

the risk to the marine environment to near zero and access oil that's 6 miles offshore. We ought to be looking at those things.

□ 1750

There is one other thing, and I think I will wrap with this so that my Republican colleagues, if they need a little time to get here for their next hour, have fair warning.

Natural gas, it's an extraordinary asset for America. Natural gas is readily available. We're producing more natural gas in America now than ever before, and we're discovering that we can get even more. We're looking at an extraordinary asset. This is an American asset. It is a strategic asset. It is leading to the creation of jobs in America right now.

In my own district that I share with Representative GEORGE MILLER, in Pittsburg and on the Antioch city boundary line, we're seeing Dow Chemical coming home, bringing jobs back to America, investing large sums of money—millions and millions of dollars—in that facility because of the low price on natural gas. All across this winter in every part of America we've seen homeowners' heating bills, not soar, but actually decline. Yes, it has been a warm winter, but the price of natural gas for heating in the North Atlantic States, in the New England States, across the Midwest, and even in California is at an all-time low. The average last year was \$4.30 when, just 5 years before, it was in the \$10 to \$12 range.

So we're seeing an incredible opportunity for America. Energy is the foundation of our economy. When you have a ready supply in abundance, you ought to recognize that as a strategic asset. Yet in committee after committee, in my own Natural Resources Committee, I've seen my Republican colleagues put forth bills that would export natural gas, that would take this strategic asset and send it overseas because the energy companies can get a higher price overseas. They don't need a higher price. They're doing quite well, thank you. What we need is a reliable, low-cost energy source in America.

Do not allow—do not allow—by legislation or by executive order the export of natural gas from the United States. There is a little bit that now goes to Canada or to Mexico under the NAFTA agreements, all of that in pipeline; but just this last week, one of the big Wall Street hedge funds decided to invest \$2 billion in a Texas scheme to build a liquefied natural gas export facility. Well, I suppose it's nice to build it; but by golly, that's America's strategic asset that's going to be sent overseas.

Be aware of what's happening here. If you send that gas overseas in any large quantity, you're going to drive up the price of natural gas in America. So American farmers are going to pay more for their fertilizers, and we're going to see home-heating prices

throughout the Nation rise as those exports of this strategic asset rise. We're going to see that Dow Chemical is going to make a different decision about whether to come back to America to take advantage of the low cost of natural gas or whether it's going to say, okay, America is so screwed up in that it's taking one of its most basic strategic assets and selling it for the highest price.

I think back on the story of Esau, in the Bible, when he sold out his birthright for a bowl of porridge. We ought not to do this. We need an energy supply in America that we do have available to us.

So, with that, if my Republican colleagues are anywhere nearby, they can claim their hour.

We've gone through some very, very important things here—the Make It in America agenda and 36 Democratic bills that would build our economy, that would cause us to come back and rebuild our great manufacturing sector. It will happen. It's government policies that over the last 25 years have caused the American manufacturing base to erode, policies such as tax breaks for American companies that would send their jobs offshore. We stopped nearly all of that before the Democrats lost power here in Congress.

So we ask our Republicans to work with us in putting into law these 36 bills that will cause us to rebuild the American middle class, to reignite the American Dream and to give the middle class the opportunity to engage in manufacturing.

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

#### PROCEDURES IMPLEMENTING SECTION 1022 OF NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 112-91)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Armed Services and ordered to be printed:

#### *To the Congress of the United States:*

Attached is the text of a Presidential Policy Directive establishing procedures to implement section 1022 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81) (the "Act"), which I hereby submit to the Congress, as required under section 1022(c)(1) of the Act. The Directive also includes a written certification that it is in the national security interests of the United States to waive the requirements of section 1022(a)(1) of the Act with respect to certain categories of individuals, which I hereby submit to the Congress in accordance with section 1022(a)(4) of the Act.

BARACK OBAMA.

THE WHITE HOUSE, February 28, 2012.

#### BORDER SECURITY

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

Mr. BISHOP of Utah. I thank you, Mr. Speaker.

I am here tonight to talk about one of the issues that is of extreme significance. In fact, in every town hall meeting I've ever held, one of the first questions that's asked, if not the first question, is about illegal entry into this country and is about, specifically, border security.

So in talking about what the issue is before us, this is a map of the United States that is divided into the Border Patrol sectors, the areas that the Border Patrol has. As you will see, if you can, from the numbers, there is a vast difference in the numbers of people coming illegally into this country based on the sectors.

If you go to the sector of the State of Maine, the last time we had verifiable figures, the last time we had complete figures from the Border Patrol and from the Department of Homeland Security, only 56 illegals were apprehended trying to get into Maine, which has to tell you that there are not a whole lot of people from Nova Scotia who are trying to come over here and take hockey jobs. In fact, I have to think they probably looked at them as tourists.

