

home and bring them home now because the money is there now to bring the troops home. The money is there now to bring the troops home. The money is there now to bring the troops home.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

CAPTAIN DAVID FRASER, TEXAS WARRIOR

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE. Mr. Speaker, "Duty, honor, country: Those three hallowed words reverently dictate what you ought to be, what you can be, what you will be. They are your rallying point to build courage when courage seems to fail, to regain faith when there seems to be little cause for faith, to create hope when hope becomes forlorn.

"In my dreams I hear again the crash of guns, the rattle of musketry, the strange, mournful mutter of the battlefield. But in the evening of my memory always I come back to West Point. Always there are echoes and reechoes: Duty, honor, country."

Mr. Speaker, General Douglas MacArthur spoke these words to West Point graduates of what the American soldier should be.

Captain David Fraser, West Pointer, personified these words. For the last year, Captain David Fraser patrolled the vast desert battlefields of war-torn Iraq in search of the enemies of freedom.

This December, his tour of duty was over and he would be coming back to Fort Hood, Texas, to spend Christmas with those he cared about.

But on November 26, 2006, 25-year-old Captain Fraser and three other soldiers were killed in Baghdad by a cowardly enemy using an improvised explosive device called an IED.

Captain Fraser excelled at life. He was a native of Spring, Texas. He attended Westfield High School where he was an honor student and a star cross-country athlete. Twice he led the team to qualify for the Texas State cross-country meet. His senior year, Captain Fraser led the boy's team to the first cross-country district title in over 19 years. He was voted the most athletic of his senior class at Westfield.

He was a devout Christian who remained active in his faith, whether he

be in Texas or West Point, or stationed in lands far, far away. He was always willing to lend a hand at Sunday school or participate in Christian community events. His faith was his cornerstone. Those who knew Captain Fraser knew a man who was respected and admired by all. He was a born leader, always doing the right thing.

Captain Fraser applied to the West Point Military Academy, he said, out of sense of duty and as his way of giving back to a country that provided him with unlimited opportunities. Such powerful words, Mr. Speaker, of patriotism from one of America's finest.

Captain Fraser had a family history of military service. His mother, Helen; his father, Richard; his brother, Patrick, all served in the United States Armed Forces. He wanted to continue that proud tradition at West Point.

At West Point he ran like the West Texas wind as a member of the cross-country and track teams. Captain Fraser was also a superior student in the classroom. He graduated from that tough academy with honors as the top student in civil engineering. His academic performance promised Captain Fraser a faculty position at West Point during his career.

An accomplished soldier, Captain Fraser completed the rigorous Army Ranger, Airborne, and Air Assault schools. He was relentless in his determination to succeed.

In December 2005, Captain Fraser was deployed to Iraq, assigned to the 3rd Battalion, 67th Armor Regiment, 4th Brigade, 4th Infantry Division, and commanded several units. Recently he commanded a combat engineering platoon responsible for locating and disarming mines and other explosive devices implanted along Baghdad roads by insurgents. It was his mission to protect our soldiers and innocent Iraqis from the unseen enemy, the violent militants, the violent anarchists, those who stand against freedom and liberty.

As a decorated serviceman, Captain Fraser was the recipient of the Overseas Service Ribbon, the Iraqi Campaign Medal, the Global War on Terrorism Service Medal, and the National Defense Service Medal. For his service while in Iraq during a time of war, he was also awarded the Army Service Ribbon.

For his valor during combat on November 26, Captain Fraser was awarded the Bronze Star and the Purple Heart.

Captain Fraser, this photograph I have of him while at West Point, he gave his life for his country, and he will be missed throughout the Spring, Texas, community by those whose lives he positively impacted.

Today Captain Fraser has finally come home to Texas. In fact, he is being buried now, as I speak on the House floor. Taps is being played for this Texas individual, for this committed countryman.

The Fraser family and the Spring, Texas, community will always remem-

ber that their son died a hero, serving this great country of ours and defending the basic rights of life and liberty and freedom.

