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House of Representatives

The House met at 10 a.m.

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer: Children all across this country join us as we pray today.

Lord God, again we pray for the protection of the Nation's Capitol and the prevention of any terrorist attack upon this land.

We also praise and thank You, Lord, for the Capitol Police, the medical staff, and all who worked at the orderly evacuation of this honored place yesterday.

Preserve our liberty, free us from fear, and grant us triumph over every evil.

Throughout our history, You have called forth leaders. Bless now the women and men who assemble as the 109th Congress of the United States of America. Help them to know what is right and enable them to make choices that will unite the Nation, both in prosperity and moral integrity.

May they truly represent the needs and the genius of the people they serve.

May they prove by their actions their personal strength of character and faith in You, our God and Father of all. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from New Jersey (Mr. PALLONE) come forward and lead the House in the Pledge of Allegiance.

Mr. PALLONE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Repub-

lic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LATHAM). The Chair will entertain 10 one-minute speeches on each side.

HONORING FLORENCE NIGHTINGALE AND OUR NATION'S NURSES

(Mr. BURGESS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURGESS. Mr. Speaker, it is May 12, and May 12 is a special day because that is the day that the lady with the lamp, Florence Nightingale, was born in 1820. Florence Nightingale, the founder of modern nursing, the woman who found that cleanliness and hygiene had an effect on wound healing, actually helped wound healing and transformed military medicine back in the 1800s.

This day is also the last day of National Nurses Week, and nursing tells us over and over again what we all in this Congress need to know: it is time to value health. We cannot afford to simply pay for disease any longer.

The American Nurses Association is working to chart a new course for a healthy Nation that relies on the increasing delivery of primary and preventive health care and a renewed emphasis on primary and preventive health care that will require better utilization of our Nation's resources.

Professional nursing has been demonstrated to be an indispensable component for the safety and quality of care of hospitalized patients.

Mr. Speaker, it is with great pride that I recognize the Nation's 2.7 million registered nurses.

ABUSE OF POWER IN CONGRESS

(Mr. INSLEE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. INSLEE. Mr. Speaker, the long string of abuse of power is continuing in the U.S. Congress, most unfortunately. The most recent of this long string of abuses of power is we will see an attempt in the U.S. Senate next week to strip Americans of a protection, a protection against the tyranny of the majority, by eliminating the long, 2-century-long right to a filibuster in the United States Senate, a bastion of democracy.

We already have one House of Representatives. We do not need another one. We need the ability to have the checks and balances in the U.S. Senate. And this is not a matter of academic pursuit.

Last night, I was in the Mall walking quite late at night and I saw a group of folks from New Jersey who had driven all the way down from New Jersey and at this moment are filibustering on the Mall against the efforts in the Senate to remove this basic checks and balances. They drove what they called the "Filibus." Well, we should not have to have a "Filibus" to stand up for the American concept of checks and balances. These abuses of power should stop. The U.S. Senate should maintain this American tradition of a filibuster for the right time and for the right reasons.

MARIETTA, GEORGIA SUPPLEMENTAL PENSION PLAN

(Mr. PRICE of Georgia asked and was given permission to address the House for 1 minute.)

Mr. PRICE of Georgia. Mr. Speaker, in 1981 as the Social Security system was on the verge of collapse, many cities and counties decided to opt out of the Social Security system. My own

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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district, the city of Marietta, Georgia, took the opportunity; and the results serve as a model for the tremendous potential of personal retirement accounts.

Rather than collecting 1.5 percent from Social Security like the rest of us, Marietta city employees have personal accounts with yearly rates of return ranging from 3 to 20 percent.

The results go far beyond the rates of return. Employees' paychecks are higher than the surrounding cities because only 6.1 percent is taken out of their paychecks, as opposed to 12.4 percent.

Think it does not get any better? Well, it does.

Employees are continually educated about the program, the choices that they have, and how the company administering their pensions makes decisions. Because of this education program, employees are allowed to direct where their money goes depending on the rates of return and their personal goals.

Mr. Speaker, the tremendous potential of personal retirement accounts has been realized by some in my district. Let us hope the rest of the country is able to realize the true benefits of personal retirement accounts some time soon.

WE ARE A NATION AT WAR

(Mr. KUCINICH asked and was given permission to address the House for 1 minute.)

Mr. KUCINICH. Mr. Speaker, in moments like yesterday, we are one in support for each other's safety and well-being. Thankfully, it was an error by the pilot of a small plane.

The White House's response was telling: "We have to remember we are a Nation at war."

We are. But at war against Iraq. Iraq did not attack us. Iraq had nothing to do with 9/11. We may well be proving that the best way to avoid a war is not to wage one.

Einstein said the significant problems we have cannot be solved at the same level of thinking with which we created them. Does the war against Iraq make us safer or less safe?

After spending \$420 billion annually for the military and an additional \$270 billion for the war in Iraq, why are we still running for the exits? Has the so-called war on terror made us less safe?

We all want safety and security for ourselves, our loved ones, our Nation, and the world. But there has to be a better way than war. One of our greatest Presidents, Franklin Roosevelt, knew this and he knew war. He concluded: "If civilization is to survive, we must cultivate the science of human relationships, the ability of all peoples of all lands to live together and to work together in the same world at peace."

THE GROWING ECONOMY

(Mr. CONAWAY asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. CONAWAY. Mr. Speaker, I would like to point out that we are experiencing a growing economy in this country, a growing economy which creates jobs. Figures just released show that 274,000 additional jobs were created in this economy this last month. That is 274,000 families that are better off because they are working. They have also revised the figures to show that 93,000 additional jobs were created in February and March.

I participated in a needs assessment in Midland, Texas, back in the early 1990s, a process about figuring out what was going on within those communities. We came up with the top 10 needs that the folks in Midland, Texas, told them about. Nine of those top 10 needs would have been positively impacted by a job. And so we have now created 274,000 jobs.

The economy grew at 3.1 percent during the first quarter of this year. We continue to experience a growing economy led by the pro-growth policies of this administration and this House and this Senate.

REPUBLICAN ABUSE OF POWER

(Ms. SCHAKOWSKY asked and was given permission to address the House for 1 minute.)

Ms. SCHAKOWSKY. Mr. Speaker, Senate Republicans are preparing to blow up 200 years of tradition in the U.S. Senate, abusing their power in order to force through a few judges who have been unable to earn a bipartisan consensus for their lifetime judicial appointments.

Democrats have helped confirm 95 percent of President Bush's judicial nominees. The few that our Democratic colleagues in the Senate have opposed are those who have had serious questions raised about their independence, fairness, and record on issues involving our most vital rights.

Republicans are willing to attack the constitutional system of checks and balances and change the rules of the Senate in the middle of the game, all of this for seven extreme judges.

Senate Republicans know full well the impact their nuclear option will have on the bipartisanship that is necessary for a productive and effective Senate, but they simply do not care. If Senate Republicans are successful at abolishing the rights of the minority, what is next?

EXTENDING FREEDOM TO BELARUS

(Mr. SHIMKUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHIMKUS. Mr. Speaker, I rise today to speak in support of the country of Belarus and their ongoing struggle for fair and free elections. The last dictator in Europe, Aleksander

Lukashenko, rules this country through a combination of intimidation and fear. He is suppressing the voices and rights of the Belarusian people as they watch their neighbors in Georgia and Ukraine rise up and take back their countries and emerge as thriving democracies.

As President Bush said in his visit to Riga, Latvia, "All the nations that border Russia will benefit from the spread of democratic values, and so will Russia itself. Together, we have set a firm and confident standard. Repression has no place on this continent."

I have had the privilege of meeting with the opposition party representatives from Belarus several times. It is inspiring to see these men and women from every political ideology come together with a unified goal, to let the Belarusian people decide for themselves who should lead their country, rather than have it forced upon them by Lukashenko's regime.

As co-chairman of the House Baltic Caucus, it is my hope that the United States Congress will stand with our friends in Eastern Europe and support all efforts to bring democracy, freedom, and the rule of law to this part of the world.

REPUBLICAN ABUSES OF POWER

(Ms. LEE asked and was given permission to address the House for 1 minute.)

Ms. LEE. Mr. Speaker, congressional Republicans continue to abuse their power here on Capitol Hill. Rather than trying to mend fences and work in a bipartisan fashion, they instead choose a very partisan course.

Here in the House, for example, the Republican leadership ignored protocol and expedited weakened ethics rules through the House without ever consulting the Democrats. Everyone here knows that ethics changes cannot be successful unless both parties play a role.

And now, Republicans in the other body, not to be outdone by their counterparts here in the House, plan to change the rules on the filibuster that have been in place for more than 200 years, rules that give the minority a voice in Washington. Talk about an extreme abuse of power.

Mr. Speaker, Republican attempts to do away with the filibuster is the last check, really, on the one-party rule here in Washington. Simply, this is not the way to end the divisive tone here. When are the Republicans going to learn that their absolute power here on Capitol Hill is really corrupting their every action?

We talk about spreading democracy abroad. Let us begin by preserving it here at home.

EVENTS OF YESTERDAY

(Mr. PENCE asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. PENCE. Mr. Speaker, yesterday at noon was so much like September 11. Mr. Speaker, I was standing on the House floor with our majority leader as I saw Members beginning to hurry out of this Chamber.

As I exited the House, an F-16 literally flashed across the sky as thousands yesterday, as that day in 2001, streamed from the Capitol into the sunlight of uncertain moments and an undefined threat.

So much was the same, but so much has really changed. On September the 11 evacuation was largely disorganized and spontaneous. But yesterday, thanks to the extraordinary leadership of the United States Capitol Police; Bill Livingood, the House Sergeant at Arms; and Police Chief Terence Gainer, 25,000 public officials and personnel were evacuated from the Capitol and buildings around Capitol Hill in less than 6 minutes in an intense, but orderly, manner.

□ 1015

It is an extraordinary comfort, I know, to millions of Americans who know that whatever the day may bring in our Nation's capital, thanks to the leadership and the security officials here on Capitol Hill, and the Department of Homeland Security, our national government is ready.

THIRTY YEARS LATER HELP THE HMONG STILL IN LAOS

(Ms. MOORE of Wisconsin asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MOORE of Wisconsin. Mr. Speaker, I rise on the occasion of the 30th anniversary of America pulling out of the Vietnam war.

Mr. Speaker, I rise in horror at the continued atrocities against the Hmong folk who now reside in the jungles of Laos. Like a cheap date, a one-night stand, we abandoned our brethren who fought along with the CIA, and they were forced to flee into the jungle. Reports of rapes, mass killings, use of biological weapons have gone uninvestigated.

Mr. Speaker, I call upon the State Department to press Laos to immediately pull back its troops, grant international human rights monitors and workers access to the Hmong community and allow them to peacefully settle.

Mr. Speaker, we cannot stand by and abandon our fellow soldiers in the Vietnam war.

BAIT AND SWITCH ON STEM CELLS

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, in the coming weeks, some will say that they

only want to use Federal funds to destroy human embryos stored in IVF clinics for stem cell research. This is a skilled use of the bait-and-switch tactic.

First, these embryos are not primed for research; they are primed for adoption. Eighty-one embryos have been adopted today with dozens more on the way, called "snowflake adoptions." Researchers who support embryonic stem cell research acknowledge that these IVF embryos will not provide near the desired type or number of stem cell lines demanded by the biotech industry and admit that they will not be genetically diverse. In order to get that sample and overcome that rejection, they will need to clone human embryos. Advocates have admitted as much on this floor in the Chamber.

The ultimate goal of researchers is free and unfettered access to Federal dollars to create, clone and destroy human embryos for lab experiments. Congress should instead focus on supporting adult stem cell research, which has been proven to work successfully, is not morally controversial, and holds true promise for disease victims. We should not kill to harvest an experiment.

REPUBLICAN ABUSE OF POWER

(Mr. CLEAVER asked and was given permission to address the House for 1 minute.)

Mr. CLEAVER. Mr. Speaker, we should always be cautious in this quest for absolute power here in Washington. This was not the vision of our Founding Fathers.

Today, we are dealing with a manufactured judicial crisis. Since President George Bush took office, the Senate has confirmed a whopping 208 of his judicial nominations and turned back only 10. That, my friends, is a 95 percent confirmation rate. That rating is the highest approval rating of any President in modern times, including Ronald Reagan and Bill Clinton. Thanks to these confirmations, the President presides over the lowest court vacancy rate since Ronald Reagan was President.

Congratulations, Mr. President.

Instead of accepting that success and avoiding further divisiveness and partisanship here in Washington, my hope is that our President will not add to the current bitterness here and around the Nation by resubmitting the names of rejected nominees again this year.

EXPRESSING GROWING CONCERNS ABOUT A GATHERING LEFTIST STORM IN LATIN AMERICA

(Mr. MACK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MACK. Mr. Speaker, I rise today to express my strong concern about a gathering storm that poses a real threat to freedom, security and pros-

perity throughout the Western Hemisphere.

At the center of this storm is Venezuelan President Hugo Chavez, who is fanning the flames of leftist, anti-American, anti-freedom movements that are fostering regional instability.

In the years since he took office as a democratically-elected leader, Chavez has moved sharply away from those ideals. He has stacked the government with judges and allies to implement his own personal will. He has cracked down on the freedom of the press. He is financing a State-run television network patterned after Al Jazeera to spread his propaganda far and wide, and he has forged a dangerous alliance with Fidel Castro.

Mr. Speaker, Hugo Chavez fancies himself as a modern Simon Bolivar, who wanted to unite Latin America into one Nation. Hugo Chavez is trying to alter the balance of power in our hemisphere. The United States must take this growing threat seriously.

REPUBLICAN ABUSE OF POWER IN SENATE

(Ms. MATSUI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MATSUI. Mr. Speaker, the power grab Senate Republicans are about to take is not about seven judges; it is about clearing the way for a Supreme Court nominee who only needs 51 votes instead of 60 votes.

Senate Republicans do not want a David Souter, an Anthony Kennedy, a Sandra Day O'Connor, a Ruth Bader Ginsberg or a Steven Breyer, all of whom were confirmed with nearly unanimous, bipartisan support.

If President Bush is successful with this extreme power grab in the Senate, he will be able to appoint extreme, right-wing judges to the court.

President Bush wants to turn the Senate into a second House of Representatives, rubber-stamping his agenda, and that is simply not what our Founding Fathers envisioned when they created two distinctly different congressional chambers.

Mr. Speaker, Democrats will fight to protect our constitutional checks and balances and basic fairness for the American people.

THE BULGARIAN MIRACLE CONTINUES

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, on Tuesday I was in Sofia, Bulgaria, on a delegation with the gentlewoman from Guam (Ms. BORDALLO). I saw firsthand the Bulgarian miracle of a dynamic democracy, a partner with America on the war on terrorism, and a thriving and robust economy providing jobs for young people.

During my first visit 15 years ago to Bulgaria with the International Republican Institute, I witnessed a dying Communist State frozen in time. Today, Bulgaria is a valued member of NATO and soon to be admitted to the EU.

The Bulgarian people are proving themselves to be courageous and capable to meet the challenges of political, defense and economic transformation.

I want to thank my hosts Tuesday of the enthusiastic economic team of Prime Minister Simeon Saxe-Coburgi Gotha, Foreign Minister Solomon Passy and President Georgi Purvanov. Also, America is well represented in Bulgaria by Ambassador Jim Pardew and his gracious wife Kathy.

In conclusion, God bless our troops, and we will never forget September 11.

DEMOCRATS WILL FIGHT REPUBLICAN ABUSE OF POWER IN SENATE

(Ms. SLAUGHTER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SLAUGHTER. Mr. Speaker, the congressional Republican abuses of power continue in the Senate where Senator FRIST is preparing to change the Senate rules for the first time in 200 years.

Senator FRIST and Senate Republicans are waging an unprecedented political power grab. They are changing the rules in the middle of the game and attacking our historic system of checks and balances so they can ram through a small number of judicial nominees who otherwise cannot achieve consensus because of their poor record of protecting individual rights.

Our House Democrats join our colleagues in the Senate committed to fight this Republican abuse of power. We will protect the role of the judiciary as the guardian of the rights of all Americans, assuring that all judges who are confirmed in the Federal courts be as intellectually honest and fair as possible, rather than ruling just on one side of one interest.

Drunk with power, rewriting the rules is what has been happening in Washington the most in recent years. The House Republican leadership tried to weaken the House ethics rules to protect one of their own, and they failed. Let us not let the Senate do the same.

CONGRATULATING ELEVENTH DISTRICT HIGH SCHOOLS

(Mr. GINGREY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GINGREY. Mr. Speaker, I rise today in praise of three very impressive schools in my district, Columbus High School, LaGrange High School, and Campbell High School, which were selected by Newsweek magazine among the top high schools in America.

To have three Eleventh District schools included on this prestigious list speaks to the dedication and accomplishments of our district's educators, students, and community members.

As the former chairman of the Marietta City School Board, I know the great work that goes on in our school districts. I am glad the rest of the Nation finally knows about it as well.

LaGrange High School has a long tradition of providing students with the kind of education that truly helps our children succeed in life.

Columbus High School traces its history back to the 1890s, so it is no wonder the school is a perennial education all-star; practice makes perfect.

Campbell High School has upheld the standard of excellence in Cobb County for years, its teachers, staff, and students showing a relentless ambition for achievement, and, just last week, hosted our Vice President for a discussion on Social Security.

Mr. Speaker, I ask that my colleagues join me in congratulating these schools.

AMERICAN PEOPLE SUPPORT FILIBUSTER

(Mr. PALLONE asked and was given permission to address the House for 1 minute.)

Mr. PALLONE. Mr. Speaker, I just want to stress that the protection of the filibuster is something that the American people support.

I heard one of my colleagues just a few minutes ago talk about the New Jersey filibuster which is down here at the Mall with a group of people who are trying to make the point that we must protect the filibuster. We should not repeal it as the Republicans want to do, because it does protect minority rights. It protects individual freedoms in terms of making sure that justices and judges that are appointed are those that have a consensus.

I want to say that, in my State, it is not just the people involved in the New Jersey filibuster; a lot of other people have expressed their concern on this issue. Just a week or two ago, I was at Princeton University outside the Frist Student Center, and the students there at Princeton University were conducting a 24-hour filibuster which went on for almost 2 weeks, I think it may still be going on, because they felt so strongly about this issue. They feel strongly about it because it has been around for so long. It is over 200 years now that the Senate rules have provided for a filibuster, and that is what our Founding Fathers wanted, because they did not want an abuse of power. They did not want the majority to be the absolute rule.

PRAISING AMERICA'S SMALL BUSINESS OWNERS

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACKBURN. Mr. Speaker, today I rise to praise America's small business owners. They really are our Nation's economic engine, and these small business owners and our Nation's employers are doing a great job with this free enterprise system that we enjoy.

Mr. Speaker, there is good news about the economy that is out. In April, this economy created 274,000 new jobs. Also in April, we saw that retail sales exceeded projections. We thought we would have a .7 percent retail sales growth; in fact, we had a 1.4 percent retail sales growth.

Mr. Speaker, it just shows that manufacturing numbers are up. Capital investment is up. Manufacturing investment and output is up. The economy is at work, and it is working for America's families.

America's small businesses are doing their job, and I salute those small business owners.

GOOD NEWS AND BAD NEWS FOR U.S. ECONOMY

(Mrs. MALONEY asked and was given permission to address the House for 1 minute.)

Mrs. MALONEY. Mr. Speaker, thankfully, there have been a couple of bright spots over the past week in the economy. April was just the sixth month during this administration in which at least 250,000 jobs were created, a welcome relief for this struggling economy. Meanwhile, the trade deficit in March decreased from its record high level in February, though it is still on pace to become a record year, the highest trade deficit in the history of our country.

Still, the positive news on the economy is often accompanied by equally troubling news. New statistics show that each paycheck American workers take home ends up buying less and less. The prices of many basic goods from gas to milk have shot up, but workers' wages have not kept pace. Americans are working hard and producing more, but they are not seeing the benefits in their buying power. This is terrible news for America's families. We have to have those wages at least keep pace with inflation.

PROVIDING FOR CONSIDERATION OF H.R. 1544, FASTER AND SMARTER FUNDING FOR FIRST RESPONDERS ACT OF 2005

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 269 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 269

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1544) to provide faster and smarter funding for first responders, and for other purposes. The first

reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Homeland Security. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Homeland Security now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. Notwithstanding clause 11 of rule XVIII, no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

□ 1030

The SPEAKER pro tempore (Mr. LATHAM). The gentleman from Texas (Mr. SESSIONS) is recognized for 1 hour.

Mr. SESSIONS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from California (Ms. MATSUI), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, I rise today in strong support of this rule and the underlying legislation, H.R. 1544, the Faster and Smarter Funding for First Responders Act of 2005. This bill sponsored by my good friend, the gentleman from California (Mr. COX), has the support of 40 bipartisan co-sponsors and was accepted at both its subcommittee and full committee markups with unanimous consent of the majority and minority membership of the new Select Committee on Homeland Security.

The goal of this bipartisan legislation is simple: to reform the way the Department of Homeland Security issues terrorism preparedness grants to States and local governments so they can prepare for, prevent, respond to, and recover from acts of terrorism. It also expedites the delivery of Federal assistance to first responders, those

brave men and women who are our first line of defense against terrorism, where it is needed most while also endorsing undisciplined spending on the homeland security front.

This legislation also reflects an agreement among policymakers here in the House: first of all, on the need to award Federal terrorism preparedness grants on the basis of risk; on the importance of ensuring that such grants are spent in a timely manner; and on the necessity of ensuring collaboration between neighboring jurisdictions.

As Members of Congress, we have seen all too clearly the problems associated with coordinating the effective and efficient allocation of these new funds to fight and defend against acts of terrorism on our shores. Since 2001, the Federal Government has made roughly \$30 billion available in grant funding for this purpose, but approximately \$4.1 billion awarded by the Department of Homeland Security still remains in the pipeline, unspent, along with another \$2.4 billion recently added from 2005.

This bottleneck in getting our first responders the funds that they need to protect our safety is unacceptable, and this legislation will get these terrorism preparedness funds into the hands of those who need it most, by ensuring that guarantee that no State or territory falls below a certain base level of funding while also ensuring that States prioritize their own anti-terrorism spending on the basis of risk and need.

By providing financial encouragements to States that pass through their awarded funds to localities within tight timeframes, this legislation makes our funding for such programs faster. And by allocating grant awards to States and regions based on an assessment of risk and need to achieve clear and measurable preparedness goals, this legislation also makes our funding for such programs smarter.

Mr. Speaker, H.R. 1544 fulfills the recommendations included in the 9/11 Commission report, and recognizes the fundamental reality that terrorists are not arbitrary in selecting their targets, so we cannot be arbitrary in our efforts to protect our Nation. By streamlining the grant process and giving States and regions the tools that they need to develop specific flexible and measurable goals, this bill will make sure that every Federal dollar allocated for the purpose of defending our security is used effectively and efficiently.

I encourage all my colleagues to support this rule and the underlying legislation which brings a risk-based approach to addressing our country's most pressing homeland security needs.

Mr. Speaker, I reserve the balance of my time.

(Ms. MATSUI asked and was given permission to revise and extend her remarks.)

Ms. MATSUI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentleman from Texas (Mr. SESSIONS) for yielding me time.

Mr. Speaker, today we will debate bipartisan legislation from the Select Committee on Homeland Security to improve funding for first responders.

In this new post-9/11 era, ensuring that our country is protecting itself from attack is of prime importance. I am especially proud of the efforts of my hometown of Sacramento. Federal officials have recently highlighted Sacramento as an example to other localities of how to efficiently spend Federal anti-terrorism dollars.

Already, Sacramento's main agencies tasked for homeland security, police, sheriff, health and the city and metro fire departments, are all coordinating their efforts.

The five agencies have already agreed to share all of the homeland security dollars, a unique show of cooperation when limited funding is at stake. Not only have the agencies standardized protective suits and gas masks, but a massive 9,000 emergency personnel training effort is under way. With all of Sacramento's hard work, I am not surprised that Federal officials are singling their efforts out.

What we are doing today will help these first responders in their work. Currently, base funding for homeland security assistance programs is distributed among the States according to a strict formula. This formula has resulted in greater funding going to lower-risk States like Wyoming on a per capita basis rather than more at-risk States like New York and my home State of California.

This bill would alter the funding allocation to States based on threat and risk. However, each State would be guaranteed a minimum if its dollar amount fell below a specified level. Even the 9/11 Commission recommends that Federal dollars supplement State and local efforts that fall in higher-risk areas. This is a commonsense proposal.

I am pleased that this reform will greatly benefit California and my hometown of Sacramento. Further, this bill continues Federal support for the Urban Area Security Initiative, which Sacramento has received funding through, in addition to other Federal grant programs.

H.R. 1544 also recognizes the increased risk to our region posed by our flood control systems by specifically including dams in its list of critical infrastructure. Its inclusion will allow consideration of flood control levees and dams as a factor in determining the risk a community faces.

I would like to take this opportunity to thank the ranking member, the gentleman from Mississippi (Mr. THOMPSON), for highlighting this issue of great concern to both our districts. Our communities are faced with a continuing risk of flooding. Sacramento's flood risk is among the highest of

major urban areas in the country. Located at the confluence of the Sacramento and American rivers, the Sacramento floodplain is the hub of a 6-county regional economy that provides 800,000 jobs for 1.5 million people. A major flood along the American River would cripple this economy, cause between 7 and \$16 billion in direct property damages, and likely result in significant loss of life.

While we typically view the levee system as our first line of defense against Mother Nature's raging storms, we must also face the reality that this critical infrastructure must be protected from terrorist attack. A major levee failure or a terrorist attack at the dam upstream would be absolutely devastating to the region.

The addition of this provision by the Select Committee on Homeland Security shows why amendments and increased discussion of this bill are so important. And I am glad to see that the Committee on Rules did make in order a few of the amendments that were brought before our committee. But I must express my disappointment that this bill will not be debated today under a more open process. I believe that there are a number of other amendments that, while we may disagree on the position, they are worth continued debate on the House floor.

For example, while the Select Committee on Homeland Security explored the issue of whether all first responder grants should be awarded strictly on the basis of risk, doing away altogether with State minimum award requirements, I think there are a number of Members that would like to see this issue debated before the full House.

Even the gentleman from California (Mr. Cox) acknowledged that while he personally would like to see all first responder funding allocated by risk, the issue of ensuring each State receives a minimum was an important compromise in his committee. An amendment addressing this exact issue was brought before the Committee on Rules, but it was not made in order.

I strongly support the underlying bill, and I am pleased it was reported out in bipartisan fashion. I commend the Select Committee on Homeland Security for their extensive debates on the best strategies to improve the funding streams for our first responders. I imagine there are many divergent opinions on this matter, and it would be excellent debate for us to have had here today. It is unfortunate the Committee on Rules did not open this rule so we could continue this full dialogue today.

Mr. Speaker, I reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, I yield 5 minutes to the gentleman from Alabama (Mr. ROGERS). Mr. Speaker, one of the advantages of having a great bipartisan bill means that we have good leadership in the Select Committee on Homeland Security, and today I am very pleased for one of our bright new

young Members to be with us. He is the chairman for the Subcommittee on Management, Integration, and Oversight.

Mr. ROGERS of Alabama. Mr. Speaker, I thank my friend and colleague, the gentleman from Texas (Mr. SESSIONS), for yielding me time.

Mr. Speaker, I rise today in strong support of H. Res. 269. This rule would provide for the consideration of H.R. 1544, the Faster and Smarter Funding for First Responders Act of 2005.

In the years since 9/11, our Nation has spent billions of dollars to strengthen our firefighters, police, and emergency personnel. These hard-working Americans known as our first responders are the frontlines of our Nation's homeland defense. They keep our communities safe, and they respond when disaster strikes.

The bill we will be debating today is a good piece of legislation and is designed with our first responders in mind. It does several things. First, it reforms the grant funding system that most States, including my home State of Alabama, believe is ineffective.

For example, a 2004 committee report found that nearly 85 percent of the grants distributed to States have not yet been utilized. And because current law requires a minimal level of funding given to States, many States receive a lump sum of money from DHS without a clear understanding of how to spend it.

□ 1045

Three-and-a-half years after 9/11 I find this unacceptable. Yet these facts speak to the need for a bipartisan reform which will ensure taxpayers know what they are getting.

Second, H.R. 1544 helps the Federal Government allocate first responder funding based on actual risk. Under this legislation, States like Alabama would be required to submit an annual State homeland security plan to the Federal Government. This plan would outline the State's projected risks to 16 economic sectors, such as agriculture, the number of military bases and its transportation infrastructure. States meeting these risk criteria would be eligible for a greater funding.

For our rural areas, this could mean new funding sources. For example, States like Alabama could see increased funding for agro-terror initiatives. States with a heavy military industrial base could receive additional assistance to protect communities near bases, and of course, ports like Mobile would continue to receive much-needed support for cargo security initiatives.

I do want to acknowledge that H.R. 1544 changes the minimum level of guaranteed funding to each State, and while some of my colleagues have called this a cut, I like to think of it as better use of limited homeland security dollars.

We all know of instances where the Federal Government funds State projects which, in reality, have little

or nothing to do with securing our homeland. This bill will help correct that situation.

I also want to make clear what this bill does not do. Essential programs like FIRE grants, COPS, grants bullet-proof vests funding, or secure school initiatives for local police are not affected. These programs have provided rural areas, like my district, with millions of dollars for new safety equipment and vehicles, and I will continue to do my part to ensure they are fully funded each year.

H.R. 1544 is bipartisan, both in spirit and intent. Every Member of the Committee on Homeland Security, both Republicans and Democrats, have signed on to this bill as original cosponsors, and the committee reported it out by a unanimous voice vote.

The bill also closely resembles the 9/11 reform legislation passed by the House during the 108th Congress and has been endorsed by the 9/11 Commission and a majority of first responder groups nationwide.

I am pleased to support this legislation and ask for support of this rule so the House can consider it today.

I want to thank the gentleman from California (Chairman COX) for his ongoing efforts to advance this legislation.

Ms. MATSUI. Mr. Speaker, I yield 4 minutes to the gentleman from New Jersey (Mr. MENENDEZ).

(Mr. MENENDEZ asked and was given permission to revise and extend his remarks.)

Mr. MENENDEZ. Mr. Speaker, I want to thank the gentlewoman from California for yielding me this time.

On September 11, more than 700 of our friends and neighbors from my State of New Jersey never returned home from work and never returned to their families. The smoking ruins of the Twin Towers were visible for my entire district to see, and many of the police and emergency response personnel that responded so heroically to the attacks were from New Jersey.

Yet, here we are 3 years and 8 months later and our current homeland security funding is not based on risk and threats. That is why I rise in strong support of this important legislation which will finally direct Federal assistance to those first responders serving where the need is greatest. We know the enemy seeks to attack again. We just do not know when and where it will occur.

New Jersey faces unique terrorism threats that require a greater portion of homeland security aid due to its proximity to New York City and to its vast number of potential targets of terror, such as the largest seaport on the east coast, one of the busiest airports in the country, an area known as the "chemical coastway," our four nuclear power plants, and the six tunnels and bridges that connect New Jersey to New York City.

If that were not enough, the Federal Bureau of Investigation has placed more than a dozen New Jersey sites on

the National Critical Infrastructure List and has called the area in my district between Port Newark and Newark International Airport the most dangerous 2 miles in the United States when it comes to terrorism. A recent article in the New York Times pointed out that this 2-mile area provides a "convenient way to cripple the economy by disrupting major portions of the country's rail lines, oil storage tanks and refineries, pipelines, air traffic, communications networks and highway system."

Yet the State's homeland security funding was cut in this fiscal year by 34 percent. In my district, two high-risk urban areas saw their funding reduced by 17 and 60 percent respectively. Mr. Speaker, the current system of allocating homeland security funds is broken and needs to be fixed immediately.

The 9/11 Commission report said that, "Homeland security assistance should be based strictly on an assessment of risks and vulnerabilities." That is exactly what the Menendez substitute to the intelligence reform bill would have accomplished last October. That is exactly what I fought for in the conference report on that legislation and what I sought to accomplish earlier this year when I introduced the Risk-Based Homeland Security Funding Act with Senators CORZINE and LAUTENBERG.

We must take every step to secure our communities from the threat of terrorism, and this bill will ensure that the first responders on the front lines of this war in both New Jersey and across the country will receive a much-needed increase in Federal homeland security funding.

The House of Representatives must pass this important piece of legislation today, and the Senate should act as quickly as possible to get it to the President's desk.

I urge all of my colleagues to support this bill. It will turn the 9/11 Commission's recommendation into law, while protecting those areas and targets that are at the greatest risk of a future attack.

Mr. SESSIONS. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. SHUSTER), the subcommittee chairman of the Subcommittee on Economic Development, Public Buildings and Emergency Management for the Committee on Transportation and Infrastructure.

Mr. SHUSTER. Mr. Speaker, I thank the gentleman from Texas for yielding me time.

Mr. Speaker, this is a good and fair rule that provides ample time to discuss this very, very important issue. I urge my colleagues to support the rule and to support the Faster and Smarter Funding for First Responders Act.

Mr. Speaker, I would like to applaud the gentleman from California's (Chairman Cox) commitment to first responders and for developing a bill that better prepares our Nation for terrorism.

Since before the terrorist attacks of September 11, experts from across the political spectrum have urged these kinds of reforms that are in this bill. These improvements include clear preparedness standards to guide State expenditures, mutual aid agreements, interoperable equipment and better planning and coordination between first responders at all levels of government.

I also want to applaud the gentleman from California (Chairman Cox) for his willingness to carry this bill forward in an open and fair process.

As the chairman of the Committee on Transportation and Infrastructure's Subcommittee on Economic Development, Public Buildings and Emergency Management, I can say with confidence that we have a stronger bill today because of the efforts of the gentleman from California (Chairman Cox) and the gentleman from Alaska (Chairman YOUNG).

I particularly want to thank the gentleman from California (Mr. Cox) for working with the Committee on Transportation and Infrastructure to incorporate two important principles throughout this bill: a commitment to the Nation's all hazards emergency system and minimum funding for all States.