But if you look down here in the area in blue, the Tucson, Arizona, sector, which is only part of Arizona—it's not the entire State of Arizona—in the last 2 years for which we have complete data, 51 percent, or a quarter of a million people, came through Arizona. In fact, 51 percent of all of the people who illegally came into the United States and who were apprehended came through the Tucson, Arizona, sector and were apprehended in the Tucson, Arizona, sector. This has to bring about the simple question of why.

Why is this part of Arizona the obvious entrance of choice of those trying to get into this country illegally? I really think the answer lies in the next chart.

This is the borderland along our southern border. The black line is 100 miles from the border, which is, by definition, both by statute and judicial decision, the legal jurisdiction of our Border Patrol. The area in red is the area that is owned by the Federal Government in those areas. You'll see that that specific area of Arizona—almost 80 percent of that—is owned by the Federal Government. That's almost 21 million acres of land owned by the Federal Government, which is in sharp contrast to, say, the Texas border and especially the northern border. Of that roughly 21 million acres, an area the size of the States of Connecticut and Delaware combined is wilderness area, and that doesn't include also areas that are endangered species habitats.

Those areas that are red are where we find the Federal Government prohibiting the Border Patrol from doing its job. The Border Patrol actually has access in the white areas—private property—to do their job. It is only when the Federal Government stops the Federal Border Patrol from doing their job on Federal property that we seem to have a problem.

Unfortunately, those coming into the country seem to realize that this area where the Federal Government stops the Federal Border Patrol on Federal land, as unusual and bizarre as that seems, becomes the entrance of choice for their coming into this country. I'm not just talking about immigrants, people who are coming over here to try to find jobs in some particular way. This is the entrance of choice of the drug cartels. The Border Patrol will tell you privately that their best estimate—only an estimate—is that 40 percent of those coming into this area of Arizona, in fact, into the country, are part of the drug cartel.

□ 1800

They don't care if the economy is going up and down. They don't care if there is E-Verify or not. They are still trying to come into this country. They will tell you, roughly 80 percent of the illegal drugs coming into this country are still coming by the drug cartel area.

What is worse, it is not just the drug cartel. This is also the kind of human degradation that is taking place.

There is a Seattle Times story that ran in 2009, and the title was, "Pacific pair accused of smuggling, enslaving illegal Mexican immigrants." The story was about the human trafficking we have that is a very serious problem and the kinds of violent acts that are used against women and children on this Federal property. The Seattle Times went on to illustrate the kinds of violent acts against humanity that are happening right here on American soil, the kinds of numerous accounts of rape and other violent acts that are taking place against women and children here.

The counties—and I have been down there on the border and I have seen evidence of this—have ample evidence, if you go along these trafficking routes, of rape trees in which the drug cartel members, sometimes other illegal immigrants, will rape females and then force the victim to leave an article of clothing, usually an undergarment, on the trees and make this as if it is a type of monument to the horrible activity that is taking place on government land. Yet still we do not give the Border Patrol access on government land that they have on private property.

We are a sovereign country and, by definition, a sovereign country controls its borders, and that should be what we are doing. Unfortunately, we are not doing that at all.

This is what the border down there in Arizona will look like from the air.

You see, going along here is a fence—the fence doesn't go all the way up the mountainside; there are some areas in which fencing does not make sense and cannot be done—and there is one road that goes along the fence. That is the access that our Border Patrol has in this particular area, and in some cases that becomes the sole access.

If you talk to the Border Patrol agents by themselves, when they will be honest with you, they will clearly tell you they don't need more money to fight this problem on the border. They don't necessarily need more personnel. What they need is access, east-west access so they can go somewhere other than along the one road that follows the border line and the border fence. That is what becomes extremely significant.

What is so bizarre, what is so bizarre in that is that the Border Patrol must obtain permission or a permit from Federal land management agencies before its agents can maintain roads or install surveillance equipment on the lands or do what we ask them to do; and that, frankly, is simply wrong and, once again, ludicrous.

Now, you see, it's one of those odd things that we stop the Border Patrol from doing their job and, instead, we find that environmental degradation is taking place, but not by the Border Patrol, not by any other American citizens, but by those who are illegally coming across.

This simply is one of the pictures of the kinds of trash that is left behind on private property and on public property, tons of which must be picked up, resulting from the fact that we do not have a Border Patrol that does have ability to patrol these particular areas. That's what's left behind.

I hate to say this, but the drug cartel who was coming over doesn't care about wilderness designation. They don't care about endangered species habitat. They don't care about the endangered species—unless it can be eaten. What they do is simply leave behind all of the trash as they are coming through. There is something wrong with that.

