

the other questions that hopefully we'll have the opportunity to address.

So it is my distinct pleasure to be able to rise to support the underlying bill, H.R. 3971, and as well the previous bill, H.R. 3992. And I thank the chairman for his leadership. And I think the criminal justice system will be better for the passage of these two initiatives.

Madam Speaker, I rise today in strong support of H.R. 3992, the Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2007, introduced by my distinguished colleague from Virginia, Representative ROBERT SCOTT. This bipartisan legislation is designed to increase public safety by enabling coordination between the criminal justice and mental health care systems to increase treatment among this segment of the population.

The enormous growth in the national prison population has intensified the problems presented by the needs of mentally ill inmates. Frequently, mentally ill defendants are inappropriately placed into criminal or juvenile corrections facilities, and the harmful impact that this has on the individual and society is reflected in increased recidivism rates, wasted administrative costs, and superfluous overcrowding of corrections facilities, among other things. Among the utmost dilemmas involved in managing the mentally ill prisoners is that correctional staffing is seldom at an adequate level to supervise and care for these prisoners, and correctional officers in many state prisons have never received training in working with the mentally ill.

The Bureau of Justice reported that in 1998 over 280,000 individuals in jail or prison and approximately 550,000 of those on probation had a mental impairment. The mentally ill are disproportionately represented in jails and prisons. Five percent of all Americans have a serious mental illness, but 16 to 20 percent of incarcerated individuals have a mental impairment. Any individual who is enrolled in a juris doctorate program is familiar with two key terms in criminal law, *Actus Reus* and *Mens Rea*. *Actus Reus* is associated with the guilty act, while *Mens Rea* is associated with the guilty mind. Both elements are required to achieve a successful conviction in our criminal law system. Mental health offenders may have committed the physical, guilty act, but they are incapable of having the mind capacity to commit the crime. The act does not make a person guilty unless the mind is also guilty.

The prevalence of the mentally ill in the criminal justice system has been the subject of many recent studies. The U.S. Department of Justice, Bureau of Justice Statistics reported last July that at least 16 percent of the U.S. prison population is seriously mentally ill. The highest rate of reported serious mental illness is among white female inmates, at 29 percent. For white females age 24 or younger, this level rises to almost 40 percent. The American Jail Association estimates that 600,000 to 700,000 people suffering from serious mental illness are being booked into jail each year.

The National Alliance for the Mentally Ill reports that on any given day, at least 284,000 schizophrenic and manic depressive individuals and manic depressive individuals are incarcerated, while only 187,000 seriously mentally ill individuals are in mental health facilities. Additionally, there are approximately 547,800 seriously mentally ill people who are

currently on probation. These statistics seem to indicate that the mentally ill are unjustifiably burdening the criminal justice system.

There is a dire need for resources that will provide vital resolutions to the crisis, expand diversion programs, community-based treatment, re-entry services, and improved treatment during incarceration. The reauthorization of the Mentally Ill Offender Treatment and Crime Reduction Act of 2004 recognizes that true partnerships between the mental health and criminal and juvenile corrections systems and between the Federal and State Governments are needed to meet these challenges. Indeed, this bill requires that Federal funds authorized under this program be supplemented with contributions from the States, local governments, and tribal organizations.

Madam Speaker, Congress has an obligation to legislate to protect the community from those who become aggressive or violent because of mental illness. We also have a responsibility to see that the offender receives the proper treatment for his or her illness. Far too often, mental illness goes undiagnosed, and many in our prison system would do better in alternative settings designed to handle their particular needs.

In Texas, past treatment of mentally ill offenders illustrates the need for legislation such as H.R. 3992. Senior U.S. District Judge William Wayne Justice, who is experienced in dealing with mentally ill prisoners in Texas, ruled in 1980 that the Texas prison system is unconstitutional and placed it under Federal control for 30 years. In Judge Justice's estimation, the Texas laws that apply to the mentally ill "lack compassion and emphasize vengeance." KPFT news reported him as having said,

We have allowed the spirit of vengeance such unrivaled sway in our dealings with those who commit crime that we have ceased to consider properly whether we have taken adequate account of the role that mental impairment may play in the determination of moral responsibility. As a result, we punish those who we cannot justly blame. Such result is not, I believe worthy of a civil society.