We must remember that first responders have to deal with all kinds of disasters, regardless of the cause, and that our first responder programs must address terrorism in that context. There are no terrorism fire stations in this country. Firefighters respond to everything. The Cox bill recognizes this and ensures that terrorism preparedness is fully compatible with our existing all hazards system.

The second principle acknowledges that every State must have basic response capabilities. I come from a State with two very large metropolitan areas, but I recognize that terrorists can attack outside of these big cities.

Furthermore, if there is a catastrophic attack in a large urban area, local response agencies will be overwhelmed and will require assistance from units across this country, suburban areas as well as rural areas. These units will need proper equipment and training to effectively integrate into a large-scale disaster response.

States need a guaranteed minimum level of funding to meet both these requirements.

I would again like to commend the gentleman from California (Mr. Cox) for his hard work and leadership and urge my colleagues to support the rule and the underlying bill.

Ms. MATSUI. Mr. Speaker, I yield 3 minutes to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. Mr. Speaker, I thank the gentlewoman for yielding me time, and I rise in support of the rule on H.R. 1544.

It has been 3 years and 8 months since 9/11. I thank my colleagues for coming together and being so unified in

helping New York during that very tragic period, and I thank very much the leadership of the gentleman from California (Chairman Cox) and the gentleman from Mississippi (Ranking Member THOMPSON) on the Faster and Smarter Funding for First Responders Act.

This is not a perfect bill but it does fundamentally change the way we distribute homeland security grants for first responders.

This bill will distribute all homeland security funding on the basis of risk, rather than thinly spreading it around the country, with absolutely no standards, no basis for risk and absolutely no justification as to how the money was to be spent.

While the Department of Homeland Security has always had the authority to distribute the majority of homeland security funding on the basis of risk, they have never done so. Previously, heavily populated States and heavily threatened or high-threat States like New York only received about \$4 per capita, while other States, like Wyoming, received close to \$28 per person. What might have been even worse is that States were not required previously to justify need or to justify how they were spending the money. They just got a check. We had no standards, and we had no way of knowing what level of preparedness we had in this country in our various localities and States.

This bill should be the end of this and hopefully the end of troubling press reports of mis-spent homeland security funding.

While I would have liked to have seen a bill with no State minimums, because I do not support funding homeland security projects without first determining a need, I understand the delicate negotiations that went into this bill. Again, this bill is not perfect but a much better way of protecting our country, and that is why I am supporting it.

Like many of my colleagues, I will be watching the way the funding is distributed to make sure that the promise of this bill is fulfilled and that it is directed where the need is in our country to protect our citizens.

Mr. SESSIONS. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. FRELINGHUYSEN).

(Mr. FRELINGHUYSEN asked and was given permission to revise and extend his remarks.)

Mr. FRELINGHUYSEN. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I rise in strong support of the rule and of H.R. 1544. I commend the gentleman from California (Chairman Cox) and his committee for their great work on this essential legislation.

This legislation is an issue of great importance for our Nation, but it is also a huge priority for New Jersey, which lost, as the gentleman from New Jersey (Mr. MENENDEZ) said, 700 residents on September 11, 2001.

The 9/11 Commission recommendations rightly stated: "Homeland security assistance should be based strictly on an assessment of risks and vulnerabilities. Federal homeland security assistance should not remain a program for general revenue sharing. It should supplement State and local resources based on the risks or vulnerabilities that merit additional support. Congress should not use this money as a pork barrel."

Both the President in his budget and, most recently, the Committee on Appropriations Subcommittee on Homeland Security in their bill just passed out of full committee have echoed this important recommendation.

Since September 11, 2001, U.S. intelligence reports that our New York-New Jersey region is still among the most attractive targets for terrorists. For all of our critical infrastructure of the trans-Hudson tunnels, airports, seaports, oil refineries, chemical manufacturing, population density, financial centers in both lower Manhattan and in Jersey City, our basic close relationship with New York City, anti-terrorism experts continue to acknowledge that the risk of terrorism remains.

Yet, despite the best efforts of the President, homeland security officials and Members of Congress, these security funds continue to be distributed to States based on population, rather than risk and vulnerability. That is why this bill needs to be passed in its present form.

Fortunately, the legislation addresses our concerns and follows the Commission's recommendations. We are sending more Federal homeland security to States like New Jersey and other high-threat areas where risk is greatest and critical infrastructure must be better protected against terrorism.

H.R. 1544 establishes a more rational approach to distributing homeland security funding by sending more resources to where they are needed. As we learned on September 11, terrorists do not arbitrarily select their targets. Therefore, homeland security funding cannot be arbitrarily distributed.

This legislation would ensure that homeland security grants are awarded according to an assessment of risk and vulnerability, not just population.

For these and many other reasons, Mr. Speaker, this bill and this rule needs to be supported.

□ 1100

Ms. MATSUI. Mr. Speaker, I continue to reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, at this time I yield 3 minutes to the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Speaker, I rise in support of the Faster and Smarter Funding for First Responders Act. In the post-September 11, 2001, world that we live in, it is clear we need a more effective approach to funding our first

responders. Terrorists are targeting high-profile targets in our major metropolitan areas, and we must ensure we have the funds they need.

The 9/11 Commission, which I strongly supported, recommended we allocate grant funding based on risk, not politics. This bipartisan legislation does just that. It goes where it is most needed. I cannot tell you if my State of Connecticut gains funds or loses funds under this bill, but that cannot be the issue. The question is: Are funds going where we have the greatest risk? And the answer to that question is: Yes. We are following the 9/11 Commission recommendation. It is going where we have the greatest need.

H.R. 1544 will distribute first responder grants based on threat, vulnerability, and consequences of a terrorist attack to persons and critical infrastructure sectors throughout the United States. This will allow streamlining terrorism preparedness grants to our first responders who, again, need it most.

As chairman of the Subcommittee on National Security, Emerging Threats and International Relations, I know this legislation allocating these resources based on risk is essential to my communities, my State, and our Nation. H.R. 1544 is an important step towards enhancing our Nation's response to terrorist attacks.

The bottom line is, it is not a question of if, but of when terrorists will strike again. The legislation is essential because it helps ensure that when they do, our first responders, who need the resources the most, will be better able to protect the communities they serve.

Congratulations to the chairman, the gentleman from California (Mr. COX), and the ranking member, the gentleman from Mississippi (Mr. THOMPSON), and to the Members on both sides of the aisle who have worked in a bipartisan manner to make our Nation safer.

Ms. MATSUI. Mr. Speaker, I continue to reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. DENT), one of our bright new young Members.

Mr. DENT. Mr. Speaker, I rise to speak in support of the rule and H.R. 1544, the Faster and Smarter Funding for First Responders Act of 2005.

Mr. Speaker, it is said that in this country politics end at the water's edge. This is certainly the case with this legislation. The Select Committee on Homeland Security, on which I serve, passed this bill unanimously. This occurred because the idea behind the legislation is a bipartisan one: combat the threat of terrorism at home by directing funds to those localities that are most at risk for terrorist attack.

The idea that funding should be based on risk and security rather than on political concerns is one that reso-

nates on both sides of the aisle of this great Chamber. The Members of this body recognize that the challenges we face are unique in our history. No previous generation has had to combat the threat to the homeland that we face right now.

Today's terrorists are determined to wage war against us not on some overseas battlefield, but in our cities, ports, and transportation hubs. This is why this bill is so important. It makes sure that we take into account threats, vulnerabilities, and consequences of attack as we decide how to best spend our anti-terrorism dollars.

This bill is also necessary because it confronts the issue of threats to the homeland head on. It directs appropriate State authorities to come up with a comprehensive homeland security plan tied to the achievement, maintenance, and enhancement of the essential capabilities established by the Department of Homeland Security.

In developing those essential capabilities, the Department is required to seek the input of those on the frontlines: local police; fire departments; and EMS units, emergency medical service units. This provision is vital because combating terrorism is a nationwide problem that calls for cooperation between officials at the local, State, and Federal levels.

Finally, the bill requires the Department to set national standards for first responder equipment and training so that all frontline units responding to a terrorist attack will be able to operate effectively.

The Faster and Smarter Funding for First Responders Act of 2005 is an important tool for safeguarding the homeland. It is a positive step towards development of an effective homeland security policy, and I support it wholeheartedly.

Ms. MATSUI. Mr. Speaker, I continue to reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, I yield 3 minutes to the very distinguished gentleman from Nevada (Mr. GIBBONS), a young man who was on the frontline, a captain, a pilot in the United States Air Force, who served during the Persian Gulf War and who is a Member of Congress, serving since the 104th Congress. And while this country has great respect for the men and women who are on the frontlines defending our country in the United States military today, we also remember back to those first men and women of the military during the Persian Gulf War who were standing ready not only to protect this country, but also to liberate others and to provide freedom.

Mr. GIBBONS. Well, Mr. Speaker, I thank the gentleman from Texas (Mr. SESSIONS), my friend and colleague, for that generous introduction; and I rise today, Mr. Speaker, in support of both the rule and the overall bill, H.R. 1544, the Faster and Smarter Funding for First Responders Act of 2005.

As a member of the Select Committee on Homeland Security, I am

proud to be an original cosponsor of this bipartisan bill; and I congratulate the chairman, the gentleman from California (Mr. COX), and the ranking member, the gentleman from Mississippi (Mr. THOMPSON), for their diligent work on this act.

This bipartisan bill will help expedite the homeland security grant process and ensure that money gets to those who need it the most, our first responders. Importantly for my State, the State of Nevada, this bill will allow the Department of Homeland Security to take into account both resident and tourist populations when determining a State's funding for terrorism preparedness.

My fellow Nevadans know that tourism is a significant part of our State's industry and our population. On any given day of the year, Nevada hosts hundreds of thousands of tourists from across the country and around the world. Las Vegas Boulevard, Mr. Speaker, has more hotel rooms than any other city in the world. According to Nevada's Commission on Tourism, Nevada welcomed over 50 million tourists alone just last year.

Prior to this bill, terrorism preparedness grant funding did not take tourism into consideration in determining a State's population. Yet Nevada's first responders were and remain responsible for protecting everyone, residents and visitors, 24 hours a day, 7 days a week. To ignore the tourism population in determining a State's level of risk simply ignores a large population within a potential terrorist target.

The First Responders Act of 2005 will help States with large tourism populations, like Nevada, receive a more equitable allocation of tourism preparedness funds. H.R. 1544 is a step in the right direction and, in fact, should stand as a model for all homeland security grants. More homeland security programs beyond just the terrorism preparedness grants should also take into account tourism populations.

As we move forward in strengthening our homeland security, I look forward to achieving this goal and to providing our first responders with the critical resources they need to protect the people of this country. I urge my colleagues to support this landmark legislation, and I once again congratulate the chairman and I congratulate my friend, the gentleman from Texas (Mr. SESSIONS), for their hard work on this effort.

Ms. MATSUI. Mr. Speaker, I continue to reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, at this time I am very, very pleased to yield 3 minutes to the gentleman from California (Mr. COX), the young chairman of the Select Committee on Homeland Security, a very distinguished Member of Congress, and a man who has worked very diligently not only on a bipartisan basis with the minority, but also with the Speaker and in particular with the Committee on Rules as we went about

preparing this important piece of legislation to ensure its success. So I am very, very proud of the chairman from Orange County, California (Mr. COX).

Mr. COX. Mr. Speaker, I thank the gentleman from Texas (Mr. SESSIONS), my older brother, for all the work that he did.

Really, in all seriousness, Mr. Speaker, I want to begin by thanking the gentleman from Texas, who, as a member of the Select Committee on Homeland Security for 2 years was instrumental in writing this legislation; who, as a Member of the Committee on Rules in the 109th Congress, has been appointed by the chairman as liaison to the Select Committee on Homeland Security and has made possible the process by which we will consider this bill on the floor today.

In fact, it really merits pointing out today that the Committee on Rules of the House of Representatives has played a special role in the establishment of the Select Committee on Homeland Security, for which this is the first major legislative effort on the floor this year.

In the last Congress, not only the gentleman from Texas (Mr. SESSIONS) but also the gentlewoman from New York (Ms. SLAUGHTER); the gentleman from Florida (Mr. LINCOLN DIAZ-BALART), who is the chairman of the Subcommittee on Rules of the Select Committee on Homeland Security; the gentleman from California (Mr. DREIER), chairman of the full Committee on Rules; the gentleman from Georgia (Mr. LINDER), who is now chairman of the Subcommittee on Prevention of Nuclear and Biological Attack of the Select Committee on Homeland Security; and Porter Goss of Florida, who is now the Director of the Central Intelligence Agency, all were Members of the Select Committee on Homeland Security in the last Congress and also Members of the Committee on Rules that worked to change the jurisdiction of the House of Representatives to make sure we would have a focus on this critical national priority that both President Bush and the leaders of this Congress have recognized as so important that we have reorganized the entire executive branch and now the legislative branch of government. That is the process by which this rule and the bill that it outlines are coming to the floor today.

Since September 11, over \$30 billion in terrorism preparedness funding has gone from the Federal Government to State and local governments. In this year's budget, President Bush has added to the annual amount an incremental \$2 billion more. That will mean that we have had an increase in annual spending on terrorism preparedness for States and localities since 9/11 of over 2,000 percent. The question is not whether we are putting enough money into terrorism preparedness for our first responders. The question is whether the money is making it to the frontlines. And the answer to that is,

no, it is not. And the question is also whether it is being spent properly, in a way that makes us more prepared. And, unfortunately, the answer to that question is, not always.

There are opportunities for major improvement, and that is what this bill is all about. It is called the Faster and Smarter Funding for First Responder Act because it solves both those problems. It will get the money to the frontlines faster, and it will make sure that we are spending the money based on what we know from our intelligence about terrorist threats and capabilities, our own vulnerabilities, and the consequences of terrorist attacks.

I strongly support this rule and look forward to passage of the bill later today.

Ms. MATSUI. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Mr. Speaker, on September 11, 4 years ago, fanatic Islamic terrorists attacked our country, hijacked our planes, rammed the Pentagon, and destroyed the World Trade Center that was located in my district. This is deadly serious business, and we do not have a dime to waste. This bill, while certainly an improvement over current law, still includes State-based formula funding.

I offered an amendment to eliminate the State minimum section of the bill to ensure that all homeland security funding is distributed on the basis of risk. Unfortunately, that amendment was not made in order by this restrictive rule. I am saddened that there are still people in this House who still do not get it. How many times do we have to run for our lives before we realize this is not a game? We face the serious threat of terrorism, and we should allocate the homeland security funding based on that threat.

□ 1115

I understand this bill is a delicate political compromise. On the whole, I support it because it is better than current law. But we can do better.

State minimums waste homeland security funding. This bill would give States money that cannot be justified on the basis of the risk, wasting precious resources that should be used to protect the American people from real dangers in other States.

In this wonderful, open, rich, free society in which we live, there are plenty of real targets that need protecting all across America. The issue of State minimums is not just about New York. If there are real threats to our food supply, our energy resources, our national monuments, they should all be protected. But we should not give more money to States who cannot demonstrate a need while we know there are other States that have needs that cannot be met. It just does not make sense.

The bipartisan 9/11 Commission recommended that anti-terrorism funding be distributed based on risk and not based on State formulas or pork-barrel spending. We should follow their excellent advice. The State minimum provision in this bill is in direct violation of the 9/11 Commission recommendations. In its report, it said that, Homeland security assistance should be based strictly on an assessment of risks and vulnerabilities." The commission went on to say that "Federal homeland security assistance should not remain a program for general revenue sharing. It should supplement State and local resources based on the risks and vulnerabilities that merit additional support. Congress should not use this money as pork barrel."

My amendment would have stricken these State minimums and distributed these grants in a manner that addresses the highest priority threats and vulnerabilities of the Nation. There are very real and known terrorist threats against specific targets in the country, and these homeland security grant programs were created specifically to address these threats. Distributing terrorism response funding without regard to risk is not wise. It is not cost effective. It is not in the best interests of our country's security. These resources should go where they are needed, where there is the greatest threat of terrorism. Period.

As noted in the 9/11 Commission's report, "Those who would allocate money on a different basis should then defend their view of the national interest." I had hoped that the Rules Committee would have followed the recommendations of the 9/11 Commission and made my amendment in order.

Nevertheless, I am pleased that the State minimum section in this bill is a significant improvement over current law by being much smaller, and I hope that when we enter into conference with the other body, we remain firm and fight to keep State minimums at the lowest possible level so that the risk-based funds can be kept at the highest level to fight the real threat of terrorism in our country.

Mr. SESSIONS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from California (Mr. COX).

Mr. COX. Mr. Speaker, following on the remarks by my colleague from New York, who has been a strong supporter of reform in this area, I just want to correct a statement that he made. He suggested that this legislation violates the recommendations of the 9/11 Commission. In fact, the 9/11 Commission has expressly endorsed this legislation in precisely the form that it is coming to the floor today and the cochairman, Lee Hamilton, of the 9/11 Commission took the time to come to the Committee on Homeland Security just a few days ago to testify in solid support of this legislation.

And so as we go forward with the bill, I just want the Members to know that this bill in its present form is strongly

endorsed by the 9/11 Commission, and it implements their recommendation.

Ms. MATSUI. Mr. Speaker, I yield 3 minutes to the gentleman from Rhode Island (Mr. LANGEVIN).

(Mr. LANGEVIN asked and was given permission to revise and extend his remarks.)

Mr. LANGEVIN. I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in strong support of the Faster and Smarter Funding for First Responders Act. It is a testament to the importance and balanced approach of this bill that it is cosponsored by every Democratic and Republican member of the Committee on Homeland Security on which I am proud to serve. The 9/11 Commission and countless others have urged a more risk-based approach to homeland security funding. Unfortunately, we have been too slow to adopt this recommendation because, while we may agree on a risk-based method in theory, every Member wants his or her district to receive the most possible Federal assistance.

This bill takes the right approach and represents a long overdue move towards a more effective allocation of scarce resources. H.R. 1544 guarantees a minimum funding level for each State because all States must attain a benchmark level of preparedness and response capabilities. But beyond this minimum, the bill would disburse funds based on a risk and threat assessment to ensure that they are spent where they are most needed and will do the most good.

I am also pleased that this measure provides for a task force on terrorism preparedness to assist in updating the DHS list of essential capabilities for first responders. We must be able to measure the progress our States are making towards an adequate level of preparedness, and it is equally important that this baseline be achieved in every community throughout the country so that American families can feel secure no matter where they live.

I would like to note that for risk-based funding to work, however, DHS must have a comprehensive threat and vulnerability assessment on which to rely. I would urge DHS in the strongest possible terms to ensure that this critical piece of the puzzle is a top priority and is completed as soon as possible.

With that, Mr. Speaker, let me encourage all of my colleagues to support this bipartisan measure. I want to commend both Chairman Cox and Ranking Member THOMPSON on their fine work on this piece of legislation.

Mr. SESSIONS. Mr. Speaker, I yield 4 minutes to the gentleman from Georgia (Mr. LINDER), chairman of the Subcommittee on Prevention of Nuclear and Biological Attack.

Mr. LINDER. Mr. Speaker, I thank the gentleman from Texas (Mr. SESSIONS) for yielding me the time, and I rise in support of both the rule and the underlying legislation, H.R. 1544.

In 1787, John Jay wrote, "Among the many objects to which a wise and free

people find it necessary to direct their attention, that of providing for their safety seems to be the first." More than 215 years later, we all agree on the importance of protecting the people. However, this House today finds itself debating the question of just how best should the government protect the people.

In 2001, Congress enacted many sweeping changes to our Nation's anti-terrorism laws, including the formulas by which States would receive homeland security grants through the passage of the USA PATRIOT Act. Under the PATRIOT Act, each State is guaranteed to receive three-quarters of a percent and each territory .25 percent of the total amount appropriated each year for terrorism preparedness grants. The balance of the funds is then distributed to each State and territory based on population.

In hindsight, we can see that this system of allocation is flawed. For example, in fiscal year 2005, the minimum allocation for each State is \$11.25 million. Using that total, based on current census numbers, the State of Wyoming would receive a minimum guarantee of \$22.23 per person in homeland security grants while the State of California would receive a minimum guarantee of just 31 cents per person. In other words, the Federal Government would allocate approximately 7,100 percent more funding per capita at a minimum to the State of Wyoming than it would to the State of California for homeland security grants.

That is why I am a cosponsor of H.R. 1544 and voted to support the bill in committee. It is the responsibility of this government not only to ensure that we are protecting the people but also to ensure that we do so in an efficient and measured fashion.

Let us be clear about one point. H.R. 1544 does not eliminate minimum guarantees for the States. Under this legislation, each State, regardless of population, would receive a minimum of .25 percent of the total amount appropriated each year for terrorism preparedness grants.

H.R. 1544, however, does require the government to move away from its arbitrary approach to anti-terrorism funding toward a more rational approach. Rather than continuing to simply allow homeland security grant programs to become Federal cash cows for States and localities, this legislation focuses our efforts on what is truly important, namely, our Nation's vulnerabilities.

Ms. MATSUI. Mr. Speaker, I yield myself such time as I may consume.

I look forward to hearing the debate on this legislation to improve first responder funding. We all want to ensure our communities are well equipped and prepared to face any threat. I believe that the underlying bill will help accomplish exactly that.

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

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

I want to thank the gentlewoman from California for her work on this bill today. I would also like to thank the gentleman from California (Mr. COX) and the gentleman from Mississippi (Mr. THOMPSON), from the Committee on Homeland Security; as well as the gentleman from New York (Mr. KING), chairman of the Subcommittee on Emergency Preparedness, Science, and Technology; and the gentleman from Alaska (Mr. YOUNG) of the Committee on Transportation and Infrastructure for all of their hard work and determination in bringing this bill forward. They worked well together. This is a bipartisan bill.

The Rules Committee met just several days ago and heard how the ranking member and Chairman COX put a great work package together. The Rules Committee decided to help out a little bit. We have made in order with this rule three Democrat amendments and two Republican amendments that will be part of this wonderful bill that will be debated in just a few minutes here in this House. I am very proud of the work that we have accomplished together. I am very proud of the legislation.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. COX. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 1544.

The SPEAKER pro tempore (Mr. SESSIONS). Is there objection to the request of the gentleman from California?

There was no objection.

FASTER AND SMARTER FUNDING FOR FIRST RESPONDERS ACT

The SPEAKER pro tempore. Pursuant to House Resolution 269 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 1544.

□ 1127

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1544) to provide faster and smarter funding for first responders, and for other purposes, with Mr. CALVERT in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from California (Mr. COX) and the gentleman from Mississippi (Mr. THOMPSON) each will control 30 minutes.

The Chair recognizes the gentleman from California (Mr. COX).

Mr. COX. Mr. Chairman, I yield myself such time as I may consume.

I rise today in strong support of H.R. 1544, the Faster and Smarter Funding for First Responders Act. I am here on the floor today with the ranking member of the Committee on Homeland Security, the gentleman from Mississippi (Mr. THOMPSON). He and I are here to argue today on behalf of a bill that is strongly endorsed by every single Republican and Democratic member of the Committee on Homeland Security. More than that, this legislation is supported by the Bush administration. We have received a formal statement of administration support for this bill. It is strongly endorsed by the 9/11 Commission whose recommendation that first responder funding be placed on a risk basis this bill implements. It is endorsed by scores of first responder groups, the men and women on the front lines for whom this money is intended. They worked with us over a period of over 2 years, first to identify the problems in the current grant-making system for billions of homeland security and terrorism preparedness dollars and, second, to develop a solution.

The solution that today's bill presents is a simple one. We are going to move away from political formulas for allocating these billions of dollars and toward a system that relies on the intelligence that the American taxpayer already purchases at the price of billions of dollars every year, information about terrorist capabilities and intentions, information about our own critical infrastructure and vulnerabilities and information about the potential consequences of different kinds of terrorist attacks. In combination, this mix of threat, vulnerability and consequence is called risk. Funding for first responders in the future is going to be based upon risk. That is what this bill is all about.

And we solve the second problem. Of the over \$30 billion in terrorism preparedness moneys that the Federal Government has made available to States and localities since September 11, some 60 percent of it is not yet spent. It is stuck in the administrative pipeline.

□ 1130

There are a number of reasons for this that our committee has discovered through field hearings across the country, hearings here in Washington, and our own investigation. But at bottom it is this: right now there is an "ad hocery" to the way that moneys are passed around the country. There is no predictability about when the funds might arrive, whether reimbursement will be there. And the planning, as a result, tends to take place after the money is received, slowing things down.

In our new system, the planning will be moved at the front end of the process. Every State which already has a

statewide terrorism preparedness plan will ensure that when these applications for grants are made, they are directly tied to that statewide plan and also directly tied to the achievement of national objectives for first responder preparedness.

We will have clear standards for the first responders so that they will not have these kinds of questions about reimbursement that have plagued them in the past. We will know that what we are buying in the form of equipment and training will be directly tied to national terrorism preparedness goals.

In recent days, there has been a fair amount of press coverage about abuses of homeland security spending. For example, right here in Washington, D.C., we learned that \$100,000 of this grant money meant for first responder terrorism preparedness was instead spent on a Dale Carnegie course for sanitation workers, another \$100,000 was spent to develop a rap song purportedly to educate young people about how to be prepared in the case of a terrorist attack.

These kinds of abuses will come to an end as a result of this legislation, and our money will be directed toward keeping our first responders, who are not only first in line to protect us but first in line for the terrorists, the first to die if this system does not work right, keeping these people well trained and well equipped.

I would like to thank, in addition to the gentleman from Mississippi (Mr. THOMPSON), ranking member, the other members of the Committee on Homeland Security. There has been a great deal of work that has gone into this bill. The last step in bringing this to the floor was a 13-hour markup in our committee. I think what we will find today, Mr. Chairman, is that this debate will go forward in a very bipartisan fashion. We might not agree about all the details of this legislation. We may not agree when we go to conference with the Senate. And when we come back with a conference report, hopefully in just a few weeks or maybe a few months, we may not agree on every detail.

But there is a big change in this bill that we all agree on, and that is that henceforth moneys for terrorism preparedness that go from Washington to States and localities to our police, to our firefighters, to our EMS personnel, to people in hospitals who will be there in case of a biological attack or indeed to treat the wounded in case of any attack, that the people who get these moneys will be assured that, first, the moneys will arrive soon, on time, right after we want them to be available; and, second, they will know how to spend it and they will know, when they spend it in accordance with their plans, they will get reimbursed for it. This will move America in the direction that we need to go to be prepared for another terrorist attack.

A great deal of our work in the Committee on Homeland Security is focused on preventing terrorist attacks,

as well we should be focused; but I have no doubt that someday somewhere terrorists will again strike our country; and when that happens, we are going to rely on our first responders just as we did on 9/11, and next time we want to make sure they have all the training and all the equipment that they need. This bill is a strong step in that direction. It is something that I think we can all be very proud of.

I want to conclude by thanking the gentleman from Mississippi, who, as the leader of the minority, has made it possible for us to keep in mind that when the terrorists attack us, they are not going to attack Democrats or Republicans. They are going to attack Americans. And we are all Americans here, and we are all doing the right thing today.

Mr. Chairman, I submit the following exchange of letters for the RECORD.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON TRANSPORTATION AND
INFRASTRUCTURE,

Washington, DC, April 25, 2005.

Hon. CHRISTOPHER COX,

*Chairman, Committee on Homeland Security,
Adams Building, Washington, DC.*

DEAR MR. CHAIRMAN: I am writing to you concerning the jurisdictional interest of the Transportation and Infrastructure Committee in matters being considered in H.R. 1544, the Faster and Smarter Funding for First Responders Act of 2005.

Our Committee recognizes the importance of H.R. 1544 and the need for the legislation to move expeditiously. Therefore, while we have a valid claim to jurisdiction over certain provisions of the bill, I will agree not to request a sequential referral. This, of course, is conditional on our mutual understanding that nothing in this legislation or my decision to forego a sequential referral waives, reduces or otherwise affects the jurisdiction of the Transportation and Infrastructure Committee, and that a copy of this letter and of your response acknowledging our valid jurisdictional interest will be included in the Committee report and in the Congressional Record when the bill is considered on the House Floor.

The Committee on Transportation and Infrastructure also asks that you support our request to be conferees on the provisions over which we have jurisdiction during any House-Senate conference.

Thank you for your cooperation in this matter.

Sincerely,

DON YOUNG,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, April 25, 2005.

Hon. DON YOUNG,

*Chairman, Committee on Transportation and
Infrastructure, Rayburn House Office
Building, Washington, DC.*

DEAR MR. CHAIRMAN: Thank you for your recent letter expressing the Transportation and Infrastructure Committee's jurisdictional interest in H.R. 1544, the "Faster and Smarter Funding for First Responders Act of 2005." The bill was introduced on April 12, 2005, and referred solely to the Committee on Homeland Security. The Committee on Homeland Security marked up the bill and ordered it reported on April 21, 2005. The bill, as reported, is substantially similar to the amended version of H.R. 3266 that the Transportation and Infrastructure Committee marked up and ordered reported during the

108th Congress, and it reflects compromises reached in consultation with your Committee during the last Congress.

I appreciate your willingness to waive further consideration of H.R. 1544 in order to expedite proceedings on this legislation. I agree that, by not exercising your right to request a referral, the Transportation and Infrastructure Committee does not waive any jurisdiction it may have over H.R. 1544. In addition, I agree that if any provisions of the bill are determined to be within the jurisdiction of the Transportation and Infrastructure Committee, I will support your request to be conferees with respect to those provisions during any House-Senate conference on H.R. 1544 or similar legislation.

As you have requested, I will include a copy of your letter and this response as part of the Committee on Homeland Security's report and the Congressional Record during consideration of the legislation on the House floor.

Thank you for your cooperation as we work towards the enactment of H.R. 1544.

Sincerely,

CHRISTOPHER COX,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON SCIENCE,
Washington, DC, April 25, 2005.

Hon. CHRISTOPHER COX,

*Chairman, Committee on Homeland Security,
Adams Building Washington, DC.*

DEAR MR. CHAIRMAN: I am writing to you concerning the jurisdictional interest of the Science Committee in matters being considered in H.R. 1544, the Faster and Smarter Funding for First Responders Act of 2005. Section 3 of this bill amends the Homeland Security Act of 2002 to add a new section 1807 that addresses national voluntary consensus standards for the performance, use, and validation of first responder equipment. The development of such standards is of particular jurisdictional interest to the Science Committee.

The Science Committee acknowledges the importance of H.R. 1544 and the need for the legislation to move expeditiously. Therefore, while we have a claim to jurisdiction over section three of the bill (adding a new section 1807 that addresses national voluntary consensus standards for the performance, use, and validation of first responder equipment), I agree not to request a sequential referral. This, of course, is conditional on our mutual understanding that nothing in this legislation or my decision to forego a sequential referral waives, reduces or otherwise affects the jurisdiction of the Science Committee, and that a copy of this letter and of your response will be included in the Committee report and in the Congressional Record when the bill is considered on the House Floor.

The Science Committee also asks that you support our request to be conferees on any provisions over which we have jurisdiction during House-Senate conference on this legislation.

Thank you for your attention to this matter.

Sincerely,

SHERWOOD BOEHLERT,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, April 29, 2005

Hon. SHERWOOD BOEHLERT,

*Chairman, Committee on Science, Rayburn
House Office Building, Washington, DC*

DEAR MR. CHAIRMAN: Thank you for your recent letter expressing the Science Committee's jurisdictional interest in H.R. 1544, the "Faster and Smarter Funding for First Re-

sponders Act of 2005." The bill was introduced on April 12, 2005, and referred solely to the Committee on Homeland Security. The Committee on Homeland Security marked up the bill and ordered it reported on April 21, 2005. The bill, as reported, is substantially similar to the amended version of H.R. 3266 that the Science agreed to discharge during the 108th Congress, and it reflects compromises reached in consultation with your Committee during the last Congress.

I appreciate your willingness to waive further consideration of H.R. 1544 in order to expedite proceedings on this legislation. I agree that, by not exercising your right to request a referral, the Science Committee does not waive jurisdiction it may have over section three of the bill (adding a new section 1807 that addresses national voluntary consensus standards for the performance, use, and validation of first responder equipment). In addition, if those provisions are determined to be within the jurisdiction of the Science Committee, I will support representation for your Committee during any House-Senate conference on H.R. 1544 or similar legislation.

As you have requested, I will include a copy of your letter and this response as part of the Committee on Homeland Security's report and the Congressional Record during consideration of the legislation on the House floor.

Thank you for your cooperation as we work towards the enactment of H.R. 1544.

Sincerely,

CHRISTOPHER COX,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, April 28, 2005.

Hon. CHRISTOPHER COX,

*Chairman, Committee on Homeland Security,
House of Representatives, Adams Building
Washington, DC.*

DEAR CHAIRMAN COX: I am writing with regard to H.R. 1544, the Faster and Smarter Funding for First Responders Act of 2005, which was ordered reported by the Committee on Homeland Security on April 21, 2005. As you know, the Energy and Commerce Committee has jurisdiction over matters involving public health contained within section 3 of H.R. 1544 as reported.

Section 3 of H.R. 1544, as reported, requires the Secretary of Health and Human Services to appoint ex officio members and coordinate with the Secretary of Homeland Security with respect to the selection of emergency medical professionals to serve as members of a task force on terrorism preparedness. In addition, the bill requires that, in establishing any national voluntary consensus standards for first responder equipment or training that involve or relate to health professionals, the Secretary of Homeland Security must coordinate with the Secretary of Health and Human Services. This language is substantially similar to provisions contained in the Energy and Commerce reported version of H.R. 3266 from the 108th Congress.

I recognize your desire to bring this legislation before the House in an expeditious manner. Accordingly, I will not exercise my Committee's right to a referral. By agreeing to waive its consideration of the bill, however, the Energy and Commerce Committee does not waive its jurisdiction over H.R. 1544. In addition, the Energy and Commerce Committee reserves its right to seek conferees on any provisions of the bill that are within its jurisdiction during any House-Senate conference that may be convened on this legislation. I ask for your commitment to support any request by the Energy and Commerce Committee for conferees on H.R. 1544 or similar legislation.

