

number of agents from 11,000 to 26,000. With more than 8,000 miles of land and coastal borders to patrol continuously, it is evident that this increase is desperately needed, particularly if they are to be able to respond in sufficient numbers when heavily armed smugglers are encountered. H.R. 4044 also has provisions for body armor, special weapons, and night vision equipment.

H.R. 4044 is strongly endorsed by the National Border Patrol Council and the National Homeland Security Council, organizations that represent the front-line employees who enforce our immigration and customs laws.

I have said often that a piecemeal approach to immigration reform will not work. We need comprehensive immigration reform that will fix our broken immigration system, such as would be provided by my Save America Comprehensive Immigration Act, H.R. 2092. But even a good immigration system will not stop drug smugglers from crossing our borders illegally. For that, we need a Border Patrol with enough agents to patrol the entire border effectively, and they have to have the weapons and other equipment that is necessary for confrontations with heavily armed drug smugglers and the other dangerous criminals who cross the border illegally.

Nevertheless, the More Border Patrol Agents Now Act is a step in the right direction. I urge you to vote for it.

Mr. ROGERS of Alabama. Mr. Speaker, I would like to close by once again thanking Ranking Member MEEK for his support and hard work; and I urge my colleagues to vote "aye" on H.R. 6160.

Mr. ISSA. Mr. Speaker, I rise today in support of H.R. 6160, the More Border Patrol Agents Now Act of 2006.

This legislation takes an important step toward making our borders more secure and our country safer. More agents along our Nation's borders will lead to better enforcement of our immigration laws. The President's commitment of 6,000 more Border Patrol agents in the next two years is a good start to enhancing border security, but if these agents cannot be easily hired, or if current Border Patrol agents are lost to other employment, this enhanced security cannot be maintained.

Personnel concerns should not be a factor limiting the effectiveness of the Border Patrol.

H.R. 6160 addresses some of these concerns. By streamlining the hiring process and offering recruitment and retention bonuses, H.R. 6160 takes steps to ensure that the Border Patrol will be an effective first line of defense at our borders.

Numerous times, I have met with Border Patrol agents in and around my district in Southern California. On several occasions, the issue of the age limit for new hires has been brought up. Currently, the Border Patrol is covered under law enforcement retirement provisions, meaning new hires must be under the age of 40, unless they presently serve or have previously served in a position covered by federal civilian law enforcement retirement. This precludes retired members of our armed forces from employment by the Border Patrol if they are 40 years of age or older. Because of this arbitrary provision, the Border Patrol is unable to hire extremely qualified individuals, many of whom would need little further training to be effective Border Patrol agents. It is my hope that Congress will address the age

limit issue so even more qualified agents can be hired.

I want to thank Mr. ROGERS for his leadership on this issue. I would also like to thank Chairmen KING and DAVIS and both the Homeland Security and Government Reform Committees for responding to the needs of the Border Patrol Agency so it can better secure our Nation's borders.

Mr. THOMPSON of Mississippi. Mr. Speaker, the Administration requested that the Border Patrol increase its ranks by 6,000 more agents by 2008. This Congress has failed to act to meet this goal.

This bill is a good start towards ensuring we at least provide better salaries to the Border Patrol agents we already have.

But this bill only addresses part of the border security equation. It fails to address the other half—Customs and Border Protection Officers.

Mr. Speaker, we have heard that the Border Patrol and the Customs and Border Protection Officer Corps both face recruitment and retention problems.

As we know, the Border Patrol agents guard our borders, which is a tough job. But this bill overlooks the demanding and dangerous job that Customs and Border Protection Officers perform when they inspect cargo and people entering the United States at the various Ports of Entry. Both of these jobs are an important part of efforts to protect our borders, and the people doing these jobs should be justly compensated.

The only way we can address these employment issues is by exploring all options available to this Congress and the Department through the legislative and oversight process, not simply relying on an election year gimmick of passing a bill that will not likely be acted on by the Senate nor enacted into law.

A meaningful full-step forward would be having a hearing on this bill and requesting all of the stakeholders to come and testify before our Committee on how to address the employment problems in the Customs and Border Protection Directorate.

Mr. Speaker, I will support this bill because I know this is a good step towards fully securing our country. But, we will only be making real progress when we hire enough Border Patrol agents and Customs and Border Protection Officers and make sure both these groups are better paid and equipped.

Mr. WAXMAN. Mr. Speaker, border security is an issue of great concern to all Americans. It deserves serious deliberation and congressional consideration. Unfortunately, the bill before us now, H.R. 6160, the More Border Patrol Agents Now Act, was introduced yesterday and is being considered on the floor today without benefit of committee action by either the Homeland Security or Government Reform Committee.

H.R. 6160 would grant the Department of Homeland Security the ability to award Border Patrol agents lump-sum recruitment and retention bonuses of up to 25 percent of annual pay. It would also allow the Department to re-hire retirees. The Department can already do this under current Governmentwide authorities as long as it works with the Office of Personnel Management, OPM, the agency which best understands hiring needs.

Giving the Department this direct authority to circumvent OPM may or may not be a good idea. Appropriate action by the committees of

jurisdiction would have allowed us to determine whether or not this independent authority is needed.

