

Judge Atkins declared that segregation in Miami-Dade County public schools was intolerable. He ruled that homelessness was not a crime and affirmed that freedom of expression was a constitutional right.

Judge Atkins was a man of principles who had the utmost respect for the rule of law.

Therefore, I ask my colleagues to join me in support of this legislation.

The C. Clyde Atkins United States Courthouse at 301 North Miami Avenue in Miami will serve as a lasting tribute to the incredible life and great accomplishments of this distinguished man.

Mr. OBERSTAR. Madam Speaker, I rise in support of H.R. 2671, a bill to designate the Federal courthouse located at 301 North Miami Avenue, Miami, in the Southern District of Florida as the "C. Clyde Atkins United States Courthouse".

Judge C. Clyde Atkins was born on November 23, 1914, in Washington, DC. He graduated from the University of Florida College of Law in 1936. He practiced law as a partner in the law firm of Walton, Lantaff, Shroeder, Atkins, Carson, and Wahl for more than 25 years, from 1941 to 1966.

In 1966, judge Atkins was appointed to the District Court in the Southern District of Florida by President Lyndon B. Johnson. He served first as a district judge, then as chief judge, and eventually as a senior judge. During his time on the Federal bench, Judge Atkins presided over a number of landmark cases, including the unprecedented desegregation of Dade County schools in 1969. In 1970, he presided over an important environmental case and ruled that there was a public interest in protecting wildlife from discharge from a nuclear plant into Biscayne Bay. Judge Atkins found the City of Miami guilty of a pattern of harassment of the City's homeless population and showed great courage in overturning Federal policies that required the repatriation of Haitian and Cuban refugees at Guantanamo Bay.

Judge Atkins often made these rulings with little fanfare but always with a deep, abiding respect for the rule of law and equality. He was respected because of his application of the law without respect to race, creed, religion, or national origin.

He was also very active in the Catholic Church, and he was named a Knight of St. Gregory by Pope Paul VI.

Judge Atkins died in 1999 at the age of 84. I urge my colleagues to join me in supporting H.R. 2671.

Mr. BOOZMAN. Madam Speaker, having no further speakers, again, I think this is a very fitting tribute and honor and something that we should all very much support.

With that, I yield back the balance of my time.

Ms. NORTON. Madam Speaker, I thank the gentleman, and I am pleased to yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill, H.R. 2671.

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.

**THEODORE L. NEWTON, JR. AND  
GEORGE F. AZRAK BORDER PA-  
TROL STATION**

Ms. NORTON. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2728) to designate the station of the United States Border Patrol located at 25762 Madison Avenue in Murrieta, California, as the "Theodore L. Newton, Jr. and George F. Azrak Border Patrol Station".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2728

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

**SECTION 1. DESIGNATION.**

The station of the United States Border Patrol located at 25762 Madison Avenue in Murrieta, California, shall be known and designated as the "Theodore L. Newton, Jr. and George F. Azrak Border Patrol Station".

**SEC. 2. REFERENCES.**

Any reference in a law, map, regulation, document, paper, or other record of the United States to the station referred to in section 1 shall be deemed to be a reference to the "Theodore L. Newton, Jr. and George F. Azrak Border Patrol Station".

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from Arkansas (Mr. BOOZMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

**GENERAL LEAVE**

Ms. NORTON. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 2728.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the District of Columbia?

There was no objection.

Ms. NORTON. Madam Speaker, I yield myself such time as I may consume.

This bill honors two Border Patrol inspectors who died in the line of duty by naming a Border Patrol station in their honor. On June 17, 1967, United States Border Patrol inspectors Theodore L. Newton, Jr., and George F. Azrak were killed in the line of duty while working the late-night shift in Southern California.

Their tragic deaths were considered a turning point for the Border Patrol agency. After the deaths of these two Border Patrol inspectors, the security and procedures for intercepting border crossings changed dramatically. The Border Patrol now requires that a minimum of three to five agents work each checkpoint along with a backup unit. In addition to the increased manpower, or person power, the Border Patrol has also increased the amount of training

and support that all Border Patrol agents now receive.

