

Today, three large parcels of hats, gloves, and coats have been assembled for delivery to families struggling to combat Syracuse's harsh winter weather, and Anna Rose has secured Brown Memorial United Methodist Church and its neighborhood missions on Syracuse near westside to assist in distribution.

Anna Rose Livingston's initiative and effort is a fine example of the compassion and giving spirit that exists in so many Americans, but Anna Rose's age and lack of prior experience in such a large service initiative make her motivation and success that much more remarkable.

On behalf of the people of New York's 25th Congressional District, I proudly recognize Anna Rose for her community service and express great hope that her selflessness and success will motivate similar efforts of charity throughout my hometown community and across this great nation by people of all ages.

INTRODUCTION OF CHEMICAL FACILITY ANTI-TERRORISM ACT OF 2008

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 2008

Mr. THOMPSON of Mississippi. Madam Speaker, today, I am proud to introduce the Chemical Facility Anti-Terrorism Act of 2008, which was marked up and reported favorably by the Committee on Homeland Security on March 6, 2008.

This bill will extend and strengthen the Department of Homeland Security's current authority to regulate security practices at our Nation's chemical facilities. This legislation must be enacted to ensure that there is no lapse in our efforts to protect the Nation's chemical infrastructure from the threat of terrorism. The Chemical Facility Anti-Terrorism Standards Regulations currently in effect will sunset in October 2009. The passage of this legislation is needed to update and improve those regulations and to make them permanent.

Shielding the Nation's critical infrastructure from foreign and domestic terrorism is one of my eight goals in charting the course toward freedom from fear. As I see it, extending DHS's authority to regulate chemical security is the right thing to do, and this legislation does it the right way.

For 4 months, the committee undertook a bipartisan effort to develop this legislation. There were extensive discussions with the Department, the chemical industry, including both large and small chemical manufacturers, fertilizer manufacturers, petroleum and propane manufacturers and distributors, water and wastewater facilities, environmental groups, labor organizations, State Governments, and academic and independent experts. The legislation I am introducing today with every Democratic Member of the Committee on Homeland Security is the product of this open, bipartisan process.

Given this effort, where the ranking member of the full committee and Transportation Security and Infrastructure Protection were involved in every aspect of this legislation, I was very disappointed that the Republican Members, with few exceptions, chose partisanship over progress and voted against the bill. The dis-

agreement that was cited was over whether all regulated chemical facilities, or just a subset, should be required to assess whether or not they could incorporate practices to reduce the consequences of a terrorist attack in their processes. For the record, the bill requires only facilities assigned to a risk-based tier to undertake such an assessment. This is done to decrease the likelihood of a potential attack in the first place. That's just plain sensible.

This legislation does not seek to reinvent the wheel, as the Democratic Members of this committee believe that the fundamental approach taken under the existing chemical security regulations is the correct one. At the same time, the bill seeks to make several improvements to the program after the sunset expires. For instance, the current chemical security regulations exempt water treatment facilities regulated under the Safe Drinking Water Act and port facilities regulated under the Maritime Transportation Security Act. This bill does not have such an exemption and calls for the CFATS to work smoothly with the existing authorities. Testimony by the Department at previous hearings before this committee demonstrated that facilities with the exemption possess the same chemicals and are as proximate to major metropolitan areas as the currently regulated facilities. The testimony revealed there is no rational public policy reason to exempt them from the chemical security regime.

The bill also recognizes that water facilities need to be treated differently than other facilities. That is why we included provisions to require that the Secretary must provide funding for those that are required to implement inherently safer technology, IST. The bill also bars the Secretary from issuing any order or guidance under these regulations that contravenes laws, such as the Safe Drinking Water Act, and restricts the Secretary from enforcing "cease operations" orders against water facilities unless their operation represents a clear and present danger to homeland security. The provisions are intended to ensure that this legislation will not cause water to be less safe for communities.

The bill also protects the rights of States to pass their own regulations to secure chemical facilities so long as they do not directly conflict with this legislation; requires employee training and involvement of employees and their representatives in creating vulnerability assessments and security plans; creates strong whistleblower protections, and protects against illegitimate use of background checks.

I know that once this bill leaves this committee, there will be an effort to weaken it. I hope, however, that Congress will not allow narrow interests to interfere with the national security imperative of securing our chemical sector from terrorists. Only through the comprehensive approach laid out in this bill will we address our Nation's current vulnerability to a massive chemical attack using our own infrastructure against us. Exempting some facilities will make us less safe because those facilities, by their exemption, could become more likely to be attacked.

I hope that Congress will do the right thing to deliver to the American people freedom from fear of such a chemical attack by moving forward expeditiously to pass this legislation and make it law.

PERSONAL EXPLANATION

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 2008

Mr. COHEN. Madam Speaker, please excuse my absence from votes on Monday, March 10, 2008. My flight was delayed due to mechanical problems. Had I been present, I would have voted "aye" on each rollcall vote: 108, 109, and 110.

INTRODUCTION OF BILL ON OIL LEASE SALE IN THE CHUKCHI SEA

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 11, 2008

Mr. MARKEY. Madam Speaker, the Interior Department is currently considering whether to list the polar bear under the Endangered Species Act as a result of the impacts of global warming. While this decision has been nearly 3 years in the making, the Fish and Wildlife Service has now missed deadline after deadline for finalizing a decision on the future of the polar bear. On January 9, the Interior Department missed its statutorily required deadline for a decision, as required under the Act. Then, 1 month later, it missed its self-imposed deadline. Now, the decision on listing the polar bear, and the survival of this iconic species, is hanging in limbo.

Meanwhile, Secretary Kempthorne decided to move forward with an oil and gas lease sale in 30 million acres of sensitive polar bear habitat in Alaska's Chukchi Sea last month rather than wait until after a decision on the polar bear had been made.

The bulk of this legislation that I am introducing today is identical to H.R. 5058, which already has wide support from Members of the House. H.R. 5058 would have required the Interior Department to delay the oil lease sale in the Chukchi Sea until it had made a decision on listing the polar bear under the Endangered Species Act. The legislation that I am introducing today would delay the next steps in the oil leasing process until after the Interior Department makes decisions on the polar bear and on establishing the bear's "critical habitat." This legislation would not prevent the next steps in the oil drilling process from ever occurring, but rather simply ensure that the Department first decides how to protect the polar bear.

It is disappointing that Secretary Kempthorne chose not to delay the lease sale until after the polar bear listing decision had been made. The legislation that I am introducing today would restore common sense to this regulatory lunacy by ensuring that we figure out how to protect the polar bear before taking any additional steps towards allowing oil drilling in key polar bear habitat. Secretary Kempthorne and his agency must not move any farther down the path they are taking of drill first and ask questions later—a well-worn path in this administration. If this administration refuses to stop the oil drilling process until after it figures out how to protect the polar bear from global warming, then the Congress must step in to protect the polar bear and the taxpayers.