I request that you include this letter as part of the Committee's Report on H.R. 1544 and in the Record during consideration of the legislation on the House floor. Thank you for your attention to these matters.

Sincerely,

JOE BARTON,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, April 29, 2005.

Hon. JOE BARTON,
*Chairman, Committee on Energy and Commerce,
Rayburn House Office Building, Wash-
ington, DC.*

DEAR MR. CHAIRMAN: Thank you for your recent letter regarding the Energy and Commerce Committee's jurisdictional interest in H.R. 1544, the "Faster and Smarter Funding for First Responders Act of 2005." The bill was introduced on April 12, 2005, and referred solely to the Committee on Homeland Security. The Committee on Homeland Security marked up the bill and ordered it reported on April 21, 2005. The bill, as reported, is substantially similar to the amended version of H.R. 3266 that the Energy and Commerce Committee marked up and ordered reported during the 108th Congress; and it reflects compromises reached in consultation with your Committee during the last Congress.

I appreciate your willingness to waive further consideration of H.R. 1544 in order to expedite proceedings on this legislation. I agree that by not exercising your right to request a referral, the Energy and Commerce Committee does not waive any jurisdiction it may have over H.R. 1544.

In addition, I agree that if any provisions of the bill are determined to be within the jurisdiction of the Energy and Commerce Committee, I will support representation for your Committee during conference with the Senate with respect to those provisions.

As you have requested, I will include a copy of your letter and this response as part of the Committee on Homeland Security's report and the Congressional Record during consideration of the legislation on the House floor.

Thank you for your cooperation as we work towards the enactment of H.R. 1544.

Sincerely,

CHRISTOPHER COX,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, April 28, 2005.

Hon. CHRISTOPHER COX,
*Chairman, Committee on Homeland Security,
House of Representatives, Washington, DC.*

DEAR CHAIRMAN COX: On April 21, 2005, the Committee on Homeland Security ordered reported H.R. 1544, the "Faster and Smarter Funding for First Responders Act of 2005." In recognition of the desire to expedite floor consideration of H.R. 1544, the Committee on the Judiciary hereby waives any consideration of the bill.

Several sections of H.R. 1544 contain matters within the Committee on the Judiciary's Rule X jurisdiction. The centrality of law enforcement to the primary purposes of this legislation brings it within the Committee on the Judiciary's legislative and oversight jurisdiction under rule X(1)(1)(7) ("Criminal law enforcement") and rule X(1)(1)(19) ("Subversive activities affecting the internal security of the United States"). A summary of principal provisions within the Committee on the Judiciary's jurisdiction follows.

Sec. 3 (new section 1801(9)(B)(i)) establishes grant eligibility for a State or States located in a region "established by a compact between two or more States." These matters

fall within the Committee on the Judiciary's jurisdiction under rule X(1)(1)(10) ("Interstate compacts generally"). Sec. 3 (new section 1802(a)(3)) ("Law Enforcement Terrorism Prevention Program") falls within the Committee's jurisdiction under rule X(1)(1)(7) ("Criminal law enforcement") and rule X(1)(1)(19) ("Subversive activities affecting the internal security of the United States"). Sec. 3 (new section 1803) ("Covered Grant Eligibility and Criteria") establishes standards by which States and localities receive funding for, among other things, "unique aspects of terrorism." These matters fall within the Committee's jurisdiction under rule X(1)(1)(7) ("Criminal law enforcement") and rule X(1)(1)(19) ("Subversive activities affecting the internal security of the United States").

Sec. 3 (new section 1804) ("Risk-based Evaluation and Prioritization") establishes a "First Responder Grants Board" with broad authority to assess a range of domestic security threats, including those based on "acts of terrorism of the known activity of any terrorist organization." Domestic security threats clearly fall within the Committee on the Judiciary's jurisdiction under rule X(1)(1)(7) ("Criminal law enforcement") and rule X(1)(1)(19) ("Subversive activities affecting the internal security of the United States"). Sec. 3 (new Section 1804(c)(3)) ("Types of Threat") directs the Secretary of Homeland Security to consider a variety of threats to critical infrastructure, including: biological threats; nuclear threats; radiological threats; incendiary threats; chemical threats; explosives; suicide bombers; cyber threats; and any other threats based on proximity to specific past acts of terrorism or the known activity of a terrorist group. Much of this information could be acquired only with the active participation of law enforcement and antiterrorism agencies, including the Department of Justice and its relevant components. These matters fall within the Committee on the Judiciary's legislative and oversight jurisdiction under rule X(1)(1)(7) ("Criminal law enforcement") and rule X(1)(1)(19) ("Subversive activities affecting the internal security of the United States").

The Committee on the Judiciary agrees to waive any formal consideration of the bill with the understanding that its jurisdiction over these and other provisions contained in the legislation is no way altered or diminished. The Committee on the Judiciary also reserves the right to seek appointment to any House-Senate conference on this legislation. I would appreciate your including this letter in your Committee's report on H.R. 1544 and the Congressional Record during consideration of H.R. 1544 on the House floor. Thank you for your attention to these matters.

Sincerely,

F. JAMES SENSENBRENNER, JR.,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, April 28, 2005.

Hon. F. JAMES SENSENBRENNER,
*Chairman, Committee on the Judiciary, Ray-
burn House Office Building, Washington,
DC.*

DEAR MR. CHAIRMAN: Thank you for your recent letter regarding the Judiciary Committee's jurisdictional interest in H.R. 1544, the "Faster and Smarter Funding for First Responders Act of 2005." The bill was introduced on April 12, 2005, and referred solely to the Committee on Homeland Security. The Committee on Homeland Security marked up the bill and ordered it reported on April 21, 2005. The bill, as reported, is substantially similar to the amended version of H.R. 3266

that the Judiciary Committee marked up and ordered reported during the 108th Congress, and it reflects compromises reached in consultation with your Committee during the last Congress.

I appreciate your willingness to waive further consideration of H.R. 1544, in order to expedite proceedings on this legislation. I acknowledge the Judiciary Committee's Rule X jurisdiction over matters relating to criminal law enforcement and subversive activities affecting the internal security of the United States, and recognize the Committee's strong jurisdictional interest in this legislation. I agree that by waiving further consideration of the bill, the Judiciary Committee does not waive any jurisdiction it may have over H.R. 1544 or similar legislation. In addition, I agree that for provisions of the bill that are determined to be within the jurisdiction of the Judiciary Committee, I will support representation for your Committee during conference with the Senate.

As you have requested, I will include a copy of your letter and this response as part of the Committee on Homeland Security's report and the Congressional Record during consideration of the legislation on the House floor.

Thank you for your cooperation as we work towards the enactment of H.R. 1544.

Sincerely,

CHRISTOPHER COX,
Chairman.

Mr. Chairman, I reserve the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Chairman, I yield myself such time as I may consume.

I would like at the outset to follow the conversation, saying this committee has worked very well on this legislation. It is bipartisan. The 14 hours we put in working on it in committee went very well. I would like to compliment the gentleman from New Jersey (Mr. PASCRELL), the ranking member of the Emergency Preparedness, Science, and Technology Subcommittee, for his work on this issue.

Mr. Chairman, I support H.R. 1544, the Faster and Smarter Funding for First Responders Act. Our first responders, whether they are firefighters, law enforcement, or EMS providers, are the first line of defense. We must provide them with additional resources, training, and information they need in order to meet the challenges.

Preparing for, preventing, and responding to any large incident is primarily a local responsibility. Still, the Federal Government has a significant role. H.R. 1544 was introduced in April. It was co-sponsored by all the Democrats and Republicans on the Committee on Homeland Security, and it was approved unanimously by voice vote of that same committee. In addition, this bill is supported by every major first responder organization in the country. This version is a compromise that was reached during the 108th Congress in order to pass out of the House of Representatives at that point. The current system for distributing funding to first responders is fundamentally broken and is not getting the funding where it needs to go in a timely fashion.

Currently, funding is distributed solely on the basis of an arbitrary formula that does not consider risk in any part of the country. H.R. 1544 ensures that homeland security funding for first responders is distributed on the basis of risk regardless of community type.

As a former mayor and volunteer firefighter from Mississippi, I am very concerned that the needs of rural America are not adequately being considered when DHS allocates homeland security funding. Maintaining a State minimum of .25 percent for most States and .45 for certain border States strikes a difficult, but necessary, balance. On one hand the government must consider risk in distributing the funding. On the other hand, the government must ensure that each State will have the funding to reach a minimum level of preparedness.

H.R. 1544 does not mean that all funding will go to States and communities with a high population or high threat. For the first time, DHS will assess risk in every community regardless of whether it is urban, suburban, or rural. After all, we do not know where terrorists will strike next.

One issue that is very important to my State is the issue of flood control levees. I worked to ensure that flood control levees are included in the definition of dams on the critical infrastructure.

This bill establishes a First Responder Grant Board to prioritize grant applications using threat, vulnerability, and consequences. Mr. Chairman, H.R. 1544 also helps target funding to the essential capabilities of first responders in order to prevent, prepare for, and respond to acts of terrorism.

But this bill is not perfect, Mr. Chairman. There are personnel shortages that ought to be covered in this program. There are a number of other things that I look forward to working with the chairman on correcting in other legislation. However, for what we have before us today, I am in support of it from the outset. It is the right thing to do. We have to target the resources based on risk. This legislation does that.

Mr. Chairman, I reserve the balance of my time.

Mr. COX. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from the State of New York (Mr. KING).

Mr. KING of New York. Mr. Chairman, I thank the chairman for yielding me this time.

Mr. Chairman, I am proud to be here today to strongly urge the support of this legislation. It is absolutely vital for our Nation's interests and for the interests of first responders throughout the country that this legislation be adopted and that we do all we can to have it implemented and signed into law.

At the outset, I want to commend the gentleman from California (Chairman COX) for the leadership he has given to

the Committee on Homeland Security; the gentleman from Mississippi (Mr. THOMPSON), ranking member, who has demonstrated the ultimate in bipartisanship; and the gentleman from New Jersey (Mr. PASCRELL), my old friend and ranking member on our subcommittee, who fully appreciates and understands just how vital this is.

He was there with President Bush and a number of us just 3 days after the attacks of September 11 at the World Trade Center, at Ground Zero. We saw the terrible devastation, and all of us promised that day and afterwards never ever to allow our first responders to be put in a position where they were not adequately equipped, adequately ready, and suitably trained and prepared to cope with such a mammoth attack as that and also that they have all the equipment and everything that has to be done to be prepared.

I think it is a tribute to the fact that our committee is now a permanent committee. The Committee on Homeland Security is now a permanent committee that will be able to marshal these resources and bring about such a bipartisan effort.

Those of us who come from the area of near Ground Zero, certainly in my district and the adjoining districts, we lost many, many hundreds of people on that day. People from the financial services community and fire service, police service, all of them lost their lives. We promised never ever to put them in that position again. Unfortunately, for the last 3½ years, we have had a situation where money has not gone where it is needed. It has been spread far and wide. And as a result, the protection that those people need was not given.

This bill we are passing today is based on threat analysis. I wish that my State was not such a high target, but it is. And so long as it is, it is important that we get the funding that is needed. But there are States around the country, there are agricultural areas, rural areas, all of whom are also high targets, and they must be compensated. And that is what this bill does. It provides a threat analysis for the entire country, for areas that need it, whether they be urban, suburban, rural, agricultural. The fact is they will get the assistance they need if they need it.

And that is what this has to be about. It has to be a question of emergency preparedness for those who are the targets, those who are in the cross hairs, those of us who are directly threatened by al Qaeda.

So in the aftermath of 9/11, we said our lives will never again be the same. Unfortunately, for 3½ years, we never really faced up to that challenge. We never stood up and did what had to be done.

We are doing it today. This is the first major step since September 11 in adequately and effectively responding to the needs of our first responders who are there to respond for us. And now we

are finally responding for them the way they responded for us on 9/11.

It is not just Ground Zero. It was the Pentagon. And it could be any city or State or locality afterwards. But if we are going to be effective in coming up with defenses, it must be based on threat analysis. That is what this does. It took heroic efforts on both sides of the aisle to bring this about. Today's vote will be the culmination of that in the House, a first major step.

So I urge the adoption of H.R. 1544. I again commend both sides of the aisle and especially the gentleman from New Jersey (Mr. PASCRELL), my ranking member, for the energy and the drive and dedication that was put in to bring about this legislation.

Again, I urge adoption of the legislation.

Mr. THOMPSON of Mississippi. Mr. Chairman, I yield 5 minutes and 15 seconds to the gentleman from New Jersey (Mr. PASCRELL), ranking Democrat on the subcommittee.

(Mr. PASCRELL asked and was given permission to revise and extend his remarks.)

Mr. PASCRELL. Mr. Chairman, first of all, to the gentleman from New York (Mr. KING), chairman of the subcommittee, it is an honor to work with him. He understands the depth of concern of the American people. He understands the depth of concern of our first responders, police and firefighters, EMS. And understanding their day-to-day situation in the face of terror, he fashioned legislation; and I am glad he made me part of it.

These are difficult times. The last chapter of the 9/11 Commission report, Mr. Chairman, is not just by coincidence. The subtitles of the sections in that final chapter, chapter 13, "Unity of Effort." Across the foreign/domestic divide, unity of effort, as far as the intelligence community is concerned, the sharing of information. The unity of effort in the Congress, section 13.4. It was not just a coincidence that the 9/11 report finished with that unity.

If there is anything that has brought us together, it is this tragedy. We need to remember that as we battle on the floor the different issues and we forget that we are here to do the people's business.

□ 1145

So I applaud the gentleman from California (Chairman COX) and I applaud the ranking member, the gentleman from Mississippi (Mr. THOMPSON), my very good friend, for their tireless work in navigating H.R. 1544 through the political maze that is Capitol Hill. Our men and women on the front lines applaud you.

I want to commend my good friend the gentleman from New York (Mr. KING), the chairman of the Subcommittee on Emergency Preparedness, Science, and Technology for his diligent work. As the ranking member on this panel, I have seen firsthand the expertise and the passion the gentleman brings to matters affecting our Nation's first responders.

We know that homeland defense cannot be marred with reckless partisan squabbling. We know that our Nation's security cannot be sidetracked by the parochial concerns of the few. That is why every single member of the Committee on Homeland Security supports this legislation. Indeed, when was the last time we all supported anything?

Different Members representing widely varying regions and constituencies have all come together in a bipartisan manner to bring H.R. 1544 to the floor today. It is the culmination of a lot of work. A lot of staff members helped in bringing this before the Congress.

As we all know, our first responders, whether they are firefighters, law enforcement or EMS providers, are the first ones to arrive on the scene of any major incident and the last ones to leave. So it is crucial that we ensure that Federal money designed to better equip and train all of those first responders actually reaches down to where it is needed most.

Unfortunately, the system of distributing grant funding to the local level is fundamentally broken. We have a system where grant funding is distributed to a large extent on minimum funding allocations rather than risk. It is wrong, and it is counterproductive to national security, we have found out.

But you do not have to take my word for it. A wide array of sources have warned us of the dangers of dispensing terrorism preparedness money on arbitrary political formulas. On page 396 of the 9/11 Commission report, and I will conclude on this remark, states, "Homeland security assistance should be based strictly on an assessment of risks and vulnerabilities. Federal homeland security assistance should not remain a program for general revenue sharing. It should supplement State and local resources based on the risks or vulnerabilities that merit additional support. Congress should not use this money as a pork barrel."

Our current distribution of funding leaves a lot to be desired. This bill changes that.

I just want to conclude with this, Mr. Chairman: Too often we here in Washington are enveloped with a partisan rancor and acrimony that stunts our ability to achieve fundamental and necessary reform. Many times we have seen good policy fall victim to short-term political calculations. This cannot happen today. It will not happen today. Passing the Faster and Smarter Funding for First Responders Act will show that we take this job seriously.

Mr. COX. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from California (Mr. LUNGREN), the former Attorney General of California.

Mr. DANIEL E. LUNGREN of California. Mr. Chairman, I thank the chairman and the ranking member of the committee for the work they have done in bringing to the floor the Faster and Smarter Funding for First Re-

sponders Act, H.R. 1544, and I rise in support of that bill.

Yesterday, we had a reminder, if we even needed a reminder, of the events of 9/11 and the aftermath. Yesterday, as we were proceeding out of this Chamber, we were urged by those who were in uniform to move faster, to move to a place of greater safety. And that is an apt analogy for the bill we bring to this floor today, because we truly are attempting to do a better job in terms of the funding on the Federal level for first responders.

There is no doubt that this Chamber, acting with the other Chamber and the executive branch, attempted as best we could at that time to come up with a comprehensive approach to get funding to first responders in view of the threat as we saw it after 9/11. But in the intervening 3-plus years, we have seen that that which we have done is not perfect, that there are improvements to be made. Certainly first and foremost among these is to establish a basis for the kinds of funding that will go out to the first responders.

This bill is a true effort to attempt to establish a rational risk assessment, that is, a rational means of determining what the greatest threat is to this country in the aftermath of 9/11, and then proceed to have the funding follow that. This is extremely important, because in some ways it goes against the grain of those of us who serve in this body who want to make sure that every single one of our districts gets the best amount of money that it possibly can.

In this particular situation, we are acting as national legislators, making a determination as to what the national threat is and then responding to that national threat in the most effective way possible. That is why I salute the chairman and ranking member. I tell my other colleagues here that this was a unanimous decision by the members of this committee. Hopefully, we will receive a unanimous decision here on the floor of the House.

Mr. THOMPSON of Mississippi. Mr. Chairman, I yield 3 minutes to the gentleman from North Carolina (Mr. ETHERIDGE).

(Mr. ETHERIDGE asked and was given permission to revise and extend his remarks.)

Mr. ETHERIDGE. Mr. Chairman, I thank the gentleman from Mississippi for yielding me time. Let me thank the chairman and ranking member. Both of them did an extraordinary job of pulling together an important piece of legislation, a complex piece of legislation, that every Member of the House should endorse wholeheartedly. Every member of the committee was a cosponsor of the legislation, myself included. I am pleased to join them as a member of the Committee on Homeland Security and in being responsible for this legislation.

This, as has been said, is a first-responder-driven bill. I want to thank the committee for accepting my

amendment on agro-terrorism, an issue important all across America for our food supply. But, equally important, to have homeland security, we must have hometown security, and the formula this bill is driven by, that is what it is about.

It is good for my home State of North Carolina, because the current formula, with North Carolina being the 13th largest State in population, we end up 49th in per capita homeland security funding. I do not think we are next to last in risk. And others can say that.

The funding formula proposed in this piece of legislation will allow Federal homeland security funds to be disbursed on a threat, risk and vulnerability basis. Let me thank all of my colleagues for that, because that is the way it ought to be.

The formula follows the recommendation, as has been said, of the 9/11 Commission. The Commission said, "Homeland security funds should supplement State and local resources based on the risk or vulnerabilities that merit additional support." This bill does that.

North Carolina and its critical infrastructure have significance far beyond the borders of our State. The State is home to the Nation's largest army base, the Nation's second largest financial center, three nuclear power plants, major highways, ports and airports and an agricultural economy that supplies goods to one in ten people in this country.

I am confident that the formula in H.R. 1544 will give every State the opportunity to receive adequate and appropriate funds for terrorism and prevention and response that is necessary for our local hometown heroes.

H.R. 1544 is good public policy that will make a difference to strengthen the security and safety of communities in North Carolina and across America. By putting the resources in place to address real risk and vulnerabilities, we can fight the threat head on.

Simply put, H.R. 1544 will help save lives and secure our country. I recommend this bill to all my colleagues.

Mr. Chairman, I rise today in support of H.R. 1544, the Faster and Smarter Funding for First Responders Act. I am pleased to join all the members of the House Homeland Security Committee as a cosponsor of this legislation.

This bill is good for my State, North Carolina, and for the Nation. Under the current funding formula, North Carolina, the 13th largest State by population, is 49th in per capita homeland security funding. My State is certainly next to last in risks.

The funding formula proposed in H.R. 1544 will allow Federal homeland security funds to be distributed on the basis of threat, risk and vulnerability. This formula follows the recommendation of the 9/11 Commission. The Commission said, "Homeland security funds should supplement State and local resources based on the risks or vulnerabilities that merit additional support."

North Carolina and its critical infrastructures have significance far beyond its borders. The

State is home to the Nation's largest Army base, the Nation's second largest financial center, three nuclear power plants, major highways, port and airports, and an agricultural economy that supplies food to one in ten people in our country.

I am confident that the formula in H.R. 1544 will give every State the opportunity to receive adequate and appropriate funds for terrorism and prevention and response. H.R. 1544 is good public policy that will make a difference to strengthen the security and safety of communities in North Carolina and across the country. By putting the resources in place to address real risks and vulnerabilities, we confront the threat head on. Simply put, H.R. 1544 will help to save lives.

I recommend the bill to all my colleagues in the House.

Mr. COX. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Texas (Mr. SMITH).

Mr. SMITH of Texas. Mr. Chairman, I thank the gentleman from California, the chairman of the Committee on Homeland Security, for yielding me time.

Mr. Chairman, I support H.R. 1544, the Faster and Smarter Funding For First Responders Act of 2005. In its report, the 9/11 Commission stated, "Homeland security assistance should be based strictly on an assessment of risk and vulnerabilities." This bill overhauls the current system for first responder grants and follows the recommendations of the 9/11 Commission to allow for greater allocation on the basis of a State's or region's vulnerability to terrorist attack.

The current broken formula has adversely affected my State. In Federal funding per capita for first responders, Texas ranks 50th of the 50 States, despite the fact that Houston, Dallas and San Antonio are three of the Nation's ten largest cities. Texas also has a 1,200 mile porous border with Mexico, 14 maritime ports and an airport, Dallas-Fort Worth, that is bigger than New York City's Manhattan Island. Clearly, Texas faces a more grave threat than some other parts of the country.

The bill we are considering today provides assistance to first responders serving where the risk is greatest, determines the essential capabilities of communities and encourages regional cooperation and mutual aid agreements through regional grant applications.

Mr. Chairman, these changes to the current grant allocation procedure are essential if we are to be ready for another attack. We hope all this preparation is for nothing, but we must be prepared. H.R. 1544 ensures that we are as prepared as possible.

Mr. THOMPSON of Mississippi. Mr. Chairman, I yield 2 minutes to gentleman from North Carolina (Mr. PRICE), a member of the Committee on Appropriations Subcommittee on Homeland Security.

(Mr. PRICE of North Carolina asked and was given permission to revise and extend his remarks.)

Mr. PRICE of North Carolina. Mr. Chairman, I rise in support of H.R. 1544.

The bill significantly improves the homeland security application and funding process by restructuring it in a way that my home State of North Carolina predicts will shorten the time it takes funds to get from the Federal to the local level by about 6 months.

The bill also will significantly improve how we assess threats by taking the decision out of the hands of DHS and creating a task force made up of experts from the Federal, State, and local levels and the first responder community to create a comprehensive means of assessing risk.

So I feel this bill has a great deal of potential. It could be a very important step in the right direction. But I warn my colleagues that we will fail in our efforts to protect the homeland if we do not take some additional steps, in particular to avoid a trade-off down the road between protecting ourselves against terrorist attacks and preparing for and responding to natural disasters.

As we vote on this bill, we are dealing with a presidential budget that would slash Federal funding for our local police by close to 40 percent through massive cuts in Homeland Security and Justice grant programs.

The Bush administration continues its trend of shifting money from natural and general disaster preparedness programs. For example, the Committee on Appropriations was recently forced to cut FIRE grants, one of the most successful Federal grant programs in existence, by over \$100 million, at a time when our Nation is expecting more than ever from our understaffed and ill-equipped fire departments.

So while I applaud the committee for its work in crafting a strong bill, we ought to make clear that voting for this bill is not enough. When it comes time to make some harder choices and pay for these first responder programs that we happily authorize, we will need the same bipartisan support for those on the front lines that we see here today.

Mr. COX. Mr. Chairman, I yield 2 minutes to the distinguished vice chairman of the full Committee on Homeland Security, the gentleman from Pennsylvania (Mr. WELDON).

(Mr. WELDON of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. WELDON of Pennsylvania. Mr. Chairman, I thank the gentleman for yielding and thank the chairman and ranking member for their outstanding work, and the subcommittee chairs and ranking members as well.

This bill is the best indication to the first responder community across the country that Congress was listening. It was not this way 5, 6 or 7 years ago when the first funding for training first responders was being developed by bureaucrats in Washington, who had no idea of what the real threats were out there across America.

□ 1200

It was not the case over the past several years as States and counties si-

phoned off administrative dollars that should have gone for the first responders.

This bill changes all that because this bill is based upon the committee listening to the first responder community. It provides a more consistent approach that is based on the threats that we see out there, and it responds to the needs that were presented to us by the representative groups of the first responder community. In fact, Mr. Chairman, that is why every first responder organization in America supports this legislation. I applaud my colleagues for this outstanding work.

As to the other programs that we fund, like the grant program for firefighters which my colleague just spoke on of, I am proud of the fact that in a tough budget environment, separate from this legislation, we have appropriated over \$3 billion to almost 20,000 fire and EMS departments across the country, direct allocations, not through any bureaucracy, but directly through firefighters deciding on the priorities of fire groups and EMS groups across the country. That program will see another one-half billion dollars at a minimum in the next fiscal year.

So we are taking care of the priorities and the needs, we are responding to local concerns, and the key message of this legislation is that we have listened to those people who are across America in 32,000 fire and EMS departments, thousands of police departments who every day for every call respond to America's needs.

I commend, again, the committee for its outstanding work, and I look forward to continuing the aggressive schedule the chairman has laid out before us for the Committee on Homeland Security in this session of Congress.

Mr. THOMPSON of Mississippi. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. HARMAN), a member of the Committee on Homeland Security as well as the ranking Democrat on the Permanent Select Committee on Intelligence.

Ms. HARMAN. Mr. Chairman, I thank the gentleman for yielding me this time and commend him for his leadership on our new permanent committee. It is a great thing that we finally have a committee in the House to focus on what I believe is the most urgent business confronting us.

Mr. Chairman, I strongly support this legislation and I want to underscore that it is about money, but it is not primarily about money. It is really primarily about strategy.

The purpose in forming a Homeland Security Department was not to rearrange the deck chairs, but was to create one deck, one national, integrated strategy for homeland security. And by passing this legislation, which I am sure we will do later today, we now will have a strategy based on risk for distributing needed funds to our very impressive first responders.

We should not use the squeaky wheel theory for homeland security funding;

we should have a strategic view of homeland security funding. And once we pass this legislation and once we urge our colleagues in the other body to move their bill on the floor and then to reach a fair compromise in conference and enact this bill into law, we will have taken a major step forward.

This legislation, of course, does not solve all the problems. An issue on which the gentleman from Pennsylvania (Mr. WELDON), and I have focused for years is a strategy for interoperable communications for emergency responders. This requires some of the things we have in our authorization bill, but it will also require dedicated spectrum, something that I hope the Congress addresses this year and something that is the subject of legislation we have introduced on a bipartisan basis called the Hero Act.

But to conclude, Mr. Chairman, this is a very good start. It is very good work by our ranking member and by our chairman, the gentleman from California (Mr. COX); and it helps resolve a major roadblock to securing our homeland in our own districts and all parts of America.

Mr. COX. Mr. Chairman, I yield 2 minutes to the gentleman from Connecticut (Mr. SIMMONS).

Mr. SIMMONS. Mr. Chairman, I rise in strong support of H.R. 1544, the Faster and Smarter Funding For the First Responders Act of 2005, and I commend the gentleman from California (Chairman COX) and the gentleman from Mississippi (Ranking Member THOMPSON) for their bipartisan leadership in bringing this bill to the floor today.

On September 11, our first responders answered the call of duty, risking their lives to save countless Americans from attack. Their heroic service and sacrifice will be remembered forever.

Following 9/11, the first responder community worked hard to help us craft this legislation. We also received input from the 9/11 Commission and the 9/11 families for a risk-based approach to managing homeland security dollars.

Today's bill follows a logical approach by allowing and rewarding up-front planning at the State, local, tribal, and regional levels. We provide a risk-based management structure to direct the use of these dollars so that they can move quickly to where they are most needed.

Mr. Chairman, I am reminded that the 9/11 Commission Report called on us to respond to that tragedy with a commitment to "create something positive, an America that is safer, stronger, and wiser." The bill before us today honors this obligation. It frees critical resources to first responders who need them for training and equipment. This makes us safer. It encourages regional cooperation and teamwork across town, city, tribal, and State lines. This makes us stronger. Finally, it targets our greatest risks and vulnerabilities which undoubtedly makes us smarter.

As a member of the Committee on Homeland Security, I am proud to co-sponsor this legislation. It is the product of a uniquely thoughtful process with support from across the aisle and across the country. I urge my colleagues to join me in supporting this bill.

Mr. THOMPSON of Mississippi. Mr. Chairman, I yield 3 minutes to the gentlewoman from New York (Mrs. LOWEY), who has been a constant reminder to us all about needing to do it better.

Mrs. LOWEY. Mr. Chairman, I want to thank my colleague, the gentleman from Mississippi, for his leadership on this committee and our chairman, the gentleman from California (Mr. COX). The day has come. I am delighted to be here with all of the members of the committee, and I know this will receive unanimous approval from this body.

Many of my colleagues have worked hard to ensure that the areas of our country facing the greatest threat receive their fair share of homeland security funds. Quite frankly, it amazes me that we have gone this long allocating such a large portion of homeland security funds based on everything but the threat of a terrorist attack to a particular area or region. The 9/11 Commission's report specifically states that Congress should not use this money as a pork barrel; yet, we seem to have been doing just that. We should not play politics with public safety.

There are six grant programs administered by the Department of Homeland Security. Five of these six programs are distributed based on a formula that does not take risk or threat into account. In fiscal year 2005, New York, which suffered the most catastrophic damage from terrorism on September 11, was not even in the top 10 for per capita funding. I challenge anyone who opposes risk-based funding to sit down with the first responders from New York or Virginia, that is, our police, our firefighters, our EMS workers. These are the people who responded on September 11. They should tell them that funding should be based on anything but risk.

This is not about politics; it is about common sense, good policy. It took only minutes for our police, firefighters, and EMS workers to respond to the calls for help on September 11. Over 3 years later, Congress still has not answered their cry for better funding to protect us. This change in funding priorities is long overdue. I urge my colleagues to vote "yes" on the bill.

Mr. COX. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from Florida (Ms. HARRIS).

(Ms. HARRIS asked and was given permission to revise and extend her remarks.)

Ms. HARRIS. Mr. Chairman, I rise in support of H.R. 1544, the Faster and Smarter Funding For First Responders Act of 2005.

This critical, bipartisan, and historic legislation implements the 9/11 Commission's recommendations in streamlining terrorism preparedness grants and making certain that our first responders have the resources they need when they need them.

As police officers and first responders gather in Washington to honor their fallen comrades during National Police Week, the images of September 11 remain frozen in our minds and etched into our souls.

Since fiscal year 2002, Congress has appropriated, and the Department of Homeland Security has awarded, \$6.3 billion in terrorism preparedness grants. Yet shockingly, State, territorial, and local governments have spent just 31 percent of this funding. Clearly, our first responders and the communities they put their lives on the line to protect remain dangerously at risk, all due to government bureaucracy.

H.R. 1544 requires State, territorial, and local governments to assess their greatest threats, vulnerabilities, and consequences before they request the Federal funding money. Then, it holds these Governments accountable, requiring them to issue grants to first responders within 45 days.

In closing, Mr. Chairman, this legislation constitutes a long overdue dose of common sense. The gentleman from California (Chairman COX) and the gentleman from Mississippi (Ranking Member THOMPSON) have already proven the wisdom in establishing the Committee on Homeland Security through their vision and leadership in producing this legislation so quickly.

We remember the valor of firemen—who rushed through an inferno to save others, without regard for their own safety.

We recall the courage of police officers—who braved falling bricks and mortar to provide those in danger with their hands and their reassurance.

After many years during which our children searched among athletes, movie stars, and other celebrities for their role models, they learned the real definition of the word "hero" on that awful day.

And as four hurricanes visited unprecedented devastation upon my district in southwest Florida last year, we learned once again how much we rely upon the bravery, expert training, and compassion of first responders when disaster strikes.

Since Fiscal Year 2002, Congress has appropriated and the Department of Homeland Security has awarded 6.3 billion dollars in terrorism preparedness grants. Yet—shockingly—state, territorial, and local governments have spent just 31 percent of this funding.

Clearly, our first responders and the communities they put their lives on the line to protect remain dangerously at risk—all due to government bureaucracy.

H.R. 1544 requires State, territorial, and local governments to assess their greatest threats, vulnerabilities, and consequences before they request Federal grant money. Then, it holds these governments accountable—requiring them to issue grant awards to first responders within 45 days.

H.R. 1544 also enables regional planning and coordination—allowing localities and States to jointly apply for terrorism preparedness grants, which must remain consistent with State homeland security plans.

Mr. Chairman, this legislation constitutes a long overdue dose of common sense. Chairman COX and Ranking Member THOMPSON have already proven the wisdom of establishing the Homeland Security Committee through their vision and leadership in producing this legislation so quickly.

Mr. THOMPSON of Mississippi. Mr. Chairman, I yield 2 minutes to the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN).

Mrs. CHRISTENSEN. Mr. Chairman, I am proud to join my fellow committee members of the Committee on Homeland Security in strong support of H.R. 1544, the Faster and Smarter Funding For the First Responders Act of 2005. This bipartisan legislation was unanimously supported at both the subcommittee and full committee levels of the Committee on Homeland Security.

The chairman of the Committee on Homeland Security, the gentleman from California (Mr. COX), and the gentleman from Mississippi (Ranking Member THOMPSON) should receive high praise, as they have on the floor already this morning, for the skillful manner in which they worked so swiftly to shepherd this important bill through our committee and to the floor of the House.

