

border drug smuggler. This is the case where our government let a drug dealer go free and put border protectors in prison for 11 and 12 years.

Most POWs at GITMO are not in solitary confinement. But the border agents have been in solitary confinement for most of their sentences. The POWs get 9 hours a day of exercise, including soccer. The border agents spend 23 hours a day in their cells. The POWs watch Arabic TV. The border agents watch no TV. The POWs receive the same medical treatment as the United States military, but one border agent was assaulted in prison and didn't see a doctor for 5 days.

Madam Speaker, only in America do we treat terrorists and POWs better in GITMO than we do border agents who went to prison for protecting the border.

And that's just the way it is.

#### SPECIAL ORDERS

The SPEAKER pro tempore (Ms. CLARKE). Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

#### CLEAN, SUSTAINABLE, RENEWABLE FUEL PRODUCED IN AMERICA BY AMERICANS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from South Dakota (Ms. HERSETH SANDLIN) is recognized for 5 minutes.

Ms. HERSETH SANDLIN. Madam Speaker, I rise today to talk about energy, about where this Nation's energy should come from, and what form it should take. In my view, the answer is clear. Our energy should come from America, produced in America, by Americans, with the profits staying here at home. It should be clean, sustainable and renewable. These should be the overriding considerations for the energy policy that we are seeking to implement in this Congress. If we accept these criteria, and I think the American people already have, then an important part of the solution becomes clear. We must greatly increase our capacity to produce, distribute and utilize biofuels.

Just yesterday, the price of a barrel of oil hit yet another all-time high, more than \$88 per barrel. A few years ago, this development would have been shocking. Yet no one was surprised by the news. We have become accustomed to oil prices shattering records every few weeks, and \$100 oil seems to be a virtual certainty in the near future. Even without all the other problems, geopolitical, environmental, supply, that flow from our addiction to oil, its price volatility alone dictates that we must move in a bold new direction.

Yet since peaking at \$3.20 a gallon in late May, gas prices at the pump have declined to an average of about \$2.76 a

gallon nationwide for regular unleaded. What accounts for this? A significant factor in bringing retail gas prices down for American families is ethanol. According to an article earlier this week in CNN.com, "Gasoline prices have been held down in part by rising supplies of ethanol, which has been coming down in price in recent weeks. Ethanol production jumped 34 percent to 13.1 million barrels a month in July, the latest month for which data is available, from July 2006."

Even the Wall Street Journal, whose editorial board arguably has been biased against and relentless in its disparagement of ethanol, stated in a September 21 article that despite recent record-high petroleum prices, there is "another reason for steady gasoline prices: the use of ethanol as an additive to gasoline is on the rise. While crude prices have soared, ethanol prices have dropped as much as 30 percent in recent months. Ethanol costs more than 60 cents a gallon less than gasoline, and gasoline suppliers can offset some of the rise in crude-oil prices by blending their gasoline with small amounts of the cheaper fuel."

The facts are clear: Ethanol is cleaner and less polluting than gasoline. It is grown right here at home with the benefits flowing to rural communities rather than foreign governments who may or may not be friendly. It is renewable and it is sustainable. Finally, it is cheaper than gasoline and helping to keep costs down at the pump for American consumers.

Yet, despite its obvious benefits, since corn farmers started producing this product 30 years ago, opponents of the industry, primarily Big Oil and its mouthpieces, have never stopped trying to undermine it. For many years, "energy balance" was the opponents' rallying cry. They claimed that ethanol took more units of energy to make than it yielded when it was burned. If that was ever true, it hasn't been the case in at least the last decade, and countless reputable studies have confirmed that fact. With remarkable increases in corn yields and ethanol efficiency in recent years, there is no question that there is a tremendous net energy gain in the production of corn-based ethanol. Yet even the most biased naysayer can no longer make that argument with a straight face, and that red herring seems finally to be dead.

