

The oath that all of us took just a few weeks ago, we all pledged to uphold the Constitution of the United States; this proposal belies that oath.

I urge my Democrat colleagues to regain some sense of propriety, some sense of history, some sense of rectitude. When you trample on the Constitution, when you use the Constitution as a doormat and not the foundational document of our wonderful representative democracy, you do great harm to our Nation.

ELIMINATING POVERTY

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2007, the gentleman from New Jersey (Mr. PALLONE) is recognized during morning hour debates for 5 minutes.

Mr. PALLONE. Mr. Speaker, last week, on the night of the Martin Luther King, Jr. holiday, I attended a truly amazing event in the West Side Community Center in Asbury Park, New Jersey.

The city of Asbury Park is in my congressional district, and has been plagued in recent months by gang violence. It is a phenomenon shared by many New Jersey municipalities, including my hometown of Long Branch nearby, which recently witnessed several gang murders.

Mr. Speaker, redevelopment has come to Asbury Park, all the outward signs are of a seaside resort that is coming back big time. So why, you might ask, the gang violence? Why the murders? One of which took place right in front of the West Side Community Center where the Dr. King celebration took place. The truth is that the plight of the have-nots, that other America, has gotten worse in the last few years.

The event was organized by the Reverend Kevin Nunn, leader of Spirit of Truth World Vision Outreach in Asbury Park. More than 15 local clergy testified to the difficulty of young people in getting an education, avoiding drugs, and preventing a return to prison because of lack of economic opportunities. The recreation programs which had been the backbone of the West Side Community Center are at risk because of lack of funding.

Now, Mr. Speaker, the most important theme I can convey about Monday night's event was the message of hope. Dr. King was invoked as the example of love, peace and harmony among those of all races and creeds, and he was a symbol that pervaded the audience as the speakers talked about the need to vote, to go to church and unite as a committee. Reverend Nunn and most of the clergy who spoke at this meeting are directly involved in bringing shelter to the homeless, food to the needy, and promoting economic opportunity.

The people present Monday night are proud Americans, but they need help. They are certainly not looking to government to solve all their problems, but they believe that government can

make a difference, and it is up to us as their representatives to make the changes necessary so they can continue to have hope.

Mr. Speaker, Senator BOB MENENDEZ and I will soon introduce legislation to address the issue of gang violence. The bills will have three main goals. Our first goal is to provide after-school programs for students so they have a place to go instead of joining a gang. The type of recreation and mentor programs that were discussed in Asbury Park at the community meeting I attended could benefit from the grant set up by this legislation.

The second goal is to prevent recidivism, the idea that people who leave jail don't get caught up in a gang once again because they have no job, no family or home to return to after jail. The legislation expands adult and juvenile offender demonstration projects to help with post-release housing and promote programs that hire former prisoners.

And last, the administration addresses better police enforcement as well as gang suppression initiatives. At the Asbury Park meeting, the cries of "Stop the Violence" came up repeatedly. The legislation will direct more resources to towns to create a new COPS grant program and put more police on the street. Penalties will increase for those convicted of gang crimes, and particularly those using firearms, and communities would be empowered to create their own task forces to implement antigang initiatives.

Now all of these ideas require more dollars, and on the day when President Bush is making his State of the Union address, I want to make one very serious point about Federal resources. We can't, as a nation, continue to escalate the war in Iraq with no positive consequences for America at a continued drain of hundreds of billions of dollars. President Bush needs to reverse course and redeploy our troops out of Iraq. The money and manpower are not only needed on the fight against terrorism elsewhere, for example, in Afghanistan, but also at home, to fight the criminals on our streets. The need is not only for more policemen, but for the housing, health care education and life support needs that will make it possible to get rid of the poverty that I saw on Martin Luther King Day in my community of Asbury Park.

DELEGATE VOTING

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2007, the gentleman from North Carolina (Mr. MCHENRY) is recognized during morning hour debates for 5 minutes.

Mr. MCHENRY. Mr. Speaker, this week House Democrats are pushing forward a measure allowing Delegates to cast votes even on the House floor, even in this chamber.