In short, we should not view this bill as a magic bullet to cure the ills of the Border Patrol. The Director of the OPM already has the authority to authorize the head of an agency to pay these bonuses. So the only real effect of this measure will be to cut the Federal agency with the most expertise in Federal personnel issues out of the decisionmaking process with regard to the Border Patrol.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alabama (Mr. ROGERS) that the House suspend the rules and pass the bill, H.R. 6160.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

EXPRESSING THE SENSE OF THE HOUSE THAT THE BORDER PATROL IS PERFORMING AN INVALUABLE SERVICE

Mr. ROGERS of Alabama. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1030) 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.

The Clerk read as follows:

H. RES. 1030

Whereas Border Patrol agents are a highly trained and qualified group of men and women;

Whereas Border Patrol agents protect the United States from an influx of illegal immigration, illicit drugs, counterfeit goods, and terrorists;

Whereas Border Patrol agents protect our borders in some of the most remote and dangerous areas of the country; and

Whereas Border Patrol agents continue to perform their duties under tough circumstances: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that the men and women of the United States Border Patrol should be supported for their dedication to the United States and to their mission to secure our borders.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alabama (Mr. ROGERS) and the gentlewoman from California (Ms. LORETTA SANCHEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Alabama.

GENERAL LEAVE

Mr. ROGERS of Alabama. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and insert extraneous material on the bill.

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

There was no objection.

Mr. ROGERS of Alabama. Mr. Speaker, as a strong supporter of this resolution, I further ask unanimous consent that the sponsor of this legislation, the gentleman from North Carolina (Mr. JONES), be allowed to control the time in support of H. Res. 1030.

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

There was no objection.

Mr. JONES of North Carolina. Mr. Speaker, I thank the gentleman from Alabama and because the resolution is short, I would like to read the remainder of the resolution and then make my comments and yield time to those who would like to speak.

To continue as the Reading Clerk read:

“Whereas Border Patrol agents are a highly trained and qualified group of men and women;

“Whereas Border Patrol agents protect the United States from an influx of illegal immigration, illicit drugs, counterfeit goods, and terrorists;

“Whereas Border Patrol agents protect our borders in some of the most remote and dangerous areas of the country; and

“Whereas Border Patrol agents continue to perform their duties under tough circumstances: Now, therefore, be it

“Resolved, that it is the sense of the House of Representatives that the men and women of the United States Border Patrol should be supported for their dedication to the United States and to their mission to secure our borders.”

Mr. Speaker, the reason I wanted to come forward with this resolution, and I know that certainly Ms. SHEILA JACKSON-LEE from Texas and others in the other party as well as my own party, we have been very concerned about two Border Patrol agents, Mr. Ramos and also Mr. Compean, two Border Patrol agents that joined their colleagues, over 12,000 Border Patrol agents, who I think, in my humble opinion, have a very, very difficult job. I would compare their job, quite frankly, to our men and women in uniform overseas in Afghanistan and Iraq, because they are trying to protect the borders of those citizens of Iraq and Afghanistan and we are trying to protect the borders of the American citizen.

Mr. Compean and Mr. Ramos I have had the opportunity to talk with by telephone, and I talked to their attorneys. These men were doing their job to protect the American citizen in Texas. And a drug smuggler from Mexico was trying to flee the United States, and in his van he had over 700 pounds of marijuana. These men stopped him. There was a confrontation that took place. The drug smuggler started across the border. There were shots fired, and he was hit in the buttocks as he was trying to cross the border.

Since that time, Mr. Speaker, these two men have been found guilty in a

court of law. They have the possibility of spending 20 years in a Federal pen.

I hate to say this, but the U.S. Attorney gave immunity to the drug smuggler, who still had indictments over his head here in this country. He was given immunity; and these two men, who have families, are now financially broke from trying to defend their honor and the fact that they did their job for the Border Patrol.

I felt that it was important tonight, and I know my colleagues do, which some will be speaking later, that so many times there are law enforcement all over this Nation as well as our men and women in uniform that do a very, very invaluable job for this country. They ask nothing but to be respected for the tough job that they do. Whether it is the military or the Border Patrol or law enforcement, the pay never meets the requirements that we ask of those individuals; and tonight I felt that it was important to put this resolution in.

This resolution will not have to go to the Senate, by the way. This will be a resolution of the Members of the House of Representatives that are not speaking to the charges and the penalty of Compean and Ramos, but we will be saying to the Border Patrol of this country you are appreciated by the House of Representatives. We know you have a very difficult and tough job.

Because, Mr. Speaker, we are not only talking about people who come to this country illegally, between 8,000 and 10,000 every week that come across the border illegally. We are talking about the possibility of terrorists. I have said many times on the floor of this House that I am more concerned about terrorism coming from Central and South America than I am coming from Iraq and Afghanistan, quite frankly. And these are the men and women who are in the remote areas of America trying to defend the borders to protect the American citizen.

So I am pleased tonight to say that we will have a chance tonight, or tomorrow, I guess, to vote on this resolution to say to those in the United States Border Patrol, we appreciate you. You are doing a very valuable job, a very important job for this country.

