

chapter 7, qualifying members of reserve components of the Armed Forces and members of the National Guard who, after September 11, 2001, are called to active duty or to perform a homeland defense activity for not less than 90 days.”.

A motion to reconsider was laid on the table.

EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM AUTHORIZATION

Mr. CONYERS. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3546) to authorize the Edward Byrne Memorial Justice Assistance Grant Program at fiscal year 2006 levels through 2012, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3546

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AUTHORIZATION OF GRANTS.

Section 508 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3758) is amended by striking “for fiscal year 2006” through the period and inserting “for each of the fiscal years 2006 through 2012.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CONYERS) and the gentleman from California (Mr. DANIEL E. LUNGREN) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. CONYERS. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. CONYERS. I would like to begin by yielding as much time as he may consume to our distinguished colleague from Georgia (Mr. JOHNSON) who has worked more diligently than I believe any Member in the House on this measure. He shepherded it through hearings and markup in Judiciary, and now we're on the floor.

Mr. JOHNSON of Georgia. Thank you, Mr. Chairman.

Madam Speaker, today I rise in support of my bill, H.R. 3546, which will reauthorize Byrne-JAG grants for local law enforcement.

Officer Edward Byrne was a rookie New York police officer in New York City when he was killed in the line of duty in February of 1988. Officer Byrne came from a family of police officers and was dedicated to cleaning up his beat in Queens.

Late on the night of February 26, 1988, Officer Byrne and his partner were staking out a house when he was murdered in his car, shot in the head five times with a pistol. He was only 22 years old.

Officer Byrne's sacrifice was not in vain. His murderers and the criminals who employed them were found, charged, and convicted. And today, in perpetuation of Officer Byrne's legacy, the Byrne-JAG grant program is now the only Federal program that funds crime fighting and prevention throughout the States across State lines and nationwide.

This program, Mr. Chairman and Madam Speaker, is more important now than ever. The slowing economy undermines the ability of local law enforcement to maintain and support crime prevention programs in our community as well as maintain order.

Already, cash-strapped local governments face lower tax revenues and higher crime rates and recidivism. Local officials depend on these Byrne-JAG grants to invest in law enforcement resources that keep crime and drugs out of our communities. In my home State of Georgia, these grants provide for a specialize core of drug enforcement agencies that work closely together cooperating with each other and the Federal Government. And nationwide, the results speak for themselves.

Byrne-JAG has led to the seizure of 54,000 weapons, the destruction of 5.5 million grams of methamphetamine, and the elimination of nearly 9,000 meth labs per year. Nevertheless, Congress has consistently underfunded this program, and President Bush threatens additional cuts in the 2009 fiscal budget fiscal year. But we can't afford to deny local governments the resources that they so desperately need to fight and prevent crime.

My bill will reauthorize Byrne-JAG funding at full 2006 levels, and I urge my colleagues in this body to support it.

In honor of Officer Edward Byrne, this program will help keep our streets, our kids, our fellow citizens, and our communities safe from criminal activity and drugs.

Mr. DANIEL E. LUNGREN of California. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of H.R. 3546, a bill to authorize the Edward Byrne Memorial Justice Assistance Grant Program at fiscal year 2006 levels through the year 2012. This bill continues to fund the Department of Justice Byrne-JAG Grant Program that, as the gentleman from Georgia said, provides assistance to State and local law officials.

These grants support a broad range of activities to prevent and control crimes and to improve the criminal justice system. The department allocates funds using a formula based on State population and the annual Unified Crime Report statistics. The program does have a minimum allocation to ensure that each State and territory receive an appropriate share of the Federal funds.

Byrne-JAG funds can be used to pay for personnel overtime and equipment,

funds are used for Statewide initiatives, technical assistance and training, and support for local and rural jurisdictions.

I can say, Madam Speaker, that my experience in the past serving as the Attorney General of California allowed me to see the good work that the Byrne funds has done and continues to do, primarily in the area of multi-jurisdictional task forces as was mentioned by the gentleman from Georgia.

This is actually an area where we actually see a synergism that exists among different levels of government and their law enforcement personnel. It is always important that they have good leadership at each level, and the training that took place as a result of many of these multi-jurisdictional task forces actually created an improvement in the overall training for law enforcement across the country. It is a remarkable thing to see agents from different agencies, different departments, working together for a common purpose.

As the gentleman mentioned, you can, as a result of these task forces, count up the number of arrests made, the number of convictions obtained, the number of weapons taken off the street, the number of drugs taken off the street in each and every case making it safer for the people of the States of the United States.