This is another picture of what takes place there on the border. The cactus, this time being cacti along the border, is an endangered species that has been cut down by the drug cartels. If any other American did that, that becomes a felony. For them, all this is a nice roadblock along one of the few roads that is there. So when somebody else comes down there in a vehicle and stops, they are a perfect target for mugging and robbing and anything they want. You will find some of the cacti that's down there has graffiti on it, which shows certain areas where the cartel is in operation.

The last couple of years, there have been some major fires down there along the southern border. The last large fire that went through Arizona and spilled over into New Mexico was a fire that started in two parts. The part up in

northern Arizona probably was started by a camper, but in southern Arizona, that wasn't it. The Forest Service has yet to determine who started that fire that spilled over into New Mexico and cost hundreds of millions of dollars in damage. They have ruled out everyone except, well, illegal aliens that happened to be close to the known smuggling trails where the fire actually started.

You see, what happens down there is there are three types of fires that are started, two of them on purpose:

One is a distress fire, in which case if somebody coming across the border is in a dire situation, lost their ability to go any further and they need rescuing, you start a fire, because then obviously the firefighters will come in and you will get rescued.

There are also diversion fires started specifically. A diversion fire is to make sure that when the fire starts over here and everyone runs over there to stop the fire, it means over here is now open for your entry into this country. The drug cartels have this down to a habit and a style all of their own.

The third part is simply an accidental fire. I think the assumption is that the last fires that were done down there were probably accidental fires, started indeed by those coming across the border illegally, but definitely not for a diversion and not for a distraction, just it was a problem that caused us an enormous amount of loss of public wealth and public time in trying to fix that particular problem.

The Department of the Interior claims that the 1964 Wilderness Act takes precedence over everything else that is taking place on this property. They say that their duties are to fulfill this particular act, not necessarily to control the border. In fact, one of the letters that they sent reads very carefully. It says:

Issues remain, and we seek your (the Border Patrol's) assistance in resolving them as quickly as possible in order to prevent the significant, and perhaps irreversible, environmental damage we believe is imminent. Specifically, we are concerned with operating vehicles anywhere other than roads, road dragging, and other activities that could cause erosion and mobilize fragile hydric soil characteristic of the San Bernadino Wildlife Refuge.

What that says, in simple terms, is it doesn't really matter what the Border Patrol does; you don't want them to disturb the soil even if it means being able to apprehend somebody illegal, especially the drug cartels coming over there. They would rather have the soil not bothered than actually find somebody who is entering this country illegally, especially part of the drug cartels.

This is where I started. This is a response, once again, from the Department of the Interior to the Border Patrol on this area:

The issue of emergency vehicle access by the U.S. Customs and Border Protection on San Bernadino Wildlife Refuge has been in dispute over the past few months. The recent

exchange of letters from our respective offices failed to clearly identify the needs of our two agencies and reach agreement on how to best proceed.

Now, once again, from my point of view, the way to best proceed is to stop the drug cartels from smuggling illegal drugs over here, not necessarily what took place. In fact, what they decided then, it says the Federal land managers believe it is their duty to enforce restrictive laws associated with the Wilderness Act, even if it helps the drug cartel in their drug trafficking and the human smuggling and other criminal activities that are occurring as they cross into the United States.

The chief also went on to say:

“Emergency circumstances exist”—that’s nice of them—“when human life, health, and safety of persons within this area must be immediately addressed. Access to the refuge by the Border Patrol will be limited to the use of established administrative roads. However, you may access on foot to patrol or apprehend suspects.”

□ 1810

Managers of the land are dictating to the Border Patrol how they will do their job. I might add that this definition of what considers the chance of a Border Patrol actually going in and doing something rapidly is not what the memo of understanding between the Department of the Interior and the Department of Homeland Security actually said. They came up with their own definition to stop the Border Patrol from doing it.

Now, under this recommendation, the Border Patrol has to drive around this refuge, which adds hours to get to the other side, which obviously, if you’re trying to capture somebody, something just doesn’t work.

So since that’s what’s taking place, how does the Department of the Interior decide to solve the problem? It’s easy; they put up gates. That was the result of that exchange on how to solve the problem of controlling our southern border. What the Department of the Interior simply did is they put up a gate with a lock on it on the San Bernardino National Wildlife Refuge.

It’s amazing that they thought this solves the problem, because what this gate does is block out the Border Patrol from going into this area. It doesn’t lock out anyone else. It doesn’t lock out the drug cartel, the human traffickers, or anyone else from trying to come into this particular area.