I live in North Carolina. I do not have Border Patrol in my State, but I do appreciate those that are on the border in the Southwest and other parts of the United States.

So, with that, Mr. Speaker, I reserve the balance of my time.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of House Resolution 1030, legislation honoring the United States Border Patrol. Without a doubt, the United States Border Patrol provides a critical service to this Nation. We rely on them to be highly trained, to be very qualified, to carry out the challenging and important job of securing our Nation's borders. And not just at the Southern border, like what we have in California.

But I was recently at a hearing that we had up in Seattle to talk about the issues going on at our northern border; and, of course, our Border Patrol was there. And the issues that they have, the things that they confront are vast, and it is such a difficult, difficult job to do.

So we really do want to honor and let them know, as the House of Representatives, that we understand that their jobs are done in difficult conditions, in the desert, forest, and with professionalism and with unfailing dedication.

So I support the work that the United States Border Patrol is doing. And for that reason I think that we should not only honor them with words but also provide our Border Patrol agents with the resources that they need to do their job.

As I said, when I was up in Seattle, one of the things we kept hearing over and over from the Border Patrol is that they need more resources. They need more people at the borders. They need more technology at the borders.

In the 9/11 Act, Congress promised to increase the numbers of Border Patrol agents, of immigration agents and of the detention beds that we need when we get these people who are coming without the right documents and that we would also provide state-of-the-art technology to help the Border Patrol actually secure the borders. But, unfortunately, time after time after time in this House, that has been voted down. We have not lived up to the promise, and the Border Patrol remains understaffed and without access to necessary space and equipment that they need.

So I expect that this House Resolution 1030 will receive broad bipartisan support. I can't imagine too many people who would vote against it, and I am looking forward to working with my colleagues who cast this vote to actually fulfill the promise of this vote, and that would be to give the much-needed resources to the United States Border Patrol.

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

Mr. JONES of North Carolina. Mr. Speaker, I would like to yield 3 minutes to the gentleman from California (Mr. ROHRBACHER).

Mr. ROHRBACHER. Mr. Speaker, I rise in support of House Resolution 1030.

Let me just note that platitudes are not enough. When it really counts, the Border Patrol does need our support, and that includes building a fence, which some people who perhaps would be happy to sing the praises of the Border Patrol are not willing to help them with something that they consider to be essential to securing their job.

Tonight, we are commending the service of 12,000 men and women of the U.S. Border Patrol. They are, in fact, performing an invaluable service on our border, putting their lives on the line daily to protect us, all of us.

□ 1930

They are protecting us from the effects of illegal immigration which are being felt in my State dramatically. They are protecting us from drug smugglers, human traffickers, and, yes, terrorists.

Yet, as we declare our support today for these brave people who have been protecting us, we should note that this administration, that this administration's U.S. Attorney's Office has targeted two U.S. Border Patrol agents, Ignacio Ramos and Jose Compean.

The U.S. Attorney's Office has destroyed their careers and destroyed their lives and thrown their families into turmoil. This administration, which has a questionable record on border security, has decided to throw the book at these two agents seeking the harshest possible punishment. What for? For procedural violations that should have only resulted in a reprimand and this now has been turned into felonies by the U.S. Attorney's Office.

To say that Ramos and Compean have been treated unjustly and unfairly is an understatement. Adding insult to injury, the U.S. Attorney's Office has granted immunity to the Mexican drug dealer, the smuggler who these two officers intercepted. This criminal alien was caught with 743 pounds of marijuana, and the U.S. Attorney's Office has treated this criminal as if he were a victim.

At the same time, the book was thrown at our border patrol agents. I will submit for the RECORD, Mr. Speaker, my letter to the Attorney General regarding this outrageous case. The brutal treatment of the two border guards has demoralized our Border Patrol agents. I hope as we sing our praises today, that we understand that we are, yes, grateful to all of these people who protect us at the border, including the two Border Patrol agents that are now under attack.

In the meantime, let the case of Border Patrol agents Ramos and Compean be revisited and the outrageous criminal charges against them dropped.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
September 21, 2006.

Hon. ALBERTO R. GONZALES,
Attorney General of the United States,
Washington, DC.

DEAR MR. ATTORNEY GENERAL: I am writing today to ask you to personally intervene in the prosecution of U.S. Border Patrol Agents Compean and Ramos. This proceeding has garnered national attention calling into question the Administration's commitment to secure our borders and demoralizing the frontline men and women of the U.S. Border Patrol.

I have examined the statement by U.S. Attorney Johnny Sutton regarding the conviction of Border Patrol agents Compean and Ramos. It is disturbing to see that the limited resources available for investigation and prosecution were directed not at drug smugglers, but rather aimed at two veteran border patrol agents. These agents, who have risked their lives guarding our borders, did not follow the prescribed procedure con-

cerning the discharge of their weapons. However, their lapse of compliance occurred during a tumultuous confrontation with an illegal immigrant, a criminal who was in the process of smuggling 743 pounds of illegal drugs into the United States. Subsequently, the agents did not fully report what had happened, which also violated standard operating procedures. Such violations certainly deserve a reprimand. Instead of a measured response, the U.S. Attorney has demanded the harshest possible punishment on two otherwise outstanding Border Patrol agents. There seems to be an uncompromising commitment to bring down these two border guards, while an illegal drug smuggler is being treated with great respect and elevated to the status of victim. If there ever was a classic example of distorted priorities, this is it.

