So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:
Mr. FILNER, Mr. Speaker, on rollcall 344, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted “aye.”

PERSONAL EXPLANATION

Mr. FILNER, Mr. Speaker, during consideration of H.R. 5325, the FY 2013 Energy and Water Appropriations bill, I was away from the Capitol due to prior commitments to my constituents.

Had I been present I would have voted: “yes” on the Fortenberry Amendment; “yes” on the Jackson-Lee Amendment; “yes” on the Connolly Amendment; “no” on the Kucinich Amendment; “yes” on the Burgess Amendment; “no” on the Reed Amendment; “yes” on the Loretta Sanchez Amendment; “yes” on the Polis Amendment; “yes” on the Lujan Amendment; “no” on the Chabot Amendment; “no” on the Blackburn Amendment; “no” on the Mulvaney Amendment; “no” on the Flake Amendment; “no” on the King (IA) Amendment; “yes” on the Lummis Amendment; “yes” on the Motion to Recommit; “no” on Final Passage.

In addition, I would have voted: “no” on the Republican Motion to Instruct Conferences on H.R. 4348; “yes” on the Democratic Motion to Instruct Conferences on H.R. 4348.

PERSONAL EXPLANATION

Ms. SLAUGHTER, Mr. Speaker, I was unavoidable detained and missed rollcall Nos. 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, and 344.

Had I been present, I would have voted “aye” on rollcall vote Nos. 320, 321, 325, 327, 329, 330, 331, 340, 341 and 344. Had I been present I would have voted “no” on rollcall vote Nos. 319, 322, 323, 324, 326, 328, 332, 333, 334, 335, 336, 337, 338, 339, 342, and 343.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 438, HEALTH CARE COST REDUCTION ACT OF 2012, AND PROVIDING FOR CONSIDERATION OF H.R. 5882, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2013

Mr. SCOTT of South Carolina, from the Committee on Rules, submitted a privileged report (Rept. No. 112-518) on
ports of entry has increased exponen-
tially over recent years—and justifi-
able so—while the budget for Customs
and Border Patrol officers at the ports
has not kept pace.

When I travel on the border region,
there are legitimate concerns raised at
that point that there is insufficient staffing
at the ports. Those serving at the ports
of entry have a dual role. They have to
facilitate commerce across the border
and prevent unauthorized people from
crossing the border.

I could talk at length about the bene-
fits of cross-border trade for commu-
nities along the border, but let me cite
just a couple of examples. Focusing on
the southern border, Mexico is the
third-largest U.S. trading partner and
the second-largest U.S. export market,
with a reported 6 million U.S. jobs de-
dpending on trade with Mexico.

The executive director of the Ari-
zona-Mexico Commission was recently
quoted saying:

Arizona's border is the gateway for some
$20 billion worth of imports and exports
and some 44 million people each year.

A recent Maricopa Association of
Governing Officials cited that legal
Mexican visitors spend roughly $7.3
million a day in Arizona, and Arizona
businesses exported nearly $6 billion in
goods in 2011. So there are benefits all
over for trade of this type.

The Mariposa port of entry in
Nogales is one of the largest ports
of entry for fruits and vegetables in the
U.S. In 2011, the U.S. imported 13.4 bil-
lion pounds of fresh produce grown in
Mexico, and more than a third of that
entered through Nogales.

To summarize, we have to have bet-
ter staffing at these ports. The Depart-
ment has been asked to provide us
with their needs and they simply won't. We
simply haven't been able to get that in-
formation.

I'm the last member of the Appropria-
tions Committee that would sup-
port writing a blank check to any de-
partment, but we have got to make
sure their needs are met, and that's why this amendment is critical, and
I am grateful to the chairman and
ranking minority member for working
with me on it.

I yield back the balance of my time.

Mr. ADERHOLT. Mr. Chairman, I
move to strike the last word.

The Acting CHAIR. The gentleman
from Alabama is recognized for 5 min-
utes.

Mr. ADERHOLT. I rise in support
of the gentleman's amendment. The Sec-
retary has failed to submit critical re-
ports necessary for this committee's
oversight, including workload staffing
models for CBP officers. Therefore, we
do applaud the gentleman from Arizo-
na's amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is
on the amendment offered by the gen-
tleman from Arizona (Mr. FLAKE).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. MOORE

Ms. MOORE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will re-
port the amendment.

The Clerk reads as follows:

Page 2, line 17, after the dollar amount, in-
sert "(increased by $3,000,000)".

Page 9, line 7, after the dollar amount, in-
sert "(reduced by $4,000,000)".

The Acting CHAIR. The gentlewoman
from Wisconsin is recognized for 5 min-
utes.

Ms. MOORE. Mr. Chairman, the pur-
pose of my amendment is to restore $3
million to the Department of Home-
land Security's Office of Civil Rights
and Liberties. This amendment would sim-
ply level fund this account at the fiscal
year 2012 level.

Mr. Chairman, it troubles me to see
the continued rollout of Secure Com-
munities and increase in funding for
these 287(g) programs in the underlying
bill, especially juxtaposed with a 13
percent decrease in funding for the of-
civil Rights and Liberties. Ex-
erts and officials across the country
have concerns about these programs
that shift Federal immigration laws into
the hands of local police.

I have a letter from 88 civil rights or-
ganizations urging the Federal Bureau
of Investigation to "end its facilitation
of the fundamentally flawed Secure Communities deportation program."
The letter states:

Secure Communities has caused wide-
spread controversy because it threatens pub-
lc safety, encourages racial profiling, under-
mines community policing, and serves
as a deportation dragnet, ensnaring anyone
who is booked into police custody.

As cochair of the Women's Caucus, I
am particularly concerned when I hear
stories of the effects this program has
on victims across our communities.
Women and their children are increas-
ingly afraid to go to local police to get
confidential help, to call 911 during an
emergency because they are terrified of
being caught in this dragnet.

For many, suffering through an ab-
uisive situation is better than watching
their families being torn apart. Mr.
Chairman, these are real people who
are victims or witnesses to domestic
violence or other crimes, but they can-
not come forward.

According to an October 2011 report
by the UC Berkeley Law School's War-
en Institute, more than one-third of
individuals arrested in this program re-
port that they have a U.S. citizen
spouse or child. In other words, an esti-
mated 88,000 families with U.S. citizen
members have been impacted by Se-
cure Communities. The same report
found that Latinos comprise 93 percent
of the individuals arrested in this pro-
gram, despite only comprising 77
percent of the population.

Mr. Chairman, I suggest that this is
not the America we want to create. We
should all be able to agree that we
don't want to see an America where
victims are afraid of the police or an
America where racial profiling is en-
couraged or tolerated.

Now, I understand, Mr. Chairman,
that some of my colleagues on the
other side of the aisle believe that in-
creasing enforcement policies is the right
approach to solve our broken im-
migration system. With that being
said, I appeal to my colleagues to sup-
port efforts by the Department of Home-
land Security to ensure adequate
oversight of this program.

Steps that the Department of Home-
land Security's Office of Civil Rights
and Liberties have taken and will take
to:

Analyze arrest data to make sure
that there are no serious indications of
racial profiling in any of the partici-
pating communities;
Help improve training for local law
enforcement officers to reduce confu-
sion and ensure that there are clear
guidelines to prevent misuse of the pro-
gram;
To inform the public about options
they have and recourses they can use if
their civil liberties are violated by de-
partment action; and, finally,
To help investigate and resolve cases
where an individual alleges that their
rights were violated.

I support these important efforts to-
wards promoting accountability and
oversight over these enforcement pro-
grams, and I urge my colleagues to
support this amendment. It is fully off-
set, as is required of this appropria-
tions process, and it is not an increase
in this program, but it simply level
funds it at 2012 levels.

With that, Mr. Chairman, I respect-
fully yield back the balance of my time.

R. SCOTT TRENT.

CIS Designated Federal Officer, Criminal Jus-
tice Information Services Division, Federal
Bureau of Investigation, Pennsylvania Ave-
 nue, NW, Washington, DC.

DEAR MR. TRENT: We, the undersigned, call
on the Federal Bureau of Investigation (FBI)
to end its facilitation of the fundamentally flawed
Secure Communities deportation program. We urge the FBI's Criminal Justice In-
formation Services Advisory Policy Board (APB) to adopt the attached proposal to
mitigate the damage this program has done
to public safety and community policing.
The proposal would respect the wishes of states and localities that chose not to par-
ticipate in "Secure Communities" and would prevent the implementation of the program
in jurisdictions with a documented pattern
of civil rights abuses.

Secure Communities is a wide-sweeping de-
portation program launched in 2008 by the
Immigration and Customs Enforcement
agency. It has been sharply criticized by the
government and state legislators of Illinois,
New York, and Massachusetts; local officials
from numerous cities and counties, including
the District of Columbia, Los Angeles, Chi-
cago, and San Francisco; dozens of Congres-
sional representatives; many prominent law
enforcement officials; hundreds of immi-
grant rights, criminal justice, and privacy
advocates; religious leaders; and community
members.

As described in more detail in the attached
proposal, Secure Communities has caused
widespread controversy because it threatens
community policing, undermines racial profiling,
and serves to:

- Facilitate commerce across the border

- Prevent the implementation of the program in jurisdictions with a documented pattern
  of civil rights abuses.
as a deportation dragnet, ensuing anyone who is booked into police custody.

The FBI plays a large role in Secure Communities by automatically initiating the immigration backcheck that sets the deportation process in motion for anyone booked into police custody. The CJIS APB approved this program almost two years ago, well before the problems caused by Secure Communities came to light. It is urgent that in the upcoming August 2012 meeting, the APB Working Groups consider the newly disclosed information regarding the fatal flaws in this program, and adopt the attached proposal to mitigate the damage caused by Secure Communities.

Sincerely,
Alliance for a Just Society; American Friends Service Committee; Angels For Action; Asian American Legal Defense and Education Fund; Asian Law Caucus; Bill of Rights Defense Committee; Black Alliance for Just Immigration; Blauvelt Dominican Sisters Social Justice Committee; Bronx Defenders; CAAAL Organizing; "Asian Communities Care" Casa Freehold; CATA The Farmworker’s Support Committee; Center for Constitutional Rights; Chinese American Refugee Center—New York; Central American Resource Center—Louisiana; CHIRLA, Coalition for Humane Immigrant Rights of Los Angeles; Coalition of Organizaciones Latino-Americanas (COLA); Community Service Organization; Creating Law Enforcement Accountability and Responsibility; Defending Dissent Foundation; Detention Watch Network; Disciples Justice Action Network; Drug Policy Alliance; El Comite de Apoyo a los Trabajadores Agropecuarios; Franciscan Action Network; Grassroots Leadership; Graton Day Labor Center; Hayward Day Labor Center; Hispanic Resource Center of Massachusetts; Houston’s America for All; Human Rights Watch; Immigration Reform and Justice Coalition; Immigration Reform; Immigrant and Refugee Advocacy Coalition; Immigrant Rights Center; Immigrant Rights Project; Immigrant Legal Resource Center; Immigration Circle of Justice, Sisters of St. Dominick, Blaувelt, NY; Immigration Justice Clinic; InMotion; IRATE & First Friends; Ironbound Community Corporation; Junta for Progressive Action; La Raza Immigration and Reform Organization; La Raza Immigration Center; Catholic Social Justice Conference of New England; Labor Council For Latin American Advancement; Central Florida Chapter; Labor Justice Committee; Latino Foundation; Legal Aid Justice Center’s Immigrant Advocacy Program; Make the Road by Walking New York; Migrant Justice and Refugee Advocacy Coalition; Menominite Central Committee East Coast; Menominite Central Committee U.S. Washington Office; Muslim Legal Fund of America; National Day Labor Organizing Network; National Employment Law Project; National Guestworker Alliance; National Immigration Law Center; National Immigration Project of the National Lawyers Guild; National Network for Immigrant Rights; Neighborhoods for Justice in Support of Immigrants; New Orleans Workers Center for Racial Justice; New Sanctuary Coalition NYC; New York Immigration Coalition; Passaic County Coalition for Immigrant Rights; Presente.org; Prison Activist Resource Center; Progressive Leadership Alliance of Nevada; Progressive States Network; Pueblo Sin Fronteras; Puente Arizona; Queer Women of Color Media Project (QWOMAP); Rights Working Group; Rockland immigration coalition; Restaurant Opportunities Center of New York; Services, Immigrant & Communities; South Asian Americans Leading Together (SAALT); Tenants and Workers United; The Reformed Church of Highland Park Immigration Committee; The Workplace Project; United Methodist Church, General Board of Church and Society; VivirLatino; Voces de la Frontera; Union of Pan American Immigrants; WeCount!; Welcome Everybody Organization; Wind of the Spirit; Immigrant Resource Center, NJ; Workers Defense Project; Young Workers United.

Mr. ADERHOLT. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Alabama is recognized for 5 minutes.

Mr. ADERHOLT. Mr. Chairman, I’m going to have to rise to oppose the gent- lelady’s amendment.

The problem with the amendment is that it guts the immigration enforcement and it demoralizes the frontline law enforcement personnel. This amendment would actually empower more bureaucrats from Washington to look over the shoulders of the hardworking officers in the field that are trying to keep us safe.

So I would urge my colleagues to oppose this amendment, and I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I rise in support of this amendment to restore funding for the Office of Civil Rights and Civil Liberties in order that both the 287(g) program and the Secure Communities program are not illegally profiling individuals.

The bill before us funds the Office of Civil Rights and Civil Liberties at a level that is $2.2 million below the budget request and $3 million below current year funding. Now, we’re in a tight fiscal environment, we all know that, but surely we can meet the needs of our frontline personnel without jeopardizing the proper and robust and careful oversight of the activities provided by the Civil Rights and Civil Liberties Office.

In fact, at the same time this bill is reducing funding for oversight, it’s actually increasing funding for the controversial and all-too-often mismanaged 287(g) program. Three different audits by the DHS inspector general have found serious concerns about the 287(g) program, and ICE has had to terminate some 287(g) task forces. In Arizona, after the Justice Department documented clear racial profiling and other programmatic abuses. So we need to make sure this authority is being exercised properly, and that’s exactly the task of the Office of Civil Rights and Civil Liberties.

So I thank the gentlelady for offering this amendment. It is a good amendment, and I urge colleagues to support it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gent- lewoman from Wisconsin (Ms. MOORE). The question was taken; and the Act- ing Chair announced that the noes appeared to have it.

Ms. MOORE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Wisconsin will be postponed.
Mr. BROWN of Georgia. Mr. Chairman, this amendment would reduce the administrative salaries in the expense accounts in the underlying bill by just 3 percent, with the exception of the U.S. Coast Guard. It does not affect their expenses.

Our Nation is facing a total economic meltdown, and now more than ever it is apparent that we have to stop the outrageous spending that’s going on here in Washington, D.C.

Over the last 2 years, House Members have been forced to reduce their own administrative accounts—their Members’ Representational Allowances—by more than 11 percent. Yet over that same period of time, many agencies have seen minimal reductions and, in some cases, even increases in their accounts.

For a good example, the TSA has only experienced a 3.5 percent cut over the last 2 years. I know many of my colleagues can agree that the TSA has not only been a complete and utter failure, but it also has been a colossal waste of taxpayer money, amounting to almost $60 billion.

Moreover, TSA personnel have not prevented the first terrorist attack from happening on American soil. In fact, at least 17 known terrorists have flown in the United States more than 20 different times. Yet this year, TSA screener personnel will receive increased funding for their compensation and benefits that totals more than $30 million above fiscal year 2012. This is totally unacceptable.

Another example I’d like to point to is the TSA in the underlying bill is funding for a brand new agency called the Office of Biometric Identity Management. This new office will receive almost $300 million for their administrative salaries and expense accounts. Mr. Chairman, we need to be looking for areas where we can make cuts, not for opportunities to grow the size and scope of the Federal Government.

Now, certainly, we can all agree that many of the offices, agencies, and individuals employed by the Department of Homeland Security are very deserving of the pay for which they receive but, Mr. Chairman, let’s be realistic. If we are serious about reducing spending and reducing our deficit, we have to ask every agency to follow Congress’ lead and take a small reduction in their administrative funding instead of asking for increases or trying to create new programs.

To be clear, a 3 percent reduction in these accounts would, in many cases, still result in less than a 10 percent reduction in funding from FY11 levels.

While this amount is small, it would pay dividends, huge dividends, resulting in nearly a half a billion dollars in savings in this bill alone.

It is long past time to get serious about cutting back, Mr. Chairman, and this amendment represents a balanced way to achieve significant savings. I urge my colleagues to support my amendment and to reduce spending in these accounts by just a mere 3 percent.

I yield back the balance of my time.

Mr. ADERHOLT. I move to strike the last word.

The Acting CHAIR. The gentleman from Alabama is recognized for 5 minutes.

Mr. ADERHOLT. Mr. Chairman, I rise to reluctantly oppose my good friend from Georgia’s amendment. I think he makes some very good points, but one thing, as I had mentioned in the debate this afternoon and the general debate, this is the third fiscal year in a row that the bill has tried to work at cutting almost nothing.

Fiscal discipline and funding for homeland needs are the two most important things. And as I said earlier, that fiscal discipline is something that is a very important aspect of this bill. The bill actually has a decrease of $484 million below last year’s bill, and it is $394 million below the President’s request.

As I had mentioned earlier this afternoon, we do think that we need to be very much mindful of the situation we find ourselves in in this country. But bear in mind that we have cut, we have reached a delicate balance to make sure the operations are secure, that they are operating at a level that we can make sure that our Nation is secure.

The Office of the Secretary, for example, has been cut 9 percent below the President’s request, and it’s 8 percent below the FY 2012 act.

This is the 10th year anniversary of the establishment of the Department of Homeland Security, and certainly we’ve got to make sure that our Department is strong, it has strong management. My concern is that this amendment would undermine that goal. And so I would ask Members to oppose this amendment.

I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I want to second the remarks of our chairman. I think this is an amendment that, while well-intentioned, in my opinion, is not one that we can or should accept.

I know it’s easy to target management and administrative costs. They sometimes lack concreteness. They lack a consistency. But, as a matter of fact, we depend on these management and administrative functions to run the Department. And at the end of the day, cutting those functions will, indeed, affect frontline operations. We should take no credit about that.

In my opinion, this bill already cuts administrative functions by imprudent amounts. It already slashes funding for offices at the departmental level, for example, by 21 percent below the administration’s request.

So while this amendment may be appealing to some, I believe it’s unwise, and I urge colleagues to oppose it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROWN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. BROWN of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT OFFERED BY MR. HOLT

Mr. Holt. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 17, after the dollar amount, insert "(reduced by $10,000,000)."

Page 6, line 8, after the first dollar amount, insert "(reduced by $25,000,000)."

Page 15, line 23, after the dollar amount, insert "(reduced by $15,000,000)."

Page 15, line 6, after the dollar amount, insert "(reduced by $15,000,000)."

Page 37, line 18, after the dollar amount, insert "(increased by $50,000,000)."

Mr. Holt (during the reading). Mr. Chairman, I ask unanimous consent to strike the amendment with the reading of this amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Acting CHAIR. The amendment is in order.

The Clerk read as follows:

Page 2, line 17, after the dollar amount, insert "(reduced by $10,000,000)."

Page 6, line 8, after the first dollar amount, insert "(reduced by $25,000,000)."

Page 15, line 23, after the dollar amount, insert "(reduced by $15,000,000)."

Page 15, line 6, after the dollar amount, insert "(reduced by $15,000,000)."

Page 37, line 18, after the dollar amount, insert "(increased by $50,000,000)."

Mr. Holt (during the reading). Mr. Chairman, I thank the chair of this subcommittee and the ranking member for the work they’ve put into this.

I rise with an amendment that is designed to ensure that our rail and transit systems have the additional resources, or at least some of the additional resources, that they need to help thwart any potential terrorist attacks on buses and trains.

Now, just over a year ago, when our forces raided Osama bin Laden’s compound, they discovered materials in his hideout indicating that he was planning attacks on rail and transit systems, and we have no reason to believe that al Qaeda’s remnants have abandoned any such plans. As we’ve seen repeatedly, the threat is very real.

Since 2001, terrorist cells have conducted successful and deadly bombings on major passenger rail systems in Spain, the United Kingdom, India, Belarus, with over 600 people killed, thousands wounded. And despite this threat, over the last few years, our country has been backsliding in providing our rail and transit systems the resources they need.

In years past, rail and transit security funding had its own line item in the budget. But a couple of years ago, it was rolled into the overall State and local grant programs, and it’s funding has been slashed, and slashed is not an overstatement, from a previous high of $300 million, down to only about $88 million this past year.

It is long past time to get serious about cutting back, Mr. Chairman, and this amendment represents a balanced way to achieve significant savings. I urge my colleagues to support my amendment and to reduce spending in these accounts by just a mere 3 percent.

I yield back the balance of my time.

The Acting CHAIR. The gentleman from Georgia (Mr. BROWN) has the floor for 5 minutes.

Mr. BROWN of Georgia. Mr. Chairman, I thank the acting Chair announced that the noes appeared to have it.

Mr. BROWN of Georgia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 17, after the dollar amount, insert "(reduced by $10,000,000)."

Page 6, line 8, after the first dollar amount, insert "(reduced by $25,000,000)."

Page 15, line 23, after the dollar amount, insert "(reduced by $15,000,000)."

Page 15, line 6, after the dollar amount, insert "(reduced by $15,000,000)."

Page 37, line 18, after the dollar amount, insert "(increased by $50,000,000)."
Mr. ADERHOLT. The bill that we have before us that we have brought to the floor is something that has already cut programs substantially across the board. But the way that we can cut it, we feel, is responsible and manageable. There were some deep cuts that have been made in the Secretary’s office, as I had mentioned earlier, has been cut by 9 percent below the request, 8 percent below FY 2012, and it is 15 percent below the FY 2010 level. The bill has reduced management to a bare minimum, with decrease in most offices, including General Counsel.

The bill has already cut TSA management by $50 million, and $20 million is cut in the Aviation Security Account.

This amendment that the gentleman from New Jersey is bringing up, by taking $15 million more from this account, will impair TSA’s ability to manage its aviation security missions and is also simply not responsible. The amendment that is for the Department’s intelligence programs, which represent a core homeland security capability.

For grants, the bill provides $2.8 billion for Homeland Security first responder grants, $900 million more than provided in FY 2012. Of that, the bill provides $1.8 billion for the Secretary to provide to programs that address the highest need, based on the threat and based on risk.

For grants, this amendment does, funds projects for various programs without an overreaching lens. The consolidation of this bill forces the Secretary to examine the intelligence and risk and put scarce dollars where they are needed most. I would urge my colleagues to vote “no” on this amendment.

I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. I want to commend our colleague from New Jersey for New Jersey for offering an amendment that takes explicit account of the need for robust funding for State and local grant programs, including those aimed at rail and transit security.

As the gentleman from New Jersey has noted, this funding is against a base line that has been significantly reduced in the previous 2 fiscal years.

I was privileged to serve as the chairman of this subcommittee in the years 2007–2010. We worked very hard in those years to provide robust funding for this important program, and we increased the funding for FEMA first responder grants by $1 billion between fiscal ’07 and fiscal ’10. Unfortunately, these programs are now under threat. Since 2010, funding for FEMA grants has been cut by nearly 50 percent to a total level of $1.3 billion for fiscal 2012. Those cuts are shortsighted and they’re dangerous, and I have said so repeatedly.

After all, local governments are the first responders to terrorist attacks, natural disasters, and other major emergencies. Local law enforcement, fire, emergency, medical, as well as public health and public safety personnel, are responsible for the on-the-ground response and recovery action. Local communities or public entities own, operate, and secure essential aspects of our Nation’s infrastructure, of our ports and transit systems, of our water supplies, and of our schools and hospitals. So, plainly put, these grants protect our communities and are vitally important in our ability to detect, deter, and respond to a variety of threats and disasters.

As the gentleman from New Jersey has stressed, our rail and transit systems are an important part of this network, and they are in many cases very much in need of the kind of funding that this bill has provided and should provide. I would reluctantly add, though, Mr. Chairman, that there are problems with these offsets, and I will repeat what the chairman has said about some of the cuts that are included in these bills, these important accounts:

The Assistant Secretary’s office, that may seem an easy thing to cut, but this bill already reduces the Secretary’s office by 9 percent. Analysis and Intelligence, this bill already cuts this by 8 percent. Then TSA aviation security has one of the largest cuts in this bill. It’s $312 million below the 2012 levels.