Now, what is happening here is a continuation of a policy that the Demo-

crats have put in place since day one, and that is an abuse of power. This proposal this week means that Delegates from Guam, the Virgin Islands, Puerto Rico, and my favorite, American Samoa, will enjoy new voting privileges similar to Members of Congress who actually represent districts in the United States and who actually represent districts with tax-paying citizens of the United States. This is a clear abuse of power.

And beyond that, as we all know, there is this little thing called the Constitution, and the Constitution says very clearly, the House shall be comprised of Members chosen by the people of the several States, not territories, not any member who wishes to come to this House floor and vote, but those elected by the citizens of the United States from districts in the United States.

What the Democrats are trying to do here is cushion their numbers. There is a tight majority here in the House that the Democrats have, and they are trying to add to those numbers so that when they have tough votes on the House floor, they can look up and point to a better number for their side than for the Republican side.

Beyond that, 80 percent of the Delegates from these territories are Democrats. Let's think this thing through. I think it is starting to make sense now, Mr. Speaker. There is an abuse of power that is continuing in the third week of Congress that began even before its first day. And let me tell you what is so perplexing about this, is that while my constituents have to pay Federal income tax in order to have their representation in Congress, the Delegates from the territories represent constituents who never have to pay Federal income tax. While the Revolutionary War was fought over this idea of taxation without representation, what we have here today with this Delegate voting is representation without taxation. I think that would be great for my constituents in western North Carolina; I think it would be great for all of America if we don't have to pay Federal income tax and still have our power and our elected democracy, but that is not the case.

But let's rewind. Just 2 weeks ago, the new Speaker of the House pushed forward a new minimum wage bill, a minimum wage bill that covered all of America and all of the territories, save one, American Samoa. The largest employer in American Samoa is headquartered in no other district than the Speaker's home district in San Francisco. I think something smells fishy. That is what I said at the time. And I think this is another fishy favor to the Delegates from the territories. It is quite perplexing, Mr. Speaker, that in week three we have a continued abuse of power on this House floor.

But let's go back, let's rewind. What else have the Democrats done in their short time in power to abuse the power that the American people gave them?

Well, let's look at this: On opening day, we proposed the Pelosi minority bill of rights, the same bill of rights that the Democrats demanded 2 years ago. We proposed the same thing, and the Speaker summarily dismissed it. Look at the 9/11 Commission, they pledged to implement all of the 9/11 Commission recommendations, and they went back on that pledge. A 5-day workweek, that was a key pledge they made during the campaign, and after the campaign they said this House will work 5 days a week. We have yet to work a 5-day workweek. In fact, last Friday we voted on only one bill.

And also, in 3 weeks in Congress, we only worked 40 hours in those 3 weeks. Another abuse of power, Mr. Speaker.

And finally, when they talk about keeping votes open in order to change the outcome; they have already done that, which is another abuse of power.

Mr. Speaker, this Delegate voting is something fishy, and it is another fishy favor put forward by the new Speaker of the House and the new Democrat majority in order to pad their number and further abuse power. We should reject it, and the American people who pay taxes should be angry at this proposal.

THE BIKE CAUCUS

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2007, the gentleman from Oregon (Mr. BLUMENAUER) is recognized during morning hour debates for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, I find it somewhat amusing listening to my colleagues on the other side of the aisle fulminating against the notion that we would allow Delegates to participate in our deliberations of the Committee of the Whole. Obviously the people either haven't read the proposal, or they don't care about what the content is, because these are duly elected representatives that we are proposing to be able to enter into efforts only under operation as Committee of the Whole. While they are signaling their intent, how they would vote, that if at any point they provide the margin that would change the outcome, we provided for a revote. So we are protecting the integrity of the House, it is just when we are operating in the Committee of the Whole, and it is to give voice, for example, to the Republican Delegate from Puerto Rico who represents 4 million people who do pay taxes, who fight in our wars; Delegate ELEANOR HOLMES NORTON, who represents full tax-paying citizens of the District of Columbia who have been disenfranchised. In effect we have a tax-paying colony of United States citizens. That is our Nation's capital. It is shameful that ELEANOR HOLMES NORTON hasn't been extended full voting status, but we will work on that ultimately by changing the Constitution.