Early on when Janet Napolitano became head of Homeland Security, we received a couple of letters from her. They actually said what the issue was down there on the border with the Border Patrol. She wrote:

“One issue affecting the efficacy of the Border Patrol operations within wilderness is prohibitions against mechanical conveyances”—that’s like four-wheelers—or in the air. “The U.S. Border Patrol regularly depends on these conveyances, the removal of such advantage being generally detrimental

to its ability to accomplish the national security missions.”

In simple language, if you stop us from going on motorized vehicles into these areas, we can’t catch the bad guys.

This includes that these types of restrictions can impact the efficacy of operations and be a hindrance to the maintenance of officer safety.

It makes their job more difficult and it puts them at risk. She continued:

For example, it may be inadvisable for officer safety to wait for the arrival of horses for pursuit purposes, or to attempt to apprehend smuggling vehicles within the wilderness with a less capable form of transportation.

In simple words, again, if the idea is of the Department of the Interior that the Border Patrol, when they come to one of these special areas, have to go on foot, they have to chase them down on foot or wait till a horse arrives so they can chase them down on horse, while the drug cartels are using motorized vehicles, that flat out does not make sense. But that is, indeed, what is happening down there.

She continued on with a different correspondence to say that it illustrates that in areas where the Border Patrol has been given access, the regrowth and rehabilitation of the land has improved.

But “overall, the removal of cross-border violators”—stopping the drug cartel from coming across the border—“from public lands is a value to the environment as well as to the mission of the land managers. The validity of this statement was evidenced recently when the vehicle fence project south of the Buenos Aires National Wildlife Refuge received praise from a Fish and Wildlife biologist. The biologist was encouraged by the regrowth and rehabilitation taking place naturally to the north of the vehicle fence subsequent to its installation.”

Now, what she was saying very simply is, when you stop the Border Patrol from being able to do their job, they don’t do their job and the bad guys come across. And the bad guys don’t care at all about the environment or what the laws are or what the rules are. And if you are able to stop them, then all of the degradation that takes place by the drug cartel coming across the border can be fixed, and can be fixed well.

Now, I have to admit that was early on in her administration with the Department of Homeland Security. I have to admit also, of late, that the Department of Homeland Security has been told to simply tell us everything is going fine down there on the border. Things are getting better. We are working together nicely.

It’s not quite the same story I got on the trips down there to the border when I talked to the people. In fact, one of the things that is actually disturbing is our committee staff has been refused access to even talk to the Department of Homeland Security personnel ever since we started making this particular kind of push.

My assumption is there is a reason the drug cartels are trying to go through this Arizona sector. The reason relates to the kinds of lands that are down there and how we treat those lands. And the reason simply says, if we allow the Border Patrol to do their job, we will all be much more secure. And the concept of stopping the Border Patrol from doing their job on Federal property is simply unacceptable, and yet that is, indeed, what we are doing right now.

To the Department of the Interior’s response to that, they said the following in a memo in 2008:

“Congress has directed construction of these facilities”—meaning the public lands—“and there is a compelling national security issue, but these towers and buildings and associated equipment and motorized activities within congressionally designated wilderness would be contrary to protecting the primeval character of wilderness; and, hence, contrary to the intent of Congress.”

Contrary to the intent of Congress? Do they really want us to believe that Congress wants to have a porous border? that Congress actually welcomes with open arms the drug cartels coming into this country? that the illegal drugs coming in here that are destroying the lives of our children we welcome with open arms? that the kind of human degradation, the kind of victim crimes, crimes against humanity, are something Congress really wants to perpetuate? That’s really what they want us to believe?

Further on in this memo:

“The Department of Homeland Security’s proposals would not preserve natural conditions”—this is once again Interior’s memo—“would make the imprint of man’s work substantially noticeable, and would substantially reduce opportunities for solitude, or a primitive and unconfined type of recreation and would impair these areas for their future use and enjoyment of the American people as wilderness. The DHS proposals do not fall under the exemptions of the prohibitions for use in section 4(c) of the Wilderness Act and, therefore, are prohibited.”

Reduce opportunities for solitude? Unconfined type of recreation? Maybe they do have a point. I’d say that the drug cartel operatives, armed with AK-47s, would pretty much reduce the solitude in a pretty serious way along the border. But, unfortunately, that is the approach; that is the attitude.

So what does the Department of the Interior propose for this? Rather than allowing the Border Patrol to do their job and trying to control our border, which a sovereign country would naturally do, you put up a sign to tell Americans that travel is not recommended. The goal is to stay away from these particular areas. The approach was simply this: Since the areas of American land on the American border are unsafe, let’s do whatever we

can to stop Americans from going down there and, in so doing, cede over these areas to the drug cartels. That will be one of the ways of solving the problem.