This legislation in an important first step towards restructuring a system that has operated in a disjointed and unsympathetic manner for far too long. We must continue to make this legislation adequately effective to preserve the lives of defendants who are actually victims.

I am proud to support this legislation and I strongly urge my colleagues to join me in supporting this legislation and calling for the appropriate treatment and recognition of mentally ill offenders.

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Mr. SMITH of Texas. Madam Speaker, I have no other speakers on this side, and I yield back the balance of my time.

Mr. SCOTT of Virginia. Madam Speaker, I have no other speakers, and I urge my colleagues to support the legislation. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. SCOTT) that the House suspend the rules and pass the bill, H.R. 3971, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A bill to encourage States to report to the Attorney General certain information regarding the deaths of individuals in the custody of law enforcement agencies, and for other purposes."

A motion to reconsider was laid on the table.

SPECIAL ORDERS

The SPEAKER pro tempore. 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.

HONORING THE SERVICE OF MARY LOUISE PLUNKETT

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

Mr. CROWLEY. Madam Speaker, it is indeed an honor for me to rise here today on the floor of the House of Representatives to pay tribute and to say thank you to a very close personal friend of mine, Ms. Mary Lu Plunkett, one of the most influential people in my life for the past 25 years and one of the most valued members of the community of Queens County in New York State and New York City for more than the last 50 years.

I was blessed to meet Mary Lu Plunkett in my early 20s, when I stepped into the Queens County Democratic headquarters while running errands at the time for my then-Uncle Walter Crowley. That day was the start of one of the most important friendships in my personal and political life, Madam Speaker. But long before Mary Lu became a valued part of my life, she was already a valued and well-established force in Queens County and in Queens County Democratic politics.

Mary Lu was born in Brooklyn, and she moved to Jackson Heights, Queens, in 1949 with her husband Jack. Mary Lu was quick to engage in her community and in her local church, and we were just as quick to forgive Mary Lu for her Brooklyn past.

Mary Lu's foray into politics started when she joined the Amerind Democratic Club. She went on to volunteer at Queens County Democratic Headquarters, where she became a full-time member of the staff in 1956. While working at county headquarters, Mary Lu served some of Queens County's finest political leaders, including Moses Weinstein, Jim Roe, and my predecessor Tom Manton, and her influence on them and our community was felt and has been felt by all of us since.

No political event or dinner has been held without Mary Lu and her charm. She helped to welcome such dignitaries and luminaries as John Kennedy, TED

KENNEDY, Jimmy Carter, Governor Hugh Carey, Mario Cuomo, Mayor Ed Koch, David Dinkins and President Bill and Senator HILLARY CLINTON and welcomed them into our Queens County home.

Her intelligence, her warmth and kindness have made everyone who has come into contact with her feel welcome and comfortable.

However, Mary Lu's reach went well beyond local politics. You have to keep in mind, Madam Speaker, that Queens County has 2.3 million people who live in just that county alone. When she was not at county headquarters, she was working to create a better Queens, and in particular, a better Rockaway, her hometown in Queens County. For example, every year she hosted an annual fundraiser that was a must-attend event to help the children of St. Gertrude's Parish in Far Rockaway.

On top of all she has done for others, most important to her, I think, is her role as a mother and as a grandmother. There is nothing that Mary Lu won't do or hasn't done for her two children, Steve and Jamie; and her three grandchildren, Matthew, Christopher, and Caroline; and their mom, Nancy.

I have tremendous respect for Mary Lu and all she has accomplished throughout her years, but as her friend, I'm most proud of how she has led her family life, and I have always considered myself an extended member of that family, often enjoying many personal moments in the Rockaways, getting sand in my shoes with the Plunkett family.

In the coming weeks, my fellow friends and colleagues in Queens County will gather to honor Mary Lu for her lifetime of service to our great borough and to our great city and to our great country. We will applaud her for her charity, her wit and political skill, and I want to thank her for being a mentor and a friend.

Mary Lu, we love you and we congratulate you on your lifetime of achievement.

ECONOMIC STIMULUS

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

Mr. ENGLISH of Pennsylvania. Madam Speaker, the current subprime housing crisis, coupled with volatile energy prices, rising costs in health care and looming tax increases, among others, have put our country on the dark path of economic slowdown. And although not yet a technical recession, it certainly feels like a recession in the communities that I represent in western Pennsylvania.

