

The most well-known Byrne-funded scandal occurred in Tulia, Texas where dozens of African-American residents, representing 16 percent of the town's black population, were arrested, prosecuted and sentenced to decades in prison, even though the only evidence against them was the uncorroborated testimony of one white undercover officer with a history of lying and racism. The undercover officer worked alone, and had no audiotapes, video surveillance, or eyewitnesses to collaborate his allegations. Suspicions eventually arose after two of the accused defendants were able to produce firm evidence showing they were out-of-State or at work at the time of the alleged drug buys. Texas Governor Rick Perry eventually pardoned the Tulia defendants, after four years of imprisonment, but these kinds of scandals continue to plague the Byrne grant program.

These scandals are not the result of a few "bad apples" in law enforcement; they are the result of a fundamentally flawed bureaucracy that is prone to corruption by its very structure. Byrne-funded regional anti-drug task forces are Federally funded, State managed, and locally staffed, which means they do not really have to answer to anyone. In fact, their ability to perpetuate themselves through asset forfeiture and Federal funding makes them unaccountable to local taxpayers and governing bodies.

The scandals are more widespread than just a few instances. A 2002 report by the ACLU of Texas identified 17 scandals involving Byrne-funded anti-drug task forces in Texas, including cases of falsifying government records, witness tampering, fabricating evidence, stealing drugs from evidence lockers, selling drugs to children, large-scale racial profiling, sexual harassment, and other abuses of official capacity.

Texas is not the only State that has suffered from Byrne-funded law enforcement scandals. Scandals in other States have included the misuse of millions of dollars in Federal grant money in Kentucky and Massachusetts, false convictions based upon police perjury in Missouri, and making deals with drug offenders to drop or lower their charges in exchange for money or vehicles in Alabama, Arkansas, Massachusetts, New York, Ohio, and Wisconsin. A 2001 study by the Government Accountability Office found that the Federal Government fails to adequately monitor the grant program and hold grantees accountable.

AMENDMENT CONSIDERED BUT NOT OFFERED

Because of these abuses, I would have offered an amendment when this bill was considered at the Full Judiciary Committee markup. My amendment would have addressed the responsible use of Byrne-JAG monies. Specifically, my amendment would have required that a State that receives Byrne-JAG money should collect data for the most recent year for which such funds were allocated to such State, with respect to:

- (1) The racial distribution of criminal charges made during that year;
- (2) the nature of the criminal law specified in the charges made; and
- (3) the city of law enforcement jurisdiction in which the charges were made.

My amendment would have required a condition of receiving funds that the State should submit to the Attorney General the data collected by not later than one year after the date the State received funds. Lastly, the report

should be posted on the Bureau of Justice Statistics website and submitted to the Attorney General.

My amendment is good because arrests will be transparent and the light of day and public airing of any problems will be the greatest disinfectant. My amendment is an attempt to make law enforcement more responsible, more accountable, and more just in their dealings with persons of all races and backgrounds. My amendment is but a small price to pay to rid the Nation of scandals and disasters that occurred in Tulia, Texas and elsewhere.

My amendment, which I would have offered, would provide oversight and accountability. It is not burdensome. It will not prevent the States from collecting and funding programs under the Byrne Grant program. My amendment does, however, shed light on any maladies that might exist in the system. Once we see the problems, we can fix them. My amendment is responsible and aims to make the Byrne-Grant program a better program by ensuring that the funding is used appropriately and is used with oversight.

NO MORE TULIAS

While I support the Byrne-JAG reauthorization, I would also urge my colleagues to also support my bill, H.R. 253, No More Tulias: Drug Law Enforcement Evidentiary Standards Improvement Act of 2007. This bill also enhances accountability with respect to the use of Byrne-JAG monies.

First, it prohibits a State from receiving for a fiscal year any drug control and system improvement (Byrne) grant funds, or any other amount from any other law enforcement assistance program of the Department of Justice, unless the State does not fund any anti-drug task forces for that fiscal year or the State has in effect laws that ensure that: (1) a person is not convicted of a drug offense unless the facts that a drug offense was committed and that the person committed that offense are supported by evidence other than the eyewitness testimony of a law enforcement officer or individuals acting on an officer's behalf; and (2) an officer does not participate in an antidrug task force unless that officer's honesty and integrity is evaluated and found to be at an appropriately high level.