Over the past 2 years, the committee has traveled around the country to listen to the first responders. We used the information garnered from these meetings as a guide in developing the first piece of legislation. H.R. 1544 seeks to remedy the problems first responders face because of a lack of guidance and standards, the need for flexibility in how they can use first responder funding, as well as just getting the money to them in the first place. It also provides a vehicle for ongoing first responder participation and planning and updating essential capabilities with the department and responds to the issue of how grants will be distributed and on what basis.

My own district, the U.S. Virgin Islands, came under scrutiny this year, particularly because of poor funding levels. When one assesses vulnerability and risk, as this bill lays out very clearly as the basis for distribution of level funding for the first time, my district would still be fairly treated and receive the funding that they need. And, importantly, H.R. 1544 will provide monitoring of the use of the funds provided for under this bill, through an office of the comptroller, which responds to the rightful concerns of the appropriators.

Mr. Chairman, most importantly, H.R. 1544 implements relevant 9/11 Commission recommendations to allocate Federal homeland security funds to first responders based on risk rather than political formulas. In doing so, we not only do what is right, but we honor

the sacrifice of those who were killed and their families; and this is a bill we can all be proud of. I urge my colleagues to support its passage.

Mr. COX. Mr. Chairman, I yield 2 minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. Mr. Chairman, given the evacuation yesterday that we had here at the Capitol, it is so appropriate that we are taking this bill up today. We all know that there is always room for improvement in our Nation's security. I want to congratulate the gentleman from California (Chairman COX) and his committee. They have done a great job in taking on a serious problem in our homeland security funding process.

The Faster and Smarter Funding For First Responders Act recognizes that, while we are sending significant funding out to the States for emergency preparedness, that funding and support is not always used in a timely fashion. In Tennessee, my home State, we found that between 2002 and 2004, there was nearly \$85 million in Federal homeland security funds that had been unspent and not allocated.

□ 1215

And there is a problem when states like mine have the Federal funds but are not disbursing them as quickly as is needed by our local communities. We have appropriated Homeland Security dollars to the States in order to ensure that funding is flexible and can be targeted to the specific needs of our local communities, and we need to work to be sure that those funds are being used appropriately.

Mr. Chairman, this bill really clarifies the appropriate uses for Federal Homeland Security grants and evaluates and annually prioritizes pending grant applications, and it is great that our local communities and our States are going to have the support they need in the communities, the guidance that they need to appropriately use the funds and put it to work, put it to good use in our communities.

Mr. THOMPSON of Mississippi. Mr. Chairman, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE), a member of the committee.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentleman from California (Mr. COX), the distinguished Chairman very much for his leadership, and the gentleman from Mississippi (Mr. THOMPSON), the ranking member for yielding. This truly is a bipartisan bill, and it falls on the backdrop of an interesting but yet telling experience.

First of all, let me take the opportunity to thank all of the Capitol Hill staff and the Capitol Hill police, all of the Sergeant of Arms staff. Sometimes we do not share the appreciation for the work that they have to do. And I want to acknowledge them for doing it in a very difficult scenario.

I think yesterday, as I rise to support this bill, particularly, as it is focused on risk analysis, which means that we

will do our very best as we support our first responders in the Faster and Smarter Funding for Our First Responders Act, that we will reach out to the most vulnerable cities and areas, but in fact, we will not rest until the entire homeland is secure. I am very gratified that we are still working on empowering what we call citizen corps and to develop what I think is very important, citizen volunteers to perform critical functions in assisting, in preventing and responding to terrorist attacks, and that they should be integrated in through this process in our State and local planning.

But as I looked at yesterday and determined that a small Cessna plane could come between or come near the no-fly area of this particular region, I know that we are in some troubling times. Yes, we survived yesterday, but we survived it because it was a mistake and because there were no intentions for terrorist acts.

This speaks to the need for this legislation, in particular, as we focus on the more troubling areas or the more vulnerable areas to terrorist attacks, but it also speaks to moving quickly to authorize our Homeland Security legislation.

More importantly, one of the concerns I have, Mr. Chairman, is the whole idea of cutting-edge technology. Technology is going to be the key to the whole focus of Homeland Security. Technology at the border, technology as it relates to cybersecurity, technology in airport screening. This is a first step. And because of the heroic efforts of our first responders on 9/11 and the acts of theirs throughout this time frame, this is an outstanding legislative initiative that will set, if you will, us on a pathway of securing our local communities. I hope that we will be smart in our legislative amendments. And I do not believe we need to move forward on the Castle amendment. If there is a certification process on the donated equipment that will come to our Fire Departments, then so be it. But on liability, even volunteer or donated equipment should not endanger our Fire Departments.

This is the right decision to make with respect to this legislation. I hope my colleagues will pass it, but I hope it will be a signal that more work needs to be done.

Mr. Chairman, I rise in strong support of the legislation we consider today, H.R. 1544, the Faster and Smarter Funding for First Responders Act of 2005. On April 21, 2005, I joined my colleagues in the Committee on Homeland Security to pass this important measure unanimously, and I urge my colleagues to do so today.

I thank Chairman COX and Ranking Member THOMPSON for their tremendous efforts to make this legislation bipartisan. I am an original cosponsor of this measure just as I was for that introduced in the 108th Congress, H.R. 3266, so my overall support for this initiative is abundantly clear.

I offered an amendment in the context of H.R. 3266, the rendition of today's legislation

that was introduced in the 108th Congress that proposed to increase the scope of the terrorism exercise programs that will be administered by the Secretary of DHS to include Citizen Corps Councils. Since the creation of this committee even as a select body, I have found it increasingly important that we include local "second responders" as often as possible when advancing emergency preparedness legislative initiatives. This body's crafting of a first responder bill as well as an authorization bill has given us an opportunity to make our preparedness exercises more thorough and "simulated."

A sense of Congress provision was accepted in the bill introduced in the 108th Congress. However, I offered and withdrew this amendment at the markup of H.R. 1544 because a similar provision, paragraph (11) has been included in House Report 109-65. In addition, I intend to pursue this initiative in the context of the authorization bill that will come before the House likely next week. I hope that my colleagues will work with me to further this important goal. Section 2, paragraph (11) of this report reads:

(1) Private sector resources and *citizen volunteers* can perform critical functions in assisting in preventing and responding to terrorist attacks, and should be integrated into State and local planning efforts to ensure that their capabilities and roles are understood, so as to provide enhanced State and local operational capability and surge capacity (emphasis added).

The Citizen Corps program was launched by President George W. Bush himself during the 2002 State of the Union address as part of the USA Freedom Corps initiative to engage Americans in volunteer service.

In only 2 years, nearly 1,000 communities around the country, encompassing 40 percent of the U.S. population established Citizen Corps Councils to help inform and train citizens in emergency preparedness and to coordinate and expand opportunities for citizen volunteers to participate in homeland security efforts and make our communities safer. Fifty-two states and territories also formed State level Citizen Corps Councils to support local efforts.

Our families need to be aware of the threats that exist from abroad. Homeland security is a very important issue that we may not think about in our daily lives.

The Houston branch of the Citizen Corps Council is headquartered in my Congressional District, Harris County, which is in southeastern Texas, comprises 1,779 square miles, and encompasses the city of Houston, 32 additional smaller cities, and is the home for nearly 4 million residents. Harris County is the third most populous county in the United States and one of the most culturally diverse.

This report language that I cited above is a good step toward getting the necessary funding and support needed to implement the Citizen Corps concept. Overall, the threat-based grant provisions found in the underlying legislation will help high-density threat-laden cities such as Houston, TX.

Harris County is home to numerous potential terrorist targets:

The Port of Houston, which ranks first in the United States in foreign waterborne commerce, is the leading domestic and international center for almost every segment of the oil and gas industry, houses almost half of the Nation's petrochemicals manufacturing ca-

capacity, is the world's sixth largest seaport and the Nation's largest oil port;

The Texas Medical Center, with 42 member institutions, provides leading medical care to people from all over the world and is the world's largest medical complex serving more than 70,000 daily;

The Johnson Space Center, home of NASA's manned space program;

The fourth largest airport system in the country, with more than 43 million passengers traveling through its three area airports to domestic and international destinations;

Three national sport arenas hosting thousands of fans for popular events; and

A nuclear power plant located approximately 70 miles from the county.

Mr. Chairman, H.R. 1544 will help the Department of Homeland Security allocate the first responder grant funds more prudently and expeditiously. I support the legislation and urge my colleagues to join me.

Mr. COX. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from the State of Washington (Mr. REICHERT).

Mr. REICHERT. Mr. Chairman, I am proud to be a member of the Homeland Security Committee. I am also proud to be an original cosponsor of the Faster Smarter Funding for First Responders Act. I spent 33 years on the front lines as a law enforcement officer, and I know that this legislation is vital.

I would like to thank the gentleman from California (Chairman Cox) and the gentleman from Mississippi (Mr. THOMPSON), the ranking member, for their leadership on this important legislation.

My home, Seattle region, is unique, sharing 150 nautical miles of maritime border with Canada and acting as hub for international trade and travel. It includes businesses such as Microsoft and Boeing. All these factors combine to create an area vulnerable to a terrorist attack.

We must make sure that Homeland Security dollars are going where they are needed, as the 9/11 commission report specifically recommended, and that they are properly spent once they are allocated.

This legislation addresses the most important aspect of Homeland Security, and that is evaluation of threat and risk. In this bill, we make sure the majority of first-responder funding is threat-based. The current model is outdated, distributing more money to areas with fairly benign risks than to areas that we know terrorists would like to attack, like New York City and the Capitol of our great Nation.

I ask that the House take action today and move for more effective risk-based funding for first responders. Again, I would like to thank the Chairman and the ranking member for their hard work.

Mr. THOMPSON of Mississippi. Mr. Chairman, at this time we do not have another speaker, and I would like to reserve the balance of my time.

Mr. COX. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from the State of Texas (Mr. MCCAUL).

Mr. MCCAUL of Texas. Mr. Chairman, I would like to also thank the gentleman from California (Chairman Cox) and the gentleman from Mississippi (Mr. THOMPSON), the ranking member, for their bipartisan leadership on this very important legislation.

Mr. Chairman, I rise today in strong support of the Faster and Smarter Funding for First Responders Act, and I am proud to be an original cosponsor of this bill.

Among its provisions, this historic legislation changes the current process by which our first responders get their much-needed resources.

It is clear that the Nation is moving in the right direction in its attempt to meet the security challenges of its post-9/11 world. All involved should be commended.

However, the current first responder grant system is in need of repair. We must make sure that those who stand on the front lines and answer the call have the vital resources immediately. This commonsense bill accomplishes this.

Despite the fact that my State of Texas is home to the President's ranch, the largest port in the United States, the Port of Houston, and has an international border with Mexico, it ranks dead last in the amount of Homeland Security money it receives per person.

Unfortunately, many other key target states like California, New York, Pennsylvania, Florida, Illinois, and Virginia, join Texas in this distinction.

To ensure that the States with the biggest risks and threats get the necessary money to protect themselves, our Nation must move towards a risk-based funding system.

Those like al Qaeda, who wish to do harm to America, have a track record of being patient and conspiring until they succeed in their terrorist agenda. By passing the Faster and Smarter Funding for First Responders Act, we are placing a priority on securing our Nation's most essential and at-risk targets as quickly as possible.

Mr. THOMPSON of Mississippi. Mr. Chairman, I continue to reserve the balance of my time.

Mr. COX. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from the State of New York (Mr. FOSSELLA).

(Mr. FOSSELLA asked and was given permission to revise and extend his remarks.)

Mr. FOSSELLA. Mr. Chairman, at the outset, let me thank the gentleman from Mississippi (Mr. THOMPSON), the ranking member, and especially the gentleman from California (Chairman Cox) for his leadership and understanding of this very complex but critical issue, as well as all Members, especially those from New York who have worked on this, such as the gentleman from New York (Mr. KING) and especially the gentleman from New York (Mr. SWEENEY) who have been dogged in ensuring that New York as well as all communities get their fair share to deal with Homeland Security.

Currently, Federal Homeland Security funds, and I would like to engage the Chairman in a colloquy, if I may, can be used for overtime but cannot be used to provide any support to law enforcement activities dedicated exclusively to counterterrorism. It is also prohibited to use the money for construction, which is often the very thing most needed for hardened targets.

New York City has by far the largest force dedicated exclusively to counterterrorism. Every single day, we have hundreds, if not thousands of police officers protecting the lives of not just New Yorkers, but the millions who come to New York City to work and to vacation. Its officers span the globe, from Guantanamo Bay to Israel to Afghanistan, working in many instances with federal and foreign officials on intelligence initiatives. These officers have the unique role of safeguarding America's largest city, home to some of the Nation's most symbolic buildings and landmarks, several Federal assets and the country's economic center.

Just as the unique nature of the Capitol complex requires a dedicated force, the Capitol police, which does a great job every single day, New York needs its own dedicated force to help prevent terrorist strikes against New York's 8 million residents, its millions of tourists, and its numerous national landmarks and those Federal assets I mentioned.

I submitted an amendment addressing these issues to the Rules Committee. I understand the Chairman and others expressed concern over the amendment, and given the situation, I withdrew the amendment and asked the Chairman to work with me on this important issue as the bill moves forward towards conference.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. FOSSELLA. I would be delighted to yield to the gentleman from California.

Mr. COX. Mr. Chairman, I would like to note that the bill before us today expressly permits grant recipients to use, with the approval of the Secretary of Homeland Security, up to 10 percent of their covered grant funds for measures to protect critical infrastructure, and this would include building barriers, fences, gates and so on. In the case of New York, that would mean that \$21 million would be available for this purpose.

The question of using Federal grant funds to pay for the salaries of local law enforcement officers is a very consequential one with impacts far beyond New York. The resolution of that question and all of its complexity is beyond the scope of this bill, but I want the gentleman to know that I appreciate the gentleman's comments, and I will look forward to working with him on these issues in the future.

Mr. FOSSELLA. Mr. Chairman, reclaiming my time, I thank the chairman again for this and what we will seek to achieve as well in the future.

Mr. THOMPSON of Mississippi. Mr. Chairman, I reserve the balance of my time.

Mr. COX. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from the State of New Mexico (Mr. PEARCE).

Mr. PEARCE. Mr. Chairman, I would like to thank the gentleman from California (Chairman COX) and the gentleman from Mississippi (Mr. THOMPSON), the ranking member, for bringing this legislation to the floor.

All of us are engaged in trying to make America safer during these times of turmoil and terrorism. Currently, what we are doing is distributing money based simply on formulation, where the only variable is based on population.

We are recognizing that terrorists are going to work one step ahead of us. We are recognizing that the threats will be imminent, and we must have a better way to assess our funding process. In this bill, H.R. 1544, the Faster and Smarter Funding for Our First Responders, we begin to recognize that funding should be risk-based, where we assess the threats, and we are accomplishing that.

It is the first time since 9/11 that we have wrestled with the complex formulation of how to distribute funds out and to achieve better and safer Homeland Security.

In this bill, for the first time, risk and threat assessments are being included. And for myself, representing a rural district where we have 180 miles of Mexico border, with only 150 miles of that simply with no fence, we are interested in threat assessment and risk assessment.

New Mexico also has agriculture, food, energy, dams and health care facilities, as well as energy, oil and gas, and we must consider those, the risk of those facilities and to those industries, as well as simply population-based risks. So for the first time, rural America is being able to define the capability with which they should have to prepare for terrorist attacks.

The Task Force on Terrorism Preparedness will assist the Secretary of Homeland Security in updating, revising and replacing essential capability for terrorism preparedness, and will consist of members from both rural and urban areas.

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Mr. Chairman, I again thank the ranking member and the chairman for bringing this bill forward. I think America will be better served.

The Acting CHAIRMAN (Mr. TERRY). The gentleman from California (Mr. COX) has 1 minute remaining.

Mr. THOMPSON of Mississippi. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me again thank the chairman of the committee for working with the minority on this legislation. It has been a very bipartisan effort. It speaks well for his leadership. I compliment him on it.

I look forward to the passage of this legislation and working on other pieces of legislation of mutual agreement which we have already discussed. It appears that additional legislation will be forthcoming. I would like to thank the ranking member of the committee, the gentleman from New Jersey (Mr. PASCRELL), for providing me significant leadership in this legislation.

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

Mr. COX. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to return the compliment to the gentleman from Mississippi (Mr. THOMPSON). This has been a collaborative effort for several years now. I also want to pay homage to the gentleman from Mississippi's (Mr. THOMPSON) predecessor, Mr. TURNER of Texas, who also led the minority ably on this issue.

Today we have an opportunity to establish a new grant process to provide better support to the brave men and women who are the first to rush into burning buildings, the people who place themselves in the line of fire to protect the innocent, the ones who save the sick and wounded under the most trying of circumstances.

It is no accident that this bill has been endorsed by every major first responders group in America, by the Bush administration, by the 9/11 Commission; and, indeed, I expect it will receive a strong endorsement from our colleagues on both sides of the aisle.

I encourage my colleagues to vote in favor of H.R. 1544. By passing this bill, we will take yet another important step since September 11 to help our Nation meet the urgent challenge of terrorism in our cities and hometowns.

Mr. HASTERT. Mr. Chairman, just yesterday we saw the important role that first responders play in keeping our nation safe. I want to commend Police Chief Terrance Gainer and the U.S. Capitol Police for a quick, professional response that protected the Members of the House of Representatives, our employees as well as the Capitol visitors.

We live in a new day when homeland security threats can come at any time, in any form. Yesterday's events highlight how important it is that the United States stays vigilant and prepared. H.R. 1544, the Faster and Smarter Funding for First Responders Act of 2005, is a much-needed step towards that effort.

This legislation cuts the red tape and streamlines the grant system so that desperately needed preparedness funds can get to communities without delay on the part of the Federal Government. In exchange, it establishes measurable goals so that local authorities can achieve a baseline of security for their communities. And, because we all know how much can be done working together, this bill encourages States, localities and communities to pool their resources and apply jointly for these grants. Such regional cooperation can ensure a tighter net while incurring less cost.

The bill focuses on getting funds to the communities that need them, while protecting valuable taxpayer dollars from misuse. Misuse has occurred. Shortly after the September

11th attacks, we began sending money to the States, and unfortunately, some of those taxpayer dollars went towards inappropriate uses: like air-conditioned garbage trucks, plasma television monitors and a rap song to teach children about emergency preparedness. America's homeland security is paramount. We will never become safe through waste. This legislation has safeguards to ensure that the money goes to the men and women on the front lines of the war on terror in the United States, our first responders.

A number of groups representing those first responders have come out in support of this legislation, including the International Association of Fire Chiefs, the Fraternal Order of Police, the National Troopers Coalition and the National Association of Emergency Medical Technicians.

H.R. 1544 will make the homeland security grant program more effective. It fulfills the recommendations of the 9/11 Commission, which cautioned in its report last year that Congress should not use terrorism preparedness dollars as "a pork barrel." And most important, this legislation will get first responders the money they need to do their jobs.

Yesterday, we saw how the United States has become more skilled in its homeland security efforts. We're doing better, but there's still room for improvement. We cannot rest until we've enacted every means possible to protect the United States from those who would cause us harm. Today's vote will go a long way towards keeping this country safe for American families.

Mr. MARKEY. Mr. Chairman, I rise to express my support for H.R. 1544, the Faster and Smarter Funding for First Responders Act, and to reiterate the importance of the Urban Area Security Initiative, UASI.

Since the establishment of the UASI program, communities that the Department of Homeland Security has designated as being subject to a high threat of terrorist attack have received the funding to develop coordinated, integrated plans that leverage the capabilities of the cities and towns within the UASI region that are needed to respond effectively in the event of a terrorist attack.

During committee consideration of this legislation, I prepared an amendment to amend the bill to include within the "region" definition any geographic area that has been designated by the Department of Homeland Security as a high-threat urban area as part of the Department's UASI program. My amendment was intended to permit these UASI regions to continue their important plans and strategies to prevent, prepare for, and respond to terrorist attacks. I noted that the UASI program is consistent with the purpose of H.R. 1544—namely that resources should be set aside for communities faced with unique threats and vulnerabilities, such as extensive critical infrastructure and large populations, which make them tempting targets for terrorists.

After receiving assurances from the chairman that he shares my interest in refining the legislation's definition of region, I withdrew my amendment. I understand that the chairman has discussed this important issue with the States and the UASI jurisdictions, and I appreciate the chairman's pledge to work with me, the UASI jurisdictions, and the States to address the UASI designation issue as this legislation moves forward.

It is my hope that the UASI program will be preserved in the final version of the legislation

we are considering today. The Faster and Smarter Funding for First Responders Act appropriately directs resources towards those areas that face the highest threat of a terrorist attack, rather than disbursing homeland security funds without regard to risk. The 9/11 Commission has endorsed this risk-based approach to homeland security funding, the UASI program is consistent with this methodology and should be preserved.

Mr. CASTLE. Mr. Chairman, I rise today to express my support for a fair and effective system of distributing homeland security grants to our nation's courageous first-responders. As a former Governor, I have long been concerned about our government's ability to accurately assess national threats, risks, and vulnerabilities. For this reason, I have been an adamant proponent of improving and streamlining the application and distribution process for these important grant programs.

The current grant allocation system is largely population-based. While population is an essential factor, the top priority for determining the needs of our first-responders must be based on the risk of terrorism and vulnerability of a community. The 9/11 Commission predicted in their report that one of our greatest challenges would be how to allocate these limited resources, and I agree. With the tragic memories of that clear September day still fresh in our minds, it is obvious that first-responders in high-risk and high density areas, such as New York City and Washington, DC, deserve an increased per capita share of the homeland security funding.

While it is essential that we update the distribution process to better reflect an assessment of risk, it is also important that we ensure the homeland security needs of small States and rural areas do not go unnoticed. In its report, the 9/11 Commission notes that due to the overwhelming focus on specific high-risk areas, terrorists might begin turning their attention to "softer," less protected targets. As representative of our nation's sixth smallest State, I am concerned that in improving the current system, we might inadvertently overlook citizens in States considered less likely to be vulnerable. In Delaware, the State Emergency Management Agency has expressed some concern that our critical infrastructure may be neglected. Such omissions could force small States like Delaware to dip into other important programs, such as disaster prevention, in order to provide the resources and personnel necessary to handle certain attacks.

While this legislation makes an important change in the distribution of homeland security funding by focusing resources on high-risk areas, the challenge to define these risks remains. In fact, the Department of Homeland Security has never undertaken a comprehensive national risk assessment, and will not complete their current study until at least 2008. A national risk evaluation is imperative for determining how to allocate first-responder grants, but obviously a thorough study will not be available for several years. Without a detailed study of our Nation's vast critical infrastructure, the Department cannot truly know what level of funding should be dedicated to large States, small States, urban areas, or rural communities.

To ensure first-responders across the country have access to effective homeland security funding, it is essential that we continue to provide each State with a fair and commonsense

minimum-funding baseline. Currently, the Department's inconsistent methodology for extracting data about key critical infrastructure assets can potentially result in incomplete and frankly, inadequate vulnerability assessments. Minimum-funding baselines reinforce this evolving system and provide additional protection to the thousands of "soft targets," by ensuring that all States receive sufficient funding to meet basic homeland security needs.

While I support the purpose of this legislation, I intend to remain engaged throughout conference with the Senate to ensure we reach a compromise for a State formula that is fair and refrains from cutting into States' preparedness efforts. Homeland security funding can be both efficient and effective and we should settle for no less.

Mrs. CUBIN. Mr. Chairman, we have all heard talk of how Wyoming and other rural States do not deserve their razor-thin slice of the Homeland Security pie because they have higher per capita funding allocations than the likes of New York, Chicago, and Los Angeles. What the per capita statistics don't tell you is that Wyoming's fiscal year 2005 share of first responder dollars amounted to around 4 percent of New York's \$298.3 million.

Attacking the first responder base minimum funding level might make for a good press release, but in reality, the per capita argument holds about as much water as a wicker basket. Wyoming's population may be spread thin, but this only presents an additional challenge to our first responders, who must deal with vast areas, rugged terrain and harsh weather with limited resources.

In 2004, nearly 100,000 shipments of hazardous materials rolled through Wyoming, whose rails and roads help make up the backbone of the Northwest United States commodity corridor. Wyoming is home to national parks and landmarks, oil and gas pipelines, and coal reserves that supply over half of the States in the Nation. Wyoming houses intercontinental ballistic missiles critical to our national defense system, placed there because rural America was thought to be safe and secure.

Perhaps the First Responder Grants Board would adequately weigh these points, and perhaps not. I would rather avoid relying on such bureaucratic uncertainty. I stand in opposition to H.R. 1544's severe reduction in the base minimum funding level because Wyoming's first responders depend on these very dollars to do their jobs and keep our citizens safe.

The need for reforming the grant distribution system is clear, and I applaud the Homeland Security Committee for their efforts to incorporate risk assessment and hold States accountable for how they spend those dollars. But I simply cannot support a bill that marginalizes the needs and unique challenges faced by first responders in rural States like Wyoming.

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I rise today in strong support of H.R. 1544, the Faster and Smarter Funding for First Responders Act of 2005.

The bill we are voting on today is an important piece of legislation designed to better support our first responders so that they can help protect and defend our citizens against terrorist attack.

I strongly support H.R. 1544 and am proud to be a cosponsor, along with all of my colleagues on the Homeland Security committee,

from which this legislation passed unanimously.

I would like to congratulate Chairman COX, Chairman KING, Ranking Member THOMPSON and Ranking Member PASCRELL for bringing this bill to the floor in an expeditious and bipartisan manner.

The core principle of the bill is to ensure that homeland security is always viewed through the lens of directing resources to address urgent security vulnerabilities in our country.

Security funding is fundamentally different than other funds such as highway money, where we try to spread the funds more-or-less evenly, and this bill reflects the changes needed in our thinking to address our homeland security needs.

I would also like to thank the chairmen and ranking members for including language from my proposed amendments that will:

Create an office of Comptroller within ODP to ensure oversight and accountability over funds moving through the pipeline;

Study the effects of waiving the Cash Management Improvement Act, so that its good governance intent does not have adverse consequences; and

Grant conditional authorization to the Secretary of Homeland Security to make direct payments to localities, should States be unable to pass grant funds through to the local recipients in a timely fashion.

These are all important tools that will ensure that resources necessary to protect our citizens are disbursed quickly and with strong accountability.

In closing I would like to reiterate my strong support of H.R. 1544 and urge all my colleagues to vote yes on this important piece of legislation.

Mr. CANTOR. Mr. Speaker, I rise today in support of H.R. 1544, the Faster and Smarter Funding for First Responders Act of 2005. This essential legislation establishes common guidelines for the federal departments that currently oversee our Nation's existing terrorism preparedness programs.

Since the attacks of September 11, 2001, our Nation has greatly reinforced our terrorism response capabilities. Over \$30 billion has been invested in state and local terrorism and natural disaster preparedness programs. Still, more needs to be done.

We must remain vigilant and continue to strengthen our defenses, take proactive measures, and ensure that first responders are properly equipped. Though difficult, it is vital that we balance resources between all Homeland Security related fields to maximize our ability to protect the American people.

This legislation will provide assistance to areas of our country facing greater risk, while ensuring that all areas are provided the necessary support, streamlining existing terrorism preparedness grants, establishing measurable goals, and creating new regional terrorism preparedness grants.

In addition, a board of appropriate Homeland Security officials will be created to evaluate the nation's high risk areas. I will fight to illustrate the vulnerabilities and high level of risk that confronts the 7th District of Virginia on a daily basis. I will ensure the proper data illustrating the risk to these localities is taken into account.

First responders are America's first and last line of protection against murderous terrorists

who seek to harm the innocent. Ensuring effective and efficient funding for our first responders is one of my highest priorities as a member of Congress.

I urge passage of this legislation.

Mr. BISHOP of New York. Mr. Chairman, I rise in strong support of H.R. 1544, The Faster and Smarter Funding for First Responders Act.

As yesterday's scare in this Capitol and across Washington, DC reminded us, we need to make sure that our early warning system and first response capability are highly efficient functions of our national security preparedness.

First responders are the backbone of our national security. I am privileged to represent New York's finest firefighters, medical technicians, hospital employees, and other first responders I'm proud to call good friends.

We owe them all the resources they require to carry out the many dangerous and critically important missions to secure our borders and prepare this Nation for emergencies.

I applaud the Homeland Security Committee for producing a bipartisan bill that refines our first responder grant process to make sure funding we authorize is delivered quickly and efficiently to the brave men and women we call upon to protect us from the daily threats we face.

After we pass this bill, I look forward to working with my colleagues toward restoring funding in the homeland security budget and addressing other shortfalls limiting the ability of first responders to do their jobs.

Mr. Chairman, we must guarantee that our home town heroes are properly funded and completely equipped and prepared to protect this Nation. I encourage my colleagues to support this bill in order to help this Nation's courageous and outstanding first responders achieve this mission.

Mr. SALAZAR. Mr. Chairman, I rise today to express my support for H.R. 1544, The Faster and Smarter Funding for First Responders Act.

My colleagues and I agree there is a need to reform the current system for funding first responders across our Nation. The Department of Homeland Security and this Congress should allocate Federal funds based on risk in order to protect critical infrastructure and high profile targets from attack. I do want to take this opportunity to express my concern that largely rural states such as Colorado will see a decrease in Homeland Security grant funds. As states prepare their risk assessment and the Department of Homeland Security evaluates them, I urge all parties to place high priority on protecting facilities such as dams, reservoirs and other potential targets outside of urban centers. I also urge the proper authorities to take advantage of the provisions in this bill that allow the formation of regional cooperatives to pursue Homeland Security funds.

Mr. Chairman, as we witnessed yesterday, our Nation is better prepared for security threats, but much work remains to be done. It is my hope that the important reforms contained in this bill will speed the delivery of money to the appropriate agencies and funding will be directed to where it is needed the most.

Mr. GENE GREEN of Texas. Mr. Chairman, I rise today in support of this bill, the Faster and Smarter Funding for First Responders Act.

This is a common sense bill that will address the problems in the current formula that has been used to distribute first responder funding over the past 3 years.

Since the September 11, 2001, terrorist attacks, the Homeland Security Department has provided nearly \$10.5 billion directly to state and local "first responders," such as emergency personnel, law enforcement and other agencies, to enhance their ability to prepare for and respond to terrorist attacks.

The USA PATRIOT Act guarantees each state, plus Puerto Rico and the District of Columbia, at least 0.75 percent of the total funding available under the formula-based program. In allocating funding over the past 3 years, the Homeland Security Department's Office of Domestic Preparedness has provided the base amount, and has then distributed the remaining funding based on population.

Under the current system in FY 2004 my home State of Texas received the second lowest amount of funding per capita, receiving only \$5.35 per person, despite having the longest international border of any state, the second largest foreign port, and being home to the Johnson Space Center, as well as hundreds of energy production facilities and chemical plants. Wyoming however, which has no international borders or major metropolitan area, received \$37.94 per capita.

In its report, the September 11 Commission urged that first responder grants be distributed on the basis of risk, and this bill does that by lowering the minimum guarantee for each state to 0.25 percent, or 0.45 percent for states that have an international border, and by requiring that the State Homeland Security Grant Program, the Urban Area Security Initiative and the Law Enforcement Terrorism Prevention program be distributed based on 16 threat criteria. This will ensure that Texans are not receiving \$32.59 less per capita than citizens in Wyoming.

H.R. 1544 will also require states to develop 3-year homeland-security plans for enhancing their preparedness and response capabilities, and it requires all applicants, which will be expanded in this bill to also include regional organizations in addition to state agencies, to be consistent with the plan.

I strongly support these provisions because it will allow funding to go directly to the communities that need it most, rather than being funneled through the state, and it requires that applicants specify how their grant fits into the plan. Over the past several years there have been numerous reports of states spending homeland security grant dollars on items such as traffic cones in Des Moines, air-conditioned garbage trucks in Newark, NJ, and bullet-proof vests for dogs in Columbus, Ohio. A recent report about Texas found that the Texas Engineering Extension Service, the agency which distributes Homeland Security funds in Texas, was not providing proper oversight and cities and counties were spending this money on questionable items. This is not how Homeland Security dollars were intended to be spent, and this bill will cut down on the frivolous and excessive spending that has taken place with this money over the past 3 years.

Mr. Chairman, because this bill creates a formula to distribute grant money based on threat criteria, because it provides for better oversight of spending, and because it allows regional organizations as well as states to apply for grant funding, I strongly support this

bill and would urge my colleagues to do the same.

Mr. CARDIN. Mr. Chairman, I rise in strong support of H.R. 1544, the Faster and Smarter Funding for First Responders Act of 2005. This bill will: give priority assistance to first responders facing greatest risk; require input from first responders when setting criteria for grant applications; streamline terrorism preparedness grants; set specific, flexible, and measurable goals for state and local government terrorism preparedness; and for the first time authorize regional terrorism preparedness grants.

In the 108th Congress I was privileged to serve on the Select Committee on Homeland Security, the predecessor to the permanent Homeland Security Committee, which has brought this bill to the floor today.

This bill implements one of the most important recommendations of the 9/11 Commission, which stated that "homeland security assistance should be based strictly on assessment of risks and vulnerabilities . . . [F]ederal homeland security assistance should not remain a program for general revenue sharing. It should supplement state and local resources based on the risks or vulnerabilities that merit additional support. Congress should not use this money as a pork barrel."

Under this legislation, states for the first time must prioritize their spending among their jurisdictions based on risk, threat, vulnerability, and consequences of a terrorist attack. This legislation includes new criteria that I authored in committee which will benefit Maryland. For example, the bill requires the Department of Homeland Security (DHS) to consider, when making grants, whether the state or local government has a significant transient commuting or tourist population, such as Marylanders who commute back and forth between Washington, Baltimore, and the suburbs. The bill also authorizes DHS to consider whether the state or local government has a close proximity to specific past acts of terrorism (such as the Maryland suburbs of Washington, DC), or the known activity of any terrorist group. The bill authorizes grants to regional governments with a population of more than 1.65 million people, which would allow the Baltimore metro region, and the surrounding counties of Baltimore, Howard, and Anne Arundel to apply for regional counter-terrorism grants that will help to prevent an attack and better prepare the county governments to respond in a coordinated fashion to an attack. The bill also requires states to make timely awards to state and local government, and requires an 80 percent pass through within 45 days.

