

Mr. Speaker, we need to continue to get our economy back on the right track, and this bill is about boosting American technology and innovation. It's about making things in America again. Right now, at an office building outside of Washington, D.C., over 1 million patent applications sit gathering dust. Hundreds of thousands have yet to be looked at for the first time. Those applications could be the next iPhone, the next Netbook, or the next Google. But the agency tasked with reviewing those applications just can't keep up. So they sit and they sit, often for years. In fact, the average time that it takes a patent to be approved is about 30 months, but when you consider that today technologies often become obsolete within 18 months or less, it is clear that a process that takes 2½ years is simply too long, and it hurts our competitiveness.

Those applications at the U.S. Patent and Trade Office, or USPTO, represent the greatest this country has to offer in terms of new ideas and new technologies. They contain any number of breakthroughs that could help to propel our economy out of the recession, expand small businesses, and create new jobs. And they could be the key to helping our Nation maintain its technological edge globally. Patent activity among our biggest competitors like China, India, and South Korea have shown exponential growth, but this bill is one step in providing the USPTO the resources necessary to keep pace with the flow of innovation and ensure American businesses and workers can compete globally. And it is fully offset with a reduction in spending for the U.S. Census Bureau.

We need to make sure that the USPTO can hire the necessary patent examiners, install up-to-date information technology, and make other operational changes necessary to get at this backlog. This is an issue that's of critical importance for our economy and the job market. I encourage my colleagues to join me in supporting this commonsense and paid-for legislation. I know the manufacturers in Bucks County, Pennsylvania, and across our country care about it.

I want to thank, again, the leadership of Chairman MOLLOHAN.

Mr. WOLF. Mr. Speaker, I yield back the balance of my time.

Mr. MOLLOHAN. 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 West Virginia (Mr. MOLLOHAN) that the House suspend the rules and pass the bill, H.R. 5875.

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

A motion to reconsider was laid on the table.

## EMERGENCY BORDER SECURITY SUPPLEMENTAL APPROPRIATIONS ACT, 2010

Mr. PRICE of North Carolina. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5875) making emergency supplemental appropriations for border security for the fiscal year ending September 30, 2010, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5875

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2010, and for other purposes, namely:

### DEPARTMENT OF HOMELAND SECURITY

#### U.S. CUSTOMS AND BORDER PROTECTION

##### SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", \$356,900,000, to remain available until September 30, 2012, of which \$78,000,000 shall be for costs to maintain U.S. Customs and Border Protection Officer staffing on the Southwest Border of the United States, \$58,000,000 shall be for hiring additional U.S. Customs and Border Protection Officers for deployment at ports of entry on the Southwest Border of the United States, \$208,400,000 shall be for hiring additional Border Patrol agents for deployment to the Southwest Border of the United States, \$2,500,000 shall be for forward operating bases on the Southwest Border of the United States, and \$10,000,000 shall be to support integrity and background investigation programs: *Provided*, That section 104 shall not apply to \$151,000,000 of the amount under this heading.

#### BORDER SECURITY FENCING, INFRASTRUCTURE, AND TECHNOLOGY

For an additional amount for "Border Security Fencing, Infrastructure, and Technology", \$14,000,000, to remain available until September 30, 2012, for costs of designing, building, and deploying tactical communications for support of enforcement activities on the Southwest Border of the United States.

#### AIR AND MARINE INTERDICTION, OPERATIONS, MAINTENANCE, AND PROCUREMENT

For an additional amount for "Air and Marine Interdiction, Operations, Maintenance, and Procurement", \$32,000,000, to remain available until September 30, 2012, for costs of acquisition and deployment of unmanned aircraft systems.

#### CONSTRUCTION AND FACILITIES MANAGEMENT

For an additional amount for "Construction and Facilities Management", \$9,000,000, to remain available until September 30, 2012, for costs to construct up to three forward operating bases for use by the Border Patrol to carry out enforcement activities on the Southwest Border of the United States.

#### U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

##### SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", \$30,000,000 to remain available until September 30, 2012, for law enforcement activities targeted at reducing the threat of violence along the Southwest Border of the United States.