Since that's not a terribly, terribly politically correct approach, to warn the public of the danger of traveling through American territory, perhaps you can put up a softer and gentler sign, which is a travel caution: Smuggling and illegal immigration may be encountered in this area. Proceed at your own risk.

I'm sorry. This may be the approach, but it's the wrong approach. And I wish this were just limited to the Arizona border. The same line was used in the Big Bend National Park, and it has been used on other lands around the border. We simply know it is not safe to go into these areas where criminal activity is taking place, and the problem is no one is doing anything about it.

Almost all of the Organ Pipe National Monument was closed to visitors. That's along the Arizona border. Recently I saw an article in which a portion—a portion—of Organ Pipe was opened up to visitors. That's wonderful. However, if you went there, you still had to go with an armed guard. There's an article that was written only 8 hours ago talking about the opportunity of people going down there where the park ranger, wearing a bulky, dark green bulletproof vest, told the tourists last week that they would be going on their travel in a van and a hike. He told them that there would be some law enforcement officers hiding in the hills and closely watching their 2-hour nature hike, while another pair of armed rangers would follow the tourists closely from the ground. They'll all have M14s at hand, he said. Please don't be worried.

□ 1820

As the group loaded into the vans, one woman from Idaho whispered to her husband:

Does it make you worried? They get chest protections, and we don't get none of them.

Homeland Security is saying that in this park, things are getting better. I think they are because finally they allowed Homeland Security to put up nine surveillance towers in the park, making it easier for the agents to detect new foot traffic so that drug-runners are no longer simply hiding in the hills waiting to succeed where the towers cannot contact them.

You see, that's what we're doing, and that's simply not a viable approach to it.

Let me try to tell you this way. Obviously, a fence by itself is not enough to secure the border. We do need electronic tracking devices. This is a picture of one of our mobile tracking devices. It's very high tech, it's very wonderful, and if you will notice, it's a truck with a traffic device on it.

In the Organ Pipe National Monument, they tried to move this from point A to point B, and the end result

was that after 6 months, the land managers finally said, okay, you can move this truck from point A to point B. By that time, it wasn't worth it. It's a truck. Now, if the land manager had studied this issue for 6 months and then said, all right, look, the land is too precious in that part where you want to go, you can't go at all, maybe I could understand that. I wouldn't like it, but I could understand it. But that's not what he said. He said, you're going to wait 6 months, I'll review it for 6 months, and 6 months later he said, okay, go ahead and back up the truck and move it.

These devices are essential for our controlling the border, but it is essential that if it is a mobile device, it has to be mobile. It has to have the ability to back up the truck and move it to somewhere else.

There is another example of the pronghorn antelope that is there, the Sonoran pronghorn antelope, in the area. A BLM official wrote in an email to the Department of Homeland Security regarding testing for replacement of equipment that they could do the following: A biological monitor shall be present—a person—shall be present at the proposed location of these traffic monitors for the Sonoran pronghorn prior to any disturbance. The monitor must have experience with observing pronghorns. The monitor will scan the area for pronghorn, and, if observed, any kind of activity will be delayed until the pronghorn moves of its own volition. The pronghorn cannot be encouraged to vacate an area. And if by any chance the Border Patrol were to run across a group of these, its job was then to back up—not turn around—but to back up no faster than 15 miles an hour until you were out of that particular area.

One of the things that we have found out that is taking place down there is basically the Department of the Interior is insisting on mitigation—I think there are some other words I would rather use—mitigation funds coming from the Department of Homeland Security.

The calculations we conducted a couple of years ago say that, as of that date, \$10 million of Federal money has gone to the Border Patrol, supposedly to protect our border, and then instead been reverted over to the Department of the Interior to hire things like the pronghorn monitor or buy other property for other purposes in the name of mitigation of the environmental damage caused by the Border Patrol. Unfortunately, there is no way to mitigate against the environmental damage caused by the drug cartels and the human smugglers coming in here, nor does the Department of the Interior seem to care about that.

I'm joined here by a good friend from Arizona who knows this full well. This is where he lives, and he understands it. He also sits on the committee that talks about these particular areas and has introduced an amendment to the

reauthorization bill that comes from his committee. So the Representative, Mr. QUAYLE, I will yield to him what time he needs. If he would like to enter right now, and then I'll pick it up whenever you're done.

Mr. QUAYLE. I thank the gentleman for yielding. I really want to thank him for his leadership on this issue and for working with me to put in similar provisions within the Homeland Security Reauthorization, which we hope will come to the floor in August because it's a serious issue. As the gentleman from Utah was talking about, the amount of destruction, both on the environmental side and just on the human side, from these drug smugglers and human smugglers in very environmentally sensitive areas in the Sonoran Desert is devastating.