This legislation is an important improvement in our commitment to a strong homeland defense and deserves our support.

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

The Acting CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the committee amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered as read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 1544

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Faster and Smarter Funding for First Responders Act of 2005".

SEC. 2. FINDINGS.

The Congress finds the following:

(1) In order to achieve its objective of preventing, minimizing the damage from, and assisting in the recovery from terrorist attacks, the Department of Homeland Security must play a leading role in assisting communities to reach the level of preparedness they need to prevent and respond to a terrorist attack.

(2) First responder funding is not reaching the men and women of our Nation's first response teams quickly enough, and sometimes not at all.

(3) To reform the current bureaucratic process so that homeland security dollars reach the first responders who need it most, it is necessary to clarify and consolidate the authority and procedures of the Department of Homeland Security that support first responders.

(4) Ensuring adequate resources for the new national mission of homeland security, without degrading the ability to address effectively other types of major disasters and emergencies, requires a discrete and separate grant making process for homeland security funds for first response to terrorist acts, on the one hand, and for first responder programs designed to meet pre-September 11 priorities, on the other.

(5) While a discrete homeland security grant making process is necessary to ensure proper focus on the unique aspects of terrorism preparedness, it is essential that State and local strategies for utilizing such grants be integrated, to the greatest extent practicable, with existing State and local emergency management plans.

(6) Homeland security grants to first responders must be based on the best intelligence concerning the capabilities and intentions of our terrorist enemies, and that intelligence must be used to target resources to the Nation's greatest threats, vulnerabilities, and consequences.

(7) The Nation's first response capabilities will be improved by sharing resources, training, planning, personnel, and equipment among neighboring jurisdictions through mutual aid agreements and regional cooperation. Such regional cooperation should be supported, where appropriate, through direct grants from the Department of Homeland Security.

(8) An essential prerequisite to achieving the Nation's homeland security objectives for first responders is the establishment of well-defined national goals for terrorism preparedness. These goals should delineate the essential capabilities that every jurisdiction in the United States should possess or to which it should have access.

(9) A national determination of essential capabilities is needed to identify levels of State and local government terrorism preparedness, to determine the nature and extent of State and local first responder needs, to identify the human and financial resources required to fulfill them, to direct funding to meet those needs, and to measure preparedness levels on a national scale.

(10) To facilitate progress in achieving, maintaining, and enhancing essential capabilities for State and local first responders, the Department of Homeland Security should seek to allocate homeland security funding for first responders to meet nationwide needs.

(11) Private sector resources and citizen volunteers can perform critical functions in assisting in preventing and responding to terrorist attacks, and should be integrated into State and local planning efforts to ensure that their capabilities and roles are understood, so as to provide enhanced State and local operational capability and surge capacity.

(12) Public-private partnerships, such as the partnerships between the Business Executives for National Security and the States of New Jersey and Georgia, can be useful to identify and

coordinate private sector support for State and local first responders. Such models should be expanded to cover all States and territories.

(13) An important aspect of terrorism preparedness is measurability, so that it is possible to determine how prepared a State or local government is now, and what additional steps it needs to take, in order to prevent, prepare for, respond to, mitigate against, and recover from acts of terrorism.

(14) The Department of Homeland Security should establish, publish, and regularly update national voluntary consensus standards for both equipment and training, in cooperation with both public and private sector standard setting organizations, to assist State and local governments in obtaining the equipment and training to attain the essential capabilities for first response to acts of terrorism, and to ensure that first responder funds are spent wisely.

SEC. 3. FASTER AND SMARTER FUNDING FOR FIRST RESPONDERS.

(a) IN GENERAL.—The Homeland Security Act of 2002 (Public Law 107–296; 6 U.S.C. 361 et seq.) is amended—

(1) in section 1(b) in the table of contents by adding at the end the following:

“TITLE XVIII—FUNDING FOR FIRST RESPONDERS

“Sec. 1801. Definitions.

“Sec. 1802. Faster and Smarter Funding for First Responders.

“Sec. 1803. Covered grant eligibility and criteria.

“Sec. 1804. Risk-based evaluation and prioritization.

“Sec. 1805. Task Force on Terrorism Preparedness for First Responders.

“Sec. 1806. Use of funds and accountability requirements.

“Sec. 1807. National standards for first responder equipment and training.”

(2) by adding at the end the following:

“TITLE XVIII—FUNDING FOR FIRST RESPONDERS

“SEC. 1801. DEFINITIONS.

“In this title:

“(1) BOARD.—The term ‘Board’ means the First Responder Grants Board established under section 1804.

“(2) COVERED GRANT.—The term ‘covered grant’ means any grant to which this title applies under section 1802.

“(3) DIRECTLY ELIGIBLE TRIBE.—The term ‘directly eligible tribe’ means any Indian tribe or consortium of Indian tribes that—

“(A) meets the criteria for inclusion in the qualified applicant pool for Self-Governance that are set forth in section 402(c) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 458bb(c));

“(B) employs at least 10 full-time personnel in a law enforcement or emergency response agency with the capacity to respond to calls for law enforcement or emergency services; and

“(C)(i) is located on, or within 5 miles of, an international border or waterway;

“(ii) is located within 5 miles of a facility designated as high-risk critical infrastructure by the Secretary;

“(iii) is located within or contiguous to one of the 50 largest metropolitan statistical areas in the United States; or

“(iv) has more than 1,000 square miles of Indian country, as that term is defined in section 1151 of title 18, United States Code.

“(4) ELEVATIONS IN THE THREAT ALERT LEVEL.—The term ‘elevations in the threat alert level’ means any designation (including those that are less than national in scope) that raises the homeland security threat level to either the highest or second highest threat level under the Homeland Security Advisory System referred to in section 201(d)(7).

“(5) EMERGENCY PREPAREDNESS.—The term ‘emergency preparedness’ shall have the same

meaning that term has under section 602 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5195a).

“(6) **ESSENTIAL CAPABILITIES.**—The term ‘essential capabilities’ means the levels, availability, and competence of emergency personnel, planning, training, and equipment across a variety of disciplines needed to effectively and efficiently prevent, prepare for, respond to, and recover from acts of terrorism consistent with established practices.

“(7) **FIRST RESPONDER.**—The term ‘first responder’ shall have the same meaning as the term ‘emergency response provider’.

“(8) **INDIAN TRIBE.**—The term ‘Indian tribe’ means any Indian tribe, band, nation, or other organized group or community, including any Alaskan Native village or regional or village corporation as defined in or established pursuant to the Alaskan Native Claims Settlement Act (43 U.S.C. 1601 et seq.), which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

“(9) **REGION.**—The term ‘region’ means—
“(A) any geographic area consisting of all or parts of 2 or more contiguous States, counties, municipalities, or other local governments that have a combined population of at least 1,650,000 or have an area of not less than 20,000 square miles, and that, for purposes of an application for a covered grant, is represented by 1 or more governments or governmental agencies within such geographic area, and that is established by law or by agreement of 2 or more such governments or governmental agencies in a mutual aid agreement; or

“(B) any other combination of contiguous local government units (including such a combination established by law or agreement of two or more governments or governmental agencies in a mutual aid agreement) that is formally certified by the Secretary as a region for purposes of this Act with the consent of—

“(i) the State or States in which they are located, including a multi-State entity established by a compact between two or more States; and
“(ii) the incorporated municipalities, counties, and parishes that they encompass.

“(10) **TASK FORCE.**—The term ‘Task Force’ means the Task Force on Terrorism Preparedness for First Responders established under section 1805.

“(11) **TERRORISM PREPAREDNESS.**—The term ‘terrorism preparedness’ means any activity designed to improve the ability to prevent, prepare for, respond to, mitigate against, or recover from threatened or actual terrorist attacks.

“SEC. 1802. FASTER AND SMARTER FUNDING FOR FIRST RESPONDERS.

“(a) **COVERED GRANTS.**—This title applies to grants provided by the Department to States, regions, or directly eligible tribes for the primary purpose of improving the ability of first responders to prevent, prepare for, respond to, mitigate against, or recover from threatened or actual terrorist attacks, especially those involving weapons of mass destruction, administered under the following:

“(1) **STATE HOMELAND SECURITY GRANT PROGRAM.**—The State Homeland Security Grant Program of the Department, or any successor to such grant program.

“(2) **URBAN AREA SECURITY INITIATIVE.**—The Urban Area Security Initiative of the Department, or any successor to such grant program.

“(3) **LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM.**—The Law Enforcement Terrorism Prevention Program of the Department, or any successor to such grant program.

“(b) **EXCLUDED PROGRAMS.**—This title does not apply to or otherwise affect the following Federal grant programs or any grant under such a program:

“(1) **NONDEPARTMENT PROGRAMS.**—Any Federal grant program that is not administered by the Department.

“(2) **FIRE GRANT PROGRAMS.**—The fire grant programs authorized by sections 33 and 34 of the

Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229, 2229a).

“(3) **EMERGENCY MANAGEMENT PLANNING AND ASSISTANCE ACCOUNT GRANTS.**—The Emergency Management Performance Grant program and the Urban Search and Rescue Grants program authorized by title VI of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5195 et seq.); the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2000 (113 Stat. 1047 et seq.); and the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.).

“SEC. 1803. COVERED GRANT ELIGIBILITY AND CRITERIA.

“(a) **GRANT ELIGIBILITY.**—Any State, region, or directly eligible tribe shall be eligible to apply for a covered grant.

“(b) **GRANT CRITERIA.**—The Secretary shall award covered grants to assist States and local governments in achieving, maintaining, and enhancing the essential capabilities for terrorism preparedness established by the Secretary.

“(c) **STATE HOMELAND SECURITY PLANS.**—
“(1) **SUBMISSION OF PLANS.**—The Secretary shall require that any State applying to the Secretary for a covered grant must submit to the Secretary a 3-year State homeland security plan that—

“(A) describes the essential capabilities that communities within the State should possess, or to which they should have access, based upon the terrorism risk factors relevant to such communities, in order to meet the Department’s goals for terrorism preparedness;

“(B) demonstrates the extent to which the State has achieved the essential capabilities that apply to the State;

“(C) demonstrates the needs of the State necessary to achieve, maintain, or enhance the essential capabilities that apply to the State;

“(D) includes a prioritization of such needs based on threat, vulnerability, and consequence assessment factors applicable to the State;

“(E) describes how the State intends—

“(i) to address such needs at the city, county, regional, tribal, State, and interstate level, including a precise description of any regional structure the State has established for the purpose of organizing homeland security preparedness activities funded by covered grants;

“(ii) to use all Federal, State, and local resources available for the purpose of addressing such needs; and

“(iii) to give particular emphasis to regional planning and cooperation, including the activities of multijurisdictional planning agencies governed by local officials, both within its jurisdictional borders and with neighboring States;

“(F) with respect to the emergency preparedness of first responders, addresses the unique aspects of terrorism as part of a comprehensive State emergency management plan; and

“(G) provides for coordination of response and recovery efforts at the local level, including procedures for effective incident command in conformance with the National Incident Management System.

“(2) **CONSULTATION.**—The State plan submitted under paragraph (1) shall be developed in consultation with and subject to appropriate comment by local governments and first responders within the State.

“(3) **APPROVAL BY SECRETARY.**—The Secretary may not award any covered grant to a State unless the Secretary has approved the applicable State homeland security plan.

“(4) **REVISIONS.**—A State may revise the applicable State homeland security plan approved by the Secretary under this subsection, subject to approval of the revision by the Secretary.

“(d) **CONSISTENCY WITH STATE PLANS.**—The Secretary shall ensure that each covered grant is used to supplement and support, in a consistent and coordinated manner, the applicable State homeland security plan or plans.

“(e) **APPLICATION FOR GRANT.**—

“(1) **IN GENERAL.**—Except as otherwise provided in this subsection, any State, region, or directly eligible tribe may apply for a covered grant by submitting to the Secretary an application at such time, in such manner, and containing such information as is required under this subsection, or as the Secretary may reasonably require.

“(2) **DEADLINES FOR APPLICATIONS AND AWARDS.**—All applications for covered grants must be submitted at such time as the Secretary may reasonably require for the fiscal year for which they are submitted. The Secretary shall award covered grants pursuant to all approved applications for such fiscal year as soon as practicable, but not later than March 1 of such year.

“(3) **AVAILABILITY OF FUNDS.**—All funds awarded by the Secretary under covered grants in a fiscal year shall be available for obligation through the end of the subsequent fiscal year.

“(4) **MINIMUM CONTENTS OF APPLICATION.**—The Secretary shall require that each applicant include in its application, at a minimum—

“(A) the purpose for which the applicant seeks covered grant funds and the reasons why the applicant needs the covered grant to meet the essential capabilities for terrorism preparedness within the State, region, or directly eligible tribe to which the application pertains;

“(B) a description of how, by reference to the applicable State homeland security plan or plans under subsection (c), the allocation of grant funding proposed in the application, including, where applicable, the amount not passed through under section 1806(g)(1), would assist in fulfilling the essential capabilities for terrorism preparedness specified in such plan or plans;

“(C) a statement of whether a mutual aid agreement applies to the use of all or any portion of the covered grant funds;

“(D) if the applicant is a State, a description of how the State plans to allocate the covered grant funds to regions, local governments, and Indian tribes;

“(E) if the applicant is a region—

“(i) a precise geographical description of the region and a specification of all participating and nonparticipating local governments within the geographical area comprising that region;

“(ii) a specification of what governmental entity within the region will administer the expenditure of funds under the covered grant; and

“(iii) a designation of a specific individual to serve as regional liaison;

“(F) a capital budget showing how the applicant intends to allocate and expend the covered grant funds;

“(G) if the applicant is a directly eligible tribe, a designation of a specific individual to serve as the tribal liaison; and

“(H) a statement of how the applicant intends to meet the matching requirement, if any, that applies under section 1806(g)(2).

“(5) **REGIONAL APPLICATIONS.**—

“(A) **RELATIONSHIP TO STATE APPLICATIONS.**—A regional application—

“(i) shall be coordinated with an application submitted by the State or States of which such region is a part;

“(ii) shall supplement and avoid duplication with such State application; and

“(iii) shall address the unique regional aspects of such region’s terrorism preparedness needs beyond those provided for in the application of such State or States.

“(B) **STATE REVIEW AND SUBMISSION.**—To ensure the consistency required under subsection (d) and the coordination required under subparagraph (A) of this paragraph, an applicant that is a region must submit its application to each State of which any part is included in the region for review and concurrence prior to the submission of such application to the Secretary. The regional application shall be transmitted to the Secretary through each such State within 30 days of its receipt, unless the Governor of such

a State notifies the Secretary, in writing, that such regional application is inconsistent with the State's homeland security plan and provides an explanation of the reasons therefor.

“(C) DISTRIBUTION OF REGIONAL AWARDS.—If the Secretary approves a regional application, then the Secretary shall distribute a regional award to the State or States submitting the applicable regional application under subparagraph (B), and each such State shall, not later than the end of the 45-day period beginning on the date after receiving a regional award, pass through to the region all covered grant funds or resources purchased with such funds, except those funds necessary for the State to carry out its responsibilities with respect to such regional application: Provided, That in no such case shall the State or States pass through to the region less than 80 percent of the regional award.

“(D) CERTIFICATIONS REGARDING DISTRIBUTION OF GRANT FUNDS TO REGIONS.—Any State that receives a regional award under subparagraph (C) shall certify to the Secretary, by not later than 30 days after the expiration of the period described in subparagraph (C) with respect to the grant, that the State has made available to the region the required funds and resources in accordance with subparagraph (C).

“(E) DIRECT PAYMENTS TO REGIONS.—If any State fails to pass through a regional award to a region as required by subparagraph (C) within 45 days after receiving such award and does not request or receive an extension of such period under section 1806(h)(2), the region may petition the Secretary to receive directly the portion of the regional award that is required to be passed through to such region under subparagraph (C).

“(F) REGIONAL LIAISONS.—A regional liaison designated under paragraph (4)(E)(iii) shall—

“(i) coordinate with Federal, State, local, regional, and private officials within the region concerning terrorism preparedness;

“(ii) develop a process for receiving input from Federal, State, local, regional, and private sector officials within the region to assist in the development of the regional application and to improve the region's access to covered grants; and

“(iii) administer, in consultation with State, local, regional, and private officials within the region, covered grants awarded to the region.

“(6) TRIBAL APPLICATIONS.—

“(A) SUBMISSION TO THE STATE OR STATES.—To ensure the consistency required under subsection (d), an applicant that is a directly eligible tribe must submit its application to each State within the boundaries of which any part of such tribe is located for direct submission to the Department along with the application of such State or States.

“(B) OPPORTUNITY FOR STATE COMMENT.—Before awarding any covered grant to a directly eligible tribe, the Secretary shall provide an opportunity to each State within the boundaries of which any part of such tribe is located to comment to the Secretary on the consistency of the tribe's application with the State's homeland security plan. Any such comments shall be submitted to the Secretary concurrently with the submission of the State and tribal applications.

“(C) FINAL AUTHORITY.—The Secretary shall have final authority to determine the consistency of any application of a directly eligible tribe with the applicable State homeland security plan or plans, and to approve any application of such tribe. The Secretary shall notify each State within the boundaries of which any part of such tribe is located of the approval of an application by such tribe.

“(D) TRIBAL LIAISON.—A tribal liaison designated under paragraph (4)(G) shall—

“(i) coordinate with Federal, State, local, regional, and private officials concerning terrorism preparedness;

“(ii) develop a process for receiving input from Federal, State, local, regional, and private sector officials to assist in the development of the application of such tribe and to improve the tribe's access to covered grants; and

“(iii) administer, in consultation with State, local, regional, and private officials, covered grants awarded to such tribe.

“(E) LIMITATION ON THE NUMBER OF DIRECT GRANTS.—The Secretary may make covered grants directly to not more than 20 directly eligible tribes per fiscal year.

“(F) TRIBES NOT RECEIVING DIRECT GRANTS.—An Indian tribe that does not receive a grant directly under this section is eligible to receive funds under a covered grant from the State or States within the boundaries of which any part of such tribe is located, consistent with the homeland security plan of the State as described in subsection (c). If a State fails to comply with section 1806(g)(1), the tribe may request payment under section 1806(h)(3) in the same manner as a local government.

“(7) EQUIPMENT STANDARDS.—If an applicant for a covered grant proposes to upgrade or purchase, with assistance provided under the grant, new equipment or systems that do not meet or exceed any applicable national voluntary consensus standards established by the Secretary, the applicant shall include in the application an explanation of why such equipment or systems will serve the needs of the applicant better than equipment or systems that meet or exceed such standards.

“SEC. 1804. RISK-BASED EVALUATION AND PRIORITIZATION.

“(a) FIRST RESPONDER GRANTS BOARD.—

“(1) ESTABLISHMENT OF BOARD.—The Secretary shall establish a First Responder Grants Board, consisting of—

“(A) the Secretary;

“(B) the Under Secretary for Emergency Preparedness and Response;

“(C) the Under Secretary for Border and Transportation Security;

“(D) the Under Secretary for Information Analysis and Infrastructure Protection;

“(E) the Under Secretary for Science and Technology;

“(F) the Director of the Office for Domestic Preparedness; and

“(G) the Administrator of the United States Fire Administration.

“(2) CHAIRMAN.—

“(A) IN GENERAL.—The Secretary shall be the Chairman of the Board.

“(B) EXERCISE OF AUTHORITIES BY DEPUTY SECRETARY.—The Deputy Secretary of Homeland Security may exercise the authorities of the Chairman, if the Secretary so directs.

“(b) FUNCTIONS OF UNDER SECRETARIES.—The Under Secretaries referred to in subsection (a)(1) shall seek to ensure that the relevant expertise and input of the staff of their directorates are available to and considered by the Board.

“(c) PRIORITIZATION OF GRANT APPLICATIONS.—

“(1) FACTORS TO BE CONSIDERED.—The Board shall evaluate and annually prioritize all pending applications for covered grants based upon the degree to which they would, by achieving, maintaining, or enhancing the essential capabilities of the applicants on a nationwide basis, lessen the threat to, vulnerability of, and consequences for persons (including transient commuting and tourist populations) and critical infrastructure. Such evaluation and prioritization shall be based upon the most current risk assessment available by the Directorate for Information Analysis and Infrastructure Protection of the threats of terrorism against the United States.

“(2) CRITICAL INFRASTRUCTURE SECTORS.—The Board specifically shall consider threats of terrorism against the following critical infrastructure sectors in all areas of the United States, urban and rural:

“(A) Agriculture and food.

“(B) Banking and finance.

“(C) Chemical industries.

“(D) The defense industrial base.

“(E) Emergency services.

“(F) Energy.

“(G) Government facilities.

“(H) Postal and shipping.

“(I) Public health and health care.

“(J) Information technology.

“(K) Telecommunications.

“(L) Transportation systems.

“(M) Water.

“(N) Dams.

“(O) Commercial facilities.

“(P) National monuments and icons.

The order in which the critical infrastructure sectors are listed in this paragraph shall not be construed as an order of priority for consideration of the importance of such sectors.

“(3) TYPES OF THREAT.—The Board specifically shall consider the following types of threat to the critical infrastructure sectors described in paragraph (2), and to populations in all areas of the United States, urban and rural:

“(A) Biological threats.

“(B) Nuclear threats.

“(C) Radiological threats.

“(D) Incendiary threats.

“(E) Chemical threats.

“(F) Explosives.

“(G) Suicide bombers.

“(H) Cyber threats.

“(I) Any other threats based on proximity to specific past acts of terrorism or the known activity of any terrorist group.

The order in which the types of threat are listed in this paragraph shall not be construed as an order of priority for consideration of the importance of such threats.

“(4) CONSIDERATION OF ADDITIONAL FACTORS.—The Board shall take into account any other specific threat to a population (including a transient commuting or tourist population) or critical infrastructure sector that the Board has determined to exist. In evaluating the threat to a population or critical infrastructure sector, the Board shall give greater weight to threats of terrorism based upon their specificity and credibility, including any pattern of repetition.

“(5) MINIMUM PATTERN.—After evaluating and prioritizing grant applications under paragraph (1), the Board shall ensure that, for each fiscal year—

“(A) each of the States, other than the Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands, that has an approved State homeland security plan receives no less than 0.25 percent of the funds available for covered grants for that fiscal year for purposes of implementing its homeland security plan in accordance with the prioritization of needs under section 1803(c)(1)(D);

“(B) each of the States, other than the Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands, that has an approved State homeland security plan and that meets one or both of the additional high-risk qualifying criteria under paragraph (6) receives no less than 0.45 percent of the funds available for covered grants for that fiscal year for purposes of implementing its homeland security plan in accordance with the prioritization of needs under section 1803(c)(1)(D);

“(C) the Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands each receives no less than 0.08 percent of the funds available for covered grants for that fiscal year for purposes of implementing its approved State homeland security plan in accordance with the prioritization of needs under section 1803(c)(1)(D); and

“(D) directly eligible tribes collectively receive no less than 0.08 percent of the funds available for covered grants for such fiscal year for purposes of addressing the needs identified in the applications of such tribes, consistent with the homeland security plan of each State within the boundaries of which any part of any such tribe is located, except that this clause shall not apply with respect to funds available for a fiscal year if the Secretary receives less than 5 applications for such fiscal year from such tribes under section 1803(e)(6)(A) or does not approve at least one such application.

“(6) **ADDITIONAL HIGH-RISK QUALIFYING CRITERIA.**—For purposes of paragraph (5)(B), additional high-risk qualifying criteria consist of—

“(A) having a significant international land border; or

“(B) adjoining a body of water within North America through which an international boundary line extends.

“(d) **EFFECT OF REGIONAL AWARDS ON STATE MINIMUM.**—Any regional award, or portion thereof, provided to a State under section 1803(e)(5)(C) shall not be considered in calculating the minimum State award under subsection (c)(5) of this section.

“**SEC. 1805. TASK FORCE ON TERRORISM PREPAREDNESS FOR FIRST RESPONDERS.**

“(a) **ESTABLISHMENT.**—To assist the Secretary in updating, revising, or replacing essential capabilities for terrorism preparedness, the Secretary shall establish an advisory body pursuant to section 871(a) not later than 60 days after the date of the enactment of this section, which shall be known as the Task Force on Terrorism Preparedness for First Responders.

“(b) **UPDATE, REVISE, OR REPLACE.**—The Secretary shall regularly update, revise, or replace the essential capabilities for terrorism preparedness as necessary, but not less than every 3 years.

“(c) **REPORT.**—

“(1) **IN GENERAL.**—The Task Force shall submit to the Secretary, by not later than 12 months after its establishment by the Secretary under subsection (a) and not later than every 2 years thereafter, a report on its recommendations for essential capabilities for terrorism preparedness.

“(2) **CONTENTS.**—Each report shall—

“(A) include a priority ranking of essential capabilities in order to provide guidance to the Secretary and to the Congress on determining the appropriate allocation of, and funding levels for, first responder needs;

“(B) set forth a methodology by which any State or local government will be able to determine the extent to which it possesses or has access to the essential capabilities that States and local governments having similar risks should obtain;

“(C) describe the availability of national voluntary consensus standards, and whether there is a need for new national voluntary consensus standards, with respect to first responder training and equipment;

“(D) include such additional matters as the Secretary may specify in order to further the terrorism preparedness capabilities of first responders; and

“(E) include such revisions to the contents of previous reports as are necessary to take into account changes in the most current risk assessment available by the Directorate for Information Analysis and Infrastructure Protection or other relevant information as determined by the Secretary.

“(3) **CONSISTENCY WITH FEDERAL WORKING GROUP.**—The Task Force shall ensure that its recommendations for essential capabilities for terrorism preparedness are, to the extent feasible, consistent with any preparedness goals or recommendations of the Federal working group established under section 319F(a) of the Public Health Service Act (42 U.S.C. 247d–6(a)).

“(4) **COMPREHENSIVENESS.**—The Task Force shall ensure that its recommendations regarding essential capabilities for terrorism preparedness are made within the context of a comprehensive State emergency management system.

“(5) **PRIOR MEASURES.**—The Task Force shall ensure that its recommendations regarding essential capabilities for terrorism preparedness take into account any capabilities that State or local officials have determined to be essential and have undertaken since September 11, 2001, to prevent, prepare for, respond to, or recover from terrorist attacks.

“(d) **MEMBERSHIP.**—

“(1) **IN GENERAL.**—The Task Force shall consist of 25 members appointed by the Secretary, and shall, to the extent practicable, represent a geographic (including urban and rural) and substantive cross section of governmental and nongovernmental first responder disciplines from the State and local levels, including as appropriate—

“(A) members selected from the emergency response field, including fire service and law enforcement, hazardous materials response, emergency medical services, and emergency management personnel (including public works personnel routinely engaged in emergency response);

“(B) health scientists, emergency and inpatient medical providers, and public health professionals, including experts in emergency health care response to chemical, biological, radiological, and nuclear terrorism, and experts in providing mental health care during emergency response operations;

“(C) experts from Federal, State, and local governments, and the private sector, representing standards-setting organizations, including representation from the voluntary consensus codes and standards development community, particularly those with expertise in first responder disciplines; and

“(D) State and local officials with expertise in terrorism preparedness, subject to the condition that if any such official is an elected official representing one of the two major political parties, an equal number of elected officials shall be selected from each such party.

“(2) **COORDINATION WITH THE DEPARTMENT OF HEALTH AND HEALTH SERVICES.**—In the selection of members of the Task Force who are health professionals, including emergency medical professionals, the Secretary shall coordinate such selection with the Secretary of Health and Human Services.

“(3) **EX OFFICIO MEMBERS.**—The Secretary and the Secretary of Health and Human Services shall each designate one or more officers of their respective Departments to serve as ex officio members of the Task Force. One of the ex officio members from the Department of Homeland Security shall be the designated officer of the Federal Government for purposes of subsection (e) of section 10 of the Federal Advisory Committee Act (5 App. U.S.C.).

“(e) **APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.**—Notwithstanding section 871(a), the Federal Advisory Committee Act (5 App. U.S.C.), including subsections (a), (b), and (d) of section 10 of such Act, and section 552b(c) of title 5, United States Code, shall apply to the Task Force.

“**SEC. 1806. USE OF FUNDS AND ACCOUNTABILITY REQUIREMENTS.**

“(a) **IN GENERAL.**—A covered grant may be used for—

“(1) purchasing or upgrading equipment, including computer software, to enhance terrorism preparedness;

“(2) exercises to strengthen terrorism preparedness;

“(3) training for prevention (including detection) of, preparedness for, response to, or recovery from attacks involving weapons of mass destruction, including training in the use of equipment and computer software;

“(4) developing or updating State homeland security plans, risk assessments, mutual aid agreements, and emergency management plans to enhance terrorism preparedness;

“(5) establishing or enhancing mechanisms for sharing terrorism threat information;

“(6) systems architecture and engineering, program planning and management, strategy formulation and strategic planning, life-cycle systems design, product and technology evaluation, and prototype development for terrorism preparedness purposes;

“(7) additional personnel costs resulting from—

“(A) elevations in the threat alert level of the Homeland Security Advisory System by the Sec-

retary, or a similar elevation in threat alert level issued by a State, region, or local government with the approval of the Secretary;

“(B) travel to and participation in exercises and training in the use of equipment and on prevention activities; and

“(C) the temporary replacement of personnel during any period of travel to and participation in exercises and training in the use of equipment and on prevention activities;

“(8) the costs of equipment (including software) required to receive, transmit, handle, and store classified information;

“(9) protecting critical infrastructure against potential attack by the addition of barriers, fences, gates, and other such devices, except that the cost of such measures may not exceed the greater of—

“(A) \$1,000,000 per project; or

“(B) such greater amount as may be approved by the Secretary, which may not exceed 10 percent of the total amount of the covered grant;

“(10) the costs of commercially available interoperable communications equipment (which, where applicable, is based on national, voluntary consensus standards) that the Secretary, in consultation with the Chairman of the Federal Communications Commission, deems best suited to facilitate interoperability, coordination, and integration between and among emergency communications systems, and that complies with prevailing grant guidance of the Department for interoperable communications;

“(11) educational curricula development for first responders to ensure that they are prepared for terrorist attacks;

“(12) training and exercises to assist public elementary and secondary schools in developing and implementing programs to instruct students regarding age-appropriate skills to prevent, prepare for, respond to, mitigate against, or recover from an act of terrorism;

“(13) paying of administrative expenses directly related to administration of the grant, except that such expenses may not exceed 3 percent of the amount of the grant;

“(14) paying for the conduct of any activity permitted under the Law Enforcement Terrorism Prevention Program, or any such successor to such program; and

“(15) other appropriate activities as determined by the Secretary.

“(b) **PROHIBITED USES.**—Funds provided as a covered grant may not be used—

“(1) to supplant State or local funds;

“(2) to construct buildings or other physical facilities;

“(3) to acquire land; or

“(4) for any State or local government cost sharing contribution.

“(c) **MULTIPLE-PURPOSE FUNDS.**—Nothing in this section shall be construed to preclude State and local governments from using covered grant funds in a manner that also enhances first responder preparedness for emergencies and disasters unrelated to acts of terrorism, if such use assists such governments in achieving essential capabilities for terrorism preparedness established by the Secretary.

“(d) **REIMBURSEMENT OF COSTS.**—In addition to the activities described in subsection (a), a covered grant may be used to provide a reasonable stipend to paid-on-call or volunteer first responders who are not otherwise compensated for travel to or participation in training covered by this section. Any such reimbursement shall not be considered compensation for purposes of rendering such a first responder an employee under the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.).

“(e) **ASSISTANCE REQUIREMENT.**—The Secretary may not require that equipment paid for, wholly or in part, with funds provided as a covered grant be made available for responding to emergencies in surrounding States, regions, and localities, unless the Secretary undertakes to pay the costs directly attributable to transporting and operating such equipment during such response.

“(f) FLEXIBILITY IN UNSPENT HOMELAND SECURITY GRANT FUNDS.—Upon request by the recipient of a covered grant, the Secretary may authorize the grantee to transfer all or part of funds provided as the covered grant from uses specified in the grant agreement to other uses authorized under this section, if the Secretary determines that such transfer is in the interests of homeland security.

“(g) STATE, REGIONAL, AND TRIBAL RESPONSIBILITIES.—

“(1) PASS-THROUGH.—The Secretary shall require a recipient of a covered grant that is a State to obligate or otherwise make available to local governments, first responders, and other local groups, to the extent required under the State homeland security plan or plans specified in the application for the grant, not less than 80 percent of the grant funds, resources purchased with the grant funds having a value equal to at least 80 percent of the amount of the grant, or a combination thereof, by not later than the end of the 45-day period beginning on the date the grant recipient receives the grant funds.

“(2) COST SHARING.—

“(A) IN GENERAL.—The Federal share of the costs of an activity carried out with a covered grant to a State, region, or directly eligible tribe awarded after the 2-year period beginning on the date of the enactment of this section shall not exceed 75 percent.

“(B) INTERIM RULE.—The Federal share of the costs of an activity carried out with a covered grant awarded before the end of the 2-year period beginning on the date of the enactment of this section shall be 100 percent.

“(C) IN-KIND MATCHING.—Each recipient of a covered grant may meet the matching requirement under subparagraph (A) by making in-kind contributions of goods or services that are directly linked with the purpose for which the grant is made, including, but not limited to, any necessary personnel overtime, contractor services, administrative costs, equipment fuel and maintenance, and rental space.

“(3) CERTIFICATIONS REGARDING DISTRIBUTION OF GRANT FUNDS TO LOCAL GOVERNMENTS.—Any State that receives a covered grant shall certify to the Secretary, by not later than 30 days after the expiration of the period described in paragraph (1) with respect to the grant, that the State has made available for expenditure by local governments, first responders, and other local groups the required amount of grant funds pursuant to paragraph (1).

