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House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. PETRI).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
September 27, 2005.

I hereby appoint the Honorable THOMAS E. PETRI to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2005, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from California (Mr. DREIER) for 5 minutes.

THE JUSTICE FOR PEACE OFFICERS ACT OF 2005

Mr. DREIER. Mr. Speaker, on April 29 of 2002, Los Angeles County Sheriff's Deputy David March was brutally slain execution-style during a routine traffic stop. Suspect Armando Garcia, an illegal immigrant, fled to Mexico within hours of Deputy March's murder and has avoided prosecution by U.S. authorities for over 3 years.

Mexico's refusal to extradite individuals who may face the death penalty or life imprisonment has hindered efforts to bring Armando Garcia back to the United States to face prosecution for his crime. The same border that Garcia illegally crossed to enter our country now serves as a wall of protection for him. This is an outrage. It is an unspeakable injustice to the loved ones of David March, and to all of the men and women who risk their lives each day so that we can live in safety.

When our peace officers patrol their beats, keep an eye on our neighborhoods and police the streets, they are walking the line, selflessly enforcing our laws and keeping our communities safe. When the very laws they have a duty to uphold are abused by fleeing murderers, justice is denied, the security of peace officers is placed in jeopardy, and the rule of law on which our great Nation is based is weakened.

Over the last 3 years, I have joined many of my colleagues in efforts to see that Armando Garcia and other fugitives accused in killings on our soil are returned to the United States to face justice. We have met with officials from the Department of Justice and the Department of State. We have urged President Bush to call for aggressive action to change Mexico's extradition policy. I have met with President Fox and other high officials of the Mexican government, including their Supreme Court, in an effort to impress upon our neighbor that its extradition policy is intolerable. However, 3 years later, Armando Garcia and thousands of other fugitives still are beyond the grasp of our legal system.

Recently, in a potentially critical turning point, the Mexican Supreme Court issued a decision that allowed consecutive prison terms for certain murders. This could have the effect of recognizing that life imprisonment does not constitute cruel and unusual punishment, a position previously held by the Mexican Supreme Court, as I said. Amid sensitive talks and signs of progress, I remain committed to working with the administration to bring Deputy March's murderer to justice. But until that is achieved, Congress has a duty to take action to ensure that what happened to Deputy March never happens again.

It was at the urging of Los Angeles County Sheriff Lee Baca that my friend from Pasadena (Mr. SCHIFF) and I introduced H.R. 2363, the Peace Officer Justice Act, to make it a Federal crime to kill a peace officer and flee the country to avoid prosecution. This bill ensures that criminals who murder law enforcement officials and escape to another country will have the full weight of the Federal Government on their trail. This legislation is supported by the Fraternal Order of Police, the National Sheriffs Association and Roy Burns, president of the Association of Los Angeles Deputy Sheriffs. After we introduced the bill, Mr. Speaker, Los Angeles County District Attorney Steve Cooley voiced concerns to me with several of its provisions. Specifically, he believed that making such a crime a violation of Federal law would provide exclusive jurisdiction for the Federal Government to pursue a cop-killer who flees the country.

I have reached out to Mr. Cooley on numerous occasions for suggestions on how to improve the bill. Having addressed every single issue that the District Attorney raised, I, along with the gentleman from Pasadena, am reintroducing this legislation. It is now going to be called the Justice for Peace Officers Act. Thanks to the input from Mr. Cooley, this is a stronger, better and more aggressive bill.

This bill makes it a Federal crime to kill a peace officer and flee the country. And it makes the crime for first degree murder punishable by the death penalty or life imprisonment. The bill also goes a step further by making murder in the second degree punishable by a mandatory minimum of 30 years in prison or life imprisonment.

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This legislation raises the penalty for those who help cop-killers flee the country from a maximum of 15 years in prison to a mandatory minimum sentence of 15 years behind bars.

Mr. Speaker, it will always be our preference for State and local prosecutors to go after cop-killers. Police keep our local communities safe and local prosecutors should have primary jurisdiction over these cases. That is why we included language to give priority to local prosecutors, and we have made clear that nothing in this bill would supersede that authority. In addition, the penalty under the bill would be a consecutive sentence to any other State or Federal punishment. This provision would ensure that any punishment on the local level would be enhanced by an additional Federal sentence.

