

## APPROPRIATIONS: COMMERCE-JUSTICE-SCIENCE

# House Votes on Border Patrol Agents' Sentences as Part of Spending Debate

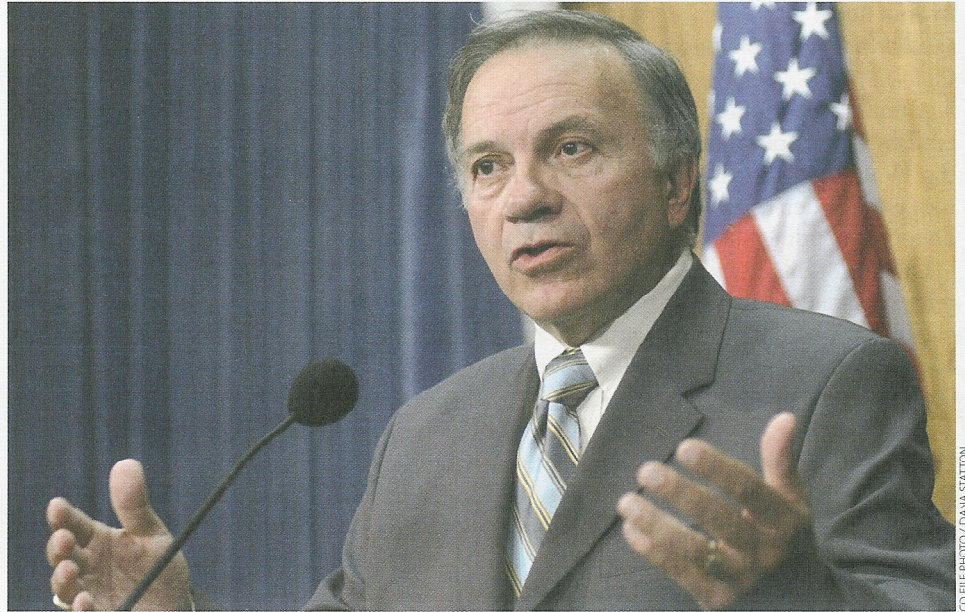
By **SETH STERN**, CQ STAFF WRITER

The House adopted an unusual spending bill amendment aimed at blocking the prison sentences of two Border Patrol agents convicted of shooting a Mexican drug dealer.

Lawmakers took up the \$53.6 billion Commerce-Justice-Science spending measure (HR 3093) on Wednesday but may shift to a bill (HR 2419) Thursday that would continue agricultural programs through fiscal 2012 before they resume consideration of the C-J-S bill. (*See farm bill, p. 1*)

The amendment by Republicans Tom Tancredo of Colorado and Ted Poe of Texas would bar the use of funds to enforce the judgment or incarcerate agents Ignacio Ramos and Jose Alonso Compean, sentenced to 11 and 12 years, respectively, in federal prison last October.

The House adopted the amendment by voice vote, a highly unusual attempt to affect individual prison sentences already



Tancredo's amendment is unusual in that it would affect a sentence already handed down by a federal judge.

imposed by a federal judge. It reflected the degree to which the case has become a bipartisan, bicameral cause among law-

makers who say the agents' sentences are excessive.

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"It is patently unfair and unjust to these two men," said John Culberson, R-Texas.

Last week, Sens. Dianne Feinstein, D-Calif., and John Cornyn, R-Texas, called on President Bush to commute the agents' sentences. Rep. Duncan Hunter, R-Calif., introduced a measure (HR 563) earlier this year that would pardon them shortly after they began serving their sentences in January for the non-fatal shooting of a Mexican drug dealer, Osvaldo Aldrete-Davila, as he fled the agents and escaped to Mexico.

Aldrete-Davila was later found to have been transporting 700 pounds of marijuana, worth about \$1.2 million. Federal prosecutors argued that the agents used excessive force by firing at least 15 rounds at Aldrete-Davila while he fled, failed to report the shooting — as required by official policy — and hid evidence. The prosecutor also said the agents knew Aldrete-Davila was unarmed even though they said they believed he had a gun. Aldrete-Davila was offered immunity to testify against the agents.