#### FEDERAL EMERGENCY MANAGEMENT AGENCY STATE AND LOCAL PROGRAMS

For an additional amount for "State and Local Programs", \$50,000,000, to remain

available until September 30, 2011, for Operation Stonegarden.

#### FEDERAL LAW ENFORCEMENT TRAINING CENTER

##### SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", \$8,100,000, to remain available until September 30, 2011, for costs to provide basic training for new U.S. Customs and Border Protection Officers and Border Patrol agents.

#### GENERAL PROVISIONS

##### (INCLUDING RESCISSIONS)

SEC. 101. For an additional amount for the Department of Justice for necessary expenses for increased law enforcement activities related to Southwest border enforcement, \$201,000,000, to remain available until September 30, 2012: *Provided*, That funds shall be distributed to the following accounts and in the following specified amounts—

- (1) "Administrative Review and Appeals", \$2,118,000;
- (2) "Detention Trustee", \$7,000,000;
- (3) "Legal Activities, Salaries and Expenses, General Legal Activities", \$3,862,000;
- (4) "Legal Activities, Salaries and Expenses, United States Attorneys", \$9,198,000;
- (5) "United States Marshals Service, Salaries and Expenses", \$29,651,000;
- (6) "United States Marshals Service, Construction", \$8,000,000;
- (7) "Interagency Law Enforcement, Interagency Crime and Drug Enforcement", \$21,000,000;
- (8) "Federal Bureau of Investigation, Salaries and Expenses", \$25,262,000;
- (9) "Drug Enforcement Administration, Salaries and Expenses", \$35,805,000;
- (10) "Bureau of Alcohol, Tobacco, Firearms and Explosives, Salaries and Expenses", \$39,104,000; and
- (11) "Federal Prison System, Salaries and Expenses", \$20,000,000.

SEC. 102. (a) From unobligated balances made available to U.S. Customs and Border Protection "Border Security Fencing, Infrastructure, and Technology", \$100,000,000 are rescinded: *Provided*, That section 104 shall not apply to this subsection.

(b) From unobligated balances of prior year appropriations made available for "Transportation Security Administration—Aviation Security" in chapter 5 of title III of Public Law 110–28, \$15,500,000 are rescinded.

(c) From unobligated balances of prior year appropriations made available for "Federal Emergency Management Agency—Administrative and Regional Operations" in chapter 4 of title II of Public Law 109–234, \$34,500,000 are rescinded.

(d) From unobligated balances of prior year appropriations made available for "Department of Commerce—Bureau of the Census—Periodic Censuses and Programs" in title I of Public Law 111–117; 123 Stat. 3115, \$51,000,000 are rescinded: *Provided*, That section 104 shall not apply to this subsection.

SEC. 103. Notwithstanding any other provision of law, from available funds, the Department of Defense shall pay in fiscal years 2010 and 2011 the full costs associated with the deployment of the National Guard along the Southwest Border of the United States.

SEC. 104. Each amount made available herein is designated as an emergency requirement and necessary to meet emergency needs pursuant to sections 403(a) and 423(b) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

This Act may be cited as the "Emergency Border Security Supplemental Appropriations Act, 2010".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

North Carolina (Mr. PRICE) and the gentleman from Kentucky (Mr. ROGERS) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

#### GENERAL LEAVE

Mr. PRICE of North Carolina. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on H.R. 5875.

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

There was no objection.

Mr. PRICE of North Carolina. I yield myself such time as I may consume.

Mr. Speaker, this bill provides a total of \$701 million to support high-priority Homeland Security and Justice programs to enhance security along the Southwest border, where violence on the Mexican side is intensifying due to turf battles among murderous transnational criminal organizations competing for drug, alien, and weapons trafficking business. The funding would enable DHS and DOJ, in cooperation with the National Guard, to build on the current border enforcement surge.

This bill is largely uncontroversial. It simply re-proposes funding the House already approved as part of the war and disaster supplemental bill on July 1. As we all know, these funds, along with funds to stop teacher layoffs, were stripped by the Senate, leaving only funding for the wars, the Disaster Relief Fund, and Haiti earthquake relief. This funding is required now to improve security on our border and in our border communities.