There are very few good places to turn. I realize. We’re so often in a position of trading off worthwhile objectives, but I do feel bound both to commend the gentleman from New Jersey for his attention to these grant programs and the need for robust funding, but also to highlight some of the problems with the offsets in this particular amendment.

I yield back the balance of my time.

Mr. ADERHOLT. The bill that we have before us that we have brought to the floor is something that has already cut programs substantially across the board. But the way that we can cut it, we feel, is responsible and manageable. There were some deep cuts that have been made in the Secretary’s office, as I had mentioned earlier, has been cut by 9 percent below the request, 8 percent below FY 2012, and it is 15 percent below the FY 2010 level. The bill has reduced management to a bare minimum, with decrease in most offices, including General Counsel.

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For grants, this amendment does, funds projects for various programs without an overreaching lens. The consolidation of this bill forces the Secretary to examine the intelligence and risk and put scarce dollars where they are needed most. I would urge my colleagues to vote “no” on this amendment.

I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. I want to commend our colleague from New Jersey for New Jersey for offering an amendment that takes explicit account of the need for robust funding for State and local grant programs, including those aimed at rail and transit security.

As the gentleman from New Jersey has noted, this funding is against a baseline that has been significantly reduced in the previous 2 fiscal years.

I was privileged to serve as the chairman of this subcommittee in the years 2007–2010. We worked very hard in those years to provide robust funding for this important program, and we increased the funding for FEMA first responder grants by $1 billion between fiscal ’07 and fiscal ’10. Unfortunately, these programs are now under threat. Since 2010, funding for FEMA grants has been cut by nearly 50 percent to a total level of $1.3 billion for fiscal 2012. Those cuts are shortsighted and they’re dangerous, and I have said so repeatedly.

After all, local governments are the first responders to terrorist attacks, natural disasters, and other major emergencies. Local law enforcement, fire, emergency, medical, as well as public health and public safety personnel, are responsible for the on-the-ground response and recovery action. Local communities or public entities own, operate, and secure essential aspects of our Nation’s infrastructure, of our ports and transit systems, of our water supplies, and of our schools and hospitals. So, plainly put, these grants protect our communities and are vitally important in our ability to detect, deter, and respond to a variety of threats and disasters.

As the gentleman from New Jersey has stressed, our rail and transit systems are an important part of this network, and they are in many cases very much in need of the kind of funding that this bill has provided and should provide. I would reluctantly add, though, Mr. Chairman, that there are problems with these offsets, and I will repeat what the chairman has said about some of the cuts that are included in these bills, these important accounts:

The Assistant Secretary’s office, that may seem an easy thing to cut, but this bill already reduces the Secretary’s office by 9 percent. Analysis and Intelligence, this bill already cuts this by 8 percent. Then TSA aviation security has one of the largest cuts in this bill. It’s $312 million below the 2012 levels.

There are very few good places to turn. I realize. We’re so often in a position of trading off worthwhile objectives, but I do feel bound both to commend the gentleman from New Jersey for his attention to these grant programs and the need for robust funding, but also to highlight some of the problems with the offsets in this particular amendment.

I yield back the balance of my time.

Mr. ADERHOLT. The bill that we have before us that we have brought to the floor is something that has already cut programs substantially across the board. But the way that we can cut it, we feel, is responsible and manageable. There were some deep cuts that have been made in the Secretary’s office, as I had mentioned earlier, has been cut by 9 percent below the request, 8 percent below FY 2012, and it is 15 percent below the FY 2010 level. The bill has reduced management to a bare minimum, with decrease in most offices, including General Counsel.

The bill has already cut TSA management by $50 million, and $20 million is cut in the Aviation Security Account.

This amendment that the gentleman from New Jersey is bringing up, by taking $15 million more from this account, will impair TSA’s ability to manage its aviation security missions and is also simply not responsible. The amendment that is for the Department’s intelligence programs, which represent a core homeland security capability.

For grants, the bill provides $2.8 billion for Homeland Security first responder grants, $900 million more than provided in FY 2012. Of that, the bill provides $1.8 billion for the Secretary to provide to programs that address the highest need, based on the threat and based on risk.

For grants, this amendment does, funds projects for various programs without an overreaching lens. The consolidation of this bill forces the Secretary to examine the intelligence and risk and put scarce dollars where they are needed most. I would urge my colleagues to vote “no” on this amendment.

I yield back the balance of my time.
representation expenses: Provided, That of the total amount made available under this heading, $5,448,000 shall remain available until September 30, 2017, solely for the alteration and improvement of facilities, plant improvements, and relocation costs to consolidate Department headquarters operations at the Nebraska Avenue Complex; and $6,689,000 shall be made available on or before September 30, 2015, for the Human Resources Information Technology program: Provided further, That $124,325,000 shall not be available for obligation until the Secretary of Homeland Security submits to the Committees on Appropriations of the Senate and the House of Representatives all statutorily required reports and reports are due with the submission of the President’s budget proposal for fiscal year 2014 pursuant to the requirements of section 1105(a) of title 31, United States Code: Provided further, That the Under Secretary for Management shall, pursuant to the requirements contained in House Report 112-331, submit to the Committees on Appropriations of the Senate and the House of Representatives a Comprehensive Acquisition Status Report, including the information required under the heading “Office of the Under Secretary for Management” under title I of division D of the Consolidated Appropriations Act, 2012 (Public Law 112-74), with the President’s budget proposal for fiscal year 2014 pursuant to the requirements of section 1105(a) of title 31, United States Code, and quarterly updates to such report not later than 45 days after the completion of each quarter.

AMENDMENT OFFERED BY MR. GRIMM

Mr. GRIMM. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk reads as follows:

Page 3, line 23, after the dollar amount, insert "(reduced by $7,667,000)"

Page 36, line 4, after the dollar amount, insert "(increased by $7,667,000)"

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. GRIMM. Mr. Chairman, I rise today in support of my amendment that would fund the National Urban Search and Rescue Response System at $35.18 million, which is level with the Senate bill; but it still reflects a reduction of, roughly, $6 million from fiscal year 2012.

The National Urban Search and Rescue Response System provides a significant national resource for search and rescue assistance in the wake of major disasters and structural collapses. A typical US&R task force will conduct physical search and rescue operations, provide emergency medical care to trapped victims, assess and control hazards such as ruptured gas and electric lines, and evaluate and stabilize damaged structures.

Due to the critical life-saving nature of their missions, US&R task forces must be prepared to deploy within 6 hours of notification and must be self-sufficient for the first 72 hours. These teams have been deployed in response to the anthrax attack, destruction from Hurricane Katrina, the 9/11 attacks on the World Trade Center and the Pentagon, the Oklahoma City bombing, the Turkey earthquakes, the grain elevator explosion in Wichita, Kansas, and many other foreign and domestic disasters.

In 2006, FEMA estimated the annual and recurring cost of each task force to be approximately $1.7 million. Today, in many jurisdictions, the cost exceeds $2 million. In addition to program management costs, this estimate includes expenses for training, for exercises, the medical monitoring of personnel, and equipment maintenance and storage. Current Federal funding for the Nation’s US&R teams only provides a fraction of the funds necessary to maintain each task force, leaving local government sponsors to pick up the remainder of the cost and diverting much-needed funding away from local first responders’ budgets.

The recent tornado in Joplin, Missouri, and the subsequent response underscored the importance of the Nation’s preparedness capacity. Providing proper funding for the National Urban Search and Rescue Response System will help ensure that these highly-skilled teams are available to respond to major emergencies without jeopardizing the budget priorities for local first responders.

Therefore, I urge you to vote “yes” on my amendment and to properly fund this critical program.

Mr.ADERHOLT. Will the gentleman yield?

Mr. GRIMM. I yield to the gentleman from Alabama.

Mr. ADERHOLT. We will accept the amendment of the gentleman of New York.

Mr. GRIMM. If I can reclaim my time, I just want to thank a friend and colleague, Mr. CONNOLLY, for all of his work in joining me in this effort. I just wanted to say thank you very much.

I yield back the balance of my time.

Mr. CONNOLLY of Virginia. I want to thank the distinguished chairman and the ranking member and my colleague Mr. GRIMM from New York for this thoughtful amendment and for accepting it.

Fairfax County, which I represent, has one of the outstanding US&R teams in the world. As my colleague from New York indicated, they have served both here in the United States in many, many manmade and natural tragedies, as well as around the world in saving lives. This is a great partnership between local governments and the Federal Government, and it’s one that we desperately need to be enhanced.

So I very much thank the majority and the minority leaders for accepting this thoughtful amendment. I am proud to join with my colleague, Mr. GRIMM, in cosponsoring this amendment as an original cosponsor, and I am delighted it’s going to be adopted.

I yield back the balance of my time.

Mr. ADERHOLT. Will the gentleman yield?

Mr. GRIMM. I yield to the gentleman from Virginia.

Mr. CONNOLLY. I want to thank the distinguished chairman and the ranking member and my colleague Mr. GRIMM from New York for this thoughtful amendment and for accepting it.

Fairfax County, which I represent, has one of the outstanding US&R teams in the world. As my colleague from New York indicated, they have served both here in the United States in many, many manmade and natural tragedies, as well as around the world in saving lives. This is a great partnership between local governments and the Federal Government, and it’s one that we desperately need to be enhanced.

So I very much thank the majority and the minority leaders for accepting this thoughtful amendment. I am proud to join with my colleague, Mr. GRIMM, in cosponsoring this amendment as an original cosponsor, and I am delighted it’s going to be adopted.

I yield back the balance of my time.
When disaster strikes—whether natural or manmade, domestically or internationally—Fairfax and the other select USAR teams have rushed to the scene saving countless lives and property. Their heroic efforts have shown this to be a wise investment and one that ought to continue.

I urge my colleague to support the Grimm-Connelly amendment to ensure that this successful partnership with our local partners and first responders continues, so that when the next alarm is called, we can take comfort in knowing they are on the job.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. GRIMM).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. CLARKE OF MICHIGAN

Mr. CLARKE of Michigan. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk reads as follows:

Page 3, line 23, after the dollar amount, insert "(reduced by $10,000,000)".

Page 37, line 18, after the dollar amount, insert "(reduced by $10,000,000)".

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. CLARKE of Michigan. Mr. Chairman, this amendment would add $10 million to State and local grant programs under this budget, and the offset would be from the management account.

I’m offering this amendment because our State and local units of government don’t have the revenue to adequately protect our citizens in the event of a natural disaster or another emergency. The housing crisis has depressed housing values throughout this country and, as a result, has lowered the tax base from which State and local governments depend on raising their revenue.

I urge this House to approve this amendment to better prepare our State and local units of government for emergencies and other natural disasters and terrorist attacks which could occur.

I appreciate your support, and I yield back the balance of my time.

Mr. ADERHOLT. Mr. Chairman, I rise in opposition to the gentleman’s amendment.

The Acting CHAIR. The gentleman from Alabama is recognized for 5 minutes.

Mr. ADERHOLT. Mr. Chairman, as I have stated earlier, this bill provides $2.8 billion for Homeland Security first responder grants, $400 million more than provided in FY12. Of that, the bill provides $1.6 billion for the Secretary to provide to programs that address the highest need based on threat and based on risk.

The funding for grants has been a high priority for our bill this year, and we believe adequate funding for grants. Like I said, I would reluctantly have to oppose the gentleman’s amendment.

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

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I rise to commend the gentleman from Michigan for his attention to the need for robust grant programs, FEMA grant programs for State and local governments and their various emergency preparedness functions.

As we said earlier with respect to Mr. HOLT’s amendment, these programs have been underfunded in recent years. We’re doing better this year in this bill, but we’re building on a depleted base. So I commend him for his attention to this.

At the same time, I feel bound to say that the offset is problematic. The Under Secretary for Management—I know that sounds like an easy target. With this amendment that we just adopted, by my calculation, that brings the Under Secretary for Management $30 million below the 2012 level. That’s 12 percent. It is a cut that, in my opinion, we can ill afford. That’s already what we’ve done with this bill.

Eventually, management and administrative cuts do affect frontline operations. So I feel bound to say that, as we balance the equities here, the need for robust grant programs and for making them more robust wherever we can, but at the same time to preserve essential departmental functions.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. CLARKE).

The question was taken; and the Acting CHAIR announced that the noes appeared to have it.

Mr. CLARKE of Michigan. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan will be postponed.

AMENDMENT OFFERED BY MR. POE OF TEXAS

Mr. POE of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk reads as follows:

Page 3, line 23, after the dollar amount, insert "(reduced by $10,000,000)".

Page 9, line 14, after the dollar amount, insert "(increased by $10,000,000)".

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. POE of Texas. Mr. Chairman, I offer this amendment along with my friend from Pennsylvania, Mr. ALTMIER.

This amendment takes $10 million from the Office of the Under Secretary for Management of DHS and moves it to the border security, fencing infrastructure, and technology account with the purpose of being used for border cell phone communication infrastructure to help border residents disseminate border security-related information to the Border Patrol and law enforcement for their protection and the security of the border.

Mr. Chairman, the history goes back to March 27, 2010, when, in Arizona, Rob Krentz was murdered 20 miles north of the border in an isolated area in Arizona. The lack of communications capability made Krentz more vulnerable than he would have otherwise and complicated the search for the assailant. His wife, Sue—who I’ve talked to on numerous occasions—believes that he was in a cell phone dead zone when he was killed and that he was trying to call for help at the time of his murder.

Before leaving office, Congresswoman Giffords had been working diligently on this specific issue. I became involved with her staff when they took time to show me around the Arizona border and introduced me to the Krentz widow, Sue. I thank Gabby Giffords for her work on this issue, bringing it to my attention and other Members of Congress, and wish her well.

Mr. Chairman, these dead zones are so common that oftentimes border ranchers in Arizona and in Texas rely on shortwave radios to communicate or call for help.

The inability of the U.S. Government to secure the U.S.-Mexico border creates public safety hazards for residents who live on the border and the law enforcement agents who patrol them. Many border areas are rural and lack wireless communication capabilities like cellular phone service, making border security a public safety issue.

Last year, I worked with Congresswoman Giffords and Representative Altmire to pass a similar amendment to the Department of Homeland Security bill. We received overwhelming support in this House with a vote of 327–93, and I urge the House to support this initiative again.

However, the omnibus bill passed later that year weakened this provision to make it a mere suggestion for DHS to solve this problem. Despite that language, the Department of Homeland Security has done very little if anything to address this issue. More work needs to be done, and there is a large number of dead zones along our southern border. That’s why this amendment is offered again this year.

Rural areas along the border present a unique public safety challenge that can be addressed through the extension of wireless communications into those areas. An additional $10 million can be used to enhance wireless communication capabilities that will assist local residents to report threats against them and instances of illegal activities to law enforcement. Such capabilities would enhance communications among our law enforcement and our border protectors.

Richard Stana, Director of Homeland Security Issues at the Government Accountability Office, recently told the
for border security fencing, infrastructure, and technology to expand mobile communications in remote areas along our southern border. These funds may be used by the Department of Homeland Security to enter into public-private partnerships which will provide a more reliable link between law enforcement officials and citizens who live and work in our border areas.

Last year, Congressman Poe and I offered a similar amendment that passed with a strong vote of 327–93. Despite its inclusion in last year's omnibus funding measure, little action to date has been taken by DHS to implement stronger cell coverage along the U.S.-Mexico border. I urge support of our amendment to show DHS that the safety of our southern border is a priority for this Congress.

This is a problem we can and must fix. Supporting this amendment will not increase spending, but what it will do is protect our public and increase the effectiveness of law enforcement in rural border areas.

I ask my colleagues to support this amendment, and I yield back the balance of my time.

Mr. ADERHOLT. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Alabama is recognized for 5 minutes.

Mr. ADERHOLT. I do commend the gentlemen from Texas and Pennsylvania for their attention to border security. Border security is a top priority with this subcommittee and with this chairman, but the amendment that is before us at this time proposes to cut the Department of Homeland Security to pay for cell towers to provide phone service, actually to the general public.

I am very sympathetic to the needs of rural communities. I represent a rural community and am certainly sympathetic to ranchers, but this is simply not a cost currently with the situation in this country that Homeland Security can bear.

This proposal would cut the Department’s management functions below what is possible for our Nation’s security. The bill already cuts the Office of Under Secretary for Management 4 percent below the request of the President and 11 percent below the FY12 level. It should be noted that this bill fully funds the Department’s tactical communications.

I would urge my colleagues to oppose this amendment, and I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. ALTMIERE. Mr. Chairman, I would like to thank my friend, Congressman Poe, for his strong leadership on this issue and for again working with me this year to highlight the critical importance of expanded mobile communications along our southern border.

Last year I had the opportunity to visit the district of our former colleague, Gabrielle Giffords, in southwestern Arizona, where I met with customs and Border Patrol agents, examined construction of the border fence and spoke with ranchers and residents who live and work in the remote areas along the U.S.-Mexico border. In rural areas along that border, cell phone service does not exist, and where service does exist, it’s often unreliable. Some ranchers even have to resort to communicating through the use of two-way radios.

The lack of cell phone service presents an alarming safety issue for ranchers, as my friend, Congressman Poe outlined, and it’s a safety issue for residents and the National Guard troops who patrol that protected area. If a rancher feels threatened, he cannot currently call for help or alert law enforcement to the situation.

To address this issue, our amendment adds $10 million to the general account including a lot of territory near the borders, that suffer from a lack of mobile communications.

We do need to work in concert with State and local governments and the private sector to address this. Unfortunately, though, that this bill or the Department of Homeland Security can take on. It simply is not feasible. It is not a DHS function.

We need to work on it, but I think the remedy is flawed, and I, once again, say that I know it’s an easy target to go after the administrative expenses of the Department, but in this case the Under Secretary for Management is already something like 12 percent below the 2012 level, that is, assuming the passage of the Grimm-Connelly amendment, and I do not think that further cuts can or should be sustained.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. Poe).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. POE of Texas. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.
the International Association of Fire Fighters and the International Association of Fire Chiefs. I thank my colleagues on both sides of the aisle for helping me support this amendment, and I yield back the balance of my time.

Mr. CLARKE of Michigan. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. CLARKE of Michigan. I want to thank the gentleman from New Jersey (Mr. RUNYAN) for offering this amendment.

I have joined him in a bipartisan fashion because our local units of governments need this money to be able to rehire their firefighters and to get the training equipment that they need to better prepare our firefighters to respond to a natural disaster or a terrorist attack.

I support this amendment. This will help cities like Detroit and other municipally-funded fire departments that need to apply for these funds. This provides more money—back to the level in prior years—so that our communities can be safer.

Again, I want to commend the author of this amendment. He has my support. I’m honored to be on this amendment as a cosponsor.

I yield back the balance of my time.

Mr. ADERHOLT. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Alabama is recognized for 5 minutes.

Mr. ADERHOLT. We accept the gentleman from New Jersey’s amendment, considering this is only a $5 million cut.

I yield back the balance of my time.

Mr. KISSELL. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from North Carolina is recognized for 5 minutes.

Mr. KISSELL. Mr. Chairman, I rise in support of this amendment. I appreciate my colleague from New Jersey for bringing this forward. With full support, I agree with him.

I would like to point out that, just for example, June 17 through 23, that week is EMS fire safety survival week. It’s just one of the many weeks that we recognize our firemen for what they do for us and the importance of what they do for us. There is an image of 9/11, the firemen and what they did for our Nation in New York when we were attacked.

But that image is also recurring throughout the Nation, throughout the communities, when firemen come to our homes or come to our businesses or go to scenes of accidents. Anywhere our communities need them, the firemen go. This restoring of the grant is just something that we should do—and I’m glad that we are going to do it—to secure that bond to allow them the training and equipment that they need to take care of us. So this is an investment in them so they can take care of us.

I appreciate my colleague bringing this amendment forward. I’m very happy and proud to be on this amendment, and I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I rise in strong support of firefighter grant programs. I applaud Chairman ADERHOLT for fully funding the budget request for these programs, that is, providing $670 million for the assistance to the Firefighter Grant Program equally divided between SAFER hiring grants and equipment grants.

I also commend the chairman for accepting this amendment. Our firefighters have just offered. Although, again, the offset is not what one would wish, this is a case, I think, where the consideration, the balance of values clearly leads us to bring this program to the present funding levels, which is what the amendment does.

We have approved in committee these firefighter grants and we’ve also approved the continuation of the waivers. That was my amendment in committee and I am pleased that we were able to add economic hardship waivers that are currently in place.

The law traditionally permits SAFER grants only to be used to hire new firefighters. That provision makes sense when our economy is booming and local governments are in a position to hire new workers. But when the local budgets are continuing to shrink and some fire stations are closing their doors and others are laying off workers, FEMA needs the flexibility to use these grants to keep firefighters from being laid off in the first place. The administration has requested this, and FEMA Administrator Fugate testified to this need earlier this year during our appropriations hearings.

I believe strongly in the need to assist local fire departments and ensuring they have the personnel and equipment necessary to keep our communities safe. When I was chairman of the subcommittee from 2007–2010, we were able to more than double the funding for the SAFER program, reaching a peak of $410 million in fiscal year 2010.

It’s regrettable that we’re still not able to maintain that level because any cuts to firefighter grants do result in thousands of fewer firefighters on the job. They leave fewer departments able to maintain safe staffing levels and much less to add needed personnel. So we need to maintain this support.

The real challenge in many communities is not the lack of personnel but the lack of local governments to hire new personnel. It’s the potential and actual layoffs of personnel, which would mean reduced levels of safety. So it’s very important for us to maintain robust grant funding for these programs. It’s going to help preserve public safety and security. In this bill we’ve provided for this. And this amendment adds to that.

So I urge, its adoption, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. RUNYAN). The amendment was agreed to. The Acting CHAIR. The Clerk will read the record as follows:

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses for intelligence analysis and operations coordination activities, as authorized by section 103 of the Homeland Security Act of 2002 (6 U.S.C. 113), $97,743,000, of which $6,700,000 shall remain available until September 30, 2014, for financial systems and information efforts: Provided, That $3,017,000 shall not be available for obligation until the Secretary of Homeland Security submits to the Committee on Appropriations of the Senate and the House of Representatives all statutorily required reports and plans that are due with the submission of the President’s budget proposal for fiscal year 2015 and to the requirements of section 1105(a) of title 31, United States Code.

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, as authorized by section 103 of the Homeland Security Act of 2002 (6 U.S.C. 113), and Department-wide technology investments, $214,549,000, of which $116,870,000 shall be available for salaries and expenses; and of which $124,673,000, to remain available until September 30, 2015, shall be available for the acquisition of information technology equipment, software, services, and related activities for the Department of Homeland Security.

ANALYSIS AND OPERATIONS

For necessary expenses for intelligence analysis and operations coordination activities, as authorized by title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.), which shall be available until September 30, 2014.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), $109,264,000, of which not to exceed $1,250 shall be for official reception and representation expenses; and of which $93,764,000 shall remain available until September 30, 2014.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), $109,264,000, of which not to exceed $1,250 shall be for official reception and representation expenses; and of which $93,764,000 shall remain available until September 30, 2014.

U.S. CUSTOMS AND BORDER PROTECTION

SALARIES AND EXPENSES

For necessary expenses for enforcement of laws relating to border security, immigration, customs, agricultural inspections and regulatory activities related to plant and animal imports, and transportation of unaccompanied minor aliens; purchase and lease of up to 7,500 (6,500 for replacement only) police-type vehicles; and contracting with individuals for personal services abroad; $8,366,024,000, of which $3,274,000 shall be derived from the Harbor Maintenance Trust Fund for administrative expenses related to the collection of Harbor Maintenance Fee pursuant to section 9505(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C.

H3536
CONGRESSIONAL RECORD — HOUSE
June 6, 2012
Mr. GRIJALVA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 7, line 13, after the dollar amount, insert "(increased by $30,000,000)".

Page 7, line 24, after the dollar amount, insert "(reduced by $30,000,000)".

Mr. ADERHOLT. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. The point of order is reserved.

The gentleman from Alabama is recognized for 5 minutes.

Mr. GRIJALVA. I rise today to offer an amendment to the Department of Homeland Security appropriations bill that strengthens our efforts to have a secure and prosperous border. As you know, these issues are foremost in the thoughts of people across this country. As was noted by my friend and colleague from Arizona, Mr. Flake, this amendment acknowledged the reality that strengthening the ports of entry should be a national priority. His amendment was accepted as a means to begin to increase and pay attention to that national priority. It’s a jobs issue, and it’s a security issue.