Second, H.R. 253, No More Tulias, requires that states receiving Federal funds under the No More Tulias Act to collect data on the racial distribution of drug charges, the nature of the criminal law specified in the charges, and the jurisdictions in which such charges are made. I urge my colleagues to support my No More Tulias Act so that we can quickly bring the bill to markup.

I also urge my colleagues to support Byrne-JAG.

Mr. CHABOT. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SCHIFF. Mr. Speaker, I join my colleague in urging passage of the legislation.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. SCHIFF) that the House suspend the rules and pass the Senate bill, S. 231.

The question was taken; and (two-thirds being in the affirmative) the

rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 12 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1831

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PATRICK J. MURPHY of Pennsylvania) at 6 o'clock and 31 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 415, TAUNTON RIVER WILD AND SCENIC DESIGNATION

Mr. HASTINGS of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 110-758) on the resolution (H. Res. 1339) providing for consideration of the bill (H.R. 415) to amend the Wild and Scenic Rivers Act to designate segments of the Taunton River in the Commonwealth of Massachusetts as a component of the National Wild and Scenic Rivers System, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

- H. Res. 1067, by the yeas and nays;
- H. Res. 1080, by the yeas and nays;
- H. Con. Res. 297, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

RECOGNIZING THE 50TH ANNIVERSARY OF THE CROSSING OF THE NORTH POLE BY THE USS "NAUTILUS"

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 1067, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Connecticut (Mr. COURTNEY) that the House suspend the

rules and agree to the resolution, H. Res. 1067.

The vote was taken by electronic device, and there were—yeas 375, nays 0, not voting 59, as follows:

[Roll No. 486]

YEAS—375

Abercrombie	Delahunt	Keller
Ackerman	DeLauro	Kennedy
Aderholt	Dent	Kildee
Akin	Diaz-Balart, L.	King (IA)
Alexander	Diaz-Balart, M.	King (NY)
Allen	Dicks	Kingston
Altmire	Dingell	Kirk
Arcuri	Doggett	Klein (FL)
Baca	Donnelly	Kline (MN)
Bachus	Doyle	Knollenberg
Baird	Drake	Kucinich
Baldwin	Dreier	Kuhl (NY)
Barrett (SC)	Duncan	LaHood
Bartlett (MD)	Edwards (MD)	Lamborn
Barton (TX)	Edwards (TX)	Lampson
Bean	Ehlers	Langevin
Becerra	Ellsworth	Larsen (WA)
Berkley	Emanuel	Larson (CT)
Berman	Emerson	Latham
Berry	Engel	Latta
Biggert	English (PA)	Lee
Bilbray	Eshoo	Levin
Bilirakis	Etheridge	Lewis (CA)
Bishop (GA)	Everett	Lewis (KY)
Bishop (NY)	Fallin	Linder
Bishop (UT)	Farr	LoBiondo
Blackburn	Fattah	Loebsack
Blumenauer	Feeney	Lofgren, Zoe
Blunt	Ferguson	Lowe
Boehner	Filner	Lucas
Bono Mack	Flake	Lungren, Daniel
Boozman	Forbes	E.
Boren	Fortenberry	Lynch
Boucher	Foster	Mack
Boustany	Fox	Mahoney (FL)
Boyd (FL)	Frank (MA)	Manzullo
Boyd (KS)	Frelinghuysen	Marchant
Brady (PA)	Gallely	Markey
Brady (TX)	Garrett (NJ)	Marshall
Brown (SC)	Gerlach	Matheson
Brown-Waite,	Giffords	Matsui
Ginny	Gilchrest	McCarthy (CA)
Buchanan	Gillibrand	McCarthy (NY)
Burgess	Gingrey	McCaul (TX)
Burton (IN)	Gohmert	McCollum (MN)
Butterfield	Gonzalez	McCotter
Buyer	Goode	McCrey
Calvert	Goodlatte	McDermott
Camp (MI)	Gordon	McGovern
Campbell (CA)	Green, Gene	McHenry
Cannon	Hall (NY)	McHugh
Cantor	Hall (TX)	McIntyre
Capito	Hare	McKeon
Capps	Harman	McMorris
Capuano	Hastings (FL)	Rodgers
Cardoza	Hastings (WA)	McNerney
Carnahan	Hayes	McNulty
Carney	Heller	Meek (FL)
Carson	Hensarling	Meeks (NY)
Carter	Herger	Melancon
Castle	Herseth Sandlin	Mica
Castor	Higgins	Michaud
Cazayoux	Hill	Miller (FL)
Chabot	Hinchey	Miller (MI)
Chandler	Hinojosa	Miller (NC)
Childers	Hirono	Miller, Gary
Clarke	Hobson	Mitchell
Clay	Hodes	Mollohan
Cleaver	Hoekstra	Moore (WI)
Clyburn	Holden	Moran (KS)
Coble	Holt	Murphy (CT)
Cohen	Honda	Murphy, Patrick
Cole (OK)	Hookey	Murphy, Tim
Conaway	Hoyer	Musgrave
Conyers	Hunter	Myrick
Cooper	Inglis (SC)	Nadler
Courtney	Inslee	Napolitano
Crenshaw	Israel	Neugebauer
Crowley	Issa	Nunes
Cuellar	Jackson (IL)	Oberstar
Culberson	Jackson-Lee	Obey
Cummings	(TX)	Olver
Davis (AL)	Johnson (GA)	Ortiz
Davis (IL)	Johnson, E. B.	Pallone
Davis (KY)	Johnson, Sam	Pascarell
Davis, David	Jones (NC)	Pastor
Davis, Lincoln	Jordan	Paul
Deal (GA)	Kagen	Payne
DeFazio	Kanjorski	Pence
DeGette	Kaptur	Perlmutter

