

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 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 a 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 E.
Boozman	Forbes	Lynch
Boren	Fortenberry	Mack
Boucher	Foster	Mahoney (FL)
Boustany	Fox	Manzullo
Boyd (FL)	Frank (MA)	Marchant
Boyda (KS)	Frelinghuysen	Markley
Brady (PA)	Gallely	Marshall
Brady (TX)	Garrett (NJ)	Matheson
Brown (SC)	Gerlach	Matsui
Brown-Waite,	Giffords	McCarthy (CA)
Ginny	Gilchrest	McCarthy (NY)
Buchanan	Gillibrand	McCaul (TX)
Burgess	Gingrey	McCollum (MN)
Burton (IN)	Gohmert	McCotter
Butterfield	Gonzalez	McCrery
Buyer	Goode	McDermott
Calvert	Goodlatte	McGovern
Camp (MI)	Gordon	McHenry
Campbell (CA)	Green, Gene	McHugh
Cannon	Hall (NY)	McIntyre
Cantor	Hall (TX)	McKeon
Capito	Hare	McMorris
Capps	Harman	Rodgers
Capuano	Hastings (FL)	McNerney
Cardoza	Hastings (WA)	McNulty
Carnahan	Hayes	Meek (FL)
Carney	Heller	Meeks (NY)
Carson	Hensarling	Melancon
Carter	Herger	Mica
Castle	Herseht Sandlin	Michaud
Castor	Higgins	Miller (FL)
Cazayoux	Hill	Miller (MI)
Chabot	Hinchey	Miller (NC)
Chandler	Hinojosa	Miller, Gary
Childers	Hirono	Mitchell
Clarke	Hobson	Mollohan
Clay	Hodes	Moore (WI)
Cleaver	Hoekstra	Moran (KS)
Clyburn	Holden	Murphy (CT)
Coble	Holt	Murphy, Patrick
Cohen	Honda	Murphy, Tim
Cole (OK)	Hookey	Musgrave
Conaway	Hoyer	Myrick
Conyers	Hunter	Nadler
Cooper	Inglis (SC)	Napolitano
Courtney	Inslee	Neugebauer
Crenshaw	Israel	Nunes
Crowley	Issa	Oberstar
Cuellar	Jackson (IL)	Oliver
Culberson	Jackson-Lee	Ortiz
Cummings	(TX)	Pallone
Davis (AL)	Johnson (GA)	Pascarell
Davis (IL)	Johnson, E. B.	Pastor
Davis (KY)	Johnson, Sam	Paul
Davis, David	Jones (NC)	Payne
Davis, Lincoln	Jordan	Pence
Deal (GA)	Kagen	Perlmutter
DeFazio	Kanjorski	
DeGette	Kaptur	

Peterson (MN)	Sánchez, Linda T.	Sutton
Peterson (PA)	Sanchez, Loretta	Tanner
Petri	Sarbanes	Tauscher
Pickering	Scalise	Terry
Pitts	Schakowsky	Thompson (CA)
Poe	Schiff	Thompson (MS)
Pomeroy	Schmidt	Thornberry
Porter	Schwartz	Tiahrt
Price (GA)	Scott (GA)	Tierney
Price (NC)	Sensenbrenner	Tsongas
Putnam	Serrano	Turner
Rahall	Sessions	Upton
Ramstad	Sestak	Van Hollen
Rangel	Shadegg	Velázquez
Regula	Sherman	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
Rogers (MI)	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)
Salazar	Spratt	Wolf
Sali	Stark	Wu
	Stearns	Yarmuth
	Stupak	Young (AK)
	Sullivan	Young (FL)

NOT VOTING—59

Andrews	Green, Al	Pryce (OH)
Bachmann	Grijalva	Radanovich
Barrow	Gutierrez	Rohrabacher
Bonner	Hulshof	Rush
Boswell	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 E.
Blunt	Flake	Lynch
Boehner	Forbes	Mack
Bono Mack	Fortenberry	Mahoney (FL)
Boozman	Foster	Manzullo
Boren	Fox	Marchant
Boucher	Frank (MA)	Markley
Boustany	Franks (AZ)	Marshall
Boyd (FL)	Frelinghuysen	Matheson
Boyda (KS)	Gallely	Matsui
Brady (PA)	Garrett (NJ)	McCarthy (CA)
Brady (TX)	Gerlach	McCarthy (NY)
Brown (SC)	Giffords	McCaul (TX)
Brown-Waite,	Gilchrest	McCollum (MN)
Ginny	Gillibrand	McCotter
Buchanan	Gingrey	McCrery
Burgess	Gohmert	McDermott
Burton (IN)	Gonzalez	McGovern
Butterfield	Goode	McHenry
Buyer	Goodlatte	McHugh
Calvert	Gordon	McIntyre
Camp (MI)	Green, Gene	McKeon
Campbell (CA)	Grijalva	McMorris
Cannon	Hall (NY)	Rodgers
Cantor	Hall (TX)	McNerney
Capito	Hare	McNulty
Capps	Harman	Meek (FL)
Capuano	Hastings (FL)	Meeks (NY)
Cardoza	Hastings (WA)	Melancon
Carnahan	Hayes	Mica
Carney	Heller	Michaud
Carson	Hensarling	Miller (FL)
Carter	Herger	Miller (MI)
Castle	Herseht Sandlin	Miller (NC)
Castor	Higgins	Miller, Gary
Cazayoux	Hill	Mitchell
Chabot	Hinchey	Mollohan
Chandler	Hinojosa	Moore (KS)
Childers	Hobson	Moore (WI)
Clarke	Hodes	Moran (KS)
Clay	Hoekstra	Murphy (CT)
Cleaver	Holden	Murphy, Patrick
Clyburn	Holt	Murphy, Tim
Coble	Honda	Musgrave
Cohen	Hookey	Myrick
Cole (OK)	Hoyer	Nadler
Conaway	Hunter	Napolitano
Conyers	Inglis (SC)	Neugebauer
Cooper	Inslee	Nunes
Courtney	Israel	Oberstar
Crenshaw	Issa	Obey
Crowley	Jackson (IL)	Oliver
Cuellar	Jackson-Lee	Ortiz
Culberson	(TX)	Pallone
Cummings	Johnson (GA)	Pascarell
Davis (AL)	Johnson, E. B.	Pastor
Davis (IL)	Johnson, Sam	Paul
Davis (KY)	Jones (NC)	Payne
Davis, David	Jordan	Pence
Davis, Lincoln	Kagen	Perlmutter
Deal (GA)	Kanjorski	Peterson (MN)
DeFazio	Kaptur	Peterson (PA)
DeGette	Keller	Petri
	Kennedy	Pickering
	Kildee	