Industry opponents now have a new angle of attack, and we are again being told that the sky is about to fall. The new argument? Americans will go hungry because demand for corn is rising. While we are using more corn for energy than we ever have before and demand for that product has risen, we have seen only modest increases in food prices, and those are attributable to many factors. Just yesterday, Acting Agriculture Secretary Chuck Connor indicated he expects food prices to increase next year at a moderate rate, in line with where they have been in

recent years. Because increases in food costs in the country have been well below the rate of inflation for many years, this bodes well for consumers. He also explained that there were many significant factors affecting the cost of food today, including disappointing wheat yields around the world and high energy costs.

Finally, as the farmers in my State have repeatedly told me, there is one truism about American agriculture: The cure for high prices is high prices. In other words, when the value of a certain commodity goes up, farmers will rush to produce more of it. And this year has been as clear a demonstration of that as we have ever had in agriculture. Futures prices for corn were high this spring, and farmers took that into consideration when making their planting decisions. According to just-released USDA estimates, corn production for this year is forecast at 13.3 billion bushels, 26 percent above 2006. When it's in the bin, the 2007 corn crop would be the largest on record, with more acres harvested than any year since 1933.

These facts clearly indicate that American farmers have the ability to produce enough corn to meet the needs of U.S. consumers, for both food and energy. This is a winning formula for consumers, for agriculture and the environment and will propel us toward our ultimate goal: Producing clean, sustainable, renewable fuel in America, by Americans, with the profits staying here at home.

#### UNJUST PROSECUTION AND HARSH TREATMENT OF RAMOS AND COMPEAN

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. Madam Speaker, today is day 274 of incarceration for two former U.S. Border Patrol agents. Agents Ramos and Compean were convicted in March of 2006 for shooting a Mexican drug smuggler who brought 743 pounds of marijuana across our border into Texas.

Two decorated Border Patrol agents with exemplary records, who were doing their duty to protect the American people from an illegal American drug smuggler, are serving 11 and 12 years in prison.

Since the agents' convictions, thousands of American citizens and dozens of Members of Congress have called for justice for these two border agents. You just heard the Congressman from Texas (Mr. POE) speak about this issue in a 1-minute speech. These two decorated agents were doing their duty to enforce the law and did not deserve to spend 1 day in prison.

While these two men appeal their convictions, they continue to languish in solitary confinement. Nine months of solitary confinement is unacceptable. The Bureau of Prisons has violated its own guidelines which state

that administrative detention is intended to be used for "short periods not to exceed 90 days."

Although former law enforcement officers face increased safety risks in prison, the harmful effects of prolonged solitary confinement are well-documented. Solitary confinement is not an acceptable long-term solution for ensuring their physical safety.

This week, I was pleased to join my friend, Congressman ROHRBACHER, and many other of my friends, including Congressman POE, in signing a letter to Mr. Michael Mukasey. This letter asked that, upon confirmation, the new Attorney General will thoroughly examine the flaws of this prosecution and will put an end to the harsh treatment these agents are receiving in prison. A directive from the Director of the Bureau of Prisons or the Attorney General can correct this unfair treatment.

Madam Speaker, with an unbiased review by the incoming Attorney General, I am hopeful that this gross miscarriage of justice will be corrected.

I say in closing, Madam Speaker, to the families of Mr. Ramos and Mr. Compean, please know that there are many of us in the United States Congress, the House and the Senate, that are trying to do what is right for your loved ones. This is an injustice that should not be allowed to continue. We need to bring justice to this injustice for these two men.

May God continue to bless America and our men and women in uniform.

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#### THE VALUE OF THE JUSTICE SYSTEM IN THE UNITED STATES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

Mr. CUMMINGS. Madam Speaker, according to today's Baltimore Sun, there have been 240 homicides in my hometown of Baltimore City, 22 more deaths than this time last year. Unfortunately, many of these victims and their families will not have closure because of the inability of law enforcement to bring their killers to justice. This is due in large part to the fear that witnesses have in coming forward.

Witness intimidation is a serious threat to our justice system. According to the National Institute of Justice, 51 percent of prosecutors in large jurisdictions find witness intimidation to be a major problem. In Baltimore City, it is estimated that witness intimidation occurs in 90 percent of the cases that are prosecuted.