Peterson (MN)	Sánchez, Linda	Sutton
Peterson (PA)	T.	Tanner
Petri	Sanchez, Loretta	Tauscher
Pickering	Sarbanes	Terry
Pitts	Scalise	Thompson (CA)
Poe	Schakowsky	Thompson (MS)
Pomeroy	Schiff	Thornberry
Porter	Schmidt	Tiahrt
Price (GA)	Schwartz	Tierney
Price (NC)	Scott (GA)	Tsongas
Putnam	Sensenbrenner	Turner
Rahall	Serrano	Upton
Ramstad	Sessions	Van Hollen
Rangel	Sestak	Velázquez
Regula	Shadegg	Visclosky
Rehberg	Shea-Porter	Walberg
Reichert	Sherman	Walden (OR)
Renzi	Shimkus	Walsh (NY)
Reyes	Shuler	Walz (MN)
Reynolds	Shuster	Wamp
Richardson	Simpson	Waters
Rodriguez	Skelton	Watson
Rogers (AL)	Slaughter	Watt
Rogers (KY)	Smith (NE)	Waxman
Ehlers	Smith (NJ)	Weiner
Ros-Lehtinen	Smith (TX)	Weldon (FL)
Roskam	Smith (WA)	Westmoreland
Ross	Snyder	Wexler
Rothman	Solis	Whitfield (KY)
Roybal-Allard	Souder	Wilson (OH)
Royce	Space	Wilson (SC)
Ruppersberger	Speier	Wittman (VA)
Ryan (OH)	Spratt	Wolf
Ryan (WI)	Stark	Wu
Salyaz	Stearns	Yarmuth
Salazar	Stupak	Young (AK)
Sali	Sullivan	Young (FL)

NOT VOTING—59

Andrews	Green, Al	Pryce (OH)
Bachmann	Grijalva	Radanovich
Barrow	Gutierrez	Rohrabacher
Bonner	Hulshof	Rush
Bowell	Jefferson	Saxton
Braley (IA)	Johnson (IL)	Scott (VA)
Broun (GA)	Jones (OH)	Shays
Brown, Corrine	Kilpatrick	Sires
Costa	Kind	Tancredo
Costello	LaTourette	Taylor
Cramer	Lewis (GA)	Tiberi
Cubin	Lipinski	Towns
Davis (CA)	Maloney (NY)	Udall (CO)
Davis, Tom	Miller, George	Udall (NM)
Doolittle	Moore (KS)	Wasserman
Ellison	Moran (VA)	Schultz
Fossella	Murtha	Welch (VT)
Franks (AZ)	Neal (MA)	Weller
Granger	Pearce	Wilson (NM)
Graves	Platts	Woolsey

□ 1859

Mr. GARRETT of New Jersey changed his vote from “nay” to “yea.” So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

HONORING THE SERVICE AND SACRIFICE OF THE 101ST AIRBORNE DIVISION

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 1080, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Connecticut (Mr. COURTNEY) that the House suspend the rules and agree to the resolution, H. Res. 1080, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 378, nays 0, not voting 56, as follows:

[Roll No. 487]

YEAS—378

Abercrombie	Dent	King (IA)
Ackerman	Diaz-Balart, L.	King (NY)
Aderholt	Diaz-Balart, M.	Kingston
Akin	Dicks	Kirk
Alexander	Dingell	Klein (FL)
Allen	Doggett	Kline (MN)
Altmire	Donnelly	Knollenberg
Arcuri	Doyle	Kucinich
Baca	Drake	Kuhl (NY)
Bachus	Dreier	LaHood
Baird	Duncan	Lamborn
Baldwin	Edwards (MD)	Lampson
Barrett (SC)	Edwards (TX)	Langevin
Bartlett (MD)	Ehlers	Larsen (WA)
Barton (TX)	Ellsworth	Larson (CT)
Bean	Emanuel	Latham
Becerra	Emerson	Latta
Berkley	Engel	Lee
Berman	English (PA)	Levin
Berry	Eshoo	Lewis (CA)
Biggert	Etheridge	Lewis (KY)
Bilbray	Everett	Linder
Bilirakis	Fallin	LoBiondo
Bishop (GA)	Farr	Loebsack
Bishop (NY)	Fattah	Lofgren, Zoe
Bishop (UT)	Feeney	Lowey
Blackburn	Ferguson	Lucas
Blumenauer	Filner	Lungren, Daniel
Blunt	Flake	E.
Boehner	Forbes	Lynch
Bono Mack	Fortenberry	Mack
Boozman	Foster	Mahoney (FL)
Boren	Fox	Manzullo
Boucher	Frank (MA)	Marchant
Boustany	Franks (AZ)	Markey
Boyd (FL)	Frelinghuysen	Marshall
Boyd (KS)	Boyd (KS)	Matheson
Brady (PA)	Brady (PA)	Matsui
Brady (TX)	Brady (TX)	McCarthy (CA)
Brown (SC)	Brown (SC)	McCarthy (NY)
Brown-Waite,	Brown-Waite,	McCaul (TX)
Ginny	Ginny	McCollum (MN)
Buchanan	Buchanan	McCotter
Burgess	Burgess	McCrey
Burton (IN)	Burton (IN)	McDermott
Butterfield	Butterfield	McGovern
Buyer	Buyer	McHenry
Calvert	Calvert	McHugh
Camp (MI)	Camp (MI)	McIntyre
Campbell (CA)	Campbell (CA)	McKeon
Cannon	Cannon	McMorris
Cantor	Cantor	Rodgers
Capito	Capito	McNerney
Capps	Capps	McNulty
Capuano	Capuano	Meek (FL)
Cardoza	Cardoza	Meeks (NY)
Carnahan	Carnahan	Melancon
Carney	Carney	Mica
Carson	Carson	Michaud
Carter	Carter	Miller (FL)
Castle	Castle	Miller (MI)
Castor	Castor	Miller (NC)
Cazayoux	Cazayoux	Miller, Gary
Chabot	Chabot	Mitchell
Chandler	Chandler	Mollohan
Childers	Childers	Moore (KS)
Clarke	Clarke	Moore (WI)
Clay	Clay	Moran (KS)
Cleaver	Cleaver	Murphy (CT)
Clyburn	Clyburn	Murphy, Patrick
Coble	Coble	Murphy, Tim
Cohen	Cohen	Musgrave
Cole (OK)	Cole (OK)	Murphy
Conaway	Conaway	Nadler
Conyers	Conyers	Napolitano
Cooper	Cooper	Neugebauer
Courtney	Courtney	Nunes
Crenshaw	Crenshaw	Oberstar
Crowley	Crowley	Obey
Cuellar	Cuellar	Olver
Culberson	Culberson	Ortiz
Cummings	Cummings	Pallone
Davis (AL)	Davis (AL)	Pascarell
Davis (IL)	Davis (IL)	Pastor
Davis (KY)	Davis (KY)	Paul
Davis, David	Davis (NC)	Payne
Davis, Lincoln	Jordan	Pence
Deal (GA)	Kagen	Perlmutter
DeFazio	Kanjorski	Peterson (MN)
DeGette	Kaptur	Peterson (PA)
Delahunt	Keller	Petri
DeLauro	Kennedy	Pickering
	Kildee	