Land ports of entry are the economic drivers for the U.S. economy and also the front line for facilitating legitimate trade and travel while preventing unauthorized entry and contraband from crossing the border. Along the nearly 2,000-mile border with Mexico, U.S. Customs and Border Protection carry out this mission in 42 land ports of entry in California, Arizona, New Mexico, and Texas. While significant investments in the border have been made in recent years, including the opening of three new crossings in 2010, more is demanded.

Mr. Chairman, I yield back the balance of my time.
visitors, and businesspeople, we need to establish a welcoming presence to people who wish to visit this country. This means ensuring we have an efficient CBP staff that can continue to handle the growing number of people who visit this country.

In a letter sent from the L.A. World Airports to the United States Customs and Border Protection Commissioner, it states that:

Insufficient CBP staff has triggered alarming delays for LAX international passengers waiting to be processed through customs and immigration.

And while this shortage referred to LAX airport, delays due to personnel shortages are prevalent throughout our entire country, and I think this is extremely disconcerting. These delays are weakening our competitiveness in the global market, slowing the pace of business, and impeding the commerce we need to fuel our economic recovery. This adds costs to our Nation’s airlines and businesspeople.

What’s more, we know if we over-extend and overwork our already over-heroically overperforming CBP personnel guarding the gateways to our Nation, we are more likely to miss things—something or someone is more likely to get through. They deserve support and numbers equal to the scale of the task that we are charging them with.

While I understand the intended purpose of the National Bio and Agro-Defense Facility, the reality is that this facility was appropriated $75 million even though the President did not need nor request these funds. Additionally, DHS is still waiting for the recommended design modifications made by the National Academy of Sciences and for the administration to review the cost and scope of the project, which isn’t anticipated to be completed until 2020.

I think these funds are better spent on increasing the security and promoting American commerce through our country’s airports. The commerce that flows through our international airports powers our economy and keeps the United States a global leader in business. We need to preserve that commerce while protecting our homeland from those who would try to sneak through and do us harm.

I urge my colleagues to support what I think is a very capable and crucial amendment, and I yield back the balance of my time.

Mrs. DAVIS of California. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mrs. DAVIS of California. Mr. Chairman, I rise to join the gentlelady from California in this amendment to increase staffing funding for Customs and Border Protection.

This is a critical issue for our economic competitiveness. If our Nation is going to compete globally, we need to think of ports of entry as strategic assets and real opportunities to expand our economy. Without adequate resources and staffing, wait times at ports of entry grow longer and longer. And every minute, Mr. Chairman, that goods and people sit at the border waiting to cross is an opportunity lost. That’s a source of revenue for American businesses, for manufacturers, and workers. In total, these long delays are projected to result in lost output of more than $86 billion over the next 10 years. In this tough economy, I don’t think we can afford to lose these precious dollars.

And yet, despite the overwhelming need, increases in staffing in past years represent only a small fraction of what is needed to fully staff our ports of entry, according to the Government Accountability Office. To fully meet this need, we need to ensure that CBP has the resources it needs to get the job done. At a time when we need commerce to be moving full steam ahead to facilitate our economic recovery, we can’t afford understaffing at our ports of entry.

Additional funding provided by this amendment to hire additional CBP officers will allow for faster processing times and leave no loopholes. The resources in this amendment will allow for more goods to flow through our borders. By facilitating trade, we not only support businesses and jobs, but we also add revenue, as CBP is the second largest source of revenue for the Treasury. It is only second to the Internal Revenue Service.

As my colleague has stated, the offset for this provision is a cut in funding for the National Bio and Agro-Defense Facility, which was appropriated about $75 million in spite of the fact that the administration did not request these funds. The National Academy of Sciences is reviewing the security risk of revised design measures right now, and before that risk is fully mitigated, it’s premature, I think, premature to appropriate additional funds, especially when funding for FY 2011 and FY 2012 remains unobligated. So this amendment, Mr. Chairman, will put these dollars to use by promoting our economic growth, and I urge my colleagues to join us in supporting it.

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

Mr. ADERHOLT. Mr. Chairman, I rise in opposition to the gentlelady’s amendment.

The Acting CHAIR. The gentleman from Alabama is recognized for 5 minutes.

Mr. ADERHOLT. This bill already provides robust funding for border security operations. In fact, this year we increase CBP border security inspections and trade facilitation by $85 million above the President’s request.

CBP border security is important, I totally agree, but let me mention that the funding that we’ve increased supports 21,186 CBP officers and other infrastructure. This doesn’t include the $6 billion discussed by Commissioner Ragsdale.

Mr. ADERHOLT. This bill already provides robust funding for border security operations. In fact, this year we increase CBP border security inspections and trade facilitation by $85 million above the President’s request.

CBP border security is important, I totally agree, but let me mention that the funding that we’ve increased supports 21,186 CBP officers and other infrastructure. This doesn’t include the $6 billion discussed by Commissioner Ragsdale.

CBP’s budget faces real challenges. Seventy percent of CBP funds go for pay and benefits, up from 65 percent just last year.

This figure does not include costs associated with supporting frontline officers, such as equipment and facilities, much less new technology.

The committee report outlines opportunities for better managing fee funds and innovating CBP processes. Further, the Secretary has not yet submitted the workload staffing allocation model that will justify any additional CBP officer resources. Given these issues, it is not the time to increase CBP officer staffing.

I will say that it must be noted that the facility that would be cut, we have an immediate need to build up our capacity for research into pathogens that afflict animals and our food chain and, by extension, human beings. The Under Secretary for the Department for Science and Technology herself testified before our subcommittee that the threat of a biological attack through a large and vulnerable food chain is a top priority. The National Bio and Agro-Defense Facility is required to meet this threat. So the administration itself has said that this is very important.

I would urge my colleagues to oppose this amendment, and I yield back the balance of my time.

Ms. HAHN. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from California will suspend. Does the gentleman ask unanimous consent to strike the last word?

Mr. HAHN. Yes.

The Acting CHAIR. Is there objection to the request of the gentlewoman from California?

Mr. ADERHOLT. I object.

The Acting CHAIR. Objection is heard.

Ms. JENKINS. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Kansas is recognized for 5 minutes.

Ms. JENKINS. Mr. Chairman, after an exhaustive review, the Department of Homeland Security chose Manhattan, Kansas, as the site for the new BSL-4 National Bio and Agro-Defense Facility. This will be the only such facility capable of research on animals in the United States. The construction of this cutting-edge facility must move forward quickly so we can safely conduct critical research to develop vaccines and countermeasures in order to protect the public and our livestock from the threats of devastating diseases.

But not only will the NABF accelerate America’s ability to protect ourselves, our food supply, and the ag economy from biological threats; it will also be the country’s premier animal health research facility and further solidify our Nation’s place as the international leader in animal health.
The NBAF is needed to replace the obsolete and increasingly expensive Plum Island Animal Disease Center. This lab was built in the 1950s and has reached the end of its life. The facility does not contain the necessary biosafety level to meet the NBAF research requirements and it needs to be rebuilt. Any attempts to upgrade Plum Island would cost more than building the NBAF as planned. Currently, we do not have the ability to research the effects of these diseases on large animals at any facility in the United States. It’s important that it’s in Kansas. I’m happy that the amendment offered by the gentlewoman from California will proceed. With that, Mr. Chairman, I yield back the balance of my time.

In this age of uncertainty and global threats, we need vital research to protect our Nation could not be more crucial. We cannot just wish away these threats or rely on others for our own security. And the truth of the matter is we are dangerously under-protected from the threat of a biological attack against our people and our food.

While the gentlelady’s amendment to increase salaries for the Custom and Border Patrol has merit, it shouldn’t be done by cutting 29 percent of the funding for construction of this important lab. The result of this amendment will be stopping or delaying construction of this nationally important NBAF facility, and our Nation’s food supply cannot afford another delay.

We can’t put our food and our families from danger. We need to stay on the cutting edge of this research field. Our security is at risk, and delaying this project further should not be an option. We need NBAF.

I urge my colleagues to vote against this destructive amendment, and I yield back the balance of my time.

Mr. POMPEO. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Kansas is recognized for 5 minutes.

Mr. POMPEO. Mr. Chairman, just as Congresswoman JENKINS opposed this amendment, I urge my colleagues to vote against this amendment as well. The facility at NBAF is a facility that is not just about Kansas. It’s important that it’s in Kansas. I’m happy that Kansas went through an incredible competition against businesses all across the States and facilities all across the country to make sure that we had the best facility, the facility that was right not for Kansas, but right for America. After that competition, Manhattan, Kansas, was chosen for the site of the National Bio and Agro-Defense Facility, and now Kansas and the United States have already invested heavily in this facility. It’s a facility that creates a biosafety lab level four. It’s like no other. It will be holding no other facility in America. It’s incredibly important. It’s important for our food supply and safety for human health.

It’s not a partisan issue. It was supported by both the Bush and Obama administrations, and was passed through both a Republican- and a Democrat-controlled Congress. So there’s no partisan nature to what’s going on at the National Bio and Agro-Defense Facility. It’s simply about national security.

There have been now multiple reports and commissions indicating that this kind of threat is one of the most imminent threats to our Nation’s entire homeland security. It’s been for that reason that DHS has been very supportive of NBAF and NBAF being built in Kansas.

The State is uniquely qualified. It has exactly the right kind of scientific experts and precisely the expertise to be applied immediately and for the facility to be built in a way that it can operate safely.

We’ve got to protect animals and people from disease and make sure that when we do that our communities are safe and secure. This is a challenge that our country is ready and able to undertake at the facility in Kansas.

I urge my colleagues to reject this effort to delay this critical development essential to the health and safety of our food supply, and ultimately the safety of the American people.

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

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. HAHN).

The Acting CHAIR announced that the noes appeared to have it.

Ms. HAHN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

AUTOMATION MODERNIZATION
For expenses for U.S. Customs and Border Protection automated systems, $700,242,000 to remain available until September 30, 2015, of which not less than $338,794,000 shall be for the development of the Automated Commercial Environment.

BORDER SECURITY FENCING, INFRASTRUCTURE, AND TECHNOLOGY
For expenses for border security fencing, infrastructure, and technology, $327,009,000, to remain available until September 30, 2015.

AMENDMENT OFFERED BY MR. BISHOP OF UTAH
Mr. BISHOP of Utah. Mr. Chairman, I have an amendment at the desk.
bat, which has the nasty habit in evenings of flying into the towers. So one of the mitigations that was insisted upon by the Department of the Interior is that the Border Patrol had to pay for a bat patrol, costing thousands of dollars, to monitor and track a bat who may, indeed, sometimes fly into a tower.

On the Sonoran pronghorn sheep, over $5 million has been paid in the last decade for the Border Patrol to create another Sonoran pronghorn herd, and to make sure that they have people there to monitor, feed, and avoid the pronghorn. And if they ever come across it, they have to stand really, really still.

Even though this provision has been revoked in recent years, at times some of this money was used by the Department of the Interior to buy land that had nothing to do with border security whatsoever.

My amendment, therefore, takes what is in this proposal, $3 million that has been earmarked for environmental mitigation, and moves it to a more legitimate and deserving use of that activity by taking it to the Air and Marine Interdiction Account to provide money for the Border Patrol to recapitalize their aging fleet.

Almost half of all the airplanes that the Border Patrol has are 33 years or older. This has impeded their operational readiness. These obsolete planes that they have make it more difficult for them to assist in properly securing the border. GAO, in its report, said in 2010 only 73 percent of the over 38,000 requests for air support could be granted simply because the fleet was aging at that particular time.

What it’s simply trying to do here is a very simple concept. The better the Border Patrol is at controlling the border, the better the environment will be on the border. It’s not the Border Patrol that causes environmental havoc; it is the drugs cartels and the human traffickers coming across. To take this money, which would go to mitigation, and put it where it is desperately needed, to try and help the infrastructure so the Border Patrol can better do their job, simply means we’ll actually have a better environment by doing it.

It’s the right thing to do. It would be an appropriate and intelligent thing for us to put the money where it would do the most good, in giving the Border Patrol the infrastructure they need to do their jobs along our borders, both in the North and in the South.

I urge adoption of this amendment.

Mr. ADERHOLT. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The gentleman from Utah will be posted proceedings on the amendment offered by the gentleman from Utah (Mr. BISHOP).

Mr. PRICE of North Carolina. Mr. Chairman, I rise in opposition to this amendment, which would eliminate $3 million funding for environmental mitigation in our border security efforts, and add that money to air and marine assets, which is already greatly increased in this bill.

First a bit of context. Since 2006, this subcommittee has increased funding for border security by over $2 billion annually. We invested well over $1 billion for fencing and other tactical infrastructure during that period.

Responding to concerns about possible environmental problems associated with such a massive construction undertaking, much of which has taken place on environmentally sensitive lands, Congress provided very modest amounts to mitigate these potential environmental consequences.

Now, as a government, we have many responsibilities and priorities, and these include both securing our borders and protecting our natural and cultural resources. The sort of interagency agreement that Homeland Security and Interior have entered into for environmental mitigation is what we should be encouraging and supporting, especially because this arrangement is explicit, in that Interior cannot take any action that CBP does not first agree to.

So we’ve got to keep that commitment to protecting and preserving our environment. We have to maintain that commitment. And I urge colleagues to defeat this amendment.

Mrs. LUMMIS. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Wyoming is recognized for 5 minutes.

Mrs. LUMMIS. Mr. Chairman, the amendment strikes environmental mitigation funding that has no place in this bill. This is a Homeland Security bill. We spend this money to protect the homeland and secure our borders. These are some of the most important responsibilities we have as a Congress under our Constitution.

But this money won’t go to border security. This money will go to pay off Federal agencies just so the Border Patrol can access public lands.

Our House has already picked out huge swaths of public lands along our border unless they forgo over tax dollars for environmental mitigation. So we, the Congress, under the auspices of border security, are spending the people’s hard-earned money on a slush fund for land managers.

Just to name a few examples, agencies have demanded this money to monitor bats, to monitor pronghorn antelope—my State of Wyoming has three times more antelope than people—and in one case, to protect the endangered ocelot, which hasn’t even been seen in the area for 20 years. This is madness. To protect the species and ecosystems along the border, then secure the border. Rampant border crossings across wilderness do more damage than our Border Patrol ever could.

We need to eliminate restrictions on the Border Patrol’s access to Federal land, not enable them. If you want to stop this extortion of border security dollars, vote for the Bishop amendment. This puts money toward air and marine interdiction.

And if you want environmental mitigation, put it in the Interior bill where it belongs, and where Congress can keep track of where the money goes, and where land managers have to justify it.

Let our Border Patrol do its job. Vote for the Bishop amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Utah (Mr. BISHOP).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. PRICE of North Carolina. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Utah will be postponed.

The Clerk will read.

The Clerk reads as follows:

AIR AND MARINE INTERDICTION, OPERATIONS, MAINTENANCE, AND PROCUREMENT

For necessary expenses for the operations, maintenance, and procurement of marine and aircraft, undersea systems, and other related equipment of the air and marine program, including operational training and mission-related travel, the operation of which includes the interdiction of narcotics and other goods; the provision of support to Federal, State, and local agencies in the enforcement or administration of laws enforced by the Department of Homeland Security; and, at the discretion of the Secretary of Homeland Security, the provision of assistance to Federal, State, and local agencies in other law enforcement and emergency humanitarian efforts, $518,469,000, to remain available until September 30, 2015: Provided, That no aircraft or other related equipment other than the exception of aircraft that are one of a kind and have been identified as excess to U.S. Customs and Border Protection requirements and aircraft that have been damaged beyond repair, shall be transferred to any other Federal agency, department, or office outside of the Department of Homeland Security during fiscal year 2013 without the prior approval of the Committees on Appropriations of the Senate and the House of Representatives: Provided further, That the Secretary of Homeland Security shall report to the Committees on Appropriations of the Senate and the House of Representatives, not later than 90 days after the date of enactment of this Act, any changes to the strategic plan for the air and marine program required under this heading in Public Law 112-74.
CONSTRUCTION AND FACILITIES MANAGEMENT

For necessary expenses to plan, acquire, construct, renovate, equip, furnish, operate, manage, and maintain buildings, facilities, and related necessary items, at the time the Homeland Security and National Protection Bureau determines that the terms of the agreement governing the delegation of authority have been violated, the Secretary of Homeland Security, or the designee of the Secretary, may waive that amount as necessary for national security purposes of immigration enforcement agencies: Provided further, that the total amount provided, $10,600,000 shall remain available until expended: Provided further, That the amendment seeks to cut child exploitation by ensuring that we have people who combat this and by putting this money into ICE. I ask him to support my amendment.

The Acting CHAIR (Mr. BISHOP of Georgia). Mr. ADERHOLT. The concern is that the amendment seeks to cut detention operations just as the administration has tried to do; whereas, this bill holds the administration’s feet to the fire and provides the resources to force them to actually enforce the law. The committee recommends $2.75 billion for ICE Detention and Removal Operations, $71 million above the request to sustain a minimum of 34,000 detention beds. Detention beds are a necessary resource to support robust immigration enforcement.

May no mistake. There is a need for these resources. First, by the administration’s own estimate, there are at least 200,000 unaccompanied minor aliens in the United States. There is the general acknowledgment of an illegal alien population of approximately 11 million, and I am requesting $40 million to be transferred to them. The funds are coming from an account that is $70 million over the President’s budget. I didn’t even take all of that excess. I’m just asking for $40 million, leaving roughly $30 million over the President’s budget for ICE Detention and Removal Operations.

With women and girls accounting for over 80 percent of the people trafficked throughout the world, including within the United States, this issue is something that is very dear to the heart, and I have been a vocal advocate to stop and combat sex exploitation trafficking.

My district represents the largest Vietnamese population in the world outside of Vietnam. The fact is that most of the human trafficking victims originate from Asia. I have a responsibility to the people to represent one of the most important issues and to do what I can to protect against this and by putting this money into ICE and by putting this money into ICE.
11 million. With the expansion of Secure Communities and ICE’s prior utilization, there is no doubt they need at least 34,000 beds. Despite the fact that Congress has funded every request that ICE has provided for bed spaces, we have gotten excuses that they do not have the funding. As the resources are being provided, and the committee insists that ICE intensify its enforcement efforts and fully utilize these resources.

Let me say that countering child exploitation is a critical effort in this bill for which we already have provided increases for ICE and Secret Service activities. The Wasserman Schultz amendment, which will be brought up shortly, provides an additional 25 percent to the child exploitation center. We have been working with Congresswoman WASSERMAN SCHULTZ on this amendment. We are accepting that 25 percent increase for the child exploitation center, so I would urge my colleagues to support this amendment.

I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I rise in support of my colleague’s amendment, that of the Congresswoman from California, Ms. SANCHEZ.

I think it is a well-designed amendment both in its positive purpose and in the offsets that she has chosen. She proposes that we increase ICE funding for child exploitation, and that is a worthy cause that we do need to fund more generously than is present in the bill as brought to the floor.

Each year, millions of children fall victim to sexual predators. These young victims are left with permanent psychological and physical and emotional traumas. The Transportation Security Administration, ICE, targets and investigates child pornographers, child sex tourists and facilitators, the human smugglers and traffickers of minors, criminal aliens convicted of offenses against minors, and those deported for child exploitation offenses who have returned illegally. ICE is at the forefront of these activities and can make good use of the funding that our colleague proposes, so I commend her for bringing this issue to our attention and for putting this amendment before us.

The offsets are particularly well chosen. As I said as we began the debate on this bill, this bill contains some ill-advised funding floors, some mandatory spending that is rigid and is wasteful: an increased minimum of detention beds, for example, and the required floor funding for the 287(g) program, a program that is very problematic and that really needs to be transitioned, in my view, to the Secure Communities Program, which maintains the Federal and local roles much more distinctly. These are offsets that we can afford and offsets that, in fact, would improve the bill, and only rarely can one say that about offsets in these debates.

So I commend the gentlelady for her amendment, and I urge its adoption.

I yield back the balance of my time.

The Acting CHAIR. The question is on the motion to strike the floor amendment offered by the gentlewoman from California (Ms. LORETTA SANCHEZ).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FORTENBERRY. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

Mr. FORTENBERRY. Mr. Chairman, I wish to enter into a colloquy with the gentleman from Alabama, Chairman ADERHOLT.

First, I want to commend his leadership on this appropriations bill concerning the security screenings of children by the Transportation Security Administration. The TSA should absolutely have particular sensitivity in the screening process of children and should minimize children’s distress and discomfort. I am very thankful to the gentleman for raising this issue in the manager’s amendment and for recognizing this need.

But as this process moves forward, I would encourage the chairman to stress the importance of this same sensitivity to the elderly and the infirm. We have all seen too many images in high-profile news stories about the mistreatment of the elderly and the infirm as well as of passengers with religious or conscience objections too good to be American should be forced to check his modesty at the airport door—maybe his luggage but not his modesty.

I also appreciate the fact that the report encourages various alternative screening models that would better preserve the civil liberties and privacy of all passengers by moving toward a more risk-based approach, using intelligence more than relying on technology. I encourage the chairman to continue moving TSA along this path.

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Would the chairman be willing to work with me on these issues for the benefit of America’s airline passengers?

Mr. ADERHOLT. Will the gentleman yield?

Mr. FORTENBERRY. I yield. Mr. Chairman, I move to strike the last word.

Mr. FORTENBERRY. Mr. Chairman, I thank the gentleman from Alabama.

Mr. ADERHOLT. I thank the gentleman for his support of the House report language on sensitivity for child passenger screenings, and it is certainly reasonable to include other vulnerable individuals like the elderly and the infirm.

I will work with the gentleman going forward on these matters, and thank him for bringing the challenges of screening these other individuals to the floor. I look forward to working with him on this matter.

Mr. FORTENBERRY. I thank the gentleman from Alabama again for his leadership on the overall appropriations bill here and for his particular sensitivity to this issue.

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

AMENDMENT OFFERED BY MS. WASSERMAN SCHULTZ

Ms. WASSERMAN SCHULTZ. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentlewoman from Florida is recognized for 5 minutes.

Ms. WASSERMAN SCHULTZ. Mr. Chairman, first let me just say how much I appreciate the opportunity to work with the chairman, and I appreciate his work both when we worked together in the leadership of the legislative branch appropriations subcommittee and also to express appreciation for his commitment to increasing the amount of funds available to pursue child exploitation in this bill, and for your commitment in protecting children. Both of us being parents of 8- and 13-year-olds, I have a particular appreciation for this.

I rise to ask for my colleagues’ support for an amendment to protect what we’ve been talking about here this evening, our most vulnerable constituents, our children.

My amendment would fence off 20 million in funds through ICE, Homeland Security Investigations, Cyber Crimes Center, for the purposes of child exploitation prevention and interdiction.

There is no question that our children need our support more than ever. With the proliferation of the Internet and wireless technology, the spread of child pornography on line must be addressed aggressively now. We don’t have a moment or an opportunity to waste.

The Department of Justice estimates that at any moment, there are more than 1 million pornographic images of children on the Internet, with an additional 200 images being posted every day. And more than one-third of the world’s pedophiles involved in organized pornography rings worldwide live in the United States.

The Internet allows these images to be disseminated indefinitely, victimizing that child victim again and again with each click of the mouse. Because let’s not forget that these are not just heinous images—they are crime scene photos. Every face in those photographs is the face of a child who needs our support now more than ever. With the proliferation of the Internet and wireless technology, the spread of child pornography on line must be addressed aggressively now. We don’t have a moment or an opportunity to waste.

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was then called the U.S. Customs Service, was the leader in the fight to protect our children. That is still true today. As recently as 2009, ICE was responsible for 52 percent of cases prosecuted for receipt or distribution of child pornography and 20 percent of cases related to child sex tourism.

This is in addition to hundreds of arrests every year and thousands of children rescued to date. Their efforts are second to none, and I know they will put these resources to good use. But for every success, hundreds more remain trapped in a current of abuse, the horrors of which none of us can truly imagine. And we need the absolute best personnel going into the fight to rescue these children.

That’s why it’s my hope that some of these funds will be used to employ our wounded warriors, in addition to the experienced agents already fighting these battles. Our armed services have already protected us abroad, so naturally veterans are a perfect choice to protect our most precious resources here at home. In fact, retired Army Master Sergeant Rich Robertson is already fighting child exploitation at the ICE field office in Tennessee. In his words, “Who better to hunt child predators than someone who’s already hunted men?”

