deal an even more destructive blow to our coastal parishes and the energy infrastructure that they support.

During Rita, oil platforms and drilling rigs in the storm's path were forced to shut down and evacuate their workers. This led to the halting of 98 percent of oil and natural gas production in the Gulf of Mexico.

And when the Nation's 12th largest port in Lake Charles was forced to shut down, energy production and distribution were brought a virtual standstill.

Protecting and strengthening our coasts is not only a Louisiana problem, it is an American problem. And it is one that affects American families and businesses that rely on energy we produce in Louisiana and transport throughout this country.

Thousands of oil and gas facilities are concentrated throughout the gulf coast and in southwest Louisiana, meaning that any future storm could have a crippling effect on our Nation's domestic energy production. Over one-third of the U.S. Strategic Petroleum Reserve is stockpiled in Cameron Parish in my district, and soon over 25 percent of our Nation's natural gas supply will run through that parish as well.

Mr. Speaker, often in the past year I am stopped by my colleagues here in the body who ask, how can I help? My answer to them now is very clear. Help us to protect ourselves. This year the House and Senate have already responded to this request by approving legislation that would give Louisiana its fair share of oil and gas revenues produced off our shores. This solution will provide our State with the necessary funding to protect our coastal wetlands and, in turn, the critical energy infrastructure that is so important to our U.S. economy.

The Louisiana congressional delegation is working to ensure a final compromise is presented to President Bush before the end of the this year. Now, it is up to the leadership in this body and in the Senate to bring the bill to conference and to get a compromise to President Bush. The sooner Congress acts, the sooner southwest Louisiana can protect itself from the devastation we saw from Hurricane Rita 1 year ago.

Mr. Speaker, in closing, the people of southwest Louisiana never asked for a Federal handout, but rather for a helping hand. For many Americans last year's hurricane season will be remembered by the images of chaos and confusion. For those of us who were there to witness the devastation in southwest Louisiana, the recovery of the people whose lives it forever changed, we come away with a much different story, one that gives us hope, one that shows the resiliency of the people of southwest Louisiana.

□ 1645

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

MARKING 15TH ANNIVERSARY OF REESTABLISHMENT OF INDEPENDENCE OF ARMENIA

Mr. SCHIFF. Mr. Speaker, I ask unanimous consent to speak out of order.

The SPEAKER pro tempore. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. SCHIFF. Mr. Speaker, today marks the 15th anniversary of the reestablishment of the independence of the Republic of Armenia. On behalf of the tens of thousands of Armenia Americans in my district, the largest Armenia community outside of Armenia, "Oorakh Angakhootyan Or," congratulations to the people of Armenia on a decade and a half of freedom.

Building upon the foundations of the first Armenian Republic of 1918, today's Armenia has, in the years since it declared its independence from the disintegrating Soviet Union in 1991, strengthened democracy and the rule of law, promoted free-market reforms, and sought a just and lasting peace in a troubled region.

With America's help, Armenia is overcoming the brutal legacy of Ottoman persecution, Soviet oppression, Azerbaijani aggression against Karabagh, and the ongoing dual blockades by Turkey and its allies in Baku.

Recognizing this progress, John Evans, the former U.S. Ambassador, said in 2004, that "Armenia now has well-founded hopes for a prosperous and democratic future."

I am proud of the role that the United States Congress has played in strengthening the enduring bond between the American and Armenian peoples. This special relationship is rooted in our shared values and experiences over the course of more than a century. Among these shared values are a commitment to democracy, tolerance, religious freedom, human rights and the peaceful resolution of conflicts.

In the 1890s, Clara Barton, the founder of the American Red Cross, traveled to Armenia to help the Armenian victims of massacres being perpetrated by the Ottoman Turkish Government.

In 1915, as the Ottoman Empire began its campaign of genocide against the Armenian people, the U.S. Ambassador to Constantinople, Henry Morgenthau, documented and, at the risk of his own career, protested the ongoing massacres, death marches and other barbarities.

Later, President Woodrow Wilson led the formation of the Near East Relief Foundation to help the survivors of the

Armenian genocide, and spearheaded the international efforts to secure justice for the Armenian people and to support the first Republic of Armenia.

Later, after the short-lived Republic of Armenia was annexed by the Soviet Union, Armenians here in America and around the world were key allies in our decades-long struggle against the Soviet threat to freedom. This cooperation contributed to bringing an end to the Soviet Union, to the rebirth of an independent Armenia, and to the democracy movement and self-determination of Karabagh.

Armenia has made tremendous progress in building up a free-market-oriented economy over the past decade and a half. According to the Heritage Foundation/Wall Street Journal Index of Economic Freedom, Armenia is consistently ranked as a free economy, and is currently the 27th freest in the index's 2006 rankings.

Recognizing this, the United States has named Armenia as one of only a handful of countries to have qualified for assistance through the Millennium Challenge Account, a program which targets development assistance to countries that rule justly, invest in their people and encourage economic freedom.

Armenia has also sought to integrate itself in the world economy as a member of the World Trade Organization, and I was pleased to join many of my colleagues in working to extend the Permanent Normal Trade Relations status to Armenia.

Armenia's economic accomplishments are more extraordinary when you factor in the crippling and illegal economic blockades imposed by Turkey and Azerbaijan. The blockades cost Armenia an estimated \$720 million a year and have forced more than 800,000 Armenians, close to a quarter of Armenia's population, to leave their homeland over the past decade.

The biggest challenge Armenia faces is the hostility of its neighbors. While the primary threat from Turkey is economic and diplomatic, Azerbaijan has been far more bellicose. Both Armenia and Nagorno Karabagh have demonstrated their commitment to a peaceful resolution of the Karabagh conflict through the Organization for Security and Cooperation in Europe. In contrast, Azerbaijan has taken reckless steps that have contributed to instability in a region of strategic and economic importance.

Armenia's Soviet past and the economic and security challenges it faces have impeded the country's progress towards full democracy and the rule of law. Those of us who care deeply about Armenia and the Armenian people must continue to help Armenia to perfect its institutions and expand the rule of law.

Mr. Speaker, nobody knows the need for broad engagement with Armenia more than the Armenian-American community, which has strong ties to its ancestral homeland. Armenian

Americans have made contributions to every aspect of American life. From investor Kirk Kerkorian to Ray Damadian, inventor of Magnetic Resonance Imaging, to the multiplatinum rock band System of a Down, Armenian-Americans have enriched our Nation. They are also committed to contributing to an ever brighter future for Armenia. I have been privileged to work with many of the community on ending this government's tragic failure to recognize the Armenian genocide, on ending the Turkish and Azerbaijani economic blockade, on securing aid to Armenia, and securing permanent normal trade relations with Armenia.

Armenia has come a long way in 15 short years, and I look forward to much more progress in the years ahead.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

OUTLAW OF THE UNDERGROUND

Mr. POE. Request permission to take Mr. BURTON's time and speak out of order.

The SPEAKER pro tempore. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. POE. Mr. Speaker, it is said that justice is the one thing that you should always find. And hopefully we will find justice soon. Just a few days ago in South Carolina, on an afternoon like every afternoon throughout America, school buses take children home, and this particular school bus dropped off a 14-year-old girl named Elizabeth near her home so she could walk through this rural place where she lived.

Soon after getting off the school bus, though, she came in contact with a local villain. His name is Vincent Filyaw, 37 years old. He started talking to Elizabeth. He kidnapped her. He took her to the woods. He was posing as a police officer. And after he finally walked her around so she could be disoriented about where she was, he took her to a hole in the ground, 15 feet deep, where he kept her for 10 days.

In this hole in the ground, the cover of it was a piece of plywood. Down in this hole he had a camp stove, he had another hole dug for a toilet, he had a shelf and some dirty cooking utensils. It looked like an underground out-house. I have seen photographs of it.

This was Elizabeth's dark dungeon of depravity for 10 days. He had booby-trapped this hole in the ground so that when he was gone, and if she tried to leave, it would blow up and kill her.

When he was there, he abused her. He abused her as much as he wished. He had weapons. He had homemade grenades to protect himself from the police if they ever found him. It is hard

to imagine what happened those 10 dark days for this 14-year-old girl.

One night when this villain was asleep, Elizabeth was able to take his cell phone away from him and text message on the cell phone to her mother a note: Hey, Mom, it is me. And with those simple words, the police were able to track down, through cell towers, the near location of where this little girl was.

The deputies came looking for her. The villain had already left. And as these deputy sheriffs approached Elizabeth, she saw them, and, of course, she immediately started to cry because she was safe in the arms of the law.

After deputy sheriffs rescued her, they were still looking for Filyaw. He was not out there. He wasn't in this hole because he was out trying to carjack a woman at 2 o'clock in the morning.

The sheriff's department had been looking for him for 10 months because he was wanted for, yes, kidnapping and assaulting a 12-year-old. And when they went to his house months before to try to find him, he had already dug a tunnel, like the rat that he is, to escape. And he had escaped the police and was on the lam for 10 months. By the way, he was aided in this escape by his mother and his mother-in-law, who, by the way, are in jail where they ought to be.

He was finally caught this week, and he went to court to see the judge, to have a bond hearing. And this little girl, this 14-year-old, decided to go to court to see this outlaw of the underground here in this bond hearing. And his bond, thank goodness, the judge did the right thing and denied this bond. Now he awaits trial for committing a crime against the greatest resource in our country, children, little girls.

Mr. Speaker, like most Members of this House, I am a parent. I am a father of four kids; three of them are girls. I have five grandkids. I have a granddaughter named Elizabeth. It is hard to imagine pain that is suffered by your own child. And here we have this little girl suffering pain because of this criminal that lives among us.

While it is true we should be concerned about the terrorists overseas, we need to be concerned about the street terrorists that live among us. As a former judge, I hope that justice prevails in this case.

Mr. Speaker, I do not normally quote Toby Keith or Willie Nelson, but I think they had the right thing to say in their song, when they said, Back in my day a man had to answer for the wicked that he had done. You have to find a tall oak tree, round up all of the bad boys and hang them high in the street for the people to see.

We got too many gangsters doing dirty deeds, we have got too much corruption, too much crime in the streets. It is time the long arm of the law put a few more in the ground. Send them all to their maker, and He will settle them down, because justice is the one thing you should always find.

Mr. Speaker, like a rat living underground, the fact that this criminal likes living underground, hopefully the good people of South Carolina will do the right thing and justice will prevail in this particular case.

And that's just the way it is.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri (Mr. SKELTON) is recognized for 5 minutes.

(Mr. SKELTON addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

□ 1700

GENOCIDE IN DARFUR

Mr. MCGOVERN. Mr. Speaker, I ask unanimous consent to speak out of order.

The SPEAKER pro tempore. Without objection, the gentleman from Massachusetts is recognized for 5 minutes.

There was no objection.

Mr. MCGOVERN. Mr. Speaker, millions of Americans and millions of people around the world are outraged at the genocide taking place in Darfur. Hundreds of thousands of people in Darfur have been murdered by the Sudanese military and government-supported militias.

Millions have been forced from their homes, their villages destroyed. Men, women and children left homeless have died from hunger and disease as they are forced to wander, hoping to find someplace that will keep them safe.

Women and girls, many of them children, have been raped. International workers providing humanitarian relief have been abused, and some have even been murdered. The world calls it genocide, the United States of America calls it genocide, and still it is allowed to continue.

Mr. Speaker, we are once again at yet another critical crossroads in how we deal with ending the genocide in Darfur.

On Tuesday, in his speech before the General Assembly of the United Nations, President Bush appointed Andrew Natsios as his Special Envoy for Sudan, providing the U.S. once more with a high-ranking official charged solely to focus on the crisis in Darfur.

President Bush also called on the U.N. to act on Security Council Resolution 1706, authorizing a U.N. peacekeeping force in Darfur. Yesterday the African Union Peace and Security Council voted to extend the mandate of the AU peacekeeping force into Darfur, which had been set to expire at the end of next week.

I wish I could celebrate, Mr. Speaker, but we can't. The situation in Darfur grows more desperate every day. Fighting has intensified. The Sudanese Government has renewed aerial bombing. Many humanitarian aid groups have had to pull out, leaving hundreds of thousands of people without food and water.

Appointing a U.N. envoy is an important step, but only the deployment of a U.N. peacekeeping force will bring some measure of security to the suffering people of Sudan. We cannot afford to let the AU peacekeeping force to remain underfunded, underequipped and undertrained. But the AU forces only have 7,000 boots in the ground, and the region of Darfur is about the size of France. We need a U.N. force with a strong, clear mandate to protect the defenseless people of Darfur on the ground as soon as possible.

Security Council Resolution 1706 does not say that we have to wait for Khartoum's permission to deploy it. We need an enforced no-fly zone over Darfur, most likely coordinated by NATO, so we can put a stop to Khartoum's aerial bombing and its air support of Janjaweed militia attacks against villages and refugee camps. We need the United States Senate to support the House-passed Darfur Peace and Accountability Act so that we can get that critical litigation to the President's desk as quickly as possible.

We need universities and State and local governments to divest their public funds from company stocks that do business with the Sudanese Government. The Senate should not strip this provision from the Darfur Peace and Accountability Act, and I encourage all of my colleagues in the House to cosponsor the bill in support of divestment that Congressman BARBARA LEE of California introduced today.

Mr. Speaker, the House has acted and spoken in a unified bipartisan voice to end the violence and genocide in Darfur.

I would like to thank my House colleagues Representatives DONALD PAYNE, FRANK WOLF, MIKE CAPUANO, and TOM TANCREDO and so many others who have been leaders in calling attention to and taking action on the crisis in Darfur.

But most of all I want to thank the American people, who, in their churches, synagogues, temples and mosques, on college campuses and the local community centers, have organized and mobilized to make sure that the President and this Congress get the message that we have not done enough so long as the killing continues.

Mr. Speaker, we must do more. We must end the genocide. We must protect the people of Darfur, and we must do it today.

The SPEAKER pro tempore (Mr. POE). Under a previous order of the House, the gentleman from Texas (Mr. GOHMERT) is recognized for 5 minutes.

(Mr. GOHMERT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

SKYLINE MEMBERSHIP CORPORATION

Ms. FOXX. Mr. Speaker, I ask permission to address the House for 5 minutes.

The SPEAKER pro tempore. Without objection, the gentlewoman from North Carolina is recognized for 5 minutes.

There was no objection.

Ms. FOXX. Mr. Speaker, it is my honor today to rise and commend the Skyline Membership Corporation for its enormous contributions not only to the Fifth District of North Carolina, but also to our Nation and the global war on terror. It is my pleasure to congratulate them upon receiving the 2006 Employer Support of the Guard and Reserve's Secretary of Defense Employer Support Freedom Award. It is of great note that they are only one of 15 recipients this year.

This award publicly recognizes employers for exceptional support for the National Guard and reservists above Federal law requirements. This award, the ESGR, as it is commonly known, is the highest in a series of Department of Defense awards that honors employers who provide excellent support for their excellent Guard and Reserve employees.

The Skyline Membership Corporation is a local member-owned cooperative established in 1951 to help bring telephone service to rural communities, and I am a member. Since its inception it has grown into the second largest of the nine telephone cooperatives in North Carolina. Today it serves over 360,000 access lines, covering an 840-square-mile area in northwest North Carolina and Tennessee.

Skyline Membership Corporation is governed by a nine-member board of directors and operates with a staff of 125 employees. Today it has expanded to provide a number of telecommunications services and has promoted job growth and economic development. It is a leading example of a prosperous business that also played an integral role in community development.

The ESGR is a Department of Defense agency that was established in 1972 by the Secretary of Defense William Perry with the sole purpose to gain and maintain active support for the National Guard and Reserve from all private and public employers.

I am honored and thrilled that such a fantastic business in North Carolina has been one of the 15 chosen out of thousands of companies across the country. It goes to show that in the Fifth District of North Carolina, we have some of the hardest-working people who are dedicated to our country and have a steadfast resolve to support our Nation. They are committed to shield it from terrorism and ensure our Nation is protected by their brave employees who choose to answer the call of our country.

This is a true honor for Skyline Membership Corporation. It is being recognized alongside major businesses such as DuPont, Starbucks, MGM Mirage and various large public agencies for its contributions to the Guard and Reserve units. This award exemplifies the commitment and leadership of the corporation and their determination to

encourage their employees to answer the call of their Nation in a time of need.

While fighting the global war on terror, companies such as Skyline are inextricably linked to our Nation's security by sharing their most valuable asset, their employees. One example of its steadfast dedication, not only to the global war on terror, is that they ensure their employees have the best possible accommodations overseas.

One example is the recent action the Skyline Membership Corporation took to support their employee's unit overseas in Iraq. Upon learning that an employee's unit was in dire need of lightweight cabin cots for shelter from insects, sand, heat and other elements, the Skyline Corporation sent 44 cots in a matter of days to that employee's units.

Skyline has gone above and beyond the call. That is why they have been chosen for such a prestigious award. It has supported its employees who are serving their country by answering the call to go to such places as Iraq and Afghanistan. Skyline has provided everything from continued benefits during deployment to care packages. Not only are the folks at Skyline making a difference in their employees' lives, but they are supporting our military and Nation's security.

Skyline has been such a successful business because of the strong leadership it has shown. It recognizes that when hiring National Guard and Reserve members, it can expect superior employees whose military training instills them with virtues such as efficiency, dedication, loyalty and teamwork. These employees share dedication to excellence, which has made Skyline a successful business, and, in turn, Skyline has returned the favor by encouraging and supporting its employees in every way possible to serve our country.

Skyline recognizes the importance of national security and serving our Nation. Its actions are truly deserving of the honor of such a prestigious award.

I wish Skyline all the best, and I have a message for them. Keep up the good work. You have made North Carolina and our Nation proud.

I am pleased to be able to commend Skyline Membership Corporation for its tremendous contributions to our Nation and to its employees. In a post 9/11 world their work, support and leadership exemplifies the best there is in North Carolina and highlights the exemplary work of the people of Western NC. Again, I commend The Skyline Corporation for its service, support and dedication.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. DAVIS) is recognized for 5 minutes.

(Mr. DAVIS of Illinois addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

BAD FAITH ACTIONS AND POLICIES OF STATE FARM INSURANCE IN MISSISSIPPI

Mr. TAYLOR of Mississippi. Mr. Speaker, I ask unanimous consent to speak out of order and to address the House for 5 minutes.

The SPEAKER pro tempore. Without objection, the gentleman from Mississippi is recognized for 5 minutes.

There was no objection.

Mr. TAYLOR of Mississippi. Mr. Speaker, on Wednesday of this week, Mr. Edward Rust, Jr., the CEO of State Farm Insurance Company, was supposed to be in Washington. I had hoped that I would have the opportunity to speak to him on behalf of the people of south Mississippi.

State Farm is one of three firms that for thousands of south Mississippians has denied their claims on wind policy, some of them for over \$1 million; have said that they are not going to give a dime as a result of what happened at Hurricane Katrina.

Had Mr. Rust been there, I also would have had the opportunity to tell him that last Saturday I met with two whistleblowers, two sisters, Cori and Carey Rigsby, who walked away from jobs that paid well over \$200,000 a year, investigating claims for State Farm, because they felt that company was abusing the people who paid for their policies, that their company was engaging in fraudulent behavior by denying these claims. Instead of being rewarded by that subcontractor to State Farm for telling the truth, they are being sued by that subcontractor for telling the truth.

So, Mr. Rust, if you had been there, I would have presented you with this letter, detailing what I think you have done to the taxpayers and to the people of south Mississippi. But since you were not there, I am going to put it in the CONGRESSIONAL RECORD and mail you a copy.

But there are two things I want you to know. You see, when you didn't pay people's wind claims in south Mississippi, you hurt them individually. You hurt average Joes like Joe Dee Benvenutti, who, interestingly enough, is also an insurance salesman; or guys like Mike Chapoton, who is a banker; or Dr. Leroy McFarland, who was my family's physician when I was a kid, and now in his 70s has been denied over \$1 million claim.

But you also denied guys like Senator TRENT LOTT and U.S. Judge Lou Guirola. It is one thing to tell a banker or a former corrugated box salesman that you can't read a policy, but I think it is something else to tell a Federal judge that he couldn't read his policy, to tell a U.S. Senator with a law degree from the University of Mississippi apparently he can't read his policy.

If they are doing that to the average Joes, I am sorry, if they are doing that to the bigshots like U.S. Senators and Federal judges, then the question is, what are they doing to grandmothers?

What are they doing to corrugated box salesman? What are they doing to high school teachers who don't have a prayer and who have been told that their cases could take years to be heard?

Mr. Rust, you not only denied those people, but, in my opinion, you also stole from the taxpayers. Let me walk the taxpayers through this. Flood insurance is paid through you, the taxpayers. It is heavily subsidized this year to the tune of over \$20 billion. According to the Rigsby sisters, your agents were instructed to walk on a piece of property, and, without looking at any of the evidence, blame it all on the water. It was all water; offer to pay that water claim immediately, and say, we will get back to you on the wind, knowing full well that an investigation would not take place on the wind policy, and that the only check those people are going to get would be from the taxpayers.

You see, that broke the law, because under the False Claims Act, when you ask your Nation to pay a bill that it should not pay, you are liable for triple damages and a \$10,000-per-incident fine. I think that is exactly what went on. This House has passed language asking the inspector general of the Homeland Security Department to look into that. Unfortunately, the other body has not acted on that. Senator LOTT, for his part, has passed the funding for that investigation for \$3 million, but this House has not voted on that.

So, in return for your behavior towards the people of south Mississippi, where over 1,000 south Mississippi families feel like the only chance they have of any justice is to go to court, I am going to try to do three things in my time remaining as a Member of this House.

Number one, I am going to push for that investigation, because I am confident in my heart that you stole from the taxpayers when you did that.

The second thing is I am going to work to remove your antitrust exemption. I bet you it would surprise the average American to know that if the two hardware stores in town called each other up and said, let's charge this much money for a gallon of paint, if they were caught doing that, they would go to jail. But Allstate can call State Farm, who can call Nationwide, who can call Farm Bureau, and they can say, this is how much we are going to charge for an insurance premium, and this is what the benefit is going to be. Yes, let us all play hardball and not pay any claims. It is perfectly legal. Check my facts on that, it is perfectly legal.

Look at your own pay stub. I would guarantee probably that at least the fourth biggest expenditure in every American family is insurance. Do you want to know one reason why it is so expensive? There is no real competition. They are exempt from the antitrust laws. No one should be above the laws. I am going to work to take away that exemption.

Third thing is I am going to work to pass an all-peril policy so that the people of Mississippi, Florida, Alabama or Texas don't have to stay in their house with a video camera to record how their house was destroyed to get some justice out of you.

Lastly, I am going to work for Federal legislation because you have picked the States apart. You are picking on 50 little States, 50 sets of rules. You are taking advantage of the citizens of this country when you ought to be dealing with our Nation's government.

Mr. Speaker, I submit for printing in the CONGRESSIONAL RECORD a copy of a letter from me to Mr. Edward B. Rust, CEO, State Farm Insurance Companies, dated September 20, 2006.

HOUSE OF REPRESENTATIVES,
Washington, DC, September 20, 2006.

Mr. EDWARD B. RUST, JR.,
CEO, State Farm Insurance Companies, Bloomington, IL.

DEAR MR. RUST: I am writing to make you fully aware of the consequences of the bad faith actions and policies that State Farm has carried out against the people of South Mississippi since Hurricane Katrina.

First, allow me to establish a few basic facts about Katrina's damage in Mississippi. There is no property in Mississippi that was damaged solely by flooding. More than 300,000 properties, including many that were hundreds of miles inland, sustained wind damages but no flooding. Properties nearest the coastline were damaged or destroyed by some combination of hurricane winds and storm surge.

State Farm's assertion that hundreds of coastal homes were destroyed without suffering any wind damage has been easily and overwhelmingly refuted by every meteorologist, engineer, eyewitness, or investigator who is not on the payroll of an insurance company or an insurance company's contractor. Every community on the Mississippi Coast suffered four or five hours of high hurricane winds and powerful gusts before the surge. High winds continued to cause additional damage during the surge, and the wind and water in combination caused the worst destruction.

State Farm recently reported that it has handled more than 84,700 property claims in Mississippi, yet requested engineering reports for only 1,100 of the claims. Since engineering reports are needed for the purpose of determining whether damage was caused by wind or by water, State Farm must have acknowledged that other 83,600 properties were damaged by winds alone. In other words, State Farm has paid claims for wind damage far inland where you could not blame flooding, while denying wind claims on the coast where the winds were much stronger, but where you could blame flooding.

Many homeowners near the coastline had flood insurance, but not for the full value of their properties. Hundreds of homeowners who bought every property insurance policy that was available to them—homeowners, windstorm, and flood—are nevertheless left with huge uncovered losses because State Farm and other insurers have decided that only the federal flood insurance program, and federal taxpayers, should pay on homes that were destroyed by the combination of wind and water.

State Farm's twisted legal argument that the anti-concurrent causation language in your policies allows you to deny wind claims, even where you acknowledge that wind was a cause of the damage, is an especially cynical and despicable act.

Your company's betrayal of its policyholders has had horrible financial consequences for families and communities at their time of greatest need. Some policyholders will file bankruptcy and default on their mortgages. The lucky ones will recover only after depleting their savings and retirement accounts and assuming large new debts. Worst of all, I fear that your actions will result in unnecessary deaths in future disasters. If you succeed in establishing that the burden of proof is on policyholders to prove that wind and wind alone caused damage, I am convinced that some people who should evacuate will stay behind next time to record the damage.

State Farm and other insurers have contracts with the National Flood Insurance Program that permit you to sell flood policies and adjust flood claims that are backed by federal taxpayers. When your adjusters assigned all damage to flooding, I believe you committed fraud against the United States government. State Farm's contract with NFIP obligates your company to apply the same standards to flood claims as you apply to your own claims. The federal regulations do not empower you to assume flood damage anywhere it is possible, while denying wind claims unless no other cause is possible.

I believe that State Farm and other companies violated the False Claims Act by manipulating damage assessments to bill the federal government instead of the companies. I have written the Justice Department to recommend that the Katrina Fraud Task Force investigate whether insurance companies defrauded federal taxpayers by assigning damages to the federal flood program that should have paid by the insurers' wind policies.

In late June, the House approved my amendment to the Flood Insurance Reform and Modernization Act to instruct the Inspector General of the Department of Homeland Security to investigate the Katrina claims practices of the insurance companies that adjusted flood claims. Sen. Trent Lott added a similar provision to the Homeland Security Appropriations Act.

Even before Katrina, I was an original co-sponsor of legislation introduced by Rep. Peter DeFazio to repeal the antitrust exemption that was granted to the business of insurance by the McCarran Ferguson Act. After Katrina, this issue will be much higher on my agenda. It is obvious that the large insurance companies conspired together to manipulate the claims process. It also is clear that state resources were inadequate to protect consumers from underhanded insurance practices on such a large scale.

In the decades since enactment of McCarran Ferguson, the federal government has assumed responsibility for insuring some risks that the insurance industry refuses to cover. Medicare and Flood Insurance are obvious examples. The federal government also provides disaster assistance and loans to individuals, businesses, and communities to help offset their uninsured losses. It does not make sense for the federal government to fill in the gaps left behind by the insurance industry and yet have very little role in regulating and investigating insurance companies and their practices.

In the next session of Congress, I plan to press for a vote on legislation to have the federal government take responsibility for regulation of insurance. It is ridiculous for the industry to claim that insurance is not "interstate commerce" rightfully under federal jurisdiction when companies stop issuing policies in New York and Florida because of claims in Mississippi and Louisiana. Congress and federal regulators should have clear responsibility for oversight of the insurance industry.

I also pledge to work tirelessly to enact a natural disaster insurance program that provides for all-perils insurance coverage. There is no reasonable way to distinguish the wind damage from the water damage from a major hurricane. The worst destruction almost always results from the combination of the two. The division of wind and flood coverage guarantees that legal disputes will consume millions and millions of dollars for engineering reports and legal fees instead of going to pay damage claims.

I cannot support plans to provide federal reinsurance for the current system that allows insurance companies to shift their liabilities to taxpayers and property owners. Any effort to provide a federal reinsurance backstop for insurance losses must insist on elimination of the exclusions and gaps in property coverage. Homeowners need to be able to purchase insurance and know that disaster damage will be covered.