I support the Theodore L. Newton, Jr., and George F. Azrak Border Patrol Station naming bill and urge my colleagues to join me in supporting this effort to honor these two law enforcement officials who died in the line of duty while serving their country in a vital role.

Madam Speaker, I reserve the balance of my time.

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

H.R. 2728, introduced by Representative DARRELL ISSA of California, designates the station of the United States Border Patrol located at 25762 Madison Avenue in Murrieta, California, as the Theodore L. Newton, Jr., and George F. Azrak Border Patrol Station.

Forty years ago, Theodore Newton and George Azrak were tragically killed in the line of duty. The deaths of these two agents shook the foundations of the agency.

The two young Border Patrol agents were working the graveyard shift at a remote checkpoint when they were kidnapped from their post by drug smugglers. They were found murdered and handcuffed to a stove in an abandoned mountain shack.

These two agents, just like agents on the front line today, put themselves in harm's way to uphold the tradition of honor, integrity, and service in securing our Nation's borders. Over 100 employees of the Border Patrol have died in the line of duty since it was formed in 1924.

The Newton-Azrak Award, the Border Patrol's highest award, pays tribute to those who show courage and heroism in the face of grave danger.

This bill recognizes the ultimate sacrifice these men made, giving their lives in the service of their country.

I support this legislation and encourage my colleagues to do the same.

Mr. OBERSTAR. Madam Speaker, I rise in support of H.R. 2728, a bill to designate the border station of the United States Border Patrol located at 25762 Madison Avenue in Murrieta, California, as the "Theodore L. Newton, Jr., and George F. Azrak Border Patrol Station".

On June 17, 1967, United States Border Patrol Inspectors Theodore L. Newton, Jr., and George F. Azrak were killed in the line of duty while working the late-night shift at a checkpoint along the U.S.-Mexico border. While examining a vehicle intercepted for suspected drug smuggling, the two inspectors were kidnapped and later killed.

As a result of the tragic deaths of these two men, the U.S. Border Patrol now requires that a minimum of three to five agents work each checkpoint, depending on a variety of factors, along with a back-up unit. In addition to this requirement for increased manpower, the Border Patrol has also enhanced the training and support that all Border Patrol agents receive.

In honor of these two inspectors, the Border Patrol annually bestows upon its bravest agents the Newton-Azrak Award. Eligibility for

the award is based on the demonstration of unusual courage in the line of duty or a heroic or humane act during times of extreme stress or in an emergency. In addition, the National Border Patrol Museum in El Paso, Texas, has a permanent memorial display in honor of Inspectors Newton and Azrak.

Designating the United States Border Patrol Station in southern California as the "Theodore L. Newton, Jr., and George F. Azrak Border Patrol Station" is a fitting tribute to honor the bravery and service of these men. Their valor has served as an inspiration for a generation of Border Patrol agents that have followed them in service to their country.

I urge my colleagues to join me in supporting H.R. 2728.

Mr. BOOZMAN. Madam Speaker, I yield back the balance of my time having no further speakers.

Ms. NORTON. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill, H.R. 2728.

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.

#### MINE COMMUNICATIONS TECHNOLOGY INNOVATION ACT

Mr. MATHESON. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3877) to require the Director of the National Institute of Standards and Technology to establish an initiative to promote the research, development, and demonstration of miner tracking and communications systems and to promote the establishment of standards regarding underground communications to protect miners in the United States, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3877

*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 be cited as the "Mine Communications Technology Innovation Act".

##### SEC. 2. FINDINGS.

Congress finds the following:

(1) The failure of miner tracking and communications devices or lack thereof in mines severely hampers rescue efforts in the event of emergencies.

(2) Mines, particularly underground mines, have properties that present unique technical challenges for the integration of currently available tracking and communications systems. These properties include the lack of a clear path or open air which is required for radio signals and WiFi. Additionally, because coal is an absorptive material, less than 10 percent of the radio spectrum that is used above ground can be used underground. A fraction of that (only about 1 percent) radio spectrum is actually allocated for commercial communications purposes. As a consequence, the availability of miner communication equipment is severely limited.

(3) Research and experience have shown that communications and tracking systems may not work equally well in every mine or in every emergency situation, and therefore several different systems may be necessary for development and integration.