I’m enthusiastic about this initiative because I know that the immense skills and motivation returning servicemen and -women possess could be the key to our most successful affront on child exploitation yet. Child predators won’t stand a chance.

By harnessing the abilities of our wounded warriors, we not only ensure that their skills, dedication, and drive are put to good use back at home, we give them the most dignified thank you of all, a job that truly makes a difference.

So let me be clear: With the passage of this amendment, we would be putting predators on notice. Their reign of terror is coming to an end. You can bet on it. I urge all of my colleagues to join me in committing to fight until every American child can live free from terror and exploitation, and support this important amendment, which, Mr. Chairman, I have at the desk, which I should have started with.

So thank you very much.

I want to also add, Mr. Chairman, that I support my colleague from California’s amendment to increase the funds available to ICE for the purpose of fighting child exploitation by reducing the funds available for immigration detention and removal operations, which in this bill is unnecessarily increased above the President’s request.

I thank the chairman and my colleagues’ indulgence for doing this backways.

Mr. ADERHOLT. Will the gentlelady yield?

Ms. WASSERMAN SCHULTZ. I yield to the gentleman from Alabama.

The Acting CHAIR. The gentlelady from Florida (Ms. WASSERMAN SCHULTZ).

The amendment was agreed to.

Mr. ADERHOLT. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The amendment from Florida is recognized for 5 minutes.

Mr. CARTER. Will the gentleman yield?

Mr. ADERHOLT. I yield to the gentleman from Texas to talk about an important immigration enforcement program.

Mr. CARTER. I thank the chair for yielding to me.

I would like to bring to the attention of my colleagues the recent change made by the Department of Justice to the State Criminal Alien Assistance Program, also known as SCAAP. While this program is under the jurisdiction of the DOJ, it is a consequence of the Federal Government’s failure to secure our borders, which is why I bring it up during this debate.

SCAAP reimburses States and counties for part of the cost of incarcerating undocumented criminal aliens. I want to emphasize that this program does not come close to fully reimbursing our States or our counties for the full cost of incarcerating these individuals.

Recently, DOJ announced that they will offer no reimbursement for what they consider to be unknown documented aliens. Being an unknown documented alien simply means that DHS has no information on that individual, a designation that applies to a majority of the illegal aliens in this country. For example, when the sheriff in my home county picks up someone for aggravated assault and, in accordance with the Secure Communities Checks, the Federal database, if this person has never been processed by DHS, they will be considered unknown documented aliens and therefore ineligible to be reimbursed for any part of the cost of the incarceration under this new rule.

I would like to point out this change disproportionately affects counties over States, both of which are eligible for reimbursement under SCAAP.

The county jail is the first point of contact with the criminal justice system for many illegal aliens, so there is no background on the individual. These inmates are also typically held for a shorter period of time, making it difficult for them to be processed by the Federal Government before they are transferred to a State institution after

identifying and investigating these criminals and rescuing their victims.

Mr. Chair, this is a modest funding increase with the most important of purposes, protecting the world’s most vulnerable citizens, the children. I wholeheartedly support this amendment, and urge my colleagues to do so as well.
they are convicted. This change has much less impact on the States as they typically hold inmates for a much longer period of time, giving them plenty of opportunity to be processed by ICE agents who are typically located at the State prisons, a luxury the counties do not enjoy.

If these changes were implemented in 2010, Williamson County, my home county, would have received $90,000 less than their full payment for that year, which is only about $150,000, and which is only a small portion of the overall cost of incarcerating these individuals. That’s a lot of money for a moderately sized county in Texas. The impact on larger counties would be much greater.

I do not think that our counties should be punished for the Federal Government’s failure to secure our borders and process undocumented aliens in an acceptable timeframe.

Now, I would like to commend Chairman ADERHOLT for prioritizing the frontline operations by funding Border Patrol agents and CBP agents at the highest levels in history. I would like to propose to the chairman that we work together with these Agencies to find a solution to this problem.

In the interim, I will be writing a letter to the Justice Department, along with my friend and colleague, Congressman HONDA of California, to ask the Department to delay this change while we work to find a solution that will not punish our counties for the failures of the Federal Government.

Mr. ADERHOLT, Mr. Chairman, reclaiming my time, I share the concerns that have been raised by the gentleman from Texas this evening. The Department of Homeland Security needs the support of States and counties in border security, and SCAAP is an important tool to facilitate that support.

I look forward to working with the gentleman to ensure that the Department of Homeland Security and the Department of Justice find the right solution. I know that my other distinguished colleagues on the Appropriations Committee from the State of Virginia has views on this program within his jurisdiction.

I yield back the balance of my time.

Mr. WOLF. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Virginia is recognized for 5 minutes.

Mr. WOLF. Mr. Chairman, as chairman of the Commerce, Justice and Science Subcommittee, I am very sympathetic to the concerns raised by the gentleman from Texas.

I understand that last year DOJ notified prospective FY11 SCAAP applicants of this coming change and encouraged jurisdictions to work closely with DHS to increase inmate alien status verification. I did not hear of any concerns with this move, requirement during the review of the CJS appropriations for FY12 or 13, but I would be pleased to work with you, as well as the Department of Justice and the Department of Homeland Security, to help ensure that the SCAAP reimbursement methodology is equitable for all types of jurisdictions and maximizes the verification of status for individual aliens.

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

Mr. HONDA. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. HONDA. As a member of the Subcommittee on Commerce, Justice, Science, I would like to thank our chairman, Mr. WOLF, Chairman ADERHOLT and my friend, Judge CARTER, for speaking on this important issue today.

The State Criminal Alien Assistance Program, SCAAP, is a bipartisan issue and a bipartisan effort to address it. California jurisdictions already receive 10 percent of the total cost of reimbursement because of the drastic cuts this program has received over the past few years. The recent funding solicitation change that would stop reimbursements for all “unknowns” by the Department of Justice has the potential to worsen the situation. It will devastate county budgets at a time when they are already feeling the pinch of State and Federal cuts.

As a former member of the Santa Clara County Board of Supervisors, I know firsthand how terrible the impact of this change will be on our counties. It is undisputed that the vast majority of the undocumented immigrants residing in the U.S. are unknown to the Federal Government.

Therefore, the unilateral decision by DOJ to only provide SCAAP funds for those criminal undocumented that are known to the Federal Government is deeply troubling and is a back-door attempt to kill the SCAAP program.

As my friend, Judge CARTER, has noted, counties in particular will be hit by this change the hardest because of the inability for ICE agents to be present at all times to process unknowns in county jails. In State jails, prisoners are held longer and ICE agents are on staff, so there is ample time and opportunity for unknowns to be processed in the system.

If the Department would like to make this change, it has to provide clear, timely, and accessible methods to the counties to process unknowns properly, something which they clearly do not have now.

I look forward to working with the appropriate Agencies and subcommittees to ensure that we can find an equitable solution to this issue. I appreciate both Chairman WOLF and Chairman ADERHOLT’s time on this.

Until then, however, I will be writing a letter with my good friend, Judge CARTER, to the Department of Justice to delay this change until the appropriate time.

I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Mr. Chairman, I rise in opposition to the gentleman’s amendment. I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I have an amendment at the desk. The Acting CHAIR. The Clerk will report the amendment.

The Clerk reads as follows:

Page 11, line 21, after the dollar amount insert "(reduced by $10,000,000)".

Page 12, line 7, after the dollar amount insert "(reduced by $10,000,000)"

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. CLARKE of Michigan. Mr. Chairman, this amendment would add $10 million to FEMA’s State and local grant programs. This will be an additional $10 million that our State governments and our local units of government could have available to them to better protect their citizens in the case of an emergency and also to respond more effectively to such a disaster.

This money can go to high-risk urban areas such as metro Detroit that really need the resources. It can also go to better protect and secure our ports, which would also benefit regions like metropolitan Detroit.

That’s why I come to this Congress, to this budget and ask for these additional resources is because in the past this Congress failed to properly oversee the housing market, which resulted in a crisis that dramatically reduced property values all around this country and, most tragically, reduced the revenues available to States and localities to fund these important services.

That’s why I’m asking this Congress, this House, to amend this budget to provide an additional $10 million to our States and local units of government so they can better protect our citizens in case of an emergency.

I urge my colleagues to oppose this amendment. I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I rise in support of the gentleman’s amendment. The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I rise in support of the gentleman’s amendment. It adds $10 million to FEMA, State and local grants. As we have said many times this evening, these are grant programs that have been cut severely in recent years. While this year’s bill improves on that, we certainly can use these additional resources. This amendment, Mr. Chairman, has figured out a way to do it. He has come up with an offset that actually improves the bill.
The proposed offset is to the troubled 287(g) program, reduces it by $10 million, moving it closer to the administration’s request.

Mr. Chairman, three Inspector General audits have found serious flaws with this program and ICE has had to terminate some 287(g) agreements because of racial profiling and other abuses. We have no business funding this program at levels above the request, much less having a mandatory funding level, which is included in this bill.

So the gentleman has come up with an amendment that adds needed grant funding and improves the bill and it’s offset. I urge its adoption, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. CLARKE).

The question was taken; and the Acting Chair announced that the noes appear to have it.

Mr. CLARKE of Michigan. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan will be postponed.

AMENDMENT OFFERED BY MR. POLIS

Mr. POLIS. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 99, line 17, after the dollar amount, insert “(reduced by $501,331,000)”.

Page 99, line 17, after the dollar amount, insert “(increased by $501,331,000)”.

The Acting CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. POLIS. My amendment would bring down funding for ICE to fiscal year 2008 levels. I know that this is a time when it’s critical to balance our budget and to cut government spending, and here’s an example of a line item where we simply can’t afford to continue to reward failure. This bill is a great place to start in making sure that we have a sound policy for our country. We can’t afford to continue wasting billions of dollars of hard-earned taxpayer money to fund an Agency that, frankly, isn’t producing results.

This bill proposed to appropriate billions of dollars to ICE to enforce our broken immigration laws. That means they spend this money to continue deporting hardworking immigrants, separating families, and kicking our students who have lived in this country their entire lives, all at taxpayer expense.

How much does this cost the American taxpayer? ICE itself has said that each deportation costs $12,500. Outside estimates actually put the number higher—around $23,000. In fact, it costs an average of $112 a night just to detain illegal immigrants. That’s right.

This country is putting illegal immigrants up, effectively, at hotels. We might as well put them up at a bargain hotel. Let’s find a $49 room rather than spending $112 a night to feed and house illegal immigrants every night. My amendment will not end that practice, but it will take it back to 2008 levels. We simply can’t deprive our way out of our current immigration problems. One study estimates it would cost $2.25 billion to deport all the illegal immigrants in the country, not to mention the devastating impact on the economy that that would have.

We need to replace our broken immigration system with one that works. Simply throwing good money after bad at a failed Agency like ICE, which has not stopped illegal immigration, is simply a recipe for continued disaster.

In addition, ICE is responsible for shutting down Web sites. Frequently, they have taken down legitimate Web sites whose content is in violation of the law. The story of the music blog da Jazz is a warning to all of us that we need to take a closer look at these efforts. This site was seized by ICE for over a year without any explanation or due process. When the government demanded control of the site to its owners, they couldn’t even explain why they took control of the Internet site. Imagine if the government had seized a printing press or magazine or a newspaper. We would be outraged if you have to face the censure.

Why is this any different? Seizing a Web site without any due process of the law is contrary to the principles enshrined in our Constitution, is un-American, and violates our freedom of speech.

Now make no mistake: even if my amendment passes, the bill would still appropriate far too much for a failed Agency. It still would appropriate billions of dollars. And I would still oppose it unless you have the guts to face the censure. But at least let’s return that appropriation to 2008 levels to stop putting illegal immigrants up at hotels, stop closing down Web sites that are free press, stop funding enormous amounts of taxpayer money not solving our immigration problem.

It’s more important than ever that we balance our budget and end the deficit. We can start that by reducing wasteful government spending instead of increasing government spending. ICE has failed to stop illegal immigration. Let’s not reward failure. ICE has shut down Web sites without any due process. Let’s not reward failure.

Obviously, there are Members on both sides of the aisle, myself included, that want to address our broken immigration system, and we should have a country that has zero illegal immigrants—not 10 million, not 12 million, not 15 million. Frankly, the less ICE does, the more likely we can eliminate illegal immigration in this country, because all they do is contribute to it. And my bill will at least reduce their funding to 2008 levels. I think it’s a commonsense amendment. Anybody who opposes this amendment is effectively rewarding the continued failure of one of the most poorly performing government Agencies.

I urge my colleagues to vote for my amendment, and I yield back the balance of my time.

Mr. CARTER. Mr. Chairman, I rise in opposition to the gentleman’s amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Mr. Chairman, this amendment slashes immigration enforcement and will result in laying off many, many ICE agents and potentially releasing dangerous criminal aliens from custody.

Now, the gentleman’s argument is interesting. His argument seems to be that if you fire the enforcing officials and legalize the criminals, you’re not going to have a problem. Well, I’m sorry, Mr. Chairman, but that’s not the way it operates. When you break the law, you have to face the consequences.

And we need the enforcement officers to go out and assist us enforcing the law.

Whether or not the immigration law is broken—obviously—I happen to agree that it is broken. We might not necessarily agree on how to fix it, but I agree that it is broken. Because I agree we have porous borders. But I believe the ICE people are doing the very best they can. Quite honestly, I’m shocked that the solution to a criminal problem is fire the law enforcement officers. And that’s not good policy under anybody’s thinking.

Supposedly, those who object are not thinking straight. Well, I would argue the contrary is the case in this particular argument.

I urge my colleagues to oppose this amendment, and I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I rise in opposition to this amendment. It cuts ICE salaries and expenses by over $500 million and puts all of that spending in the Spending Reduction Account.

There’s some ironies in this amendment. It would actually hinder our efforts to move away from the flawed 287(g) program. It would hinder nationwide deployment of the much more conceptually sound Secure Communities effort. It would greatly reduce funding for alternatives to detention, where we very much need to go. It would lay off thousands of ICE personnel. And what do those personnel do? We’ve hired them to fight the drug trade, to fight human trafficking, to fight violence along the Southwest border.

I urge defeat of this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. POLIS).

June 6, 2012

CONGRESSIONAL RECORD — HOUSE

H3545
The amendment was rejected.
Mr. HONDA. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. HONDA. I would like to thank the chairman, the ranking member, and members of the subcommittee for recognizing the importance of supporting a path for legal immigrants to become citizens. The United States has a special interest in and draws unique benefits from encouraging citizenship to immigrants who have met legal residence, character, English, and civics knowledge requirements. I appreciate the chairman's willingness to encourage U.S. Citizenship and Immigration Services to keep the naturalization application fee affordable so that we don't prevent legal immigrants from pursuing citizenship simply because they cannot afford it. But I am concerned that the way the bill approaches funding for immigration integration programs could undermine this effort to keep fees affordable.

Integrating immigrants strengthens their commitment to the United States and makes us a stronger and more prosperous democracy. Integration grants have proven to be a cost-effective means of encouraging immigrants to integrate. It is unfair that the cost and limited availability of citizenship education and legal assistance is the reason that many of the more than 8 million legal and taxpaying permanent residents are unable to naturalize, despite their eligibility to do so.

This bill only allows funding of immigrant integration programs through fees collected, departing from past practice of providing discretionary funding to support the program. This approach will require fee hikes that push many further out of the reach of people who already struggle to pay costs of up to thousands of dollars for the current application, attorneys' fees, required document collection and preparation for the naturalization examination, defeating the subcommittee's own stated goal of keeping fees affordable.

The future viability of the immigrant integration grant program may depend on Congress's willingness to reinstate discretionary funding to support it, as the Senate has proposed to do in its version of the bill. I support the Senate's approach to provide direct discretionary funding in the amount of $5 million, regardless of the funds deposited into the immigration examination fee account, and I hope that as we move forward to conference with the Senate, we can adopt that approach.

It is in this country's interest to support our future U.S. citizens, and so it is in all of our interests to get support for immigration integration grants right.

I yield back the balance of my time.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

AUTOMATION MODERNIZATION

For expenses of immigration and customs enforcement automated systems, $232,006,000, to remain available until September 30, 2015: Provided further, That not later than 90 days after the date of enactment of this Act, the Secretary of Homeland Security may transfer up to $5,000,000 to the Office of Biometric Identity Management to support the transition and funding of the Biometric Identity Management System: Provided further, That amounts transferred pursuant to the preceding provision shall remain available until September 30, 2014.

CONSTRUCTION

For necessary expenses to plan, construct, renovate, equip, and maintain buildings and facilities necessary for the administration and enforcement of the laws relating to customs and immigration, $5,450,000, to remain available until September 30, 2016.

TRANSPORTATION SECURITY ADMINISTRATION

AVIATION SECURITY

For necessary expenses of the Transportation Security Administration related to providing civil aviation security services pursuant to the Aviation and Transportation Security Act (Public Law Nos. 107-296, 115 Stat. 1251; 49 U.S.C. 44901 et seq.), not to exceed $5,041,230,000, to remain available until September 30, 2014, of which not to exceed $8,500 shall be for official reception and representation expenses: Provided, That of the total amount made available under this heading, not to exceed $3,989,569,000 shall be for screening operations, of which $469,000,000 shall be available for explosives detection systems; $120,239,000 shall be for checkpoint support; and not to exceed $1,071,681,000 shall be for aviation security directorate and enforcement: Provided further, That of the amount made available in the preceding proviso for explosives detection systems, $100,000,000 shall be available for the purchase and installation of explosives detection systems, of which not less than 9 percent shall be available for the purchase and installation of certified explosives detection systems at medium and small-sized airports: Provided further, That any award to deploy explosives detection systems shall be based on risk, the airport's current reliance on other screening technologies, airport congestion resulting in increased security concerns, high injury rates, airport readiness, and increased cost effectiveness: Provided further, That security service fees authorized under section 44940 of title 49, United States Code, shall be credited to this appropriation as offsetting collections and shall be available under this heading, not to exceed $5,041,230,000.

The Clerk read as follows:


d 2100

Provided further, That the sum appropriated under this heading shall be for checkpoint support; and not to exceed $1,071,681,000 shall be for aviation security directorate and enforcement: Provided further, That of the amount made available in the preceding proviso for explosives detection systems, $100,000,000 shall be available for the purchase and installation of explosives detection systems, of which not less than 9 percent shall be available for the purchase and installation of certified explosives detection systems at medium and small-sized airports: Provided further, That any award to deploy explosives detection systems shall be based on risk, the airport’s current reliance on other screening technologies, airport congestion resulting in increased security concerns, high injury rates, airport readiness, and increased cost effectiveness: Provided further, That security service fees authorized under section 44940 of title 49, United States Code, shall be credited to this appropriation as offsetting collections and shall be available under this heading, not to exceed $5,041,230,000.

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The Clerk read as follows:

Page 15, line 23, after the dollar amount insert "(reduced to $0)".

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BROUN of Georgia. Mr. Chairman, my amendment would completely eliminate funding for the Transportation Security Administration, TSA, and transfer that money into the deficit reduction account, saving taxpayers more than $5 billion.

The fact of the matter is very simple: TSA is not doing the job that it was created to do 10 years ago. Originally, Congress intended for TSA to be an efficient, cutting-edge, intelligence-based agency responsible for protecting our skies by keeping passengers safe and secure. Today it has grown into one of the largest bureaucratic agencies, bigger than the Departments of Labor, Energy, Education, Housing and Urban Development, and State all combined—larger than all of those agencies combined. It has 40,000 employees, 26,000 of whom are in the air traffic control system. In 2011, TSA failed to find a single terrorist on a plane. In 2012, it failed to find a single terrorist on a plane. In 2013, it failed to find a single terrorist on a plane. That is not good enough.

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breaches have occurred at U.S. airports since 2001. Plus, we have evidence today that terrorists that are on the no-fly list have been still able to fly successfully aboard U.S. aircraft.

On top of this startling information, we’ve all seen the recent news headlines detailing the lack of professionalism, unreliable training, and even alleged corruption in the TSA ranks. Just about the only thing that TSA is good at is using its extensive power to violate American travelers’ civil liberties. These stories range from embarrassing near-strip searches all the way to agents being hired without background checks. This is all evidence that TSA has veered dangerously off course from what it was intended to do. I’ve repeatedly asked that we use our resources to focus on intelligence and technologies that can be more effective when it comes to catching terrorists—instead of putting down grandmas and children. I’ve demanded Administrator Pistole resign, and I’ve called for the privatization of TSA, along with some of my other colleagues here in the House. But we have still yet to see the necessary changes made to the TSA personnel or procedures that will ensure the safety and security of our airports and passengers.

Mr. Chairman, this amendment to zero out funding for TSA forces Congress and the Department of Homeland Security to start all over again, start from scratch on a better, more effective, more progressive system for protecting our airlines without violating the person and liberties of our citizens. I urge my colleagues to support my amendment, and I yield back the balance of my time.

Mr. CARTER. Mr. Chairman, I rise in opposition to the gentleman’s amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CARTER. Mr. Chairman, again, it’s never been a solution for failed enforcement to fire all the police officers and get rid of them and then hope it will all work out. Without speaking to the criticisms of the gentleman, the terrorist threat is still real. This is an agency that has that duty and responsibility. To zero them out and lay them all off would not be productive in stopping criminal activity in the United States, and for that reason I oppose the gentleman’s amendment.

I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from North Carolina is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I, too, rise to oppose this amendment.

Aviation continues to be the main focus for terrorists seeking to do us harm. I would think we all realize that. This amendment would prohibit all of the screening, all of the scanning, all of the protective measures that we have undertaken for our protection. It’s in-discriminate, it’s excessive, and it should be rejected.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BROU). The amendment is rejected.

The Acting CHAIR. The Clerk will read as follows:

SURFACE TRANSPORTATION SECURITY

For necessary expenses of the Transportation Security Administration related to surface transportation security activities, $126,418,000, to remain available until September 30, 2015.

Mr. MICA. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. MICA. Mr. Chairman and my colleagues, I had intended to offer an amendment at this stage in the proceedings, but I’m not going to do it at this time because I have received some cooperation from the Appropriations Committee. I want to thank Chair- man ADERHOLT and the staff and others for including in this DHS bill some reforms of TSA that are long overdue.

The gentleman from Georgia just mentioned that this is an agency that is out of control. It is important that we as Members of Congress try to get agencies that spin out of control under control, and that’s, I think, what we’re attempting to do here.

Let me say about this process, this is an incredible process and it’s an opportunity—this is our shot of the aisle for allowing Members to have these opportunities.

□ 2110

We were closed off from many opportunities in the past to make these changes that are necessary in reforming agencies like TSA.

Well, let me say what they have done in this bill, and I want to say one reason I’m going to support the bill—they need to go a lot further than they’ve gone, but one reason I’m going to support the bill is they have taken some opportunity to cut some of the administrative overhead.

Listen to this: TSA has grown to 65,000 employees. Of that, there are 14,000 administrative personnel—4,000 in Washington, D.C., not very far from us, 4,000 making on average—and they’ve got some statistics right here, the staff will give them to you—$104,000 on average per administrative person. Ten thousand administrative people out in the field. So this bill does reduce—I believe it’s by about $60 million—some of that administrative overhead. That’s only the beginning, but at least it’s a beginning.

This bill also cuts out programs that have failed, like the Behavior Detection Program. It reduces some of the spending there—another program that doesn’t work that we need to cut funds on. It does redirect some money. And I must congratulate the committee for restoring the flight deck officer cuts.

The Obama administration proposed disarming our pilots, 50 percent of that program—volunteer pilots who pay their own way to learn how to arm themselves to protect their aircraft, themselves, and their passengers; one of the most cost-effective programs we have. I guess that is why we have the proposal that the Obama administration goes. You want to keep the bureaucracy but do away with cost-effective programs. But thank you, committee members and staff, for restoring that.

Finally, let me say that we’ve got to do something to further get this agency under control. Last week, we learned a little bit about a meltdown in security at one of my Florida airports, Fort Myers. We got some information that we were told, and I got tips from time to time. Everyone tells us what’s going on at TSA—except the TSA bureaucrats that are trying to protect their positions. You know, they waited until Friday afternoon and released a one-paragraph statement where they said they had taken place at Fort Myers and keeping our committee in the dark, trying to keep it from the public and the press and from Congress.