Finally, we firmly believe that the Bush administration should use all tools available to bring about a change in Mexico's extradition policy. We included a provision directing the Secretary of State to enter into formal discussions with the Mexican government on the U.S.-Mexico extradition treaty.

Mr. Speaker, this legislation sends a powerful message to Mexico and any other country that refuses to extradite a fugitive cop-killer. It shows that the United States Congress considers this a crime against America. Passage of this bill will ensure that perpetrators of these heinous crimes will be brought to justice.

I urge my colleagues to join with us in cosponsoring this very important measure.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 37 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BRADLEY of New Hampshire) at 2 p.m.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Lord God, You are our refuge in trouble and the comforter of Your people. Natural disasters, civil strife, and all forms of suffering may cause Your people to feel vulnerable and become discouraged. But often, right in the midst of conflict or chaos, You reveal Your powerful grace which elevates and redeems.

As we hear the stories of brothers and sisters in distress, we also learn of their bravery, self-sacrifice and the goodness of others. Lord, lead us through present difficulties that we may find deeper solidarity with one another. Help us to shore up this Nation's infrastructure to serve the common good. Wipe away all disillusion so we make better plans for the future.

Lord, inspire all in public service and all citizens to be accountable to You, responsible for one another, and caring most for the weakest in our midst. Only then will we prove ourselves to be truly Your people both now and forever. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from South Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.

Mr. WILSON of South Carolina led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment bills of the House of the following titles:

H.R. 2385. An act to extend by 10 years the authority of the Secretary of Commerce to conduct the quarterly financial report program.

H.R. 3784. An act to temporarily extend the programs under the Higher Education Act of 1965, and for other purposes.

BLAIR STANDS FIRM AGAINST TERRORISM

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

Mr. WILSON of South Carolina. Mr. Speaker, although some war cynics continue to call for a ''retreat and defeat policy,'' Prime Minister Tony Blair has proven that he is committed to finishing the mission in Iraq.

Two weeks ago, Prime Minister Blair gave a scorching speech at the United Nations confirming U.S. and British intent to win the global war on terrorism.

According to The Post and Courier of Charleston, South Carolina, ''Mr. Blair's eloquence secured unanimous backing of the Security Council for a British resolution outlawing incitement to commit acts of terrorism.''

Prime Minister Blair clearly dismissed the argument that U.S. and British intervention in Iraq had spawned terrorism. As he said, Iraq is a pretext as the cause of terrorism, which actually is the doctrine of fanaticism.

''Terrorism won't be defeated until our determination is as complete as theirs; our defense of freedom as resolute as their fanaticism, our passion for democracy as great as their passion for tyranny,'' said Mr. Blair.

In conclusion, God bless our troops and we will never forget September 11.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 438

Mr. RADANOVICH. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 438.

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

There was no objection.

CONGRESS NEEDS TO TAKE THE WHEEL

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

Mr. KUCINICH. Mr. Speaker, the administration has the answer to the energy crisis. Drive less, they are telling the American people.

Drive less? Oil companies are making record profits, kids are not going to school in Georgia, gas lines are forming in the South, and here in the Nation's Capital, gas prices are over $3 a gallon.

Drive less? Since this administration moved from Texas to Washington, D.C., the top five oil companies earned $254 billion in pure profit. Think about it. These companies made $254 billion in profit from the last 5 years. The clean-up from Katrina will cost at least $200 billion.

What are we doing here? Drive less? The administration is asking every American to sacrifice mobility but not asking the oil companies to sacrifice a dime of their profit. The problem is not that the American people are driving too much. The problem is that the oil companies are driving our Nation's energy policies, driving up the cost of gasoline, natural gas and home heating oil, and every chance of driving themselves toward huge profits.

It is time for Congress to take back the wheel. It is time for a sustainable energy policy which puts consumers, the environment, human health and peace first.

CONGRESSIONAL HURRICANE KATRINA INVESTIGATION

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

Mr. BURGESS. Mr. Speaker, in the aftermath of the two hurricanes,