Clearly, America's hardworking families and employers are feeling the crunch from the slowing economy.

While there's a growing consensus in Washington that Congress needs to take action on a stimulus package to stave off further economic challenges,

an agreement on how to proceed remains very elusive.

In addition to recently participating in a Joint Economic Committee hearing on the state of the economy, I've met with half a dozen respected economists, and I strongly believe that unless Congress acts swiftly on a stimulus package that will inject money into the American economy and incentivize job creation, middle class America will be forced to bear the brunt of our country's economic instability.

To be clear, now is not the time for politics as usual. We need to unite to enact sound stimulus legislation that, among other things, will benefit both wage earners and job creators, will encourage investment in good paying jobs, and will put more money back into the pockets of working families.

Now, how can Congress achieve these goals on a bipartisan basis? In my view, Madam Speaker, the single best way to help struggling employers in this climate, while providing a jumpstart to the economy, is to allow companies to quickly recapture the money they invest in capital.

Congress should step up to the plate today to create incentives for American employers to invest in new equipment, to revive bonus depreciation to boost employer's capital, and to work to enact common-sense policies that will curb the reach of the corporate alternative minimum tax at exactly the time when its reach is most devastating, during economic downturns.

At the same time, Congress must explore ways in which we can mitigate the impact of a sluggish economy on low and moderate income families that are now facing new and severe economic uncertainty.

By extending unemployment benefits, rolling the income tax on unemployment benefits back, and increasing the child tax credit and providing a significant tax rebate for middle-class families, Congress can ensure that every American has access to the financial resources they need to weather this pending economic storm.

While I've outlined a stimulus plan that will create an environment for job growth, reform how we tax American employers and improve UC benefits for the long-term unemployed, Congress must be vigilant in crafting a pro-growth plan that will not disturb the government's fiscal balance.

I believe frankly we need to avoid absurd PAYGO rhetoric which, coupled with a liberal budget requiring tax increases, now seems to be hobbling action on the other side of the aisle.

Over the past year, some of my friends on the other side of the aisle have insisted on a budget that would impose substantial tax increases on a struggling American economy.

These Herbert Hoover Democrats have used the labels of tax reform and revenue neutrality as a carnival mask to conceal a policy of higher taxes and higher spending, essentially placing a

higher percentage of the American economy under government control, and this at a time when the economy is vulnerable, facing slower economic growth.

Instead of setting new priorities, the new majority has chosen to throw priority setting to the wind and have undermined the benefits of the very tax policies that have grown the economy and helped America's middle class.

At the time of economic hardship, when Americans are struggling to make ends meet, it would be inconceivable to place additional, unnecessary tax burdens on the backs of middle class America.

Madam Speaker, time is of the essence. Putting the economy back on a growth path must be a top priority for Washington. Congress must move on a bipartisan basis to enact a stimulus package that is swift, significant and effective.

We need to set aside sterile politics of class warfare and embrace strong pro-growth tax policies that will help benefit everyone by reinvigorating the American economy.

HONORING PRIVATE BOOKER TOWNSELL

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

Mr. McDERMOTT. Madam Speaker, Senator BILL NELSON and I introduced legislation today to amend the dark chapter of American history by providing a fair and just settlement for our African American soldiers who were wrongly convicted after an incident at Fort Lawton during World War II.

Last Saturday, I stood with the family of Booker Townsell at his gravesite in Milwaukee, Wisconsin. At long last, Private Booker Townsell received a burial with full honors, in a ceremony filled with emotion and symbolism. At long last, Booker Townsell received the military honors he deserved.

I want to read into the RECORD the remarks I read last Saturday because Booker and his family deserve to have his long overdue military honors permanently etched into the CONGRESSIONAL RECORD.

In the House, I represent Seattle in King County, Washington, home to Fort Lawton and home to author Jack Hamann. He exposed what Booker Townsell, his family and others have often lived and known for a long time, that the color of their skin determined their fate and denied them due process.

And on behalf of the people in my Seventh District, who live in a county proudly named in honor of Dr. Martin Luther King, let me sum up our feelings by quoting Dr. King: Injustice anywhere is a threat to justice everywhere.

That's why I got into this fight. America cannot and must not permit