

Buchanan	Gibbs	Mack	Ruppersberger	Simpson	Van Hollen
Bucshon	Gibson	Maloney	Rush	Sires	Velázquez
Buerkle	Gingrey (GA)	Manzullo	Ryan (OH)	Slaughter	Visclosky
Burgess	Gohmert	Marchant	Ryan (WI)	Smith (NE)	Walden
Burton (IN)	Gonzalez	Marino	Sánchez, Linda T.	Smith (NJ)	Walsh (IL)
Butterfield	Goodlatte	Markey	Sanchez, Loretta	Smith (TX)	Walz (MN)
Calvert	Gosar	Matheson	Sarbanes	Smith (WA)	Wasserman
Camp	Gowdy	Matsui	Scalise	Southerland	Schultz
Campbell	Granger	McCarthy (CA)	Schakowsky	Speier	Waters
Canseco	Graves (GA)	McCarthy (NY)	Schiff	Stark	Watt
Cantor	Graves (MO)	McCaul	Schilling	Stearns	Waxman
Capito	Green, Al	McClintock	Schmidt	Stivers	Webster
Capps	Green, Gene	McCollum	Schock	Stutzman	Welch
Capuano	Griffin (AR)	McCotter	Schrader	Sullivan	West
Cardoza	Griffith (VA)	McDermott	Schwartz	Sutton	Westmoreland
Carnahan	Guinta	McGovern	Schweikert	Terry	Whitfield
Carney	Guthrie	McHenry	Scott (SC)	Thompson (CA)	Wilson (SC)
Carson (IN)	Gutierrez	McIntyre	Scott (VA)	Thompson (MS)	Wittman
Carter	Hahn	McKeon	Scott, Austin	Thornberry	Wolf
Cassidy	Hall	McKinley	Scott, David	Tiberi	Womack
Castor (FL)	Hanabusa	McMorris	Sensenbrenner	Tierney	Woodall
Chabot	Hanna	Rodgers	Serrano	Tipton	Woolsey
Chaffetz	Harper	McNerney	Sessions	Tonko	Yarmuth
Chandler	Harris	Meehan	Sewell	Towns	Yoder
Chu	Hastings (FL)	Meeks	Sherman	Tsongas	Young (AK)
Cicilline	Hayworth	Mica	Shmikus	Turner (NY)	Young (FL)
Clarke (MI)	Heck	Michaud	Shuler	Turner (OH)	Young (IN)
Clarke (NY)	Heinrich	Miller (FL)	Shuster	Upton	
Clay	Hensarling	Miller (NC)			
Cleaver	Herger	Miller, George			
Clyburn	Herrera Beutler	Moore	Amash	Broun (GA)	Paul
Coble	Higgins	Moran			
Coffman (CO)	Himes	Mulvaney			
Cohen	Hinchev	Murphy (CT)			
Cole	Hinojosa	Murphy (PA)	Ackerman	Grijalva	Miller, Gary
Conaway	Hirono	Myrick	Alexander	Grimm	Polis
Connolly (VA)	Hochul	Nadler	Bachmann	Hartzler	Walberg
Conyers	Holden	Napolitano	Becerra	Hastings (WA)	Wilson (FL)
Cooper	Holt	Neal	Giffords	King (NY)	
Costa	Honda	Neugebauer			
Costello	Hoyer	Noem			
Courtney	Huelskamp	Nugent			
Cravaack	Huizenga (MI)	Nunes			
Crawford	Hultgren	Nunnelee			
Crenshaw	Hunter	Olson			
Critz	Hurt	Olver			
Crowley	Inslee	Owens			
Cuellar	Israel	Palazzo			
Culberson	Issa	Pallone			
Cummings	Jackson (IL)	Pascrell			
Davis (CA)	Jackson Lee	Pastor (AZ)			
Davis (IL)	(TX)	Paulsen			
Davis (KY)	Jenkins	Payne			
DeFazio	Johnson (GA)	Pearce			
DeGette	Johnson (IL)	Pelosi			
DeLauro	Johnson (OH)	Pence			
Denham	Johnson, E. B.	Perlmutter			
Dent	Johnson, Sam	Peters			
DesJarlais	Jones	Peterson			
Deutch	Jordan	Petri			
Diaz-Balart	Kaptur	Pingree (ME)			
Dicks	Keating	Pitts			
Dingell	Kelly	Platts			
Doggett	Kildee	Poe (TX)			
Dold	Kind	Pompeo			
Donnelly (IN)	King (IA)	Posey			
Doyle	Kingston	Price (GA)			
Dreier	Kinzing (IL)	Price (NC)			
Duffy	Kissell	Quayle			
Duncan (SC)	Klaine	Quigley			
Duncan (TN)	Kucinich	Rahall			
Edwards	Labrador	Rangel			
Ellison	Lamborn	Reed			
Ellmers	Lance	Rehberg			
Emerson	Landry	Reichert			
Engel	Langevin	Renacci			
Eshoo	Lankford	Reyes			
Farenthold	Larsen (WA)	Ribble			
Farr	Larson (CT)	Richardson			
Fattah	Latham	Richmond			
Filner	LaTourette	Rigell			
Fincher	Latta	Rivera			
Fitzpatrick	Lee (CA)	Roby			
Flake	Levin	Roe (TN)			
Fleischmann	Lewis (CA)	Rogers (AL)			
Fleming	Lewis (GA)	Rogers (KY)			
Flores	Lipinski	Rogers (MI)			
Forbes	LoBiondo	Rohrabacher			
Fortenberry	Loebach	Rokita			
Fox	Lofgren, Zoe	Rooney			
Frank (MA)	Long	Ros-Lehtinen			
Franks (AZ)	Lowey	Roskam			
Frelinghuysen	Lucas	Ross (AR)			
Fudge	Luetkemeyer	Ross (FL)			
Gallely	Lujan	Rothman (NJ)			
Garamendi	Lummis	Roybal-Allard			
Gardner	Lungren, Daniel E.	Royce			
Garrett	Lynch	Runyan			
Gerlach					