As to the specifics of the case: The two border agents intercepted a suspicious vehicle. The driver fled on foot, running toward the border. Officer Compean, armed with a shotgun, cut off the drug smuggler. A witness heard someone yell "hit him, hit him" and then Compean shouted for the fleeing criminal to stop. Officer Compean could have shot him at close range. Instead, he refrained from deadly force by using the butt of his shotgun. A struggle ensued with Officer Compean ending up on the ground with dirt in his eyes, rendering the Officer vulnerable and at risk. Officer Ramos, seeing his partner laying bloodied on the ground, only then shot at the assailant as he ran toward the border. The fleeing criminal was wounded in the buttocks as he raced away from the altercation. After the incident the officers did not report the discharging of their weapons and failure to do so was a violation of standard operation procedures. Furthermore, they attempted to conceal this mistake, which dug them in even deeper.

Bad decisions or mistakes are never easy to acknowledge to superiors. The desire to cover up bad decisions is a human temptation and always makes an error even worse. Nevertheless, the Herculean prosecutorial effort and huge allocation of time and resources mobilized against Officers Compean and Ramos was not justified. Nor was the prosecution's demand for a sentence that could put these two officers in prison for 20 years. This action will destroy not only their careers, but the lives of two veteran patrol agents and their families. The statement made by U.S. Attorney Sutton is not persuasive enough to warrant the severity of the penalty being sought against Officers Compean and Ramos.

Did the two officers make a mistake? Yes. Did they violate procedures, not report those errors, and then obscure the facts? Yes. Does this case justify a severe reprimand, or perhaps a month-long suspension? Yes. Does it justify the egregious legal retaliation demanded by the U.S. Attorney? NO!

Common sense should guide authorities in such matters. Throw the book at criminals who threaten our families and society, not at public servants protecting us because they've made an error and not admitted it. Of course, had the fleeing drug dealer been an honest U.S. citizen peaceably surrendering to authorities, shooting him would then justify the severe punishment sought by the U.S. Attorney's Office. But that's not what happened!

The criminal was clearly not a benign individual who Border Patrol agents erroneously targeted. An honest citizen doesn't abandon his car, run for the border, and flee from a law enforcement officer. This was not an attack on an innocent victim. He was an illegal alien, a criminal involved in smuggling 743 pounds of illicit narcotics into our country that could have ended up in the hands of our children.

The border patrol agents are heroes, good guys who protect us. In this one case they did not follow the prescribed procedures when they discharged their weapons and then tried to conceal their error. So, let these two public servants who risk their lives to protect us, be properly disciplined, not destroyed.

The American people see this case as an illustration of the Administration's inexplicable support of illegal immigration. Please demonstrate this is not true by personally intervening in this case. The sentencing of Agents Compean and Ramos should be postponed so there can be a more thorough investigation of the facts and a more rational, balanced and just response from the U.S. Attorney's Office.

Sincerely,

DANA ROHRBACHER,
Member of Congress.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the distinguished member of our committee, the gentlewoman from California, and we acknowledge her ongoing leadership on these issues, certainly Mr. SOUDER for his leadership, and my good friend, Mr. JONES from North Carolina.

We have had a common discussion on those very important issues. Let me applaud you for bringing this resolution to the floor of the House which gives us an opportunity to affirm our commitment and appreciation for the Border Patrol agents that serve America's front lines.

Let me share with you the good work, impressive work that our Border Patrol agents have been involved in. First of all, they have patrolled our borders since 1924. They are, in fact, the Nation's front liners.

For example, in fiscal year 2005, Border Patrol agents made almost 1.2 million arrests of people for illegally entering the country. They seized more than 12,300 pounds of cocaine, more than 1.2 million pounds of marijuana. The total street value of drugs interdicted in fiscal year 2005 was more than \$1.4 billion.

We are long overdue in affirming and applauding the Border Patrol agents of America, both on the northern and southern border. The Border Patrol also is charged with the responsibility of preventing terrorists and terrorists' weapons, including weapons of mass destruction, from entering the United States.

They are there day in and day out. They are there Sunday through Sunday, 7 days a week, year in and year out, holidays and nonholidays.

The Border Patrol agents are there when we are asleep, and they are there when we are awake. But of course in terms of responding to the concerns that they have, I would be remiss if I did not mention that we have legislation, H.R. 4044, to provide more equipment, 15,000 Border Patrol agents over the next 5 years, increasing the number of agents from 11,000 to 26,000.

With more than 8,000 miles of land and coastal borders to patrol continuously, it is evident that an increase is

needed, but more importantly resources are needed and professionalism is needed.

Mr. Speaker, let me speak for a moment on professionalism. This tragedy that has occurred in Texas, my own State, cries out for relief. We are looking to address this question by getting the facts and moving, hopefully expeditiously, for hearings in this Congress.