Finally, I will continue to urge the leadership and my colleagues in Congress to undertake detailed hearings and investigations of insurance industry practices. Please know that the actions of your company have helped make the case that Congress and the federal government must move to regulate and investigate your industry in order to protect consumers and taxpayers.

Sincerely,

GENE TAYLOR,
Member of Congress.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair must remind Members to direct remarks in debate to the Chair, not to others in the second person.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri (Mr. HULSHOF) is recognized for 5 minutes.

(Mr. HULSHOF addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. ZOE LOFGREN) is recognized for 5 minutes.

(Ms. ZOE LOFGREN of California addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. MACK) is recognized for 5 minutes.

(Mr. MACK addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maine (Mr. ALLEN) is recognized for 5 minutes.

(Mr. ALLEN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

(Mr. CUMMINGS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

□ 1715

THE ISSUES AFFECTING AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Ohio (Mr. RYAN) is recognized for 60 minutes as the designee of the minority leader.

Mr. RYAN of Ohio. Mr. Speaker, I thank you for the opportunity, and I would like to thank Leader PELOSI and STENY HOYER, JIM CLYBURN and also JOHN LARSON, our Vice Chair, the leaders of our caucus, for the opportunity to come down here and speak to other Members of this body about the issues of the day.

Day in and day out, as we continue to have debates here on the floor of the House of Representatives, one of the main topics here and back in our districts is the issue of the war in Iraq, the issue of the standing, on the stature of the United States of America and the opinion of those around the world of us, and the need for us to build coalitions across the globe in order to fight this global war on terror.

We have major differences. We have had major differences, and we continue to have major differences in this body, in the body that is created by Article I, section 1 of the United States Constitution, as to how we should administer and execute this war on terror.

The Bush administration has tried to implement their philosophy with the war in Iraq, and I must say, Mr. Speaker, that their actions have created more terrorists in the world, it has made the bull's eye on the United States bigger, and it has completely almost eliminated the goodwill that was given to this country from around the globe after 9/11.

Many Members of this Chamber can remember the editorials and foreign newspapers where some were saying that today we are all Americans after 9/11. Today we are all Americans. That political capital that we had, that goodwill that we had, was squandered by a very divisive policy, a policy that was based on misinformation, was misleading.

As the days and the weeks and the months go by, we continue to see time and time and time again how this administration misled the Congress and misled the American people. And if we had a huge intelligence failure on 9/11, it only makes sense to be very, very careful before believing the intelligence that is then being presented to you for the war in Iraq.

This issue is the defining issue. The President can continue to try, Mr. Speaker, to somehow change the topic, somehow try to change the debate to something that may be more favorable. But when you look at what is happening with our foreign policy and with our domestic policy, you will see that

the American people are moving in a direction away from the President of the United States. They no longer, as Mort Zuckerman said, they no longer give the President the benefit of the doubt. And when the President loses the benefit of the doubt, the President loses the kind of authority and persuasive nature, basic nature of the office.

So let's talk about what is going on here. This war in Iraq has made us less safe. It has given us more terrorists in the world. It has increased the polarization. And if you look just on the front page where we have the President being called a devil, which I don't necessarily agree with, being called a devil at the United Nations, now, we can all at least say that that kind of rhetoric, although it is not helpful, signals the kind of discontent that there is out there in the world for the United States of America.

When you are fighting a global war on terror, Mr. Speaker, you need friends. You need people who are going to help you. You need assistance from all quarters, whether you are a Democrat or whether you are a Republican, whether you are a Member of the United States Congress or you are a member of a parliament in Europe or South America. You need help. We can't fight this global war on terror by ourselves, so we need to engage the international community. We need to engage the international community.

I want to share with the American people some of what is going on. We are going to start with what is going on with the money.

We can see here what the war in Iraq is currently costing the American taxpayers, \$8.4 billion per month. It is costing the American people, this war on terror, \$1.9 billion per week, \$275 million per day, \$11.5 million per hour. This is to fund what is going on in Iraq.

And this has basically put us in the middle of a civil war. Only about 7 percent of the fighters in Iraq are al Qaeda types. The rest are Sunni and Shia, and they are fighting with each other, with the American soldiers right in the middle of the mix.

We found out 2 weeks ago that Secretary Rumsfeld said that he would fire the next person who asked for a post-war plan.

Now, Mr. Speaker, we can agree and disagree on a lot of things here, but when you have the Secretary of Defense say to some of his underlings that the next person that asks me about a post-war plan will be fired, that goes right to the heart of the leadership of the Pentagon, the leadership of the Defense Department.

How do you go into a war with no post-war plan? This was a mistake to begin with. And then at the end of the day you start hearing about all the ties between al Qaeda and Iraq that didn't end up to be true. Then you find out the Secretary of Defense didn't want anybody to submit any kind of post-war plan at all to him, or the next one that did would be fired. It goes to the

question of what kind of leadership are we getting here.

And when you have this cowboy diplomacy that we have had for years in the United States of America, you know, the "Axis of Evil" comments, and "we are going to smoke them out," and "bring it on," and "mission accomplished," and you have major magazines saying it is the end of cowboy diplomacy, well, when you look at the comments of some of the foreign leaders, calling the President of the United States a devil, it doesn't seem like they think this is the end of cowboy diplomacy.

So we have all got to move forward on this issue, Mr. Speaker, and we have got to somehow figure out together how we are going to do this.

One of the things that the Democrats want to do when we take over the House in January is to start having some hearings, to start providing some oversight.

If we could get that quote from Mr. Gingrich. Mr. Gingrich, the former Speaker, the man who led the Republican revolution in 1994, said in the Wall Street Journal column he wrote a couple of weeks ago that the only way to begin to fix this is to have an honest assessment of what is going right and what is going wrong in the intelligence, NSA, the war in Iraq.

But if we don't have an honest assessment, if we don't have honest hearings, and we get briefed every now and again from the Secretary of Defense and it is not helpful. It doesn't make any sense. And we continue to go down this road, to stay the course.

Here is what Speaker Gingrich is saying to us on staying the course. This is from the Wall Street Journal, September 7: "Just consider the following: Osama bin Laden is still at large. Afghanistan is still insecure. Iraq is still violent. North Korea and Iran are still building nuclear weapons and missiles. Terrorist recruiting is still occurring in the U.S., Canada, Great Britain and across the planet."

This is Newt Gingrich saying that this has been a real failure in leadership on the war on terrorism.

Then you come back to homeland security. You come back to what are we doing here at home with the ports, with the immigration issue, with what the Democrats want to do compared to what the Republicans want to do.

If you look at what we were able to accomplish under President Clinton compared to what has gone on with President Bush, this is just border security numbers, Mr. Speaker, the average number of new Border Patrol agents added per year. In the Clinton administration, 642. New border agents per year under the Bush administration, 411. Under the Clinton administration, we actually increased the number of Border Patrol agents much more so, by 230-some a year more than the Republicans have under the Bush administration.

Immigration, INS fines for immigration enforcement. In 1999, 417 under

President Clinton. Only three in 2004 under President Bush. The Clinton administration was much more aggressive on the Border Patrol issue.

There were 78 percent fewer completed immigration fraud cases by the Bush administration. Look, in 1995, 6,455, and 1,389 in 2003 under the Bush administration.

If you look at what we followed as the immigration debate here in Congress has raged, you will see that if Democratic amendments, the amendments that we tried to get on over the last 5 years, would have succeeded, there would be 6,600 more Border Patrol agents, 14,000 more detention beds, and 2,700 more immigration enforcement agents along our borders than now exist.

It is clear that the Democratic Party doesn't only provide the rhetoric, but we provide the solutions necessary to try to solve some of these problems. Day in and day out, as we continue to have this debate, we can talk about it, or we can put our money where our mouth is and fund these Border Patrol agents. We can make sure that more than 6 percent of the cargo that comes in and out of the United States is checked for weapons of mass destruction, and for illegal immigrants, for that matter.

We have to do this, and we have to be willing to put the resources necessary into the programs. That means that there are going to be some difficult decisions, because over the last few years we have seen the budget in the United States of America go bust, billions and billions and billions of dollars wasted, billions given to the pharmaceutical industry, billions given to the oil industry, to corporate welfare.

If we don't begin to change that, if we don't begin to put in some basic structural changes to the way the budget process works by putting in PAYGO rules, by making sure you can't spend money that you don't get somewhere else so you don't have to borrow it. And that is what is happening right now.

I must commend, Mr. Speaker, Senator VOINOVICH from Ohio, who is talking about waking up the Congress to say we have got to balance our budgets. We have to, because we have two options. We can ask the top 1 percent of the people in this country, the top 1 percent wage earners, people who make more than \$1 million a year, we can either ask them to contribute their fair share, and they have benefited greatly over the last couple of years, and use some of that to help us reduce our budget deficits. We either ask them to help, or we borrow the money from China and Japan. Those are really our two options.

Over the past few years we have been borrowing the money from China, we have been borrowing the money from Japan, and it puts us at a tremendous weakness when we have to go to China and ask them for help with North Korea, when we have to go to China

and ask them for help in Iraq, when we have to go to China and ask them for help with Russia.

All of a sudden we are going to the bank that is lending us money and asking them to help us with our diplomacy. I don't care if you are a liberal or a conservative, the United States has always prided itself on making sure we balanced our budgets.

In 1993 in this Chamber, controlled by the Democrats, without one Republican vote, we balanced the budget. 20 million new jobs. Economic expansion that benefited everyone. Welfare roles decreased and declined.

□ 1730

Then we look at what this President and this Congress has done. In the last 4 or 5 years, this President and a Republican-controlled Congress has borrowed more money from foreign interests than any other President before him. So 224 years, Mr. Speaker, all of the Presidents added up did not borrow as much as President Bush has borrowed.

So we have a solution, Mr. Speaker, that is not a Democratic solution or a Republican solution. It seems to be based on reality, and, Mr. Speaker, this is the advice that Mr. Gingrich has given on the broken system in Washington. He said in the Washington Post in July, "The correct answer," Gingrich said, "is for the American people to just start firing people."

And I think that is about the sentiment in the United States right now is that the American people are ready for new leadership. When you think about what Mr. Gingrich is saying, and you read his Wall Street Journal articles, and you read his books, and you think about what he is saying, in 1994, when the Republican Congress came in and the Republican revolution, and you think about what was said and how many times, and it was masterful campaigning, about we need to run the government like a business, we need to balance the budget, we need to make government more efficient, there is too much waste, there is too much fraud, there is too much abuse, and if we just squeeze the government, we are going to be able to get the kind of resources that we need to fund the programs that we need and give tax cuts and some relief to the American people; and if you look now, in 2006, as to what the Republican majority has done with that opportunity that the American people gave them, it is really a shame because we have huge budget deficits. We are borrowing money from foreign interests. The government is fat and bloated and bureaucratic, and we lose \$9 billion in Iraq, and nobody really knows or seems to care as to where it goes.

You have all this pay to play going on. You have a K Street Project going on, started by the Republican Party, that basically says if you are a lobbyist and you want us to help you, if you want the Republican Party to help you, you need to hire my ex-chief of staff to

run your lobby organization, and then you will have access.

When you look at the money, the public money that is being spent on corporate welfare, \$12-, \$13-, \$14-, \$15 billion to the energy companies, that is not a real record to be proud of.

When you talk about running the government like a business, and you look at the waste and you look at the bloatedness and you look at the government's inability to address two, at least, of the major responsibilities that we all could agree on here, and that is national defense and emergency response.

The national defense side, look at the war in Iraq. This great Republican revolution gives the power and the responsibility to Rumsfeld and Wolfowitz and then does not take that responsibility away, then does not demand that they get fired, but they promote him. Wolfowitz is now at the World Bank, and Rumsfeld, no one will dare disappoint him, Mr. Speaker. This is the architect of one of the great catastrophes in the history of the United States of America. No one's been fired.

I run into business people, hard-core conservative Republican business people in my district, and they say, if I was running the business, Rumsfeld would have been fired 2 years ago.

This is not a partisan issue, but you have to provide oversight. It is not about putting your party before the country, and that is what is happening now, and no one will admit it, this stay the course, bury your head in the sand and somehow forget about the reality that is happening on the ground.

When you see time and time again, time and time again, generals that leave and retire and then all of the sudden have a lot to say about what is going on on the ground, and they have a lot of opinions about what is happening in the administration because no one was being listened to, first it was not enough troops, then how it had to change on the ground and the lack of responsiveness. That is not running government like a business. That is not responding to the market in the case of Iraq. That is ignoring the facts on the ground to benefit yourself politically. That is putting the Republican Party ahead of the Republic, and it does not work that way.

Sometimes you make mistakes and you get egg on your face. It does not mean you go get a new banner printed or a new slogan printed. It means you admit it, and you go forward.

Let us have hearings. I am fortunate enough, Mr. Speaker, to sit on the Armed Services Committee. The brainpower on that committee, the kind of experience of Members on that committee, is tremendous, and it has been one of the nonpartisan committees for the most part. Why not go before this committee? Let us let all these people who have traveled the world, who have been involved in the war in 1990, people like Mr. MURTHA who are on the Defense Appropriations Subcommittee,

sit down with these people. Let us figure this out, and someone may get some egg on their face, and someone may have to be fired, but if the team's not performing, you may have to cut a few people. You may have to move some positions. You do not promote them.

And you look and see what these generals are saying. "Rumsfeld and his team turned what should have been a deliberate victory into a prolonged challenge," John Batiste in the National Journal, chief military aide to Paul Wolfowitz, brigade commander in Bosnia.

Anthony Zinni: "We're paying the price for the lack of credible planning or the lack of a plan. Ten years worth of planning were thrown away."

How can you have lack of planning in a major war? Again, we are not talking about a Rotary Club building a river walk. We are not talking about a Kiwanis group in our local community putting flowers in a courthouse square. We are talking about going to war. We are talking about the most deliberate act that a government can make, that we are going to put our soldiers in harm's way. There are probably going to be innocent lives that are going to be killed, and we are going to kill other people, and now we have these generals saying we did not have a plan. That is the height of irresponsible leadership.

You look at what General Charles Swannack, Jr., said: "I do not believe Secretary Rumsfeld is the right person to fight that war based on his absolute failures in managing the war against Saddam in Iraq." That was in the New York Times in April.

This is not the Democratic Caucus saying this. This is not me.

Look at what another general said: "If I was President, I would have relieved him 3 years ago." This is someone who has got the Bronze Star medal with Combat V, Silver Star medal with gold star, Legion of Merit. These are well-respected people in the military establishment saying we need to get rid of Rumsfeld, which I think would be a great gesture to the international community to say we have made a lot of mistakes. Maybe we can be a bit humble and say that and ask for help and say that we need to make this a global effort.

If you have this kind of irresponsible behavior, this lack of self-awareness to say that we have made some mistakes and we want to go about fixing them I think disrespects the process here, and quite frankly, it disrespects the American people. To try to pitch this al Qaeda-Saddam Hussein pie, when we find out that Saddam did not want to help al Qaeda at all, when you see that, and then yet you continue to ignore the facts on the ground, Mr. Speaker, it only puts us in a deeper hole and makes things more difficult.

So the war side has not been executed like a business because we have not changed, we have not streamlined. And you look at the wasted money on

contracts and the amount of money some of these big donors have made, the war profiteering, again, a slap in the face to the American people.

Then domestically when you look at Katrina and a lot of the emergency response problems that we had, we find out again that this government really was not run like a business, that this emergency response system was not streamlined because we had Wal-Mart and we had some of these other businesses, they were getting water and supplies in and out. Their response was much better, much more efficient, much more effective than the Federal Government's.

But it is the Federal Government's responsibility to make sure that we can address these national and natural disasters that happen in the United States of America. That is our responsibility. That is our constitutional obligation. So it is very important that we figure out how to streamline that. Where are the hearings? Where is the oversight? Where is the accountability? There is not any.

And then when you talk about the bloatedness of government, I want to share with you, Mr. Speaker, and the other Members of this body about one of the great proposals that we have here and that the Democrats will offer in January when we take over this Chamber.

Those are two bills, one by Representative TANNER from Tennessee and one by Representative CARDOZA from California. These bills say that we are going to run an audit, a real audit, of the Federal Government, and we are going to squeeze this government. We are going to make it fit an information-, knowledge-based economy, and we are not going to sit back and just allow the bureaucracy to grow and grow and grow and keep feeding the beast and just say if we write a bigger check, somehow the problem will go away. You cannot fix it without providing some auditing and then the reform necessary.

The programs that do not work, we get rid of. The programs that work, we fund them, and we fund them by squeezing the waste and the bureaucracy out of some of these other programs, and making sure that every dollar that we get from the taxpayer is spent well and accounted for.

What I like most about these two bills is that we are going to hold the Secretaries of the departments accountable, and so if there is an audit, and recommendations are made, then the Secretary, the CEO of that department, will be held accountable. If they do not meet the requirements of that audit, that Secretary will have to go back to the Senate to get confirmed again.

That is accountability. That is saying no matter who you are, whether you are Secretary Rumsfeld or you are Secretary of Health and Human Services, if the GAO audits you, a real audit, and we make sure that we know

that the facts are right, and you do not meet the requirements of that audit, then you will have to go back for a reconfirmation.

That is how you get change in these huge bureaucracies, and that is what the Democrats are going to do, because if we do not reform this government, if we do not get it ready and able to move us into an information-, knowledge-based economy, we are going to continue to fall behind because we do not have the resources. We cannot keep going back to the taxpayer, asking them for more money and more money and more money, because they do not have it.

Now, if you look at what is going on, why they do not have it and the squeeze that the average people are going through now, look at this.

□ 1745

The minimum wage is now at its lowest level in 50 years adjusted for inflation. Real household income has declined nearly \$1,300 under the Bush administration. So you are making \$1,300 less. The cost of family health insurance has skyrocketed 71 percent since Bush took office. And if you look, the cost of tuition and fees at a 4-year public university has exploded by 57 percent. These are facts. These are not made up.

So hourly wages are down 2 percent, consumer confidence is down, gas prices are up 20 percent, and mortgage debt is up 97 percent since the year 2000.

We can't keep going back to these people and asking them for more and more money. And the unfunded mandates that are coming from this Congress down to the States and the local tax burden is being increased for mental health levies, for library levies, for community development projects, and these cities and many of them, and one of them is one I represent, Youngstown, another one Akron in Ohio, these cities don't have the resources. And if we are going to compete as a country, you have got to look at it like this: right now it is much different. Cities like Youngstown, cities like Akron, northeast Ohio, Cleveland, we are not longer competing with each other, and we are no longer competing with New York and Chicago. We are all now competing in a global economy.

And as we compete in this global economy, as regions and as a country, we have got to recognize that we only have 300 million people in the United States of America. And when you compare that to the 1.3 billion people in China and the billion people in India, you will see that we have got to be at the top of our game because we only have 300 million people. And when we have many of those people living in poverty, and Cleveland is now rated the poorest city in the entire country. I see Mrs. TUBBS JONES is here who represents that area. With the poverty rates in Youngstown and all of these cities where 80 percent of the kids who

go to some of these schools qualify for a free and reduced lunch. And their nutrition levels go down in the summertime when the school lunch programs and those kind of things that are offered, breakfast programs, aren't available in the summer. So how are we going to be ready, Mrs. TUBBS JONES, to compete in a global economy when we are not making the proper investments here at home?

I yield to my friend from Ohio (Mrs. JONES).

Mrs. JONES of Ohio. I absolutely agree with you, my colleague. And I want to thank you for your leadership on this issue, and I thought I would give you a moment to take a break.

The real reality is that in Cleveland we have suffered so greatly since 2001. Since 2001, in the city of Cleveland alone we have lost 60,000 jobs, and those 60,000 jobs were high-paying jobs. These were jobs of steel workers; these were jobs of people in the auto manufacturing area. And when you start talking about unemployment, the discussion always is that these folks have gone back to work. They have gone back to work, but what kind of money are they making? They are making \$5, \$6, \$7, \$8 an hour instead of the \$20 that they were making. So they move from being part of the middle class to part of the working poor, where they are working every day, they are getting paid wages, and they are still very poor.

Let me give you an example. President Bush talks about economic change that has occurred since he has been in this administration. But the reality is that economic change has not hit those of us who go to work every day.

Let's take a look at this chart here. If you look, the minimum wage has not increased any in 9 years, but whole milk, the cost of whole milk has increased 24 percent. How many families end up having to purchase gallons of milk, gallons of milk to take care of their babies and their kids and their high school students? Let's look at bread. Bread costs have increased 25 percent. Minimum wage still at zero.

Let's look at a 4-year public college education, increased 77 percent, and minimum wage is still at the same. Let's look at health insurance, increased almost 100 percent, 97 percent; and minimum wage is still a zero increase. And then let's take a look at regular gasoline, increased 136 percent.

Now, right now, the gas is going down, and we don't want people to be fooled that gas is going down in reality, because this election is about to come up, and they don't want to be accused of having high gas prices very close to the election. But don't be fooled. Minimum wage still has not gone up, bread has not gone down, milk has not gone down, college education has not gone down, health insurance has not gone down. In fact, there are people who are in bankruptcy as a result of not being able to afford health

insurance. And as a result of the cost of their health insurance, they are in bankruptcy losing their house because they have to pay the cost of health insurance.

Mr. RYAN of Ohio. If the gentleman will yield, because I think this fits. If we are going to be competitive as a Nation, we need to have healthy citizens. All of them, not just some of them. The days of us just being able to compete globally by having everyone in the steel mill and just a few percentage healthy and working in the office are over, and we know that, in northeast Ohio. And so if we don't have these kids and our citizens healthy and educated, and provided some opportunity, it is going to be hard for us to compete. So that is a key component of us being a great country.

Mrs. JONES of Ohio. Absolutely. And it is a security crisis for us to have people who are going to work that are unhealthy. How many of you have ever gone to work and get to work and somebody has the flu, or they have something, and you get to work and you have the flu and people start coughing on one another and the whole office needs to go home because that one person couldn't go somewhere and get taken care of? It is a terrible situation for us to be in currently.

I have got one more chart, and then I am going to leave it to the 30-something Group. I am 30-something-plus, but I am going to leave it to the 30-somethings when I get done.

Let's look at another increase, congressional salary increase versus minimum wage increase. I am a Member of Congress. I voted for a congressional salary increase. But I have always voted and screamed and hollered for a minimum wage increase, and I can't seem to get it to happen.

In 1998, the congressional salary increase was \$3,100; minimum wage, a big fat zero. In 2000, the congressional salary increase was \$4,600; minimum wage increase, zero. 2001, \$3,800; minimum wage increase, zero. 2002, \$4,900; minimum wage increase, zero. And the chart goes on. And as recent as this year, 2006, the congressional wage increase was \$3,100. And you know what? Minimum wage was zero.

Now, there are some of my colleagues who won't vote for a congressional salary increase. And you know why they won't vote for it? Because they think their constituents will say, why should you get an increase? But they won't vote for a congressional increase and they won't vote to increase the minimum wage. It is unfair; it is outrageous. And if we are going to be a competitive country, working people, people at the bottom of the rung, the working poor who go to work every day, who work hard to take care of their families ought to get paid.

I am so glad to join the 30-something Group here. My colleague, KENDRICK MEEK, I want you to know how proud I am of you, of the work that you are doing in your area and on the national scene.

These two young men have shown strong leadership. When the Democrats take control of the House, we are going to be in great shape. We have got a farm team operating right here.

Mr. RYAN of Ohio. I yield to my colleague, Mr. KENDRICK MEEK, the gentleman from Florida.

Mr. MEEK of Florida. I thank you, Mr. RYAN.

I can tell you, Mrs. TUBBS JONES, when I pulled in here close to the Chamber, I was off campus, and I saw your car there and I knew everything was going to be well represented here on the floor. And I am glad that you brought issue and put life in the lungs of what is actually happening here. When you talk about minimum wage, I can tell you right now, as it relates to the middle-class squeeze on families, especially as it relates to lower incomes and higher costs, these are rising health care costs up here. And here are the falling incomes of those individuals as they continue to make less and less and they are having to spend more and more.

And I think it is also important, Mrs. TUBBS JONES, to point out the fact that we want to take this country in a new direction. That is what we are talking about.

You want to talk about salary increases, Mr. Speaker. For Members of Congress, we are saying here on the Democratic side of the aisle we are not going to vote for another pay increase for Members of Congress until the American people get an increase.

And we do know, Mrs. TUBBS JONES, that we had some legislation on the floor because we were hammering away at the Republicans on this side, majority, okay, on the other side of the aisle about an increase for American workers. What did they do? The Potomac two-step, put together all kind of stuff that was unpassable in the Senate, and then brought it to the floor knowing full well that it wasn't a well-intentioned minimum wage increase. We want to take it to \$7.25 an hour. They know full well, and I am saying "they" because that is what Newt Gingrich is calling the Republican majority. That is not me, Mr. Speaker. That is what Mr. Gingrich said when he said "they."

It is important for us to say that we are willing to stand up on behalf of the American people, all American people, Republican, Democrat, Independent, those who are not voting yet, Mrs. TUBBS JONES, and to make sure that they receive an increase. And what happens with salaried workers, let's just say there are people in our districts that are not individuals that are making the minimum wage, they are making a little more than the minimum wage. And if they make \$8, \$10 an hour, when the minimum wage goes up, then there is going to be a renegotiation of their salary. And these CEOs, I mean, I am not disliking CEOs. Mr. RYAN and I always say that profits are good, we think it is a good word, it is not a bad word. But when you have

CEOs that are making more than 500 employees in a company and you are having individuals who are not able to cover their health care costs, Mr. Speaker, I think that is something we bring into balance.

And this Democratic caucus, when in the majority, if allowed to be in the majority by the American people, have already said one of the first business actions that we would take is increasing the minimum wage, amongst other things.

Mrs. JONES of Ohio. And the beautiful thing about it is, and maybe I misstated when I said that we haven't voted for a minimum wage increase, we haven't voted for a stand-alone minimum wage increase.

You know how they did that? What they did is, Okay, working folk, we are going to take care of you. We will say we will give you a minimum wage increase, but it will be included in a package where we give the top 1 percent, a few families, \$1 trillion in tax cuts. Outrageous. It doesn't make any sense.

And know when the Democratic leadership takes over, we are going to take care of the working people, and they won't have to worry about anything else. They want to couch us as being tax-and-spend Democrats and not concerned about security, but we are going to take care of the working people, and they will know that we will be there for them.

Gentlemen, thank you very much. On that, I am going to see you later.

Mr. MEEK of Florida. Thank you so very much, Mrs. TUBBS JONES. And I can tell you, it is always good, Mr. RYAN, having a member of the Ways and Means Committee here to be able to share some higher thoughts on legislation here that we are talking about.

But, Mr. Speaker, I think it is important, I think it is very, very important that we shed light on what has actually happened here in this Chamber and what has not happened. There are a lot of pieces of legislation that are coming to the floor as we close out this 109th Congress, as we start right before the elections, before we go on what we call a lame duck session after the elections. Members of Congress, many are on jets and driving, or planes, trains, or what have you, going back to their districts. We decided to be here, the 30-something Working Group. We have another hour after the Republican hour to come back here to be able to share the information not only with the Members but also with the American people and make sure that they know that we are here on their behalf as Americans first.

I think the facts are overwhelming here, but I just want to make sure, because whenever you identify a problem, you have to have a solution coming shortly thereafter or right before. So I am going to take the opportunity in addressing the Members and talking about the solution, and then identifying the obvious problem. Not a problem that we have identified within the

Democratic caucus, but the U.S. Department of the Treasury has identified, the Inspector General, the Department of Homeland Security has identified, and that the Government Office on Accountability have also identified as major issues that are facing our country that we haven't faced in the history of the Republic.

□ 1800

I am saying since we have been a country, we haven't been in the posture that we are in right now, and I think it is important that we present those facts.

We are saying on this side of the aisle we want to take America in a new direction. That new direction consists of six points. It goes beyond, but mainly six points. First, the protection of Social Security is so very, very important. I am from Florida, and Social Security is a major issue in Florida and throughout this country. As we look at disability benefits for American workers when they are injured on the job, to be able to have Social Security which they paid into, they can receive their full benefits. When you have retirees, one thing they can count on, and they probably can't count on a pension from a company that they have been working for or at for some 25 or 30 years, but they can count on Social Security because it is backed by the U.S. Government.