sands of foster care adoptions. Too many foster children across the Nation, including almost 10,000 children in Pennsylvania, are waiting to be adopted.

For this reason, I've joined numerous fellow House colleagues in sponsoring H. Res. 433, a bipartisan resolution supporting the goals and ideals of National Adoption Month and National Adoption Day in November. This resolution will bring needed awareness to adoption and encourage our fellow Americans to ensure every child has a permanent home with a loving family.

## INFRASTRUCTURE

(Mr. HIGGINS asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS. Mr. Speaker, I call on my colleagues and call their attention to a report issued last week by Transportation for America. The report identified 99 bridges in western New York, 2,000 bridges in New York State and 63,000 bridges nationwide as structurally deficient.

This should not surprise us. The American Society of Civil Engineers gives our infrastructure a D grade and the World Economic Forum ranks the United States 23rd in infrastructure quality. Our infrastructure is suffering from a crippling lack of investment and our country is falling behind because of it.

Mr. Speaker, the United States has spent over \$62 billion nation-building in Iraq. It is time to do some nation-building right here at home. There is work that needs to be done, and a lot of Americans need the work.

So I implore this House, pass a jobs bill that includes \$60 billion for infrastructure, pass a 6-year transportation bill, use innovative ideas like the infrastructure bank to create public-private partnerships and do it now. Given the state of our infrastructure and our economy, we can't afford to wait.

## BORDER PATROL AGENT SENTENCED TO PRISON

(Mr. BURTON of Indiana asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURTON of Indiana. Mr. Speaker, some of the most important people in America are the people that protect our southern border between the United States and Mexico. They lay their lives on the line to stop drug pushers and potential terrorists. They do this on a daily basis.

Well, one of those agents, Jesus Diaz, Jr., in November of 2009, stopped a fellow coming across the border with 150 pounds of marijuana in his backpack. He arrested him. He put handcuffs on him, and he supposedly lifted his arms a little too high, and he did not subscribe to taking care of this man's constitutional rights.