Captain David Fraser lived and died as General MacArthur said, "for duty, for honor, for country."

So God bless the Fraser family and God bless David Fraser and God bless all those who wear the uniform of the American warrior.

And that's just the way it is.

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PASS COMMONSENSE GUN LAWS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mrs. MCCARTHY) is recognized for 5 minutes.

Mrs. MCCARTHY. Mr. Speaker, last month the people voiced their opinion of the 109th Congress. Their message was loud and clear. It is time for common sense, and I hope we can follow the people's lead and pass some commonsense legislation coming this January.

I am particularly interested in commonsense legislation that will keep guns out of the hands of criminals without infringing on anyone's second amendment right. When it comes to commonsense gun laws, the Congress has a dismal record.

Thus far this Congress has given corrupt and incomplete gun dealers immunity from negligent lawsuits. This Congress has made it a crime for two police departments to share information from ATF's ballistics database. This Congress has tied the hands of law enforcement during times of disaster and has made it possible for guns to be brought into hurricane shelters.

But next year I am hoping for a fresh start when it comes to commonsense gun laws. Last spring our Judiciary Committee's Subcommittee on Crime, Terrorism, and Homeland Security approved H.R. 1415, the NICS Improvement Act. That is a bill that I had introduced a number of years ago. This is a bill that would improve the effectiveness of the existing National Instant Criminal Background Check System, the database used to check firearms buyers for any criminal record or other disqualifying criteria. Overall, the NICS has been a great success. Since 1994 more than 1.2 million individuals have been turned down because of a failed background check. NICS also provides the vast majority of honest gun sellers with peace of mind in knowing that they are selling their products to citizens who will use them safely and legally.

However, the NICS system is only as good as the information that is put into it. And, unfortunately, many States do not have the resources necessary to enter all of their disqualifying criteria into the NICS system. This is thanks, in part, to the many unfunded mandates this Congress has imposed upon the States. The end result is that felons and others who are

not permitted by existing law to buy guns are passing background checks and buying guns through legitimate means. In fact, 28 States have automated less than 75 percent of their criminal history records. In 15 States domestic violence restraining orders are not accessible through the NICS system.

Mr. Speaker, each year we see thousands and thousands of people dying because of gun violence. We see so many more being wounded because of gun violence. We have a chance to enforce the laws that are on the books, but we need to help the States get the money to computerize the information that they have. We can save lives, number one. We can cut down on health care costs. And all that can be done by passing the NICS Act.

The bill was passed a couple years ago. Unfortunately, the Senate ran out of time. In January we here in Congress will be working 5 days a week; and I am hoping with that we will have the time to pass the laws that this country expects us to do, bread-and-butter issues to make us safe, to help the economy. We can do this. And I am hoping that the Judiciary Committee will bring up the NICS bill, pass it this year, and get it over to the Senate so that we can pass it there and have the President sign it.

The people spoke on November 7 and we here in Congress, Republicans and Democrats, will be working together. We have very large issues in front of us, but let us not forget about the small issues also, those quality-of-life issues for our constituents. Let us show America that we can do better. This Congress, this next Congress, will do better, and we will do a better job.

PROSECUTION OF TWO U.S. BORDER PATROL AGENTS: URGING A PRESIDENTIAL PARDON

The SPEAKER pro tempore (Mr. BOUSTANY). Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES of North Carolina. Mr. Speaker, I am on the floor today to bring to the attention of the House the unjust prosecution of two U.S. Border Patrol agents and to urge the President of the United States to pardon these two men.

Agents Ramos and Compean were found guilty in a Federal court for wounding a Mexican drug smuggler who brought 743 pounds of marijuana across our southern border into Texas. These agents never should have been prosecuted for their actions last year; yet they had been sentenced to 11 and 12 years in Federal prison respectively. Agent Ramos served Border Patrol for 9 years and was a former nominee for Border Patrol Agent of the Year. Agent Compean had 5 years of experience as a Border Patrol agent. By attempting to apprehend an illegal alien drug smuggler, these agents were simply doing

their job to protect the American people. These agents should have been commended for their actions, but instead the U.S. Attorney's Office prosecuted the agents and granted full immunity to the drug smuggler for his testimony against our agents. The drug smuggler received full medical care in El Paso, Texas; was permitted to return to Mexico; and is now suing the Border Patrol for \$5 million for violating his civil rights. He is not an American citizen. He is a criminal.