And also survivor benefits. As we look at survivor benefits for folks that were working, and if they pass on, their children have an opportunity to educate themselves. There are some Members of Congress here who are presently serving who have taken advantage of survivor benefits that have made our country stronger in preparing these bright, young minds to be able to lead our country in the future.

I am really sad to report that it continues to be under attack by the Republican majority and the Bush administration. I am concerned about that. But we have made a commitment for 2006, taking America in a new direction, that we will protect Social Security, as we have protected it from attempts by the Republican majority and the President, who burned all kind of jet fuel to try to ram a privatization plan down the throats of the American people. I think it is important that Members go on HouseDemocrats.gov and get our plan as it relates to securing Social Security.

Looking at affordable health care, I think it is important that we look not only at prescription drugs, but also make sure that there is a major focus on health care. And there are health care professionals, I had a major health care insurance company come into my office just this week and say something has to happen.

From the small business to the Fords and the GMs of the world, health care is crippling this country. We have a war in Iraq, but we have a war here as relates to health care in the United

States. We are dedicated to making sure that we have affordable health care for children and seniors, and making sure that we use our buying power to secure lower prices for our seniors as it relates to part B.

We talk about energy independence, investing in the Midwest versus the Middle East. We are talking about E85 and alternative fuels and using coal. We are the Saudi Arabia here in the United States in regards to coal. We have enough coal to supply the whole world as it relates to energy, and we can use it for our own benefits to secure America, and that is homeland security in making us stronger.

We have already put out our innovation agenda, Mr. Speaker, and also energizing America, making us energy independent. Members can also view that on HouseDemocrats.gov. That is making sure that the next generation is ready to take over. And for this generation, broadband for all Americans, making sure that all Americans have access to the superhighway, and making sure that they have broadband opportunities.

Making sure that we reverse the tax increase that the Republican majority has put as it relates to student loan opportunities. There is legislation filed in this 109th Congress that would reverse that and cut it in half; and make sure that we give tax credits to students, and also parents who are trying to educate their children. That is something that is very, very important. The Republican majority has brought a great increase in the cost of college. We have said that we are dedicated, and we have the will and desire to make that happen. That is part of our six-point plan.

We have talked about the minimum wage. That is so very, very important. We have Members on the majority side that want to belittle that idea. But when you haven't increased the minimum wage since 1997, and say it is okay for you to give Members of Congress pay increases as far as the eye can see since 1997, \$3,100, \$4,600, \$3,800, \$4,900, and on and on and on, continued pay increases for Members of Congress.

And don't get me wrong, it is difficult for Members who have decided to serve their country and have a home in their district and try to have some sort of a place to live here in Washington, D.C. Yes, I am not knocking cost-of-living increases for Members of Congress, but I must say that I am very, very concerned with the fact that those individuals that punch in and punch out every day, 15-minute break in the morning and afternoon, 30 minutes for lunch, we put them at an unfair disadvantage when we allow ourselves to receive pay increases.

The Republican majority has done that. We have said on this side not another pay increase for the Members of Congress until the American people get a pay increase. That is something that we are standing very close to and making sure that we deal with it.

When we talk about homeland security, homeland security, there is a lot

of discussion about homeland security. We have said that we are going to implement not any ideas that someone in some office here in Congress just says, oh, I think that is a great idea, we will do it if we get in the majority. No. Well-thought-out, well-fleshed-out ideas as relates to homeland security that the 9/11 Commission has called for, and making sure that we implement the 10 unimplemented recommendations by the bipartisan Commission that went through this Congress and that the President spoke to, the National Security Director testified in front of, former and present Members of Congress, members from our intelligence organizations spoke before it, 9/11 families spoke before, and survivors of 9/11. They all took an opportunity to testify in front of this committee, and there are a number of issues that are unfinished business as it relates to that.

Some of the higher points, and I won't go over all of the 10 points right now, but one simple one, air cargo. What is going on with that? I mean, we are running around at the airport giving up hand sanitizer, shaving cream; taking off your jacket, belts and shoes before you get on the plane. Meanwhile, cargo goes in the bottom of the plane, no problem whatsoever.

It took the Brits to disclose a liquid explosive attempt on a plane that was headed to the United States of America before the Department of Homeland Security started saying maybe we ought to deal with that because that was one of the 9/11 recommendations.

We are saying that we don't want to be reactionary. We want to be proactive. We want to implement the full recommendations of the 9/11 Commission, and that is something that we are dedicated to doing if we have an opportunity to do it.

Some may say, Congressman, why aren't you doing it? We are not doing it because we don't have the chairmanship of the committees or the ability to bring a bill here to the floor after going through the Rules Committee, to bring these pieces of legislation and ideas to the floor.

Another thing, Mr. Speaker, and I will go beyond the six points here to say that we have the will and desire to work in a bipartisan way. I feel personally that there are some Members on the Republican side that understand the importance of implementing the full recommendations of the 9/11 Commission.

I don't want to go off on a philosophy that nothing major is happening in the United States so we must be doing something right. I would be on the side of recommendations by a bipartisan commission led by a Republican former governor who continues to give low marks to this legislative branch because we have not carried out the things that we needed to carry out.

Mr. RYAN, before I yield back to you, I want to mention as the ranking member on the Subcommittee on Homeland

Security, Oversight and Management, there was a company that was awarded the SBInet contract that put surveillance cameras along the border. Something that I am not proud of is the fact that there are two other similar programs prior to this program that has been renamed for the third time that spent \$426 million of the taxpayers' money. Towers were built in some areas, cameras did not work in other areas, it was not monitored the way it was supposed to be monitored, yet we awarded a \$2.5 billion contract to a company.

We have the inspector general of the Department of Homeland Security who is going to be coming before our subcommittee after the election in November, I must add, and he will report that the Department of Homeland Security doesn't have the capacity to be able to take on such contract, or monitor the contract, in a way to make sure that we don't have cost overruns and making sure that taxpayer dollars are not spent inappropriately.

The 9/11 Commission, one of the 10 points was that we add 2,000 border protection officers yearly. The President sent his budget to this Congress and only asked for 215 border officers. You want to talk about Article I, section 1 oversight, making sure that we ask the tough questions? We are not doing it. The Republican majority doesn't want to do it. We are saying that we have the will and the desire to do. So let's make that we do it, and we are up front and straight with the American people.

Mr. RYAN, as we start to look at not only the new direction we want to take American in, as the Democratic Caucus and as a Congress, we want to make sure that we identify where we are falling short.

Mr. Speaker, all of this is very achievable if individuals were just to legislate and have oversight and work in a bipartisan way. Legislation is brought to the floor in the closing days of this 109th Congress to split the Congress as it relates to philosophy.

There was a bill up last week that talked about building a double-link chain fence along 200 miles or so of the border with no funding. That is like me saying, Mr. RYAN, I would like to build a monument out on the Washington Mall to celebrate the great victories that this country has had, whether they be educationally or whatever the case may be, over the history of our country, but I am not going to appropriate any money for it. But we are going to take it to the floor, and we will pass it anyway. Just on that, on the basis of the fact that there is no funding, it is like an empty suit. It is like a suit hanging up in the closet and no one in it.

It is important that we come straight with the American people. If we are serious about protecting our borders, let's do it for real. Let's not pass a bill without appropriations. Let's not bring a bill to the floor talking about giving authorization to local law enforcement

agencies to interrogate undocumented individuals in our country without any funding, because what the Federal Government is going to do is hand that responsibility to local sheriffs and city police officers and send the recommendation for the 250 Border Patrol officers to the House when they know we need 2,000. Let's stop handing it down to local governments and saying it is your responsibility. Let's man up, woman up and leader up and do what we have to do on behalf of the American people. We are saying if we are in the majority, we will do it.

Mr. RYAN of Ohio. As I stated earlier, if Democratic amendments over the course of the past few years, the last 5 years, would have been adopted, there would be 6,600 more Border Patrol agents. There would be 1,400 more detention beds, and 2,700 more immigration enforcement agents along our borders to help us solve some of these problems.

It is a lot like when you invite me out to dinner and you offer to buy me dinner, and then you don't bring your wallet, you know what I mean, and then I end up paying for the dinner. It is just the same thing. You say you are going to provide the Border Patrol agents, and then there is no money there. You invite me to dinner, and then there is no money there. It is pretty much the same thing.

Mr. Speaker, as we wrap up here, this is the 30-something Working Group. We are taking e-mails. You can visit us at www.HouseDemocrats.gov/30something. All of the charts that you see here, Mr. Speaker, are accessible on that Web page.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

HONORING SERVICEMEMBERS IN GLOBAL WAR ON TERROR

The SPEAKER pro tempore (Mr. REICHERT). Under the Speaker's announced policy of January 4, 2005, the gentleman from Tennessee (Mr. WAMP) is recognized for 60 minutes as the designee of the majority leader.

Mr. WAMP. Mr. Speaker, as I rise tonight to begin this hour, I rise with a very heavy heart, but with the most renewed sense of pride and patriotism I have ever had as I honor the life of Sergeant David Thomas Weir.

Sergeant David Weir died 8 days ago on the streets of Baghdad in service to our country. He is from Cleveland, TN, where last night over 2,000 people showed up at the Bradley Central High School football arena to honor a great American hero.

□ 1815

I spoke with Sergeant Weir's mother and father 2 days ago, Lynn and Jackie Weir, and it is just extraordinary to me

that there are families in this country that love freedom so much, love our country so much that even in the most grief and sadness they could ever imagine or experience, a hundred percent believe in the mission, the service, the sacrifice of their own son to defend liberty for our Nation.

Lynn Weir told me that if he would have tried, and he didn't, to keep his son from going, he could not have kept his son from going. He said David Weir, from the time he was a little boy, wanted to serve his country in uniform. He was a member of the 101st Airborne. This was his career. This was his way of life. He leaves a wife behind, Alison; a little 18-month-old son, Gavin, who does not understand what has happened. But everyone else knows very clearly what has happened. A great American patriot died doing what he wanted to do, which was to stand in harm's way on behalf of our civilian population, as the Greatest Generation did, as other generations have been called to, at a time when there is a very real and imminent threat to our way of life called the Islamic jihadists.

And Sergeant Weir goes to heaven, leaves this Earth, as others have, in the most sacrificial way, answering the scriptural call that says "No greater love hath any man than to lay down his life for his friends."

And I say to Jackie and to Lynn and to Alison and to Gavin, your father; your husband; Chris, his brother; your son gave his life for everyone in our country. We will never forget him. We will always remember him. We hail his life, a sacrificial life of service to others, putting everyone else above himself, believing in his mission and his comrades.

His father said he talked to him the day before and he was so excited about getting out in the streets of Baghdad because he didn't want to be sitting behind a desk, because that was not what he was trained to do. That was not what he volunteered to do. That was not what he was prepared to do. He did what he went there to do, and it cost him his life. And while his parents grieve, our State and our Nation stand united, I believe, in their full appreciation of his life and his sacrifice and his extraordinary courage and bravery.

On Monday, this coming Monday, I am honored to be with the family in Chattanooga, Tennessee, with full military honors as we lay him to rest in the national cemetery.

Thank you, Sergeant Weir, for loving our country so much that you were willing to die for it.

Another friend from my district, Lieutenant Colonel Brett Hale, is there serving in Iraq today. He is the commander of the Dragon Slayers. He too is a patriot. His family is back home praying for him every day, a wife and children.

He sent me an e-mail 10 days ago. I want to read part of it in my tribute and our honor on the House floor to-

night of these great American patriots who volunteered to serve our country and make their life secondary to ours.

He wrote me and said: "If we could only get the truth communicated to the public, they would know we have made great strides here in Iraq. Weekly we are transferring responsibility for the security in many provinces," and another one was transferred yesterday, "and cities back to the Iraqi military. While certain people want to say it is a 'civil war,' I want to tell you firsthand it is more about Islamic jihadists crossing over the borders. They continue to attempt to disrupt a young emerging democracy. The insurgents are capitalizing on the inexperience of this government and directly causing the sectarian violence and so-called fueling the fire. They get more and more strength and resolve when they hear the discourse in our country. They know it is only a matter of time before we give up because we perceive the war in Iraq is too difficult.

"We all know anything worthwhile is not easy. Freedom is not free. The Iraqis are trying to make it work. If we retreat, the terrorists win. They win now and they win in the future when they have a safe haven to plan, train, and operate and attack us again.

"It is our choice. We are either going to support our efforts to win the global war on terror, or we are going to support those that want to retreat inside our borders and wait for the next attack. We found out on 9/11 if we retreat, they attack.

"Finally, why did we go to Iraq? Ask yourself why did we fight Germany in World War II? Japan attacked us, not Germany. The same principle applies. We couldn't take the chance then and we can't now. Those that say otherwise are sympathizing with the enemy."

That is from Lieutenant Colonel Brett Hale to me on the ground in Iraq. What a patriot. As he says, the word is not getting out in this country in a fair way of the progress that we are making. As General Casey said, "If we leave, they will follow us home." These threats are real.

Mr. Speaker, I have been down here 4 weeks in a row as I have been in Washington to try to go through the severity of these real threats around the world and the fact that the jihadists are spreading like wildfire through Europe. Read the book "While Europe Slept." Read the book "Londonstan." You will know that through the mosques there is a radicalization under way. Even the Pope can't speak of it because it is not politically correct to say that fanaticism in religion is not good for the world. It ought to be obvious. Regardless of what the religion is or how many there are or what is politically correct, fanaticism does lead to holy wars and the crusades. And we don't want that. We want the mullahs and the ayatollahs to condemn suicide bombings. We want peace and security for the world. We want our allies to have a backbone and stand up and acknowledge the threat. We want our

President to go to the United Nations and say we can't appease other countries. We have to stand behind security for all and freedom for people and liberty everywhere.

We are all amazed in this country that from our own hemisphere to the south, the President of Venezuela comes to our country and says this. Hugo Chavez is his name. In this country we call each other out of respect. Even the people who just spoke, whom I couldn't disagree with more. The people who just spoke are all talking politics. They are all interested in the next election, not, frankly, the future of our country and preserving liberty and standing up and meeting the challenge of this generation. It is all for them about 47 days from now in an election instead of "I believe in my gut," standing up and protecting our country. But despite that, because we are decent, reasonable, we call them "honorable." We call each other "honorable," regardless of whether we agree or not.

I have got to tell you what the President of Venezuela did in this country yesterday was dishonorable. It dishonored his nation. It dishonors the people of his nation. It dishonors everyone south of here in our hemisphere because what it does is it causes people in this country not to trust or even like people who come into this country and say what President Hugo Chavez said yesterday.

He said this: "The devil was here yesterday. It still smells of sulfur around here," he added. He said, "The President of the United States, the gentleman to whom I refer as the devil, came here, talking as if he owned the world, truly, as the owner of the world.

"I think we could call a psychiatrist to analyze yesterday's statement made by the President of the United States. As the spokesman of imperialism, he came to share his nostrums, to try to preserve the current pattern of domination, exploitation, and pillage of the peoples of the world."

He said, "The President of the United States came to talk to the peoples—to the peoples of world. What would those peoples of the world tell him if they were given the floor? . . . I think I have some inkling of what the peoples of the south, the oppressed peoples, think. They would say, 'Yankee imperialist, go home.'

"I have the feeling, dear world dictator, that you are going to live the rest of your days as a nightmare because the rest of us are standing up, all those who are rising up against American imperialism, who are shouting for equality, for respect, for the sovereignty of nations."

This was the President of Venezuela, in our country, saying this.

And let us praise a Democrat in this House named CHARLIE RANGEL, whom I seldom agree with. But, boy, do I appreciate his patriotism in defense of our country and its traditions when he said this today. He said, "You do not come into my country, my congress-

sional district, and you do not condemn my President. If there is any criticism of President Bush, it should be restricted to Americans, whether they voted for him or not. I just want to make it abundantly clear to Hugo Chavez or any other president, do not come to the United States and think because we have problems with our President that any foreigner can come to our country and not think that Americans do not feel offended when you offend our Commander in Chief."

Thank you, CHARLIE RANGEL, for being an honorable Democrat who stands united at this time of war.

Hugo Chavez is a troublemaker in a big way. He wants to work with Iranian President Ahmadinejad. I watched his interview last night on Anderson Cooper, and he calmly looked Anderson Cooper in the eyes, and he gave a very warped view of history, not even willing to acknowledge that the Holocaust took place. Completely in denial. You would have to wonder where in the world he gets his facts or his view of the world.

This is a troubling time in American history. I say to young people everywhere I go, the days ahead will be very, very difficult. We need to be honest with them about this. But the character of this great Nation was born out of the sacrifices, the courage, and the willingness to face these challenges of our grandparents and our great-grandparents. The Greatest Generation, they are the standard for stepping up to meeting global challenges, and they gave us our character. We didn't get our character by the big buildings or Wall Street or wealth or even military power. We got it by sacrifice and dedication and commitment and family, and they are the standard.

They didn't cower or retreat from these challenges. They stood up. They faced them head on. They showed us what it took to preserve freedom and extend it from one generation to the next. And we must do the same thing. We must come together as a Nation.

I hate it that we are in the middle of this political campaign while we are at war because it is not good for us to say the things we say, even on the floor of this House. It is not good for Lieutenant Colonel Hale and others to look back here and see the potshots being fired. I hate it that over half of the Democrats in the Senate voted to remove Saddam Hussein by force and almost half of the Democrats voted and now they all say it was a mistake.

Let me tell you there has never been a pretty war. Never. There has never been one perfectly executed, and you do not remove a genocidal mass murderer with a picnic. It is ugly. And a brand new democracy takes a while to develop. And it is tough. Tough. But thank goodness that men and women in uniform will volunteer to go serve and carry out this tough mission and extend liberty from one generation to the next. These are difficult days. America needs to pull together.

I want to yield to my colleagues that have come tonight, two of the people I respect the most in the House. First the gentlewoman from North Carolina.

□ 1830

VIRGINIA FOXX is a new Member, but you would never know it because she has got tons of experience, and she has been down here standing up for what she believes, day in and day out. I want to yield to her on this most important issue of global security.

Ms. FOXX. Mr. Speaker, I want to thank my colleague from Tennessee (Mr. WAMP) for organizing this event tonight, and the other ones that he has mentioned. I think it is important that we stand up here and explain to the American people things that they may not hear on their local television station, and that we let folks know how strongly some of us feel about what is happening in this world and what options we have and what things we ought to be doing about it.

Mr. Speaker, the proliferation of Islam extremism and jihadism has already inflicted our Nation with great pain; and it continues to grow and spread. And it is our job to continue to fight these Islamofascists on their land and on our terms. Any other option is unacceptable.

When the Islamic religion is perverted, twisted and turned into an excuse for hatred, violence and the extermination of entire populations, we must stand against it and remain steadfast in our battle to eliminate this extremism.

This situation has been brewing for a long time. It is not something that just happened overnight. It is a clash of ideologies. It is a fight between freedom and democracy versus terrorism and tyranny. This is a battle we cannot afford to lose.

To allow the terrorists to win would destroy America and modern civilization as a whole. We must persist in rooting out terrorist cells and those who preach hatred and death and continue to adapt to the needs of the war on terror to ensure security, stability and freedom throughout the world.

Make no mistake about it, this goal will yield a prolonged effort. We must never forget the day America awoke to the frightening new world where jihadists flew planes into buildings, killing over 3,000 innocent civilians. While we have yet to experience another attack on American soil, there are continuous plots that have been executed and others that have been foiled. The bombing of a night club in Bali, the bombing of a commuter train in Spain, and the bombings last summer in London on the subway and buses are only a brief list of terrorist attacks that have been planned and executed by Islamofascists.

Yet, through intelligence sharing, surveillance programs, and effective antiterrorist initiatives, other plans have been foiled, such as the attempt of shoe bomber Richard Reed and the

recent plot to blow up planes en route to the United States from Great Britain.

Furthermore, due to the nature of their work, the greatest success by those in our intelligence community will never be known. There is no negotiating with Islamofascists who demand death and violence against anyone who does not accept their warped world view. We must remain vigilant against this very brutal and very real threat.

As I speak of the rising threat of Islamofascism and its role in the global war on terror, I must object to the unbelievable and outright deceptive speech of the President of Iran, Mahmoud Ahmadinejad. While we should be condemning such tyrannical leaders who preach hate and destruction, I was stunned that he was given the opportunity to address the United Nations, an organization whose resolutions he has repeatedly ignored.

It points out again how dysfunctional the U.N. has become. He mentioned that justice was a victim of force and aggression, which it certainly was when he participated in the overthrow of the American embassy in Iran in 1979 and held American hostages for 444 days.

He spoke of ridding the world of nuclear, biological, and chemical weapons, yet he continually refuses to halt the production of enriched uranium in Iran. He wants to rid the world of aggression and strive for peace, even though he created a proxy war in Lebanon and continually funnels weapons to Hezbollah.

I was astonished when he spoke of dignity for all human beings and his longing for peace. These words are surprising to hear from a man who has prayed for the demise of America and constantly calls for Israel to be wiped off the map.

His biography reads like a horror novel, directing multiple assignments while he was in elite military units and working with Ansar-I Hizbullah, the violent Islamic vigilante group. His main goal is the destruction of Western Civilization.

That speech was a complete farce. He has shown his true agenda time after time, and one misleading speech at the United Nations will not fool America or the world. While we witnessed the Iranian dictator lecture us on freedom, democracy and justice, it is ironic that in his own country this tyrant denies his own people the basic rights of freedom of speech and freedom of assembly.

His speech focused on freedom, justice and dignity for human beings. But as the president, he has done nothing to bring any of his so-called goals to his own people. Women are denied rights of inheritance, divorce and child custody, and use of their rights of self-expression and economic creativity.

Basic rights are denied to the people of Iran, and that is why, even with the soaring prices of oil, more than 40 per-

cent of the Iranians live below the poverty line. Today in Iran, dissent is brutally suppressed and terror is the regime's only instrument of domestic or foreign policy.

While he may resent us for being powerful, he does not realize that the foundation of our power is rooted in the freedom of our great people to pursue happiness, to innovate and to speak freely.

This tyrant accuses the free world that they are denying the people of Iran their right to nuclear energy. Yet he forgets that the Islamic regime is denying the great people of Iran their God-given rights to self-respect and human dignity. He spoke of universal justice, yet he denies the existence of the Holocaust.

This regime wrongfully portrays the war on terror as a war of civilizations. Yet, he uses every opportunity to export its brutal ideology violently to other nations. We are not at war with any peaceful religion or civilization. We are at war with terrorists, and terrorists' warped interpretation of religion.

We need to protect the civilized world from the threat that these people represent. Mr. Speaker, we suffered a setback on the war on terrorism by allowing this terrorist a podium from which to address the world.

And, again, I think that it is our place here in the United States Congress to remind the world of who is the country that represents true freedom, true democracy, true opportunity for people, and to continue to bring this message to people and speak the truth, instead of allowing people like that to come to this country and live in a fantasy world that they live in.

Again, I want to thank my colleagues for being here tonight, and for the other times that they have been here to bring this message to the country and to anyone who is watching us. I want to turn the time back over to my colleague, Mr. WAMP from Tennessee.

Mr. WAMP. Mr. Speaker, I thank the gentlewoman for her service and for her message tonight on this global threat.

Before I yield to the gentleman from Michigan, let me just remind everyone here in the House of Representatives and anyone who may be watching our proceedings tonight, Mr. Speaker, that regardless of what some would have you believe, or even you may get filtered to you through the national media, this war is with fanatics called the jihadists, who, by their own charter and their own doctrine, want to reestablish a caliphate for themselves and their rule that extends from northwest Africa all of the way east, basically, to the Far East, through Indonesia, above Australia.

And I say that because those are the words that were in the letter that Zarqawi wrote to Zawahari before we killed Zarqawi. The top al Qaeda leaders, in their own communication with each other, said, use the infidels', the

U.S., that is what they call us, presence in Iraq to recruit insurgents and other terrorists to try to extend this caliphate, reestablish the caliphate for radical Arab rule. So this is an aggressive plan.

If we left Iraq tomorrow, the terrorists would not only win, but it would advance their cause. And it is spreading. This is a real threat, and it did not just start on September 11. That was one more attack. It happened to be the largest. But it was not the first on American soil or American sovereignty.

They tried to bring the World Trade Center down in 1993, and their engineering did not work. We did not pay enough attention to it. But they had hit our embassies, which is sovereign U.S. land in other countries, time and time again, the same people.

It all started, Mr. Speaker, in 1979 in Iran, the sponsor of Hezbollah, which has now exported terrorism and frankly stolen the government of Lebanon from the Lebanese people and engaged in war with Israel, and elected terrorist leadership in Palestine called Hamas. And these terror networks are coordinating and spreading and the threats are growing, and our way of life in the future will be at stake if men and women do not stand in harm's way on our behalf.

And you may say, well, that is over there on the other side of the ocean. But I will tell you when Hugo Chavez comes here and says what he said yesterday, and he is coordinating and communicating with these terrorist leaders from other countries, and identifying himself with them, standing with them, wanting to be on their team, and he is in our hemisphere, and through his oil he is trying to bribe and own other South American countries by lending them oil so they will be obligated to him, and he has a warped sense of reality, and comes and says these ridiculous crazy things like he said yesterday, we have threats.

That brings us to the southern border. Because I will tell you, our security in this country is critically attached to our ability to keep people that we do not want in this country from coming across the most porous place, and that is our southern border. I want to talk about that again in a moment, but right now I want to yield to a Member from Michigan who people from one side of the spectrum to the other here in this House look at as one of the most knowledgeable, intellectual, thoughtful, tough Members of the House, THADDEUS MCCOTTER from Michigan. I am so honored he came to the floor tonight to stand with me and go through this Special Order. The gentleman from Michigan.

Mr. MCCOTTER. Mr. Speaker, I thank the gentleman. For a moment there I thought you were introducing someone else. But I appreciate the compliment, however misguided it may be. We in America are so seemingly secure in our rights, our liberties, our

God-given constitutionally recognized rights, that we too often cursorily scan our Nation's foundational truths which secure those liberties.

We also as a young Nation far too often have a disdain for history, because since our inception, our eyes always have been fixed forward, towards the progression of our Nation and the expansion of liberty to our fellow Americans. We also, because of the size of our country and its vast beauty, tend to overlook world geography and the relative situation of other nations to each other.

We cannot do that any longer. We cannot ignore the mistakes of past history. We cannot ignore the realities of geography. And we cannot ever endeavor to forget our own history. As the gentleman pointed out, we call each other in this house "honorable," and rightly so. For we are all people who have been elected to serve our fellow Americans.

And he rightly pointed out the remarks of the gentleman, the distinguished and honorable gentleman from New York (Mr. RANGEL). He could not have pointed to a finer example. Because Mr. RANGEL not only serves his Nation in this Chamber; Mr. RANGEL also is a decorated veteran who served his Nation in a foreign war.

I bring up history to Mr. RANGEL because like the gentleman from Tennessee and the gentlewoman from North Carolina, to Mr. RANGEL history has a way of revealing the elemental truths of a Nation to itself however unwilling we may be at the time to recognize them, for the very same Mr. RANGEL who defended our Nation abroad, had ancestors in this country who were enslaved by the government and the people of this Nation.

The gentleman from Tennessee and the gentlewoman from North Carolina and myself doubtless had relatives in the United States at the time of the Civil War who were sworn enemies who endeavored to kill each other.

□ 1845

Yet because of the foundational truth of this Nation, we stand here today recognizing each other as honorable and joined in the peaceful resolution of our political disputes, because where there is liberty, there is a chance to transcend history to a better tomorrow. In our Nation's history, we have always done so.

When we look abroad, we can go back to the past of that great conflagration that emancipated a race and forged a more perfect Union, to what we are trying to do today. For it is by remembering that in the age of industrialization America could not endure half slave and half free that we realize in an age of globalization our world cannot endure half slave and half free.