As a result, Agent Jesus Diaz, Jr., who has been cleared—he's been

## NAYS—3

## NOT VOTING—14

□ 1720

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## HOOR OF MEETING ON TOMORROW

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

The SPEAKER pro tempore (Mr. GIBSON). Is there objection to the request of the gentleman from Virginia?

There was no objection.

## NATIONAL ADOPTION MONTH AND NATIONAL ADOPTION DAY

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today in support of the goals and the ideals of National Adoption Month and National Adoption Day, both of which will be held next month in November 2011.

National Adoption Month, which was first designated in 1995, promotes national awareness of adoption, encourages the well-being of every child, and recognizes the thoughtful efforts of individuals and organizations working with orphans and foster children.

In November 2000, National Adoption Day was launched through the National Adoption Day Coalition. National Adoption Day marks the day that agencies, organizations and families come together to complete thou-

cleared by Homeland Security's Office of the Inspector General and the Immigration and Customs Enforcement's Office of Professional Responsibility. He was cleared by both of those of any wrongdoing; yet he got a 2-year jail sentence just in the last couple of days because he supposedly mistreated a drug dealer coming across the border carrying 150 pounds of drugs.

This is just not right. This is just wrong.

[From the Washington Times, Oct. 25, 2011]

(By Jerry Seper)

A U.S. Border Patrol agent has been sentenced to two years in prison for improperly lifting the arms of a 15-year-old drug smuggling suspect while handcuffed—in what the Justice Department called a deprivation of the teenager's constitutional right to be free from the use of unreasonable force.

Agent Jesus E. Diaz Jr. was named in a November 2009 federal grand jury indictment with deprivation of rights under color of law during an October 2008 arrest near the Rio Grande in Eagle Pass, Texas, in response to a report that illegal immigrants had crossed the river with bundles of drugs.

In a prosecution sought by the Mexican government and obtained after the suspected smuggler was given immunity to testify against the agent, Diaz was sentenced last week by U.S. District Judge Alia Moses Ludlum in San Antonio. The Mexican consulate in Eagle Pass had filed a formal written complaint just hours after the arrest, alleging that the teenager had been beaten.

Defense attorneys argued that there were no injuries or bruises on the suspected smuggler's lower arms where the handcuffs had been placed nor any bruising resulting from an alleged knee on his back. Photos showed the only marks on his body came from the straps of the pack he carried containing the suspected drugs, they said. Border Patrol agents found more than 150 pounds of marijuana at the arrest site.

The defense claimed that the smuggling suspect was handcuffed because he was uncooperative and resisted arrest, and that the agent had lifted his arms to force him to the ground—a near-universal police technique—while the other agents looked for the drugs.

The allegations against Diaz, 31, a seven-year veteran of the Border Patrol, initially were investigated by Homeland Security's Office of Inspector General and Immigration and Customs Enforcement's Office of Professional Responsibility, which cleared the agent of any wrongdoing.

But the Internal Affairs Division at U.S. Customs and Border Protection ruled differently nearly a year later and, ultimately, the U.S. Attorney's Office for the Western District of Texas brought charges.

The Law Enforcement Officers Advocates Council said the government's case was "based on false testimony that is contradicted by the facts."

In a statement, the council said that because the arrest took place at about 2 a.m., darkness would have made it impossible for the government's witnesses to have seen whether any mistreatment took place. It said Marcos Ramos, the Border Patrol agent who stood next to Diaz, testified that he did not see any mistreatment of the smuggling suspect.

The council said other witnesses made contradictory claims and some later admitted to having perjured themselves. Such admissions, the council said, were ignored by the court and the government. It also said that probationary agents who claimed to have witnessed the assault raised no objections

during the incident and failed to notify an on-duty supervisor until hours later.

"Instead, they went off-duty to a local 'Whataburger' restaurant, got their stories straight and reported it hours later to an off-duty supervisor at his home," the council said. "Then the 'witnesses' went back to the station and reported their allegations."