I took the opportunity to learn the press about this and the public know what I knew—which wasn’t much. And thank goodness for a free and open press because they went after TSA. We found out Monday morning, along with everyone else, what they had done in not providing accurate information, not telling us it was one of the most serious of meltdowns of TSA personnel. And we’ve had them before in Newark and Charlotte, we’ve had them in New York City and others. So this is an agency that’s out of control. We need to get it under control, as they’ve begun to do here. We need to realign where the money needs to be spent.

I have no problem with spending money for security and making certain that terrorists don’t take advantage of our most vulnerable Achilles’ heel in the transportation network, and for the American public, that’s aviation. We’ve seen them go after it again and again. But you need to spend the money where it makes the most sense and does the most as far as true aviation security. Expensive aviation theater security is not the way we’re going to.

I yield back the balance of my time.

Mr. DUNCAN of Tennessee. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Tennessee is recognized for 5 minutes.

Mr. DUNCAN of Tennessee. Mr. Chairman, I had intended to or had other business but accepted this amendment again this year concerning the Federal Air Marshal Program. I offered an amendment last year to simply keep
the Federal air marshals at level funding. They were approaching almost $1 billion spending each year, and they’ve been given 10 straight years of increases.

This program, though, was called to my attention by an article that appeared in USA Today in which they said that more air marshals had been arrested than had been arrested by air marshals, and that they were spending approximately $200 million per arrest each year. I became convinced, because of the attention that other representatives took, that this really was probably one of the most useless, needless agencies in the entire Federal Government. But I offered the amendment knowing that it’s almost impossible to cut a law enforcement agency or an agency that one can claim it’s doing something toward aviation safety and security. So my amendment received a lot more votes than I expected but did not pass.

But at that time, Chairman ROGERS and Ranking Member PRICE assured me that they would look a little more closely at this program, and I feel that they have done so. So I rise to commend them and tell them that I appreciate the fact that they have taken an $86.5 million cut in the amendment that I offered last year.

I want to say that I am a really strong supporter of law enforcement—always have been and always will be—but when you take scarce law enforcement dollars that are especially needed for our local law enforcement people, who are the ones out there fighting the real crime that needs to be fought, then you’re depriving the agencies that really need it when you give it to an agency like the Federal Air Marshal Program that is doing almost no good whatsoever for this country. Almost every Member in this Congress flies a couple of times each week; thus, we’re doing the same thing that these Federal air marshals are doing. It’s one of the softest, easiest jobs in the Federal Government just to fly back and forth, back and forth, back and forth.

So I want to say that I appreciate the fact that Chairman ROGERS and Ranking Member PRICE have agreed to this $86.5 million cut. I wish it was a lot more, and I still think this agency needs to be eliminated, but I do appreciate the progress that’s being made thus far. So I will not offer an amendment this year because I think at least we’ve started in the right direction on this program.

I yield back the balance of my time.

AMENDMENT OFFERED BY MR. CRAVAACK

Mr. CRAVAACK. Mr. Chairman, I ask unanimous consent to consider my amendment at this point in the reading.

The Acting CHAIR. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 15, line 23, after the dollar amount inserted “(increased by $10,000,000) (reduced by $10,000,000)”. The Acting CHAIR. The gentleman from Minnesota is recognized for 5 minutes.

Mr. CRAVAACK. Mr. Chairman, I rise to offer an amendment to the fiscal year 2013 Homeland Security appropriations bill to increase the funding for the Federal Flight Deck Officer—or the FFDO—such that the amendment is fully offset, costing the taxpayers no additional money. This amendment is also supported by the National Rifle Association.

Mr. Chairman, 9/11 woke us up. The reality is that we live in a very dangerous world with varied and morphing threats. While screening can reduce some threats, terrorists are constantly probing and exploiting our weaknesses. Federal flight deck officers, or FFDOs, act as a chief deterrent, but ultimately the last line of defense is the Federal flight deck officer.

Reinforced doors are an important step to slow an attacker and buy time, but ultimately the pilots is the last line of defense in someone taking over the aircraft to be used as a weapon of mass destruction. Let me say that again. The last line of defense is not the secured cockpit door, but the armed pilot behind it.

According to estimates by the Airline Pilots Association, Federal flight deck officers only cost $15 per flight segment. Currently, FFDOs defend over 100,000 flight segments per month and 1.5 million flight segments per year. Thousands of Federal flight deck officers have been certified for the program, despite a budget that hasn’t grown since this program’s inception. Federal Flight Deck Officers provide the most cost-effective aviation security program in existence. As a former Flight deck officer myself, I can personally testify about the sacrifices and expenses pilots undergo to participate in the program. They actually pay to protect and defend the Nation.

I urge my colleagues to support this amendment.

Mr. CARTER. Will the gentleman yield?

Mr. CRAVAACK. I yield to the gentleman from Texas.

Mr. CARTER. We accept the amendment.

Mr. CRAVAACK. I thank the gentleman, and I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I rise in opposition to this amendment. It increases funding for the Federal Flight Deck Officers program. But the bill already greatly increases this program above the request, 50 percent above the request, returning the program to its 2012 level.

And it’s not a harmless offset. On the contrary, aviation management is already cut by $20 million in this bill, and we can ill afford to cut it further. So this is an unnecessary and unwise trade-off, and I urge rejection of the amendment.

I yield back the balance of my time.

Mr. HUIZENGA of Michigan. Mr. Chair, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. HUIZENGA of Michigan. I yield to the gentleman from Minnesota.

Mr. CRAVAACK. I thank the gentleman for yielding.

Mr. Chairman, over 700 pilots have been vetted and not trained; 1,500 pilots have applied for the program but have not yet been vetted; about $6,000 per pilot to put them through the backlog for check and training. At current funding at $25.5 million, they’re only able to bring about 250 new pilots per year on board, which leaves them in less than a status quo status, probably declining once the age of 65 hits many of the pilots in backlog.

Funding is the bottleneck, rather than the training center capacity. $10 million would not clear the backlog that currently exists. It would be a good start, though.

The proposal to reduce the funding for screening and maintenance and screener PC&B by $5 million each, we with the combination of fewer new FFDOs coming online, the program will not provide the same level of deterrence.

I’d like to reiterate that the increased funding for the program will not only cost a greater expense to taxpayers, and the increase in this amendment of $10 million is fully offset.

For only $15 per flight, Federal Flight deck officers provide the most cost-effective aviation security program in existence. As a former Flight deck officer, I can personally testify about the sacrifices and expenses pilots undergo to participate in the program. They actually pay to protect and defend the Nation.

I urge my colleagues to support this amendment.

Mr. CARTER. Will the gentleman yield?

Mr. CRAVAACK. I yield to the gentleman from Texas.

Mr. CARTER. We accept the amendment.

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Funding is the bottleneck, rather than the training center capacity. $10 million would not clear the backlog that currently exists. It would be a good start, though.

The proposal to reduce the funding for screening and maintenance and screener PC&B by $5 million each, we
have strong approval of many organizations for this program, including the Airline Pilots Association.

Mr. Chairman, this is one of the most valuable programs and deterrents that is in the air at the current time. It costs again, once again, $15 per flight to protect the American traveling public. To me, Mr. Chairman, this is a no-brainer.

Mr. HUIZENGA of Michigan. I would like to commend my friend, my freshman colleague from Minnesota, for offering this amendment, and commend him for his service to our country in the military and then what he’s been doing. I think it’s a valuable lesson, having been there in that cockpit yourself, dealing with this program. And I support this amendment as well.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. CRAWFORD).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. JACKSON LEE OF TEXAS

Ms. JACKSON LEE of Texas. Mr. Chairman, I have an amendment at the desk, and I would ask unanimous consent that my amendment be considered out of order.

The Acting CHAIR. Is there objection to the request of the gentleman from Texas?

There is no objection.

The Acting CHAIR. The amendment is in order.

The Clerk read as follows:

Page 15, line 23, after the dollar amount, insert "(reduced by $61,000,000)".

Page 20, line 10, after the dollar amount, insert "(increased by $50,000,000)"

The Acting CHAIR. The amendment is in order.

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The Acting CHAIR. The amendment is in order.

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taken to secure aviation that reduce the need to rely on FAMS on routes that do not represent the highest threat potential.

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The bill takes these security improvements into account and focuses on funding to cover the top priority routes based on threat, whether domestic or whether international. The bill also fully funds the FPDO program, which complements FAMS, and in some cases it is the only security element on board. In addition, the report directs the TSA and the FAMS to look again at how to include other Federal law enforcement agents working with them.

This amendment, while I believe it is well-intentioned, would sustain funding to lower priority flights at the expense of other security measures that offer more immediate security impacts. The committee report calls for FAMS to brief the committee within 60 days on its optimal mix of staffing, scheduling, and recommendations for any regulatory or legislative actions needed to improve the FAMS operation. I believe the bill will support a robust and needed mix of FAMS missions. I look forward to moving forward with a more focused and effective posture in aviation security. Therefore, I urge my colleagues to oppose this amendment.

I yield back the balance of my time.

Mr. PRICE of North Carolina. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I am happy to yield to the gentlelady from Texas for a response.

Ms. JACKSON LEE of Texas. Thank you, Mr. Chairman.

Mr. PRICE of North Carolina. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I am happy to yield to the gentlelady from Texas for a response.

Ms. JACKSON LEE of Texas. I thank the distinguished ranking member, and I really thank the chairman for his comments.

I don’t want to give a whole historical presentation, but I’ve certainly been on the Homeland Security authorizing committee since 9/11. I am quite familiar with the technologies and various changes in aviation travel in particular, and we’ve made great strides. We have certainly made great strides, but here is my point that I think is crucial: How long are we going to continue to count on heroic, if you will, passengers and continue to cite them as great heroes until the day of some tragic and horrific incident?

We ask the American traveling public for what it has done to thwart a number of incidences, some of which, obviously, are not terrorist-directed but which do impact on the traveling public’s security while airborne.

Air Marshals are the frontline support and defense in a vessel, if you will, in an aircraft that, if tampered with airborne, can be a catastrophe of enormous proportions. Air marshals are, in essence, a crucial part of the security of this Nation. If we are to literally obliterate the $50 million reduction, you will see a reduction in mission, what offices will be ultimately shut down, FAMS personnel being furloughed for a minimum of 4 days, and civilian personnel gone.

I don’t deny that we can look to be responsible fiscally and that we can find ways that will streamline. I happen to believe that $50 million is too drastic a cut and would be unresponsive. So I would ask my colleagues, in spite of what changes may have been made, that they do not act superior to that human resource on that aircraft that is standing in the gap for a dastardly devastating terrorist act or some other act that threatens the resources and expertise of the Federal Air Marshals.

Let me conclude by saying for a very long time I’ve introduced legislation to give flight attendants the kind of security training that would help them in the course of a potential terrorist incident on the aircraft. We’d hoped that that would have already occurred. I believe the other front-liners are TSA officers. That flight training has not yet occurred, so Federal Air Marshals act in the capacity of closing in the gap to secure the crew and as well to secure the traveling public.

Who wants to subject the traveling public, domestic or international, to that kind of gaping hole of the reduction of cost or dollars that would ultimately result in this huge reduction of mission, furloughs, loss of civilians, closed offices?

I think that we need to reconsider, and I would ask my colleagues to support this amendment of adding back the $50 million reduction that has taken place.

Mr. PRICE of North Carolina. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlelady from Texas (Ms. JACKSON LEE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. PRICE of North Carolina. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlelady from Texas will be postponed of a vote.

The Clerk will read.

The Clerk read as follows:

TRANSPORTATION THREAT ASSESSMENT AND CREDENTIALING

For necessary expenses for the development and implementation of screening programs of the Office of Transportation Threat Assessment and Credentialing, $192,424,000, to remain available until September 30, 2014.

TRANSPORTATION SECURITY SUPPORT

For necessary expenses of the Transportation Security Administration related to transportation security support and intelligence pursuant to the Aviation and Transportation Security Act (Public Law 107–71; 49 U.S.C. 1561 note), $928,663,000, to remain available until September 30, 2014.

The Acting CHAIR. The gentleman from Illinois is recognized for 5 minutes.

Mr. DOLD. I certainly want to thank the chairman and the ranking member for their leadership on this legislation, and I want to thank the staff for working with me on this. I think $50 million is too drastic a cut and should be restored. So I would ask my colleagues, in spite of what changes may have been made, that they do not act superior to that human resource on that aircraft that is standing in the gap for a dastardly devastating terrorist act or some other act that threatens the resources and expertise of the Federal Air Marshals.

Let me conclude by saying for a very long time I’ve introduced legislation to give flight attendants the kind of security training that would help them in the course of a potential terrorist incident on the aircraft. We’d hoped that that would have already occurred. I believe the other front-liners are TSA officers. That flight training has not yet occurred, so Federal Air Marshals act in the capacity of closing in the gap to secure the crew and as well to secure the traveling public.

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I think that we need to reconsider, and I would ask my colleagues to support this amendment of adding back the $50 million reduction that has taken place.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

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The Acting CHAIR. The gentleman is recognized for 5 minutes.

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Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.
and rescue capabilities in the Great Lakes Region. Search and rescue is one of the Coast Guard’s oldest missions, dating back to the U.S. Revenue Cutter Service that was founded in 1790.

Today, Coast Guard search and rescue—whether at the farthest reaches of the Great Lakes or in international boundary waters with Canada and other countries—can be made possible only by the dedicated and often underappreciated efforts of the Coast Guard. This amendment would increase our Nation’s search and rescue capabilities by adding funding for needed assets, assets vital to lifesaving capabilities.

Mr. Chairman, these investments build on previous investments that specifically increase capability in the Great Lakes area. Further, by the end of this fiscal year, the Coast Guard has reallocated over 6,468 search and rescue cases, assisting over 10,000 people and saving over 1,400 lives. Just last week, Mr. Chairman, two young women were saved by the Coast Guard’s air assets on Lake Michigan.

Unlike the President’s budget, which makes dramatic cuts to critical search and rescue operations, this amendment would increase our Nation’s search and rescue capabilities by adding funding for needed assets, assets vital to lifesaving capabilities.

Mr. Chairman, these investments build on previous investments that specifically increase capability in the Great Lakes area. Further, by the end of this fiscal year, the Coast Guard will have delivered the last of three new long-range response boats to the Great Lakes area, which will enhance response capabilities.

Mr. Chairman, the Great Lakes are one of the most popular recreation areas in our country, and the Coast Guard is a vital part of making it safe for the thousands of people who visit near and far. We can’t stand by and allow the administration to elevate its strategy to the Great Lakes, so I certainly urge support for this amendment.

I do want to yield the remaining time I have to my good friend who has been instrumental in assisting me on this amendment, the gentleman from Michigan (Mr. Huizenga).

Mr. Huizenga of Michigan. I thank my good friend from Illinois for yielding.

Mr. Chairman, we not only serve on the Financial Services Committee together, we also share a Great Lake. Michigan is uniquely situated, literally bordering all five of the Great Lakes—Lake Superior, Lake Huron, Lake Michigan, Lake Saint Clair, Lake Ontario. Four of those are actually international boundary waters with thousands of miles of shoreline that are on shore, and there are dozens of ports throughout the Great Lakes. I might add that they are aptly served by the District Nine commander out of Cleveland as he is juggling all of the various assets that the Coast Guard has.

But I do reject the plans by this administration to decrease the search and rescue capabilities in the Great Lakes. This vital amendment restores funding in order to maintain a level of capability that has been present in the Great Lakes for many years, and it has been much needed, Mr. Chairman.

As the gentleman noted, these funds, combined with offsets in this bill, addresse shortfalls that this administration has actually advocated for. So Coast Guard search and rescue in all of the Great Lakes cannot be short-changed. As we see in example after example, whether it be by boat or by helicopter in Lake Superior, Lake Michigan, Lake Huron, Lake St. Clair, Lake Ontario, some of the busiest boating traffic—recreational, as well as commercial traffic—that we see anywhere in the world concentrated in that area.

I urge a “yes” vote on this amendment.

Mr. DOLD. I thank the gentleman for his help.

I do urge my colleagues to support this amendment. It is commonsense legislation. We cannot afford to have search and rescue capabilities be diminished. As we look at the number of recreational boaters, this is a vital part of making sure that we’re saving lives in the Great Lake’s region.

Mr. ADERHOLT. Will the gentleman yield?

Mr. DOLD. I yield to the gentleman from Alabama.

Mr. ADERHOLT. Mr. Chairman, I want to commend the gentlemen from Illinois and from Michigan for their commitment for search and rescue, and we would gladly accept their amendments.

Mr. DOLD. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. Dold).

The amendment was agreed to.

Mr. YOUNG of Alaska. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for his amendment.

Mr. YOUNG of Alaska. At this time, I would like to engage the distinguished chairman in a colloquy regarding the Polar Sea, the Coast Guard’s second heavy icebreaker. It has been decommissioned and will soon be put in dry dock to prepare it for scrapping. However, I believe that before the resale of the Polar Sea is significantly reduced by removing its propellers and shafts that the Coast Guard must consider another option.

To date, the Coast Guard has not yet officially surveyed the private sector for interest in the Polar Sea in its current condition. Private sector interest in the Polar Sea may increase after the summer, when permitted drilling is expected to be shortened due to heavier than usual ice.

My good friend from Washington (Mr. Dicks) and I are offering this colloquy to delay the beginning. Our goal is to specifically instruct the Coast Guard to provide a survey of whether or not there is a better use for this vessel.

I was prepared to offer an amendment today that would direct the Coast Guard to report back to Congress on the condition of the Polar Sea, the costs associated with reactivating the vessel for service, and the interest of private or public entities in purchasing and operating the Polar Sea.

This amendment would have prevented the Coast Guard from moving any major equipment or systems from the Polar Sea until the Coast Guard committed its report to Congress. Unfortunately, this amendment is subject to a point of order, but I would ask the chairman for his support and commitment to work with me and Mr. Dicks on this important issue as we pursue an alternative legislative fix in the Transportation Committee. Time is of the essence.

Mr. DICKS. Will the gentleman yield?

Mr. YOUNG of Alaska. I yield to my good friend from Washington.

Mr. DICKS. I thank my good friend from Alaska for yielding, and I thank the gentleman for raising this important issue.

The dramatic reduction in the Arctic sea ice that is happening at the North Pole is leading to substantial growth in activity in the Arctic region.

The Coast Guard in the High Latitude Study determined that it needs a minimum of three heavy and three medium icebreakers to meet its statutory mission. This bill includes funding to start the design phase of a new heavy icebreaker; however, it will not enter service until 2020 at the earliest. Until then, there will be only one heavy icebreaker, the Polar Star, and one medium icebreaker in operation. This is clearly not enough for the Coast Guard to accomplish its mission. And given the age of the Polar Star, which entered service in the 1970s, the possibility of a breakdown or extended maintenance period is significant, which would leave us without any serviceable heavy icebreaker at all.

As my friend has noted, the Polar Sea, the Coast Guard’s second heavy icebreaker, has been decommissioned and is awaiting the final orders to scrap it. Given our rapidly growing need in the polar region, I worry that the Coast Guard is not considering other options for the Polar Sea.

Personally, I think a compelling case can be made for directing the Coast Guard to make the investment and put the vessel into service. At very least, the Coast Guard needs to take time to review alternatives. In my judgment, it would be a shame to scrap such a potentially useful asset when there is so much evidence before us that we need more immediate icebreaking capacity.

My friend from Alaska has noted that he and I had been considering working on language that would direct the Coast Guard to consider alternative uses for the Polar Sea that an amendment would be subject to a point of order.

I am glad the gentleman will be able to work on the issue on a bill pending
before the Transportation and Infrastructure Committee. I want to indicate to him that I share his commitment to ensuring that the Nation’s icebreaking needs are met and will continue to work with him to ensure that the Coast Guard considers all available options for the Polar Sea.

Mr. ADERHOLT. Will the gentleman yield?

Mr. YOUNG of Alaska. I yield to the gentleman from Alabama.

Mr. ADERHOLT. Mr. Chairman, I understand the importance of keeping the vessel intact. My subcommittee agrees with this important goal. I urge the Coast Guard to work with the authorizing committee to accomplish this assessment.

Mr. YOUNG of Alaska. I am thankful for the understanding of the chairman and the ranking member of the full committee, and the importance to our Nation and especially Alaska, and I do appreciate your consideration.

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

AMENDMENT OFFERED BY MR. GARDNER

Mr. GARDNER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk reads as follows:

Page 21, line 24, insert before the period at the end the following:

: Provided further, That of the funds made available under this heading, such sums as may be necessary shall be available to the Secretary of Homeland Security to comply with the Coast Guard’s energy management requirements under section 543(f)(7) of the National Energy Conservation Policy Act (42 U.S.C. 8253(f)(7))

The Acting CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. GARDNER. Mr. Chairman, this amendment which I’m offering along with my colleague, Mr. WELCH from Vermont, addresses an important issue relating to Coast Guard facilities.

We’ve offered this same amendment to the two other appropriations bills this week, and they’ve passed by a voice vote. And while my colleague from Vermont is not here this evening, I want to commend him for his hard work on these amendments, and energy savings performance contracts in general.

I think the passage of these amendments sends a clear signal that Congress understands the importance of saving energy and, therefore, saving costs for the Federal Government.

This amendment does one simple thing. It says that the Coast Guard should provide an inventory of ways to improve efficiencies in their buildings, which is already a directive under current law.

Under current law, energy savings performance contracts, or ESPCs, are provided as a mechanism for private companies to come into Federal buildings and make energy efficiency upgrades. ESPCs result in savings for the Federal Government and create well-paying private sector jobs at no cost to taxpayers. It creates a win-win situation of reducing debt and creating jobs. The private sector company must guarantee the project improvements will produce energy savings sufficient to pay for the project.

In this fiscal climate, there is no reason we shouldn’t be helping the Federal buildings find ways to save money and upgrade Federal buildings with cleaner and more efficient facilities.

I urge adoption of this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. GARDNER).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read:

The Clerk reads as follows:

ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses to carry out the environmental compliance and restoration functions of the Coast Guard under chapter 19 of title 14, United States Code, $12,151,000, to remain available until September 30, 2017.

RESERVE TRAINING

For necessary expenses, including for Coast Guard Reserve, as authorized by law; operations and maintenance of the Coast Guard reserve program; personnel and training costs; and equipment and services; $15,628,000.

AUTOMATION

For expenses of the Coast Guard automated systems, $50,000,000, to remain available until September 30, 2015.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of acquisition, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto; for rehabilitation, lease, and operation of facilities and equipment; as authorized by law; $1,288,593,000, of which $20,000,000 shall be derived from the Oil Spill Liability Trust Fund; and to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)); of which $538,000,000 shall be available until September 30, 2017, to acquire, effect major repairs to, renovate, or improve vessels, small boats, and related equipment; of which $304,500,000 shall be available until September 30, 2017, to acquire, effect major repairs to, renovate, or improve aircraft or increase aviation capability; of which $59,000,000 shall be available until September 30, 2017, for shore facilities and aids to navigation, including waterfront facilities at Navy installations used by the Coast Guard; of which $117,182,000 shall be available for personnel compensation and benefits and related costs; Provided, That of the funds provided under this heading, $66,000,000 shall be immediately apportioned for contract for long lead-time materials, components, and designs for the seventh National Security Cutter notwithstanding the availability of funds for production costs or post-production costs: Provided further, That $10,000,000 shall be available for infrastructure construction, to include design, engineering, and pre-construction support of the continued development of the Homeland Security consolidated headquarters; and all projects using this funding, with all related obligations and expenditures, shall be subject to the management review, approval, and oversight of the Department of Homeland Security, Office of the Inspector General.

