

services and outcomes for vulnerable children.

Sincerely,

CARI DESANTIS,
Executive Director,
APHSA.

ERIN SULLIVAN SUTTON,
President, NAPCWA.

□ 1150

Mr. McDERMOTT. Mr. Speaker, I yield back the balance of my time and urge a "yes" vote.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. McDERMOTT) that the House suspend the rules and pass the bill, H.R. 6156, as amended.

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.

ULTRALIGHT SMUGGLING PREVENTION ACT OF 2010

Mr. TANNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5307) to amend the Tariff Act of 1930 to include ultralight aircraft under the definition of aircraft for purposes of the aviation smuggling provisions under that Act, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5307

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

SECTION 1. SHORT TITLE.

This Act may cited as the "Ultralight Smuggling Prevention Act of 2010".

SEC. 2. DEFINITION OF AIRCRAFT UNDER AVIATION SMUGGLING PROVISIONS OF THE TARIFF ACT OF 1930.

(a) IN GENERAL.—Section 590 of the Tariff Act of 1930 (19 U.S.C. 1590) is amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following:

“(g) DEFINITION OF AIRCRAFT.—As used in this section, the term ‘aircraft’ includes an ultralight vehicle, as defined by the Administrator of the Federal Aviation Administration.”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) apply with respect to violations of any provision of section 590 of the Tariff Act of 1930 on or after the 30th day after the date of the enactment of this Act.

SEC. 3. PAYGO COMPLIANCE.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. TANNER) and the gentleman from Nevada (Mr. HELLER) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. TANNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

Mr. TANNER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Ultralight Smuggling Prevention Act of 2010 is a bill introduced by my colleague Representative GIFFORDS and is aimed at preventing smuggling through the use of ultralight vehicles, a recent practice threatening our border security.

The legislation is a commonsense, good policy approach to give border enforcement officials the tools they need to protect to the fullest extent and bring to justice those who attempt to smuggle illegal narcotics and contraband into our country, regardless of the means. It makes good sense that we do this bill now. Our prosecutors should be armed with the ability to apply the strongest deterrents.

Before yielding, at this moment I would like to thank Representative GIFFORDS for her efforts in bringing this bill to the floor. It is, I think, great national security. We all know what the problems are, and her dedication and her commitment to this approach is something that I think deserves our notice and our thanks.

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

Mr. HELLER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 5307, the Ultralight Smuggling Prevention Act. I want to thank Congresswoman GIFFORDS for the opportunity to work with her on this important piece of legislation.

Mr. Speaker, Nevadans are all too familiar with the impact of illegal drugs on our communities. Meth and other illicit substances are destroying lives and families in my State. Due to its proximity to southwest border States, Nevada serves as a hub for the distribution of Mexican drugs destined for the central and eastern United States. As a result, too many Nevadans are exposed to illicit drugs from Mexico, along with the violence and the crime that accompanies drug smuggling activities.

According to the Office of National Drug Control Policy, Mexican-produced crystal meth is the most readily available form of meth in Nevada. Mexican black tar heroin is the most prevalent form of heroin in my State, and Mexican-grown marijuana is readily available in Nevada.

Because of the impact Mexican drugs are having on Nevada, I believe passage of the legislation we are considering today is important. While ultralights from Mexico don't have the range to make it into Nevada, all methods of smuggling across our southern borders impact the supply of illegal drugs throughout our Nation.

The 2010 National Drug Threat Assessment released by the National Drug Intelligence Center identified ultralights as a new means drug cartels are using to smuggle drugs into the United States. Due to a loophole in current law, drug smugglers who use ultralights are subject to lesser penalties than they should be. The Ultralight Smuggling Prevention Act will provide law enforcement the tools they need to prosecute drug smugglers to the fullest extent of the law.

The Ultralight Smuggling Prevention Act takes the commonsense step of including ultralights under the aviation smuggling provisions of the Tariff Act of 1930. This bill will simply establish the same penalties for smuggling drugs on ultralights as for smuggling on airplanes or automobiles.