I want to thank the dedicated Members from the Southwest border region who have kept the focus on this issue and are responsible for bringing us here today. We will hear from a good number of these Members tonight. I especially want to thank GABBY GIFFORDS and SILVESTRE REYES for their effort leadership on this effort, along with CIRO RODRIGUEZ, a member of our subcommittee who is a tireless advocate of these border communities; ALAN MOLLOHAN, who helped shape the Department of Justice items in the bill; and many others who helped substantially: CHET EDWARDS, ANN KIRKPATRICK, HARRY TEAGUE, HENRY CUELLAR, SOLOMON ORTIZ, RUBÉN HINOJOSA, SUSAN DAVIS, and GENE GREEN, among others.

Very briefly, the bill would fund several critical initiatives, including 1,200 new border patrol agents to sustain current levels on the Southwest border and build up capacity for when the National Guard is withdrawn next year, and 500 new Customs and Border Protection officers for the Southwest border to keep up staffing at ports of entry as customs and immigration fee funding continues to fall.

The bill includes funding for integrity programs to ensure CBP personnel operate at the high standards we expect and to combat efforts by the cartels to corrupt CBP personnel.

The bill would fund three new forward operating bases and better tac-

tical communications to enable the border patrol to operate close to the border and to close gaps that can be exploited by smugglers.

It would establish four new Border Enforcement Security Task Forces on the border and build up a permanent ICE presence in joint counterdrug efforts in the region, as well as provide for a surge in ICE's criminal alien removal efforts.

It would add \$50 million to expand support for State and local joint law enforcement efforts on the border.

It would add two additional Predator unmanned aircraft systems to ensure better coverage of the Southwest border, in particular on the Texas border.

And finally, it provides \$201 million for Justice Department staffing to surge agents and U.S. attorneys to high-crime areas in the Southwest border region, to provide more robust assistance to Mexican law enforcement authorities, and to better handle criminal aliens referred by the Department of Homeland Security.

On June 22 of this year, the President requested a \$600 million border security supplemental, offsetting \$100 million of these funds and designating the rest as an emergency.

□ 2010

This bill is consistent with that request, funding \$500 million under an emergency designation and offsetting \$201 million from unobligated balances in TSA Aviation Security, FEMA Administrative and Regional Operations, the Census Bureau, and CBP's delayed virtual fence effort, or SBInet.

Consistent with past practices for supplemental appropriations, we consider our challenges on the southwest border as important as our military's work to secure Afghanistan from the Taliban or to promote stability in Iraq, and some would argue that the southwest border mission is more important. That's why this President, like past Presidents, has requested the funding under an emergency designation. I know the minority has agreed with this point of view repeatedly in the past, and I hope we can count on their support now.

Mr. Speaker, this bill will help us counter the pressures on our law enforcement agencies and our border communities, and I urge my colleagues to adopt it.

I reserve the balance of my time.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield myself as much time as I may consume.

Let me start, Mr. Speaker, by saying that I take a backseat to no one on border security. I have read the intelligence reports, the briefings. I have been on this subcommittee since it started in 2003, chaired it for its first years, now ranking member on the subcommittee.

I have led and supported the robust funding for the Coast Guard, CBP, ICE, DOJ, all the other law enforcement agencies, even the local ones.

I have implored, in fact, practically begged, the White House and the Democrat majority to recognize the spillover violence from this heinous drug war raging on the border with Mexico.

I have even pushed for a new joint command along the southwest border for all of the American agencies.

Finally, I have been first in line calling for a serious, sustained approach to breaking the backs of the cartels and enforcing our immigration laws.

Unfortunately, Mr. Speaker, this bill is not a serious, sustained response. Rather, this is little more than a cynical knee-jerk, political ploy.

I have three concerns with this bill:

This suspension bill is not paid for. At a time of record deficit spending, why can't we at least attempt to find the prudent offsets necessary to address our Nation's border security needs, as \$600 million of this money will be borrowed money. Is this so important that we will ask our children and our grandchildren to pay for it?

Secondly, this bill circumvents regular order. These expenditures should be considered as part of the 2011 Homeland Security bill, the very same process that was derailed by the majority only yesterday when the Homeland bill was to be considered by the full committee. Ten minutes before we were to meet, they cancelled the meeting.