On June 9, the Federal Bureau of Investigation released a 2007 Unified Crime Report detailing the statistics and tracking trends for violent crimes nationwide. The national rate for violent crimes, that is including robbery, sexual assault, and murder, decreased nationally. Unfortunately, the report also showed the rate of violent crime rate increased in some communities across the country. This is not by accident that we see an overall improvement across the country. It is the result of the work of many good men and women in uniform and the support to organizations that they have throughout this country.

We should understand that while sometimes the trend is to say that if something is a serious crime, it's a Federal crime; unless the FBI gets involved, it's not important, it's not going to be handled well. Well over 90 percent, well over 95 percent of all crime is investigated and prosecuted at the local and State level, not the Federal level. That's why these grants work very, very well when it encourages a multi-jurisdictional approach where you can find the abilities, the differing abilities of the agencies and departments, the coming together to work with one another.

Law enforcement officials remain committed to preventing crime and keeping our communities safe, and their efforts should be applauded. However, given the report, it is clear that additional steps need to be taken in order to continue to address the issue of crime.

During the past few months, representatives from various law enforcement associations visited me and my colleagues to discuss the Byrne-JAG funding. They have spoken with near unanimity about the important role Byrne-JAG funding plays in aiding their efforts to accomplish their law enforcement missions.

Congress plays an important role in supporting State and local law enforcement by continuing to enforce to reauthorize this program at appropriate levels. However, we should not in any way suggest that the Federal Government has the first responsibility for funding local and State law enforcement. That remains with local and State jurisdictions, and frankly, if they don't understand the priority, the first priority of government, to try and create a modicum of safety and security for the people of those jurisdictions so that they can live their lives in some sense of security not having to worry about violent criminals upsetting their lives, attacking them and their loved ones. If local and State jurisdictions don't understand that, frankly, they don't understand the first obligation of government.

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So, while we wholeheartedly support this funding program, let us ensure that at the local and State levels those representatives are held responsible by the people that elect them to ensure that the first priority of government is achieved: a modicum of safety and security for the people of the jurisdictions that they find themselves in.

With that, I reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I couldn't concur more with the speakers, our friend from Georgia, HANK JOHNSON, and the distinguished member of the Judiciary Committee who has been the Attorney General in the largest State in the country.

And so I am enthusiastically supporting the continuation of these grants and would hope we would reauthorize this. We have got a reauthorization of over \$1 billion this time through 2012, and I hope that we will enjoy the support of the Members of the House.

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

Mr. DANIEL E. LUNGREN of California. Madam Speaker, once again, I rise in support of H.R. 3546, and I yield myself such time as I may consume, and suggest that of all the costs that are involved with law enforcement across the country, one of the greatest is the cost of gassing up their cars.

As the gentleman understands, law enforcement, yes, travels on its feet, but more than often travels on its wheels. The increased costs of energy affect us all across this Nation. Every home is affected by it, without regard to economic status. But think about this, our law enforcement agencies are very labor-intensive. They depend on

people, yes, applying technology, but we depend on people.

When we have concern about crime in a particular area, it doesn't do to say, well, we've got new computers downtown; that's going to take care of it. What do people want to see? They want to see law enforcement in their areas. And for most areas of America, that means seeing patrol cars coming through their neighborhoods at an appropriate time, seeing them respond whenever there is a cry for help as a result of crime or an attempt at crime.

The costs that are implicit in this tremendous increase in energy costs in this country, the gasoline pump prices, affect each and every one of our law enforcement agencies. And so I would hope as we support unanimously this Edward Byrne Memorial Justice Assistant Grant Program for fiscal years 2006 through 2012, we also think at some point in time of bringing up a bill that might help us get some relief in that area. If you add it all up, it might add up to the total cost of the Byrne grant program.

Mr. CONYERS. Would the gentleman yield?

Mr. DANIEL E. LUNGREN of California. I would be happy to yield to the gentleman from the place where I think they still build more automobiles than any other place in the country.

Mr. CONYERS. Well, not Canada, though. I thank the gentleman for yielding, and I was concerned only for a moment that he wasn't going to bring up this subject. It was with very little ingenuity required on his part to tie it into this measure.

As a distinguished member of Judiciary, has the gentleman considered one of the proposals about bringing the price down by nationalizing the oil companies in this country?

Mr. DANIEL E. LUNGREN of California. If I might respond, through the Speaker, I would say, Madam Speaker, the only person I know that has suggested that we nationalize oil companies, including refineries, is the gentleman from the other side of the aisle. It's worked so well around the world, I think you could go through all the countries with a nationalization. Maybe Venezuela is a trend setter here, but I don't think that's exactly where we want to go. So the answer to the gentleman, through the Speaker, is no.