In closing, I would like to again recognize and thank Congresswoman GIFFORDS for her leadership. I am also grateful to my colleagues on the House Ways and Means Committee for allowing this bipartisan legislation to come to the floor in this timely manner.

I urge my colleagues to support passage of the Ultralight Smuggling Prevention Act.

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

Mr. TANNER. Thank you, Mr. HELLER.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from Arizona (Ms. GIFFORDS).

Ms. GIFFORDS. Thank you, Chairman TANNER, for this opportunity.

I rise today, along with Congressman HELLER, to address the newest threat of drug smuggling into the United States on the southwest border.

As drug violence wreaks havoc on our southern neighbor, the country of Mexico, the product of this narcoterrorism continues to fuel violent and ruthless acts and is now floating effortlessly across the U.S.-Mexico border into our communities. We must do everything in our power to neutralize this insidious threat and stem the flow of narcotics and drug money that threatens our communities.

The latest tool used by these drug traffickers are these small planes, these small planes that go largely undetected by our law enforcement community. Single-person ultralight aircraft that are flying low, as depicted in this image, make them, of course, very popular among enthusiasts, but are now a new tool that the drug cartels have adopted to corrupt this fine pastime.

Every year now, hundreds of ultralights laden with illegal narcotics are flown over our southern borders and are now landing in our backyards. Here is a map of my backyard. Southern Arizona is on the front lines of this border security crisis. The Tucson sector of the Border Patrol is the Nation's largest and most porous part of the U.S.-Mexico border. Despite the difficult and rugged terrain, drug traffickers are streaming across the border

by whatever means necessary. Sometimes they go under, but in the case of the ultralights, they are going over the border.

□ 1200

In the Tucson sector, there are more drugs and illegal immigrants apprehended than in all other parts of the United States. Last fiscal year, the Border Patrol in the Tucson sector seized over 1.2 million pounds of marijuana. Other drugs were seized as well, like cocaine, like methamphetamine that Mr. HELLER was talking about.

In fiscal year 2009, there were over 240,000 apprehensions of illegal immigrants—those that we just apprehended in the Tucson sector of the Border Patrol.

So we know that thousands and hundreds of thousands of people are crossing illegally.

And now we have this latest weapon, the ultralight, that they are using to produce an ever-expanding arsenal from the narco-terrorists, capable of not just transporting illegal drugs, but any number of dangerous payloads. These planes have now been reported flying up to 200 miles north of the border.

I first learned about the illicit use of ultralights in a briefing from the United States Border Patrol. Their message was unambiguous. We need to crack down on ultralight aircraft now. The National Drug Intelligence Center, in their 2010 National Drug Threat Assessment, also identified ultralights as a growing threat.

According to the CBP Air and Marine Operation Center based in Riverside, California, there were 193 suspected incursions into the United States and 135 confirmed incursions into the United States by ultralights from October 1 of last year through April.

Some examples: In October of 2008, we detected an unidentified north-bound low-flying aircraft 12 miles north of Nogales, Arizona. A CBP surveillance helicopter launched from Tucson identified the low-flying aircraft as an ultralight. The pilot was forced down in Marana, Arizona. He was carrying a cargo of over 225 pounds of marijuana.

In November 2008, near San Luis, field workers arrived for work and discovered a crashed ultralight, the pilot was dead, 141 pounds of marijuana.

December of 2008, the pilot of an ultralight collided with power lines and crashed southwest of Tucson, Arizona. He was carrying 250 pounds of marijuana.

And just this past May, at 6:20 early on a Sunday morning, the North American Aerospace Defense Command detected a small, low-flying aircraft in southern Arizona near the border with Mexico. NORAD quickly scrambled two F-16s to intercept the ultralight, shadowing it for 30 minutes before it was forced back into Mexico.

The threat is real.

It is time for the Federal Government to get ahead of these drug smug-

glers. There is no excuse for the Federal Government to not act sooner on this known threat. So today we're doing something about it.