(1) the proposed appropriations included in that budget;

(2) the total estimated cost of completion, including and clearly delineating the costs of associated major acquisition systems infrastructure and transition to operations;

(3) projected funding levels for each fiscal year beginning with fiscal year 2015 for each project identified for funding, including for each fiscal year requested for design, pre-acquisition activities, production, structural modifications, missionization, post-delivery, and transition to operations costs;

(4) an estimated completion date at the projected funding levels; and

(5) a current acquisition program baseline for each capital asset, as applicable, that—

(a) includes the total acquisition cost of each asset, subdivided by fiscal year and including a detailed description of the purpose of the proposed funding levels for each fiscal year, including for each fiscal year requested for design, pre-acquisition activities, production, structural modifications, missionization, post-delivery, and transition to operations costs;

(b) includes a detailed project schedule through completion, subdivided by fiscal year, that details—

(i) quantities planned for each fiscal year; and

(ii) major acquisition and project events, including development of operational requirements, contracting actions, design reviews, production, delivery, test and evaluation, and transition to operations, including necessary training, shore infrastructure, and logistics efforts;

(C) notes and explains any deviations in cost, performance parameters, schedule, or estimated date of completion from the original acquisition program baseline and the most recent baseline approved by the Department of Homeland Security’s Investment Review Board, if applicable;

(D) aligns the acquisition of each asset to mission requirements by defining existing capabilities of comparable legacy assets, identifying known capability gaps between such assets and gaps in existing capability, defining acquisition requirements, and explaining how the acquisition of each asset will address such known capability gaps;

(E) defines life-cycle costs for each asset and the date of the estimate on which such costs are based, including all associated
costs of major acquisitions systems infrastructure and transition to operations, delineated by purpose and fiscal year for the projected service life of the asset;

(f) includes a phase-out and decommissioning schedule delineated by fiscal year for each existing legacy asset that each asset is intended to replace or recapitalize:

Provided further, the Secretary of Homeland Security shall ensure that amounts specified in the future-years capital investment plan are consistent, to the maximum extent practicable, with proposed appropriations necessary to support the programs, projects, and activities of the Coast Guard in the President's budget proposal as submitted pursuant to the requirements of section 116(a) of title 31, United States Code, for that fiscal year: Provided further, That any inconsistencies between the capital investment plan and proposed appropriations shall be identified and justified: Provided further, That subsections (a) and (b) of section 4624 of Public Law 110–28 shall apply with respect to the amounts made available under this heading.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

For necessary expenses for applied scientific research, development, test, and evaluation; and for maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; $19,690,000, to remain available until September 30, 2017, of which $500,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(6) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(6)); Provided, That there may be credited to and used for the purposes of this appropriation funds received from State and local governments, other public authorities, private sources, and foreign countries for expenses incurred for research, development, testing, and evaluation.

RETIRED PAY

For retired pay, including the payment of obligations otherwise chargeable to lapsed appropriations for this purpose, payments under the Retired Serviceman's Family Protection Act, Title II, Subtitle C, of Public Law 95–630, as in effect on the date of enactment of this Act, are authorized to be increased by 3 percent for fiscal year 2014.

United States Secret Service

SALARIES AND EXPENSES

For necessary expenses of the United States Secret Service, including purchase of not to exceed $70,000,000 for automobiles for replacement only; hire of passenger motor vehicles; purchase of motorcycles made in the United States; hire of aircraft; services of expert witnesses at such rates as may be determined by the Director of the Secret Service; rental of buildings in the District of Columbia, and fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control, as may be necessary to perform protective functions; payment of per diem or subsistence allowances to employees in cases in which a protective assignment on the actual day or days of the visit of a protectee requires an employee to work 16 hours or more on duty, and travel of United States Secret Service employees on protective missions without regard to the limitations on such expenditures in this or any other Act if approval is obtained in such instances in accordance with and under the provisions of appropriations of the Senate and the House of Representatives; research and development; grants to conduct behavioral research on suspicious or other operations; and payment in advance for commercial accommodations as may be necessary to perform protective functions; $1,556,055,000, of which $20,000,000 shall be for official representation expenses; of which not to exceed $100,000 shall be to provide technical assistance and equipment to foreign governments and organizations in counterfeit investigations; of which $7,800,000 shall be for forensic and related support of investigations of missing and exploited children; and of which $5,000,000 shall be for a grant for activities related to investigations of missing and exploited children and shall remain available until September 30, 2014: Provided, That up to $18,000,000 for protective travel shall remain available until September 30, 2014: Provided further, That up to $4,500,000 for National Special Security Events shall remain available until September 30, 2014: Provided further, That the United States Secret Service is authorized to obligate funds in anticipation of reimbursements for expenses incurred under this heading to the extent that the President's budget proposal for fiscal year 2014 includes an approved investment plan that is consistent, to the maximum extent practicable, with proposed appropriations necessary to support the programs, projects, and activities of the Coast Guard in the President's budget proposal as submitted pursuant to the requirements of section 116(a) of title 31, United States Code, for that fiscal year: Provided further, That the Secretary of Homeland Security shall ensure that the Secretary of the Treasury may utilize the discretionary funds referred to in paragraph (a) of subsection (b) of section 4624 of Public Law 110–28 (42 U.S.C. 10163) to the maximum extent practicable, with proposed appropriations necessary to support the programs, projects, and activities of the Office of Biometric Identity Management of the Department of Homeland Security in the President's budget proposal as submitted pursuant to the requirements of section 116(a) of title 31, United States Code, for that fiscal year: Provided further, That none of the amounts made available under this heading shall be available to compensate any employee for overtime in an annual amount in excess of $35,000, except that the Secretary of Homeland Security, or the designee of the Secretary, may waive that amount as necessary for national security purposes: Provided further, That none of the funds made available to the United States Secret Service by this Act or by previous appropriations Acts may be made available for the protection of the head of a Federal agency other than the Secretary of Homeland Security: Provided further, That the Director of the United States Secret Service may enter into arrangements for protective functions on a fully reimbursable basis: Provided further, That none of the funds made available to the United States Secret Service by this Act or by previous appropriations Acts may be obligated for the purpose of opening a new permanent domestic or overseas office or location unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such obligation.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENT

For necessary expenses for acquisition, construction, and improvement of physical and technological infrastructure, $56,750,000, of which $4,350,000, to remain available until September 30, 2015, $35,100,000, to remain available until September 30, 2017, $45,321,000, to remain available until September 30, 2020, $34,000,000, to remain available until September 30, 2015; $52,320,000, to remain available until September 30, 2015, $25,000,000, to remain available until September 30, 2016; $22,000,000, to remain available until September 30, 2016; $33,000,000, to remain available until September 30, 2017; $37,000,000, to remain available until September 30, 2018; and $156,486,000 shall remain available until September 30, 2015; Provided further, That the Director of the Federal Protective Service shall include with the submission of the President's fiscal year 2014 budget a strategic human capital plan that aligns fee collections to personnel requirements based on a current threat assessment:

OFFICE OF BIOMETRIC IDENTITY MANAGEMENT

For necessary expenses for the Office of Biometric Identity Management, as authorized by section 7208 of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1366b), $191,380,000: Provided, That of the amounts made available under this heading, $156,486,000 shall remain available until September 30, 2015: Provided further, That, subject to section 503 of this Act, the Secretary of Homeland Security may transfer up to $5,000,000 to U.S. Immigration and Customs Enforcement to support the transition of the Arrival and Departure Information Technology program: Provided further, That amounts transferred pursuant to the preceding proviso shall remain available until September 30, 2014: Provided further, That the Secretary shall submit to the Committees on Appropriations of the Senate and the House of Representatives not later than 60 days after the date of enactment of this Act, an expenditure plan for the Office of Biometric Identity Management: Provided further, That the total amount made available under this heading, $25,000,000 may not be obligated for the Office of Biometric Identity Management until the Secretary of Homeland Security submits to the Committees on Appropriations of the Senate and the House of Representatives, at the time that the President's budget proposal for fiscal year 2014 is submitted pursuant to the requirements of section 116(a) of title 31, United States Code, a multi-year investment and management plan for the Office of Biometric Identity Management: Provided further, That such multi-year investment and management plan shall include, for the fiscal year and the following 3 fiscal years, for the Office of Biometric Identity Management program, the following—

(1) Appropriations for each activity tied to mission requirements and outcomes, program management capabilities,
performance levels, and specific capabilities and services to be delivered, noting any deviations in cost or performance from the prior fiscal year expenditure or investment and management plan;

(2) the total estimated cost, projected funding by fiscal year, and projected timeline of completion for all enhancements, modernizations, and other capabilities encompassed in such budget and underway, including and clearly delineating associated efforts and funds requested by other agencies within the Department of Homeland Security and in the Federal Government, and detailing any deviations in cost, performance, schedule, or estimated date of completion provided in the prior fiscal year expenditure or investment and management plan; and

(3) a detailed accounting of operations and maintenance, contractor services, and program costs associated with the management of identity services.

OFFICE OF HEALTH AFFAIRS
For necessary expenses of the Office of Health Affairs, $132,900,000, of which $27,702,000 is for salaries and expenses and $83,394,000 is for BioWatch operations: Provided, That $18,907,000 shall remain available until September 30, 2014, for biosurveillance, chemical defense, medical and health planning and coordination, and workforce health protection: Provided further, That not to exceed $2,500 shall be provided for expenses directly related to administering the grants: Provided further, That the Assistant Secretary for the Office of Health Affairs shall submit an expenditure plan and a report to the Committees on Appropriations of the Senate and the House of Representatives not later than 45 days after the date of enactment of this Act.

OFFICE OF COMMUNITY RELIEF
For expenses necessary for programs essential for the protection of the Federal Government and in the Commonwealth of Puerto Rico pursuant to section 2004, for fiscal year 2012, the Commonwealth of Puerto Rico shall make grants to local, and tribal emergency response providers, of which 3 percent may be expended; and (b) the Secretary of Homeland Security based on the following authorities:

(1) The State Homeland Security Grant Program under section 2001 of the Homeland Security Act of 2002 (6 U.S.C. 650): Provided, That, of the total estimated cost of such section 2001 for fiscal year 2012, the Commonwealth of Puerto Rico shall make available to local and tribal governments amounts to provide grants to the Commonwealth of Puerto Rico under this paragraph in accordance with subsection (c)(1) of such section 2001.


(4) The Citizen Corps Program.

(5) Public Transportation Security Assistance and Railroad Security Assistance, under sections 1406 and 1513 of the Implementing Recommendations of the 9/11 Commission Act (6 U.S.C. 135 and 1165), including Amtrak security: Provided, That such public transportation security assistance shall be provided directly to public transportation agencies.


(7) Port Security Grants in accordance with section 70107 of title 46, United States Code.


(11) Buffer Zone Protection Program grants.

(12) Organizations (as described under section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax section 501(a) of such code) determined by the Secretary to be at high risk of a terrorist attack: Provided, That of the amount provided under this heading, $55,000,000 shall be for Operation Stonegarden and no less than $150,000,000 shall be for areas at the highest threat of a terrorist attack: Provided further, That the Secretary shall establish a schedule of current operations for training, exercises, technical assistance, and other programs, of which $15,500,000 shall be for training of State, local, and tribal emergency response providers: Provided further, That for grants under paragraphs (1) through (12), applications for assistance shall be made available to eligible applicants not later than 60 days after the date of enactment of this Act, that eligible applicants shall submit applications not later than 90 days after the date of announcement, and the Administrator of the Federal Emergency Management Agency shall act within 60 days after the receipt of an application: Provided further, That not withstanding section 2008(a)(11) of the Homeland Security Act of 2002 (6 U.S.C. 606(a)(11)) or any other provision of law, a grantee may use not more than 5 percent of the amount of a grant made available under this heading for expenses directly related to administering the grant: Provided further, That 7.02 percent of the amounts provided under this heading shall be transferred to the Federal Emergency Management Agency “Salaries and Expenses” account for administrative purposes: Provided further, That for grants under paragraphs (1) and (2), the installation of communication towers is not considered construction of a building or other physical facility: Provided further, That grantees shall provide reports on their use of funds, as determined necessary by the Secretary of Homeland Security; provided further, That in fiscal year 2013: (a) the Center for Domestic Preparedness may provide training to emergency response providers from the Federal Government, foreign governments, or private entities, if the Center for Domestic Preparedness is reimbursed for the cost of such training, and any reimbursement under this subsection shall be credited to the account from which the expenditure was reimbursed was made and shall be available, without fiscal year limitation, for the purposes for which amounts may be expended; and (b) the Federal Government, foreign governments, or private entities, if the Center for Domestic Preparedness is reimbursed for the cost of such training, and any reimbursement under this subsection shall be credited to the account from which the expenditure was reimbursed was made and shall be available, without fiscal year limitation, for the purposes for which amounts may be expended; (b) the Center for Domestic Preparedness shall ensure that any training provided under (a) does not interfere with the primary mission of the 9/11 Commission Act (6 U.S.C. 135 and 1165), including Amtrak security: Provided, That such public transportation security assistance shall be provided directly to public transportation agencies.

AMENDMENT OFFERED BY MR. FLAKE
Mr. FLAKE. Mr. Chairman, I have an amendment at the desk designated as No. 2.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Mr. FLAKE. Mr. Chairman, I have an amendment at the desk designated as No. 2.
of these are popular programs, and I’m under no illusions about the prospect of this amendment.

But I also understand that these programs were cut heavily last year within the fiscal year 2012 Homeland Security appropriations bill, but it was reported out of the committee with $1.3 billion cut from the previous year and a funding level $2.8 billion less than the President’s request.

By the president’s cuts, this $412 million cut looks a bit chintzy. There are good reasons for this. Setting aside the steep financial precipice that we find ourselves on, and we’re still on, there are some problems with these programs that led to them being cut last year. According to the House appropriations report from 2012:

“The reductions are due to the persistent lack of quantifiable metrics that measure the additional capability that our Nation has gained for the billions of dollars that have been invested” in these grant programs.

In other words, we don’t have good metrics actually to determine if this money is being spent well or not.

That’s important.

“Based on the latest estimates, the Department currently has almost $13 billion in previously appropriated funds that remain unspent dating back to FY2005. This level of unexpended balances is unacceptable.”

That’s what the report reads.

Mr. Chairman, the House Committee on Appropriations approved this bill and the report which accompanies it just the other day. When it did, it appropriated only $1 billion for these programs.

While the conference report increased that to $1.34 billion today, we are preparing to approve a bill that appropriated $1.5 billion to Arizona’s $75,000 more than the House thought appropriate last year.

These programs, I should mention, were heavily criticized last year, and here in Arizona we had massive cuts. What that has meant is the $13 billion in unspent funds that existed less than 1 year ago? The criticisms levied by the House against these programs have been echoed by GAO as well.

In 2009 GAO found that:

“FEMA’s assessments do not provide a means to measure the effective UASI region’s projects that they have had on building regional preparedness capabilities, which is the goal of the program. FEMA has footed the bill for tens of billions of dollars in grants to States and localities with no clear way of telling how the money has improved readiness or national security. In fact, it remains difficult, for many Members of Congress to even know what the funds are being spent on.”

We’ve got to do better than this. When we don’t get good reports back as to how the money is being spent, how can we ensure that additional monies like this are going to be spent in an appropriate manner?

I’m certain that my colleagues want to ensure that money is spent well.

That’s why I think we should simply forego spending this additional amount. That’s what this amendment is intended to do. This amendment would simply reduce the amount appropriated by $412 million, making it level with 2012 funding levels.

Again, we’re trying not to start cutting spending somewhere, and when we increase spending on programs like this, where we don’t get good information from the Agencies that spend it as to whether or not it’s doing the good that it was intended to do, I say this is an area that we should cut.

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

Mr. BROUN of Georgia. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BROUN of Georgia. Mr. Chairman, I rise in support of the gentleman from Arizona’s amendment.

In fact, he beat me to the microphone because I had intended to introduce the same amendment that he is presenting to us now.

I would like to say that this amendment of Mr. FLAKE’s will keep funding the State and local programs that fall under FEMA set at those 2012 levels. It does not affect disaster assistance, only State and local programs.

Mr. Chairman, our Nation is broke and many Agencies, along with entire branches of the Federal Government, are experiencing drastic cutbacks. As it stands, the underlying bill increases funding for State and local FEMA programs by more than $400 million. While I’m well aware that FEMA provides necessary support for various grant training programs, I’m also a firm believer that these would be better regulated solely by State and local governments, not by the Federal Government.

Therefore, I feel it is more than reasonable to ask that, for right now, particularly while we are in such a crisis economically, that we simply freeze funding for these programs at the 2012 level.

I congratulate my friend from Arizona (Mr. FLAKE) for his amendment and I heartily support it. I congratulate him on his longstanding efforts to bring the Federal Government into fiscal sanity. I urge support of this amendment, and I yield back the balance of my time.

Mr. PRICE of North Carolina. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I rise in opposition to this amendment. This amendment would decimate the funding for our FEMA Homeland Security grants. By that I mean the State and local grants on which our communities depend. I mean the transit and rail grants that we’ve heard so much about in this evening’s debate; I mean the port security grants; I mean the UASI grants—the urban area grants that are risk based and targeted to the areas in this country that are under the greatest risk; and other programs of smaller size.

These programs have helped keep our communities safe. After all, our first responders are not the Federal level. Our first responders are at home. And our States and our communities are on the frontlines of responding and preparing to respond, mitigating, and then dealing with disasters—disasters of terrorist attacks, natural disasters, and other major emergencies.

This amendment would return to the 2012 funding levels, which were greatly reduced from previous-year funding levels. In fact, the levels in 2012 were at an all-time-low, but were recently decried by our States and localities. So this year we’ve begun in this bill to build those funding levels where they need to be, and this amendment would wipe all that out in a single stroke.

Mr. Chairman, the author of this amendment has made a great deal of the pace of the spending on these grant programs. I have to say that the figures cited tonight are misleading in the sense that the majority of our grants are made in the course of a single fiscal year. It’s not the case that the funding is spread out over several years.

In other words, we don’t have good metrics actually to determine if this money is being spent well or not.

And so we need to oversee these programs carefully. We need to make sure that they’re being administered in a responsible way.

We need to exercise care in their oversight. The notion that we would come in and wipe it out with a single amendment is just not sitting there. The money is obligated. Of course, after the projects are completed, the full amount will be registered as spent.

I hope this body will reject this amendment.

Mr. DICKS. I would just like to associate myself with the gentleman’s remarks. I feel these programs are very important and that there have been major cuts made in the last 2 years, as I understand it, and that this would just be another major cut on top of this.

I’d like to associate my friend from Georgia, austerity isn’t helping England, it isn’t helping France, it isn’t helping Greece, and it’s not going to help the United States. We need the recovery here at home. That’s what we need—not mindless cutting and slashing of the budget that will throw people out of work and not create jobs for the American people.

Austerity has failed. I think it’s time for the majority to wake up and recognize that.

Mr. BROUN of Georgia. Will the gentleman yield?

Mr. PRICE of North Carolina. I would be happy to yield to the gentleman from Washington.

Mr. DICKS. I would just like to associate myself with the gentleman’s remarks. I feel these programs are very important and that there have been major cuts made in the last 2 years, as I understand it, and that this would just be another major cut on top of this. I’d like to associate my friend from Georgia, austerity isn’t helping England, it isn’t helping France, it isn’t helping Greece, and it’s not going to help the United States. We need the recovery here at home. That’s what we need—not mindless cutting and slashing of the budget that will throw people out of work and not create jobs for the American people.

Austerity has failed. I think it’s time for the majority to wake up and recognize that.
Mr. BROUN of Georgia. I thank my friend from North Carolina for yielding.

I would just remark about, Mr. Chairman, my friend from Washington State’s remark. The countries in Europe are failing because they spend too much time arguing. The government does not make jobs. It’s the private sector that makes jobs. Republicans have passed bill after bill after bill here in the House that HARRY REID throws in the trash can as soon as they get over to the Senate.

We’ve passed bills here that would lower the cost of gasoline and oil. Natural gas, of course, is very low because of the amount that we have, and it’s gone down because the marketplace works. We need to develop our God-given resources.

Mr. PRICE of North Carolina. Reclaiming my time, Mr. Chairman, we are talking here about State and local grant programs whereby the Federal Government shares in emergency preparedness and response. It is virtually without dissent in our communities that this funding is needed.

I yield back the balance of my time.

Mr. ADERHOLT. I move to strike the last word.

The Acting CHAIR. The gentleman from Alabama is recognized for 5 minutes.

Mr. ADERHOLT. We rise to oppose the amendment as well. We have concerns about the cuts in funding as well. I want to go on record that we do have concerns about this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The amendment was rejected.

AMENDMENT OFFERED BY MS. HAHN

Ms. HAHN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk reads as follows:

Page 37, line 18, after the dollar amount insert “(increased by $75,000,000)”.

Page 55, line 2, after the dollar amount insert “(reduced by $75,000,000)”.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. HAHN. My amendment would increase funding for port security grants by $75 million.

I came to Congress to really bring to our colleagues the importance of having safe and secure critical borders, moving goods, and our American citizens. Therefore, I urge my colleagues to support this amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. ADERHOLT. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. ADERHOLT. As I mentioned earlier in the evening, our Nation does have an immediate need to build up our research capacity into pathogens that afflict animals and our food chain and, by extension, human beings. This amendment would put that at risk, and therefore, I would oppose the amendment.

I now yield to the gentlelady from Kansas to have her speak on this amendment as well.

Ms. JENKINS. Mr. Chairman, I thank the gentleman for yielding.

The gentleman from Arizona (Mr. FLAKE) has made a very compelling case to support this amendment, as well as to his colleagues. Unfortunately, the irresponsible cuts that have been made by the current Administration has, in fact, resulted in huge gaps being left unaddressed and security officials unable to build and sustain capabilities needed to prevent, detect, respond to, and recover from a potential attack.

While I commend the chairman and ranking member’s efforts in bolstering funding for State and local homeland security programs this year, this amendment will ensure that the ports receive the funding they need in order to address these gaps in port security of which there are many.

And even though I understand the intended purpose of the National Bio and Agro-Defense Facility, the reality is that this facility was appropriated $75 million even though President did not need or request these funds.

Additionally, Department of Homeland Security is still waiting for the recommended design modifications made by the National Academy of Sciences and for the administration to review the cost and scope of this project which isn’t anticipated to be completed until 2020. I think this money could be better spent on providing critical support for our American ports and inland waterway system which is provided through this Port Security Grant Program.

I urge my colleagues to support this amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. ADERHOLT. Mr. Chairman, I oppose the amendment, and I yield back the balance of my time.

Ms. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from North Carolina is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I hope we’ve established in the course of this discussion tonight that I and our side of the aisle are strongly in favor of the FEMA grants, and that most certainly includes the port grants. And so I commend our colleague for calling our attention to the importance of these port security grants and the need for more funding.

Although in this bill we have begun the process back in terms of restoring funding for the State and local grants and the port grants and the rail and transit grants and the UASI high risk area grants, we’re not there yet. And so our colleague has made a constructive suggestion as to how we might augment this funding.

I do feel obligated, though, to make a comment about the proposed offset. Our colleagues have made some very cogent points about the NBAF project. I believe that with the funding that’s already in the pipeline and the National Academy of Sciences reviews that are underway, that we do not need to include money in this year’s bill for...
to protect ourselves from terrorists around the world. I can assure us here today that terrorists are not sleeping. They are not waiting for this committee to debate. They’re not waiting for conference committees. They’re doing everything they can to strike fear in the hearts of Americans and disrupt our food supply.

This weakness is something that we cannot continue to let go by. That’s why I stand strongly against the Hahn amendment. It’s dangerous for our nation, and it’s dangerous for the American people, and I ask the body to reject it this evening.

I yield back the balance of my time.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. YODER. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Kansas is recognized for 5 minutes.

Mr. YODER. Mr. Chairman, I rise in opposition to the Hahn amendment, which strikes a dagger in our efforts to protect our country, our homeland security, from threats to our food system, our agriculture system, and threats to the American people.

As horrific as it is to imagine, reports show that one of our greatest vulnerabilities is threats to our food supply, to agriculture. One doesn’t have to stretch too far to think how mad cow disease or some other viral spread could spread and undermine our economy and strike fear in the hearts of all Americans. This simply cannot happen.

The Hahn amendment, which completely defunds 100 percent of the National Bio and Agro-Defense Facility in this year’s appropriations bill, would completely set us back, would make us vulnerable to threats to our agricultural system from foreign-borne illnesses and those terrorists who would seek to injure and strike fear in the hearts of Americans.

Currently, our country lacks a biosafety level 4 lab needed to keep our food supply safe. Both Secretary Vilsack and Secretary Napolitano have stated that this is a priority, and it has bipartisan support within the administration. Both President Bush and President Obama have supported it. Homeland security is not a partisan issue. We’re here today to do what we can to protect the American people.

I want to commend the chairman and the committee for their work in ensuring that the National Bio and Agro-Defense Facility was properly funded and that we can move forward and continue

to protect ourselves from terrorists around the world. I can assure us here today that terrorists are not sleeping. They are not waiting for this committee to debate. They’re not waiting for conference committees. They’re doing everything they can to strike fear in the hearts of Americans and disrupt our food supply.

This weakness is something that we cannot continue to let go by. That’s why I stand strongly against the Hahn amendment. It’s dangerous for our nation, and it’s dangerous for the American people, and I ask the body to reject it this evening.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. HAHN).

Ms. HAHN. I demand a recorded vote.