When we face the grim contest, the unsought struggle in which we find ourselves against Jihadist fascism, which is more akin to a death cult than any governing political philos-

ophy, we can trace the strain of our own trials and tribulations to ensure more perfect liberty to ourselves and to the efforts that young men and women of our military and our State Department and others are trying to expand throughout the globe, because we know that America's security rests in the promotion of liberty.

We face an enemy that seeks to enslave the globe under its warped worship of death. If we fail in the task before us in the Middle East, if we allow the newly emancipated people of Iraq, the newly emancipated people of Afghanistan, to be thrown to the wolves at their door, and allow Iraq to evolve back into a state sponsor of terror, if we allow the Taliban and its bloodthirsty ilk to again rule Afghanistan and turn female parliamentarians back into property, slavery will have consumed them, and our liberty will be imperiled.

When we look at the efforts of Ahmadinejad and Chavez, we see a common union between oppressors. We see that the Iranian President would seek to impose the oppression that he puts upon his own people, and his common link with the Venezuelan oppressor of his own people. It would be easy at this point in time to see Mr. Chavez is nothing but a third-rate Castro clone, but he is not, because while Mr. Chavez may seem to us to be a bit of a caricature, he is actually a very cunning individual, as is the President of Iran.

The President of Iran, I believe, has a very good grasp of geography. The President of Iran understands that while we have helped to expand liberty on the frontiers of Iran in places such as Afghanistan and Iraq, which have put nascent democracies on his doorstep, he needs only to look to South America to see the conditions of poverty and oppression that are rife within that continent and seek to prey upon them by joining league not with duly elected democratic governments that are out to better the quality of lives of their people, but he joins hands with Hugo Chavez to attack the President of the United States, to attack the United States of America, to distract both their citizens, citizens of both countries, from the reality that it is they who are oppressing them, not the United States, who is emancipating them.

If we look at our southern border and the absence of security, the comity between Mr. Ahmadinejad and Mr. Chavez is clear, and the danger to our security becomes clear. If we have, as some reports lead us to believe, indications of Jihadist fascism in South America, in Mexico, in other places, that are willing to cross the border, or joining with gangs to cross the border, it is painfully obvious to see that what the President of Iran will do is export his version of worldwide slavery, through the person of Mr. Chavez, with the assistance of the Cuban dictator Fidel Castro, and try to utilize our lax and

porous southern border to help these individuals infiltrate the United States.

You see, we may not know geography, we may not learn the lessons of history of how dictators band together to attack free people, and we may be devoid of our own knowledge of our own responsibilities to each other and to our fellow citizens, but our enemies are not. Our enemies believe our strengths are our weaknesses. It is up to us to prove them wrong.

For as every generation of Americans before us, when faced with a challenge to their own liberty and security, have met that challenge directly, they have defeated it, and they have expanded liberty to their fellow human beings abroad.

I have no doubt we will continue to do the same, because as Americans it has been our tradition, and it is our duty, and we have never shirked from our duty as a free people.

Mr. WAMP. I thank the gentleman so much for his articulation of these problems, and the potential threats. Clearly our hemisphere could become a serious problem for us because of these relationships. If you don't think it's a global problem, you should follow what has happened in East and North Africa just in recent weeks where, in Somalia, one of the top al Qaeda members on our watch list is put in charge of the Government of Somalia.

The Sudan is a meltdown, there is a vacuum; Algeria, much the same. Just last week, for the first time, our country established a U.S. military command in northern Africa. Why? Because there is a vacuum in leadership.

What interests do the terrorist networks have in a vacuum of leadership? That is what they had in Afghanistan. The Taliban took over Afghanistan because there was no leadership, and it gave them a sovereign nation from which to operate.

Frankly, one of the elemental factors in my decision to vote to remove Saddam Hussein by force was to make sure that in the heart of the Middle East we didn't give them another sovereign nation from which to operate, and we sure don't want to let them come into one of these areas in northern Africa and take over a country like they did Afghanistan.

You know, it was a crafty way that Hezbollah took control in Lebanon. Go in with some money backed by Iran, money and oil revenues, and basically put people to work, make them obligated to you. Frankly, it is the same kind of thing that Castro did years ago with communism in Central and South America. Meet them at their point of need, make friends with them, and then put them to work for your way of thinking, dictatorial; speaking of imperialism, repressing all human rights. You know, I tell you what, I daresay that people in Venezuela don't have the right to speak there as Chavez spoke here in just the most blatant way. These threats are real. No one, no one likes war.

John Stuart Mill said this: War is an ugly thing, but it is not the ugliest of things. He said the decayed and degraded state of patriotic feeling which thinks that nothing is worth war is much worse. He said a person who has nothing for which they are willing to fight, nothing they care more about than their own personal safety, is a miserable creature, who has no chance of ever being free, unless those very freedoms are made and kept by better persons than himself, end quote.

Those better persons are the men and women in uniform of our Armed Forces, who every single one volunteered to serve our country; whether in the Guard, Reserve or Active Duty, every single one of them volunteered to stand in harm's way on our behalf.

The President of the United States believes deep in his soul that this mission must be carried out and completed, and I agree with him. It is so important, especially right now, with all of these voices in the world and all of these people jockeying for legitimacy and position, that we are not in retreat, that we follow through on our commitments, that we don't leave the people of the Middle East wondering if America has all of a sudden, for the first time in 230 years, lost our heart, lost our backbone, our resolve.

We can't afford to fail in Iraq. No matter how you voted, or no matter how many mistakes have been made, or no matter how you spin it, we can't afford to fail. We can't afford to retreat. We can't afford to leave early. There is a lot at stake. The enemy is real. The enemy is all over the place.

I am a member of the Homeland Security Appropriations Subcommittee, have been since we established the Department of Homeland Security. Some things I can say, some things I can't say. There are a lot of people in this country we don't want here, because we are free, because there are 2,000 miles along the Mexican-U.S. border, because there are 5,500 miles along the Canadian-U.S. border, because there are 12,000 miles of U.S. coastline, because there are 328 million people that come across our land border crossings each year, because there are 71 million people that come in through our international airports from all over the world. There are 157 land ports of entry.

We have a lot of people coming and going from this country, and now there are a lot of people in this country that, the truth is, we don't want them here; that because we are a free country and they haven't yet done anything wrong here, we don't remove them. We don't line them up and ship them out until they do something wrong. But I have got to tell you, we are watching them, because the threats are real.

Hezbollah is the A team in terrorism. They are the source of the conflict between the Lebanese, well, actually, between Hezbollah and Israel in Lebanon, because they pirated the country from the Lebanese, not their fault. That was

a huge conflict 2 months ago. Thankfully they are not warring today, but that is Iranian-based, started next door to Iraq, still the source of the terrorist insurgents into Iraq.

These threats are real, they are global, and we have to watch our own southern border.

Let me continue on the southern border. There is a lot of talk about immigration reform, and we need to continue to carry it out. But I will tell you, the American people just want to see that southern border that I mentioned was 2,000 miles long secured. But one thing that we haven't had much help in is the word getting out of what has happened, because I want to tell you, as a member of that subcommittee, what has happened in the last 12 months, because there has been a serious effort under way to secure the southern border in the last 12 months.

Last week our chairman, Hal Rogers from Kentucky, gave testimony to our entire leadership at a hearing, and I attended it, that is really compelling. One of the most important things that the Department of Homeland Security has done is they ended the policy that had evolved from 20 years back that was known as catch and release, and replaced it with a new policy called catch and return.

Now, catch and release said that if you were an illegal immigrant coming across our southern border, and you were apprehended, you would be arrested for a misdemeanor charge of illegally entering the United States and released on your own recognizance depending on your open court date, and people obviously would not come to court. So thereby people would gain into our country and disappear into our country and probably get a bogus Social Security card so that they could be hired by somebody, and that would constitute the 12 million illegals that we have here now.

We stopped that policy. In the last 60 days, 99 percent of aliens apprehended along the southwest and northern borders are detained and removed from this country. So catch and release was replaced by catch and remove. A year ago, it was 34 percent were sent back to their country of origin. Today it is 99 percent, a huge change in the culture.

Now, let me tell you what that act says, and the gentleman in the chair knows that better than anybody because of his background. It acts as a deterrent. What you want in law enforcement is not a perfect system that catches every single person every single time; you want a deterrent that is raised a level at which it keeps things from happening because most of the people get caught.

This is an effective deterrent, because word has spread back through Central and South America that if you go to all the hassle of getting to the southern border, and then somehow you get across, I am going to tell you in a minute that is not as easy as it used to be either, and you get caught,

you will not be released into the United States of America. You will be held and then sent back to your country of origin. Once that word spreads, a whole lot less people come because they don't want to go to the hassle and the risk of dying or being injured or whatever, and then not be released into our country.

But it was so easy for so long that it happened so often, and we ended up with 12 million. As a matter of fact, in July of this year alone, our Border Patrol apprehended 66,000 illegal aliens along the Mexican border, a staggering number in 1 month, 66,000 illegal aliens.

□ 1900

But, guess what? That was 31,000 fewer than the previous year in the same month. Word is getting out: we are not going to allow you to stay; don't come here illegally.

Yet we are going to come up with, I believe before the end of this year, not only strengthened border security in a meaningful way, which is well under way with 6,000 National Guard troops. \$21.2 billion has been spent on the southern border in the last 12 months. \$21.2 billion, on everything from agents to detention beds.

We now have 13,000 agents and 4,000 new detention beds, 1,500 new Border Patrol agents, for over 13,000 agents and 6,000 Guardsmen. That is 18,000 people on the southern border, catching these people by the minute and sending them home and getting the word out: you are not going to be released into this country. It is an effective deterrent. Things are changing.

But I do believe by the end of the year we are not only going to have additional legislation to continue the fence, sometimes it is visible, sometimes it is not because you can have a protective barrier by using the latest in technology depending on the frequency of people coming, but we are also, I believe, going to come up with some kind of a guest worker plan, so that the work gets done in agriculture, in construction, that needs to be done; but everybody is going to know.

You have got to identify yourself and have a real card, biometrically certified, that this is you. Employers are going to have a period of time to comply, or there will be serious enforcement. I believe we are going to deliver this whole thing by the end of the year.

But the border is much more secure than it was a year ago. Tremendous progress has been made.

More Members have come to join me. When the gentleman from Texas is ready, I want to yield time to him, because few people have the experience that he has, both in the law and being from the State of Texas on this particular issue of border security.

Let me also say that the Department of Homeland Security is going to roll out this month, in September, a multi-billion dollar border security technology and tactical infrastructure program called SBI Net, a program that is

committed to obtaining control of the borders within the next 5 years.

What they are doing now in the Science and Technology Directorate at the Department of Homeland Security under the incredibly capable leadership of Admiral Cohen is deploying finally all the abundant technology that we have. Even Thomas Friedman, who wrote "The World is Flat," has had to amend his book to say, I overlooked a lot of technology that exists in this country.

We are now taking that technology to the border to put it to use through the Department of Homeland Security to secure the border and biometrically certify people.

Now, we don't want a national ID card, but we want people who are coming here to work to have a card that shows that is them. I believe that is going to be part of this more comprehensive solution. I don't want to even use the word "comprehensive solution," because the Senate passed a bill earlier this year that they called comprehensive immigration reform that is going to cause many, many, many more problems than it is going to solve.

So we don't want to be associated with that comprehensive approach. We want to say that we want a guest worker plan with border security and get it done, and we are getting it done.

Mr. Speaker, at this time I yield to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. I thank the gentleman. I appreciate the time, and I appreciate your calling attention to so many of these important issues. We have heard today that there is an agreement between the White House and the Senate on the issue of interrogation.

It has amazed me, Mr. Speaker, that so many people that work here in the Capitol, most of them down at the other end, have not understood what really goes on. You would have thought, especially someone who had been a POW, would understand what people like my hero, former POW Sam Johnson, understands, that, as he has pointed out to me, Korea signed on to the Geneva Convention, Vietnam signed on to the Geneva Convention, they did not observe it at all. Yet we had people in this Capitol saying, gee, we have got to be careful because it might cause mistreatment of our troops.

All you got to do is look around, look at the news, read the news. Our troops have been, are being, mistreated. When you stick a knife and cut the guy's throat and head as he is screaming, that is not somebody that observes the Geneva Accords. We don't do that kind of thing. We never have, never will. But we are in a war for our survival.

One of the things that has probably amazed my friends on this side of the aisle is we have heard even from a former marine lambasting current active duty marines as being cold-blood-

ed killers, as saying the Defense Department is all engaged in this cover-up. They need to give credit where credit is due.

I spent 4 years in the Army, and I can tell you having visited troops around different spots in the globe and the country, we have the best fighting forces, men and women, ever in our history; and they deserve better treatment than they have been getting. Oh, yes, we hear, oh, we support our troops, and in the same breath turn around and lambaste them.

So if it would be permissible, I would like to pay tribute to one more. I did this last night, a man that won the Congressional Medal of Honor for his bravery and heroism. I would like to pay tribute right now to another gentleman. I have been asking for information on people that won our Nation's highest awards, to pay tribute, as a contrast to what some of our friends across the aisle have done in lambasting and criticizing so unfairly our troops.

Tonight, I would like to recognize another true American hero. On October 28, 2005, Dallas native Captain Joshua Glover was presented this Nation's third highest award for valor in combat, the Silver Star Medal.

The 2001 Naval Academy graduate received his award in Washington, D.C. from the commandant of the Marine Corps, General Michael Hagee.

Glover received the award for conspicuous gallantry and intrepidity in action against the enemy while serving as 81mm mortar platoon commander with Weapons Company and quick reaction force platoon commander, 1st Marine Battalion, 5th Marine Regiment, 1st Marine Division, in support of Operation Iraqi Freedom on April 13, 2004, in Fallujah.

That morning, First Lieutenant Josh Glover led and directed his platoon through enemy lines to recover classified material from a downed CH-53 helicopter. As the sun came up, they started receiving incoming fire, including a mortar fire explosion that created three casualties.

With wounded marines, Glover got permission to return to base. On the way back, the convoy ran into between 30 and 40 insurgents hiding in reeds, irrigation ditches and standing by the road firing from the hip. As they plowed on, one of the Humvees was hit, wounding several more marines, which also included one fatality.

Running on flat tires, the convoy made its way back to base, only to be sent out again 7 hours later. Despite losing one of their own that morning, Lieutenant Glover's marines were ready to go again under his command.

About 15 marines were trapped behind enemy lines after insurgents hit their amphibious vehicle with several rocket-propelled grenades, killing one marine and wounding two others. Under heavy insurgent fire, a rocket-propelled grenade, or an RPG, was shot at Glover's vehicle at close-range and thankfully missed.

Glover and his marines found themselves up against a company-sized Iraqi force along the enemy's main line of resistance where as stated in the Silver Star citation: "He repeatedly exposed himself to enemy fire as he engaged enemy targets at point-blank range while directing the rifle platoon's relief and coordinating recovery operations."

Ultimately, Lieutenant Glover and his marines fought their way through to the marines trapped and were able to get them and the slain marine's body out.

When asked about the war, Lieutenant Glover humbly diverted attention away from himself and said, "I received this award because of something we did as a platoon. I am really proud of what we accomplished that day."

He said, "When you are in combat, I think you do it for your fellow marines. You know you got 60 reasons why you have got to do it well."

While the battle for which Glover was awarded was a success, he feels the enormity of the price that was paid. "I lost a marine that day, as did another unit in the battalion. We cannot separate the victory from the loss, and I think we need to do our best to make them and their families proud."

In addition to the Silver Star, Captain Glover has also received two Purple Hearts, a Navy Achievement Medal and a Navy Commendation Medal, both with combat distinguishing device for valor. He served three tours in Iraq.

Mr. Speaker, it is an honor to stand here tonight and share this story of heroism, bravery and humility. Josh Glover, like so many others fighting alongside him, represent the best of the best. That is the kind of story America needs to hear, not predetermined judgment of our fine troops. They deserve our support, not just in lip service that, oh yes, we support the troops, but are they ever a bunch of cold-blooded killers. That is not support. That is both condemnation and hypocrisy.

So it is an honor to stand here with my colleagues, Mr. Speaker, and pay tribute to our troops. They are not only protecting freedom, they are spreading freedom, and we ought to thank God for them, as we do, and thank God for our freedom, thank God for our liberty, and thank God for the opportunity all of us have to serve.

Mr. WAMP. I thank the gentleman from Texas. I want to yield again to the gentleman from Michigan.

Mr. MCCOTTER. Mr. Speaker, I know our time is short. I thank the gentleman.

I wish to emphasize why, as the gentleman from Texas pointed out, our border security efforts to date have been a good step, but they must be increased.

History shows us that once before an enemy of the United States, the communist Soviet Union and its Bolshevik dictators, joined league with the communist Castro on the island of Cuba to plant nuclear weapons 70 miles off the United States shores.

What a sad irony in history it would be for the United States today to see a dictator in Tehran join league with the oppressive dictator Mr. Chavez in Venezuela to potentially place nuclear devices within America's borders.

I think we should look back to what President Kennedy talked about when he addressed the Cuban missile crisis in order to steel ourselves for the struggles ahead. President Kennedy pointed out that America does not keep its word only when it is easy. America does not keep its word only when it is easy. And while the price of freedom is always high, Americans have always paid it.

I am convinced that if we learn from the lessons of histories and from the successes of individuals like President Kennedy, from his commitment to defending this Nation, to the expansion of liberty, we ourselves will see the day where both Cuba and Venezuela and the people of Iran are free.

Mr. WAMP. I thank the gentleman, and in closing, let me say this. I am not the most partisan person here at all. As a matter of fact, I don't think either party has an exclusive on integrity or ideas. I grew up a Democrat, and now I'm a Republican.

Argue with us about the role of the Federal Government in education and whether it is best at the local level, the State level or Federal level. Argue with us whether the health care system should be turned over to the government or private.

But don't argue with us whether we are fighting these threats of global jihadism and whether we unite anymore at the water's edge in defense of liberty. Don't argue with us on that. Join us. Be patriotic and honor the sacrifice and the legacy of the Greatest Generation.

THE NEW DIRECTION FOR AMERICA

The SPEAKER pro tempore (Mr. REICHERT). Under the Speaker's announced policy of January 4, 2005, the gentleman from Florida (Mr. MEEK) is recognized for 60 minutes.

Mr. MEEK of Florida. Mr. Speaker, it is an honor to address the House once again. I would like to thank the Democratic leadership for allowing us to have this hour, the 30-something Working Group. We come to the floor for the second time tonight to share the new direction for America.

There is great reason to promote a new direction for America, especially as it relates to our actions near the U.S. House of Representatives.

I don't want to take any great deal of responsibility for what is said or what is done in the White House, because I am a Member of Congress, and Article I, section 1 authorizes us to take legislative action. Also within our rules and the spirit of our rules is to have a level of oversight and also investigative powers here in the House.

There are a number of things that are taking place in our country that

have been pushed forth or have been rubber-stamped by this House out of the administration that should not be, and we want to make sure as we start talking about our new direction for America, especially on the Democratic side of the aisle, that if we are in control we look forward to working in a bipartisan way, making sure that Republicans who do want to be a part of this new direction can definitely participate in that process if it is within the spirit of making sure that we have real security here, here in the United States as it relates to implementing the 9/11 Commission recommendations.

□ 1915

Also, making sure that we have better pay for jobs that American workers carry out day in and day out. The minimum wage has not been increased through this Congress and through the White House since 1997. It is very unfortunate that we do have some Members on the other side of the aisle that are willing to vote for pay increases to Members of Congress, including Senators, but not pay increases or a minimum wage increase for the American people, which we have said on this side of the aisle that one of the first actions of the Congress, of the Democratic Congress, would be to make sure that we move the minimum wage to \$7.25.

Making sure that we deal with the cost of the increased college tuition that has been brought about through this rubber-stamp Republican majority. We are willing to reverse that and make sure that we give tax deductions to those that want to educate themselves and those family members who want to assist in that process, making sure that we expand Pell Grants. A lot of promises were made right up here at this podium just below your podium there, Mr. Speaker, the President made as it relates to the expansion of Pell Grants, and that has not happened. It has decreased in many ways.

Energy independence. It is important that we do this. Just today I was watching the evening news talk about how some billionaires in other parts of the world and here have invested in an initiative of the Clinton Foundation as it relates to making us energy independent. Some \$10 billion of the president and CEO of Virgin Airlines has put in over the next 4 or 5 years to make sure we can look for alternative fuels. These are private citizens that are now stepping up to try to look for alternative fuels because they have seen what it has done to the United States of America.

Since the Congress does not want to rein in big oil companies and wants to have a special relationship with big oil companies where they receive more subsidies than they will ever receive in the history of the Republic, and also higher profits and the highest profits that they have ever experienced in the history of the world, leave alone the United States of America, and still there is no legislation that is really

promoting alternative fuels through this House.

We are dedicated and committed to making sure that not only the research, but making sure the access for E85, using coal and other alternative fuel initiatives, to make sure that we invest in the Midwest versus the Middle East. And what is happening right now, the Republican Congress is voting to invest in the Middle East versus the Midwest.

Making sure that health care is affordable for every American. I think that is very, very important. Some people may say, well, Congressman, you are talking about individuals. We are not talking about individuals. We are talking about small business having an opportunity to provide health care for their employees. We are talking about companies as big as Ford having a plan to lay off or a plan to have early retirement for many of their employees, mainly because of health care costs, of what it is costing big companies here in the U.S. and small companies as they go to provide opportunities for their workers.

And looking at the issue of balancing the budget, I think that is very, very important as relates to bringing this out-of-control spending and borrowing Congress. The Republican majority has borrowed more money from foreign nations in 4 years than in the history of this country. No other time, 224 years prior to this Republican administration that we have now and the rubber-stamp Republican majority that we have here in the House, no other time in the history of the country, this is not our numbers, these are the numbers of the U.S. Department of Treasury, that we see that kind of activity taking place.

We are the only party, Mr. Speaker, I must add here, in this House that has actually balanced the budget. Other people can talk about it. We have actually done it. If there was a job interview, and the Republican Conference versus Democratic Caucus and individuals talk about balancing the budget, the qualifications are clear that here on this side of the aisle, without one Republican vote, I do not like to say that, but without one Republican vote, that we balanced the budget. It is what it is. It is history, and it could be the future as it relates to this House if allowed to lead this House by the American people.

Also, when we look at the Social Security, we talked about this in our last hour. There are a number of Republicans and also the President has just said if he gets the kind of rubber-stamp Congress he has right now, he is going to continue to celebrate in moving towards the area of privatization, privatizing Social Security. That is not what I am saying. That is what the President has said. So I think it is important for people to understand that.

On this side of the aisle, there was about 1,000 town hall meetings that took place in districts throughout the

country, and we went to other parts of this country to have town hall meetings where other Members would not have town hall meetings on this issue, along with a coalition of a number of groups that were out there that were concerned about Social Security not only for seniors, but also making sure that we have survivor benefits for those that have passed. They had paid into Social Security so that their family members would be able to educate themselves, and those individuals that were on the job and all of the sudden were injured on the job, regardless of what the benefits of the job, Social Security was there to give a little bit towards making their lives somewhat livable.

And through the privatization scheme that Republican majority, rubber stamp, along with the President of the United States, who flew all around the country and tried to sell, and the American people still said no, taking us through that process all over again versus trying to balance the budget and go back to the years when the Democrats were in control. We actually balanced the budget, and we saw surpluses as far as the eye can see and a healthy future for the Social Security Trust Fund. That is not Democratic talk. That is American talk. And guess what? It is action, and it was action.

What we are hearing now is a lot of we want to cut it in half, we think we are going to cut the budget in half, we believe that we are going to do the better job versus the other person. I mean, you can talk about the issues.

You want to talk about border security, Mr. Speaker, Republican majority, we can talk about it. They said the American people are fed up. Well, how did they get fed up? And how do we get to the point that they got up to 80 or 90 percent of some of the things I heard here on this floor today; how did they get there?

I guess some members of the Republican majority come and say, well, it is the Democrats' fault. We are in the minority. We do not have the power to bring legislation to the floor, to be able to have real border security, because if we had the power, Mr. Speaker, when the 9/11 Commission report and recommendations were sent to this House and to this Congress and to this White House, we would have 6,000-plus more border agents right now on the border. We would have a real strategy. Maybe we would save \$429 million that was wasted in monitoring the border in cost overruns and scandals that the inspector general, Department of Homeland Security, has identified. I am talking fact, not fiction. Maybe, just maybe, the new plan that has just been released to a U.S. company for \$2.5 billion would have the oversight that they have and also have agents that can respond to monitoring our borders. I mean, we are understaffed as it relates to law enforcement on the border.

Meanwhile, the Republican Congress wants to do everything that they have

done thus far and passing responsibility and unfunded mandates to the State and also to local parishes and counties and cities to say that, oh, yeah, we will give you the authority to carry out our function. Meanwhile, while the police officer and the first responder, Mr. Speaker, I must say that I was once a upon a time in life as a State trooper. Goodness, we had enough to deal with not only enforcing the laws of the State of Florida and local ordinances there, but at the same time now I have got to become a border agent because the Republican Congress decided to shortchange me, but allow these big companies to run away with the lack of oversight.

The headlines of the Department of Homeland Security is not today, Mr. Speaker, about how secure in America. It is about how someone ran off with a contract, how we overspent as it relates to Katrina contracts, how we continue to have overspending and lack of accountability in the war in Iraq.

All of these issues, the cost overruns, I went over to the Department of Defense. There is a lot of stuff over there, but I am saying cost overruns and the lack of oversight as it relates to the Department of Homeland Security, and I am a member of the committee, trying to bring about change, but guess what? I am in the minority. The only thing I can change here is that the Members, I am almost done, Mr. Speaker, in trying to encourage the Republican majority to see the light, like the 9/11 Commission and first responders throughout this country have seen the light and survivors of 9/11 families have seen the light, of saying just do what we have laid out, the work product from the 9/11 Commission.

Mr. RYAN of Ohio. Mr. Speaker, if the gentleman would yield, this is what it comes down to here. Here is the war in Iraq costs, okay? So when you are talking about whether it is homeland security, whether it is the cargo or whether it is the planes, whether it is the first responders, whether it is the kind of technology that we need, all of these other issues, here are the costs, Mr. Speaker: \$8.4 billion per month we are spending in Iraq; \$1.9 billion per week in Iraq; \$275 million per day; and \$11.5 million per hour.

So when you are looking at what we need to spend on and what the costs are here, whether you are a Democrat or you are a Republican, Mr. Speaker, we can agree that this money that has been spent to the tune of \$400 billion, and when you look at the projection for war spending in Iraq over the next few years, when you look at what we are going to spend and you look at the situation that we are in while we are in Iraq right now, we are in the middle of a civil war. So we are basically dumping good money after bad, getting misinformation from the administration.

Here are the projected costs for the growing cost in Iraq in billions of dollars, and we see in the blue over there about \$318 billion, getting close to \$400

billion. And you look at the projection out into the future, talking about \$500- or \$600 billion, getting close to \$1 trillion we are going to spend in Iraq, Mr. Speaker.

When you look at the cuts that are going on here at home, when you look at the lack of investment here at home, we can all say that what value are we getting from this investment into Iraq, which are in the middle of a civil war? We have ethnic groups fighting with each other, with the United States in the middle. The number of terrorists are going up. The number of incidents in regards to American soldiers and international forces and Iraqi troops there, all going up.

This is not getting better, it is getting worse, and we have some 84 or 85 former members of the national security saying that we are losing the war in Iraq. We are certainly not winning it. It is time for us to reevaluate, and I think Mr. MEEK and myself and Mr. MURTHA and Mr. SKELTON and the members of the Armed Services Committee are saying let us have some oversight. Let us have real hearings, because how can you have the Secretary of Defense, who is in charge of this whole operation, still be in place, failure after failure, bad intelligence, bad information, lack of a plan, and at the end of the day, you may be able to accept all that, but 2 weeks ago, about a week and a half, 2 weeks ago, when it all came out that the Secretary of Defense was quoted as saying that he would fire, Mr. Speaker, the next person who asked him when are we going to come up with a postwar plan, when are we going to come up with a postwar plan. And one of the main provisions for going to war is how are we going to get in, what is the strategy, and the most important question, how are we going to get out.

This Secretary of Defense said he does not have a plan to get out, and the next person that asks him in his inner circle about having a plan, they are going to be fired. Now, that is not leadership.