Mr. JONES, I hope that you will encourage, as I am, the committees of jurisdiction to go ahead and hold hearings. Because what we are are fact finders. We do not misspeak, we hope. We do not pass myths and untruths, we hope. We tell the American people the truth, we hope.

I say that, because, of course, I have debated many bills on this floor where there is a great disagreement on the facts that are involved. And many of us have had our differences on the Iraq war and still believe in the misdirection of that issue.

But in this instance, I think we can find common ground that the men and women that are on the front lines, whether they are DEA, drug enforcement agents, FBI, whether they be ATF, whether they are U.S. marshals, deserve the opportunity to have their story fairly told.

And what I can glean from the facts of this case in Texas is there are questions about whether their facts have been told correctly and whether or not they have been told appropriately. So to the Border Patrol agents as we stand here and congratulate you, I know that you ask us whether there is a bite in our bark, whether or not as we stand here and affirm you, we promise that we will look into the issues of professionalism and your civil service status and your right to arbitration and your right to address your issues of workplace questions in an organized manner.

You are asking us whether we are going to provide you with the necessary new Border Patrol agents, whether or not we are going to give you the equipment that includes power boats and includes night goggles and computers and a number of other equipment, helicopters, that will give you what you need to have.

And then you ask the question, when you are in the line of duty, will we stand by you with the facts? Will we have the wherewithal to ensure that all of the facts are on the table, so that the miscarriage of justice, prosecution, ultimate incarceration, destruction of your family, does not occur on the clock of Members of the United States Congress?

So I rise to support this initiative of my friend, Mr. JONES from North Carolina, H. Res. 1030, and I enthusiastically affirm the invaluable service that the United States Border Patrol agents are performing for America as they stand in the way, in the bridge, if you will, on the northern and southern border. In the darkness of night, in the coldness of night, in the warmth of

night, in the rainiest of nights, and in the greatest disasters that may face us, Border Patrol agents are there to protect us.

I ask my colleagues to support this amendment, and I ask that we be able to address the questions that are being raised in Texas in fairness and opportunity for fairness.

I rise in support of House Resolution 1030, which would express the sense of the House of Representatives that the 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.

Border Patrol agents have patrolled our borders since 1924, and they have an impressive record of accomplishments. For instance, in FY 2005, Border Patrol Agents made almost 1.2 million arrests of people for illegally entering the country, and they seized more than 12,300 pounds of cocaine and more than 1.2 million pounds of marijuana. The total street value of drugs interdicted in FY 2005 was more than \$1.4 billion. The Border Patrol also is charged with the responsibility of preventing terrorists and terrorists weapons, including weapons of mass destruction, from entering the United States.

Although we should express our support for the Border Patrol, we also should provide the Border Patrol agents with the equipment and resources they need to secure the border. We need a Border Patrol with enough agents to patrol the entire border effectively, and they have to have the weapons and other equipment that is necessary for confrontations with heavily armed drug smugglers and the other dangerous criminals who cross the border illegally.

I have introduced a bill that would provide the Border Patrol with the equipment and resources they need, the Rapid Response Border Protection Act of 2005, H.R. 4044.

H.R. 4044 would add 15,000 Border Patrol agents over the next five years, increasing the number of agents from 11,000 to 26,000. With more than 8,000 miles of land and coastal borders to patrol continuously, it is evident that this increase is desperately needed, particularly if they are to be able to respond in sufficient numbers when heavily armed smugglers are encountered. H.R. 4044 also has provisions for body armor, special weapons, and night vision equipment.

H.R. 4044 is strongly endorsed by the National Border Patrol Council and the National Homeland Security Council, organizations that represent the front-line employees who enforce our immigration and customs laws.

Nevertheless, it also is important to express our support for the hard work and dedication of the men and women in the Border Patrol, and of course I further salute all of the men and women who provide service in the securing of our Homeland at the northern and southern borders and at our ports, ports of entry and coastlines. I ask my colleagues to vote for H. Res. 1030.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I reserve the balance of my time.

Mr. JONES of North Carolina. Mr. Speaker, I yield such time as he may consume to the gentleman from Indiana (Mr. SOUDER).

Mr. SOUDER. Mr. Speaker, I thank the gentleman from North Carolina for

yielding me time and thank him for this resolution.

Mr. Speaker, we also want to, in addition to the Border Patrol, praise all of the people in the Department of Homeland Security, in the Coast Guard, in ICE, and Customs and Border Protection at the points of entry.

For those who may not be completely familiar, the Border Patrol are the people who are in between the points of entry. Obviously, the men and women at the point of entry, the ICE agents internally, as they pursue the investigations which often cross into the zones of the Border Patrol, and at ports of entry, and the Coast Guard which are at water points of entry, are all working together in a seamless organization.

Unfortunately, the Border Patrol often gets the least attention of those different agencies. And this resolution correctly gives them some of the credit that they are due. Often they are not only in these very hot zones in the south, at times cold in the winter, and in the north, very cold; often we forget we have a northern Border Patrol as well. That is actually, not the numbers, but a bigger percent increase than the south. They are often also alone.