Thirdly, and perhaps most importantly and disappointingly, this bill is woefully inadequate and the wrong mix of security, leaving gaping holes at the Judiciary, CBP, and the Coast Guard.

If we are going to do this, let's do it right, as \$500 million out of this bill's \$700 million price tag, as I said before, is borrowed money. So, in many ways, in bill is addressing one urgent security issue and creating another. While border security is, indeed, a priority, our skyrocketing debt and continued deficit spending have the makings of a genuine national security crisis. We can no longer ignore our debt and continue to recklessly spend, call everything an emergency and simply hope it will go away. We have to make the tough, disciplined decisions at every level and on every issue.

So these border security enhancements can and should be paid for by way of responsible offsets. More to the point, why can't we consider these obvious funding needs as part of the 2011 Department of Homeland Security appropriations bill? That's where it belongs.

The majority took 6 months to consider a true emergency, funding our troops at war, and sent that bill through a tangled, politicized labyrinth. The White House only woke up to this drug violence on the border in June with a haphazard request, which begs the question: Where is the administration's and Democrat majority's commitment to security?

Instead, yesterday, the Democrat majority cancelled the full committee markup of the 2011 Homeland Security appropriations bill, where this belongs,

just 10 minutes before it was scheduled to begin. And for what? So that we can turn to this suspension bill, borrow half a billion dollars, and then ignore all the other vital Homeland Security issues for the coming year. Addressing the critical needs facing our Nation's aviation security, immigration enforcement, disaster response, and cybersecurity are now left dead in the water with little hope of resurrection.

Or was the last-minute cancellation of the markup for some other more political reason, like the fact that Arizona's new tough immigration enforcement law is in the midst of a contentious lawsuit?

Mr. Speaker, the murderous drug war along our border with Mexico demands serious solutions, not reckless spending in the middle of the night after no preparation or no hearings, a flawed process, and, worst of all, political games.

As it were, I was prepared to offer yesterday, at the full committee markup of our annual bill, I was prepared to offer a responsible, completely offset amendment that would have achieved this goal and would have included many of Chairman OBEY's ideas. And the minority was prepared to take a strong stand in defense of the Arizona immigration enforcement law, a law that simply makes being illegally present in the United States against the law. Sadly, thanks to the dictatorial tactics of the Democrat majority, we don't get a chance to offer, let alone debate, these sound amendments.

So, let's get our border security right. Let's provide the right mix of enforcement resources to combat the ruthless drug cartels, but let's do so through regular order in a fiscally responsible way.

This bill, just like President Obama's flawed request, neglects our counter-smuggling needs in the source and transit zones, fails to fully address aerial surveillance shortfalls, and ignores the judicial resources required to follow through on enforcement actions.

If only the Democrat majority would be willing to take up the regular 2011 Homeland Security Department and Commerce and Justice Department appropriations bills, we could consider and debate the improvement of our border security in such a way that all of these issues could be addressed and paid for without passing along the bill to our kids and grandkids. Sadly, that's not the case here tonight.

I have grave reservations about this bill, Mr. Speaker, as you may have noticed, and this process. While I wholeheartedly believe we can and must do more to shore up our porous border, I believe we can do it far better and be willing to pay for it.

I reserve the balance of my time.

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Mr. PRICE of North Carolina. Mr. Speaker, I yield 2 minutes to an outstanding member of our subcommittee, Mr. RODRIGUEZ of Texas.

Mr. RODRIGUEZ. Mr. Speaker, I rise today in support of H.R. 5875.

I want to personally thank Chairman PRICE for his work on these issues. The chairman has joined me on the border touring—I represent more border than anybody else in the Congress, over 785 miles along the Mexican border. We've had the opportunity to tour all the way from Texas to San Diego, including the northern border. And I want to thank him for bringing forth this piece of legislation. Let me also just indicate that this is a major piece of legislation that's critical to making sure that we secure our border. If anything is important, it is making sure that this country remains secure.

Earlier this month, the House passed a supplemental appropriation bill that continued to fund our operations both in Iraq and Afghanistan, and in addition included \$701 million in much needed border security funding. This is the funding that our men and women on the border are asking for and need to get the job done.