Then we get caught in these situations, and we have, it is like if something is going wrong, we have to get a new banner we put out and a new slogan that we put out and mission accomplished. That is unfair to the American people.

□ 1930

Because the lack of oversight, the lack of review, the lack of account. And it is amazing to see how poorly this has been executed and no one has been fired. Nobody has been fired.

And so we call upon the Republican Congress to execute their constitutional obligations, Article I, section 1 of the Constitution that creates this body we think needs to provide the kind of oversight. And it is not a coincidence. No one can be appointed to this body. You have to run. You have to be directly elected to this body. If something happens to a Senator, they

resign, they pass away, a Governor can appoint. You can't get appointed to the House of Representatives, Mr. MEEK. You have got to run; you have got to get elected.

And so the costs are there, Mr. Speaker. All those billions of dollars. And when you compare those costs to what we could spend that money on here in the United States, it is baffling, it is mind-boggling.

Mr. MEEK mentioned the Homeland Security Department, \$33 billion for a year. That could be paid for, our homeland security budget could be paid for with 4 months of spending in Iraq. How about equipping commercial airlines with the proper defenses against shoulder-fired missiles? \$10 billion. That could be paid for by 5 weeks in Iraq. And on and on and on.

Now, a lot of our cities, I represent Youngstown, Ohio; Akron, Ohio; Warren, Ohio. A lot of the issues we face back home are the issues of cops and making sure we have police on the beat. And a lot of these local communities, very poor, they don't have the necessary resources, Mr. MEEK, to fund the police and fire. There are always levies going on the ballot getting shot down. We could double the COPS program which provides community policing grants. We could double the COPS program, \$1.4 billion a year with 5 days in Iraq.

So you want to talk about homeland security? You want to talk about making our neighborhoods safe? Just a few weeks in Iraq, we could be able to fund this program.

Mr. MEEK of Florida. Thank you, Mr. RYAN. The COPS program is something that the Association of Police Chiefs wants; it is what the Association of Sheriffs wants. It is something that local communities, Mr. Speaker, they want it. The cops support community-oriented policing support from the U.S. Congress.

Now, if 20 percent or 10 percent of that funding is in place, it would be shocking, and it is not there. As a matter of fact, in many areas it has been zeroed out. And so this is where people get an opportunity to see its government at work: bike patrols, preventing crime before it happens. I think it is very, very important.

Mr. RYAN, because we believe in third-party validators in the 30-something Working Group, I just wanted to take out the Washington Times, by no stretch of the imagination the liberal paper, because as the Republican majority always talks about, you know, when I was in Florida, they had this caucus called the Freedom Caucus, and they wanted to be conservatives.

But I just wanted to say that I think it is important that we bring third-party validators, not just fiction, but third-party validators. The Washington Times. It is an article, I guess Members can go online, July 9 of 2006. I take this stuff and I read it, and I make sure that we get it to be able to bring out in such a time as this.

Here is an article right here: "Social Security Battle." The President is quoted here saying: "If I get a Republican Congress," okay, "I am going to rekindle the fight to privatize Social Security." He says it right here. I didn't go in the back and print this up. He says it right here. And I think, Mr. Speaker, that it is important that we identify those issues and that we bring it to the floor and we also share with the American people.

I guarantee you, there is not one Member of the Republican conference that is going home that is having a town hall meeting, because very few took place, as it relates to the privatization of Social Security, since it was so unpopular. I guarantee you, while we all go back to our districts and ask our constituents for their vote and for their vote of confidence, that nowhere in campaign literature that may be printed are we saying, I support the President in privatizing Social Security.

Well, you know why that is not the case, Mr. Speaker? It is because it is so unpopular, because the only people that have a guaranteed benefit in a Social Security privatization plan is Wall Street, over \$535-plus billion. I believe the GAO just came out with a report recently. And also I stand here, Mr. Speaker, I mean, we come to the floor to do business. We don't come to the floor to play around and whatever, picking things out of the sky saying that we believe or are using fiction and all. Here is something right here. Members can go on WWW.house.gov/waysandmeans—democrats where you can get this report here of "Social Security Privatization, A Continuing Threat." And it quotes the Governmental Accountability Office and what they found. And here is a copy of the GAO report, just a summary right here, just some points, confirming that the impact of the Bush plan would result in a benefit cut. And I think it is very, very important that people understand that and that you understand that benefits will be cut.

We had some folks here on this floor, Mr. Speaker, it happened in 109th Congress, all of us here in this Chamber right now. And those Members in their offices know full well that people came here to the floor and said, you will not experience a benefit cut.

It is not about the special interests getting what they want, Mr. Speaker. It is about the American people getting what they need and what they deserve. Because special interests is not paying into Social Security, when you look at what the average American has to pay into Social Security. And then we are going to privatize it so that others can benefit off of social security benefits for the American people?

If you drive an F-10 or you drive a flex vehicle, this is your issue. If you are an American worker and you got injured on the job and you are on disability, this is your issue. If you are a retired American or coming close to re-

tirement, even though you may have a pension or a 401(k), this is your issue.

Because this is what the Federal Government has said, that we have your back on Social Security. When all else fails, when Enrons of the world take place and when all these kinds of things take place where people thought that they were going to have something and they don't necessarily have it the way they thought they were going to have it, one thing that they can count on, Mr. Speaker, and that is Social Security. One thing that they can count on.

So when we start talking about privatizing Social Security, there were going to be some very happy special interest folk that for Medicare thought that they were going to be able to bank in on the sweat and sacrifice of American workers and taking that Social Security benefit and put it into some sort of stock exchange scheme, and to say that, oh, we are going to let everyone have their own students. And they really went after young people.

And I want to commend a number of people that need to be: Rock the Vote, and different coalitions that were out there that worked so very, very hard. And the 30-something Working Group, Mr. Speaker, we came to this floor night after night and day after day commending those organizations, as we moved down the line. The AARP and a number of other groups were out there against this.

And, now, for the President, after being defeated by the American people and by the Democratic minority, I must add, here in this House, by defeating the Republican majority that was willing to walk in lock step and rubber-stamping what this Republican President, and regardless if it is a Republican or Democratic President, there is something fundamentally wrong when you have a President that can say yes in the Oval Office. And that the U.S. Congress, forget about Article I, section 1 of the U.S. Constitution, forget about what is here.

The President can say, yeah, we can do it. Just like Vice President CHENEY and his aides had the conversation with Big Oil executives in the White House who cut a deal on energy in 2001, gave them a head nod there in the White House, and then came to Capitol Hill and got exactly what they wanted that then turned around in record-breaking profits, oil companies. Here it is right here, Mr. Speaker. Like I said, we come to the floor to carry out business on behalf of the American people. We don't come here, somebody hand us a sheet and say you start reading this, this is what we want you to read.

Look at these profits. A meeting happens in the White House. I know I have my article here somewhere, and I will pick up the article on the back end of this chart. It happens in 2001. In 2002, \$34 billion in profits for Big Oil companies. 2003, \$59 billion. 2004, \$84 billion in profits. Record-breaking. 2005, \$113 billion in profits, and climbing, Mr. Speaker.

Profits, Mr. RYAN and I always say, is not a dirty word. But let me tell you what makes it disgraceful, dirty and unclear, if I can double describe things here, is the fact that the American people at the same time these profits were taking place were paying through the nose, and still in my opinion paying through the nose, for overpriced fuel and for overpriced gas here in the United States, need it be heating oil, need it be diesel or what have you. And the American public is paying for this because now trucking companies have a fuel surcharge on it, and so not only are you paying at the pump, you are paying at the grocery store and you are paying at the department stores.

Again, third-party validator, and I am going to yield over to Mr. RYAN here in a minute, is the fact that we have the White House documents. Here is a Washington Post story, 2005, November 16, front-page article. This is the kind of stuff you save, Mr. Speaker. You don't like, oh, read it and then put it somewhere off to the side in the recycling bin and let it go. You keep this because you want to remind your colleagues on the other side of the aisle that you know exactly what they are doing to the American people:

"White House documents shows that executives from Big Oil companies met with Vice President CHENEY's Energy Task Force in 2001," it goes back to the chart that I just identified here, "something long suspected by environmentalists but denied as recently as last week by industry executives testifying before Congress."

That is okay if the Congress doesn't want to hold their feet to the fire and hold them in contempt, but folks thought they were going to jail. And these are our constituents that are paying through the nose. Meanwhile, we are letting them out the door.

The document obtained by The Washington Post shows that officials from ExxonMobil Corp., also Shell Oil Company, BP of America met in the White House complex with Cheney aides who were developing national energy policy, parts of which became law, parts that are still being debated here in Congress.

Mr. Speaker, I rest my case. I don't need to come up with any slick slogans. I don't need to talk to anyone about what will sound good on the floor. I don't need to do that. I can walk through these Halls of Congress with great confidence. I sleep well at night because I know we are here saying we are willing to put this country in a new direction, we are willing to deal with real energy-efficient ways of dealing with fuel and alternative fuels.

Last point, Mr. RYAN. This is what happens when you have a rubber-stamp Congress and special interests that reach right into the legislative process here, or the lack thereof. Here is ExxonMobil. I didn't do this; this is what they have done.

You have the regular, special, super plus. You have got a couple of prices

there. Here is the E-85 here. Here is the little sticker that is on the pump: "Cannot use your Mobil credit card." I am even going to say, "Non-Mobil product." Some might say, well, if we just put "cannot use your Mobil credit card" and leave that "non-Mobil product" off, then someone may say, well, that is a little bit too unfair. But I think it is important as we look at this, if you can walk into a Mobil station and buy a bag of chips or a carton of cigarettes or 10 gallons of milk with your Mobil credit card, which you can do, then why can't you buy E-85, an alternative fuel that is going to help us continue to invest in the Midwest versus the Middle East and help us towards energy independence? Mr. RYAN.

Mr. RYAN of Ohio. I want to thank Mr. MEEK.

There is no question about it, Mr. MEEK. And whether you are dealing with the environment, whether you are dealing with the oil industry, the energy industry, whether you are talking about the pharmaceutical industry, you have got it. And I think Mr. Gingrich has said it best.

And we are joined with a guest here, a special guest for the 30-somethings. And I just want to share, Madam Leader, real briefly, on July 13 what even Newt Gingrich is saying, the third-party validator, Mr. Speaker, about lack of leadership here in the United States Congress.

□ 1945

He said, "When facing a crisis at home and abroad, it is important to have an informed independent legislative branch," created by Article I, section 1 of the Constitution, "coming to grips with this reality and not sitting around waiting for Presidential leadership."

It is time for this body to step up and start leading. And with that I yield to our fearless leader, Ms. PELOSI from California.

Ms. PELOSI. I thank the gentleman for yielding. I thank you, Mr. RYAN of Ohio, Mr. MEEK from Florida and Ms. WASSERMAN SCHULTZ, the cochairs of our 30-something Working Group, for the boundless energy that you have expended, the tremendous intellect and the great commitment to a new direction and a better future.

Our 30-something Working Group has been an inspiration to Congress and invigoration to us all, and I join as a mother of 30-somethings, and in thanking you for what you have done.

It is appropriate that the 30-something Group is advocating advancing in a new direction because this new direction is absolutely essential for young people in our country. Our 30-somethings are committed to a better future for all Americans. So is our new direction, a new direction for all Americans, not just the privileged few.

We can begin with our Six for '06, to make America safer. We will begin by passing the 9/11 Commission recommendations. We have just observed

the fifth anniversary of 9/11. Here we are 5 years after 9/11. The Commission is giving the Federal Government Ds and Fs and incompletes for implementation of their recommendations. The first day of Congress we will pass the 9/11 Commission recommendations and make America safer.

We will make our economy fairer, and we will begin by passing the minimum wage. We can do it next week. The bill is in the hopper. To make our economy fair, we can pass the minimum wage, and certainly not have Congress have any increase in its salary until there is an increase and unless there is an increase in the minimum wage.

We can also remove the incentives for companies to send jobs overseas. Imagine taxpayers are giving incentives for companies to send job overseas. We will end that.

We will make colleges more affordable. It is important to broaden the opportunity for a college education, and we will begin by making college tuition tax deductible and cutting in half the interest on student loans.

We will make health care more affordable, and we will begin by allowing the government to negotiate for lower prices for prescription drugs.

And we will promote stem cell research. That is better for a healthy America.

We will move towards energy independence that our colleagues were talking about here. We will begin by repealing the subsidies that have been given to big oil and big energy companies, and instead use that \$18 billion for research in alternative energy resources.

Every day that we are here, we will work for a dignified retirement by preserving Social Security, protecting pensions and encouraging savings for America's seniors. This we will do within the first 100 hours of a new Congress, given the opportunity. But we could do it now even before Congress leaves. Instead, we have a do-nothing, rubber-stamp Congress.

I see the rubber stamp here. Here we are just a few days from the end of the fiscal year, and this Congress has still not passed the budget for this fiscal year. How could it be, a week before the end of the fiscal year, and this do-nothing Congress has not even passed the budget?

In addition, we have a crying need in our country for comprehensive, bipartisan immigration reform. We certainly are not moving in any direction to make that possible.

The list goes on. We haven't finished our appropriations bills. We shouldn't leave here until we have an increase in the minimum wage.

But when we return, and hopefully with a verdict from the American people, we will get about the people's business, the issues that are relevant to the lives of the American people, their jobs, their health care, their economic security, the health care for their families, the education of their children,

safe America, safe neighborhoods and a secure America with energy independence.

We will do all of this from the very first day with integrity. Our first rule that Members will vote on will be for integrity, to sever the link between special interests and legislation so that we are here for the people's interest instead. With civility, with bipartisan administration of the House so that every voice in the country is heard, not only the voices of those who happen to have their Member be in the majority; and we will do it with fiscal discipline. No more deficit spending. Pay as you go, audit the books, account for the money to the American people.

All of this is possible because of the energy and enthusiasm of our 30-some-things, Mr. RYAN, Mr. MEEK, and Ms. DEBBIE WASSERMAN SCHULTZ, and all of the other 30-something members who have participated here on the floor of the House and throughout the country to talk about a new direction.

The American people are an optimistic, confident, hopeful lot, and we build on that spirit, American spirit, as we go forth with an optimism into these elections, an optimism about a better future. We owe it to our troops who work to protect us. We owe it to our Founders and the vision they had for America, and we owe it to our children.

With that, I yield back with all of the compliments in the world to these two distinguished gentlemen for bringing the idea of a rubber-stamp Congress to the floor here. It is a fact of life on the floor of Congress, and they are pointing that out to the American people, but not without a spirit of optimism about change. Change is necessary, change is possible, and it will happen because of the leadership of the Congressman TIM RYAN and Congressman KENDRICK MEEK. Thank you so much.

Mr. RYAN of Ohio. Thank you so much. It is an honor to have you down here with us. We come here a lot, and to be graced with your presence, I think it is important what the leader said about what we can do not within the first 100 days, but within the first 100 hours. They are some very basic, simple steps.

We talk about just the average person, what changes will happen in their own lives if their student loan rates are cut in half and the minimum wage is raised within the first 100 hours. That is a significant impact on people around the country.

It is not that we are going to wave some magic wand, but we are going to do the people's business. With the gentlewoman's leadership, it is going to be an exciting time.

Mr. Speaker, you see excitement among Democrats about some alternatives. We have some challenges, but any time you challenge the American people, they seem to step up. I know Ms. PELOSI will provide us with that leadership.

Ms. PELOSI. I think the American people are way ahead of this Congress,

and they are waiting for us to catch up. We look forward to that with your full participation. Thank you very much.

Mr. MEEK of Florida. Thank you very much, Madam Leader, for coming down. You definitely cement what we have been talking about for 3 years on this floor.

Mr. Speaker, we had it from the top person. If we have an opportunity to lead this House, and we sure hope that we will have that opportunity, you heard it from the person who will drive the agenda and make sure that we are able to do what we have to do.

Leader, I want to thank you for having confidence in those of us who are young Members here in this House to be able to carry the message, to carry the fight to stop Social Security from being privatized. We have an article in the Washington Times that talks about the fact that if the Republican majority is back after the elections, that the President feels that he has the support here in the House to privatize Social Security, and they may very well do it.

I want to thank you for allowing us to come to this floor and share with the Members our plans and alternatives, and make sure that they know full well that we are ready to move in a new direction.

One thing that I mention all the time, and you mentioned in your comments, bipartisanship can only be allowed if the majority allows it. I personally appreciate as a Member who has spent 8 years in the State legislature and has worked in the Florida Senate in a bipartisan way, a lot can be accomplished on then the State and now this country. And I know if we are allowed to lead with that philosophy, America's agenda will move forward.

Like the leader said, the American people are far ahead of us. We are trying to catch up with them. We are saying that we have the will and the desire to do so. Thank you for coming here.

Ms. PELOSI. I thank you again for your leadership in the fight to preserve Social Security, to stop the privatization, to stop the raid on the trust fund, and to stop the reduction in benefits. Without the participation of the 30-some-things, we would not have been as successful as we were.

But the threat still looms. The President and the leadership of this House talks about it, and the leadership of the Republican Party nationally talks about it, and the President's staff also talks about it. This is something that is an ongoing fight. With you in the forefront, with you as a voice for your generation, and as a voice for our country, that we will prevail. Thank you.

Mr. MEEK of Florida. Thank you.

Mr. RYAN, I look forward to continuing, until the clock runs out on this Congress, to continue to come down to the floor to share with the American people.

Mr. Speaker, we can't get any higher than where we are right now as it relates to the commitment and the will and the desire to put America in a new direction.

Mr. RYAN, I think with the leader coming down to the House, to this floor a few minutes before 8:00, 8 p.m. eastern standard time after a full day of legislative session, she has pretty much laid it out as relates to the Democratic plan, put this country in a new direction and have real security. Forget about the first 100 days, like a lot of politicians like to talk about; the first 100 hours of a Democratic Congress and all of the things that she identified.

I am willing to yield to Mr. RYAN, and we can close out, and then we can move on from this point. I don't think that we can add any more this evening to what the leader has already said.

A lot of times we can talk about what the leadership said they would do, but when you have the leader of our caucus, the leader of the House Democrats, hopefully the future Speaker of this House of Representatives, she has said on the CONGRESSIONAL RECORD, not for the first time, second time, third time or fourth time, but tonight of what we would do if given the opportunity.

Mr. RYAN of Ohio. I thank the gentleman, and I want to thank the leader again because I think you are exactly right. This is in the CONGRESSIONAL RECORD. This is not a campaign promise on the stump somewhere across America. This is right here with the stenographer taking down the words and making sure this is recorded for posterity.

I think the reason this is possible, Mr. MEEK, the reason that this first 100 hours is possible and why it will happen, is because our leadership has gone to great lengths over the past couple of years to unify our caucus. Never before has the Democratic Caucus been more unified in support of basic legislative initiatives which we can actually move on.

What has happened for years and years is we tend to always talk about what divides us. We come down here and we are critical of the administration, but what we want to do as leaders is figure out what can unite us. Ms. PELOSI has done that not only in this caucus, but also with the Senate, also working with HARRY REID in the Senate and their leadership for a new direction for this country. So it is very important.

I was corrected by a good friend of mine, Mr. MACK from Florida, about the ability of someone to be appointed to this body. No Member can be appointed, but the general membership can appoint a Speaker, and the Speaker doesn't necessarily have to be a Member of this body, so I am told. And so someone can be appointed to this body to oversee it.

Now, someone on the other side should think about maybe looking at that and taking advantage of it. But I know when we get elected and we take over this Congress, I know it is going to be Ms. PELOSI who is going to be our Speaker.

I yield to my friend, and I thank my friend, and I look forward to seeing you next week back here again with all of your skills and rhetoric and commitment.

Mr. MEEK of Florida. Mr. RYAN, let me say this: Since we are getting into the debate of who can be appointed or what have you, I could be a millionaire, but I am not. Let me just say this, and I didn't stay in a Holiday Inn Express last night, either. But let me just say this. As we continue on with the 30-somethings coming to a close, as we wait on our Republican colleague to come get his or her next hour, I just want to say that it is very, very important because this is very serious business. Sometimes here in the 30-something Working Group we spend a number of hours, I must say, Mr. Speaker, a number of hours not only studying before we come to the floor, of sharpening our tools and talking about what we are going to do, how we are going to do it, talk about the history of what we have done in the past, and talking about the legislation that is filed in this Congress.

□ 2000

You heard Leader PELOSI. She said we have a minimum wage increase for the American workers at \$7.25 already filed. It is not some saying, well, if we could or we are dreaming of a piece of legislation. It is already there. So when we talk about the first 100 hours to the Republican majority and to the American people, this is not something that we have to say, well, wait one second, wait one minute, we have to draw up some plans. They are already there. They are already there because the American people have said that they want it, overwhelmingly.

And at the same time we talk about real security and securing America. It is not something where we are going to come up with some plan or some gimmick. It is already there. Taking the recommendations, you heard the leader, in the first 100 hours, the Democratic majority, the 10 uninitiated 9/11 recommendations that are vital to securing this country will be implemented.

Like I said, as the ranking member of the Oversight Subcommittee of the Homeland Security Committee here in this House, Mr. Speaker, I have seen the schemes that have been brought about, that we are going to monitor the border and what have you. The American people want something more than monitoring. They want to secure the border, whether it be south or north. They want to secure it, not just monitor it.

So let's just say, for instance, Mr. Speaker, that this new \$2.5 billion initiative to monitor the border actually works. And the reality, Mr. Speaker, is the fact that the President, years after the 9/11 Commission report has been sent to the Congress and went to Barnes and Noble and Amazon.com and folks have copies of it, two or three

copies of it, read it three times, still sends his budget to the Hill calling for 250 Border Patrol agents. If the Democratic amendments were adopted, Mr. Speaker, we would have over 6,000 new Border Patrol agents at 2,000 Border Patrol a year, as the 9/11 Commission called for. It was not that we went to the Democratic caucus and said, hey, let's just come up with a number of what we think should happen. We took the bipartisan recommendation from the 9/11 Commission.

So like I said, the leader has already laid the foundation. The leader has come to the floor here in the p.m., a little bit before 8 p.m. eastern standard time, to deliver the message on behalf of the Democrats in this House that have the will and the desire to lead and said what we would do in the first 100 hours.

So now that I know that our Republican colleague is here now, Mr. RYAN, I know that you were going to give the information out.

Mr. RYAN of Ohio. As you were talking, and we have all reviewed the Constitution, one of the things I found very interesting as I was reading this is the very beginning, the "We the people" paragraph. ". . . in order to form a more perfect union, establish justice, insure domestic tranquility," and then this last little phrase here hit me: "provide for the common defense and promote the general welfare." The general welfare. Not the special interest groups, not the oil companies, not the energy companies, not the pharmaceutical companies, but the general welfare, Mr. Speaker.

And that is what we are here to do is provide for the general welfare. And I think next year in January, when we agree as a caucus to elect a Member of this Chamber, an elected Member in Ms. PELOSI, we can move in that direction, our constitutional obligation to provide for the general welfare.

www.HouseDemocrats.gov/30something. All of the charts and the rubber stamp and everything are on the Web site for people to access. HouseDemocrats.gov/30something.

Mr. MEEK of Florida. Mr. Speaker, we would like to thank the Democratic leadership for allowing us to have this hour. We would also like to share with not only the Members but the American people that it was an honor to address the House this evening, sir.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO PERSONS WHO COMMIT, THREATEN TO COMMIT, OR SUPPORT TERRORISM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 109-135)

The SPEAKER pro tempore (Mr. CAMPBELL of California) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Inter-

national relations and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the *Federal Register* for publication, stating that the national emergency with respect to persons who commit, threaten to commit, or support terrorism is to continue in effect beyond September 23, 2006. The most recent notice continuing this emergency was published in the *Federal Register* on September 22, 2005 (70 FR 55703).

The crisis constituted by the grave acts of terrorism and threats of terrorism committed by foreign terrorists, including the terrorist attacks in New York, in Pennsylvania, and against the Pentagon of September 11, 2001, and the continuing and immediate threat of further attacks on United States nationals or the United States that led to the declaration of a national emergency on September 23, 2001, has not been resolved. These actions pose a continuing unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency declared with respect to persons who commit, threaten to commit, or support terrorism, and maintain in force the comprehensive sanctions to repond to this threat.

GEORGE W. BUSH.

THE WHITE HOUSE, September 21, 2006.

THE DISTINCTIONS BETWEEN THE REPUBLICANS AND THE DEMOCRATS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes.

Mr. KING of Iowa. Mr. Speaker, I appreciate the privilege to be recognized on the floor of the United States Congress again and the opportunity to share some of my thoughts and hopefully enlighten some folks as they listen in on our conversation here tonight, Mr. Speaker.

But as I listen to the previous conversation here on the floor, generally that will help or redirect the things I am about to say as I get down here, and perhaps I could just take a few of them from the bottom back towards the top.

One of the things I would point out as a distinction from my esteemed colleagues on the other side of the aisle, and I especially appreciate their continuing their dialogue here until such time as I arrived, but one of the things that was repeated over and over again

over the last hour was the “rubber-stamp Congress,” the “rubber-stamp Congress.” And we have to take that to mean exactly what it is intended to mean, as the allegation that this majority in Congress rubber stamps whatever it is that the President says that he wants.

And nothing could be further from the truth, Mr. Speaker. I would point out that if this is a rubber-stamp Congress, and, in fact, we should do it this way: when the President proposes an agenda, a piece of legislation, a piece of policy, if we need to endorse a piece of foreign policy, then we need to evaluate that to the fullest extent that we can. We need to bring the collective brains together in this place, and we need to have a vote in this Congress. We do that. We do that, Mr. Speaker.

In fact, we initiate all spending here in this House of Representatives. That is according to the Constitution. The deliberation comes from here. When the President has a budget request, he puts his budget together and offers it to the Congress. We evaluate that budget. We produce our own. In the time I have been here, we have not rubber-stamped the President’s budget. We have produced our own. And we have had some struggles with the President on the things that we were not willing to fund and on some of the things that he wanted to and vice versa. That is as it should be. We are to put our collective brains together and come to a compromise conclusion so that we can get appropriations passed out of here.

That is not rubber stamp. That is hard-fought due diligence done not just in the Budget Committee that puts some limits on our appropriations, but done in every appropriations committee within the limits of the authorizations that are done by the standing committees, and in that process we are carrying out our constitutional obligation and doing due diligence, Mr. Speaker. Not a rubber stamp. And if it were a rubber stamp, the President’s budget would get a rubber stamp. There wouldn’t be deliberations here, and he would get his way. Sometimes he gets his way; sometimes he does not. Sometimes the Congress holds sway over the President. But it is far from a rubber stamp in that process.

Many of the initiatives that the President has brought forward have been denied by this Congress. And, in fact, the allegation that it is a rubber-stamp Congress fits right into the same breath as “the President wants to privatize Social Security.” Well, there are two things wrong with that statement. The President has never stated that he wanted to privatize Social Security and neither has anyone in Congress who I know of. In fact, I would challenge the minority to identify a public statement by any Member of Congress that they wanted to privatize Social Security. That is the mantra. That is the allegation. It is false. No one in this Republican majority has taken a position to privatize Social Security.

Neither has the President, Mr. Speaker. The President has stepped forward and said, I want to reform Social Security.

Well, one of the promises that just got made by the other side was they would fix Social Security and they would balance the budget. We know that the only way, with the propensity for spending that comes from that side of the aisle, to balance the budget, would be if we raise taxes, raise taxes, raise taxes. And then it only lasts for a little while until business activity begins to shrink, shrink, shrink; and at that point you could either make a decision on whether you want to cut taxes to stimulate the economy or whether you want to continue to kill the goose that lays the golden egg.

Rubber-stamp Congress, Mr. Speaker? Rubber-stamp Congress? The President wanted Social Security reform. He went out in the cities of America before gathering after gathering, before the media, everywhere he could and invested a tremendous amount of political capital just in the aftermath of his fantastic second inaugural address that took place here on the west portico of the Capitol building. We left that address full of enthusiasm and optimism for the second term of President George W. Bush.