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise today in support of H.R. 3546 to reauthorize the Edward Byrne Memorial Justice Assistance Grant (Byrne-JAG) Program at fiscal year 2006 levels through 2012. The Byrne-JAG monies are supposed to be used to make America a safer place. I support the reauthorization and I would urge my colleagues to do likewise.

WHY BYRNE-JAG IS NECESSARY

Byrne-JAG allows states and local governments to support a broad range of activities to prevent and control crime and to improve the criminal justice system, which States and local governments have come to rely on to ensure public safety. They support: law enforcement,

prosecution and court programs, prevention and education, corrections and community programs, drug treatment, planning, evaluation, technology improvement programs, and crime victim and witness programs (other than compensation). In short, they are an indispensable resource that states use to combat crime.

RECENT CUTS IN BYRNE JAG FUNDING

Unfortunately, in fiscal year 2008 the Byrne-JAG program was cut by two-thirds. Although Congress authorized over \$1 billion, only \$520 million were appropriated for fiscal year 2007. The appropriation was then drastically reduced to \$170.4 million in fiscal year 2008, and the President has proposed further cuts for the fiscal year 2009 budget.

PAST PROBLEMS WITH BYRNE JAG

The trend to reduce the grant funding may result, in part, from instances where Byrne-JAG funding has been abused. For example, in 1999 Byrne-JAG funding was used in the infamous Tulia outrage in which a rogue police narcotics officer in Texas set up dozens of people, most of them African-American, in false cocaine trafficking charges. In other instances, jurisdictions used the funding to fund task forces focused solely on ineffective, low-level drug arrests, which has put the task force concept—and the diminished standards of drug enforcement that it has come to represent—in the national spotlight.

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 corroborate 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 seventeen 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.

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consin. A 2001 study by the Government Accountability Office found that the federal government fails to adequately monitor the grant program and hold grantees accountable.

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 malady 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. BILIRAKIS. Madam Speaker, I rise today to express my strong support for H.R. 3546, which authorizes the Edward Byrne Memorial Justice Assistance Grant Program at fiscal year 2006 levels through 2012.

Earlier this year I was disappointed to learn of the administration's draconian reduction in funding which would have limited the ability of our law enforcement officers to obtain the necessary manpower, equipment, and other tools to reduce criminal activity, putting them in a reactive rather than proactive mode.

The Edward Byrne Memorial Justice Assistance Grant Program allows States and local governments to improve their criminal justice system by supporting activities that help prevent and control crime.

H.R. 3546 authorizes \$1.095 billion annually through FY2012 for the grant program. It is critically important that States and local law enforcement agencies have access to these much-needed resources, which help fight crime and drug proliferation in our communities.

Madam Speaker, we must properly fund our local law enforcement officers, who put their

lives on the line daily to keep the rest of us safe. Therefore, I encourage my colleagues to join me in voting for this very important legislation to keep our neighborhoods safe!

Mr. DANIEL E. LUNGREN of California. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and pass the bill, H.R. 3546, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. JOHNSON of Georgia. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

COMMEMORATING THE 44TH ANNIVERSARY OF FREEDOM SUMMER

Mr. CONYERS. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1293) commemorating the 44th anniversary of the deaths of civil rights workers Andrew Goodman, James Chaney, and Michael Schwerner in Philadelphia, Mississippi, while working in the name of American democracy to register voters and secure civil rights during the summer of 1964, which has become known as "Freedom Summer".

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1293

Whereas 44 years ago, on June 21, 1964, Andrew Goodman, James Chaney, and Michael Schwerner were murdered in Philadelphia, Mississippi, while working in the name of American democracy to register voters and secure civil rights during the summer of 1964, which would become known as "Freedom Summer";

Whereas Andrew Goodman was a 20-year-old White anthropology major from New York's Queens College, who volunteered for the Freedom Summer Project;

Whereas James Chaney was a 21-year-old African-American from Meridian, Mississippi, who became a civil rights activist, joining the Congress of Racial Equality (CORE) in 1963 to work on voter education and registration;

Whereas Michael "Mickey" Schwerner was a 24-year-old White CORE field secretary in Mississippi and a veteran of the civil rights movement, from Brooklyn, New York;

Whereas in 1964, Mississippi had a Black voting-age population of 450,000, but only 16,000 Blacks were registered to vote;

Whereas most Black voters were disenfranchised by law or practice in Mississippi;

Whereas in 1964, Andrew Goodman, James Chaney, and Michael Schwerner volunteered to work as part of the "Freedom Summer" project that involved several civil rights organizations, including the Mississippi State chapter of the National Association for the