One of the reasons we need a fence and virtual fencing and other technological things to help our Border Patrol agents is often there is one there, or there may be four scattered over a mile and a half, and all of a sudden there is a group of seven SUVs coming at them, as we have had in Arizona, armed to the teeth. Even when we get a tip and put a Blackhawk in, you are looking at heavily armored vehicles coming at a few agents with no warning.

It may be a case of where you may have groups of 300 to 400 illegal immigrants coming at one or two or three or four agents. They have no idea whether they are armed or not armed. There are zones along the border where there is not as much pressure on illegal immigrants, but which are huge drug-trafficking areas, not only on the south border, but on the north border, along Blaine, Washington.

Going east from there is the trafficking of so-called BC Bud, this high-grade marijuana that is basically the same as cocaine. Arms trafficking going back into Canada. The largest export right now in British Columbia is not timber; it is not any other product other than marijuana.

And the reason cocaine and heroin and guns are going into BC where we now see violence breaking out, first RCMP officers killed in British Columbia, are going through those zones where the Border Patrol in the north border are trying to protect it. Often one or two agents with armed, heavily armed people coming at us.

And Neely's Crossing, just east of El Paso, where they have a bulldozer on the Mexican side. The drug lords have a bulldozer on their side. It is one of the only areas of the Rio Grande which

is basically spotty puddles of water in that zone, has a gravel base. And they push additional gravel in there. Anytime we put a barrier up, they put it there.

And as they brought one vehicle across at one point, some of our Border Patrol were tipped off. As this vehicle tried to get back across on the Mexican side, it got stuck. We know there were at least, the guess is, 10 tons of marijuana. We got about a 1½ tons out.

They jumped out of their vehicles with AK-47s, armed heavily at our Border Patrol who then back up, which brings us to this fundamental question. Not only do these men and women deserve our credit for putting themselves at risk, not only do they have difficult jobs, and often are they outnumbered, but then this case that is occurring in Texas, without understanding all of the legal formalities, will have a chilling effect on the Border Patrol's willingness to defend us.

Because, if they think they are going to be prosecuted if they try to defend us, depending upon the particular angle at a given time of what someone is doing, and they are in a shootout, and the other side has guns, deliver poison into the United States in the terms of narcotics, or potentially chemical or nuclear weapons, or potentially high-risk terrorists who are willing to pay high dollars, and our Border Patrol are afraid to even risk any type of confrontation because they are going to be prosecuted by our government, how are we going to stay safe?

We need to praise them for taking the risk. We need to praise them for being willing to stay out in the cold and in the heat and be outnumbered and not know what kind of guns are at them. We certainly do not need to be prosecuting them. So I hope this resolution makes it clear where this House stands. I am sure we will have committee hearings. We may have to wait until the case goes through, but the Border Patrol needs to know that this Congress stands behind them, that we are going to get to the bottom of the type of procedures that are involved in this and make sure that they can defend not only themselves, but defend us, our children, our families and our Nation.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I would just like to say to the previous speaker that I would really like to see the information on 300 or 400 people running across the border at one time.

Because I have just never heard of a case like that. Having said that, we do support the Border Patrol. We are glad that Mr. JONES has this resolution up on the floor tonight.

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

Mr. JONES of North Carolina. Mr. Speaker, I yield 1½ minutes to the gentleman from Indiana (Mr. SOUDER) to respond to Ms. SANCHEZ.

Mr. SOUDER. Mr. Speaker, as the gentlewoman knows, in San Diego we

used to have, I saw with my own eyes in the middle of the night, about 1,200. But as we fenced that area, we broke up the big groups there in San Diego.

And so in San Diego you no longer have the huge groups of 1,000. We thought we were down to groups of basically, I have seen 50 or 100 with my own eyes, but as the gentlewoman had probably heard, I cannot remember if you were there when Secretary Chertoff was speaking to our Homeland Security Committee this morning, but that Congressman PEARCE from New Mexico said that there are a number of cases, particularly in New Mexico right now, because as we worked on the Arizona border, pushed them into New Mexico where he said this morning that he had seen 300 to 400 at a time in New Mexico.

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That is questioning the statement of a Member from New Mexico who just saw this in the last 7 to 14 days. I myself have seen 50 to 100, and I used to see 1,200 before we built a fence in San Diego.

Mr. JONES of North Carolina. Mr. Speaker, I yield myself such time as I may consume, and I am just going to make a couple of comments, and then I am going to finish.

I want to first thank Ms. SANCHEZ and Ms. SHEILA JACKSON-LEE for her comments and what she stated as well as Ms. SANCHEZ and my friend, Mr. SOUDER from Indiana, and Mr. ROHRABACHER from California.

I think that we all agree that this resolution is important, and I just want to say that I would agree with the comments made by Ms. SANCHEZ that we need to make sure that the border patrol has what it needs to secure the borders for this great Nation.

I want to say to Ms. JACKSON-LEE, as well as Mr. ROHRABACHER, that we do need to make sure that these agents had been treated fairly in the process as it related to the indictment.

I would say to Mr. SOUDER, I thank you as well as other Members who serve on the Homeland Security Committee for your leadership to make sure that we do protect our borders.