And the agenda that he drove was to reform Social Security, save it so it doesn’t go bankrupt, save it so it can be there for the next generations, and preserve and protect and guarantee the sacred covenant we have with the senior citizens. We pledged that we will hold their benefits together, that we will not increase the funds that are paid into that. We will not increase the payroll tax. We will hold the benefits together for the senior citizens, and the President proposed an opportunity for young people to take a portion of their payroll tax Social Security contribution and put that into a personal retirement account, a limited retirement account. Not a wild investment kind of a venture capital thing but a controlled kind of investment that the Federal employees all have access to as part of their pension program that they have. Tried, true, very popular among Federal employees. Offer the same thing to young people in America and guaranteed to our seniors. The President invested a tremendous amount of political capital and a logical, rational solution for Social Security.

And what happened, Mr. Speaker, was the other side of the aisle demagogued the issue and over and over again stated, they want to privatize your Social Security. They want to turn it over into the markets. They want to dump it into Wall Street, and it is all going to blow up and the markets will crash and everybody will be broke and live in poverty forever after. That was the demagoguery that America was faced with, and that scared senior citizens off their support that was necessary to reform Social Security.

That demagoguery costs Social Security reform. The very people that stood in the way of it are the ones that are now tonight saying, we will fix it.

But, you know, Mr. Speaker, they don’t have the tools to do that. They demagogued the only tools that can fix Social Security unless you want to just raise the rates. And if you want to raise the rates, there is no sense in doing it next year because it is something that could be adjusted anytime along the way.

But the truth is that there is a surplus coming into Social Security right now, and that Social Security trust fund is a little over \$1.7 trillion, and that is an IOU from the government to the government. They are actually bonds printed on cheap copy paper, no more valuable than this piece of paper right here, Mr. Speaker. And those bonds are in a filing cabinet in Parkersburg, West Virginia, keeping track, stacking up, 3, 4, 5, \$8 billion to a bond, an IOU from the government to the government.

And even when we use the resources from the year when this runs out, and this surplus runs out in about 2017, that is when the revenue stream goes negative. When the revenue stream goes negative, we are going to have to find some money because that \$1.7 trillion is not money. It is IOUs from the government to the government. It is like writing yourself an IOU and then putting it in your pocket. Well, I am going to cash that IOU in on myself in about 2017.

But even if that money were there, over the period of time from 2017 until 2042, that fund of \$1.7 trillion, which will have grown substantially by then, will diminish and reduce itself down to zero by 2042, Mr. Speaker.

So the reform that is promised here tonight on the other side of the aisle can only be, We will raise the rates and we will take it out of the pockets of the working people.

In fact, the working people of America pay the highest percentage of their revenue into payroll tax of anybody in the country. We look at a regressive tax, Social Security, Medicare and Medicaid, but especially Social Security is a regressive tax. It is .0765, 15.3 percent altogether for the payroll tax. And that 15.3 percent, if you do that calculation, and I do not have the number in front of me, but it will be in the area of for the first \$10,000 you earn, you will pay \$1,500 in tax.

□ 2015

That becomes a 15 percent tax on the payroll of someone who is making only \$10,000. And once you go up, that percentage rate you hit the trigger, the cap point, and then the percentage that you pay in a payroll tax goes down.

So this is a regressive tax that would be increased in order to, I suppose, keep a promise in the first 100 days that we would reform Social Security. But you are not told we are going to increase your payroll tax on the poorest

people in America, the highest percentage, the most regressive tax, we are going to increase it.

It is the only solution if you are not willing to allow young people to have a portion that they earn to invest so that they could have the same kind of benefits that our senior citizens have today, and the same kind of benefits that we guarantee to our people that are, say, 50 and above all over the United States today.

We will keep that sacred covenant with our seniors. And I stand here and say this, Mr. Speaker, and I am confident when I make this pledge, and I am confident that I represent perhaps the most senior congressional district in America.

The State of Iowa has the highest percentage of its population over the age of 85 of all of the States in the Union. And in the 99 counties in Iowa, of those 99 counties, I represent 10 of the 12 most senior counties in Iowa. We are healthy. We get fresh air. We work. We get exercise. And we live longer in western Iowa than maybe anyplace else in America, for a congressional district.

But out of that 10 of the 12 most senior counties in Iowa in the Fifth Congressional District, and Iowa being perhaps the most senior State in the Union, I believe I represent the most senior congressional district in America.

When I stand here, Mr. Speaker, and say, we will keep this sacred covenant with our seniors, we will not raise the rates on you, and we will not reduce the benefits, that is our pledge to you. You are the greatest generation. You have carried the torch for us ever since you cut your teeth on the Depression and fought and won World War II, carried us through the victory in the Cold War, and the transition into this time when we will keep our pledge.

The promise to reform Social Security in the face of that, I would be interested in the details of that plan, Mr. Speaker.

But a rubber-stamp Congress? Cannot possibly be. That argument cannot sustain itself at the same time that you demagogue the President's need and leadership to reform Social Security. You demagogue that issue and then say you are a rubber stamp. If this had been a rubber-stamp Congress, Mr. Speaker, the President would have by now had Social Security reform.

Most of us wanted to vote for it. We did not have the 218 votes or we would have passed it, and it would no longer be an issue. But it was killed by the other side. And now they say rubber-stamp Congress. The argument does not hold up. If you cannot pass the President's agenda, no matter how hard you try, you are not a rubber-stamp Congress.

And that is not the only thing, Mr. Speaker, but there are a series of those. And then the argument that things would get done within 100 days, does that include the Senate? We pass

an awful lot of legislation out of this House of Representatives. This is no do-nothing House of Representatives, Mr. Speaker. We have sent piece of legislation after piece of legislation over to the Senate, where it goes over there to die a death of asphyxiation because they cannot crack the 60 votes that is necessary to beat the filibuster, the cloture vote.

Who are the people over there obstructing legislation? The people that are in the minority in the Senate, just like the people that are in the minority here in the House of Representatives, the ones who are obstructors, pointing their finger at the people that have been passing legislation and actively moving policy that is good for America and saying, you are do-nothing.

Well, if nothing gets finally accomplished and onto the President's desk for a signature, it is not because this House of Representatives did nothing. In fact, it is not because the Republican leadership in the United States Senate did nothing; it is because the obstructors in the minority party on each side of the aisle stepped in the way, did everything they could to slow down the process, obfuscated the issue, demagogued the issue, and then said, you are do-nothing.

That would be like having somebody dump sugar in your gas tank and then argue that you were not there on time when you went to go to work, blame you for something that they did.

Another case in point would be the energy issue that was raised here. We are going to solve the energy problem in America is what was said. We have been working to solve this energy problem in America. And, Mr. Speaker, and for the information of the minority leader in the United States Congress, I will point out that we are producing more renewable energy than any country in the world today, right now, today.

I have heard people on this side of the aisle say we need to go to Brazil and learn what they are doing with ethanol down there, because we need to do what they are doing. Well, the problem with that is two- or three- or ten-fold, Mr. Speaker. And one of them is Brazil is producing ethanol out of sugar cane. We do not have a lot of sugar cane here; we are not likely to get a lot of sugar cane here. But we are producing it out of corn. And we will produce it out of cellulosic material such as switchgrass, cornstalks, hay grounds, you name it.

But to go down to Brazil to learn what they are doing with ethanol, when they are making it out of sugar cane, and they are making a lot of it with archaic equipment, when Brazil, even though they burn far less ethanol than we do, cannot produce enough to meet their own needs, and to repeat the argument that Brazil is a 100 percent, they are burning 100 percent ethanol, it was not made here tonight, that I heard, Mr. Speaker, and I want to clarify that, but I have heard that

on this floor before, that is a false statement when you hear that.

I went down to Brazil. I looked at their operations down there. I went to their ethanol production and their car production facilities. I went to their gas stations. I drove down their roads. They only have 20,000 miles of hard-surfaced roads in Brazil. And their ethanol production, as a percentage of the gallons burned on the roads, all of the roads in Brazil, is only 15 percent; not 100 percent, 15 percent. That is all, Mr. Speaker.

If you take out of that mix the diesel-burning vehicles, the cars and the trucks that are burning diesel fuel and just get them down to the vehicles that are flex-fuel gas burners, ethanol burners, those cars that can conceivably be retrofitted to burn ethanol, then your number becomes 37 percent of that is ethanol, and the balance is gasoline.

They have a blend. We burn a 10 percent blend in Iowa. That is popular across the country. That is a standard ethanol mix. But the blend that they use is 25 percent. When we got down there, they had just dropped the 25 percent blend down to 20 percent because Brazil did not have enough ethanol to meet the demands of their marketplace. So they burn more gas, less ethanol, did not have enough sugar cane, and were not able to produce enough ethanol, and we are considering going down there to learn from them.

Mr. Speaker, I would submit the United States of America produces a lot more ethanol than Brazil does now or ever will. And we are in an aggressive growth mode. It is such an aggressive growth mode that now, in fact today, there is discussion in the hearing in the Ag Committee about how we are going to have enough grain left over to feed our livestock if a huge percentage of it goes to fuel production.

And I can tell you, Mr. Speaker, that in my congressional district there were producers there that for the first time, I will say the first time anywhere, the first time in history, owned shares that were invested in an ethanol production facility for corn, and a biodiesel production facility for biodiesel. And so they had to make a decision do I plant more soybeans because I am likely to get a better return off my shares invested in the biodiesel plant, soybeans go into that diesel, or do I plant more corn because I am likely to realize more profit when my corn goes into my ethanol plant.

What do I do? I have got, say, 1,000 acres. How do I balance that all out? Those questions were being asked by producers when they put the crop in the ground this spring for the first time ever, and next year there will be hundreds more with the same happy predicament, Mr. Speaker.

And the list goes on and on. And in the Fifth District where we are close to the number one ethanol producer in America, I believe we will be there by the end of next year, there are at least 14 ethanol production facilities that

are up and running, on the drawing boards, or have broken ground, or are under construction, one of those three phases, at least 14 in the congressional district, the 32 counties in western Iowa that I represent.

And there are more of them out there that I have not caught up with the business transaction on that yet. But there is a tremendous amount of investment going into ethanol production all throughout the Corn Belt. We started, actually Minnesota initiated some very good policy that initiated home-grown engineering that has now grown into the region where I live, and into that region in Minnesota, north central Iowa, western Iowa, and parts of South Dakota and Nebraska as well.

That home-grown engineering has been a real, real asset to the development of ethanol production. But we produce far more ethanol in the United States than they do in Brazil. We have more modern technology than they have in Brazil. There will be over \$1 billion of capital investment in my congressional district this year alone put on the ground for renewable energy production facilities, including wind chargers.

So there is a lot of progress being made economically. But, Mr. Speaker, there is also a lot of progress being made to provide this supply of ethanol, and provide this supply of biodiesel with the renewable fuels that take the burden off of Middle Eastern oil and give us more freedom, more autonomy, and make us less dependent on Middle Eastern oil.

That is what is going on with energy from the renewable energy perspective. It is a dynamic time. I would add, also, that in the State of Iowa, if you add the counties that are in our neighboring States, one county in Minnesota, Illinois, I better say Minnesota, Wisconsin, Illinois, Missouri, Nebraska, South Dakota, that circle of our neighboring States, just one county in, you add that to the ethanol production facilities within the State of Iowa, and you are looking at about 61 ethanol plants all together. Sixty-one. And they will probably all not get built. But if they do, they will be able to process every kernel of corn that we produce in the State of Iowa, which causes us to have to make some adjustments. Absolutely.

Up until just a few days ago, all of the biodiesel production in Iowa was in the Fifth Congressional District, Mr. Speaker. And we are aggressively building out biodiesel production. That is going to go out to the limits of the Soybean Belt.

Ethanol production is going to go to the limit of the Corn Belt. And cellulosic is a few years away, but there is high, high hopes for what it can do with the potential for energy.

Those things are happening. They are happening now. We provided the tax credits. We have put the structure in place so that individual entrepreneurs could invest their capital, could put to-

gether the business transactions so that we can have ethanol production and biodiesel production that is large in scale, efficient in its operations, and available to the American consumer like it is today in growing quantities. These plants are averaging 75 million gallons a year, roughly, or more. It is a significant quantity of renewable fuels.

Who is going to solve this energy problem? The people that are here that have provided for the ethanol, biodiesel, the people that have passed legislation that is going to provide for better sitings and more sitings for the refinery of crude oil that comes into this country. And we cannot refine all of our crude oil anymore because it has been an environmentalist barrier that has blocked the construction of oil refineries, and it has limited our ability to process. So we find ourselves buying more gas, more diesel fuel on the market rather than refining from crude oil and keeping those jobs here in the United States.

Who stands in the way of that, Mr. Speaker? The people on this side of the aisle. The people that argue that, well, you cannot have that oil refinery in my back yard, the NIMBY phobia. You cannot have that oil drilling rig offshore from my State. And so we have this situation where we are growing the renewable energies in the United States aggressively and dramatically, and at the same time we are sitting on a tremendous amount of oil, a tremendous amount of natural gas, being blocked by environmentalist elements that you will find in that caucus in huge numbers, in my conference in very small numbers.

But it is not the Republicans that are holding the energy development up in the United States, it is the other party that is doing that, Mr. Speaker. We need to be drilling up there on the North Slope of Alaska. We did so successfully starting back in 1972. That has been an environmentally friendly operation going on up there, and one of the measures would be that the caribou herd in 1972 was 7,000 head, and now, as of about 3 years ago, the last numbers I have seen, that caribou herd is 28,000 head.

Now, we could not have damaged the environment and had that kind of a growth in the caribou herd on the North Slope. But if you go east to ANWR, the same kind of topography, there just is not a native caribou herd. They do come in from Canada and have their calves there and go back again about the middle of June, the latter part of June. But we can do even better there with the new technology that we have.

What nation, what nation, especially an energy-dependent nation, would sit here and refuse to tap into massive supplies of crude oil that we know lay underneath the North Slope of Alaska, in ANWR, along the shore in the arctic coastal plain? What nation would leave that oil there and buy from the Middle East and buy it from Hugo Chavez? The

more money we send to them, the more belligerent they get, Mr. Speaker.

□ 2030

It defies logic. But it is being held up by that side of the aisle, Mr. Speaker, not this side of the aisle.

Outer continental shelf drilling, we know there is a minimum conservative investment of 406 trillion cubic feet of natural gas offshore. We are trying to open up the legislation to get that drilled. It is a narrow little transaction going on. We should do far more.

We should simply open up the whole thing and let development come in and start pumping that gas out, pump the oil out, get it into this market, grow the size of the energy pie, provide more and more Btus of energy from all sources, and then start apportioning the percentages of those sources according to whether they are a finite or a renewable source so that we can have a well-managed energy policy.

Mr. Speaker, I think we can get there. We are moving down that path. But every time a person on that side of the aisle is elected to this Congress, there is a great risk, and the odds are they are going to vote with the green interests, whether they understand the issue or not. That is why we have trouble with our energy policy. That is why this Congress can't open up those energy fields.

And do not be deluded for a minute, Mr. Speaker, into thinking that there is going to be an opening up of ANWR or the outer continental shelf if there happens to be some people from the other side of the aisle that will get their hands on a gavel. There be less of that kind of energy, not more. Energy prices will go up.

If you believe in the law of supply and demand, there would be under their scenario less supply. There would probably be then more demand, which means the price would go up on energy.

They will not solve the energy problem. We have offered the solutions here, and we have had to squeeze them past them, and we are going to keep doing that until such time as the American people send us more allies here to get this job done even better.

So, the idea of the energy situation is something that I think that needs to be explored. And if were a rubber stamp Congress, as the other side of the aisle alleges, then we would be drilling in ANWR right now, we would be drilling on the outer continental shelf right now, Mr. Speaker. We would have a significant supply of energy for the American people to consume. Oil wouldn't have peaked out there above \$75 a barrel. Thankfully it is down now.

I would like to tell you that I am going to take responsibility for the gas prices here over the last couple of weeks. I don't have any credit for changing those prices in the last couple of weeks. I would like to take credit for it, but I can't. But I bought gas for \$2.10 last weekend, Mr. Speaker, just last weekend. \$2.10. It was up over \$3

gallon, I remember \$3.07 a gallon perhaps a month ago.

So as the price of gas spirals downward, part of that is because you have marginal wells that weren't pumping, there wasn't profit for them to be pumping, and when oil prices went up, it paid them to pump that oil out on to the market. So when you raise the price, you can buy a lot more oil, and a lot more oil gets explored.

Chevron found a tremendous find down in the Gulf of Mexico, and it is one of the largest finds anywhere at any time. As that field gets developed, that will change the price of oil worldwide and it will make it more available to us here in the Western Hemisphere.

So I am looking forward to moving forward. We will solve every energy problem here in the United States of America. We have the ability to do that. We have the incentive to do that. We just need to get the people out of the way that don't take a rational position, but take a protectionist position.

I would challenge them, if we should be starved for energy, Mr. Speaker, I would say to them if we should be starved for energy, then where do you stand on opening up ANWR so we can get that into the pipeline? Where do you stand on opening up the outer continental shelf?

I think we know, Mr. Speaker, because the votes are on the board. We have had a number of votes on those issues in here, and we know what happens. The other side of the aisle blocks those agendas and they don't produce a constructive result. They simply say "we need to pass a law that says Detroit has to make a car that gets 50 miles to the gallon." Then that fixes everything.

Well, it just may not be possible to make a car that will haul my family that will get 50 miles to the gallon, so to legislate that kind of efficiency is not a very good return on our legislative investment, Mr. Speaker.

So, a number of these promises will not be kept, and I am trusting the American people won't provide that opportunity, because they will understand that.

But I would like to shift us over, if I could, Mr. Speaker, to another field of interest, and that field of interest would be the Afghanistan and the Iraq theaters that are there. As we review those circumstances, I have been refreshed on the issues that are before us in Afghanistan and in Iraq.

Mr. Speaker, I can tell you that we have exceeded the expectations in Afghanistan for a long time. Yes, we have conflict going on there now. There has been some resurgence of the Taliban in Afghanistan.

We need to keep in mind also that these kind of conflicts are seasonal. This is the seasonal push that wraps up, and by winter they go back into the mountains and hole up again, it is too cold at the high altitudes, so there isn't a lot of activity going on in the

wintertime. But when the weather is warm and people can move about, that is when our troops have been attacked and that is when we have descended upon them.

But every time it has been the Taliban that has dramatically lost the encounter. And it will continue to take some of these kinds of operations in Afghanistan for a considerable length of time.

But while this is going on, NATO troops are standing up, American troops are supporting them, and troops from other countries are coming in under the command of NATO. We are getting Afghanistan handed over more to the coalition of international forces underneath a NATO banner. That is a very good thing, Mr. Speaker, and it is a very positive transition that is taking place in Afghanistan.

We need to understand that when you go into a country that has no tradition of a liberal democracy, no tradition of being able to go to the polls and vote, select their national leaders, direct their national destiny, they don't have that tradition, they don't have the experience, they don't have the culture that they can get to this place where we are fortunate to be in this country without some help and guidance, and are glad for that help and guidance and they are reacting towards it and they have had a significant amount of stability in Afghanistan that has flowed from the liberation that took place within a couple of months of the September 11 attacks here on the United States.

I consider it to be a very successful operation in Afghanistan. We need also to keep in mind that there are elements there that do cause violence. One of them is just the tribal conflicts that have gone on there for century after century. Those tribal conflicts still exist. We would be deluding ourselves if we tried to convince ourselves that there are not going to be tribal conflicts going on over the next decade or half a century or maybe even a century. It is hard for that to get all put away.

So there are likely to be some flare-ups that are just tribal conflicts in Afghanistan. That is the way it has been. That is the frictions that have been there for millennia, and that is the frictions that are likely to be there at least into the future of our lifetimes. So there will be violence that comes from tribal conflicts.

There will also be conflicts that come from the temporary resurgence of cells of the Taliban. We are always able to go into those areas and pacify those areas, and the local people have been supportive of our troops and they are supportive of the NATO troops. So that is an issue that we will have to continue with.

Then there is just plain simple criminality that goes on. It goes on in any country in varying degrees, and at some point you get the rest the violence toned down, the Taliban violence,

some of the tribal violence that is more likely to happen under these circumstances today than it might be when there is more stability in Afghanistan.

So when the tribal violence gets toned down and the tribal violence gets toned down, then we are just left with the criminal violence that is there for the most part, and it needs to get toned down to where it is manageable, and at that point the police force takes over.

So the progress that is being made in Afghanistan should give us good cheer. It should give us good optimism. It has exceeded the expectations of this Congress, and it is to the credit of our President, it is to the credit of Secretary of Defense Rumsfeld, the Joint Chiefs of Staff, General Pace, General Myers, who has commanded this during that particular period of time, our commanding officers, our intelligence, our logistics. Our troops on the ground, our soldiers and Marines that have served so well and honorably, have turned out a result in Afghanistan that exceeded our expectations and continues to be promising. So, Afghanistan is moving along at an optimistic rate.

In Iraq, Iraq, Mr. Speaker, has been a little more difficult. In fact, significantly more difficult, but far from hopeless. Far, far from hopeless.

The allegation was made today that in Iraq we are in a civil war. I have defined a civil war here on this floor before Mr. Speaker, for the benefit of those who don't think it through.

For the benefit of those that want to throw that term around without being challenged on the validity or accuracy of their prediction, they say "civil war" because I think secretly, well, not in secret, a civil war in Iraq would serve their political interests. I don't know what they secretly wish for, but a civil war in Iraq would serve the opposition to this White House, to this majority, it serves their political interest. So they come to this floor regularly and say civil war in Iraq, civil war in Iraq.

It can't be substantiated by fact. I have defined what a civil war would like look. It would be when the Iraqi military, Kurds and Shi'as and Sunnis alike, put on the same uniform, strap on the same helmet, charge into the same combat situations together, guarding each other's back, when those people that are defending the freedom and the safety and providing for the security in Iraq, the Iraqi military, that are now over 300,000 strong, when they choose up sides and start shooting at each other, that, Mr. Speaker, would be the definition of a civil war.

It is not a civil war. It is not likely to be a civil war. But there is rising sectarian violence that does threaten some stability in Iraq. It is also the violence that comes from the insurgents, from the terrorists, from al Qaeda. Those people are a smaller percentage.

But we have to discourage and eliminate the local militias taking that security into their own hands. That security needs to be in the hands of the authorized personnel from the government of Iraq that ultimately will end up answering to Prime Minister Maliki in that pyramid chain of command that has to go out through that country.

As the days and weeks and months go by, more and more Iraqis are trained, more and more are performing well, and more and more the Iraqi people are starting to see that their future is with a strong and prosperous and unified Iraq.

I want to give credit to a good idea, Mr. Speaker, that came from the gentleman who has added so much to the fiscal discussion in America, Mr. Steve Forbes. His idea was, and I have given it some thought and it is intriguing to me and I am inclined to be supportive and ready to endorse such a concept, Mr. Speaker, but he suggests that all the oil revenues in Iraq really belong to the Iraqi people.

A significant percentage of those revenues need to go to the government of Iraq in order to run the government and fund the operations that go on there. But to set aside a percentage of that oil revenue and then divide that up among Iraqis, so much to each Iraqi citizen. He said if you did that in the fashion that Alaska does that with their people, I believe he said that the annual check for being an Alaskan that comes from the oil revenue is about \$834 a year.

If that number, \$834 a year, is something that provides for Alaskans to have a stake in Alaska, can you imagine what a similar check like that would do for Iraqis to have a stake in Iraq? The idea that if the oil flows out of Iraq, prosperity flows in, you are not cut out of that economic equation if you are an Iraqi. If you register yourself as an Iraqi with an address, you end up with a group of citizens from Iraq that are on a certified voter registration list, a list of people there, people who will live by their own identification and have to because that check will find them if they are who they say they are.

It is an intriguing idea. It is an interesting idea, because it does unify and move towards the unification of the Iraqi people. If they all have a vested interest in producing a lot of oil and shipping that oil out of Iraq and those royalty checks that would come in, come into the national coffers and be distributed out to the Iraqi people, they are going to be keeping their eyes out when somebody comes out to sabotage a pipeline or an oil well or a refinery or a distribution terminal out in the Gulf. They will protect their interests, and they will all line up, I believe then, against the people that are seeking to destabilize Iraq. It is a good idea, and it is an idea that I hope our President takes a look at and one that can be discussed over in the Middle East.

□ 2045

But this was never going to be easy, and the idea that Iraq is a diversion in this global war against Jihad fascism could not be more erroneous. Mr. Speaker, if Iraq was not a threat to us, then what other Nations were not a threat to us?

I would ask, produce that list. Put them up on the board so we do not have to worry about them anymore, and we do not have to send anyone in there or be prepared with a military contingency plan. We can simply turn our focus on to the place where the folks on the other side of the aisle allege we ought to be putting it which I do not know where that is, Mr. Speaker. All I know is they tell us where it is is not, and they contend Iraq was never a threat.

In fact, today, in the aftermath of Hugo Chavez's speech before the United Nations, Mr. Speaker, that nearly frothing at the mouth, radical, emotional, unstable speech that was delivered by Hugo Chavez, the President of Venezuela on the floor of the United Nations, where he said things about our President that were way beyond the pale, and remarks that the junior senator from Iowa said, I can understand where he is coming from.

He said there were people by the thousands that lit a candle and marched in Tehran September 11 in support of the United States and in sympathy with the United States for being victimized on that day by those terrorist attacks and that all of the Muslim world was on our side on that day. This is the statement of the junior senator from Iowa, Mr. Speaker, but you know, it needs to have a different clarification.

There may have been people walking in the streets of Tehran that lit a candle in solidarity with the United States. I would expect they were the people that were the moderate Muslims, the ones who were well-educated, and they were working towards a future and they had a measure of freedoms until the Ayatollah came in 1979. I imagine those people that were walking with candles with solidarity towards the United States back in 2001, September 11, were the very people that are our allies today. But the junior senator said we turned them all into enemies and now we have polarized and alienated the Muslim world against the United States.

I would submit, Mr. Speaker, that a more objective truth is the truth that in almost every major Muslim city in the world on September 11, when that hit the news, there were people dancing in the streets with glee because the United States had suffered those blows on that day. That is the reality of it. They showed their true colors. In fact, in some of the Muslim enclaves in the United States, people took to the streets to celebrate, and in some of the mosques in the United States, the Imam preached about what kind of blow was landed on the United States favorably.

These are facts of historical reality, Mr. Speaker, and I have spoken towards the tale end of this about just the United States, but across the world we have had radical Islam line up against us and it is not just because we are the ally of Israel. I will say that Israel is the bulls-eye in this global war that is going on right now. They would like to annihilate Israel because they see that as doable. They would like to annihilate the United States because they believe we are the antithesis of their culture. I would submit that it is not a culture they represent.

I would ask this question. In the last 700 years, Mr. Speaker, is there anything in that culture that is aligned against us, radical Islam, is there any contribution that that civilization has made in the last 700 years that would be a contribution in the area of math or science or physics or chemistry, any kind of medicine? Is there any kind of contribution in the last 700 years, Mr. Speaker? I hope that there is someone that can come up with a contribution in 700 years from that civilization that has declared war on us. I cannot find it. I asked Middle Eastern scholars to find it for me. They seem to be stumped as well, Mr. Speaker.

And so is it a civilization that we are at war with or is it a defunct civilization, hardly a civilization at all, one that lashes out, one that worships death, one that we could never understand and should not try because it is not rational? It is not rational from a Western civilization viewpoint. No deductive reasoning approach will help us figure out the Middle Eastern, suicide Jihadists, fascist mind.

But what we must do is change the habitat for the people who believe that their path to salvation is in killing us. That culture has to change or this war will not be over, and this price that has been paid with nearly 3,000 lives on September 11 and nearly another 3,000 lives since that period of time in the theaters of Afghanistan and in Iraq, will continue to mount week by week, month by month, year by year in a perpetual conflict until such time as we change the culture of the people who believe their path to salvation is in killing us.

Mr. Speaker, it is not Islam. It is not the Muslims that are the problem. They are the host upon which the parasite Islamic fascist lives, and a parasite will attach itself to a host, which Islamic fascism does to Islam. It will feed off the host, which Islamic fascism does to Islam, and it will reproduce on the host, which Islamic fascism does to Islam. Sometimes it attacks the host. Sometimes it drops off and attacks another species, goes through another cycle and attaches itself back to the host again.