“(4) QUARTERLY REPORT ON HOMELAND SECURITY SPENDING.—The Federal share described in paragraph (2)(A) may be increased by up to 2 percent for any State, region, or directly eligible tribe that, not later than 30 days after the end of each fiscal quarter, submits to the Secretary a report on that fiscal quarter. Each such report must include, for each recipient of a covered grant or a pass-through under paragraph (1)—

“(A) the amount obligated to that recipient in that quarter;

“(B) the amount expended by that recipient in that quarter; and

“(C) a summary description of the items purchased by such recipient with such amount.

“(5) ANNUAL REPORT ON HOMELAND SECURITY SPENDING.—Each recipient of a covered grant shall submit an annual report to the Secretary not later than 60 days after the end of each Federal fiscal year. Each recipient of a covered grant that is a region must simultaneously submit its report to each State of which any part is included in the region. Each recipient of a covered grant that is a directly eligible tribe must simultaneously submit its report to each State within the boundaries of which any part of such tribe is located. Each report must include the following:

“(A) The amount, ultimate recipients, and dates of receipt of all funds received under the grant during the previous fiscal year.

“(B) The amount and the dates of disbursements of all such funds expended in compliance

with paragraph (1) or pursuant to mutual aid agreements or other sharing arrangements that apply within the State, region, or directly eligible tribe, as applicable, during the previous fiscal year.

“(C) How the funds were utilized by each ultimate recipient or beneficiary during the preceding fiscal year.

“(D) The extent to which essential capabilities identified in the applicable State homeland security plan or plans were achieved, maintained, or enhanced as the result of the expenditure of grant funds during the preceding fiscal year.

“(E) The extent to which essential capabilities identified in the applicable State homeland security plan or plans remain unmet.

“(6) INCLUSION OF RESTRICTED ANNEXES.—A recipient of a covered grant may submit to the Secretary an annex to the annual report under paragraph (5) that is subject to appropriate handling restrictions, if the recipient believes that discussion in the report of unmet needs would reveal sensitive but unclassified information.

“(7) PROVISION OF REPORTS.—The Secretary shall ensure that each annual report under paragraph (5) is provided to the Under Secretary for Emergency Preparedness and Response and the Director of the Office for Domestic Preparedness.

“(h) INCENTIVES TO EFFICIENT ADMINISTRATION OF HOMELAND SECURITY GRANTS.—

“(1) PENALTIES FOR DELAY IN PASSING THROUGH LOCAL SHARE.—If a recipient of a covered grant that is a State fails to pass through to local governments, first responders, and other local groups funds or resources required by subsection (g)(1) within 45 days after receiving funds under the grant, the Secretary may—

“(A) reduce grant payments to the grant recipient from the portion of grant funds that is not required to be passed through under subsection (g)(1);

“(B) terminate payment of funds under the grant to the recipient, and transfer the appropriate portion of those funds directly to local first responders that were intended to receive funding under that grant; or

“(C) impose additional restrictions or burdens on the recipient's use of funds under the grant, which may include—

“(i) prohibiting use of such funds to pay the grant recipient's grant-related overtime or other expenses;

“(ii) requiring the grant recipient to distribute to local government beneficiaries all or a portion of grant funds that are not required to be passed through under subsection (g)(1); or

“(iii) for each day that the grant recipient fails to pass through funds or resources in accordance with subsection (g)(1), reducing grant payments to the grant recipient from the portion of grant funds that is not required to be passed through under subsection (g)(1), except that the total amount of such reduction may not exceed 20 percent of the total amount of the grant.

“(2) EXTENSION OF PERIOD.—The Governor of a State may request in writing that the Secretary extend the 45-day period under section 1803(e)(5)(E) or paragraph (1) for an additional 15-day period. The Secretary may approve such a request, and may extend such period for additional 15-day periods, if the Secretary determines that the resulting delay in providing grant funding to the local government entities that will receive funding under the grant will not have a significant detrimental impact on such entities' terrorism preparedness efforts.

“(3) PROVISION OF NON-LOCAL SHARE TO LOCAL GOVERNMENT.—

“(A) IN GENERAL.—The Secretary may upon request by a local government pay to the local government a portion of the amount of a covered grant awarded to a State in which the local government is located, if—

“(i) the local government will use the amount paid to expedite planned enhancements to its terrorism preparedness as described in any applicable State homeland security plan or plans;

“(ii) the State has failed to pass through funds or resources in accordance with subsection (g)(1); and

“(iii) the local government complies with subparagraphs (B) and (C).

“(B) SHOWING REQUIRED.—To receive a payment under this paragraph, a local government must demonstrate that—

“(i) it is identified explicitly as an ultimate recipient or intended beneficiary in the approved grant application;

“(ii) it was intended by the grantee to receive a severable portion of the overall grant for a specific purpose that is identified in the grant application;

“(iii) it petitioned the grantee for the funds or resources after expiration of the period within which the funds or resources were required to be passed through under subsection (g)(1); and

“(iv) it did not receive the portion of the overall grant that was earmarked or designated for its use or benefit.

“(C) EFFECT OF PAYMENT.—Payment of grant funds to a local government under this paragraph—

“(i) shall not affect any payment to another local government under this paragraph; and

“(ii) shall not prejudice consideration of a request for payment under this paragraph that is submitted by another local government.

“(D) DEADLINE FOR ACTION BY SECRETARY.—The Secretary shall approve or disapprove each request for payment under this paragraph by not later than 15 days after the date the request is received by the Department.

“(i) REPORTS TO CONGRESS.—The Secretary shall submit an annual report to the Congress by January 31 of each year covering the preceding fiscal year—

“(1) describing in detail the amount of Federal funds provided as covered grants that were directed to each State, region, and directly eligible tribe in the preceding fiscal year;

“(2) containing information on the use of such grant funds by grantees; and

“(3) describing—

“(A) the Nation's progress in achieving, maintaining, and enhancing the essential capabilities established by the Secretary as a result of the expenditure of covered grant funds during the preceding fiscal year; and

“(B) an estimate of the amount of expenditures required to attain across the United States the essential capabilities established by the Secretary.

“SEC. 1807. NATIONAL STANDARDS FOR FIRST RESPONDER EQUIPMENT AND TRAINING.

“(a) EQUIPMENT STANDARDS.—

“(1) IN GENERAL.—The Secretary, in consultation with the Under Secretaries for Emergency Preparedness and Response and Science and Technology and the Director of the Office for Domestic Preparedness, shall, not later than 6 months after the date of enactment of this section, support the development of, promulgate, and update as necessary national voluntary consensus standards for the performance, use, and validation of first responder equipment for purposes of section 1805(e)(7). Such standards—

“(A) shall be, to the maximum extent practicable, consistent with any existing voluntary consensus standards;

“(B) shall take into account, as appropriate, new types of terrorism threats that may not have been contemplated when such existing standards were developed;

“(C) shall be focused on maximizing interoperability, interchangeability, durability, flexibility, efficiency, efficacy, portability, sustainability, and safety; and

“(D) shall cover all appropriate uses of the equipment.

“(2) REQUIRED CATEGORIES.—In carrying out paragraph (1), the Secretary shall specifically consider the following categories of first responder equipment:

“(A) Thermal imaging equipment.

“(B) Radiation detection and analysis equipment.

“(C) Biological detection and analysis equipment.

“(D) Chemical detection and analysis equipment.

“(E) Decontamination and sterilization equipment.

“(F) Personal protective equipment, including garments, boots, gloves, and hoods and other protective clothing.

“(G) Respiratory protection equipment.

“(H) Interoperable communications, including wireless and wireline voice, video, and data networks.

“(I) Explosive mitigation devices and explosive detection and analysis equipment.

“(J) Containment vessels.

“(K) Contaminant-resistant vehicles.

“(L) Such other equipment for which the Secretary determines that national voluntary consensus standards would be appropriate.

“(b) TRAINING STANDARDS.—

“(1) IN GENERAL.—The Secretary, in consultation with the Under Secretaries for Emergency Preparedness and Response and Science and Technology and the Director of the Office for Domestic Preparedness, shall support the development of, promulgate, and regularly update as necessary national voluntary consensus standards for first responder training carried out with amounts provided under covered grant programs, that will enable State and local government first responders to achieve optimal levels of terrorism preparedness as quickly as practicable. Such standards shall give priority to providing training to—

“(A) enable first responders to prevent, prepare for, respond to, mitigate against, and recover from terrorist threats, including threats from chemical, biological, nuclear, and radiological weapons and explosive devices capable of inflicting significant human casualties; and

“(B) familiarize first responders with the proper use of equipment, including software, developed pursuant to the standards established under subsection (a).

“(2) REQUIRED CATEGORIES.—In carrying out paragraph (1), the Secretary specifically shall include the following categories of first responder activities:

“(A) Regional planning.

“(B) Joint exercises.

“(C) Intelligence collection, analysis, and sharing.

“(D) Emergency notification of affected populations.

“(E) Detection of biological, nuclear, radiological, and chemical weapons of mass destruction.

“(F) Such other activities for which the Secretary determines that national voluntary consensus training standards would be appropriate.

“(3) CONSISTENCY.—In carrying out this subsection, the Secretary shall ensure that such training standards are consistent with the principles of emergency preparedness for all hazards.

“(c) CONSULTATION WITH STANDARDS ORGANIZATIONS.—In establishing national voluntary consensus standards for first responder equipment and training under this section, the Secretary shall consult with relevant public and private sector groups, including—

“(1) the National Institute of Standards and Technology;

“(2) the National Fire Protection Association;

“(3) the National Association of County and City Health Officials;

“(4) the Association of State and Territorial Health Officials;

“(5) the American National Standards Institute;

“(6) the National Institute of Justice;

“(7) the Inter-Agency Board for Equipment Standardization and Interoperability;

“(8) the National Public Health Performance Standards Program;

“(9) the National Institute for Occupational Safety and Health;

“(10) ASTM International;

“(11) the International Safety Equipment Association;

“(12) the Emergency Management Accreditation Program; and

“(13) to the extent the Secretary considers appropriate, other national voluntary consensus standards development organizations, other interested Federal, State, and local agencies, and other interested persons.

“(d) COORDINATION WITH SECRETARY OF HHS.—In establishing any national voluntary consensus standards under this section for first responder equipment or training that involve or relate to health professionals, including emergency medical professionals, the Secretary shall coordinate activities under this section with the Secretary of Health and Human Services.”

(b) DEFINITION OF EMERGENCY RESPONSE PROVIDERS.—Paragraph (6) of section 2 of the Homeland Security Act of 2002 (Public Law 107-296; 6 U.S.C. 101(6)) is amended by striking “includes” and all that follows and inserting “includes Federal, State, and local governmental and nongovernmental emergency public safety, law enforcement, fire, emergency response, emergency medical (including hospital emergency facilities), and related personnel, organizations, agencies, and authorities.”

SEC. 4. SUPERSEDED PROVISION.

This Act supersedes section 1014(c)(3) of Public Law 107-56.

SEC. 5. OVERSIGHT.

The Secretary of Homeland Security shall establish within the Office for Domestic Preparedness an Office of the Comptroller to oversee the grants distribution process and the financial management of the Office for Domestic Preparedness.

SEC. 6. GAO REPORT ON AN INVENTORY AND STATUS OF HOMELAND SECURITY FIRST RESPONDER TRAINING.

(a) IN GENERAL.—The Comptroller General of the United States shall report to the Congress in accordance with this section—

(1) on the overall inventory and status of first responder training programs of the Department of Homeland Security and other departments and agencies of the Federal Government; and

(2) the extent to which such programs are coordinated.

(b) CONTENTS OF REPORTS.—The reports under this section shall include—

(1) an assessment of the effectiveness of the structure and organization of such training programs;

(2) recommendations to—

(A) improve the coordination, structure, and organization of such training programs; and

(B) increase the availability of training to first responders who are not able to attend centralized training programs;

(3) the structure and organizational effectiveness of such programs for first responders in rural communities;

(4) identification of any duplication or redundancy among such programs;

(5) a description of the use of State and local training institutions, universities, centers, and the National Domestic Preparedness Consortium in designing and providing training;

(6) a cost-benefit analysis of the costs and time required for first responders to participate in training courses at Federal institutions;

(7) an assessment of the the approval process for certifying non-Department of Homeland Security training courses that are useful for anti-terrorism purposes as eligible for grants awarded by the Department;

(8) a description of the use of Department of Homeland Security grant funds by States and local governments to acquire training;

(9) an analysis of the feasibility of Federal, State, and local personnel to receive the training that is necessary to adopt the National Re-

sponse Plan and the National Incident Management System; and

(10) the role of each first responder training institution within the Department of Homeland Security in the design and implementation of terrorism preparedness and related training courses for first responders.

(c) DEADLINES.—The Comptroller General shall—

(1) submit a report under subsection (a)(1) by not later than 60 days after the date of the enactment of this Act; and

(2) submit a report on the remainder of the topics required by this section by not later than 120 days after the date of the enactment of this Act.

The Acting CHAIRMAN. No amendment to the committee amendment is in order except those printed in House Report 109-77. Each amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

It is now in order to consider amendment No. 1 printed in House Report 109-77.

AMENDMENT NO. 1 OFFERED BY MR. BERRY

Mr. BERRY. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. BERRY:

In section 3(a)(2), in the quoted section 1804(a)(1) (page 24, beginning at line 3), strike “and” after the semicolon at the end of subparagraph (F), strike the period at the end of subparagraph (G) and insert “; and”, and after subparagraph (G) add the following:

“(H) the Administrator of the Animal and Plant Health Inspection Service.

The Acting CHAIRMAN. Pursuant to House Resolution 269, the gentleman from Arkansas (Mr. BERRY) and a Member opposed each will control 5 minutes.

Mr. COX. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from Arkansas (Mr. BERRY) is recognized.

Mr. BERRY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I first of all want to thank the gentleman from California (Mr. COX) and the ranking member, my good friend and the distinguished gentleman from Mississippi (Mr. THOMPSON), and the gentleman from New Jersey (Mr. PASCRELL) for the wonderful work they have done on this bill and the very responsible way they have developed it.

It is a good thing when we come together in this House in a bipartisan way to try to make things better for the country. I compliment them on having that goal and objective.

The amendment I offer would simply add the administrator of Animal, Plant and Health Inspection Service to the first responders grant board.

Food safety is a very important thing. It was acknowledged as a serious

matter by the outgoing Secretary of DHS, Mr. Ridge. And I think what this does is makes it possible for the people that have the greatest expertise in this matter to have some say in the way that this is handled.

Mr. Chairman, I reserve the balance of my time.

Mr. COX. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, even though I have claimed the time in opposition to the amendment, I actually want to speak in support of the gentleman's amendment.

Mr. Chairman, H.R. 1544, the bill that the gentleman would amend, as written requires the Department of Homeland Security to analyze risk in rural America. That is a big step forward. For example, the disruption to the agricultural and food sectors by acts of bioterrorism would result in considerable economic and health consequences.

This amendment will ensure that the grants board established by H.R. 1544 contain a member with expertise in this very area. The designee of this amendment, the administrator of APHIS, the Animal and Plant Health Inspection Service, is well versed in agro-terrorism. This is a wise choice.

As a part of the USDA, APHIS is responsible for safeguarding the agriculture and food infrastructures not only from pests and diseases but also biological threats. Indeed, APHIS currently works closely with the Department of Science and Technology directorate, that is, the Department of Homeland Security's directorate, and plays an important role in agro-terrorism preparedness.

Specifically, APHIS is already involved in the following: accelerating the development of countermeasures to agro-terrorism; bio-forensic capabilities; deploying diagnostic technologies; and research, development and training activities.

For all of these reasons, Mr. Chairman, as chairman of the Committee on Homeland Security, I strongly urge my colleagues on the committee and my colleagues in the House to vote in support of the Berry amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. BERRY. Mr. Chairman, it is most appropriate that this amendment will be accepted because it will give the Department of Agriculture their rightful place at the table in representing agriculture in this country in the protection of our homeland.

Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Mississippi (Mr. THOMPSON).

Mr. THOMPSON of Mississippi. Mr. Chairman, I appreciate the gentleman from Arkansas (Mr. BERRY) allowing me to speak on his amendment.

My district is reliant on agriculture. This amendment is very supportive of the agriculture through the APHIS program. If the administrator is allowed to participate in the grants

board, it will allow us, from an agricultural standpoint, to be adequately considered. I would like to compliment the gentleman from Arkansas (Mr. BERRY) for bringing this to our attention. It is timely in terms of an amendment, and it is something that I am happy to support.

Mr. COX. Mr. Chairman, I yield such time as he may consume to the gentleman from Alabama (Mr. MIKE ROGERS).

Mr. ROGERS of Alabama. Mr. Chairman, I thank my colleague from California for yielding me time.

Mr. Chairman, I rise today in strong support of the amendment offered by the gentleman from Arkansas (Mr. BERRY).

This amendment would add the administrator of the Animal and Plant Health Inspection Service as a full member of the First Responder Grants Board.

As an integral part of the Department of Agriculture, the Animal and Plant Health Inspection Service monitors our Nation's agriculture to protect against agricultural pests and diseases. It also works closely with the Department of Homeland Security in agro-terrorism preparedness and prevention.

Under the bill debated today, the First Responders Grants Board will be charged with prioritizing grant applications on the basis of risk. Adding the administrator to the board would help ensure this panel has the necessary expertise when considering the risks to rural America.

In my home State of Alabama, for example, agriculture is the number one industry, employing nearly half a million people. An agro-terrorist attack in Alabama could cripple our economy.

So it is essential we include these changes today to ensure that the voice of rural America is heard during the process.

I would also like to note this amendment has the full support of the Committee on Agriculture on which I sit. I thank my colleague, the gentleman from Alabama (Mr. BERRY), for offering this commonsense amendment. I also thank the gentleman from California (Mr. Cox) for his efforts on this subject and urge my colleagues to support the amendment.

Mr. BERRY. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Arkansas (Mr. BERRY).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. BERRY

Mr. BERRY. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. BERRY:

At the end of section 1804(c)(1) (page 25, line 19), add the following: "The Board shall coordinate with State, local, regional, and tribal officials in establishing criteria for evaluating and prioritizing applications for covered grants."

The Acting CHAIRMAN. Pursuant to House Resolution 269, the gentleman from Arkansas (Mr. BERRY) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Arkansas (Mr. BERRY).

Mr. BERRY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I too represent a small rural State. We always struggle to have enough resources to deal with some of the possible threats that we have, and one of the important resources that the gentleman from Mississippi (Mr. THOMPSON) and I share is the Mississippi River. It is an incredibly important resource to this Nation and to our national security and to our homeland security.

It is for just that reason that I offer this amendment, to draw attention to the fact that sometimes as we make public policy we tend to lose sight of the things that may be more important than the number of people involved. But most of all, when we do things in Washington, D.C., it is so very important to be in touch with the people at home.

What this amendment does is call for the Department of Homeland Security to coordinate with State, local, and tribal governments in establishing the criteria for prioritizing applications for the first responders grant. This is something that I think is critical, that we take the information and have a coordination between our local governments and the Department of Homeland Security as they make the critical decisions about where these resources will be placed.

I appreciate, again, very much the chairman and the ranking member on the subcommittee being friendly towards this amendment and receiving it well. Certainly it is something that will prevent the States from devoting significant time, resources, and funding to establish a State homeland security plan in accordance with this bill, only to find out after they apply for a grant that they have completely missed the mark on what the grant board established as its priority.

Mr. Chairman, I yield such time as he may consume to the gentleman from Mississippi (Mr. THOMPSON).

Mr. THOMPSON of Mississippi. Mr. Chairman, I rise in support of this amendment.

This amendment would ensure that the First Responder Grant Board would coordinate with State and local governments. Throughout this process we have sought to ensure that State, local, and tribal governments are consulted throughout this process. This amendment would make it crystal clear to DHS that we expect them to listen to State, local, and tribal governments as they make their funding decisions. I support this amendment.

Mr. BERRY. Mr. Chairman, I reserve the balance of my time.

Mr. COX. Mr. Chairman, I claim the time in opposition to this amendment, notwithstanding that I rise in its support.

The Acting CHAIRMAN. Without objection, the gentleman from California (Mr. COX) is recognized for 10 minutes.

There was no objection.

Mr. COX. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I strongly support this Berry amendment. It is completely consistent with the intent of the Faster and Smarter Funding For First Responders Act. Indeed, H.R. 1544 contains many other provisions with the same purpose: to enhance Federal, State, local, regional and tribal government cooperation in the process of establishing the criteria for prioritizing applications for covered grants. For example, the bill directs the Secretary to establish a first responders task force.

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This task force, which will advise the Secretary of Homeland Security on preparedness benchmarks, will consist of 25 members, representative of all of the first-responder disciplines and a substantive cross-section of geography from across the Nation.

The Berry amendment, in my view, will help ensure that the Grant Board's risk-based analysis adequately addresses the concerns of State, local, regional and tribal governments who, after all, have direct jurisdiction and control over the first responders who are the focal point of this legislation. This amendment will provide important comfort to covered grant applicants as the department shifts from a political, formula-driven system to one based on risk.

A dramatic programmatic shift such as the one established by this bill cannot be made in a vacuum. It must be made in close coordination with the people most affected. That is the purpose of the bill as it is written.

I think the Berry amendment clarifies that purpose in a useful way, and I strongly support it.

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

Mr. BERRY. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey (Mr. PASCRELL), the distinguished ranking member of the Subcommittee on Emergency Preparedness, Science, and Technology.

Mr. PASCRELL. Mr. Chairman, I support the Berry amendment. The gentleman from Arkansas has a tendency and a knack to present amendments on this floor that are reasonable, precise and relevant. This is a very relevant amendment, as our chairman just pointed out.

We need greater coordination between the Department of Homeland Security with State, local and tribal offi-

cers. I believe that this is wise public policy.

Secondly, State and local officials know better than anyone, they certainly know better than anybody in Washington, the risks and the vulnerabilities that they face. Washington must work outside of the Beltway for the greatest effectiveness.

We know in examining not only the 9/11 Commission report but every other report since the tragedy of 9/11 that the lack of coordination between the various levels of government is a very, very dangerous situation. This bill, in its totality, strikes at that very vulnerability, and this amendment, I think, precisely talks to the very important factor of coordination of those agencies.

I want to commend the sponsor of the amendment.

Mr. BERRY. Mr. Chairman, I have no further speakers. I thank the chairman and the ranking member of the committee for their consideration, and I yield back the balance of my time.

The Acting CHAIRMAN (Mr. TERRY). The question is on the amendment offered by the gentleman from Arkansas (Mr. BERRY).

The amendment was agreed to.

The Acting CHAIRMAN. It is now in order to consider amendment No. 3 printed in House Report 109-77.

AMENDMENT NO. 3 OFFERED BY MR. BASS

Mr. BASS. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. BASS:

In section 3(a)(2), in the quoted section 1806(d), re-designate existing text as paragraph (1), and insert after paragraph (1) the following:

(2) An applicant for a covered grant may petition the Secretary for the reimbursement of the cost of any activity relating to prevention (including detection) of, preparedness for, response to, or recovery from acts of terrorism that is a Federal duty and usually performed by a Federal agency, and that is being performed by a State or local government (or both) under agreement with a Federal agency.

The Acting CHAIRMAN. Pursuant to House Resolution 269, the gentleman from New Hampshire (Mr. BASS) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from New Hampshire (Mr. BASS).

Mr. BASS. Mr. Chairman, I yield myself such time as I may consume.

This is an amendment that I think adds flexibility and workability to the bill. What it will do is it will allow States to petition the Secretary to use grants that are covered for expenditures that are considered anti-terrorism activities and are normally duties that would be exercised by the Federal Government. What is not currently allowed in the bill are personnel costs or agreements between State and local entities that affect a Federal agency.

The type of activities that this amendment would permit include, but are not limited to, border duties, assisting with the Coast Guard and ports, waterways, coastal security duties or detention of illegal aliens on a temporary basis until Federal authorities can take over.

What the amendment does not do is make any changes in the allocation of resources from one entity to another, and it does not allow States to petition to recover from the Federal Government costs for services that are performed by State law enforcement agencies that are not terrorism-related.

This amendment really does add flexibility to the administration of these grants. It would allow, for example, in our seacoast port of Port Smith to reimburse them for the State police boat that currently supplants those efforts being undertaken by the Coast Guard at the behest of the Coast Guard. It allows local police departments such as the police department in New Ipswich, New Hampshire, that had to detain illegals for a period of time, had to deal with them and could not get the immigration department involved quickly enough, to apply for reimbursement. It also allows local police departments to enforce border crossings, if necessary. It allows them to apply for reimbursement. It does not guarantee it, but it allows them to apply.

I hope that the committee will accept this amendment. I know we have had good discussions on both sides with it.

Mr. Chairman, I reserve the balance of my time.

The Acting CHAIRMAN. For what purpose does the gentleman from Mississippi (Mr. THOMPSON) rise?

Mr. THOMPSON of Mississippi. Mr. Speaker, in order to speak on this amendment, I claim the time in opposition.

The Acting CHAIRMAN. The gentleman from Mississippi (Mr. THOMPSON) is recognized for 10 minutes.

Mr. THOMPSON of Mississippi. Mr. Chairman, I yield myself such time as I may consume. Mr. Chairman, only for the sake of discussion and procedure do I do that, as I am in absolute agreement with the author of the amendment.

This amendment adds an additional paragraph for reimbursement of costs that a State may incur for terrorism preparedness. It would allow for the reimbursement for activities that a State may perform which are traditionally Federal responsibilities. It is common sense, it is the right thing, and I support this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. BASS. Mr. Chairman, I yield 5 minutes to the gentleman from Georgia (Mr. NORWOOD), my cosponsor.

Mr. NORWOOD. Mr. Chairman, I thank the gentleman from New Hampshire (Mr. BASS), my friend, for the time.

Mr. Chairman, this amendment the gentleman from New Hampshire (Mr. BASS) and I are offering today is about allowing States and localities some flexibility with their Federal homeland security funds. This flexibility is vital, especially when States and localities are doing the job of the Federal Government. Essentially, we believe that when States and localities are performing Federal homeland security functions, they should be able to tap into Federal homeland security dollars.

First, let me say and make very clear that the gentleman from California (Chairman COX) and his committee had a tough assignment, and I very much like what they have done and respect the product that they have produced. I strongly support getting this first-responder money out of the currently clogged pipeline, and that is basically what we are trying to do here today, and my congratulations to the chairman for doing just that.

I have a major homeland security concern that I really do not think is getting nearly enough attention or funding. Additional resources are needed to help law enforcement deal with the problem of illegal aliens, a Federal issue and responsibility closely related to our security and anti-terrorism concerns. I believe our amendment would help these States and localities deal with this problem.

Last Congress, I introduced the CLEAR Act which was designed to clarify State and local law enforcement involvement in combating illegal immigration. I need not remind the body that many of the 9/11 hijackers were here illegally, that many of the World Trade Center bombers were here illegally, and many of the plotters for other terrorist acts are here illegally. Immigration and border issues are central to our homeland security and anti-terrorism efforts.

In promoting that bill, two problems were identified for law enforcement, the lack of resources and the lack of authority to do what needs to be done. While this bill does not deal with the authority part of the problem, it does deal with the resources part of the solution. Therefore, our law enforcement folks and others who are increasingly taking on anti-terror and homeland security operations should be able to access Federal funds for performing these Federal roles.

The gentleman from New Hampshire (Mr. BASS) and I have different districts, with different needs, but we agree that this language provides some flexibility to get at our individual concerns. Of course, the Department of Homeland Security has a role in oversight under the amendment so there are some checks and balances, appropriately. We are intentionally not talking about an unfettered ability to send the Feds a bill for services rendered. Neither of us have interest in that.

I urge my colleagues to support this amendment. I urge my colleagues to

support the underlying bill, and I do thank the committee for working with us on this language, and I want to continue to work with the gentleman from California (Mr. COX) in addressing this critical problem.

Mr. THOMPSON of Mississippi. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. COX).

Mr. COX. Mr. Chairman, I thank the gentleman from Mississippi (Mr. THOMPSON) for the time.

I rise in support of the Bass-Norwood amendment. I strongly support this amendment, and I do so for several reasons.

First, since the attacks of 9/11, States and local governments are increasingly stepping up to the plate and assuming some of what have traditionally been the Federal Government's responsibilities in the area of terrorism preparedness. For example, many State and local governments have entered into agreements with the U.S. Coast Guard or with immigration and customs enforcement or other elements of the Department of Homeland Security to perform responsibilities relating to homeland security.

Second, the Bass-Norwood amendment, which would permit petitioning the Secretary for reimbursement for expenses in this regard, is fiscally responsible. It would not, for example, permit grant recipients to use covered grant funds to supplant routine State or local government expenses. It does not permit, for example, reimbursement for personnel costs.

The Bass-Norwood amendment is also properly targeted in scope. States and localities may defray the costs of their assumed homeland security duties only with the consent of the Secretary of Homeland Security, and States and localities that have assumed these kinds of duties have to have done so pursuant to an agreement with a Federal agency.

The Federal Government, in my view, should encourage States and localities to assist the Federal Government in providing security where it would otherwise be lacking, and that is what this amendment is going to help us do. To support this policy, it is incumbent upon Congress to permit State and local governments to petition the Secretary for reimbursement.

The Bass-Norwood amendment is consistent with other provisions of this bill. Specifically, H.R. 1544, the underlying bill, permits covered grant recipients to satisfy the matching requirements through in-kind contributions of goods or services, or other equipment, fuel, maintenance, personnel overtime and other costs that are associated with State and local assumption of Federal terrorism preparedness duties.

For all of these reasons, I strongly support the Bass-Norwood amendment. I congratulate its authors for presenting it before the House.

Mr. THOMPSON of Mississippi. Mr. Chairman, I reserve the balance of my time.

Mr. BASS. Mr. Chairman, I have no further speakers. I urge the support of this amendment, and I yield back the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Chairman, I yield back.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from New Hampshire (Mr. BASS).

The amendment was agreed to.

□ 1300

The Acting CHAIRMAN (Mr. TERRY). It is now in order to consider amendment No. 4 printed in House Report No. 109-77.

AMENDMENT NO. 4 OFFERED BY MR. WEINER

Mr. WEINER. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. WEINER:

In title XVIII of the Homeland Security Act of 2002, as proposed to be added by the bill, insert at the end the following new section (and make such technical and conforming changes as may be necessary):

SEC. 18. LIMITATION ON NUMBER OF UASI GRANTEES.

In carrying out the Urban Area Security Initiative, or any successor to such grant program, the Secretary may award not more than 50 grants for any fiscal year.

The Acting CHAIRMAN. Pursuant to House Resolution 269, the gentleman from New York (Mr. WEINER) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from New York (Mr. WEINER).

Mr. WEINER. Mr. Chairman, I yield myself such time as I may consume.

The purpose of this amendment is simple. First of all, let me say what this amendment is not. This amendment is not an effort to litigate again the conflict that has arisen in this House between urban Members and rural Members. It is not an effort to revisit the formula question about the minimums. I think that the committee has done a fairly good job on trying to manage that situation, although it is not perfect. My belief is that there should be no minimum guarantee. Money should be allocated based on threats. That is the way I think it should be done, but I understand the efforts of the ranking member and the chairman to address that problem; and they have done so, I think, better than we have up until now.

The question still arises about whether or not we should have a portion of our homeland security funding stream that is dedicated for what we in Congress said we wanted in the 2003 omnibus, which is a pool of money that is designated to go, in the language of the legislation, to address the unique equipment, training, planning, and exercise needs of selected large high-threat urban areas.

We have now, through the course of time, expanded that not just to be cities; it is literally the areas around cities, the cities and the suburbs, and in

many cases it is also the ports authorities and the airports authorities of these major cities.

What my legislation would do would be to address a creeping problem that was not created by this Congress but has been created by the Department of Homeland Security. These high-threat urban area grants, which started out going to six cities, have expanded over time to the point that now they are over 50 cities, and there are also additional areas and airports authorities and the like that get it.

What my legislation would do would be to say, look, there are going to be times when we are going to want to take a city or an area, and they may be under less threat or we may want to add one, but we must not continue down the path for, I think, largely political reasons each year adding more and more and more cities to this pot.

Here is what it is doing. We in the Congress are expressing our views to increase the funding for that pool of money; but the Department of Homeland Security, by administrative fiat, is adding the number of cities that are available, therefore actually reducing the amount and percentage that the larger cities and areas have to contend with.

Now, for my colleagues who represent rural areas, my colleagues who represent suburban areas, my colleagues who represent areas that are not traditionally thought of as large urban areas, I want to assure you nothing in this amendment in any way limits your ability to get funds from this pot. Because under language written by the chairman and the ranking member, now areas can pool together. For example, if Kansas and Iowa and Nebraska want to get together and say we want to create a pool to protect against agro-terrorism, for example, they could be added as a group under my amendment very easily.

This simply says one thing: we have to stop adding more and more cities when that was clearly not the intention of Congress to do. We said in our actions that we wanted this to be a select number of areas. If the Department of Homeland Security is going to continue to add to that list, until we essentially have every single eligible city up to the limit that is laid out in the law, what is the purpose of having the bifurcated system? Maybe we should not.

I mean, I happen to believe that we were trying to address a legitimate concern that many have raised, including the 9/11 Commission, that said, look, there are some areas and cities that we want to have a distinct pot of money for.

Before I reserve, let me just make another point. We are talking about approximately 25 percent of the overall funding stream for homeland security. We are not talking about 75 or 80 percent. We are talking about a discrete amount of money, a discrete percentage of money which would be held for

these 50 or fewer cities. Now, I happen to believe 50 is a very high number. When you start thinking about the 50 largest cities, the largest metropolitan areas, there are cities on the list presently that do not even have minor league baseball teams, yet they are considered major urban areas.