Madam Speaker, protecting witnesses is a core government function. It is standard in the Federal system, and State and local prosecutors should have the same tools. However, there is a great disparity between funding and witness services, if any, that are provided by local authorities and those of the Federal Witness Security Program

within the United States Marshals Service that operates on a \$40 million budget to assist 17,500 witnesses and their family members with gaining new lives, new identities, and new jobs.

The Milwaukee Journal Sentinel recently reported on the problems associated with inadequate witness protection programs. Maurice Pulley was shot to death in front of his home, the apparent victim of retaliation for agreeing to cooperate with authorities. Just three days prior to his death, Mr. Pulley had agreed to testify as a witness against Calvin Glover for shooting him on June 30; however, law enforcement was not able to offer him assistance because the witness program in the county was essentially terminated due to budget cuts. The sheriff even admitted to occasionally relying on private funding to relocate witnesses.

Madam Speaker, the same week, the Denver Post told a story of Javad Marshall-Fields and his fiancée, who were gunned down just days before he was scheduled to testify against Robert Ray. In 2004, Robert Ray shot and killed one person and wounded two others, including Javad Marshall-Fields.

A program to protect State witnesses has been in existence in Colorado for over 12 years; however, the budget was recently cut from \$100,000 to \$50,000. Unfortunately, it now allows for a little more than a bus ticket or security deposit for a new apartment.

To make matters worse, it appears that no one told Javad that this program even existed, even though prosecutors filed a motion to keep his address and those of five other witnesses secret due to their fear of retribution. Why was Javad not notified of the program? His mom was told that it was because he did not ask.

Madam Speaker, as I always say, there is nothing worse than a person not knowing what they don't know. This is why I recently teamed up with Baltimore City's State's Attorney Patricia Jessamy to film a public service announcement encouraging people in the communities to come forward if they have witnessed a crime, or if they have already come forward and feel they may need protection.

Additionally, I have introduced H.R. 933, the Witness Security and Protection Act of 2007, that authorizes \$270 million over the next 3 years to enable State and local prosecutors who demonstrate a need for funds to protect witnesses in cases involving gangs or other violence to establish short-term witness protection programs. This legislation will assist in correcting the inequity that exists between the Federal and State level. I call upon my colleagues to support its enactment.

Improving protection for State and local witnesses will move us one step closer to alleviating the fears and threats to prospective witnesses and help safeguard our communities from violence. It is time that we show our commitment to our constituents and

the justice system, because without witnesses, there can be no justice.

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.)

#### HONORING STAFF SERGEANT ERIC DUCKWORTH, UNITED STATES ARMY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE. Madam Speaker, in America's first war, fighting for freedom it was said by Patrick Henry, the great orator, "The battle, sir, is not to the strong alone; it is to the vigilant, the active and to the brave." We are fortunate that those words still ring true today and that American soldiers overseas carry those values into battle.

One such warrior was Staff Sergeant Eric Duckworth. Army Staff Sergeant Eric Duckworth was killed in the line of duty in Iraq just a few days ago, on October 10, when he was leading a convoy and his vehicle was hit by an IED, an improvised explosive device, on the side of the road.

Madam Speaker, Sergeant Duckworth was 26 years of age and on his second tour in Iraq. He graduated from Clear Lake High School in Houston, Texas, in 1999, and while in high school, he wanted to participate in the military, so he joined the Reserve Officers Training Corps, the ROTC. Of course, as soon as he graduated from high school, he joined the United States Army.

His parents, Michael and Barbara Duckworth, of The Woodlands, Texas, say that for as long as they can remember, their son Eric wanted to serve his country in public service both in law enforcement and in the military. His father, Michael, described him as an outgoing and good-humored son. He further said, "Eric was full of love and laughter and a Godly spirit, but, above all, he was a true soldier and a proud warrior."

When I talked to Michael about his son Eric, he told me that Eric's only two wishes were that he serve in the military and that he also serve in law enforcement. Those wishes were granted when he was a military police officer and also a member of the United States Army.

Sergeant Duckworth was also a husband and a father. He is survived by his wife of 5 years, Sonya, and they have three children: Kaylynn, age 10; Madison, age 4; and young Michael, age 1. Eric's mom, Barbara, would send what I call "care packages" overseas to her son Eric, and what she included in those packages tells us a lot about Eric