We all know that violence in Mexico has escalated, and we need to ensure that U.S. borders are not left vulnerable. We were disappointed when the Senate did not include the border funding in their version of the supplemental appropriations bill. So earlier this week, I was joined by Congressman TEAGUE from New Mexico, as well as Congresswoman GIFFORDS from Arizona, in writing a letter to our leadership asking them for the emergency border funding for this piece of legislation. We could not let the Senate gridlock sacrifice our ability to keep the border secure.

Last night, we were pleased to join Chairman PRICE in cosponsoring H.R. 5875, the bill that will provide these resources for the border. This bill is paid for, and not a penny will be borrowed. This bill will target funds just as the previous House-passed supplemental bill. It includes additional Border Patrol people that we need on the border, additional officers right at the points of entry. I ask support for this piece of legislation.

Mr. ROGERS of Kentucky. Mr. Speaker, I reserve the balance of my time.

Mr. PRICE of North Carolina. Mr. Speaker, I yield 2 minutes to an outstanding chairman of our authorizing subcommittee, Mr. CUELLAR of Texas.

Mr. CUELLAR. I want to thank Chairman PRICE for taking the leadership in making sure that we provide the funding for the border. I certainly want to thank the authorizing chairman, Mr. BENNIE THOMPSON, and all the Members here that have worked so hard, and the ranking member, also, for all the work that he has done.

I live on the border, my family lives on the border, my brother is a sheriff there on the border in Webb County, so I understand what's been happening there on the border for the last 54 years that I have lived there. I would have to say that this would be the largest infu-

sion of resources that the border has ever gotten at one particular time: 1,200 Border Patrol, ICE agents, ATF, FBI, other folks who make sure that we have the right mixture of technology, including two UABs that are so important to put eyes in the sky, and certainly to make sure that we get other communications to do this. This will allow us to make sure that we stop the drugs and make sure that we secure the border. And this is one point that is very important: if we secure the border, then we secure the rest of the United States. This is why this effort is so important.

So, Chairman PRICE and the ranking member, I thank all of you for the work that you have done. And again, Members, I ask you to support this very important funding for the security of our Nation.

Mr. ROGERS of Kentucky. I reserve the balance of my time.

Mr. PRICE of North Carolina. Mr. Speaker, I yield 2 minutes to another outstanding Member who has worked tirelessly to secure the border, Mr. TEAGUE of Arizona.

Mr. TEAGUE. Thank you, Chairman PRICE, and thank you for the work that you've done.

Mr. Speaker, I rise tonight in support of a supplemental appropriation bill to secure our border now.

A drug war is being waged along our border, threatening communities, families and our livelihoods in border States. And while the violence only continues to escalate, Congress seems content to step back and ignore the issue.

The drug violence is an immediate threat, and it calls for immediate action. It is deeply troubling that the Senate failed to take this opportunity to protect our national security and secure our borders. That is why I am proud to bring this bill to secure our borders to the floor tonight.

Mr. Speaker, deploying our National Guard troops to the border is critical, but we also need an increased and sustained presence of Border Patrol to protect our citizens. This bill does that by providing additional Border Patrol agents and resources for local law enforcement agencies located near the border through important programs like Operation Stonegarden.

Something important that this bill will fund are added forward operating bases for our Border Patrol. FOBs get our agents on the ground, on the border, where they can protect our citizens 24 hours a day, 7 days a week.

Currently, to protect the fine Americans living in the New Mexico boot heel, Border Patrol agents must travel 85 miles from their station in Lordsburg, New Mexico. This costs the Border Patrol agents hours in travel time before they even begin their work. This bill will get agents on the line protecting New Mexican citizens.

Mr. Speaker, the safety of our communities and our country is too important to subject to partisan politics.

The House has already passed this legislation, and I urge my colleagues to stand up for our national security once more. Vote “yes” to protect the communities along the southern border.

Mr. ROGERS of Kentucky. Mr. Speaker, I reserve the balance of my time.

Mr. PRICE of North Carolina. Mr. Speaker, may I inquire as to how much time is remaining.

The SPEAKER pro tempore (Mr. SCHAUER). The gentleman from North Carolina has 10 minutes remaining.