If you think about the amount of carnage that has happened just south of the border—you have over 30,000 people that have been killed by drug cartel violence in the last 5 years. Last year, I was with other members of our Arizona delegation. We were going down to the border and seeing what was going on, and we were at the Douglas point of entry. And the night before they had videos of this, which was about 70 yards from the border, where a fake police cruiser that was disguised by the drug cartels stopped just south of the port of entry, entered into an establishment, unloaded hundreds of rounds of ammunition in there, killing a handful and wounding dozens of people.

Now these are the same types of people who are taking advantage of the weak spots within our border. If you look at Arizona specifically, the Arizona border, there are about 305 miles of Federal lands in Arizona. About 83 percent of the 370-mile Arizona-Mexico border is Federal lands.

Right now, the Border Patrol agents do not have the ability to actually go onto those Federal lands unless they abide by the Memorandum of Understanding, which says they have different definitions of when they can actually go and apprehend somebody. But the fact of the matter is that these drug cartels, these human smuggling operations, are nimble. They are watching every move that our Border Patrol agents are making. They are noting where the weak spots are and where the surveillance equipment is. And for our Border Patrol agents to actually go and move it to areas where the traffic has increased, they have to go to the Department of the Interior to get prior permission. There's a GAO study that said at one point in some instances that could take up to 4 months—4 months for our Border Patrol agents to actually move a piece of surveillance equipment or to move motorized vehicles onto various areas of Federal lands.

Now, I understand the need to protect the delicate Sonoran Desert, but it is getting decimated—absolutely decimated—by these human traffickers and drug traffickers, who do not care about

it. I personally believe that our Border Patrol agents and customs officials will do a much better job in actually being sensitive to these areas while trying to actually protect the citizens of this country from the violence that's going to be streaming across the border.

This is such a big and serious issue that not that many people know about, and Mr. BISHOP of Utah has really taken the lead on this, and I commend him for it. I look forward to working with you on these issues going forward because we need to get a handle on our border, and the violence is going to spill over. In order to do that, we have to allow our agents the ability to have the unfettered access to our Federal lands so they can actually do their job and protect the borders.

Again, Mr. BISHOP, thank you very much.

Mr. BISHOP of Utah. I thank you for that, and I appreciate your joining me here because, once again, you live in that State, your constituents know the fear that is taking place, Americans who live on that particular border, the danger that is down there. And, once again, this is not just an issue that will go away if the economy goes sour. These are the drug cartels. These are the human traffickers. These are the worst kinds of people, and we don't want them here. And as a country, if we're going to be a sovereign country, we have to control the border, if for no other reason than we have to be able to control the border. Whether the total number coming across is getting less or is increasing—we don't have definite figures yet—it doesn't matter. As long as one drug cartel is still coming across the border with illegal drugs, that's one too many, and we have to do something about it.

So I appreciate it very much, and I realize you have another obligation to go to. Thank you for coming down. You're welcome to stay if you would like to.

But he also added a premise into where we're going, because what is taking place, quite frankly, is the violence that is taking place on the Arizona border. We all know about Fast and Furious and what a silly idea this was, how ludicrous a program to arm the drug cartel and to find out that those arms they were given by the Federal Government are coming back to harm us. But along the border, we have had a specific row of people who have been not just harassed by the drug cartel but have been killed by the drug cartel.

Starting in 2002, Park Ranger Kris Eggle was shot and killed in the line of duty while pursuing a member of the Mexican drug cartel who had crossed the United States border into Organ Pipe National Monument, which is off limits to Americans. In 2008, Border Patrol Agent Luis Aguilar was killed in the line of duty after being hit by a vehicle that had crossed illegally into the United States through the Imperial Sand Dunes, which is BLM ground,

where the Border Patrol has restrictions. What hurts me, as well, is Rob Krentz, a rancher, a multigenerational rancher, on his own property in Arizona.

□ 1830

See, Rob Krentz over there was actually out patrolling, going through his property. He had just had a hip replacement, was ready to have a knee replacement—or vice versa. He was on an ATV vehicle with his dog. He came across a group of illegals who were there—part of the cartel, again, is the assumption. Usually what happens is there is flight, but in this case there was no flight. He was not physically able to fly, and so what happened was both he and his dog were shot.

The one we assume did the shooting came across that wildlife refuge where the gate was locked to prohibit the Border Patrol from going in there and doing their job. Then we assume his exit back into Mexico was a circuitous route that went back out of his way so he could go back through that same area that was off limits to the Border Patrol from totally doing their job. He lost his life because of our policies that don't make sense.

December 10, 2010, Border Patrol Agent Brian Terry was shot and killed—once again on Forest Service land—with guns that were obtained through the Fast and Furious program.