Until that day comes, this represents a reasonable compromise to give voice to the men and women who are Dele-

gates, who play an important role, including Puerto Rico, a Republican Delegate, and ELEANOR HOLMES NORTON, who represents American citizens disenfranchised in the District.

Mr. Speaker, I come to the floor today on a somewhat lighter note. While we are dealing with affairs of state, we are going to hear partisan bickering back and forth. We are going to be dealing with major issues or war and peace and global warming. We also have an opportunity this week to reinstitute a tradition that continues to unify and uplift Congress, and I am speaking about bike-partisanship. The last 15 years have signaled a renaissance in cycling—the feats of Greg LaMond and Lance Armstrong in the Tour de France; Americans using over a hundred million bicycles around the country; the landmark ISTEIA legislation reauthorizing the Surface Transportation Act that since 1991 has directed \$8 billion to biking and walking and trail activities, \$4.5 billion in the last bill alone, another record.

We are working for ways to enhance the status of people who burn calories, not oil, people who take up less space on congested roadways, do not contribute to air pollution, and simplify the parking problems faced by more Americans.

It is not just better for the cyclists, but it is better for the motorists who don't have the cyclists competing with them. It is better for the health of Americans. We know that we are dealing with an issue of obesity in America, a lack of exercise. Think right now how many Americans are stuck in traffic on their way to ride an exercise bike at a health club.

Well, we have an opportunity, Mr. Speaker, by enlisting friends on both sides of the aisle to rejoin the Congressional Bicycle Caucus. I strongly urge that my colleagues respond to the invitation that is going out today along with my co-chairman, Tom Petri, a great member of the Transportation and Infrastructure Committee, to join with us. Last session we had over 160 bike-partisan members from both parties who dealt with issues of transportation. We have done activities that involve members and staff and family. We urge fellow members to sign up now to be ready for the hundreds of cyclists that will join us for the annual Bicycle Summit in March. This is one activity that brings us together that all people can benefit from, and they will be entitled to their membership pin in the Congressional Bicycle Caucus.

I strongly urge that we take these steps for a healthier America, for an environmentally sensitive America, for an America where children can get to school safely on their own, and that we are able to live a little lighter on the land.

STATEMENT ON PRESIDENTIAL PARDON FOR TWO U.S. BORDER PATROL AGENTS IN FEDERAL PRISON

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2007, the gentleman from North Carolina (Mr. JONES) is recognized during morning hour debates for 5 minutes.

Mr. JONES of North Carolina. Thank you, Mr. Speaker.

Mr. Speaker, now is a critical time in the case of two United States Border Patrol agents. Last week, the agents turned themselves in to U.S. marshals to begin serving 11 and 12 years, respectively, in Federal prison. U.S. Border Patrol agents Ramos and Compean were convicted last spring for wounding a Mexican drug smuggler who brought 743 pounds of marijuana across our southern border into Texas. The agents fired shots during a foot chase with the smuggler, who had fled in a van they were pursuing. The van contained approximately \$1 million worth of marijuana.

Mr. Speaker, after months of silence, the President recently said in a television interview that he would take a sober look at the case and a tough look at the facts to see whether the agents should be pardoned. For the agents' safety, I am hopeful that the President of the United States will look into this case as soon as possible.

The facts will tell the President what countless citizens and Members of Congress already know, that the United States Attorney's office was on the wrong side in this case. Compelling physical evidence—the angle of the bullet that struck the drug smuggler—makes it clear that the smuggler was pointing something at the agents as he ran away and the agents fired in self-defense. Yet the U.S. Attorney's office prosecuted the agents almost exclusively on the testimony of an admitted drug smuggler who claimed he was unarmed. Despite claims of insufficient evidence, the fact that the U.S. Attorney's office and Office of Inspector General were able to track down this smuggler in Mexico proves that they had enough evidence to tie him to the drug load, but they chose not to prosecute him. Instead, Mr. Speaker, the United States Attorney's office prosecuted the agents and granted immunity to the drug smuggler for his testimony against our border agents. That is absolutely unacceptable.

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. Contrary to the claims of the United States attorney, there is no law that requires the government to give medical assistance to injured illegal aliens. This drug smuggler is not an American citizen. He is a criminal. Since the agents were convicted, three of the 12 jurors have submitted sworn statements that they were misled into believing that there