That is what is going on, and I am asking the moderate Muslim world, help us eradicate the parasite from within your midst. That is the only way we can do it in a relatively painless fashion. It must happen because

they have pledged death to all of us who do not subscribe to their perverted version of the religion.

So, Mr. Speaker, those are the circumstances that face us and the people that dance in the streets with glee in Muslim cities in the world where radical Islamists, the Islamic fascists, the people who are at war with us, and it is not that we made them enemies after that period of time. It is not that going into Afghanistan or going into Iraq made them enemies. They were our enemies before then. They danced in the streets on the very day that the junior senator from Iowa said there were folks in Iran carrying candles, and I thank those people in Iran. I believe they were, but I believe they are still with us.

Our enemies are still against us. That dynamic has not changed except for the habitat has changed in Afghanistan and changed in Iraq. No longer can either one of those locations be a terrorist staging area, terrorist training grounds or terrorist breeding grounds. That has changed because freedom has arrived in both of those locations, even though we have got some work to do in Iraq.

I would shift to another subject matter, Mr. Speaker, and one that I think is important to have a brief discussion on. We have taken some significant steps here on the floor of this Congress to resolve the biggest problem that this United States has, and that is, how are we going to provide national security if we do not control our borders, if we do not enforce our immigration laws, if we cannot bring together a solution that resolves this issue.

The statement was made over here on the other side of the aisle that they would provide a comprehensive immigration reform policy. Well, that comprehensive immigration reform policy that they are talking about, Mr. Speaker, is the one the President presented. It is the one the Senate has passed. It is the one the President had endorsed. It is the one the Democrats want to vote for, and do you know, Mr. Speaker, if this had been a rubber stamp Congress, we would have comprehensive immigration reform.

But the truth is, this House of Representatives has blocked the amnesty legislation that is proposed by the gentlewoman from California, the esteemed minority leader who spoke here on the floor within the last hour, and also by the President and also passed by the United States Senate.

That is amnesty, pure and simple. Although it is complicated and convoluted, it has come back to the big scarlet A word, amnesty. The American people have rejected amnesty, amnesty in any form, amnesty by any name.

They want enforcement. They understand that there is an average of 11,000 illegals pouring across our southern border, not every day, Mr. Speaker, every night. That is when the action

starts. Every night, on average, 11,000 illegals pour across our southern border.

The border patrol has testified here that they stop perhaps 25 percent to 33 percent. Testifying witnesses have also said that in the last fiscal year, the border patrol intercepted 1,188,000 in an attempt to come into the United States, just on our Mexican border. The year before it was 1,159,000 that were arrested trying to come across our Mexican border.

Now, to do that calculation, Mr. Speaker, if you take the 25 percent number or someplace a little higher than that of interdiction that I gave, that means more than 4 million people attempted to cross our southern border last year and the year before. When I go down and talk to the border patrol agents and I say you are getting 25 percent enforcement on people that are breaking into the United States, they say, no. The most consistent number they give me is perhaps 10 percent, not 33 percent, not 25 percent, perhaps 10 percent.

One officer who was an investigative officer and should have been in the position to know, when I posed the question to him and said do you stop 25 percent, he broke up in hysterical laughter, Mr. Speaker. He said, no, not 25 percent. I said how about 10 percent? Not 10 percent. About 3 to 5 percent is about all they stop.

So calculate these numbers out. The population of the United States is growing, Mr. Speaker, and it is growing a number of ways. It is growing every night when 11,000 illegals pour across our southern border.

For the period of time it works like this. Every 8 seconds, on average, another illegal comes into the United States. In that 8-second period of time, what is that comparable to? Oh, a bull ride, if you do not get bucked off, is 8 seconds. Every, I think the number is 7.6 seconds in America a baby is born. So every time a baby is born in America, an illegal jumps the border. Our population is growing simultaneously. Illegals in this column, newborn babies in this column and that graphical number is going up and up simultaneously almost to, well, within the 3 to 4/10ths of a second. Every 8 seconds an illegal crosses the border, every 7.6 a baby is born, and every time a bull rider gets on that bull, by the time you hear the bell, another illegal has jumped across the border.

That is how intense this is. 11,000 people a night, 4 million people a year, and it goes on and on and on.

The leadership and the majority in this Congress, the Republican majority, understand that it is a terrible wound in our border that has to have a tourniquet put on it. We have got to stop the bleeding, Mr. Speaker, and so we look at a number of ways to do that.

I will say behind me is a model of the concrete model that I have designed, and that came not because I sat here

and listened to testimony, although a lot of that data mattered. It did not come about because I listened to other people around here talk, although I listened to them. I put together a number of ideas, and a year and a month ago, I called for a fence on our southern border. It was an opening round that was designed to sell the idea, and the idea gained momentum although I was criticized roundly for such a radical statement, but the idea gained momentum, and 3 months, 3 weeks and 3 days later, 114 days later, we passed the fence legislation off the House of Representatives, 700 miles, double wall much of it in the most important strategic locations, and leaves us open I believe to continue to build more fence on our southern border.

We can put a fence in. We can put this concrete wall in that I have designed that is behind me here, Mr. Speaker, and we will do this, but the reason that we need to build a wall on the border, contrary to the position that was taken by one of our esteemed newspapers today is because we have an open border that is not even marked for hundreds of miles. Anybody that wants to, you can walk, crawl, run or drive, occasionally fly, across that border is free to do so. We have not even defined the border, and yet the force of 11,000 people a night, 4 million people a year, \$65 billion worth of illegal drugs coming across that border and people that want to get a job and for a better life, I concede that point.

The force of all of that together cannot be stopped by putting border patrol agents shoulder to shoulder on the border. We can do that. It would cost a lot of money, and we have to have backup people, but that is not the best and most economically viable solution.

If we build a barrier, we can force all human traffic through the ports of entry. That is what I submit we do. I would put a chain link fence down on the border itself, and then I would put the concrete wall in 100 feet. I would design it this way. I would put wire on top, and that wall would be the structure that would be too difficult to cut through, pretty difficult to go dig under. It would have to be patrolled and have sensors, but I believe that this 25 percent effectiveness that we have today would turn into a 90 or 95 percent effectiveness if it is managed, maintained and controlled and has sensors put on it and cameras to back it up and we integrate our technology along with our physical barrier, Mr. Speaker.

Then I would submit to the American people, if there are some things we have not considered adequately in this debate, this idea of a comprehensive bill that really says amnesty starts with a couple of premises, one of them is that there are Americans that will not do this work.

□ 2100

And, truthfully, every single job there is to do in America is being done

by natural-born Americans, people that have birthright citizenship here, those who are born to a mother and a father who are both citizens. Traditional Americans are doing every single kind of work there is in this country.

We have a 30 percent dropout rate in our high schools in this country. Those young people who don't have a continuing education, that don't have a high school education, they need the lower-skilled jobs. Some of them, that is what they want out of life, but their opportunities are being taken from them by the price being undercut of money going to illegal workers in this country by the millions.

The 30 percent of the dropouts then end up on welfare, on crime. They end up not being the quality of citizens that they could be, not realizing their potential, because the entry-level jobs and the kind of jobs that they haven't access to because of their limited education are being taken away by illegals. That is point number one on that issue.

Then there is the argument of we don't have enough people to do this work. That is another falsehood, Mr. Speaker. And I would submit the response to it this way, that is, if you are a corporation and you are looking to move into a city or a town, a region, or community to establish a new production facility of some kind, and you need to know what the available labor supply is to evaluate that location versus perhaps several other locations, Mr. Speaker, what you would do is you would send a little team in there to evaluate the area, and you would meet with the mayor, the chamber of commerce, the development corporation, maybe meet with the law enforcement people to get a sense of what the crime rate was, and you would meet with the educational people and get a feel for that whole community.

And to evaluate whether there is enough labor supply there, you wouldn't do what the advocates for amnesty are saying. They are saying, well, there is only a 4.7 percent unemployment rate, which means that is a full employment economy. Well, first of all, it is not, Mr. Speaker. During World War II, we had a 1.2 percent unemployment rate, and that still wasn't a full employment economy, but as close as it has been in the last century. So I submit that as a number to measure that is a lot closer to full employment than 4.7 percent.

Just the same, there are 7.3 million people in the United States that are on unemployment. That is not the only number you would look at if you are a corporation looking to place a facility in a location. You would go in there and do a study and say, not how many are on unemployment, yes give me that number, but your question would be, what is the available labor supply? And what is the educational level of these workers? And what is the wage scale here? And what are we going to have to provide for benefits to compete for

these employees? You would ask those questions and you would get your answer. And for the United States of America, Mr. Speaker, it works out this way, the available labor supply is this:

We have 143 million people working. We have 7.3 million people that are unemployed. But we have not in the workforce between the ages of 16 and 69, 61,375,000. Pardon me, that is to the age of 74. Wal-Mart hires people to be greeters there and they enjoy their days. So that is 61,375,000. You add to that the unemployment rate, and I look at this number on this chart, 7,591,000, the most current number that I have. It takes me up to 69 million nonworking Americans.

So if you would like to reduce that smaller number there, that is about 7 million or so between the ages of 70 and 74, fine, you can take this number down to 61 or 62 million people.

But we have maybe, maybe 7 million working illegals in America and maybe 70 million nonworking Americans. So what kind of a rational policy would not hire one out of 10 of the nonworking Americans rather than bring in tens of millions of people here, 66 million people by a significant number of analysis of the Senate version of the bill, match the total number of all Americans naturalized in all of our history, double that, 66 million from 1820 until the year 2000 and another 66 million, and employ about 60 percent of them and end up with having to support the deficiencies in health care and a burden on the infrastructure when you have got 70 million people in America that are not in the workforce today that are of working age.

Mr. Speaker, this approach often defies logic. The people that have a vested interest are the ones that are driving this debate. The libertarian powerful business interests on the other side, they are making money on this deal and they are using that money to advance an illogical approach that does not take into consideration the long-term best interests of the United States of America. And the liberals on the other side see political power, so open the borders. And that is why they are hollering and calling for what they call a comprehensive immigration plan, which is an amnesty plan that would bring in 66 million new people.

And what we know about them is when they come into a place, they will assimilate into the politics of the locale where they arrive. And that means they aren't going to be bipartisan split down the middle. If you can get them to go into a Democrat enclave, that is what they are going to be. If you could get them to go into a Republican enclave, that is what they are going to be. If anybody doubts that, just ask yourselves, how many Irish Catholic Bostonian Republicans do you know? I understand there are two. I know one. They have not assimilated into the politics of the rest of America; they stay in their political enclave. That is what

will happen with the newly arriving immigrants into this country as well, just to add another point to all this, Mr. Speaker.

So I submit we need to establish an immigration policy that is designed to enhance the economic, the social, and the cultural well-being of the United States of America and use those considerations and no other. If we do anything otherwise, we are opening up our borders to be the relief valve for poverty, and we know that there are at least 4.5 billion people on the planet that have a lower standard of living than the average citizen in Mexico. And so we cannot be the relief valve for poverty unless we are willing to accept a population in the United States that would exceed, say, 5 billion people or more.

What should the population of the United States be 50 years from now, 100 years from now? A significant question. What is our future? What is our destiny? This is a long-term issue, and it is one that needs to have serious consideration. But enforcement, seal the border, and birthright citizenship, shut off the jobs magnet is what we will do, and we will build a fence and we will start it this year.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Mr. EMANUEL, for 5 minutes, today.
 Mr. PALLONE, for 5 minutes, today.
 Mr. DEFAZIO, for 5 minutes, today.
 Mr. MCDERMOTT, for 5 minutes, today.
 Ms. WOOLSEY, for 5 minutes, today.
 Mr. SKELTON, for 5 minutes, today.
 Mr. SCHIFF, for 5 minutes, today.
 Mr. DAVIS of Illinois, for 5 minutes, today.
 Ms. ZOE LOFGREN of California, for 5 minutes, today.
 Mr. ALLEN, for 5 minutes, today.
 Mr. MCGOVERN, for 5 minutes, today.
 Mr. TAYLOR of Mississippi, for 5 minutes, today.
 Mr. CUMMINGS, for 5 minutes, today.

(The following Members (at the request of Mr. POE) to revise and extend their remarks and include extraneous material:)

Mr. OSBORNE, for 5 minutes, September 25, 26, and 27.
 Mr. JONES of North Carolina, for 5 minutes, September 25, 26, 27, and 28.
 Mr. SIMPSON, for 5 minutes, September 26.
 Mr. MACK, for 5 minutes, today.
 Mr. HULSHOF, for 5 minutes, September 25.

ENROLLED BILLS SIGNED

Mrs. Haas, Clerk of the House, reported and found truly enrolled bills of

the House of the following titles, which were thereupon signed by the Speaker;

H.R. 3408. An act to reauthorize the Livestock Mandatory Reporting Act of 1999 and to amend the swine reporting provisions of that Act.

H.R. 3858. An act to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to ensure that State and local emergency preparedness operational plans address the needs of individuals with households pets and service animals following a major disaster or emergency.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles;

S. 260. An act to authorize the Secretary of the Interior to provide technical and financial assistance to private landowners to restore, enhance, and manage private land to improve fish and wildlife habitats through the Partners for Fish and Wildlife Program.

S. 418. An act to protect members of the Armed Forces from unscrupulous practices regarding sales of insurance, financial, and investment products.

S. 1025. An act to amend the Act entitled "An Act to provide for the construction of the Cheney division, Wichita Federal reclamation project, Kansas, and for other purposes" to authorize the Equus Beds Division of the Wichita Project.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 6 minutes p.m.), under its previous order, the House adjourned until Monday, September 25, 2006, at 12:30 p.m., for morning hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

9526. A communication from the President of the United States, transmitting a request for FY 2007 budget amendments for the Department of Homeland Security; (H. Doc. No. 109-134); to the Committee on Appropriations and ordered to be printed.

9527. A letter from the Deputy Chief of Legislative Affairs, Department of Defense, transmitting Notice of the decision to conduct a standard competition of the support services function performed by civilian personnel in the Department of the Navy for possible performance by private contractors, pursuant to 10 U.S.C. 2461; to the Committee on Armed Services.

9528. A letter from the Deputy Chief of Legislative Affairs, Department of Defense, transmitting the Department's preliminary planning for OMB A-76 commercial activity study; to the Committee on Armed Services.

9529. A letter from the Secretary, Department of the Treasury, transmitting the semiannual report detailing payments made to Cuba as a result of the provision of telecommunications services pursuant to Department of the Treasury specific licenses, as required by Section 1705(e)(6) of the Cuban Democracy Act of 1992, 22 U.S.C. 6004(e)(6), as amended by Section 102(g) of the Cuban Liberty and Democratic Solidarity (LIBERTAD)

Act of 1996, and pursuant to Executive Order 13313 of July 31, 2003; to the Committee on International Relations.

9530. A letter from the Director, Defense Security Cooperation Agency, transmitting pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 06-57, concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance to Canada for defense articles and services; to the Committee on International Relations.

9531. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification regarding the proposed license for the export of defense articles and services to the Governments of Norway and Spain (Transmittal No. DDTC 031-06); to the Committee on International Relations.

9532. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to persons who commit, threaten to commit, or support terrorism that was declared in Executive Order 13224 of September 23, 2001; to the Committee on International Relations.

9533. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency blocking property of persons undermining democratic processes or institutions in Zimbabwe that was declared in Executive Order 13288 of March 6, 2003; to the Committee on International Relations.

9534. A letter from the White House Liaison, Department of Commerce, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9535. A letter from the White House Liaison, Department of Commerce, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9536. A letter from the Agency Tender Official, Installation Services, Department of Labor, transmitting two letters for Congressional notification in compliance with Title III, Subtitle C, Section 326 of the Ronald W. Reagan National Defense Authorization Act of Fiscal Year 2005, Pub. L. 108-375; to the Committee on Government Reform.

9537. A letter from the Special Assistant to the Secretary, White House Liaison, Department of Veterans Affairs, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9538. A letter from the Deputy General Counsel, Executive Office of the President, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9539. A letter from the United States Trade Representative, Executive Office of the President, transmitting the FY 2006 Performance Plan and FY 2004 Annual Performance Report, pursuant to the requirements of the Government Performance and Results Act (GPRA); to the Committee on Government Reform.

9540. A letter from the Office of the District of Columbia Auditor, transmitting a copy of the report entitled, "Auditor's Examination of McKinley Technology High

School Modernization Project"; to the Committee on Government Reform.

9541. A letter from the Acting General Counsel, Department of the Treasury, transmitting a draft bill that would amend certain unworkable, statutory investment provisions relating to the Department of the Treasury's investment of the Yankton Sioux and the Santee Sioux Tribes' Development Trust Funds; to the Committee on Resources.

9542. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Cessna Aircraft Company Models 208 and 208B Airplanes [Docket No. FAA-2006-23648; Directorate Identifier 2006-CE-07-AD; Amendment 39-14514; AD 2006-06-06] (RIN: 2120-AA64) received September 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9543. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model DC-9-31, DC-9-32, DC-9-32F, DC-9-33F, DC-9-34, and DC-9-34F Airplanes; and Model DC-9-40 and DC-9-50 Series Airplanes [Docket No. FAA-2006-24430; Directorate Identifier 2006-NM-048-AD; Amendment 39-14671; AD 2006-13-18] (RIN: 2120-AA64) received September 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9544. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Mitsubishi Heavy Industries MU-2B Series Airplanes [Docket No. FAA-2006-23578; Directorate Identifier 2006-CE-01-AD; Amendment 39-14668; AD 2006-13-15] (RIN: 2120-AA64) received September 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9545. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Honeywell International Inc. TPE331 Series Turboprop Engines [Docket No. FAA-2006-23706; Directorate Identifier 2006-NE-03-AD; Amendment 39-14688; AD 2006-15-08] (RIN: 2120-AA64) received September 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9546. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; GROB-WERKE Model G120A Airplanes [Docket No. FAA-2005-19473; Directorate Identifier 2004-CE-35-AD; Amendment 39-14146; AD 2005-13-09] (RIN: 2120-AA64) received September 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9547. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Honeywell International Inc. TPE331 Series Turboprop, and TSE331-3U Model Turboshaft Engines [Docket No. FAA-2006-23704; Directorate Identifier 2006-NE-02-AD; Amendment 39-14674; AD 2006-14-03] (RIN: 2120-AA64) received September 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9548. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Nicholasville, KY; Correction [Docket No. FAA-2006-24686; Airspace Docket No. 06-ASO-7] received September 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9549. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class D Airspace; Camp Ripley, MN; Establishment of Class E Airspace; Camp Ripley, MN [Docket No. FAA-2005-22472; Airspace Docket No. 05-AGL-08] received September 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9550. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pacific Aerospace Corporation Ltd. 750XL Airplanes [Docket No. FAA-2006-13-05; Directorate Identifier 2006-CE-02-AD; Amendment 39-14658; AD 2006-13-05] (RIN: 2120-AA64) received August 9, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9551. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 727-200 Series Airplanes Equipped with a No. 3 Cargo Door [Docket No. FAA-2006-24073; Directorate Identifier 2002-NM-272-AD; Amendment 39-14653; AD 2006-13-01] (RIN: 2120-AA64) received August 9, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9552. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model ERJ 170 Airplanes [Docket No. FAA-2006-24523; Directorate Identifier 2006-NM-057-AD; Amendment 39-14654; AD 2006-13-02] (RIN: 2120-AA64) received August 9, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9553. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 757 Airplanes [Docket No. FAA-2005-20689; Directorate Identifier 2004-NM-197-AD; Amendment 39-14655; AD 2006-13-03] (RIN: 2120-AA64) received August 9, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9554. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce Corporation (formerly Allison Engine Company, Allison Gas Turbine Division, and Detroit Diesel Allison) 250-B and 250-C Series Turbo-prop and Turbohaft Engines [Docket No. FAA-2005-22594; Directorate Identifier 2005-NE-28-AD; Amendment 39-14659; AD 2006-13-06] (RIN: 2120-AA64) received August 9, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9555. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A300 B2 and A300 B4 Series Airplanes; and Model A300 B4-600, B4-600R, and F4-600R Series Airplanes, and Model C4-605R Variant F Airplanes (Collectively Called A300-600 Series Airplanes) [Docket No. FAA-2004-19566; Directorate Identifier 2004-NM-72-AD; Amendment 39-14657; AD 2006-13-04] (RIN: 2120-AA64) received August 9, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9556. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 757-200 Series Airplanes Modified by Supplemental Type Certificate (STC) SA979NE [Docket No. FAA-2006-25175; Directorate Identifier 2006-

NM-099-AD; Amendment 39-14670; AD 2006-13-17] (RIN: 2120-AA64) received August 9, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9557. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Short Brothers Model SD3 Airplanes [Docket No. FAA-2005-23173; Directorate Identifier 2005-NM-190-AD; Amendment 39-14644; AD 2006-12-18] (RIN: 2120-AA64) received August 9, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9558. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A319, A320, and A321 Airplanes [Docket No. FAA-2006-24431; Directorate Identifier 2006-NM-011-AD; Amendment 39-14748; AD 2006-12-22] (RIN: 2120-AA64) received August 9, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9559. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 777-200, -300, -300ER Series Airplanes [Docket No. FAA-2006-24173; Directorate Identifier 2005-NM-262-AD; Amendment 39-14652; AD 2006-12-26] (RIN: 2120-AA64) received August 9, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9560. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737 Airplanes [Docket No. FAA-2006-25102; Directorate Identifier 2006-NM-117-AD; Amendment 39-14666; AD 2006-13-13] (RIN: 2120-AA64) received August 9, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9561. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30509; Amdt. 3181] received September 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9562. A letter from the Administrator, General Services Administration, transmitting informational copies of lease prospectuses that support the General Services Administration's Fiscal Year 2007 Capital Investment and Leasing Program; to the Committee on Transportation and Infrastructure.

9563. A letter from the Regulations Coordinator, CMS, Department of Health and Human Services, transmitting the Department's "Major" final rule — Medicare Program; Inpatient Hospital Deductible and Hospital and Extended Care Services Coinsurance Amounts for Calendar Year 2007 [CMS-8029-N] (RIN: 0938-AO19) received September 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

9564. A letter from the Regulations Coordinator, CMS, Department of Health and Human Services, transmitting the Department's "Major" final rule — Medicare Program; Medicare Part B Monthly Actuarial Rates, Premium Rates, and Annual Deductible for Calendar Year 2007 [CMS-8030-N] (RIN: 0938-AO23) received September 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

9565. A letter from the Acting Secretary, Department of Transportation, transmitting the Department's annual report on the administration of the Surface Transportation

Project Delivery Pilot Program, pursuant to Public Law 109-59, section 6005(h); jointly to the Committees on Transportation and Infrastructure and the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 5092. A bill to modernize and reform the Bureau of Alcohol, Tobacco, Firearms, and Explosives; with an amendment (Rept. 109-672). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 5418. A bill to establish a pilot program in certain United States district courts to encourage enhancement of expertise in patent cases among district judges; with an amendment (Rept. 109-673). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. BLUNT (for himself, Mr. POMEROY, Ms. BALDWIN, Mrs. CAPITO, Mr. CONAWAY, Mrs. CUBIN, Ms. HERSETH, Mr. KING of Iowa, Mr. LUCAS, Mr. MORAN of Kansas, Mr. OBEY, Mr. SALAZAR, Mr. SOUDER, and Mr. SENSENBRENNER):

H.R. 6130. A bill to enhance the State inspection of meat and poultry in the United States, and for other purposes; to the Committee on Agriculture.

By Mr. CHOCOLA (for himself and Mr. GILLMOR):

H.R. 6131. A bill to permit certain expenditures from the Leaking Underground Storage Tank Trust Fund; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ENGLISH of Pennsylvania (for himself, Mr. BLUNT, Mr. CARDIN, and Mr. PALLONE):

H.R. 6132. A bill to amend title XVIII of the Social Security Act to extend the exceptions process with respect to caps on payments for therapy services under the Medicare Program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PRICE of Georgia (for himself, Mr. GORDON, Mrs. MYRICK, Mr. NORWOOD, Ms. HERSETH, Mr. WELDON of Florida, Mr. DEAL of Georgia, Mr. BURGESS, Mr. SHIMKUS, and Mr. SHUSTER):

H.R. 6133. A bill to amend the Public Health Service Act to provide revised standards for quality assurance in screening and evaluation of gynecologic cytology preparations, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CANTOR (for himself and Mr. RYAN of Wisconsin):

H.R. 6134. A bill to amend the Internal Revenue Code of 1986 to expand health coverage through the use of high deductible health

plans and to encourage the use of health savings accounts; to the Committee on Ways and Means.

By Mr. MARSHALL (for himself, Mr. RANGEL, Mr. ACKERMAN, Mr. BOEHLERT, Mr. OWENS, Mr. TOWNS, Mrs. SLAUGHTER, Mr. ENGEL, Mrs. LOWEY, Mr. McNULTY, Mr. SERRANO, Mr. WALSH, Mr. HINCHEY, Mrs. MALONEY, Mr. MCHUGH, Mr. NADLER, Ms. VELÁZQUEZ, Mrs. KELLY, Mr. KING of New York, Mr. FOSSELLA, Mrs. MCCARTHY, Mr. MEEKS of New York, Mr. CROWLEY, Mr. SWEENEY, Mr. WEINER, Mr. ISRAEL, Mr. BISHOP of New York, Mr. HIGGINS, and Mr. KUHL of New York):

H.R. 6135. A bill to amend the Public Health Service Act and title XIX of the Social Security Act to provide for a screening and treatment program for prostate cancer in the same manner as is provided for breast and cervical cancer; to the Committee on Energy and Commerce.

By Mr. KIRK (for himself, Mr. MATHE-SON, Mr. THORNBERRY, Mr. CAMPBELL of California, Mr. BURTON of Indiana, Mr. WILSON of South Carolina, Ms. ROS-LEHTINEN, Mr. BROWN of South Carolina, Mr. BAKER, Mr. KLINE, Mr. MCGOVERN, Mr. WOLF, Mr. CRENSHAW, Mr. PICKERING, Mr. SHIMKUS, Mr. EHLERS, Mrs. MILLER of Michigan, Mrs. BLACKBURN, Mr. PETRI, Mr. ROHRBACHER, Mr. BARTLETT of Maryland, Mr. TIAHRT, Mr. HUNTER, Mrs. BONO, Mr. DREIER, Mr. MCKEON, Mr. ROGERS of Michigan, Mrs. JO ANN DAVIS of Virginia, Mr. GARY G. MILLER of California, Mr. GALLEGLY, Mr. KENNEDY of Minnesota, Mr. WELDON of Pennsylvania, Mr. MARIO DIAZ-BALART of Florida, Mrs. DRAKE, Mr. BONNER, Mr. HASTINGS of Washington, Mr. KUHL of New York, Mrs. EMERSON, Mr. MCCOTTER, Mr. LINCOLN DIAZ-BALART of Florida, Mr. BLUNT, Ms. HART, and Mr. CALVERT):

H.R. 6136. A bill to award a congressional gold medal to Margaret Thatcher, in recognition of her dedication to the values of free markets and free minds; to the Committee on Financial Services.

By Mr. REYNOLDS (for himself, Mr. RAMSTAD, Mr. WELLER, Mr. FOLEY, and Mr. CHOCOLA):

H.R. 6137. A bill to amend the Internal Revenue Code of 1986 to double the damages, fines, and penalties for the unauthorized inspection or disclosure of returns and return information, and for other purposes; to the Committee on Ways and Means.

By Mr. KELLER (for himself, Mr. MCKEON, and Mr. TIBERI):

H.R. 6138. A bill to temporarily extend the programs under the Higher Education Act of 1965, and for other purposes; to the Committee on Education and the Workforce.

By Mr. ANDREWS (for himself, Mr. WELDON of Pennsylvania, and Mr. PASCRELL):

H.R. 6139. A bill to direct the Secretary of Homeland Security to impose requirements for the improvement of security camera and video surveillance systems at certain airports, and for other purposes; to the Committee on Homeland Security.