One of the other committees of our Congress has on their Web site the statement that a now-sealed Federal grand jury indictment in the death of Border Patrol Agent Terry says the cartel operatives were patrolling this rugged desert area with the intent of intentionally and forcibly assaulting Border Patrol agents. And it happened because we are not taking control of our border.

As sad as that is, this is still another look at the border. You know you're looking at the border because you can see the fence is still running along and the one road along the fence is still running along. Unfortunately, there's a gap in the fence. That gap is an endangered species habitat right-of-way so the species can go from one side of the border to the other. Unfortunately, I will tell you that it's not just an endangered species that goes from one side of the border to the other. That is endemic of the situation we have down there where our border policies, our land policies take precedence over border security. That is simply what we ought not or should not be doing.

Our solution is, I think, very simple. It's House bill 1505, the National Security and Federal Lands Protection Act. The simple answer of what this bill does is simply it allows the Federal Border Patrol to do on Federal property what it already can do on private property. It says our number one priority should be controlling our borders for stopping the drugs and the violence that is taking place in Arizona. This bill protects legal use of the land—such

as mining and hunting and camping and fishing—in an effort to try and make sure that we can protect American property for American use, not for drug cartel use.

There were simpler versions of this that simply said you can't stop the Border Patrol from doing what they need to do to meet their needs. Unfortunately, some of the administration in these Departments laughed at us and said, That's not going to work. You can't tell us what won't happen. So we wrote the bill to be proactive and tell what the Border Patrol can do.

It also had to put in there specific—and this is, once again, from the Department of the Interior insisting it—we put down the specific environmental laws that can be abridged only for the purpose of protecting the border. It is the same list that was done about 5 years ago when the Department of the Interior insisted that as Congress we had to list specific environmental laws that could be broached in order to complete some of the fencing along our southern border. Same rules, same laws, same element so the Border Patrol can do their job. That's what it simply does.

There is one group that was opposed to it because they said the Border Patrol is found 15 to 20 miles north of the border. Yeah, their jurisdiction is up to 100 miles north of the border. They also said that surveillance status shows that there are nearly 8,000 miles—some estimate 20,000 miles—of illegal wildcat roads cutting through some of this border area. I want you to know it is not the Border Patrol—even though this group tried to blame the Border Patrol for these 20,000—if indeed it's that high—miles of illegal roads. They're not the ones creating that. It is the drug cartels that are cutting roads through our habitat, through wilderness areas so that they can use them for their drug-smuggling activities.

If you go down there, you can simply see on the ground where these trails are. If you fly above it, you can see where they are. If you go up to the high points, you can see where their nests are. So you can see very clearly and very easily where they have their lookout spots.

Actually, I went to one of those. It was just over the border into Mexico. I was actually unimpressed because I found out that amongst the things they were leaving behind in the trash is they drank only Diet Coke. If they had done Dr. Pepper, I would have been impressed by their taste, but it was only Diet Coke.

I have also heard all sorts of rumors about what we are trying to do with this bill, trying to make sure that this border is secure so Americans can go back into American property and be secure. I have heard rumors that we are trying to limit public access. That's not true. What we are trying to do is make public access safe. That's the job of the government is to make our borders secure.

I have been told that this is a simple land grab. Some groups out there who simply don't understand what's going on tried to label this as a giant land grab. I don't know how you can call it a land grab when the Federal Government is simply trying to allow the Border Patrol to do its job on Federal land. We're not expending any more power or opportunity to the Border Patrol. We're simply saying Federal land should not stop them from doing their job. There are some that will simply say, well, if we ignore this, it will simply go away. This problem is not going to go away. It is too deep; it is too severe to simply go away.

There is one last reason why this approach is extremely important, and I'm saying this in conclusion. As I said in the beginning, almost every town hall meeting that I have they talk about immigration. Immigration issues are complex. Sometimes they are going to be complicated and will require compromise and consideration. Right now out there there's a great deal of anger and anxiety in a lot of people simply because we are not controlling our borders and American lands are not safe, and there is too much violence taking place. And it's simply wrong to prohibit our Border Patrol in favor of allowing the drug cartels and those doing human trafficking to have free access into this country.

If indeed we are serious about long-term immigration, the first thing you have to do is reduce the anger and reduce the anxiety level. The first way to do that is to be able to look at the American people with a clear conscience and in truth, look them in the eye and say our borders are secure. We control who comes into this country and who does not come into this country because that is what a sovereign Nation does.

Our hope is that we can pass this bill and take the first step to controlling the border, which is simply to allow the Border Patrol access to where the Border Patrol needs to be, to give them the same opportunity on public lands that they have on private lands. Because it is very clear, Border Patrol knows what they are doing. They are doing a good job.