I am not saying that we should take all of the funds and just dedicate them to my hometown. I know that is not anything that we should do. We have a law here that is crafted to distribute money based on different types of threat, different types of ways. But we in the legislature here in Congress have said very clearly that we believe there should be a pot of money that is protected from the traditional political back and forth. Let us continue to protect that pot of money.

If you vote for my amendment, it does not mean any of your constituents are not eligible for this money. It does not mean that. But it does mean if you are one of these cities either now, in the past, or in the future, you are not going to be on the list of 300 or 400 cities. It is going to be limited to 50 at most.

Mr. Chairman, I reserve the balance of my time.

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

Mr. Chairman, I yield 3 minutes to the gentleman from Mississippi (Mr. THOMPSON).

Mr. THOMPSON of Mississippi. Mr. Chairman, I thank the chairman of the committee for yielding me this time to speak in opposition to the amendment.

This amendment would limit the number of urban area security initiative grants to 50. I understand what the gentleman from New York (Mr. WEINER) is trying to accomplish; and he has to do it, he is from New York. However, it is unreasonable to set an arbitrary number, in this case 50, for the number of UASI or regional grants.

In the bill, we already limit the number of regions by requiring a region to have at least 1.65 million people. This would adequately limit the number of recipients in itself. So I oppose this amendment.

Mr. COX. Mr. Chairman, I yield myself such time as I may consume, and I too rise in opposition to this amendment.

I agree with the intention of the author of the amendment to limit the number of grant awards under the Urban Area Security Initiative, but I do not agree with the thrust of the amendment, which is to, in essence, perpetuate a system that sends money exclusively to cities and ignores regions.

One of the important reforms made in H.R. 1544 is that we open up the process to regional grant applications. I come from the most populated State in America: California. My county, just one of 58 counties in California, has 3 million people. Los Angeles, obviously, is an enormous urban center. But the important thing to note about both

Los Angeles and New York is that the L.A. region and the New York City region are bigger and geographically more relevant than the city qua city. The municipal boundaries of New York or the municipal boundaries of Los Angeles are not nearly so important, if there is a radiological attack, for example, as understanding where that plume is going to go and what are the evacuation corridors.

We have learned since 9/11 we have got to have regional collaboration. In my home county, Orange County, which as I said has 3 million people, we had two cities get Urban Area Security Initiative money. This was like the fickle finger of fate that touched those two cities and gave them all the cash and ignored the County of Orange, ignored the municipalities situated right next door to them. Happily, due to the leadership of Sheriff Mike Carona and the chairman of the Board of Supervisors Bill Campbell, and the mayor of Santa Ana, Miguel Pulido, and the mayor of Anaheim, Curt Pringle, there has been a workout, a local arrangement made to equitably distribute these urban area security initiative monies. But that is not the way the program is designed.

We have made sense of it in California despite the nonsense of the Federal program itself. Perpetuating this program, trying to focus more emphasis on it is the wrong way to go. UASI is broke, and it makes no sense to place more emphasis upon it.

Finally, let me say that only regional grants, not State grants, may be able to address certain unique terrorism preparedness needs, such as risks that cross interstate or international boundaries, for example, bioterrorism or agro-terrorism. In this respect, I agree with the comments made by the author of the amendment. I think that to the extent we emphasize a regional approach, a mutual-aid approach, we will find ourselves better prepared in the future. That is the aim, one of the chief aims of H.R. 1544, the Faster and Smarter Funding for First Responders Act, and for those reasons I counsel opposition to this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. WEINER. Mr. Chairman, I yield myself such time as I may consume.

First of all, in reaction to my good friend, the gentleman from Mississippi, he is incorrect. The bill defines the size of a region at 1.65 million, but it leaves open cities of any type. We do not know, since the bill is silent on that distinction. You can have a city of 20,000 and be eligible for this. You can have a city of 10,000 and be eligible. The gentleman from Mississippi is correct that a region has to be 1.65 million, but nowhere does it restrict the size of the city.

As for the chairman, the chairman, who has done an excellent job on this bill, regrettably is incorrect as well. There is nothing in my amendment that restricts this from going to cities

or to regions. As I read from line 4 of the bill: "may not award any more than 50 grants for any fiscal year." If the Department of Homeland Security, which by the way this issue is somewhat vague in the bill as drafted, it is silent on how this program is going to be divided. If the Department of Homeland Security says grants are available to areas, which they have been in the past, fine. Limit it to 50. If they say it should be cities, limit it to 50.

If we take the chairman and the ranking member's argument to its logical extension, you could conceivably in this portion of the bill, which the language says "shall be to exercise the needs of selected large, high-threat urban areas," it could be any city of any size. And I do not believe that was the intention of our legislation.

I think what we are doing, and with all due deference to the gentleman from Mississippi, I am not just offering this because I am from New York. It could be that we add the 200 cities to this, 300 cities, 400, 500 cities, and we completely undermine the intention of this Congress when we created the program to begin with. Maybe you are right. In that case, do away with the program. It is not any longer going to be a high-threat, high-density urban area grant program. Then let us eliminate it. Put it in with the other pot of money. But if we are going to have it, let us preserve its integrity.

Mr. Chairman, I reserve the balance of my time.

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

Mr. WEINER. Mr. Chairman, I yield 2 minutes to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. Mr. Chairman, I thank the gentleman for yielding me this time, and for his amendment, which I rise in strong support of.

The amendment of the gentleman from New York (Mr. WEINER) would limit the high-threat grants to 50 total grants. If this amendment were enacted, it would ensure to a greater degree that high-threat funding truly goes to what it is intended to do, go to high-threat areas.

When Congress first created the so-called high-threat program, it was limited to seven cities; yet last year that number jumped to 80 grants, with 50 cities getting funding and 30 transit agencies. This year, the Department again funded 50 cities. The practical effect is that those cities that are the highest threat may see the amount of money directed towards them diminished because of the ever-increasing pie.

For example, 2 years ago, and I give the example of the city I represent, but it could be other cities, New York City received \$150 million in funding. But last year, even though we remained high-threat number one in the Nation by all accounts, by all of the intelligence agencies, last year we saw a decrease of 69 percent to \$47 million. This year, again we saw a dramatic shift upwards to \$214 million.

I think it is very easy to argue that New York City has been under the same consistent threat since 9/11, but this funding certainly does not reflect that. The example that I use of New York City is just one example of how it has varied widely across cities.

One of the greatest reasons for this yo-yo funding is when you increase who is eligible, you decrease your options on how you distribute. So we need to make sure that this funding is based on risk rather than political calculations, and limiting the number of grants to 50 is certainly reasonable and a fair way.

May I speak also very briefly on how far preferable the House version is to the Senate version in the underlying bill.

Mr. WEINER. Mr. Chairman, I yield myself the balance of my time.

There seems to be some misunderstanding, and I am waiting for some clarification on our side, if the majority side has clarification, because it might lead me to withdraw my amendment.

If someone will stand up and say that a city of less than 1.65 million will be ineligible to receive these grants in the future, as has been articulated by the ranking member and implied by the chairman, then we are on to something.

□ 1315

The language in the bill refers to the area which is this new thing that we are trying to do, I think, for good reason. The question is, will a city of 50,000 or 60,000 who does not form a coalition with four or five or six other cities or other regions, will they still be eligible? That is the problem.

I think that what we have here is a very good bill that continues a bifurcated system. On one hand, you have every single corner of the country eligible for money based on threat, based on the Weiner language that was introduced in committee, and I am glad you accepted; on the other side, we have this thing that now only limits the area to 1.65 million. What I am trying to do is not say a city can be on or off but say, let us limit it to 50.

The Acting CHAIRMAN (Mr. PUTNAM). The question is on the amendment offered by the gentleman from New York (Mr. WEINER).

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

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

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York (Mr. WEINER) will be postponed.

Mr. CASTLE. Mr. Chairman, I ask unanimous consent to strike the last word to enter into a colloquy with the gentleman from California, the chairman of the Committee on Homeland Security.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Delaware?

There was no objection.

Mr. CASTLE. Mr. Chairman, like most of my colleagues here today, I support efforts to reform our current system to ensure that more funding for our first responders is determined on the basis of risk. The 9/11 Commission noted that one of our greatest challenges would be in how to allocate these limited resources, and I agree. The gentleman from California's determination for taking on this challenge is commendable.

As the gentleman knows, I have been concerned about the Department's ability to accurately determine national threats, vulnerabilities and consequences. In its report, the 9/11 Commission also notes that, due to the overwhelming focus on specific high-risk areas, terrorists might begin turning their attention to softer, less-protected targets.

As a Member representing our Nation's sixth smallest State by population, second smallest by size, I am concerned that, in improving the current system, we might inadvertently overlook citizens in States considered less likely to be vulnerable. In Delaware, the State Emergency Management Agency has expressed some concern that our high-risk targets may be neglected. Such omissions force small States like mine to dip into other important programs, such as disaster prevention, in order to provide necessary resources and personnel to handle certain attacks.

There needs to be some balance here and recognition that real homeland security needs exist outside of metropolitan areas. To the best of my knowledge, the Department of Homeland Security has not completed a comprehensive national risk assessment. It seems that this type of national risk assessment should serve as a basis for determining how to allocate first-responder grants, but apparently, a thorough study will not be available for several years.

I would appreciate the chairman's thoughts on this.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. CASTLE. I yield to the gentleman from California.

Mr. COX. Mr. Chairman, I appreciate the comments of the gentleman from Delaware. I would like to assure him that the bill before us today is designed to prepare every State, small, medium and large, to respond in the event of a terrorist attack.

The Department's current method for allocating terrorism preparedness grant funds has not always well served small and medium sized States, including Delaware. The current grant system takes risk into account only in a limited way by specially earmarking funds to a handful of large urban areas under the urban area security initiative. With respect to all the rest of the funding, the current system ignores the threats, vulnerabilities and consequences of acts of terrorism anywhere else in the United States. Yet

throughout America, there are populations and critical infrastructure that terrorists have within their sights.

H.R. 1544 would eliminate this anomaly by requiring a risk-based analysis that covers every part of America, urban, suburban and rural, based on objective criteria. To this end, H.R. 1544 establishes a first-responder grant board to prioritize and evaluate all applications for covered grants on the basis of risk and need.

During this evaluation and prioritization process, the grant board must consider a number of factors, including, but not limited to, various critical infrastructure sectors in all areas of the Nation, urban, suburban and rural. Indeed, the 16 critical infrastructure sectors enumerated in H.R. 1544 encompass a large number of critical infrastructure sectors, including agriculture and food, banking and finance, energy, public health and health care, government facilities, transportation systems, and water.

As Delaware's former Governor, the gentleman knows that Delaware contains a great deal of critical infrastructure, including chemical plants, banking and finance, and ports. But he and I also know that, under current law, the Department does not consider these factors in awarding grant funds to his State. Delaware has no jurisdiction that receives grant funds from the urban area security initiative. As a result, like many States under the current system, Delaware only receives grant moneys under the State homeland security grant program. But funding under that program is awarded solely on the basis of an arbitrary political formula without regard to Delaware's actual risk or need. Passage of this legislation, the Faster and Smarter Funding For First Responders Act, will remedy these problems.

Mr. CASTLE. Reclaiming my time, Mr. Chairman, I thank the gentleman from California for his comments. The gentleman is correct in that my home State, and every other State, deserves equitable consideration. I appreciate his willingness to protect adequate grant allotments for first responders in small States. I support the gentleman's goal of getting these important funds to communities where they can be used effectively and look forward to working with him throughout this process to ensure all States receive fair and realistic homeland security funding.

The Acting CHAIRMAN. It is now in order to consider amendment No. 5 printed in House Report 109-77.

AMENDMENT NO. 5 OFFERED BY MR. CASTLE

Mr. CASTLE. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. CASTLE:
At the end of the bill, add the following:

SECTION 7. REMOVAL OF CIVIL LIABILITY BARRIERS THAT DISCOURAGE THE DONATION OF FIRE EQUIPMENT TO VOLUNTEER FIRE COMPANIES.

(a) **LIABILITY PROTECTION.**—A person who donates fire control or fire rescue equipment to a volunteer fire company shall not be liable for civil damages under any State or Federal law for personal injuries, property damage or loss, or death caused by the equipment after the donation.

(b) **EXCEPTIONS.**—Subsection (a) does not apply to a person if—

(1) the person's act or omission causing the injury, damage, loss, or death constitutes gross negligence or intentional misconduct; or

(2) the person is the manufacturer of the fire control or fire rescue equipment.

(c) **PREEMPTION.**—This Act preempts the laws of any State to the extent that such laws are inconsistent with this Act, except that notwithstanding subsection (b) this Act shall not preempt any State law that provides additional protection from liability for a person who donates fire control or fire rescue equipment to a volunteer fire company.

(d) **DEFINITIONS.**—In this section:

(1) **PERSON.**—The term "person" includes any governmental or other entity.

(2) **FIRE CONTROL OR RESCUE EQUIPMENT.**—The term "fire control or fire rescue equipment" includes any fire vehicle, fire fighting tool, communications equipment, protective gear, fire hose, or breathing apparatus.

(3) **STATE.**—The term "State" includes the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, the Virgin Islands, any other territory or possession of the United States, and any political subdivision of any such State, territory, or possession.

(4) **VOLUNTEER FIRE COMPANY.**—The term "volunteer fire company" means an association of individuals who provide fire protection and other emergency services, where at least 30 percent of the individuals receive little or no compensation compared with an entry level full-time paid individual in that association or in the nearest such association with an entry level full-time paid individual.

(e) **EFFECTIVE DATE.**—This Act applies only to liability for injury, damage, loss, or death caused by equipment that, for purposes of subsection (a), is donated on or after the date that is 30 days after the date of the enactment of this Act.

The Acting CHAIRMAN. Pursuant to House Resolution 269, the gentleman from Delaware (Mr. CASTLE) and the gentleman from Mississippi (Mr. THOMPSON) each will control 10 minutes.

The Chair recognizes the gentleman from Delaware (Mr. CASTLE).

Mr. CASTLE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today in support of my amendment to H.R. 1544, which is identical to legislation I introduced, H.R. 1088, the Good Samaritan Volunteer Firefighter Assistance Act. This legislation overwhelmingly passed the U.S. House of Representatives last Congress, 397-3, and was also included as an amendment to H.R. 10, the 9/11 Recommendations Implementation Act. Unfortunately, it was not in the final conference report.

My amendment removes a barrier which currently prevents some organizations from donating surplus fire fighting equipment to fire departments

in need. Under current law, the threat of civil liability has caused some organizations to destroy fire equipment rather than donating it to volunteer rural and other financially strapped departments. We know that, every day across the United States, firefighters respond to calls for help. We are grateful that these brave men and women work to save our lives and protect our homes and businesses. We may presume that our firefighters work in departments with the latest and best fire fighting and protective equipment when in reality there are an estimated 30,000 firefighters who risk their lives daily due to a lack of basic personal protective equipment, PPE. In both rural and urban fire departments, limited budgets make it difficult to purchase more than fuel and minimum maintenance. At the same time, certain industries are constantly improving and updating the fire protection equipment to take advantage of new, state-of-the-art innovation. Sometimes the surplus equipment has never been used to put out a single fire. Sadly, the threat of civil liability causes many organizations to destroy rather than donate millions of dollars of quality fire equipment.

Not only do volunteer fire departments provide an indispensable service, some estimates indicate that the nearly 800,000 volunteer firefighters nationwide save State and local governments \$36.8 billion a year. Of the 26,000 fire departments in the United States, more than 19,000 are all volunteers and another 3,800 are mostly volunteer. Thirteen States, Alabama, Arizona, Arkansas, California, Florida, Illinois, Indiana, Missouri, Nevada, New York, Pennsylvania, South Carolina and Texas, have passed similar legislation. In the 7 years of the Texas program, more than \$12 million worth of firefighter equipment has been donated and given to needy departments. This includes nearly 70 emergency vehicles and more than 1,500 pieces of communications equipment as well. In total, more than 33,000 items have been donated.

Congress can respond to the needs of fire companies by removing civil liability barriers. Equipping our Nation's first responders is essential as we fight the war on terror. I want to thank the chairman of the Committee on the Judiciary, the gentleman from Wisconsin (Mr. SENSENBRENNER), for his past support of this measure, and I am hopeful the esteemed chairman of the Committee on Homeland Security and my colleagues will again join me in supporting this measure.

Mr. Chairman, I reserve the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Chairman, I yield such time as he may consume to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Chairman, I oppose this amendment to the legislation. While I salute the hard work of our volunteer firefighters, it

appears to me that we have a very extreme solution to a problem that does not exist. Although the amendment purports to encourage donation of fire fighting equipment by eliminating civil liability barriers, there are no reported cases of businesses refusing to donate their equipment nor cases of volunteer fire fighting companies suing their donors. Whatever the so-called problem is could be solved or addressed without congressional action.

For example, in the 108th Congress when the similar legislation was before the Committee on the Judiciary, we heard during our committee deliberations that a volunteer fire department could simply sign a contract waiving liability of the donors from negligence resulting from the donated fire equipment. This tactic would ensure that fire companies are informed and have consented to the immunity of the donor. Congress does not have to mandate the immunity. The groups can agree to it if they want or if the donor insists.

Mr. Chairman, this is not a Federal issue. It is a matter that can be dealt with by the States. There is nothing Federal about local volunteer fire departments. This liability is a State issue, and many States have already dealt with it. For example, some States provide immunity but only after requiring certification that the equipment is safe. This amendment provides no such immunity. For the safety of our volunteers, companies should not be given blanket immunity for donating fire equipment. While it may be true that most of the equipment is perfectly usable, companies should be prevented from donating obsolete equipment known to be of dubious safety. Certain equipment, like protective gear and breathing apparatus, can deteriorate over time and may not be suitable for use. So the threat of civil liability causes some to think twice about donating dangerous equipment, equipment which may place our firefighters in danger. If this amendment passes, they will not have to be concerned about donating that dangerous equipment.

I would hope that we would defeat the amendment, allow the volunteer firefighters to waive the liability if they want, but not impose a federally mandated waiver on everybody whether they want to use it or not. I urge my colleagues to reject the amendment which may, in fact, endanger our firefighters.

Mr. CASTLE. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from California (Mr. COX).

Mr. COX. Mr. Chairman, I thank the distinguished gentleman from Delaware for yielding the time but more importantly for offering this important amendment. The House has voted in support of this amendment before. During the 108th Congress, twice it passed the House. As a stand-alone measure, all by itself, on September 14, 2004, and

when it was up on its own merits, the recorded vote was 397-3.

This is a commonsense amendment that is vitally important. It would provide protection to people who donate fire control or fire rescue equipment, but more importantly, it would better equip and protect our Nation's firefighters, and that is what this bill is all about. This bill is for our first responders. So is the Castle amendment. It will encourage fire departments, the private sector and other people to donate equipment that the firefighters desperately need so that they can better protect every American.

Many people incorrectly assume that all firefighters work in departments that have the latest and the best equipment. The reality, unfortunately, is far different. It is estimated that 30,000 firefighters every day risk their lives unnecessarily due to inadequate personal protective equipment, just to cite one example.

This is a fiscally prudent amendment. It is going to stretch our dollars. It serves the interests of taxpayers by extending the life of equipment they have already paid for. This is expensive equipment, and it ought to be used. And it provides poorer jurisdictions with capabilities they might not otherwise have and might not have the ability to attain.

I congratulate the gentleman for offering the amendment, I strongly support it, and I urge my colleagues to vote in support as well.

Mr. THOMPSON of Mississippi. Mr. Chairman, I yield myself such time as I may consume.

This amendment would remove civil liability barriers from the donation of fire equipment for volunteer fire companies. As a former volunteer firefighter from a small community, I understand how important it is to have the equipment you need to protect fellow citizens. Although I am going to support this amendment, the issue needs to be studied further once we get into conference. I am concerned that there are no assurances that the equipment would perform as expected, and therefore, many of the firefighters who would use this equipment potentially could be harmed.

□ 1330

We must ensure that our firefighters are adequately protected.

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

Mr. CASTLE. Mr. Chairman, I yield myself such time as I may consume.

I will close briefly. Let me just reiterate, this has been actually before us before. It is actually a popular amendment. People want it on their legislation for the most part. So we have had a little trouble getting it signed into law because it keeps passing and then getting dropped off for various things. But we voted on it back in September, and I do not know what has changed since then. The vote was 397 to 3. To the gentleman from Virginia's (Mr.

SCOTT) credit, he did vote "no" then. I do not know if a single thing has changed in that interim time.

It is pretty simple. We have large corporations, for the most part, that have their own fire equipment. It is very modern. It is generally unused. They donate it. They are not going to donate it unless this liability provision is removed. Most big States, or at least a lot of big States, have looked at this and have made the decision to go ahead and do that. And it just seems to make sense all over this country, as we try to support our volunteer fire services, that we would give them the best equipment possible. And this simply would allow that to happen.

I would hope that every single Member of the House of Representatives this time would look carefully, if it comes to a roll call, at what is a rather simple amendment and would be in full support of it. And I hope that, as much as I enjoy presenting this amendment, that this is the last time we have to present and it becomes law sooner rather than later so that we can proceed, because even in the last year, we have, unfortunately, lost some opportunities for donation of equipment.

Mr. CONYERS. Mr. Chairman, I strongly oppose this amendment. While I salute the hard work of our volunteer firefighters, it appears to me that this amendment we have before us a very stringent solution in search of an actual problem. Although the amendment is supposed to encourage the donation of firefighter equipment by eliminating civil liability barriers, there have been no reported cases of businesses refusing to donate equipment nor cases of volunteer firefighter companies suing donors. At a minimum, this bill should be reviewed in accordance with regular House order. There have been no hearings or mark-ups in the Judiciary Committee, no opportunity for the members to debate this issue to date.

Companies should not be given blanket immunity to companies for donating fire fighting equipment. While it may be true that most of the equipment is perfectly usable, companies should be prevented from donating obsolete equipment. Certain equipment like protective gear and breathing apparatuses can deteriorate over time and may not be suitable for reuse. If firefighters work to protect and keep citizens safe, should not they have the best protective equipment possible?

This "so-called" problem can clearly be solved without congressional action. First, volunteer fire companies could simply sign a contract waiving the liability of the donors for negligence resulting from donating firefighting equipment. This tactic would ensure that the fire companies are informed and have consented to the immunity of the donor. Second, this issue is a matter that can be dealt with by the States. There is nothing Federal about local volunteer fire departments; it is purely a State issue.

With all of the other pertinent issues that are before Congress, I find it problematic that we are entertaining this non-problem. I urge my colleagues to reject this truly anti-firefighter protection amendment.

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

The Acting CHAIRMAN (Mr. PUTNAM). The question is on the amendment offered by the gentleman from Delaware (Mr. CASTLE).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. WEINER

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. WEINER) 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 CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 88, noes 331, not voting 14, as follows:

[Roll No. 169]

AYES—88

Abercrombie	Gutierrez	Owens
Ackerman	Higgins	Pallone
Andrews	Hinchey	Payne
Barrow	Holt	Pelosi
Bean	Hoyer	Rangel
Bishop (NY)	Israel	Rothman
Blumenauer	Jackson (IL)	Ruppersberger
Brady (PA)	Kilpatrick (MI)	Rush
Capps	Lantos	Sabo
Capuano	Lee	Schakowsky
Cardin	Lewis (GA)	Schiff
Clay	Lipinski	Schwartz (PA)
Cleaver	Lowey	Scott (GA)
Conyers	Lynch	Serrano
Costello	Maloney	Sherman
Crowley	Markey	Skelton
Davis (CA)	McDermott	Slaughter
Davis (IL)	McGovern	Smith (WA)
Delahunt	McNulty	Stark
Doyle	Meehan	Tierney
Emanuel	Meeks (NY)	Towns
Engel	Melancon	Udall (CO)
Eshoo	Menendez	Van Hollen
Farr	Miller, George	Velázquez
Fattah	Moore (KS)	Walters
Filner	Moran (VA)	Weiner
Frank (MA)	Nadler	Woolsey
Gonzalez	Napolitano	Wu
Green, Al	Neal (MA)	
Green, Gene	Oliver	

NOES—331

Aderholt	Bradley (NH)	Cramer
Akin	Brady (TX)	Crenshaw
Alexander	Brown (OH)	Cubin
Allen	Brown (SC)	Cuellar
Baca	Brown, Corrine	Culberson
Bachus	Brown-Waite,	Cummings
Baird	Ginny	Cunningham
Baker	Burgess	Davis (AL)
Baldwin	Burton (IN)	Davis (FL)
Barrett (SC)	Butterfield	Davis (KY)
Bartlett (MD)	Buyer	Davis (TN)
Barton (TX)	Calvert	Davis, Jo Ann
Bass	Camp	Davis, Tom
Beauprez	Cannon	Deal (GA)
Berry	Cantor	DeFazio
Biggert	Capito	DeGette
Bilirakis	Cardoza	DeLauro
Bishop (GA)	Carmahan	DeLay
Bishop (UT)	Carson	Dent
Blackburn	Carter	Diaz-Balart, L.
Blunt	Case	Diaz-Balart, M.
Boehlert	Castle	Dicks
Boehner	Chabot	Dingell
Bonilla	Chandler	Doggett
Bonner	Chocola	Doolittle
Bono	Clyburn	Drake
Boozman	Coble	Dreier
Boren	Cole (OK)	Duncan
Boswell	Conaway	Edwards
Boucher	Cooper	Ehlers
Boustany	Costa	Emerson
Boyd	Cox	English (PA)

Etheridge	Kucinich	Ramstad
Evans	Kuhl (NY)	Regula
Everett	LaHood	Rehberg
Feeney	Langevin	Reichert
Ferguson	Larsen (WA)	Renzi
Fitzpatrick (PA)	Latham	Reyes
Fossella	LaTourette	Reynolds
Flake	Leach	Rogers (AL)
Foley	Levin	Rogers (KY)
Forbes	Lewis (CA)	Rogers (MI)
Ford	Lewis (KY)	Rohrabacher
Fortenberry	Linder	Ros-Lehtinen
Fossella	LoBiondo	Ros
Fox	Lofgren, Zoe	Royce
Franks (AZ)	Lucas	Ryan (OH)
Frelinghuysen	Lucas	Ryan (WI)
Galleghy	Lungren, Daniel	Ryun (KS)
Garrett (NJ)	E.	Salazar
Gerlach	Mack	Sánchez, Linda
Gibbons	Manzullo	T.
Gilchrest	Marchant	Sanders
Gillmor	Marshall	Saxton
Gingrey	Matheson	Schwarz (MI)
Gohmert	Matsui	Scott (VA)
Goode	McCarthy	Sensenbrenner
Goodlatte	McCaul (TX)	Sessions
Gordon	McCollum (MN)	Shadegg
Granger	McCotter	Shaw
Graves	McCrery	Shays
Green (WI)	McHenry	Sherwood
Grijalva	McHugh	Shimkus
Gutknecht	McIntyre	Shuster
Hall	McKeon	Simmons
Harman	McKinney	Simpson
Harris	McMorris	Smith (NJ)
Hart	Meeke (FL)	Smith (TX)
Hastings (WA)	Mica	Snyder
Hayes	Michaud	Sodrel
Hayworth	Miller (FL)	Souder
Hefley	Miller (MI)	Spratt
Hensarling	Miller (NC)	Stearns
Herger	Miller, Gary	Strickland
Herse	Mollohan	Stupak
Hinojosa	Moore (WI)	Sullivan
Hobson	Moran (KS)	Sweeney
Hoekstra	Murphy	Tancredo
Holden	Murtha	Tanner
Hoolley	Myrick	Tauscher
Hostettler	Neugebauer	Taylor (MS)
Hulshof	Ney	Taylor (NC)
Hunter	Northup	Terry
Hyde	Norwood	Thomas
Inglis (SC)	Nunes	Thompson (CA)
Inslee	Nussle	Thompson (MS)
Issa	Oberstar	Thornberry
Istook	Obey	Tiahrt
Jackson-Lee	Ortiz	Tiberi
(TX)	Osborne	Turner
Jefferson	Otter	Udall (NM)
Jenkins	Oxley	Upton
Jindal	Pascarell	Visclosky
Johnson (CT)	Pastor	Walden (OR)
Johnson (IL)	Paul	Walsh
Johnson, E. B.	Pearce	Wamp
Johnson, Sam	Pence	Wasserman
Jones (NC)	Peterson (MN)	Schultz
Jones (OH)	Peterson (PA)	Watt
Kanjorski	Petri	Weldon (FL)
Kaptur	Pickering	Weldon (PA)
Keller	Pitts	Weller
Kelly	Platts	Westmoreland
Kennedy (MN)	Poe	Wexler
Kennedy (RI)	Pombo	Whitfield
Kildee	Pomeroy	Wicker
Kildeer	Porter	Wilson (NM)
Kind	Price (GA)	Wilson (SC)
King (IA)	Price (NC)	Wolf
King (NY)	Pryce (OH)	Wynn
Kirk	Kline	Young (AK)
Klone	Knollenberg	Young (FL)
Knollenberg	Kolbe	
Rahall		

NOT VOTING—14

Becerra	Kingston	Roybal-Allard
Berkley	Larson (CT)	Sanchez, Loretta
Berman	Millender-	Solis
Hastings (FL)	McDonald	Watson
Honda	Musgrave	Waxman

□ 1356

Ms. LINDA T. SÁNCHEZ of California, Mrs. MCCARTHY, Ms. WOOSERMAN SCHULTZ, Ms. HOOLEY, and Messrs GILCHREST, SALAZAR and ROSS changed their vote from "aye" to "no."

Mr. HIGGINS and Mr. HOLT changed their vote from "no" to "aye."

So the amendment was rejected. The result of the vote was announced as above recorded.

Stated for:

Ms. SOLIS. Mr. Chairman, during rollcall vote No. 169 on the Weiner amendment to H.R. 1544, I was unavoidably detained.

Had I been present, I would have voted "aye."

The Acting CHAIRMAN (Mr. PUTNAM). There being no other amendments, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The Acting CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. PUTNAM, Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1544) to provide faster and smarter funding for first responders, and other purposes, pursuant to House Resolution 269, reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. COX. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 409, noes 10, not voting 14, as follows:

[Roll No. 170]

AYES—409

Abercrombie	Beauprez	Boucher
Ackerman	Biggert	Boustany
Aderholt	Bilirakis	Boyd
Akin	Bishop (GA)	Bradley (NH)
Alexander	Bishop (NY)	Brady (PA)
Andrews	Bishop (UT)	Brady (TX)
Baca	Blackburn	Brown (OH)
Bachus	Blumenauer	Brown (SC)
Baird	Blunt	Brown, Corrine
Baker	Boehlert	Brown-Waite,
Baldwin	Boehner	Ginny
Barrett (SC)	Bonilla	Burgess
Barrow	Bonner	Burton (IN)
Bartlett (MD)	Bono	Butterfield
Barton (TX)	Boozman	Buyer
Bass	Boren	Calvert
Bean	Boswell	Camp

Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cox
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al

Green, Gene
Grijalva
Gutierrez
Gutknecht
Hahn
Harman
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Higgins
Hinches
Hinojosa
Hobson
Hoekstra
Holden
Holt
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel
E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McGovern
McHenry
McHugh
McIntyre

McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moran (KS)
Moran (VA)
Murphy
Murtha
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascarell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Rothman
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Salazar
Sánchez, Linda
T.
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw

Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Sweeney
Allen
Berry
Cubin
Davis (AL)
BeCerra
Berkley
Berman
Hastings (FL)
Honda
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)

Walsh
Wamp
Wasserman
Schultz
Waters
Watt
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)
Ross
Sabo
Herseeth
McDemott
Michaud
Moore (WI)
Kingston
Larson (CT)
Millender-
McDonald
Musgrave
Roybal-Allard
Sanchez, Loretta
Solis
Watson
Waxman

□ 1415

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO HAVE UNTIL MIDNIGHT, MAY 13, 2005, TO FILE PRIVILEGED REPORT ON DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2006

Mr. LEWIS of California. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations have until midnight May 13, 2005, to file a privileged report making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006, and for other purposes.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. Pursuant to clause 1 of rule XXI all points of order are reserved.

NOES—10

NOT VOTING—14

□ 1414

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. SOLIS. Mr. Speaker, during rollcall vote No. 170 on final passage of H.R. 1544, I was unavoidably detained. Had I been present, I would have voted "aye."

PERSONAL EXPLANATION

Ms. LORETTA SANCHEZ of California. Mr. Speaker, on Thursday, May 12, 2005, I was unavoidably absent due to a personal emergency. I request that the CONGRESSIONAL RECORD reflect that had I been present and voting, I would have voted as follows:

Rollcall No. 169: "No." On Agreeing to the Weiner Amendment to H.R. 1544.

Rollcall No. 170: "Yes." On Passage of H.R. 1544.

PERSONAL EXPLANATION

Mr. LARSON of Connecticut. Mr. Speaker, I would like to submit this statement for the RECORD and regret that I could not be present today, Thursday, May 12, 2005, to vote on rollcall vote Nos. 169 and 170 due to a family medical emergency.

Had I been present, I would have voted: "No" on rollcall vote No. 169 on an amendment to H.R. 1544 to limit the number of Urban Area Security Initiative grants during any given fiscal year to 50; and "aye" on rollcall vote No. 170 on passage of H.R. 1544—Faster & Smarter Funding for First Responders Act of 2005.

LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Mr. Speaker, I take this time for the purpose of inquiring of the Majority Leader the schedule for the week to come. At this time, I yield to the distinguished Majority Leader, the gentleman from Texas (Mr. DELAY).

Mr. DELAY. Mr. Speaker, I appreciate the gentleman yielding to me.

Mr. Speaker, the House will convene on Monday at 12:30 p.m. for morning hour and 2 p.m. for legislative business.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO HAVE UNTIL MIDNIGHT, MAY 13, 2005 TO FILE A PRIVILEGED REPORT ON DEPARTMENT OF INTERIOR APPROPRIATIONS ACT, 2006

Mr. LEWIS of California. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations have until midnight, May 13, 2005 to file a privileged report, making appropriations for the Department of Interior and related agencies for the fiscal year ending September 30, 2006, and for other purposes.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to clause 1 of rule XXI, all points of order are reserved.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1650

Ms. LEE. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 1650.