Mr. PRICE of North Carolina. I yield 2 minutes to Ms. GIFFORDS of Arizona, who is a sponsor of this bill and has also worked with citizens in her region ever since she came to this Congress to secure the border and to make certain that the citizens of Arizona on the border region were safe and protected.

Ms. GIFFORDS. Thank you, Chairman PRICE, for your leadership.

Mr. Chairman, the last couple of days have been extremely difficult for me because I represent the most porous part of the U.S.-Mexico border.

I'm thinking right now about Rob Krentz, a fifth-generation Arizona rancher whose family ranches on their land since before Arizona even achieved statehood. On March 27, Rob Krentz was heartlessly murdered on his land, murdered on his land that was in his family's hands for over 100 years.

Five years ago, the Tucson sector of the Border Patrol apprehended over 500,000 illegal immigrants in my community. Last year, 242,000 illegal immigrants were apprehended in the Tucson sector of the Border Patrol, and year to date we are at over 180,000 illegal immigrants apprehended in the Tucson sector. Last year we hit another record, 1.2 million pounds of marijuana seized in the Tucson sector. So for those of you who are saying that this is not critical, that keeping Americans safe is not critical, whether you live directly on the border or you live in other parts of the country, is outrageous.

The Federal Government needs to step up and take responsibility now and stop pointing fingers and blaming other people. So for those Senators who voted “no” last week, they said no to those ranchers who live along the U.S.-Mexico border, they said no to those National Guard troops who are being deployed next week, not in a vacuum, with resources coming in behind them, and they said no to Federal law enforcement officials, those who are not going to be receiving Operation Stonegarden grants.

Mr. Chairman, this is outrageous that the Federal Government, the United States Congress, Democrats and Republicans working together, are not fixing this problem. Because in Arizona, in my sector with my constituents, this is our BP oil spill crisis. But this crisis has not been going on for a couple of months. It's been going on for years—years and years. And now tonight is our opportunity to step up and finally do something about it. So, Mr.

Chairman, you can only imagine how outrageous I find this debate to be. I urge Members to support this bill.

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Mr. ROGERS of Kentucky. Mr. Speaker, I reserve the balance of my time.

Mr. PRICE of North Carolina. I yield myself such time as I may consume to respond to some of the pertinent questions raised by our ranking member.

Mr. Speaker, the gentleman has raised a series of questions which deserve answers. I will briefly attempt to provide those answers, and then we will, perhaps, bring this debate to a close.

The gentleman asked: Why this bill in this form at this point?

The answer to that is very simple, which is that it was only this week that the Senate stripped these provisions from the supplemental appropriations bill. Up until this point, our hope was—and, indeed, our expectation was—that the Senate would find a way to pass these border security provisions, or some major portion of them, in the supplemental appropriations bill. It is only because that did not happen that we find ourselves in this position here tonight, offering those provisions as a free-standing bill.

The gentleman asked: Does this somehow supplant the regular bill?

Absolutely not. As the gentleman knows, we have worked cooperatively in putting together the 2011 Homeland Security bill, and that bill addresses border security in serious ways. It builds on the work we have done in the last number of years to fortify that border, to equip those who are protecting the border and to have adequate personnel at the border. So the 2011 bill is going to address these matters and in a serious way. We still hope and expect to send that bill to the President this fall.

This, however, is an emergency supplemental, a supplemental which was debated on this floor weeks ago, which addresses the urgent needs. Our colleagues from the border regions have made it very, very clear tonight, I believe, that these urgent needs really shouldn't have to wait for that regular bill, but it absolutely takes nothing away from the regular 2011 bill.

The gentleman made some assertions as to what might have happened had the markup gone forward on schedule yesterday. The fact is that neither of us knows exactly what would have been offered, much less how the votes might have gone.

I do want to address one very serious matter, though, and that is the question of offsets, the question of where this bill fits in the overall budget picture.

As I said in my opening statement, when the President requested a \$600 million border security supplemental on June 22, he proposed the offsetting of \$100 million of these funds, and he designated the rest as an emergency.

This bill is consistent with that request. It funds \$500 million under an emergency designation. It offsets \$201 million from unobligated balances from DHS and DOJ.