Ms. HAHN. I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT OFFERED BY MR. HIGGINS

Ms. HAHN. I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

Mr. HIGGINS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk reads as follows:

Page 57, line 2, after the dollar amount inserted "(reduced by $58,000,000)"

Page 55, line 2, after the dollar amount inserted "(reduced by $58,000,000)"

Page 55, line 4, after the dollar amount inserted "(reduced by $58,000,000)"

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. HIGGINS. Mr. Chairman, my amendment, which is cosponsored by Representative STIVERS, is a bipartisan effort to provide public safety by funding to communities across the country that have been determined to be at high risk of a terrorist threat.

This amendment would provide for an additional $58 million to State and local grant programs that the Secretary of Homeland Security should use to increase eligibility for the Urban Areas Security Initiatives to all communities at high risk, including Buffalo, which I represent. The intent is to restore the eligibility of these communities to again participate in the UASI program after being unfortunately cut out in the past.

The Buffalo-Niagara region was made ineligible without merit. The area includes four international border crossings and the busiest passenger crossing along the northern border with Canada, the largest electricity producer in New York State, and the area was home to the al Qaeda terrorist cell, the Lackawanna Six. It sits along two Great Lakes, which contain the largest freshwater wetlands in the world, and is within a 500-mile radius of 55 percent of the American population and 62 percent of the Canadian population.

Buffalo is not alone either. Border communities like El Paso, San Antonio, and Austin were cut as well. Cities in close proximity to large ports, refineries, and utilities like Columbus, New Orleans, Memphis, Nashville, and Oklahoma City were cut as well. Thirty-six states left no funding for communities across the country. Now, as we are only beginning to realize the threats posed by these places, it is penny-wise and pound-foolish to leave them without the resources to maintain the capacity gains they developed throughout this program.

Mr. Chairman, the 9/11 Commission made it clear that protecting the homeland from terrorist threats can and should be a Federal priority. Yet the Department has hedged on this commitment by excluding too many vulnerable communities that need to participate in this Department of Homeland Security program. We know that the threats to these areas are real, and we should be doing everything possible to provide law enforcement with the tools to prevent and to respond to them.

Again, Mr. Chairman, I urge my colleagues to support this bipartisan amendment because the threat to these communities is real and it is dynamic. We should be doing everything that we can to empower these communities to protect themselves from these threats.

I yield back the balance of my time.

Mr. ADERHOLT. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Alabama is recognized for 5 minutes.

Mr. ADERHOLT. Mr. Chairman, I would strongly urge my colleagues to support fiscal discipline as well as critical research and development. Therefore, with the concerns we have about the gentleman’s amendment, we ask for a "no" vote on this amendment.

I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from North Carolina is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, here we have another amendment dealing with FEMA grants. And once again, we’ve come to appreciate the need for more robust support for urban area grants, for State and local grants, for transit and port grants, rail grants, the kind of protective efforts that our communities require. We are reminded again that those grants have been cut very drastically in recent years, and in this bill we are only beginning to bring them back to the levels required.

So I want to commend our colleagues for this amendment, which proposes $58 million, I believe, in increased funding for these grants. This is money that could be well spent, wisely spent, prudently spent by our States and local communities.
Again, I simply call attention to the problems posed by the offset. Members will have to make their own judgments about this. The money is taken out of the Science and Technology Directorate at the Department of Homeland Security, taken out of the labs, accounts, as I understand it, which does include the NBAF item discussed earlier, but isn’t limited to NBAF.

I just remind colleagues that science and technology research activities have been cut 60 percent over the last 2 years. And so there’s an increase in this bill. We fought our way back in this area, too, in this bill, restoring some of those cuts against the baseline that was way too low. And so the science and technology—this is not free money. This is related just as surely as anything in the bill to this country’s security, and its underinvested in at the moment. So we do have to weigh competing values here, and certainly in the balance the science and technology priorities deserve serious consideration.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. HIGGINS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. HIGGINS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings in the amendment offered by the gentleman from New York will be postponed.

The Clerk will read.

The Clerk read as follows:

FIREFIGHTER ASSISTANCE GRANTS

For necessary expenses for programs authorized by the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.), $670,000,000, to remain available until September 30, 2015, for the purpose of assisting fire departments, including administrative costs of collection of fees, that fees shall be equitable and shall reflect costs of providing such services, including administrative costs of collecting fees that fees received under this heading shall be deposited in this account as offsets collections and will become available for authorized purposes on October 1, 2013, and remain available until September 30, 2015.

UNITED STATES FIRE ADMINISTRATION


DISASTER RELIEF FUND (INCLUDING TRANSFER OF FUNDS)


DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974, gross obligations for the principal amount of direct loans shall not exceed $35,000,000.

FLOOD HAZARD MAPPING AND RISK ANALYSIS PROGRAM

For necessary expenses, including administrative costs, under section 1396 of the National Flood Insurance Act of 1968 (42 U.S.C. 4011), $52,145,000, and such additional sums as may be provided by State and local governments or other political subdivisions for cost-shared mapping activities under section 1396(b)(2) of such Act (42 U.S.C. 4011(b)(2)), to remain available until expended.

NATIONAL FLOOD INSURANCE FUND

For activities under the National Flood Insurance Act of 1968 (42 U.S.C. 4011), $71,017,000,000, and such additional sums as may be provided by State and local governments or other political subdivisions for cost-shared mapping activities under section 1396(b)(2) of such Act (42 U.S.C. 4011(b)(2)), to remain available until expended.
management and flood mapping, which shall remain available until September 30, 2014: Provided further, That any additional fees collected pursuant to section 1308(d) of the National Flood Insurance Act of 1968 (42 U.S.C. 4017c) shall be credited as an offsetting collection to this account, to be available for flood plain management and flood mapping. That in fiscal year 2013, no funds shall be available from the National Flood Insurance Fund under section 1310 of that Act (42 U.S.C. 4017f) in excess of: (1) $300,000,000 for operating expenses; (2) $1,056,692,000 for commissions and taxes of agents; (3) such sums as are necessary for interest on Treasuries held; and (4) $120,000,000, which shall remain available until expended, for flood mitigation actions; for reinsurance claims proper- ties under section 1233 of the National Flood Insurance Act of 1968 (42 U.S.C. 4030); and for flood mitigation assistance under section 1306 of the National Flood Insurance Act of 1968 (42 U.S.C. 4030); notwithstanding subparagraph (B) and (C) of subsection (b)(3) and subsection (f) of section 1306 of the National Flood Insurance Act of 1968 (42 U.S.C. 4017a).

Provided further, That the amounts collected under the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a) and section 1306(i) of the National Flood Insurance Act of 1968 shall be deposited in the National Flood Insurance Fund to supplement other amounts specified as available for section 1306 of the National Flood Insurance Act of 1968, notwithstanding subsection (f)(8) of such Act. Provided further, That total administrative costs shall not exceed 3 percent of the total amount made available under this heading.

EMERGENCY FOOD AND SHELTER

For the predisaster mitigation grant program under section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c), $14,331,000, to remain available until expended: Provided, That the total administrative costs associated with such grants shall not exceed 3 percent of the total amount made available under this heading.

For necessary expenses of the Federal Law Enforcement Training Center, including materials and support costs of Federal law enforcement basic training; the purchase of not to exceed 115 vehicles for police-type use and hire of passenger motor vehicles; expenses for student athletic and related activities; the conduct of participation in firearms matches and presentation of awards; public awareness and enhancement of community support of law enforcement training; room and board for student interns; a flat monthly reimbursement to employees authorized to use personal mobile phones for official duties; and services as authorized by section 3109 of title 5, United States Code; $228,467,000; of which up to $41,758,000 shall remain available until September 30, 2014, for materials and support costs of Federal law enforcement basic training; which $300,000 shall remain available until expended to be distributed to Federal law enforcement agen- cies for expenses incurred participating in training activities which do not exceed $10,200 shall be for official reception and representation expenses: Provided, That the Center is authorized to obligate funds in anticipation of reimbursements from agen- cies receiving training sponsored by the Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources for the fiscal year: Provided further, That the Director of the Federal Law Enforcement Training Center shall develop a schedule for reimbursement to Federal agencies, and that any obligations remaining available as of September 30 of each fiscal year shall be for official reception and representation expenses.

For necessary expenses of the Federal Law Enforcement Training Center, including instructional and non-Federal accreditation experts involved in law enforcement training, to ensure that such training facilities are oper- ational, which shall not exceed total budgetary resources for that fiscal year: Provided further, That the Director of the Federal Law Enforcement Training Center shall ensure that such training facilities are operational, which shall not exceed total budgetary resources for that fiscal year: Provided further, That the Director of the Federal Law Enforcement Training Center shall develop a schedule for reimbursement to Federal agencies, and that any obligations remaining available as of September 30 of each fiscal year shall be for official reception and representation expenses: Provided, That the Center is authorized to accept reimbursement to this appropriation from government agencies requesting the construction of special use facili- ties. For acquisition of additional real property and facilities, construction, and ongoing facility improve- ments, and related expenses of the Federal Law Enforcement Training Center, $27,385,000; to remain available until Septem- ber 30, 2014: Provided, That the Center is authorized to accept reimbursement to this appropriation from government agencies requesting the construction of special use facili- ties. For acquisition of additional real property and facilities, construction, and ongoing facility improve- ments, and related expenses of the Federal Law Enforcement Training Center, $27,385,000; to remain available until Septem- ber 30, 2014: Provided, That the Center is authorized to accept reimbursement to this appropriation from government agencies requesting the construction of special use facili- ties.

SCIENCE AND TECHNOLOGY

For salaries and expenses of the Office of the Under Secretary for Science and Tech- nology and for management and administra- tion of programs and activities, as author- ized by title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.), $130,000,000: Provided, That not to exceed $8,500 shall be for official reception and representation expen- ses.

Mr. ADERHOLT (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 54, line 19, be considered as read, printed in the RECORD, and open to amendment at any point.

The Acting CHAIR. Is there objection to the request of the gentleman from Alabama?

There was no objection. The Acting CHAIR. Are there any amendments to that portion of the bill?

If not, the Clerk will read. The Clerk read as follows:

RESEARCH, DEVELOPMENT, ACQUISITION, AND OPERATIONS

For necessary expenses for science and technology research, including advanced re- search projects, development, test and eval- uation, acquisition, and operations as au- thorized by title III of the Homeland Secu- rity Act of 2002 (6 U.S.C. 181 et seq.), and the purchase or lease of not to exceed 5 vehicles, $695,971,000, of which $493,539,000 shall remain available until September 30, 2015; and of not to exceed $32,000,000, available until September 30, 2017, solely for operation and construction of laboratory facilities: Provided, That $20,000,000 shall not be avail- able for obligations incurred by the Secretary of Homeland Security submits to the Commit- tees on Appropriations of the Senate and the House of Representatives an updated plan for the expenditure of fund, and reconstruction of the National Bio- and Agro-defense Facility. AMENDMENT OFFERED BY MR. BISHOP OF NEW YORK

Mr. BISHOP of New York. Mr. Chairman, I have an amendment at the desk. The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 55, line 3, after the dollar amount in- set "(increased by $75,000,000)".

Page 55, line 4, after the dollar amount in- set "(reduced by $75,000,000)".

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BISHOP of New York. Mr. Chairman, my amendment reduces by $75 million the amount that DHS can spend on construction of labor- atory facilities—specifically, the Na- tional Bio and Agro-Defense Facility, or NBAF, planned for Manhattan, Kan- sas—and returns those funds to the re- search expenditures for construction of the National Bio- and Agro-defense Facility.
While it is correct that earlier this year DHS indicated this risk had been mitigated with additional design features, the National Academy of Sciences is still revising the Revised Risk Assessment. Common sense requires that until the Revised Risk Assessment is completed, we should not be entertaining the idea of appropriating precious taxpayer dollars for construction of this project.

NBAF has also become a financial boondoggle. The estimated cost of construction has skyrocketed from the original estimate of $461 million only a few years ago to well over $1 billion today. At this time, it is a colossal risk to the American taxpayer to advance a project the cost of which has doubled in less than 5 years, and when funding for fiscal years 2011 and 2012 remain unobligated.

At a time when my Republican colleagues continually argue that our Nation’s debt is out of control and the deficit must be reduced, it is both hypocritical and unwise to spend taxpayer dollars that the President has not requested for a project that is still under design review, to be placed in a region that is acutely sensitive to the horrific diseases that will be studied at the facility. The only logical, responsible thing to do while the many questions surrounding NBAF remain unanswered is to wait to invest taxpayers’ hard-earned money and continue to utilize existing DHS assets to study the very diseases that face our agricultural community.

Mr. Chairman, funding for the construction of NBAF is tantamount to a $75 million earmark for the Kansas delegation. Funds were not included in the President’s budget, and the project has yet to spend the money that has already been appropriated. DHS has other important research and more pressing construction projects than NBAF. I urge my colleagues to support my amendment, and I yield back the balance of my time.

Mr. ADERHOLT. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Alabama is recognized for 5 minutes.

Mr. ADERHOLT. Mr. Chairman, I oppose the amendment because of concerns that we had earlier about the importance of the NBAF program that the administration has stressed, and also the need that was stressed in our hearings earlier in the spring.

At this time I’d like to yield to the lady from Kansas to speak on this amendment as well.

Ms. JENKINS. I thank the gentleman for yielding.

The first priority of the Federal Government is to protect the American people, and the National Bio and Agro-Defense Facility has been declared necessary for that protection.

The Department of Homeland Security, under both the Bush and Obama administrations, and the House Appropriations Committee under both Democratic and Republican leadership, have made it quite clear time and time again that the country needs the NBAF, and the best place to do that research is in Manhattan, Kansas.

Congress has already appropriated $90 million, and the State of Kansas and the city of Manhattan have already committed more than $200 million towards the project. For the record, the calculations performed in this updated SSRA that were presented today indicate that the estimated probability that an accident happening at this facility was less than 11 percent.

While again, this proposal might be nice if we had a surplus, the result of this amendment will be stopping or delaying construction of this vital NBAF facility, jeopardizing our security and the projects and protections we need. I urge the body to reject this amendment.

Mr. ADERHOLT. I yield back the balance of my time.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Chairman, I rise in support of the amendment offered by my friend from New York (Mr. BISHOP), an amendment that will increase funding for research and development activities within the Science and Technology Directorate by $75 million, and it will dictate that no new appropriated funds will be available in fiscal year 2013 for the National Bio and Agro-Defense Facility, NBAF. I stress, no new funds.

The administration did not request funds for NBAF in 2013, and I simply cannot support inclusion of the $75 million contained in this bill until the two National Academy of Sciences reviews are completed on the security of this new facility to prevent the accidental release of foot-and-mouth virus or other harmful pathogens.

Members may recall that the GAO, the National Academy of Sciences, and Congress itself have had longstanding concerns about the decision to relocate the National Bio and Agro-Defense Facility to the mainland unless we have a comprehensive and validated strategy to prevent the release of foot-and-mouth virus and other harmful pathogens into the community.

In 2011, the National Academy of Sciences found that, based on preliminary designs of the facility, there would be a 50 percent risk of a release of foot-and-mouth disease leading to infection outside the laboratory. The economic cost was estimated to be between $9 billion and $50 billion over the next 50 years as the life span of NBAF would be projected.

DHS has done its site security risk assessment now that the NBAF design is further along, adding additional protective measures suggested by the original National Academy study. As required by statute, the National Academy is reviewing the site security risks again to take into account these new mitigation strategies.

Now, even if we assume that the National Academy gives a positive review to NBAF, and I very much hope such a review will be warranted, the facility has 2 years of previously appropriated funds that remain unobligated. Science and Technology has these funds will permit construction to begin and fund all necessary activities through fiscal year 2013, so the $75 million included in the bill before us is not needed at this time and will not be needed in the new fiscal year.

This $75 million set-aside in the bill for NBAF has some serious consequences for the science and technology function. It will eliminate most, if not all, funding for new research projects that they plan to begin in 2013. These projects focus on critical homeland security capabilities and would do the following: improve maritime transit security, improve explosive detection capability for mass transit, bulk cargo and suicide bombers, provide building security and checkpoint security with a stand-off ability to detect trace explosives on people and personal items, develop countermeasures against high-priority diseases that threaten U.S. livestock, provide building and facility operators a rapid warning and response capability to protect occupants in the event of a chemical or biological attack, and would improve the national, State and local ability to respond to and recover from the effects of a nuclear radiological attack.

Mr. Chairman, that is an impressive list of research priorities. We should take very, very seriously any budget proposal that would displace or move aside these research priorities.

So, under this amendment, this $75 million will be returned to this critical research and development function, restoring these efforts, taking them back to their requested level. These funds will permit S&T to resume research and development work on 22 projects in fiscal year 2012 and would increase funding for 34 projects in the important Homeland Security missions such as border security, bio security, chemical security, explosives detection, hostile behavior detection and disaster resiliency.

There’s a lot at stake in this amendment, my colleagues. I urge you to adopt it.
I yield back the balance of my time. Mr. HUELSKAMP. I move to strike the last word.

The Acting CHAIR. The gentleman from Kansas is recognized for 5 minutes.

Mr. HUELSKAMP. Mr. Chairman, as a farmer and rancher myself, I am very concerned about this amendment. One might be led to believe that with the adoption of this amendment, somehow important research would continue. Actually the opposite is true, Mr. Chairman.

We spend billions and billions of dollars in this country that are based on our livestock industries, and unless this Congress and this President continue forward with a plan to build a BSIL level 4 security research facility, we will not do the necessary research to protect critical industries, livestock industries in particular, in this Nation. Let me identify two diseases, the Hendra virus and the Nipah virus, that research is not occurring on right now. The first outbreak of these viruses was in Australia in 1994. It killed 13 horses. But more importantly, it killed a number of humans. It's a zoonotic disease, and the research is not occurring now.

Secondly, how about the Nipah virus? First identified in Malaysia in 1999, the outbreak resulted in the killing of more than 1 million hogs and 257 cases in humans, killing 105 of them. Without this type of research, Mr. Chairman, these are the kinds of viruses we have no protection for. Folks might say, well, don't worry, if we would have this type of virus in America, we can outsource the research to friendly countries, Australia and Canada, that will do the research for us.

But, Mr. Chairman, I'm not willing to rely on outsourcing the protection of very important industries. And these are just accidental outbreaks. There are numerous other viruses, numerous other diseases that are in the hands, I believe—and research will show—in the hands potentially of our enemies. We need to be able to oppose this amendment and protect our key vital food and agriculture industries from accidental, as well as potential bioterrorist, attacks.

So I urge my colleagues to oppose this amendment and defend our critical industries.

I yield back the balance of my time.

The Acting CHAIR (Mr. Bass of New Hampshire). The question is on the amendment offered by the gentleman from New York (Mr. BISHOP).

The question was taken; and the Acting Chair announced that the nay appeared to have it.

Mr. BISHOP of New York. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

The Clerk will read.

The Clerk reads as follows:

DOMESTIC NUCLEAR DETECTION OFFICE
MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the Domestic Nuclear Detection Office, as authorized by title XIX of the Homeland Security Act of 2002 (6 U.S.C. 591 et seq.), managing, and administration of programs and activities, $38,000,000: Provided, That not to exceed $2,500 shall be for official reception and representation expenses:

(1) defines each departmental entity's roles and responsibilities in support of the domestic detection architecture, including any existing or planned pre-screen cargo or conveyances overseas;

(2) identify and describe the specific investments being made by departmental components in fiscal year 2014, to support the domestic architecture and the security of sea, land, and air pathways into the United States;

(3) describes the investments necessary to close known vulnerabilities and gaps, including associated costs and timeframes, and estimates of feasibility and cost effectiveness; and

(4) explain how the Department's research and development funding is furthering the implementation of the domestic nuclear detection architecture, including specific investments planned for each of fiscal years 2013 and 2014.

Research, Development, and Operation:

For necessary expenses for radiological and nuclear research, development, testing, evaluation, and operations, $226,830,000, to remain available until September 30, 2014.

SYSTEMS ACQUISITION

For expenses of the Domestic Nuclear Detection Office acquisition and deployment of radiological detection systems in accordance with the global nuclear detection architecture, $55,556,000 to remain available until September 30, 2015.

TITLE V

GENERAL PROVISIONS

INCLUDING REISIONS OF FUNDS

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. Subject to the requirements of section 503 of this Act, the unexpended balances of prior appropriations for activities in this Act may be transferred to appropriations for such activities established pursuant to this Act, may be merged with funds in the applicable established accounts, and thereafter may be accounted for as available for the same time period as originally enacted.

SEC. 503. (a) None of the funds provided by this Act, provided by previous appropriations Acts to the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2013, or provided from any collections by this Act, shall be available for obligation or expenditure through an amendment of funds provided by this Act for any of the following purposes:

(1) creates a new program, project, or activity;

(2) eliminates a program, project, office, or activity;

(3) increases funds for any program, project, or activity for which funds have been denied or restricted in previous law or appropriations Acts;

(4) proposes to use funds directed for a specific activity by either of the Committees on Appropriations of the Senate or the House of Representatives for a different purpose; or

(5) contracts out any function or activity for which funding levels were requested for Federal full-time equivalents in the object classification tables contained in the fiscal year 2013 Budget Appendix for the Department of Homeland Security, as modified by the joint explanatory statement accompanying this Act, unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided by this Act, provided by previous appropriations Acts to the agencies in or transferred to the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2013, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for programs, projects, or activities through a reprogramming of funds of $5,000,000 or 10 percent, whichever is less, that:

(1) augments existing programs, projects, or activities;

(2) reduces by 10 percent funding for any existing program, project, or activity, or reduces the numbers of personnel by 10 percent as approved by the Congress; or

(3) results from any general savings from a reduction in personnel that would result in a change in existing programs, projects, or activities as approved by the Congress, unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such transfer.

(c) Notwithstanding subsections (a), (b), and (c) of this section, no funds shall be reprogrammed within or transferred between appropriations after June 30, except in extraordinary circumstances that imminently threaten the safety of human life or the protection of property.

(e) The notification thresholds and procedures set forth in this section shall apply to any use of deobligated balances of funds provided in previous Department of Homeland Security Appropriations Acts.

SEC. 504. The Department of Homeland Security may use Federal funds made available for the Working Capital Fund, except for the actuarial reserves of the Working Capital Fund, to pay obligations incurred by the Department of Homeland Security after the end of fiscal year 2012, by this Act:

(1) creates a new program, project, or activity;

(2) eliminates a program, project, office, or activity;

(3) increases funds for any program, project, or activity for which funds have been denied or restricted in previous law or appropriations Acts;

(4) proposes to use funds directed for a specific activity by either of the Committees on Appropriations of the Senate or the House of Representatives for a different purpose; or

(5) contracts out any function or activity for which funding levels were requested for Federal full-time equivalents in the object classification tables contained in the fiscal year 2013 Budget Appendix for the Department of Homeland Security, as modified by the joint explanatory statement accompanying this Act, unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such reprogramming of funds.
Capital Fund shall be available for obligation until expended to carry out the purposes of the Working Capital Fund: Provided further, That all departmental components shall be charged direct unappropriated costs of the Working Capital Fund service: Provided further, That the Working Capital Fund shall be paid in advance or reimbursed at rates which will return the full cost of each service: Provided further, That the Working Capital Fund shall be subject to the requirements of section 505 of this Act.

Notwithstanding any other provision of law, no agency shall purchase, construct, or award contracts, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training, if the Inspector General determines that compliance with this section.

B. The Secretary of Homeland Security may waive the prohibition under subsection (a) of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2013 until the enactment of an Act authorizing intelligence activities for fiscal year 2013.

SEC. 506. Funds made available by this Act for intelligence activities are deemed to be specified by the Committees on Appropriations of the Senate and the House of Representatives for appropriation in accordance with section 503 of this Act.

SEC. 507. Funds made available by this Act for intelligence activities are deemed to be specified by the Committees on Appropriations of the Senate and the House of Representatives for appropriation in accordance with section 503 of this Act.

SEC. 514. Within 45 days after the end of each month, the Chief Financial Officer of the Department of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives a monthly budget and staffing report for that month which includes total obligations, full-time equivalent staffing levels, and the number of contract employees for each Office of the Department.

SEC. 515. Funds made available in this Act may be used in contravention of the applicable provisions of the Buy American Act, if the Buy American Act, as defined in section 237 of the Homeland Security Act of 2002 (6 U.S.C. 142(a)), applies, to the extent that it is determined that there is a reasonable expectation that U.S. products will be available and that such use is in the public interest.