The only other point I would like to make, Mr. Speaker, is that it has been made by these people who live in California and Texas and even my friend from Indiana, as well as my friends from California, that this is a very difficult job. These are men and women that are dedicated. They are not doing it for the money. They are doing it for the love of this country. And what they are doing is the same thing that our military does and that is try to make America secure.

Mr. HIGGINS. Mr. Speaker, I have every intention of voting for the resolution on the floor today because it honors the men and women of the U.S. Border Patrol.

But I think the greatest way to honor the men and women who risk their lives to protect us against terrorist attacks is by passing legislation that provides the funding and tools they

need to do their job effectively. It is unfortunate, however, that my colleagues on the other side of the aisle show this appreciation only through rhetoric.

The Bush Administration has had almost six years to secure the border, the Republican Congress eleven. Yet in the past two weeks they have chosen to honor our border agents by recycling legislation that has no funding.

The sponsor of today's resolution voted "yes" only once of the last 5 border security bills proposed to enhance the resources of the Border Patrol. That vote, taken on May 2, 2005, was a \$284 million emergency spending bill to secure the nation's border. It would have allowed 550 additional border patrol agents and 200 additional immigration investigators. Unfortunately, the Republicans voted "no" on motion.

Similarly, last December, my Republican colleagues voted against the Democratic Motion to Recommit for H.R. 4437 which would have:

Created 3,000 new U.S. Border Patrol agent positions every year through FY 2010 (a total of 12,000 new agents);

Added 25,000 new detention beds every year through FY 2010 (a total of 100,000 new beds) to permanently end catch-and-release;

Developed a comprehensive, technologically superior, round-the-clock, fully interoperable surveillance system to monitor every mile of the border;

Required plans to integrate high altitude monitoring technologies, radiation portal monitors, K-9 detection teams, and other technologies; and,

Make physical infrastructure enhancements, including additional checkpoints, all weather access roads, and vehicle barriers, while maintaining the speed of commerce through such points of entry.

Honoring the men and women of the Border Patrol should not only consist of rhetoric. We need comprehensive policy accompanied by dollars and resources to support the Border Patrol.

I will vote for House Resolution 1030, but I am disheartened with the lack of support that my colleagues across the aisle have repeatedly shown toward our men and women securing the border.

A pat on the back is nice. But allocating resources would go a long way to securing the border.

Mrs. CHRISTENSEN. Mr. Speaker, I rise today to support H. Res. 1030 to express a 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. As a member of the Committee on Homeland Security, I know well the important role the Border Patrol plays in defending and protecting our homeland from foreign threats.

I strongly support this resolution because Border Security is an issue of utmost importance to my district the U.S. Virgin Islands and have in the past, proposed legislations to require the Department of Homeland Security, DHS, to establish a Border Patrol Unit in the U.S. Virgin Islands.

The security of the residents of the U.S. Virgin Islands as well as the mainland residents is greatly compromised. The U.S. V.I. contains over 175 miles of open unprotected borders which provides a viable alternative for terrorists, human smugglers and drug smugglers to

gain access to the U.S. mainland because we are only 1,600 kilometers away from the U.S. mainland.

Since 1998 Mr. Speaker, close to 1000 Chinese nationals have entered the U.S. Virgin Islands to transit undetectably into the mainland. These landings have occurred mainly during the pre-dawn hours at one of the several cays on the Island of St. John. The sheer number of individuals who are able to infiltrate the island is indicia of vulnerability to a possible terrorist attack.

The lack of a Border Patrol Security Unit, has placed an unreasonable burden on other Federal agencies such as the Immigration and Customs Enforcement, ICE, which has to now spend considerable amount of man-hours apprehending, processing and detaining aliens in custody. This detracts from the time ICE would have to carryout its investigatory duties.

Just last month, there was an article published in the Economist Magazine describing the V.S. V.I as "America's most vulnerable point, a lovely place" but "woefully unprepared for a terrorist attack." The article points out that "illegal aliens land in the Virgin Islands openly and regularly, yet they are rarely caught." Having a Border Patrol unit in the Virgin Islands, Mr. Speaker, will not only greatly enhance the security of the Virgin Islands, but the entire Nation as well.

I urge my colleagues to support H. Res. 1030.

Mr. JONES of North Carolina. Mr. Speaker, I have no other speakers on H. Res. 1030, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alabama (Mr. ROGERS) that the House suspend the rules and agree to the resolution, H. Res. 1030.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill and a concurrent resolution of the House of the following titles:

H.R. 5187. An act to amend the John F. Kennedy Center Act to authorize additional appropriations for the John F. Kennedy Center for the Performing Arts for fiscal year 2007.

H. Con. Res. 480. Concurrent resolution to correct the enrollment of the bill H.R. 3127.

The message also announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 5574. An act to amend the Public Health Service Act to reauthorize support for graduate medical education programs in children's hospitals.

The message also announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 3421. An act to authorize major medical facility projects and major medical facility leases for the Department of Veterans Affairs for fiscal years 2006 and 2007, and for other purposes.

BIODEFENSE AND PANDEMIC VACCINE AND DRUG DEVELOPMENT ACT OF 2006

Mr. DEAL of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5533) to prepare and strengthen the biodefenses of the United States against deliberate, accidental, and natural outbreaks of illness, and for other purposes, as amended.