As I said, this is entirely consistent with past practice under the leadership of both parties. When Mr. ROGERS was chairman of the Homeland Security Appropriations Committee and when the Republicans were in control of this body and were in control of the administration, Congress passed three emergency spending bills for the Southwest border, and none were offset.

Of these bills, the administration, in fact, requested only one as an emergency. The other two bills contained border security funding, added by a Republican-controlled Congress, not even requested by the administration, and congressional Republicans unilaterally deemed this as emergency funding.

The situation on the border necessitates immediate action. It makes it a true emergency. Why would the minority or anybody else consider this a less emergent priority than fighting the Taliban or stabilizing Iraq? No questions are ever raised about the emergency status of those funds. These are missions that are much more expensive, I might add.

Finally, let me quote a letter that we got from Mr. ROGERS, Mr. LEWIS, and other leading Republican Members a mere week ago. This has to do with the kind of enforcement efforts that might be undertaken on the Southwest border:

While cross-border criminal activity is not a new phenomenon, it has escalated into an unquestionably clear and present threat to the security of the United States. Therefore, we believe it is necessary to pursue any and all means of addressing this threat within the parameters of the law.

Mr. Speaker, I submit that that is exactly what our supplemental emergency appropriations bill does, and for that reason, I urge its adoption.

I reserve the balance of my time.

Mr. ROGERS of Kentucky. I yield myself such time as I may consume.

Mr. Speaker, the gentleman is correct. Years ago, when we requested and put in the bill funding for the border, some of it was so-called “emergency spending,” but that was at a time when we did not have a \$1.4 trillion annual deficit. Times were different. We are in a monetary crisis in the country now. So that is the reason that I believe now is not the time to use what is called “emergency money,” which means borrowed money. It means not paying for it. This is not the time to do that.

Mr. Speaker, the drug cartels have demonstrated that they will not relent so long as there is a viable way to smuggle their drugs and money—blood money—across our border. To take this threat lightly or to address it with only half-baked ideas which are brought up under suspension, at night and without any preparation, will only, I think, get us further into the morass.

The last thing we want to do is to cause trouble for President Calderon as the drug war reaches its boiling point, because he has been so diligent in his efforts. We must not rush into something that does not have their, President Calderon's, complete understanding and agreement.

So that means we must get our border security right through serious solutions, having thought through them carefully and having worked with our allies in the matter rather than through reckless spending and flawed political gimmicks like this bill is. It is not paid for. It is incomplete, and it is absolutely no substitute for the urgently needed fiscal 2011 Homeland Security appropriations bill.

Now, as to this funding and as to the urgent need that it is said to represent, the Congressional Budget Office told me that none of this bill's funding will outlay in this fiscal year. According to the CBO, this money will not be used in this year. What that tells me is that this bill is really padding the fiscal 2011 regular bill process.

Where is our fiscal 2011 bill?

It is almost August. We're going on recess for 6 weeks, and there is no bill that this Congress has produced that the Democrat majority has put before us to fund the department a few days later.

Where is the bill?

We had it scheduled to be heard in the full committee yesterday. Ten minutes before we were to convene and mark up the fiscal 2011 bill, which could have included moneys like this in the regular process, they canceled the hearing. They pulled the rug out. We are not worried, they apparently said, about the Nation's security.

Where is the bill?

This is neither a substitute for the regular department bill that funds everything nor is it the substitute for one that funds the border war. Bypassing regular order and throwing more money at the border is not responsible leadership with regard to our Nation's security needs.

Though, Mr. Speaker, it is not too late. The Democrat majority can still make up for all of the lost time and for all of the inaction this year, and it can move the DHS fiscal 2011 and CJS appropriations bills to properly address our border security and enforcement needs. That is what I would have proposed had we actually convened our markup yesterday, had we moved the fiscal bill through regular order, and had we had a genuine and thoughtful debate on our security priorities. Somehow, I don't think I'm going to get that chance.

So I caution Members to consider this bill very carefully, and I urge the Democrat majority to move the regular appropriations bills through regular order with all due haste.

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

Mr. PRICE of North Carolina. Mr. Speaker, I believe we are ready to

move to a vote. I appreciate the comments of the gentleman from Kentucky, and I, of course, share his hope that we will in reasonably short order have progress to report on the fiscal 2011 Homeland Security bill.