(4) Because of the serious challenges of the mine environment and the limited market provided by the mining industry, much needed technology has not yet been developed by the private sector or is not commercially available in the United States.

(5) Furthermore, due to the regulatory structure of the industry and the lengthy approval process for mine tracking and communications systems, research must be accelerated so that next generation technology can be quickly and efficiently integrated into mines to protect the safety of miners.

(6) The National Institute of Standards and Technology is well positioned to help accelerate the development of mining tracking and communications technology. The National Institute of Standards and Technology has a long history of working in conjunction with industry to invest in longer-term, high-risk research which yields national benefits far beyond private payoff. Further, the National Institute of Standards and Technology builds partnerships with industry to leverage existing research and development to drive next generation technology.

(7) The National Institute of Standards and Technology is well-positioned to accelerate development of consensus mining communications standards given the extensive work that the organization has done in the field of emergency communications to develop standards and technologies for interoperable wireless telecommunications and information systems.

(8) In developing such standards, the National Institute of Standards and Technology should work in cooperation with the National Institute for Occupational Safety and Health and the Mine Safety and Health Administration, and other relevant public and private stakeholders, to build on existing technology and knowledge regarding mine communications systems.

##### SEC. 3. MINE COMMUNICATIONS AND TRACKING RESEARCH AND DEVELOPMENT PROGRAM AUTHORIZATION.

(a) ESTABLISHMENT.—The Director of the National Institute of Standards and Technology shall provide for the establishment of a program of research, development, and demonstration that includes the establishment of best practices, adaptation of existing technology, and efforts to accelerate the development of next generation technology and tracking systems for mine communications.

(b) COORDINATION.—In carrying out this section, the Director shall coordinate with relevant Federal agencies and industry to evaluate areas of research and development and best practices that will be most promising in protecting miner safety.

(c) OPTIONAL FOCUS.—In establishing this program, the Director may focus on the following communications and tracking system characteristics:

(1) Systems that are likely to work in emergency situations.

(2) Systems that work in coal mines, with special attention paid to deep underground coal mines.

(3) Systems that provide coverage throughout all areas of the mine.

(4) Hybrid systems that use both wireless and infrastructure based systems.

(5) Functionality for 2-way and voice communications.

(6) Systems that serve emergency and routine communications needs.

(7) The ability to work with existing legacy systems and to be quickly integrated.

(8) Propagation environment characterization, performance metrics, and independently derived validation tests to verify performance for standards development.

##### SEC. 4. STANDARDS REGARDING UNDERGROUND COMMUNICATIONS.

Consistent with Office of Management and Budget Circular A-119, the Director of the National Institute of Standards and Technology shall work with industry and relevant Federal agencies to develop consensus industry standards for communications in underground mines. The Director shall also develop and provide any needed measurement services to support implementation of these standards. In their efforts to help develop these standards and related measurement services, the following issues should be addressed:

(1) The appropriate use of frequency bands and power levels.

(2) Matters related to interoperability of systems, applications, and devices.

(3) Technology to prevent interference.

##### SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Director of the National Institute of Standards and Technology such sums as are necessary for carrying out this Act for fiscal years 2009 and 2010, to be derived from amounts authorized under section 3001 of the America COMPETES Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. MATHESON) and the gentleman from Georgia (Mr. GINGREY) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

##### GENERAL LEAVE

Mr. MATHESON. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 3877, the bill now under consideration.

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

There was no objection.

Mr. MATHESON. Madam Speaker, I yield myself as much time as I may consume.

Madam Speaker, I'm very pleased that this action is taking place today on the floor of the House of Representatives. I represent the Second Congressional District of Utah, and that includes the Crandall Canyon Mine where this past August I think everyone in this country is aware of the coal mining accident that occurred where six men were trapped, and during the rescue attempt, three rescuers were killed in a cave-in.

There were a lot of emotions that we all felt and shared during that disaster; but beyond those emotions, I think something that must have crossed all of our minds as we all watched this tragedy unfold was a question, and that was, how is it as the rescuers tried to locate these six trapped men that we can't know exactly where they are, that there isn't some kind of signal or beacon or some way to communicate such that we can have a better sense of exactly where the six men were trapped?

I think that's a question that a lot of us have, and here in Congress, as a