The Clerk read as follows:

H.R. 5533

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 "Biodefense and Pandemic Vaccine and Drug Development Act of 2006".

SEC. 2. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

Sec. 3. Biomedical Advanced Research and Development Authority; National Biodefense Science Board.

Sec. 4. Clarification of countermeasures covered by Project BioShield.

Sec. 5. Technical assistance.

Sec. 6. Procurement.

SEC. 3. BIOMEDICAL ADVANCED RESEARCH AND DEVELOPMENT AUTHORITY; NATIONAL BIODEFENSE SCIENCE BOARD.

Title III of the Public Health Service Act (42 U.S.C. 241 et seq.) is amended by inserting after section 319K the following:

"SEC. 319L. BIOMEDICAL ADVANCED RESEARCH AND DEVELOPMENT AUTHORITY.

"(a) BIOMEDICAL ADVANCED RESEARCH AND DEVELOPMENT AUTHORITY.—

"(1) ESTABLISHMENT.—There is established within the Department of Health and Human Services the Biomedical Advanced Research and Development Authority.

"(2) IN GENERAL.—The Secretary shall coordinate and oversee the acceleration of countermeasure and product advanced research and development by—

"(A) facilitating collaboration among the Department of Health and Human Services, other Federal agencies, relevant industries, academia, and other persons, with respect to such advanced research and development;

"(B) promoting countermeasure and product advanced research and development;

"(C) facilitating contacts between interested persons and the offices or employees authorized by the Secretary to advise such persons regarding requirements under the Federal Food, Drug, and Cosmetic Act and under section 351 of this Act; and

"(D) promoting innovation to reduce the time and cost of countermeasure and product advanced research and development.

"(3) DIRECTOR.—The BARDA shall be headed by a Director (referred to in this section as the 'Director') who shall be appointed by the Secretary and to whom the Secretary shall delegate such functions and authorities as necessary to implement this section.

"(4) DUTIES.—

"(A) COLLABORATION.—To carry out the purpose described in paragraph (2)(A), the Secretary shall—

"(i) facilitate and increase the expeditious and direct communication between the Department of Health and Human Services and rel-

evant persons with respect to countermeasure and product advanced research and development, including by—

"(I) facilitating such communication regarding the processes for procuring such advanced research and development with respect to qualified countermeasures and qualified pandemic or epidemic products of interest; and

"(II) soliciting information about and data from research on potential qualified countermeasures and qualified pandemic or epidemic products and related technologies;

"(ii) at least annually—

"(I) convene meetings with representatives from relevant industries, academia, other Federal agencies, international agencies as appropriate, and other interested persons;

"(II) sponsor opportunities to demonstrate the operation and effectiveness of relevant biodefense countermeasure technologies; and

"(III) convene such working groups on countermeasure and product advanced research and development as the Secretary may determine are necessary to carry out this section; and

"(iii) carry out the activities described in section 6 of the Biodefense and Pandemic Vaccine and Drug Development Act of 2006.

"(B) SUPPORT ADVANCED RESEARCH AND DEVELOPMENT.—To carry out the purpose described in paragraph (2)(B), the Secretary shall—

"(i) conduct ongoing searches for, and support calls for, potential qualified countermeasures and qualified pandemic or epidemic products;

"(ii) direct and coordinate the countermeasure and product advanced research and development activities of the Department of Health and Human Services;

"(iii) establish strategic initiatives to accelerate countermeasure and product advanced research and development and innovation in such areas as the Secretary may identify as priority unmet need areas; and

"(iv) award contracts, grants, cooperative agreements, and enter into other transactions, for countermeasure and product advanced research and development.

"(C) FACILITATING ADVICE.—To carry out the purpose described in paragraph (2)(C) the Secretary shall—

"(i) connect interested persons with the offices or employees authorized by the Secretary to advise such persons regarding the regulatory requirements under the Federal Food, Drug, and Cosmetic Act and under section 351 of this Act related to the approval, clearance, or licensure of qualified countermeasures or qualified pandemic or epidemic products; and

"(ii) ensure that, with respect to persons performing countermeasure and product advanced research and development funded under this section, such offices or employees provide such advice in a manner that is ongoing and that is otherwise designated to facilitate expeditious development of qualified countermeasures and qualified pandemic or epidemic products that may achieve such approval, clearance, or licensure.

"(D) SUPPORTING INNOVATION.—To carry out the purpose described in paragraph (2)(D), the Secretary may award contracts, grants, and cooperative agreements, or enter into other transactions, such as prize payments, to promote—

"(i) innovation in technologies that may assist countermeasure and product advanced research and development;

"(ii) research on and development of research tools and other devices and technologies; and

"(iii) research to promote strategic initiatives, such as rapid diagnostics, broad spectrum antimicrobials, and vaccine manufacturing technologies.

"(5) TRANSACTION AUTHORITIES.—

"(A) OTHER TRANSACTIONS.—In carrying out the functions under subparagraph (B) or (D) of paragraph (4), the Secretary shall have authority to enter into other transactions for countermeasure and product advanced research and development.