□ 2040

We have that bill assembled. We have put it through the subcommittee process, and we plan to proceed with it in due course.

I stress, this bill tonight is in no way a substitute for that bill. This bill tonight is not new. This bill was passed by this House. The exact language, the exact provisions were passed by this House on July 1 as part of a supplemental appropriations bill, and the only reason it is before us tonight as a freestanding measure is because of the Senate's unwise action in stripping these border security provisions from the bill.

As for the emergency spending, we did run surpluses in this country in the 1990s. We remember that period when we were actually paying off part of the national debt. Unfortunately, that's not the period we're talking about when we talk about the previous precedents that have been set in this area.

The emergency spending that was done during the last administration in this border security area on three occasions under Republican leadership, this was done not at a time of budget surpluses; it was done at a time, in fact, when this Nation was sinking deeper and deeper into debt.

We have no more speakers on our side. I appreciate the attention of our colleagues, and especially the work that has gone into this measure from our colleagues on the southwest border. They have been absolutely tireless in standing up for their constituents and in calling to the rest of the Congress and the rest of the country this emergency situation that demands to be addressed.

Mr. CUELLAR, I think it was, this afternoon said to the press, however, that this isn't just a border matter. This isn't just a border security. This is a matter of national security. It's a matter of urgent national security.

And so we're grateful for those who have worked very quickly now, after the developments in the Senate, have worked very quickly to put this bill forward in this form. We urge its passage. We want to send it along to the Senate and hope very much that this bill will be law in a matter of days and that we can get the emergency relief where it's needed. And then, of course, we will address all of these matters more systematically and in a more long-term basis in the regular appropriations bill.

Mr. REYES. Mr. Speaker, I rise today to shed light on the talk and walk Republicans in Congress. They are on the Sunday talk shows stating that we have an emergency situation at our Nation's borders. They are on the campaign trail saying that border security is broken. They criticize the administration on its ef-

forts to keep our borders safe and secure and yet when it came time to vote on the \$700 million to secure our borders, they walked away.

Indeed, when the FY2010 Supplemental went to the Senate for a vote, not one Republican stood up for increased border security. On the contrary, they talked and then they walked. I was disappointed because even the Republican Senators from my home State of Texas voted against border security.

The challenges our border communities face each and every day along the border are an emergency, and we need to do all we can to ensure the safety and security of our 2,000-mile long border with Mexico.

But thanks to the House leadership, we are once again attempting to secure our border by moving to strengthen our border with \$700 million in emergency funds. These funds will:

Add 500 Customs and Border Patrol Officers to our understaffed ports of entry;

Add 1,200 additional Border Patrol agents between ports of entry;

Increase funds for Immigration and Customs Enforcement activities that would reduce the threat of narcotics smuggling and violence;

Improve tactical communications for those on the ground;

Provide funds for workforce integrity investigations and training for new officers and agents; and

Support local law enforcement along the border with additional Stonegarden grants.

I ask my colleagues to seriously consider the importance of giving our law enforcement officers who are working along the border the resources they need to enhance our border security. In particular, the 500 additional Customs and Border Patrol Officers are of concern because GSA estimates that we need 5,000 more officers in order to fully staff our ports of entry—1,000 per year for five years.

Increasing staffing of our CBP Officers is critical both to expedite the flow of trade and commerce and more effectively screen out illicit drugs, weapons, human smugglers, and any other potential criminals. It would also give us greater ability to conduct southbound checks so that we can also curb the supply of arms, illegal narcotics and cash going into Mexico and fueling violence there.

Residents in our border states know this is an emergency because they live it each and every day. I urge my colleagues on the other side of the aisle to go beyond talking about supporting our borders. I urge you to turn that talk into action and vote for the Emergency Border Security Supplemental Appropriations Act of 2010.

Mr. PRICE of North Carolina. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. PRICE) that the House suspend the rules and pass the bill, H.R. 5875.

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

A motion to reconsider was laid on the table.

#### INDEPENDENT LIVING CENTERS TECHNICAL ADJUSTMENT ACT

Ms. CHU. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 5610)