By Ms. LEE (for herself, Ms. PELOSI, Mr. LANTOS, Mr. RANGEL, Mr. HONDA, Mr. OLVER, Mr. MCDERMOTT, Ms. NORTON, Ms. WATERS, Mrs. CHRISTENSEN, Mr. SERRANO, Mr. DAVIS of Illinois, Ms. KILPATRICK of Michigan, Mr. OWENS, Ms. MILLENDER-MCDONALD, Mr. CUMMINGS, Mr. MEEKS of New York, Mr. WATT, Mr. CONYERS, Mr. FATTAH, Mr. PAYNE, Mr. MEEHAN, Mr.

BLUMENAUER, Mr. AL GREEN of Texas, Mr. VAN HOLLEN, Ms. CARSON, Mr. STARK, Ms. JACKSON-LEE of Texas, Mr. ROTHMAN, Mr. BERMAN, Mr. WEINER, Mrs. DAVIS of California, Ms. LINDA T. SÁNCHEZ of California, Mr. MEEK of Florida, Mr. KENNEDY of Rhode Island, Ms. SCHAKOWSKY, Mr. JEFFERSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MORAN of Virginia, Mr. PRICE of North Carolina, Ms. DELAURO, Mr. LEWIS of Georgia, Mr. THOMPSON of Mississippi, Mr. CLYBURN, Ms. MOORE of Wisconsin, Mr. KUCINICH, Ms. SOLIS, Mr. HINCHEY, Mr. WEXLER, Mr. MCGOVERN, Mr. ENGEL, Mr. DELAHUNT, Mr. GRUJALVA, Mr. CAPUANO, and Ms. WATSON):

H.R. 6140. A bill to require the identification of companies that conduct business operations in Sudan, to prohibit United States Government contracts with such companies, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SCHAKOWSKY:

H.R. 6141. A bill to direct the Consumer Product Safety Commission to require certain manufacturers to provide consumer product registration forms to facilitate recalls of durable infant and toddler products; to the Committee on Energy and Commerce.

By Mr. THOMAS:

H.R. 6142. A bill to amend the African Growth and Opportunity Act relating to preferential treatment to apparel articles of lesser developed countries, and for other purposes; to the Committee on Ways and Means.

By Mrs. BONO (for herself, Mr. PITTS, Mr. BARTON of Texas, Mr. DEAL of Georgia, Mr. RADANOVICH, Mr. NORWOOD, Mr. UPTON, Mr. BUYER, Mrs. MYRICK, Mr. GILLMOR, and Mr. TERRY):

H.R. 6143. A bill to amend title XXVI of the Public Health Service Act to revise and extend the program for providing life-saving care for those with HIV/AIDS; to the Committee on Energy and Commerce.

By Mr. BLUMENAUER:

H.R. 6144. A bill to reduce vulnerability to natural disasters in foreign countries through the use of disaster mitigation techniques; to the Committee on International Relations.

By Mr. DAVIS of Tennessee (for himself, Mr. SMITH of New Jersey, Ms. KAPTUR, Mr. LIPINSKI, Mr. ORTIZ, Mr. MELANCON, Mr. FORD, Mr. COSTELLO, Mr. PETERSON of Minnesota, Mr. OBERSTAR, Mr. MCINTYRE, Mr. HOLDEN, Mr. BERRY, Mr. BOYD, Mr. MARSHALL, Mr. KILDEE, Mr. KENNEDY of Minnesota, Mr. FITZPATRICK of Pennsylvania, Mr. MOLLOHAN, Mr. TAYLOR of Mississippi, Mr. KING of New York, Mr. CLYBURN, Mr. MURTHA, Mr. RYAN of Ohio, Mr. LANGEVIN, Ms. BORDALLO, and Mr. BARROW):

H.R. 6145. A bill to provide for programs that reduce the need for abortion, help women bear healthy children, and support new parents; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, Ways and Means, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FEENEY:

H.R. 6146. A bill to revise the boundaries of John H. Chafee Coastal Barrier Resources System Ponce Inlet Unit P08; to the Committee on Resources.

By Mr. FOSSELLA (for himself and Mr. ENGEL):

H.R. 6147. A bill to establish an Advisory Committee on Gestational Diabetes, to provide grants to better understand and reduce gestational diabetes, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GOODE:

H.R. 6148. A bill to designate Campbell County, Virginia, as a qualified nonmetropolitan county for purposes of the HUBZone programs of the Small Business Administration; to the Committee on Small Business.

By Mr. AL GREEN of Texas (for himself, Mr. FRANK of Massachusetts, Ms. CORRINE BROWN of Florida, Ms. WASSERMAN SCHULTZ, Mr. CONYERS, Ms. CARSON, Mr. HONDA, Mr. CLEAV-ER, Mr. STARK, and Mr. GRUJALVA):

H.R. 6149. A bill to enhance housing and emergency assistance to victims of Hurricanes Katrina, Rita, and Wilma of 2005, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Financial Services, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HAYWORTH:

H.R. 6150. A bill to establish the National Minority Business Enterprise Incubator Program; to the Committee on Financial Services.

By Mr. KLINE (for himself, Mr. GUT-KNECHT, Mr. RAMSTAD, Mr. KENNEDY of Minnesota, Ms. MCCOLLUM of Minnesota, Mr. SABO, Mr. PETERSON of Minnesota, and Mr. OBERSTAR):

H.R. 6151. A bill to designate the facility of the United States Postal Service located at 216 Oak Street in Farmington, Minnesota, as the "Hamilton H. Judson Post Office"; to the Committee on Government Reform.

By Mrs. LOWEY (for herself, Mr. POMEROY, Mr. EMANUEL, and Ms. WATSON):

H.R. 6152. A bill to amend the Foreign Assistance Act of 1961 to provide assistance for developing countries to promote quality basic education and to establish the achievement of universal basic education in all developing countries as an objective of United States foreign assistance policy, and for other purposes; to the Committee on International Relations.

By Ms. MOORE of Wisconsin (for herself, Mr. FRANK of Massachusetts, and Mr. SCOTT of Georgia):

H.R. 6153. A bill to improve the delivery of counterterrorism financing training and technical assistance by providing for greater interagency coordination and cooperation, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAUL:

H.R. 6154. A bill to amend part A of title XVIII of the Social Security Act to clarify that facilities designated as critical access hospitals may use beds certified for such hospitals for assisted living; to the Committee on Ways and Means.

By Mr. PEARCE:

H.R. 6155. A bill to establish guidelines and incentives for States to establish criminal drug dealer registries and to require the Attorney General to establish a national criminal drug dealer registry and notification program, and for other purposes; to the Committee on the Judiciary.

By Mr. PEARCE:

H.R. 6156. A bill to provide for the exchange of certain land in the Lincoln National Forest, New Mexico, with the owners of Ranchman's Camp and the C Bar X Ranch, to adjust the proclamation boundary of that national forest, and for other purposes; to the Committee on Resources.

By Mr. TIAHRT (for himself, Mr. RYAN of Kansas, Mr. MORAN of Kansas, Mr. WILSON of South Carolina, and Mr. RYAN of Wisconsin):

H.R. 6157. A bill to amend the Revised Statutes of the United States to provide for legal protection against frivolous lawsuits directed at statutes prohibiting picketing at military and other funerals, and for other purposes; to the Committee on the Judiciary.

By Mr. WHITFIELD (for himself and Mr. STUPAK):

H.R. 6158. A bill to amend the Interstate Horseracing Act of 1978 to require, as a condition to the consent for off-track wagering, that horsemen's groups and host racing commissions offer insurance coverage for professional jockeys and other horseracing personnel, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BARTLETT of Maryland (for himself and Mr. ABERCROMBIE):

H. Con. Res. 477. Concurrent resolution expressing the sense of the Congress that the States should enact joint custody laws for fit parents, so that more children are raised with the benefits of having a father and a mother in their lives; to the Committee on the Judiciary.

By Mrs. LOWEY (for herself, Ms. DELAURO, Ms. JACKSON-LEE of Texas, Mr. RUSH, Ms. ZOE LOFGREN of California, Mr. KILDEE, Mr. HOLT, Ms. BORDALLO, Mr. ETHERIDGE, Mrs. CUBIN, Mr. FILNER, Mrs. MCCARTHY, Mr. HINCHEY, Mrs. CHRISTENSEN, Mr. LYNCH, Mr. GORDON, Mr. BRADLEY of New Hampshire, Mr. PAYNE, Mr. VAN HOLLEN, Mr. BROWN of Ohio, Mr. LANGEVIN, Mr. PICKERING, Mr. MCNULTY, Mr. WATT, Mr. SIMMONS, Mr. BISHOP of New York, and Mrs. CAPITO):

H. Con. Res. 478. Concurrent resolution supporting the goals and ideals of "Lights On Afterschool!", a national celebration of after-school programs; to the Committee on Education and the Workforce.

By Mr. HAYES:

H. Res. 1029. A resolution honoring the 125th anniversary of the founding of the town of Norwood, North Carolina; to the Committee on Government Reform.

By Mr. JONES of North Carolina:

H. Res. 1030. A resolution expressing the sense of the House of Representatives that the United States Border Patrol is performing an invaluable service to the United States, and that the House of Representatives fully supports the more than 12,000 Border Patrol agents; to the Committee on Homeland Security.

By Mr. FOSSELLA (for himself, Mr. CROWLEY, Mr. ENGEL, Mr. MCHUGH, Mr. TOWNS, Mr. ACKERMAN, Mr. BASS, Ms. GINNY BROWN-WAITE of Florida, Mr. SIMPSON, Mr. KUHL of New York, Mr. HIGGINS, Mr. BOEHLERT, Mr. SWEENEY, Mr. KING of New York, Mrs. MALONEY, Mr. ROGERS of Michigan, Mr. LAHOOD, Mr. MACK, Mr. SHAYS, Mr. WALSH, Mr. HINCHEY, Mr. PORTER, Mr. REYNOLDS, Mr. RUSH, Mr. SHUSTER, Mr. CASTLE, Mr. WELDON of Pennsylvania, Mr. FRANKS of Arizona, Mr. HUNTER, Mr. JENKINS, Mr. DOOLITTLE, Mr. BONILLA, Mr. ENGLISH of Pennsylvania, Mr. RENZI, Mr. TERRY, Mr. ISSA, Mrs. KELLY, Mr.

WAMP, Mr. RYAN of Ohio, Mr. BRADY of Texas, Mr. MCNULTY, Mr. SCHWARZ of Michigan, Mrs. BLACKBURN, Ms. BORDALLO, Mr. DEAL of Georgia, Mr. SULLIVAN, Mr. PICKERING, Mr. BARTON of Texas, Mr. KINGSTON, Mr. SHIMKUS, Mr. MCHENRY, Mr. BISHOP of New York, and Mr. GRIJALVA):

H. Res. 1031. A resolution requesting the Department of Health and Human Services to develop a plan for a comprehensive and permanent program to medically monitor individuals who were exposed to the toxins of 9/11 Ground Zero in New York City and to provide medical treatment for all such individuals who are sick as a result of exposure to the toxins; to the Committee on Energy and Commerce.

By Mr. FOSSELLA (for himself, Mrs. MALONEY, Mrs. MCCARTHY, Mr. TOWNS, Mrs. KELLY, Mr. OWENS, Mr. CROWLEY, Mr. ENGEL, Mr. SERRANO, and Mr. MCCOTTER):

H. Res. 1032. A resolution honoring New York State Senator John Marchi; to the Committee on Government Reform.

By Mr. GRAVES:

H. Res. 1033. A resolution condemning Venezuelan President Hugo Chavez for his anti-American remarks at the September 20, 2006, United Nations General Assembly meeting; to the Committee on International Relations.

By Mr. JINDAL:

H. Res. 1034. A resolution honoring the life of Sister Leonella Sgorbati; to the Committee on International Relations.

By Mr. MEEKS of New York:

H. Res. 1035. A resolution congratulating Commissioner Paul Tagliabue on his retirement from the National Football League; to the Committee on Government Reform.

By Mr. SALAZAR:

H. Res. 1036. A resolution demanding the return of the U.S.S. Pueblo to the United States Navy from North Korea; to the Committee on International Relations.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 147: Mr. FERGUSON.
H.R. 517: Mr. STARK, Mr. MCINTYRE and Mr. BACHUS.
H.R. 550: Mr. POMEROY.
H.R. 583: Mr. LARSON of Connecticut.
H.R. 602: Mr. MCNULTY and Ms. ESHOO.
H.R. 668: Mr. HINCHEY and Mr. WEXLER.
H.R. 676: Ms. MOORE of Wisconsin.
H.R. 699: Mr. BOUCHER.
H.R. 791: Mr. MURTHA.
H.R. 817: Mr. BISHOP of Utah.
H.R. 864: Mr. CUMMINGS and Mr. ETHERIDGE.
H.R. 910: Mr. ALLEN, Mr. MATHESON, and Mr. MEEHAN.
H.R. 1000: Mr. RANGEL.
H.R. 1059: Mr. SIMMONS.
H.R. 1405: Mr. WEXLER.
H.R. 1443: Mr. MATHESON.
H.R. 1507: Ms. KAPTUR.
H.R. 1578: Mr. BILBRAY.
H.R. 1634: Mr. FEENEY, Mr. BOREN, and Mr. WEINER.
H.R. 1649: Mr. STARK.
H.R. 1902: Mr. PAYNE and Mr. KUCINICH.
H.R. 1951: Mr. SOUDER.
H.R. 1957: Mr. YOUNG of Alaska.
H.R. 2014: Ms. HOOLEY, Mr. FRANK of Massachusetts, and Mr. LARSON of Connecticut.
H.R. 2088: Mr. KLINE.
H.R. 2184: Ms. MCCOLLUM of Minnesota and Mr. MCDERMOTT.
H.R. 2421: Mr. TAYLOR of Mississippi, Ms. MATSUI, Mr. WAXMAN, Mr. SALAZAR, Ms.

BALDWIN, Mr. GRAVES, Mr. MATHESON, Mrs. JO ANN DAVIS of Virginia, and Mr. JOHNSON of Illinois.

H.R. 2662: Mr. DAVIS of Illinois.

H.R. 2841: Mr. BECERRA and Mr. WELDON of Pennsylvania.

H.R. 2923: Mr. DOGGETT, Mr. EVANS, Mr. FILNER, and Mr. SOUDER.

H.R. 3006: Mr. EVANS.

H.R. 3019: Mr. FORD.

H.R. 3183: Mr. PASTOR and Mr. GRIJALVA.

H.R. 3307: Mr. SMITH of New Jersey.

H.R. 3326: Mr. DELAHUNT.

H.R. 3352: Mr. BACHUS.

H.R. 3509: Mr. LAHOOD.

H.R. 3559: Mr. GOODLATTE and Ms. GRANGER.

H.R. 3576: Mr. FILNER.

H.R. 3605: Ms. WATSON, Mr. HASTINGS of Florida, and Mr. FILNER.

H.R. 3628: Mr. RUSH.

H.R. 3795: Mr. BRADLEY of New Hampshire.

H.R. 3883: Mr. ISSA.

H.R. 3931: Ms. SCHWARTZ of Pennsylvania.

H.R. 3948: Ms. GINNY BROWN-WAITE of Florida.

H.R. 4033: Mr. BRADLEY of New Hampshire.

H.R. 4042: Mr. MARCHANT.

H.R. 4063: Mr. CAPUANO.

H.R. 4098: Mr. PASCARELL.

H.R. 4198: Mr. WEXLER.

H.R. 4277: Mr. MCCOTTER.

H.R. 4452: Ms. SOLIS.

H.R. 4547: Mr. SHIMKUS.

H.R. 4560: Mr. FORTENBERRY and Mr. DELAHUNT.

H.R. 4720: Mr. THOMAS.

H.R. 4740: Mr. STRICKLAND and Mr. FITZPATRICK of Pennsylvania.

H.R. 4746: Mr. HAYES.

H.R. 4751: Mr. ROGERS of Kentucky and Mr. ABERCROMBIE.

H.R. 4771: Mr. STARK.

H.R. 4794: Mr. WEXLER.

H.R. 4824: Mr. WELDON of Pennsylvania.

H.R. 4830: Mrs. BIGGERT.

H.R. 4910: Mr. PICKERING.

H.R. 4924: Mr. FILNER.

H.R. 4927: Mr. MCCRERY and Mr. LATHAM.

H.R. 5005: Mr. BOUSTANY and Mr. KENNEDY of Minnesota.

H.R. 5014: Mr. KIND, Mr. DOGGETT, and Mr. GENE GREEN of Texas.

H.R. 5022: Mr. PRICE of North Carolina.

H.R. 5088: Mr. CONYERS, Ms. LEE, and Mr. GEORGE MILLER of California.

H.R. 5131: Mr. HINOJOSA, Mr. GRIJALVA, Ms. LEE, Mr. RANGEL, Mr. PALLONE, Mr. REYES, Mr. ROTHMAN, Ms. ZOE LOFGREN of California, Mr. ANDREWS, Mr. FILNER, Mr. MORAN of Virginia, Mrs. DAVIS of California, Mr. AL GREEN of Texas, Mr. LANGEVIN, Ms. WOOLSEY, Mr. FARR, Mr. WAXMAN, Ms. SCHAKOWSKY, Ms. LINDA T. SANCHEZ of California, Mr. GONZALEZ, Mrs. CAPPS, Mr. WU, Mr. PRICE of North Carolina, Mr. MCGOVERN, Mr. UDALL of Colorado, Mr. GEORGE MILLER of California, Mrs. NAPOLITANO, Ms. BERKLEY, Mr. MEEHAN, Mr. DAVIS of Florida, Mr. NADLER, Mr. WEINER, Ms. VELÁZQUEZ, Mr. ALLEN, and Mr. SCHIFF.

H.R. 5134: Mr. STARK.

H.R. 5139: Mr. DENT and Mr. OSBORNE.

H.R. 5147: Mr. WEXLER.

H.R. 5179: Mr. PORTER.

H.R. 5206: Mr. SHAYS and Ms. HARRIS.

H.R. 5348: Mr. OBERSTAR.

H.R. 5470: Mr. HEFLEY.

H.R. 5472: Mr. RAMSTAD, Mr. BOSWELL, Mrs. DAVIS of California, Mr. MEEHAN, Mrs. MALONEY, Mr. BOEHLERT, Mr. LATHAM, Mr. RYAN of Wisconsin, Mr. COSTELLO, Mr. FITZPATRICK of Pennsylvania, Ms. MOORE of Wisconsin, Ms. KAPTUR, Mrs. MCCARTHY, Ms. VELÁZQUEZ, Ms. MILLENDER-MCDONALD, Mr. SCHIFF, Mr. LOBIONDO, Ms. HERSETH, Mr. WELDON of Pennsylvania, Mr. ORTIZ, and Mr. MATHESON.

H.R. 5478: Mr. GOODLATTE.
 H.R. 5496: Mr. PASCRELL.
 H.R. 5558: Mr. UPTON and Mr. DOOLITTLE.
 H.R. 5590: Mr. CULBERSON and Mr. GARY G. MILLER of California.
 H.R. 5677: Mr. WOLF.
 H.R. 5704: Mr. SHAW, Mr. NEUGEBAUER, Mr. MCINTYRE, and Mr. HAYES.
 H.R. 5738: Mrs. JO ANN DAVIS of Virginia.
 H.R. 5740: Mr. MARIO DIAZ-BALART of Florida.
 H.R. 5755: Mr. DEFAZIO and Mrs. JO ANN DAVIS of Virginia.
 H.R. 5770: Mr. LEWIS of Georgia.
 H.R. 5771: Mr. MATHESON, Mr. PALLONE, and Mr. NUSSLE.
 H.R. 5784: Mr. WATT.
 H.R. 5806: Mr. BUTTERFIELD, Mr. WYNN, Mr. DINGELL, and Mr. CONYERS.
 H.R. 5834: Mr. CAPUANO.
 H.R. 5862: Mr. PICKERING.
 H.R. 5864: Mr. GUTKNECHT.
 H.R. 5866: Mr. GOODE and Mr. MCCOTTER.
 H.R. 5888: Mrs. JO ANN DAVIS of Virginia.
 H.R. 5900: Mrs. JOHNSON of Connecticut, Mr. EHLERS, and Mr. DOGGETT.
 H.R. 5909: Mr. ROTHMAN, Mr. STARK, Mr. WELDON of Pennsylvania, Ms. BORDALLO, Mr. MORAN of Virginia, Mr. GEORGE MILLER of California, and Mr. PETERSON of Minnesota.
 H.R. 5916: Mr. MCINTYRE.
 H.R. 5920: Mr. SOUDER and Mr. HEFLEY.
 H.R. 5929: Mr. JOHNSON of Illinois and Mr. SHIMKUS.
 H.R. 5945: Mr. CONYERS and Mr. McDERMOTT.
 H.R. 5951: Mr. CONYERS.
 H.R. 5954: Mr. BARTLETT of Maryland.
 H.R. 5965: Mr. CROWLEY, Mr. BERRY, and Mr. PETERSON of Minnesota.
 H.R. 5977: Mr. GOODE.
 H.R. 5986: Mr. CULBERSON.
 H.R. 6030: Mr. LAHOOD, Mr. MOLLOHAN, Mr. CONAWAY, Mr. KING of Iowa, Mrs. WILSON of New Mexico, Mr. DAVIS of Alabama, Mr. SPRATT, and Mr. BOSWELL.
 H.R. 6036: Mr. MCINTYRE.
 H.R. 6038: Mr. PAYNE, Mr. DAVIS of Illinois, and Mr. RANGEL.
 H.R. 6047: Mr. REYES.
 H.R. 6053: Mr. NEUGEBAUER and Mr. KENNEDY of Minnesota.
 H.R. 6064: Mr. PAYNE.
 H.R. 6066: Ms. ROS-LEHTINEN.
 H.R. 6079: Mr. GARRETT of New Jersey and Mr. FRANK of Massachusetts.
 H.R. 6080: Mr. BISHOP of Utah.
 H.R. 6082: Mr. PRICE of North Carolina.
 H.R. 6083: Mr. SERRANO, Ms. WOOLSEY, and Mr. TOWNS.

H.R. 6092: Mr. GOHMERT.
 H.R. 6093: Mr. ABERCROMBIE.
 H.R. 6094: Mr. SOUDER, Mr. ROYCE, Mr. GARY G. MILLER of California, Ms. FOXX, Mr. ISSA, Mr. DAVIS of Kentucky, Mrs. MUSGRAVE, Mr. HOSTETTLER, Mr. SESSIONS, Mr. MARCHANT, Mrs. DRAKE, Mr. MCCOTTER, Mr. SMITH of Texas, and Mr. KING of Iowa.
 H.R. 6095: Mr. SOUDER, Mr. ROYCE, Mr. GARY G. MILLER of California, Ms. FOXX, Mr. ISSA, Mr. DAVIS of Kentucky, Mrs. MUSGRAVE, Mr. HOSTETTLER, Mr. SESSIONS, Mr. MARCHANT, Mrs. DRAKE, Mr. MCCOTTER, Mr. SMITH of Texas, and Mr. KING of Iowa.
 H.R. 6097: Mr. MCINTYRE.
 H.R. 6099: Mr. SESSIONS, Mr. FORBES, Mrs. MCMORRIS RODGERS, Mr. PETERSON of Minnesota, Mr. BARRETT of South Carolina, Mr. BRADY of Texas, Mr. GINGREY, Mr. GUTKNECHT, Ms. HART, Mr. MARCHANT, Mr. PEARCE, Mr. ROHRBACHER, Mr. SODREL, Mr. WAMP, Mr. WELDON of Florida, Mr. SHIMKUS, Mr. ENGLISH of Pennsylvania, Mr. MOLLOHAN, and Mr. INGLIS of South Carolina.
 H.R. 6109: Mr. YOUNG of Alaska, Mr. ENGLISH of Pennsylvania, and Ms. GINNY BROWN-WAITE of Florida.
 H.R. 6118: Mr. BARTLETT of Maryland.
 H.R. 6124: Mr. ENGEL and Mrs. MCCARTHY.
 H. Con. Res. 197: Mr. SIMMONS.
 H. Con. Res. 222: Mr. HERGER, Mr. PORTER, Mr. BONILLA, Mr. CHABOT, Mr. BILBRAY, Mr. SIMPSON, Mr. MCCOTTER, Mr. PAUL, Mr. GRIJALVA, Mr. NUSSLE, and Mr. GINGREY.
 H. Con. Res. 348: Mr. MCGOVERN.
 H. Con. Res. 404: Mrs. JONES of Ohio and Mrs. DAVIS of California.
 H. Con. Res. 424: Mrs. SCHMIDT, Mr. NUSSLE, and Mr. NEUGEBAUER.
 H. Con. Res. 425: Ms. LINDA T. SÁNCHEZ of California.
 H. Con. Res. 453: Mr. GRIJALVA, Mr. STARK, Mr. MEEHAN, and Mr. CONYERS.
 H. Con. Res. 457: Mr. MURTHA.
 H. Con. Res. 465: Ms. BALDWIN.
 H. Con. Res. 470: Mr. OLVER, Ms. MCCOLLUM of Minnesota, and Ms. WATSON.
 H. Con. Res. 473: Ms. WOOLSEY, Mr. KING of Iowa, Mr. KNOLLENBERG, Mr. FITZPATRICK of Pennsylvania, Mr. WOLF, Mr. FRANK of Massachusetts, Ms. BALDWIN, and Mr. DENT.
 H. Con. Res. 476: Mr. BROWN of Ohio, Ms. CARSON, Mr. CUELLAR, Mr. DAVIS of Florida, Mr. EMANUEL, Mr. FITZPATRICK of Pennsylvania, Mr. JEFFERSON, Mrs. JONES of Ohio, Ms. KAPTUR, Mrs. KELLY, Mr. MOORE of Kansas, Mr. REICHERT, and Mr. SCOTT of Georgia.
 H. Res. 222: Ms. HERSETH.
 H. Res. 496: Mr. MCGOVERN, Mr. JEFFERSON, Mr. HOLT, and Mr. RUSH.

H. Res. 745: Mr. SANDERS and Ms. GRANGER.
 H. Res. 863: Mr. PAYNE, Mr. RUPPERSBERGER, Mr. RUSH, Mr. MICHAUD, and Mr. DAVIS of Illinois.
 H. Res. 888: Ms. CARSON and Mr. MEEHAN.
 H. Res. 944: Mr. BERMAN, Mr. ENGLISH of Pennsylvania, and Mrs. JONES of Ohio.
 H. Res. 962: Mr. ENGLISH of Pennsylvania and Mr. JOHNSON of Illinois.
 H. Res. 969: Mr. SHAYS.
 H. Res. 973: Mr. REICHERT.
 H. Res. 989: Mr. PETRI.
 H. Res. 990: Mr. KUCINICH, Ms. JACKSON-LEE of Texas, and Ms. McKinney.
 H. Res. 991: Ms. NORTON, Mr. CANNON, Mr. PLATTS, Mrs. SCHMIDT, Mr. CUMMINGS, Mr. MICA, Mr. MCHENRY, Ms. WATSON, Mr. HIGGINS, Mr. OWENS, Mr. MARCHANT, Mr. BOUSTANY, Mr. CASTLE, Mr. VAN HOLLEN, Ms. ROS-LEHTINEN, Mr. MCHUGH, Mr. DUNCAN, Mr. DENT, Mrs. JO ANN DAVIS of Virginia, Mr. PORTER, and Mr. HAYWORTH.
 H. Res. 1009: Mrs. BIGGERT, Mr. OSBORNE, Mr. OWENS, and Mr. HINOJOSA.
 H. Res. 1014: Mr. KINGSTON.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 65: Mr. SIMMONS and Mr. FARR.
 H.R. 2048: Mr. ROTHMAN.

DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Member added his name to the following discharge petition:

Petition 3 by Mr. EDWARDS on House Resolution 271: Marion Berry.

Petition 12 by Mr. MARKEY on H.R. 4263: Barbara Lee.

Petition 14 by Mr. FILNER on House Resolution 917: Eddie Bernice Johnson, Barney Frank, Anna G. Eshoo, Susan A. Davis, Michael F. Doyle, Lynn S. Woolsey, Julia Carson, Barbara Lee, Doris O. Matsui, Sheila Jackson-Lee, Bart Gordon, Stephen F. Lynch, Betty McCollum, Mark Udall, and John F. Tierney.