Where they are allowed the freedom and flexibility to do their jobs, the issue of illegal immigration and illegal entry into this country of all kinds, but especially illegal entry into this country by the bad guys who are trying to put illegal drugs and other kinds of crimes and bring them into this country, where they are allowed to do their job, they are successful.

What we have to do is now look on Federal property where the Federal rules prohibit the Border Patrol from doing their job and change that, simply allow them to do their job. House bill 1505 does that. Until we do that, we will never move forward into a larger solution to our immigration problem. And we will continue to have illegal drugs and other kinds of crimes against hu-

manity taking place on American soil, and it will not stop. That's why this bill is so important.

With that, Mr. Speaker, with gratitude for allowing me this moment to go through this particular issue, I yield back the balance of my time.

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#### FREEDOMS THAT MADE THIS COUNTRY GREAT

The SPEAKER pro tempore (Mr. DUFFY). Under the Speaker's announced policy of January 5, 2011, the gentleman from Texas (Mr. GOHMERT) is recognized for 30 minutes.

Mr. GOHMERT. Mr. Speaker, I always learn something when I hear from my friend, Professor BISHOP.

It has been staggering to hear the testimony over the last several years as to what has gone on at our border. We used to be a law-and-order country where the law meant something, but we've seen that eroded.

I heard our Democratic friends, before Mr. BISHOP spoke, speaking of selling our birthright, and I enjoyed hearing them talk about how we ought to use our energy in this country. Well, welcome to the Republican position. That was great to hear. That's just fabulous to hear from our Democratic friends because, as we know, and one of the things that Mr. BISHOP pointed out, there have been regulations and government bureaucracies used to not only prevent us from enforcing our immigration laws, but also to prevent us from utilizing our own resources over and over and over. For heaven's sake, if somebody has got 800 safety violations like BP had, prohibit them from drilling, but don't prevent everybody from drilling.

The things that the government should be allowing entities to do, like providing the energy that we have—we've got more energy than any country in the world. Relative to the size of other countries, we're not the biggest, but we have more natural resources than any other country in the world has been blessed with. It's amazing. In this administration, and even before this administration, we had our Democratic friends prohibiting, through bureaucracies, through laws passed, using our own energy, which has been just an outrage.

It's the poor single moms, those struggling to make it through the month with what's left on the limits of their credit card so they can still buy gas to get to their job so they can get a paycheck and pay down their credit cards enough to buy gas for the next month, that are hurting the most. Ironically, the people that donate to Democrats 4 to 1 over Republicans, as they did to Obama over McCain 4 to 1, are the Wall Street executives, the big bank executives. All they have to do is endure some name-calling from the President and they get richer than they could have ever hoped.

Yet we get back to freedoms that made this country the greatest country in history. I believe that. Prominent among our freedoms you can find in the First Amendment. It doesn't say States can't, because there were some States that required religious tests, but "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof."

There is no mention of separation of church and State. There is no mention of a wall of separation. That was in a letter Thomas Jefferson wrote to the Danbury Baptists. This is the same Thomas Jefferson that came to church every day he was in Washington, D.C., while President. He came to church right down the hall in the House of Representatives and at times had the Marine Band come play the hymns. He didn't see that as a problem for the Constitution's prohibition against establishment of religion, but he certainly never would have dreamed of prohibiting any Christian from practicing their religion, as this administration has now done and attempted to do, or the freedom of the press.

We know the press is free to slant the news however they wish. For example, when gas prices were going up in 2008, the Main Street press, Main Street media had 4 to 1 more stories about the price of gas going up then than they do now, and the prices now are higher than they were then. Gee, could it be that the Main Street media has a vested interest in keeping the President that they put in office in office, keeping him there? But they've got that freedom of the press. They can keep slanting their stories as they wish.

Or the right of people to peaceably assemble and to petition the government for a redress of grievances. The First Amendment, that's it.

There is a great big grievance that a majority of Americans have, and it's with the President's health care bill. This is front and back. It is very thin paper so you can get all of the President's ObamaCare in here. This says 2,407 pages. There you are, the President's health care bill. It's interesting.

Here is a story that Edward White filed February 16, maybe from our friends at ACLJ, but it points out last month DOJ again argued that the penalty is a tax—talking about the penalty in the health care bill—is a tax when it filed its opening brief with the Supreme Court in the ObamaCare case the Court will consider this March.

We know February 16, in response to a question from the great Representative SCOTT GARRETT of New Jersey, he asked Director Zients whether the individual mandate penalty for failing to buy health care is a tax. Zients answered that it is not a tax. Today we had Secretary Sebelius, the Secretary of Health and Human Services that is overseeing the implementation of ObamaCare. Secretary Sebelius also indicated it's not a tax. Yet the DOJ has argued basically that the minimum