SEC. 516. Any funds appropriated to Coast Guard “Acquisition, Construction, and Improvements” for fiscal years 2002, 2003, 2004, 2005, and 2006 for the 110-123 foot patrol boat conversion that are recovered, collected, or otherwise received as the result of negotia-

TIONS (b) and (c), none of the funds appropriated in this Act may be used in contravention of applicable laws and regulations.

The Inspector General shall report the results of the reviews to the Committees on Appropriations of the Senate and the House of Representatives in a manner determined under section 501 note).
to fund any position designated as a Principal Federal Official (or the successor there-

(1) the responsibilities of the Principal Federal Official do not include operational functions or incident management, including coordination of operations, and are consistent with the requirements of section 509(c) and sections 583(c)(3) and 563(c)(4)(A) of the Homeland Security Act of 2002 (6 U.S.C. 319(c) and 313(c)(3) and 313(c)(4)(A)) and section 302 of the Robert T. Stafford Disaster Relief and Assistance Act (42 U.S.C. 5145).

(2) the individual designated shall be the person whom the Secretary of Homeland Security appoints the Principal Federal Official on the date on which the President issues a declaration under section 401 or section 501 of the Robert T. Stafford Disaster Relief and Assistance Act (42 U.S.C. 5170 and 5191), respectively, the Secretary of Homeland Security shall notify the Committees on Appropriations of the Senate and the House of Representatives that the appointment of the person who will perform the functions described in paragraph (1) to the Committees.

(3) not later than 60 days after the date of enactment of this Act, the Secretary shall provide a report specifying timeframes and milestones regarding the update of operations, planning and policy documents, and training and exercise protocols, to ensure consistency with paragraph (1) of this section.

SEC. 521. None of the funds provided or otherwise made available in this Act shall be available to carry out section 572 of the Homeland Security Act of 2002 (6 U.S.C. 452).

SEC. 522. None of the funds made available in this Act may be used by United States Citizenship and Immigration Services to grant an immigration benefit unless the results of background checks required by law to be completed prior to the granting of the benefit established by United States Citizenship and Immigration Services, and the results do not preclude the granting of the benefit.


(1) in subsection (a), in the matter preceding paragraph (1), by striking “September 30, 2012” and inserting “September 30, 2013”;

(2) in subsection (c)(1), in the matter preceding subparagraph (A), by striking “September 30, 2012” and inserting “September 30, 2013”.

SEC. 524. The Secretary of Homeland Security shall require that all contracts of the Department of Homeland Security that include award fees link such fees to successful acquisition outcomes (which outcomes shall be specified in terms of cost, schedule, and performance).

SEC. 525. None of the funds made available to the Office of the Secretary and Executive Management under this Act may be expended for any new hires by the Department of Homeland Security that are not verified through the E-Verify Program as described in section 274A(h)(3) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)(3)).

SEC. 526. None of the funds made available in this Act may be used to pay fees for contractor performance that has not met the basic requirements of a contract.

SEC. 527. The Secretary of Homeland Security, in consultation with the Secretary of the Treasury, shall notify the Committees on Appropriations of the Senate and the House of Representatives of any proposed transfers of funds available under section 9703.1(g)(4)(B) of title 31, United States Code (as added by Public Law 102–359) from the Department of the Treasury Forfeiture Fund to any agency within the Department of Homeland Security. That none of the funds identified for such a transfer may be obligated until the Committees on Appropriations of the Senate and the House of Representatives approve the proposed transfers.

SEC. 528. None of the funds made available in this Act may be used for planning, testing, piloting, or developing a national identification card.

SEC. 529. If the Administrator of the Transportation Security Administration determines that a company does not need to participate in the E-Verify Program as described in section 433(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a(h)(3)), the Administrator shall certify to the Committees on Appropriations of the Senate and the House of Representatives that no security risks will result from such non-participation.

SEC. 530. (a) Notwithstanding any other provision of law during fiscal year 2013 or any subsequent fiscal year, the Secretary of Homeland Security shall ensure that the Administrator of General Services sells through public sale all real and related personal property at the former site of Plum Island operations, subject to such terms and conditions as may be necessary to protect Government interests and meet program requirements.

(b) The proceeds of the sale described in subsection (a) shall be deposited as offsetting collections into the Department of Homeland Security—Science and Technology—Research, Development, Acquisition, and Operations” account and, subject to appropriation, shall be available until expended, to build and operate a program that supports Plum Island operations, subject to such terms and conditions as may be necessary to protect Government interests and meet program requirements.

SEC. 531. The Administrator is required by this Act to report to or certify to the Committees on Appropriations of the Senate and the House of Representatives that the Executive Office of the President has the authority to perform any act unless specifically authorized herein.


SEC. 533. None of the funds appropriated or otherwise made available in this Act may be used to transfer, release, or assist in the transfer or release to or within the United States to any person or entity, including any of the following who are present in the United States: (i) Khalid Sheikh Mohammed; (ii) any other detained alien who—

(1) is a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 534. None of the funds made available in this Act may be used to pay, or to assist in the payment of, any accrued or future fee, cost, or other expense by the employees of agencies funded by this Act in contravention of sections 301–10.122 through 301.10–124 of title 41, Code of Federal Regulations.

SEC. 535. None of the funds made available in this Act may be used to propose or effect a disciplinary or adverse action, with respect to any Department of Homeland Security employee who engages regularly with the public in the performance of his or her official duties solely because that employee elects to utilize protective equipment or measures, including but not limited to surgical masks, N95 respirators, gloves, or hand sanitizers, where use of such equipment or measures is in accord with Department of Homeland Security policy, and Centers for Disease Control and Prevention and Office of Personnel Management.

SEC. 536. None of the funds made available in this Act may be used to employ workers described in section 274a(h)(3) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)(3)).

SEC. 537. (a) Any company that collects or retains personal information directly from any individual who participates in the Registered Traveler or successor program of the Transportation Security Administration shall safeguard and dispose of such informa-

(1) the National Institute for Standards and Technology Special Publication 800–30, entitled “Risk Management Guide for Information Technology Systems”;

(2) the National Institute for Standards and Technology Special Publication 800–30, Revision 3, entitled “Recommended Security Controls for Federal Information Systems and Organizations,”; and

(3) any supplemental standards established by the Administrator of the Transportation Security Administration (referred to in this section as the “Sponsoring Entity”) that is in accord with the requirements under subsection (a).

SEC. 538. Notwithstanding any other provision of law during fiscal year 2013 or any subsequent fiscal year, the Secretary of the Treasury, in consultation with the Administrator of General Services, shall maintain a list of the names and addresses of individuals who do not meet the basic requirements of a contract.

SEC. 539. (a) Not later than 90 days after the date of enactment of this Act, the Administrator of General Services shall submit to the Committees on Appropriations of the Senate and the House of Representatives that no security risks will result from such non-participation.
(1) certifies that the requirement for screening all air cargo on passenger aircraft by the date of enactment of this subsection (490(g) of title 49, United States Code, has been met; or
(2) includes a strategy to comply with the requirements under title 490(g) of title 49, United States Code,
(A) a plan to meet the requirement under section 490(g) of title 49, United States Code, to screen 100 percent of air cargo transported on passenger aircraft arriving in the United States from foreign air transportation (as that term is defined in section 40102 of that title); and
(B) includes the following:
(i) the percentage of such air cargo that is being screened; and
(ii) the schedule for achieving screening of 100 percent of such air cargo.
(b) The Administrator shall continue to submit reports described in subsection (a)(2) every 90 days until the Administrator certifies that the Transportation Security Administration has achieved screening of 100 percent of such air cargo.

Sec. 542. None of the funds appropriated or otherwise made available by this Act may be used by the Department of Homeland Security to enter into any Federal contract unless such contract is entered into in accordance with applicable laws, regulations, and guidance.

Sec. 543. (a) Notwithstanding section 286(n) of the Immigration and Nationality Act (8 U.S.C. 1356(n)), of the funds deposited into the Immigration Examinations Fee Account, $9,200,000 shall be available to United States Citizenship and Immigration Services in fiscal year 2013 for the purpose of providing an immigration ombudsman program.
(b) None of the funds made available to United States Citizenship and Immigration Services for grants for immigrant integration may be used to provide services to aliens who have not been lawfully admitted for permanent residence.

Sec. 544. None of the funds appropriated or otherwise made available by this Act may be used by the Department of Homeland Security to enter into any Federal contract unless such contract is entered into in accordance with applicable laws, regulations, and guidance.

Sec. 545. The Secretary of Homeland Security shall ensure enforcement of immigration laws (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17))).


(b) The President’s budget request shall include provisions to offset any budgetary cost associated with the provisions of subsection (a).


Sec. 549. (a) RESTRICTION.—Except as provided in subsection (b), the Secretary and the Deputy Secretary of Homeland Security and the Commandant of the Coast Guard may not travel aboard any Coast Guard owned or operated fixed-wing aircraft after the date of the President’s budget request for fiscal year 2014 if the Secretary has not provided the Committees on Appropriations of the House of Representatives and the Senate the Comprehensive Strategy Report required in title I and the Commandant has not provided the Capital Investment Plan, Acquisition, Construction and Improvement of title II.
(b) EXCEPTION.—Subsection (a) shall not apply in the case of travel aboard an aircraft described in paragraph (1) to respond to a major disaster or emergency declared under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170);
(2) to respond to a discharge classified as a spill of national significance under part 206 of title 40, Code of Federal Regulations;
(3) for evacuation purposes, including for a medical emergency; or
(4) to respond to an emergency national security issues as required by the President.

Sec. 550. Notwithstanding Office of Management and Budget Circular A-11, in a budgetary submission to the Committees on Appropriations of the House of Representatives and the Senate in writing not later than 5 days after engaging in travel prohibited in subsection (a) or (b) or an exception provided in subsection (b).

Sec. 551. (a) The President, acting through the Administrator of the Federal Emergency Management Agency, may, if the President deems it appropriate, by rule prescribe procedures to administer assistance for debris and wreckage removal provided under sections 403(a)(3)(A), 407, and 502(a)(5) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170b(a)(3)(A), 5173, and 5192(a)(5)).

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(b) The new procedures established under paragraph (a) may include—

(1) making grants on the basis of fixed estimates to provide financial incentives and disincentives to ensure timely and cost-effective completion of projects under sections 400(a)(3)(A), 407, and 502(a)(5) of such Act if the State, local government, or owner or operator of a non-profit facility agrees to be responsible to pay for any actual costs that exceed the estimate;

(2) using a sliding scale for the Federal share of costs for debris and waste removal based on the time it takes to complete debris and wreckage removal;

(3) allowing utilization of program income from recycled debris without offset to grant amount;

(4) reimbursing base and overtime wages for employees and extra hires of a State, local government, or owner or operator of a private non-profit facility performing or administering debris and wreckage removal; and

(5) notwithstanding any other provision of law, if the actual costs of projects under subparagraph (b)(1) are less than the estimated costs, the Administrator may refund to a grantee or sub-grantee to use all or part of the excess funds for any of the following purposes:

(A) Debris management planning;

(B) Acquisition of debris management equipment for current or future use.

(C) Other activities to improve future debris management operations, as determined by the Administrator.

SEC. 552. (a) Of the amounts made available by this Act for ‘‘Department of Homeland Security—National Protection and Programs Directorate—Infrastructure Protection and Information Security—Federal Network Security’’ $302,000,000 shall be used to deploy on Federal systems technology to improve the information security of agency information systems covered by section 553(a) of title 44, United States Code: Provided, That funds made available under this section shall be used to assist and support Government-wide and agency-specific efforts to provide adequate, risk-based, and cost-effective cybersecurity to address escalating and rapidly evolving threats to information security, including the office of the Department of Homeland Security of an automated and continuous monitoring program that includes equipment, software, and Department of Homeland Security-related assets: Provided further, That not later than January 1, 2013, and quarterly thereafter, the Under Secretary of Homeland Security of the National Protection and Programs Directorate shall submit to the Committees on Appropriations of the Senate and House of Representatives a report on the obligation and expenditure of funds made available under this section: Provided further, That automated and continuous monitoring software procured by the funds made available by this section shall not collect or store personally identifiable information, nor monitor the content of network traffic: Provided further, That such system shall be installed, maintained, and operated in accordance with all applicable privacy laws and agency-specific restrictions on access to personally identifiable information.

(b) Funds made available under this section may not be used to supplant funds provided for any such system within an agency budget.

(c) Not later than April 1, 2013, the heads of all Federal agencies shall submit to the Committees on Appropriations of the Senate and House of Representatives expenditure plans for necessary cybersecurity improvements and modernization of information systems described in subsection (a).

(d) Not later July 1, 2013, and quarterly thereafter, the head of each Federal agency shall submit to the Director of the Office of Management and Budget a report on the execution of the budget and plan that agency for which such funds are authorized by this Act under sections 3543(a) of the National Protection and Programs Directorate for ‘‘Department of Homeland Security’’ budget and the Federal Emergency Management Agency: Provided, That the Director of the Office of Management and Budget shall summarize such execution and plan reports and submit them to Congress in conjunction with the annual progress report on implementation of the E-Government Act of 2002 (Public Law 107–347), as amended by section 306 of title 44, United States Code.

(e) This section shall not apply to the legislative and judicial branches of the Federal Government and to all Federal agencies within the executive branch except for the Department of Defense, the Central Intelligence Agency, and the Office of the Director of National Intelligence.

SEC. 553. (a) None of the funds made available under this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 554. None of the funds made available under this Act may be used by a Federal law enforcement officer to facilitate the transfer of an individual from an arrest or probationary status if the Federal law enforcement officer knows or suspects that the individual is an agent of a drug cartel unless law enforcement personnel of the United States continuously monitor or control the firearm at all times.

SEC. 555. The Director of the Office of Management and Budget shall instruct any Federal department, agency, or instrumentality of the United States Government receiving funds appropriated in this Act to track undisbursed balances in expired grant accounts and include in its annual performance plan and performance and accountability reports the following:

(1) Details on future action the department, agency, or instrumentality will take to resolve undisbursed balances in expired grant accounts.

(2) The methods that the department, agency, or instrumentality uses to track undisbursed balances in expired grant accounts.

(3) Identification of undisbursed balances in expired grant accounts that may be returned to the Treasury of the United States.

(4) In the preceding 3 fiscal years, details on the total number of expired grant accounts with undisbursed balances (on the first day of each fiscal year) for the department, agency, or instrumentality and the total financial assistance that have not been obligated to a specific project remaining in the accounts.

SEC. 556. (a) None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees from a Federal department or agency at any single conference occurring outside the United States—

(1) such conference is a law enforcement training or operational conference for law enforcement personnel and the majority of attendees are Federal law enforcement personnel stationed outside the United States; or

(2) such attendance is pursuant to law enforcement, security, or military operations.

SEC. 557. (a) Not later than 30 days after the end of fiscal year 2013, the Inspector General shall submit a report to the Committees on Appropriations of the Senate and House of Representatives on Department of Homeland Security spending on conferences, ceremonies, and similar events in fiscal year 2013.

(b) The report shall list the relevant events, substantiate that the Department complied with all applicable laws and regulations associated with spending on such events, and describe in detail the total costs to the Government associated with those events, including the amount of funding obligated and expended by appropriation or other source of funding, including relevant budget accounts.

SEC. 558. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony drug cartel unless law enforcement personnel of the United States continuously monitor or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 559. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability which has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless an agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

(RESCISIONS)

SEC. 560. The unobligated balance of each amount appropriated for an activity under the heading ‘‘Federal Emergency Management Agency—National Predisaster Mitigation Fund’’ in the explanatory statement accompanying Public Law 110–161 is rescinded, and the Federal Emergency Management Agency has received written notification of the intent by
the recipient to not apply for the grant is rescinded, and the overall unobligated balance available under such heading in such Act is reduced accordingly.

(RECISIONS)

SEC. 561. Of the funds appropriated in Department of Homeland Security Acts the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

(1) $42,500,000 from Coast Guard “Acquisition, Construction, and Improvements,” 2010/2012/2013.

(2) $91,100,000 from Coast Guard “Acquisition, Construction, and Improvements,” 2011/2012/2014.


(4) $86,000,000 from U.S. Customs and Border Protection “Office for Domestic Preparedness”; and

(5) $2,831,000 from Federal Emergency Management Agency “National Preparedness Mitigation Fund”.

SEC. 562. From the unobligated balances made available in the Department of Homeland Security in the Treasury Forfeiture Fund established by section 9703.1 of title 31, United States Code, which was added to such title by section 638 of Public Law 108-286, $69,000,000 shall be permanently rescinded.

(RECISIONS)

SEC. 563. Of the funds transferred to the Department of Homeland Security when it was created in 2003, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

(1) $1,316,000 from Department of Homeland Security “Office for Domestic Preparedness”; and

(2) $2,831,000 from Federal Emergency Management Agency “National Preparedness Mitigation Fund”.

SEC. 564. (a) Section 4945 of Title 49, United States Code, is hereafter repealed.

(b) The table of sections at the beginning of chapter 49 of title 49, United States Code, is hereafter amended by striking the item relating to such section.

SEC. 565. None of the funds made available by this Act may be used to require a facility to employ or to not employ a particular security measure for personnel surety if the facility has adopted personnel measures designed to—

(1) verify and validate individuals’ identification;

(2) check individuals’ criminal history; and

(3) verify and validate individuals’ legal authorization to work; and

(4) identify people with terrorist ties.

SEC. 566. None of the funds appropriated by this Act for U.S. Immigration and Customs Enforcement shall be available to pay for an abortion, except where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape or incest: Provided, That this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void.

SEC. 567. None of the funds appropriated by this Act for U.S. Immigration and Customs Enforcement shall be used to require any person to perform, or facilitate in any way the performance of, any abortion.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayeys 154, noes 260, not voting 17, as follows:

[Roll No. 345]

AYES—154

Noel

Pallone

Cheer

Grijalva

Gutiérrez

Hahn

Berman

Burgos (GA)

Broun (GA)

Broun

Budd

Burks

Capps

Capuano

Edwards

Carney

Carson (IN)

Cook (IN)

Costello

Courtney

Crawford

Crawford

Culley

Dodd

Doyle

Edwards

Ellison

Engel

Eskridge (FL)

Eskridge (AR)

Farr

Fattah (PA)

Fattah (PA)

Fudge

Garamendi

Gonzalez

Grijalva

Gutiérrez

Hahn

Hanabusa

Hastings (FL)

Heinrich

Higgins

Himes

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Mr. CASSIDY changed his vote from "no" to "aye." So the amendment was rejected. The result of the vote was announced as above recorded.

Stated against: Mr. FILNER, Mr. Chair, on rollcall 346, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

AMENDMENT OFFERED BY MR. HOLT

The Acting CHAIR. The unfinished business is the decision for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. BROWN) on which further proceedings were postponed and on which the noes prevailed by voice vote. The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

The Acting CHAIR. This will be a 2-minute vote.
So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:
Mr. FILNER. Mr. Chair, on rollcall 347, I was away from the Capitol due to prior commitments. I had been present, I would have voted "aye."

AMENDMENT OFFERED BY MR. CLARKE OF MICHIGAN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the first amendment offered by the gentleman from Michigan (Mr. CLARKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 211, noes 202, not voting 18, as follows:

<table>
<thead>
<tr>
<th>AYEs</th>
<th>Noes</th>
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<tr>
<td>AYEs—173</td>
<td>Noes—202</td>
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</table>

**AMIENDMENT OFFERED BY MR. CLARKE OF MICHIGAN**

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the first amendment offered by the gentleman from Michigan (Mr. CLARKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 211, noes 202, not voting 18, as follows:

<table>
<thead>
<tr>
<th>AYEs</th>
<th>Noes</th>
</tr>
</thead>
<tbody>
<tr>
<td>AYEs—173</td>
<td>Noes—202</td>
</tr>
</tbody>
</table>
The Acting CHAIR. The unfinished business is the demand for a recorded vote on the second amendment offered by the gentleman from Michigan (Mr. CLARKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 159, noes 254, not voting 18, as follows:

Aye—159

Nay—254

Not Voting—18

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 348, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

AMENDMENT OFFERED BY MR. CLARKE OF MICHIGAN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the second amendment offered by the gentleman from Michigan (Mr. CLARKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 159, noes 254, not voting 18, as follows:

Aye—159

Nay—254

Not Voting—18

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 348, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

AMENDMENT OFFERED BY MS. HAIN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the first amendment offered by the gentlewoman from California (Ms. HAIN) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 156, noes 261, not voting 14, as follows:

Aye—156

Nay—261

Not Voting—14

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Chair, on rollcall 349, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

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So the amendment was rejected. The result of the vote was announced as above recorded.

Stated for:
Mr. FILNER, Mr. Chair, on rollcall 350, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

AMENDMENT OFFERED BY MS. HAHN

The Acting CHAIR. The unfinished business is the demand for a record vote on the second amendment offered by the gentlewoman from California (Ms. HAHN) on which further proceedings were postponed and on which the yeas prevailed by voice vote. The Clerk will redesignate the amendment. The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded. A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device and we were—aye 144, noes 273, not voting 14, as follows:

[Roll No. 351]

AYES—144

Mr. JOHNSON of Georgia changed his vote from "no" to "aye." So the amendment was rejected.

The result of the vote was announced as above recorded.

A record vote on the amendment offered by the gentleman from Utah (Mr. BISHOP) on the amendment to the amendment as amended was ordered.

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for: Mr. FILNER, Mr. Chair, on rollover 353, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no.

AMENDMENT OFFERED BY MR. POE OF TEXAS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. POE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.
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Amendment offered by Ms. Lorettta Sanchez of California

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. LORETTA SANCHEZ) on which further proceedings were postponed and on the motions prevailed by a vote...

The Clerk redesignates the amendment.

The Clerk redesignates the amendment.

The Clerk redesignates the amendment.

The Acting CHAIR. A recorded vote has been demanded.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—aye 416, noes 249, not voting 15, as follows:

[Roll No. 354]

[AYES—167]

[NOES—249]
The vote was taken by electronic de-

The Acting CHAIR. The unfinished

The vote was taken by electronic de-

The Acting CHAIR. This will be a 2-

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The Acting CHAIR. A recorded vote has been ordered.

The Acting CHAIR. A recorded vote has been ordered.

The Acting CHAIR. A recorded vote has been ordered.

The Acting CHAIR. A recorded vote has been ordered.
The proposed amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:
Mr. FILNER. Mr. Chair, on rollcall 356, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

AMENDMENT OFFERED BY MR. BISHOP OF NEW YORK

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. Bishop) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been ordered. The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—aes 166, noes 245, not voting 20, as follows:

[Roll No. 357]

AYES—166

Ackerman
Chu
Doggett
Donnelly (NY)

Adams
Anderl
Cassidy
Caskey
Casy
Chaffetz
C�ert
Cramer
Crawford
Crenshaw
Crenshaw
Crowley

Ayer
Bartlett
Bishop (GA)
Biaggi

Bauer
Benczkowski
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The Speaker read the title of the bill, The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the rules and pass the bill. 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.

## SALMON LAKE LAND SELECTION RESOLUTION ACT

The Speaker pro tempore. The unfinished business is the question on suspending the rules and passing the bill (S. 292) to resolve the claims of the Bering Straits Native Corporation and the State of Alaska to land adjacent to Salmon Lake in the State of Alaska and to provide for the conveyance to the Bering Straits Native Corporation of certain other public land in partial satisfaction of the land entitlement of the Corporation under the Alaska Native Claims Settlement Act.

The Clerk read the title of the bill.

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.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. COBLE (at the request of Mr. CANTOR) for today after 10 p.m. on account of illness.

Mr. CULBERSON (at the request of Mr. CANTOR) for today after 10 p.m. on account of illness.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker’s table and referred as follows:

6201. A letter from the Secretary, Commodity Futures Trading Commission, transmitting the Commission’s final rule — Commodity Options (RIN: 3033-AO62) received April 30, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6202. A letter from the Administrator, Rural Housing Service, Department of Agriculture, transmitting the Department’s final rule — Community Facility Loans (RIN: 0575-AC78) received May 9, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6203. A letter from the Department Administrator, Rural Utilities Service, Department of Agriculture, transmitting the Department’s final rule — Specification for 15 kV and 25 kV Primary Underground Power Cable received May 1, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6204. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency’s final rule — Thiamethoxam; Pesticide Tolerances; Technical Correction (EPA-HQ-