The council also noted that the teenager claimed no injuries in court other than sore shoulders, which the council attributed to "the weight of the drug load, approximately 75 pounds, he carried across the border."

The U.S. Attorney's Office for the Western District of Texas, which brought the charges, is the same office that in February 2006—under U.S. Attorney Johnny Sutton—prosecuted Border Patrol Agents Ignacio Ramos and Jose Compean after they shot a drug-smuggling suspect, Osvaldo Aldrete-Davila, in the buttocks as he tried to flee back into Mexico after abandoning a van filled with 800 pounds of marijuana. Aldrete-Davila also was given immunity in the case and testified against the agents.

Agents Ramos and Compean were convicted and sentenced to 11 and 12 years in prison, respectively. President George W. Bush commuted the sentences in 2009 after they had served two years.

The same prosecutors also charged Edwards County Deputy Sheriff Gilmer Hernandez in 2005 with violating the civil rights of a Mexican criminal alien after he shot out the tires of a van filled with illegals as it tried to run him over. One of the illegal immigrants in the van was hit with bullet fragments.

#### PROMOTING WOMEN ENTREPRENEURS

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, last week I spent a day traveling my district and meeting with half a dozen women entrepreneurs.

I started the morning spending time with children in Maple Grove, Minnesota, at the LilyPad Daycare that is owned by a dynamic mom and daughter team.

Next I went to Plymouth, and I visited and toured the medical manufacturer ATEK Medical, which is owned by Christy Bieber Orris and Kay Phillips. Now, they've got challenges on the horizon with the FDA and a new medical device tax, but they are determined to move forward.

I also visited a public relations firm that was started from scratch by Cindy Leines in her basement 23 years ago. Then I connected with Makya, who is living the dream of owning and operating her own educational toy store. And finally I sat down with Peg at Peg's Countryside Cafe.

Mr. Speaker, Minnesota is a great State teeming with endless possibilities because of women like these who are entrepreneurs taking risks, and we need to do more to encourage women to take the leap into entrepreneurship.

My hope is that last week's tour will help inspire more women to realize their dream of running their own business. After all, it's small businesses that will lead our way out of this tough

economic situation we're in and drive ourselves to more economic growth.

#### SMALL BUSINESS CERTAINTY

(Mr. OLSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OLSON. Mr. Speaker, I rise to tell the story of an American small business owner, Joe Schneider, struggling to keep his head above water. A few weeks ago, I had lunch with Joe at the Barbed Rose Steakhouse, which he owns in Alvin, Texas.

When we finished our lunch, Joe took me on a walking tour to show me his plans to open five more restaurants in the area. He wants to revitalize his hometown by bringing commerce, jobs and good food to historic downtown Alvin. But the likelihood of a large tax increase, whether it be from tax cuts expiring or the White House's proposed tax hikes, has put his expansion plans on indefinite hold.

Small businesses deserve certainty from Washington and a tax policy that allows them to keep more of their money to expand, to reinvest in their communities, and to grow jobs.

Mr. Speaker, people like Joe Schneider need commonsense tax reform that will encourage American job creation, not hinder it.

#### AMERICAN JOBS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, thank you for the opportunity to present here on the floor the solution to the question that was just raised by my colleague from the Republican side of the aisle.

A month ago, the President laid out a plan that would create millions of jobs here in the United States. It was the American Jobs Act. We are going to talk about this tonight. Before I get into the details of it, last week, in fact 1 week ago, I held a town hall meeting in Fairfield, California.

At that town hall meeting the question of jobs was on everybody's mind. What are you doing about jobs? What is Congress doing about jobs? It just seems as though nothing is happening, and all we're seeing from Congress is talk of the deficit and cuts.

Every time there's a cut, we have another job loss here in our area. Maybe it's a school teacher that's laid off or some highway project that's not going forward. So what's happening with the jobs?

And I then began to explain the American Jobs Act, and we're going to spend some time this evening talking just about that issue, the American Jobs Act.