The problem has been that lightweight ultralights are not officially categorized as aircraft by the Federal Aviation Administration so our law enforcement has not had the tools they need to address the rising threat, and that is why I introduced H.R. 5307, the Ultralight Smuggling Prevention Act, along with my Republican colleague from Nevada, Congressman DEAN HELLER.

This is a bipartisan, commonsense bill that will finally close the loophole that's been exploited by drug cartel kingpins and give our law enforcement the actual tools they need to fight this escalating crisis.

H.R. 5307 will amend the Tariff Act of 1930 to include ultralight vehicles under the aviation smuggling provisions, finally giving law enforcement the tools they need to prosecute these crimes to the fullest extent. Our bill will establish the same penalties for smuggling drugs on ultralights as for smuggling on airplanes or in cars or in trucks.

Millions of pounds of marijuana are coming into the United States every single year. They're coming through on vehicles or they're coming through with people. And sometimes, more often it's a combination of both. With our bill, individuals caught smuggling on ultralights will be prosecuted for using the ultralight in addition to being prosecuted for the drugs they have in their possession. This will carry a maximum sentence of up to 20 years in prison and a \$250,000 fine.

The Ultralight Smuggling Prevention Act is a long overdue solution, which is why it's been received well in our community, and we have had several endorsements. For example the Arizona Farm Bureau, the Arizona Cattle Growers' Association, and the Pima County Sheriff's Office.

In closing, Mr. Speaker, while the men and the women of the Border Patrol and of ICE have made great progress in stemming the flow of drugs and illegal immigrants, our southern border is not yet secure, and many of the people I represent live in constant fear. The murder of my constituent, Rob Krentz, in March has heightened those fears and, quite frankly, has given rise to the anger and frustration that southern Arizonans and all Americans feel toward our government's inability to live up to its first responsibility—ensuring the safety and security of all American citizens.

Mr. Speaker, improving border security has been my top priority since I first came here in January of 2007. I have been steadfast in my support of increased funding to bring more agents and more assets to southern Arizona, redeploying the National Guard and passing a \$600 million emergency border security funding bill.

What so many Members of Congress do not understand is that the Border

Patrol is outmanned, outgunned, and they're out-resourced. So we must remain constantly vigilant and one step ahead of the enemy.

The violent cartels of Mexico are exploiting a new weakness in our defense, and the bill we are considering today will strengthen our national security. The bill will render useless the newest tool of the drug traffickers, making our communities safer.

Again, I want to thank Mr. HELLER for joining me on this very important piece of legislation. I'd also like to express my appreciation to Chairman TANNER, and to the staff, especially Jennifer McCadney, for moving this important legislation forward.

Mr. HELLER. Madam Speaker, I yield myself 1 minute to reiterate my support for this bipartisan legislation.

The Ultralight Smuggling Prevention Act will serve as an important deterrent to the use of ultralights for drug smuggling along our borders and help curb the supply of illegal narcotics in our Nation. I urge my colleagues to support and vote for the Ultralight Smuggling Prevention Act.

I yield back the balance of my time.

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

The SPEAKER pro tempore (Ms. RICHARDSON). The question is on the motion offered by the gentleman from Tennessee (Mr. TANNER) that the House suspend the rules and pass the bill, H.R. 5307, 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. TANNER. 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.

RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. PRICE of Georgia. Madam Speaker, I rise to a question of the privileges of the House and offer the resolution previously noticed.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

Whereas a reconvening of Congress between the regularly scheduled Federal election in November and the start of the next session of Congress is known as a lame-duck session of Congress;

Whereas Democrats have recently insinuated that significant legislative matters would deliberately not be addressed during the 111th Congress until after the midterm 2010 elections;

Whereas this Congress began its mortgage of the Nation's future with a "stimulus" package costing \$1.1 trillion that failed to lower unemployment, spur economic growth, or actually address the needs of struggling American businesses and families;

Whereas this Congress continued its free-wheeling spending with an increase of \$72.4