Although it is clear that these agents fired shots at the drug smuggler to defend themselves and the border they patrol, Ramos and Compean were convicted mainly on the testimony of a habitual drug smuggler who claimed he was unarmed.

A sealed indictment for drug charges forbade the defense for calling into question the integrity of the drug smuggler as a witness. An October 26 article by Sara Carter of the Inland Valley Daily Bulletin quotes two of the drug smuggler's family members who said he "has been smuggling drugs since he was 14 and wouldn't move drugs unless he had a gun on him." Mr. Speaker, this came from the family member who knows this drug dealer. The family member also reported that the drug smuggler had been bragging about the money he is going to get in a lawsuit against the United States of America.

Despite my repeated requests for an investigation of this case and a request by a dozen Members of Congress for the President to pardon the agents, this administration has ignored the concerns of countless citizens who have decried the unjust prosecution of these two heroes. Mr. Speaker, I am calling on the President to listen to the concerns of the American people and to make it a top priority to pardon these two agents.

In closing, Mr. Speaker, I would like to share the last paragraph of my November 15 letter to the President: "Mr. President, you have an opportunity to reverse a great injustice committed against two agents who have given years of their life in service to this Nation and who have been unjustly punished for doing their job to protect our homeland. On January 17 of 2007, both Agents Ramos and Compean must surrender themselves to Federal authorities unless action is taken to overturn their sentences.

"I strongly urge you, Mr. President, to listen to the concerns of the American people and use the power of your office to pardon these two agents."

Mr. Speaker, I want to say again in closing that these two agents are heroes of this great Nation, and if anything, they should be rewarded and not crucified by the Federal Government for doing their job.

Please, Mr. President, listen to the American people.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would remind all Members to direct their remarks to the Chair.

THE LAME DUCK SESSION AND IRAQ

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, I am pleased to be back in Washington for the final session of the 109th Congress. I only wish that the current leaders on the other side of the aisle had used their final days in the majority to actually exercise leadership and do something constructive for the American people. Instead we are here for the lamest of all possible lame duck sessions.

Just look at what we have done today. With all due respect to my Resources Committee colleague Mr. SIMPSON, the Southern Idaho Bureau of Reclamation Repayment Act of 2006 really isn't one of the most pressing matters facing our Nation. And what about the Captain John Smith Chesapeake National Historic Trail Designation Act?

My friends, we are in the middle of a war, a failed war, which a majority of the American people no longer want any part of; a war which, by the admission of the President's own choice for Secretary of Defense, we are not winning. More than 2,900 of our best and brightest American troops are dead because of this failed policy. At least 46,000 have been wounded, severely wounded. And it is not as if they have sacrificed for a noble cause. Iraq, which was supposed to spontaneously blossom into a democracy the minute our troops arrived, has instead been plunged into a civil war as a direct result of the American occupation. In fact, a lot of people are saying that "civil war" is really too generous a term for what is happening in Iraq. It is actually much worse. "Civil war" implies two sides battling it out for state control. What we have here is many factions of thuggish militia and vigilantes terrorizing the streets and killing indiscriminately. The director of the CIA recently referred to the violence as "Satanic."

So why then are we spending the people's time and the people's money deliberating on naming a room in the Capitol? It is no wonder people have lost confidence in Congress to do the Nation's work effectively. Instead of doing what we were elected to do, we are waiting with bated breath for the findings of a blue ribbon commission to tell us what to do in Iraq. Mr. Speaker, this is political cowardice, pure and simple. The Congress doesn't want to confront the problem and doesn't want to challenge the President. So we pass the buck to a group of unelected so-called wise men who appear prepared to