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

There was no objection.

We will consider several measures under suspension of the rules. A final list of those bills will be sent to the Members' offices by the end of the week. Any votes called on these measures will be rolled until 6:30 p.m.

On Tuesday and the balance of the week, the House will convene at 10 a.m. for legislative business. We may consider additional legislation under suspension of the rules, as well as several bills under a rule: The Department of Homeland Security Appropriations Act for Fiscal Year 2006; the Department of the Interior Appropriations Act for Fiscal Year 2006; and H.R. 1817, the Homeland Security Authorization Act for Fiscal Year 2006.

Mr. Speaker, I yield back to the distinguished Minority Whip.

Mr. HOYER. Mr. Speaker, I thank the Majority Leader for that information. With respect, Mr. Leader, to the Homeland Security Authorization bill, can you presently tell us which day of the week will that be considered?

Mr. Speaker, I yield to my friend, the gentleman from Texas (Mr. DELAY).

Mr. DELAY. Mr. Speaker, I appreciate the gentleman yielding. While things could certainly change as we work through what will be a very busy week, we will likely have the two appropriations bills sort of bookending the week, with the Homeland Security authorization bill coming in the middle of those two bookends. So I would expect that the Homeland Security Appropriations bill would start as early as Tuesday morning. Then we would go to the Homeland Security authorization bill, and when it is finished, we would go to the Department of the Interior appropriations bill.

Mr. HOYER. Mr. Speaker, I thank the Majority Leader. Does the gentleman know at this point in time what type of rule, I notice that the gentleman from Texas (Mr. SESSIONS) is on the floor, what type of rule the Homeland Security authorization bill might be considered under?

Mr. Speaker, I yield to my friend, the gentleman from Texas (Mr. DELAY).

Mr. DELAY. Mr. Speaker, I appreciate the gentleman from Maryland (Mr. HOYER) yielding. I have not been advised as to what kind of rule. I think the gentleman that is sitting here is about to make an announcement in that regard. I would assume that it would be handled like most major bills.

As the gentleman knows, the Homeland Security authorization bill is the first Homeland Security authorization bill that this House has considered, and so there is a lot of room for negotiation.

Mr. HOYER. Reclaiming my time, Mr. Leader, I appreciate that observation. I agree with the gentleman from Texas. In light of the fact it is the first time that we will have considered an authorization bill from this committee and for this department since its formation as a separate piece of legislation, it would, hopefully, be one that would be open to perfection and amend-

ment, if possible. So we will hear from the gentleman from Texas (Mr. SESSIONS) shortly on that.

Prior to Memorial Day, can you tell us, Mr. Leader, what appropriation bills you anticipate coming to the floor prior to that Memorial Day break?

We are going to have, obviously, Homeland Security and Interior next week. Do you know which bills you might be considering?

Mr. Speaker, I yield to the gentleman from Texas (Mr. DELAY).

Mr. DELAY. Mr. Speaker, I appreciate the gentleman yielding.

As the gentleman knows, serving on committee, the committee has a very ambitious schedule, and it hopes to complete all 11 bills coming out of its committee by the Fourth of July recess, meaning all 11 bills out of the House by the Fourth of July recess. So, in addition to managing the two bills on the floor next week, the committee intends to mark up both the Military Quality of Life and the Energy and Water bills. So we would anticipate, if things go well, those two bills being on the floor the following week.

Mr. HOYER. Mr. Speaker, I thank the Leader.

Reclaiming my time. Lastly, Mr. Leader, there has been some discussion about having bipartisan support for the legislation, some of the legislation that is going through this body. We have had bipartisan support for some of those pieces of legislation.

There is a bipartisan bill, the Castle-DeGette bill, on stem cell research. I know it is a controversial piece of legislation, but it does have bipartisan support and broad support I might say.

Can the Leader tell us when the gentleman might contemplate that bill coming to the floor?

Mr. Speaker, I yield to my friend, the gentleman from Texas (Mr. DELAY).

Mr. DELAY. Mr. Speaker, I thank the gentleman for yielding.

There is a good chance that the House will consider changes in the President's research policies between now and the August recess. The form and timing of this debate has yet to be determined. There is still a lot of discussion going on.

I could inform the gentleman that probably the timing for the floor, the best I could tell you is that timing for the floor would be sooner than later.

Mr. HOYER. Mr. Speaker, I appreciate not necessarily the specifics, but at least the assertion that it will be sooner. We believe this is a very important piece of legislation. It is. Obviously, strong views are held on this issue on both sides of the issue. But it is important to an overwhelming majority of Americans, one way or the other, and I would certainly hope, I know both the gentleman from Delaware (Mr. CASTLE) on your side of the aisle, the gentlewoman from Colorado (Ms. DEGETTE) on our side of the aisle, have both been working very hard on this piece of legislation. We would look forward to it coming to the floor as

soon as practical, given the discussions that are ongoing. And I appreciate the Leader's observations. I thank the leader for his information.

ADJOURNMENT TO MONDAY, MAY 16, 2006

Mr. DELAY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday next for morning hour debate.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. DELAY. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

HOOR OF MEETING ON THURSDAY, MAY 19, 2005

Mr. DELAY. Mr. Speaker, I ask unanimous consent that when the House adjourns on Wednesday, May 18, 2005, it adjourn to meet at 9 a.m. on Thursday, May 19, for the purpose of receiving in this Chamber former Members of Congress.

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

There was no objection.

AUTHORIZING THE SPEAKER TO DECLARE A RECESS ON THURSDAY, MAY 19, 2005, FOR THE PURPOSE OF RECEIVING FORMER MEMBERS OF CONGRESS

Mr. DELAY. Mr. Speaker, I ask unanimous consent that it may be in order on Thursday, May 19, for the Speaker to declare a recess subject to the call of the chair for the purpose of receiving in this Chamber former Members of Congress.

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

There was no objection.

ANNOUNCEMENT BY COMMITTEE ON RULES REGARDING AMENDMENTS TO H.R. 1817, DEPARTMENT OF HOMELAND SECURITY AUTHORIZATION ACT FOR FISCAL YEAR 2006

(Mr. SESSIONS asked and was given permission to address the House for 1 minute.)

Mr. SESSIONS. Mr. Speaker, the Rules Committee may meet next week

to grant a rule which would limit the amendment process for floor consideration of H.R. 1817, the Department of Homeland Security Authorization Act for Fiscal Year 2006. The bill was reported by the Committee on Homeland Security on May 3, 2005, and it received sequential referrals to the committees on Energy and Commerce, Government Reform, Judiciary, Science, Transportation and Infrastructure, Ways and Means and Intelligence.

Members should draft their amendments to the text of an amendment in the nature of a substitute that is intended to reflect the work of all the committees of jurisdiction. This amendment in the nature of a substitute will be posted on the Web sites of the Rules and Homeland Security Committees on Friday, May 13, 2005.

Any Member wishing to offer an amendment should submit 55 copies of the amendment and one copy of a brief explanation of the amendment to the Committee on Rules in Room H-312 in the Capitol by 10 a.m. on Tuesday, May 17, 2005.

Members should use the Office of Legislative Counsel to ensure that their amendments are drafted in the most appropriate format and should check with the Office of the Parliamentarian to be certain their amendments comply with the Rules of the House.

APPOINTMENT OF MEMBERS TO BOARD OF VISITORS TO THE UNITED STATES NAVAL ACADEMY

The SPEAKER pro tempore. Pursuant to 10 U.S.C. 6968(a), and the order of the House of January 4, 2005, the Chair announces the Speaker's appointment of the following Members of the House to the Board of Visitors to the United States Naval Academy:

Mr. CUNNINGHAM of California;
Mr. WICKER of Mississippi.

APPOINTMENT OF MEMBERS TO BOARD OF TRUSTEES OF THE HARRY S TRUMAN SCHOLARSHIP FOUNDATION

The SPEAKER pro tempore. Pursuant to 20 U.S.C. 2004(b), and the order of the House of January 4, 2005, the Chair announces the Speaker's appointment of the following Members of the House to the Board of Trustees of the Harry S Truman Scholarship Foundation:

Mr. AKIN of Missouri;
Mr. SKELTON of Missouri.

HONORING KELSEY RYAN

(Mr. KELLER asked and was given permission to address the House for 1 minute.)

Mr. KELLER. Mr. Speaker, I rise today to honor Kelsey Ryan, a 9-year old little girl from Celebration, Florida, my home district. Kelsey is a true hero to her community and her country. We are honored that she is here with us today.

Kelsey possesses a life-threatening allergy to peanuts. She is not alone; 4 percent of our population has some form of life threatening allergy, either to peanuts, shellfish, insects or other items.

Kelsey decided to do something about it and took action. She traveled to Tallahassee, Florida, where she testified before six separate committees of the Florida legislature. She explained that by allowing her and other school children to use this EpiPen it would help save the lives of 100,000 different school children in Florida who also suffer from life-threatening allergies.

She was so effective that the Florida House and Florida Senate unanimously passed the Kelsey Ryan Act, and it will be signed into law by the Governor of Florida, Jeb Bush, in a matter of days.

On behalf of the United States Congress, I was pleased today to present Ms. Kelsey Ryan with a Certificate of Special Congressional Recognition, an award we humbly give to true American heroes.

Mr. Speaker, we are proud of Kelsey in Florida. And today we honor the achievements of an amazing 9-year-old lady who has selflessly helped save the lives of up to 100,000 different school children in my home State of Florida. We are proud of her in Congress. We are proud of her in Florida. We are proud of her back in Celebration.

ABUSE OF CONGRESSIONAL POWER

(Ms. WOOLSEY asked and was given permission to address the House for 1 minute.)

Ms. WOOLSEY. Mr. Speaker, it boggles my mind that Republicans continue to criticize Democrats for blocking judicial nominations. Their facts are deceiving. Their facts are inaccurate, and their actions to force through extremist judges are just one example of their abuse of power in the Congressional Chamber.

□ 1430

The fact is that 208 judges have been confirmed and 10 have been turned down because of extremist positions. That represents a 95 percent approval rating. These same Members, by the way, blocked 65 of President Bill Clinton's nominees. These same Senators would like you to believe that the only way to get the judicial process moving is to eliminate the 200-year-old filibuster rule that grants Senators the ability to speak their minds if they feel an action is not right for the country.

The Republican greed for power is eroding our political system. They should remember that a democracy is not a one-sided body of government. It is time for my Republican colleagues to respect that basic notion and end their abuse and their bullying in the Congress.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. JINDAL). Under the Speaker's an-

nounced policy of January 4, 2005, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

SMART SECURITY

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

Ms. WOOLSEY. Mr. Speaker, the ink has hardly dried on the latest supplemental spending bill for military operations in Iraq, but that has not stopped top officials in the Pentagon from starting preparations for the next supplemental bill.

It was reported yesterday that the Pentagon has begun laying the groundwork for the next supplemental requests which may come as early as this August. The Pentagon will likely request more than \$25 billion more, but some in Congress have indicated that they will ask for as much as \$50 billion more.

The Pentagon which receives over \$400 billion annually from the United States Treasury acts like 25 or 50 billion is a mere drop in the bucket. Likewise, when supplemental requests are doled out in these smaller, ha-ha smaller, \$50 billion increments, many Members of Congress and much of the Nation have absolutely no concept of the true cost of the war in Iraq, which at the moment adds up to over \$200 billion. But when you think about the financial strain being felt at home like the fact that we are not fully funding the No Child Left Behind Act or that we are not paying for adequate health care for our returning veterans, it does not take long to realize that \$50 billion more for Iraq takes a toll on the American people here at home.

Mr. Speaker, why are we funding a war, especially one that was entered into on false pretenses, through repeated supplemental spending bills? This method of funding underscores both a fundamental lack of planning for the war in Iraq, as well as a hostile contempt for the financial strain on the citizens of the United States.

If the President and his administration had a strategy to peacefully resolve this war in Iraq, they would submit to Congress a plan, a plan detailing the further U.S. military operations there. This plan would indicate how long they expect troops to remain in Iraq and at what levels and in what capacity, how much the war will cost, and exactly how they plan to finance this burdensome cost. This plan would define when and how we are planning to bring our troops home.

Anything less than a comprehensive strategy is a slap in the face to all the hard-working American people in this country whose tax dollars are financing this misguided mission. Sadly, I think the real reason the administration has failed to provide such a strategy is because they apparently have no plan to end the war in Iraq. Americans

have a right to know where their money is being spent. For instance, why did the Army recently award Kellogg, Brown & Root, a subsidiary of Halliburton, with \$72 million in bonuses for "the company's excellent performance"?

Perhaps the definition of excellence has changed since I attended school, because in my day excellence meant working hard and achieving positive results, not conning the American people out of millions, even billions, of dollars while failing to secure Iraq.

And why have \$9 billion in supplemental funds gone unaccounted for? How does \$9 billion just vanish? Given the administration's poor track record for spending American taxpayers' money, why does our Congress continually fail to demand accountability for how the supplemental funds are being spent?

Mr. Speaker, there must be a better way than this, because the current system is broken. That is why I have developed a SMART Security platform for the 21st century. SMART is a Sensible Multi-lateral American Response to Terrorism. SMART will help reinvigorate America's foreign policy by focusing our spending priorities on conflict prevention, international diplomacy, and multi-lateralism.

Instead of Congress's current open check book policy we have for Iraq, SMART Security wisely invests U.S. dollars in development funding. It invests in peacekeeping and reconstruction, adequately funding these important programs because then that will go a long way towards ensuring long-term peace and stability in troubled countries and troubled regions.

If we had invested in SMART Security in the first place, we would not have become embroiled in a war that has cost the lives of more than 1,600 American soldiers and at least 24,000 Iraqi civilians. This shameful war has also permanently injured over 25,000 American soldiers whose lives will be changed forever. We must focus America's efforts on a smarter strategy for our national security instead of continuing our shameful policy of preemptive military combat.

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

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

VETOING AMERICA'S TRANSPORTATION FUTURE

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

Mr. DEFAZIO. Mr. Speaker, yesterday, finally, blatantly, 18½ months after the expiration of the Surface Transportation Act which provides cru-

cial funding for all of the road, bridge, highway mass transit and related work of the Federal Government, spending our gas taxes which are collected day in and day out and being underspent by this administration, the Senate acted to increase funding.

Strangely, this is the one bill, the only place that George Bush in over 5 years in office has said he is going to veto a bill if it spends more money. Now, he will not do that for agriculture subsidies to pay big corporate farms not to pay things. He wanted to cut their subsidies, but the Republicans have refused to do it, and he is not threatening to veto that bill.

He is not threatening to veto bills that are doing wasteful things like the Star Wars Project in Alaska that does not work, has not met a single parameter of its goal. He cannot threaten vetoes there. But when it is spending our gas tax money, this is the only bill where we are in the borrowing money. We are borrowing \$1.3 million a minute to run the Federal Government under the Bush budget, but we do not have to borrow money to have a robust highway bill. We just need to spend the taxes we are all paying every time we tank up our car or truck.

This is money that will put people to work. This is money that will maintain and improve our crumbling infrastructure. It will help mitigate congestion, people sitting in traffic, idling, wasting gas, wasting their time. It could better fund mass transit, alternate transportation, all these things; but somehow the President has drawn the line in the sand.

He said last year, not a penny over \$256 billion. He wants to underspend the trust fund so he can borrow that money to pay for tax cuts for rich people. Plain and simple. That is what he wants to do with our gas tax money.

We pay money at the pump to improve our roads, bridges, and highways. We have to pay it right there at the pump. He wants to underspend that trust fund, and then he wants to take and divert that money over here to give rich people tax cuts. Now, is that a better way to stimulate the economy of the United States, to improve the business climate, to help the traveling public?

I do not think so. It might help them pay for their corporate jets, but it is not going to help the rest of us who are down there mired in traffic.

So the Senate voted yesterday 76 to 22 to increase funding substantially above the levels the President says he will veto. Well, an override of a veto is 66 votes in the United States Senate. Maybe this will send a message that we have been trying to send to the White House for 2 years.

There is a huge bipartisan coalition, Republican and Democrat in the House and the Senate, who want to invest in our roads, bridges, highways, mass transit, alternative transportation, put Americans to work, help Americans get to work, and help improve the effi-

ciency of our business. Hopefully, they will change their tone down at the White House and stop threatening to veto needed investment.

The President's own Department of Transportation, the people he politically appointed and controls, says this bill should be \$376 billion. And the President says not a penny over 256. Now he has come up a little bit to the House level of 284, but that is not adequate to meet the needs of the system. And the Senate wants to spend more of our gas tax dollars on what they were collected for, projects to rebuild and improve the efficiency of the Nation's infrastructure.

So I take this as a very positive move. Hopefully, the Republican leadership can move with dispatch to have a conference committee and get a bill done by May 31. That is when the fifth extension of the long-expired highway bill expires. Because if we do not, hundreds of projects across America will not get built this summer, those jobs will not be created, those bottlenecks will not be solved, those bridges will not be repaired, the traveling public will be impaired.

The White House will be happy with that because then they get to take more money, divert it from the gas tax, and spend it on more tax cuts for rich people. But I do not think the rest of America will be amused by that. So I am hoping the American public will demand that Congress act quickly to resolve the differences between the House and the Senate and get a bill now 18 months overdue to the President's desk. And if he chooses to veto it, then pressure the Congress to override that ill-intentioned veto.

Let him veto something wasteful. Let him veto something that we are borrowing money to pay for, but do not veto a paid-for highway bill with vital investment in America's transportation future.

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

(Ms. ROSLEHTINEN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

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

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

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

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

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

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

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

CONGRATULATING THE MATH AND SCIENCE ACADEMY OF SOUTH TEXAS INDEPENDENT SCHOOL DISTRICT

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

Mr. HINOJOSA. Mr. Speaker, I rise to urge my colleagues to join me today in congratulating the staff, the administration, students and families of the Math and Science Academy of South Texas Independent School District in my hometown of Mercedes, Texas, on being named one of Newsweek magazine's Best High Schools in America for 2005.

Our academy ranked 40th out of 100 U.S. high schools. A quality, comprehensive and challenging education is the most valuable gift we can give to our children. For the second time in 2 years, the Math and Science Academy of South Texas has received this prestigious recognition, and it solidifies the school's standing as a model of excellence and as an exemplary institution. The teachers and administrators are truly committed to educating and encouraging our future leaders.

As the country continues to move forward into the 21st century, the need for mathematicians, scientists, engineers, and the leaders of tomorrow continues to be of the utmost importance.

□ 1445

A high school diploma is the first step to becoming a successful contributor to our society.

The program of study at the academy ensures that students succeed and, more importantly, lays the foundation for students to learn the fundamentals that will lead to successful lives and careers. It is truly an exceptional institution.

Last fall, I joined the South Texas ISD community to celebrate the district's 40th anniversary. I would like to congratulate superintendent Marla Guerra, as well as the members of the school board of trustees, the faculty, the students, parents and alumni on 40 years of achievement. This school district demonstrates a regional commitment to excellence. The recognition that the Math and Science Academy has received is just one of many acco-

lades earned by the South Texas ISD school district.

My involvement in establishing the magnet high school system for the South Texas ISD is one of my proudest achievements. Over 20 years ago, as a member of the Texas State Board of Education, I led a delegation from south Texas to Houston to visit that city's highly regarded magnet schools. We knew that we wanted that caliber of opportunity for our students. However, we were told that such a program could not work in south Texas. We were told that we did not have the financial resources and that we could not find the students, but we did not believe the nay-sayers. We knew it could be done.

Today, the Math and Science Academy, with a student population that is almost 80 percent Hispanic and over 50 percent eligible for free or reduced price lunch, is among the most elite high schools in the Nation. Every day it brings us closer to realizing the vast potential of our community. It shows us what is possible when we invest in our children and demand the very best.

I ask all my colleagues to join me in congratulating the Math and Science Academy of south Texas on a job well done.

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

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

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

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

THE SOCIAL INSECURITY SYSTEM

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

Mr. MCDERMOTT. Mr. Speaker, yesterday in the interest of protecting Members of Congress, journalists and the general public, officers of the Capitol Police advised everyone to run for their lives, and we did.

Today, I wish that a Capitol Police officer would have been on hand at the Committee on Ways and Means hearing to shout the same warning.

Run for your lives is the very best nonpartisan advice that anyone can give the American people over the President's plan to create a private insecurity social system.

The President wants the American people to cut Social Security benefits. His proposal would devastate the program, break the promise and destroy

the trust made between the government and the American people.

The President wants the American people to accept his word that privatizing Social Security is in the best interests of Main Street and not Wall Street.

The President, amid much bravado, said his plan is on the table and his plan stays on the table, take it or take it. Since the President will not take private insecurity off the table, let us look at what else the President put on the table with his plan.

It is the only guaranteed outcome of the President's plan: senior citizens retiring into poverty. We need only look back in history and revisit the dark and stark reality of our own past.

Americans by the thousands retired into poverty before Social Security was created by President Franklin Roosevelt. They retired into poverty because there was no way to protect them. There was no security, and that is exactly what the President wants again.

The President says he does not read newspapers. How about American history? Can someone in the White House please get him an American history book?

It did not work. He ought to know that. Americans who have worked a lifetime were forced to live in poverty because there was no Social Security. Millions of seniors did not have the money for food, clothing or shelter.

You want to revisit America in 1932? My mother still is alive, thank God, and she would be the first to tell you that 1932 was not good. It was economically and humanitarially a disaster for America. Millions could not afford to eat. Millions had no home to call their own. Americans did not have a lifeline, much less a safety net. It was a dark and horrifying period of American history.

Why in the world does the President continue ignoring history? He proposes a plan; no, the President demands a private insecurity social system. He says he will listen to any idea as long as it is his.

So, today, the President's water is carried by the distinguished but misinformed chairman of the Committee on Ways and Means. I said it before and I say it again: The President's plan for a private insecurity social system is dead as disco. Nobody goes to discos anymore. It does not work. It does not even have those fancy twirling disco lights on the dance floor. The President's plan does not offer real benefits. It offers real cuts.

The President's plan reflects America in 1932, a place with little security and a lot of greed, a place at a time when Americans suffered and lost hope until a great leader renewed a trust with the American people.

A President, in the worst of times, created Social Security to provide every retired American with economic security, guaranteed, something this President wants to destroy.

President Roosevelt created a program that is not Republican or Democrat. It is not east or west. It is not north or south. He envisioned the Nation strong because it defended the weak, stalwart because it valued its people, mighty because it was humble enough to care for the sick and the aged. No one was left behind by President Roosevelt.

This President will leave tens of millions behind in a risky scheme that rewards the greed of Wall Street while it destroys the values of Main Street.

Americans will not be better off with the President's private insecurity social system. Americans will be as vulnerable again as they were at the darkest economic moment in our history. It will be back in the arms of Wall Street.

The President offers no plan and no choice. The President offers only a stark reality: Slash the benefits right now, and he put it right out there a couple of days ago in his news conference; and also cut your bond with the American people; cut the ties that bind us together; destroy the trust and certainty that senior citizens will not retire into poverty because we will not let them. They cannot, if Mr. Bush has his way.

There is only one course open to the Congress and the American people. If the President will not remove the private insecurity social system from the table, then the American people should remove the table. Throw it away before somebody gets hurt. Remove it from America's house because it does not belong there.

We are a Nation of people who want our children and grandchildren to have an opportunity for more than we had. We will be the first generation to expect our children to have less because we planned it that way.

The President wants to create a Nation of people wanting for the basics of food, clothing and shelter. We lived through that once. We do not need to live through it again.

FDR was right in 1935, and he is right in 2005.

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

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

HONORING THE LIFE AND ACCOMPLISHMENTS OF THE LATE PETER RODINO

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

Mr. CONYERS. Mr. Speaker, I take this time to honor and commemorate the life and the accomplishments of our former colleague Congressman Peter Rodino, elected to the House of Representatives in 1949, who served his

district in New Jersey for 40 years with great integrity, humility, fairness, dignity and honor.

Originally known for making Columbus Day a national holiday, Chairman Peter Rodino spent his whole life fighting for people's rights, and I recall personally his strong commitment to human rights, his unwavering support for the Civil Rights Act of 1964, the Voting Rights Act of 1965, and the Voting Rights Extension Act of 1982. He introduced many of these bills and shepherded them through Congress as chairman of the Judiciary Committee of the House of Representatives.

He was also responsible for the enactment of the Hart-Scott-Rodino Act which reviewed determinations of mergers of huge corporations in America, and he was instrumental in reforming immigration laws in both the Simpson-Rodino legislation and the Kennedy-Rodino legislation, both of which improved mechanisms for people in the country illegally to legalize their immigration status.

In 1973, Mr. Rodino replaced the legendary Emanuel Celler as the chairman of the Committee on the Judiciary. I was then a member of the committee, and he impressed all of us with his determination to do the right thing and his considerate treatment of all committee members. He displayed this common touch in his ability to relate to citizens of every background and from all walks of life.

Of course, Peter Rodino has earned his record in history for his role as chairman of the House Committee on the Judiciary, presiding over the Watergate hearings which led to the impeachment of then President Richard Millhouse Nixon. History has recorded the debt all Americans owe him for presiding firmly, responsibly and fairly over these hearings and subsequent proceedings.

Many people were very alarmed at what the impeachment of a President would mean, and they wondered aloud in our public media whether this country could survive an impeachment. He handled this very sensitive matter, and it turned Chairman Peter Rodino into a national hero. It was his calm steering of the committee to a final conclusion that ultimately preserved, without any disruption, the constitutional system of the United States, which has been emulated throughout the world.

After he retired from Congress in 1990, he returned to New Jersey as a professor of law at Seton Hall Law School in Newark, New Jersey, and he was active up until even last year. When I visited him there, he was still going strong.

I would like to close by announcing that his memorial service will be held in Newark on this coming Monday, and we want to invite as many of his friends in and out of the Congress who remember his great work to join us at 11 a.m. at the Catholic church of which he was closely connected for his memorial service.

□ 1500

VOLUNTARY OSHA EFFORTS

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

Mr. NORWOOD. Mr. Speaker, it is interesting that today we heard some very important testimony on workplace safety during a hearing we had in the Subcommittee on Workplace Protections. We wanted to hear from safety advocates in the small business community on how well voluntary employer compliance programs are working to improve workplace safety while at the same time protecting jobs and small businesses from unnecessary red tape and lawsuits.

I have heard employers say many times, and know from my own firsthand knowledge, that OSHA regulations are simply too complex and too difficult to understand. It is a red-tape nightmare, Mr. Speaker. That is a good description for the piles of OSHA rules, regulations, guidance documents, and interpretive letters that employers must dig through to try to determine the right thing to do in the business place to come into compliance. Mr. Speaker, I do not think they ought to be spending their time bringing their workplace into compliance with OSHA red tape. They ought to, instead, be spending their time making their workplace safer.

Small businesses want to comply with our Nation's health and safety laws for many reasons, one of which is it simply pays for them to do so. From the testimony we heard today, it is evident that OSHA's past "gotcha" enforcement scheme of fines and lawsuits is actually leading to a less safe workplace, as small business owners are forced to hunker down to protect themselves instead of seeking out help to improving their workplace safety.

Fortunately, OSHA has already recognized the need for compliance assistance, and Secretary Chao is to be commended for her vision and leadership in this regard. Now we are actually starting to see the results of her efforts over the last 5 years, and those results are positive and encouraging.

The Government Accountability Office, fondly known as GAO, has found that the companies involved in voluntary OSHA compliance programs have contributed to the safest workforce in our Nation's modern history. GAO asked for more data from Congress on how well these programs are working, and we need to provide that just as soon as possible.

But one overall fact we already know is that encouraging OSHA to help businesses instead of prosecuting them is having far better results in creating safer workplaces, and this is especially true with small businesses. We can continue this process with some powerful force multipliers with OSHA, through voluntary employer efforts to work

with private consultants and industrial safety specialists to foster a safer workplace.

OSHA will never have the resources to visit every American work site to ensure compliance, but this exciting new compliance tool can ensure that workplaces that would never see a visit from an OSHA inspector will have access to world-class safety specialists. At the same time, our business owners should be encouraged to invite OSHA to their work site and engage the agency in compliance assistance without fear of reprisal from Federal bureaucrats. In the process, we can continue to maintain the safest workplace in the world where our businesses can continue to compete in a global economy.

There are still the last holdouts from the failed ways of the past who would like to see Federal bureaucrats spread out across the country to harass and punish people who are trying to make a living. In order to do that, we would have to have 108,000 new inspectors at OSHA, and even then they could only visit our businesses every 2 years. That will never happen, and it is not going to work.

Mr. Speaker, we are on the verge of winning a great victory for workplace safety by expanding voluntary compliance programs. Let us resolve to defeat the naysayers. If we succeed, we can create a 21st-century OSHA that will be far more effective in creating a safe workplace for every American worker, no matter how small or remote their place of business. We can continue teaching Federal bureaucrats a lesson in manners when dealing with their fellow citizens, and, in fact, their employ-

BOLTON FOR U.N. AMBASSADOR

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina (Ms. FOXX) is recognized for 5 minutes.

Ms. FOXX. Mr. Speaker, I rise today in support of John Bolton's nomination as our ambassador to the United Nations.

Although I am not able to vote on his nomination, since I am not a Member of the United States Senate, I encourage my colleagues in the Senate to support his nomination. I am pleased that the Senate Committee on Foreign Relations has agreed today to put his nomination before the full Senate for an up-or-down vote.

Mr. Speaker, the United Nations is in serious need of reform. From enforcing the resolutions the United Nations and its member countries have adopted over the years, to its misuse of funds for many programs across the world, the U.N. is in serious need of reform. Mr. Speaker, the United Nations is rife with fraud, mismanagement, and abuse in many areas of its operations. From the U.N. Oil-for-Food program, to its lack of action with respect to the genocide in Darfur, Sudan, to the horrendous human rights abuses during the

U.N. mission in the Congo, the U.N. is in serious need of reform.

I think we can all agree that the most urgent threat to international peace and security today is terrorism, yet the U.N. cannot even agree upon a definition for terrorism. Perhaps this is because its membership consists of several terror-sponsoring states. The U.N. counts the world's leading human rights violators and repressive governments among its membership, and even taps many of them to be in leadership positions on its subcommittees. I find this completely outrageous and dangerously ironic.

Last time I checked, the U.N. charter states that it is supposed to "maintain international peace and security; to promote equal rights and self-determination of peoples without distinction as to race, sex, language, or religion; to help solve problems of an economic, social, cultural, or humanitarian character; to encourage social progress and better standards of life in larger freedom."

The U.N. needs reform and Mr. Bolton is the right man to voice our encouragement for these reforms. Mr. Bolton has a proven track record in working with the United Nations in the past. In conjunction with efforts by Secretary James Baker to resolve conflict in the Western Sahara, he actually worked for the U.N. pro bono between 1997 and 2000. While serving as Assistant Secretary of State for International Organizations from 1989 to 1993, he worked on other key diplomatic initiatives and U.N. reforms, including the repayment of arrearages in U.N. assessments that had been created during the 1980s. He has worked tirelessly in various capacities to help combat the spread of dangerous weapons of mass destruction through his lengthy and distinguished career.

Mr. Bolton has served this Nation well. There is no doubt in my mind that he will serve our great Nation with distinction and will be a strong voice for reform at a time when the United Nations desperately needs it. I applaud his nomination and encourage his approval by the Senate to serve our great Nation. Let Mr. Bolton be our voice to the U.N. that these reforms must be made.

THE VOICE OF GEORGIA'S FOURTH CONGRESSIONAL DISTRICT IS BACK

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentlewoman from Georgia (Ms. MCKINNEY) is recognized for 60 minutes as the designee of the minority leader.

Ms. MCKINNEY. Mr. Speaker, it has been a long time since I have taken the well of the House of Representatives. Today, the people of Georgia's 4th Congressional District are happy that I am back. I have received notes, calls, letters and visits from people all over America who are glad to see me back

in Congress. They are glad to have a voice.

That voice. The voice. The voice back. The voice who spoke out and asked the questions about waste and abuse at the Pentagon. The fact that our Secretary of Defense would come to the House Committee on Armed Services, on which I served, and admit the loss of \$2.3 trillion and say in the same breath that our country can afford it; and the massive amounts of money that we send to the Pentagon today without even questioning how it has been spent; that we can afford it; or that we are getting the appropriate bang for our taxpayer bucks.

I questioned the no-bid sweetheart deals with favored insider corporations, like the Carlisle Group and Halliburton. I did not understand how our sitting Vice President could still be drawing a paycheck from the Halliburton Company and, at the same time, serve the interests of the American people.

I asked why weapon systems, unwanted by the Pentagon, still found their way into the President's defense request. I wondered why our soldiers were being required to take anthrax and smallpox vaccines that had not even been cleared by the FDA. I was amazed to learn that the administrator of the vaccines program was DynePort, a subsidiary of a company whose employees had been found guilty of trafficking in young women, raping young girls, and holding women of all ages as sex slaves.

I asked questions about how the United States could entirely change its military doctrine to one of preemption and there not be a discussion about the ramifications of that with the American people.

All that happened was that the Secretary of Defense came before the Committee on Armed Services and said that the new U.S. posture was going to be to seize foreign capitals and occupy them. Of course, this was long before anyone in the public was aware that we would soon be sending our young men and women off to a war to do just that. I was appalled at the acceptance without question of what was clearly a deviation from then current policy, but what was seemingly also more than just a theoretical forward projection of our military might. What Rumsfeld enunciated back then was exactly what we are doing now.

□ 1515

I publicly questioned how such a fundamental shift could be sanctioned without the least bit of controversy. I questioned why private militaries, some would say mercenary outfits while others would say U.S. intelligence front companies, like DynCorp were being given contracts that seems to me to allow escape of congressional oversight. DynCorp was spraying chemicals on plants and people in Colombia and had a presence in Peru, Qatar, Haiti, Afghanistan and now

Iraq. I wondered what would happen when Americans employed by these companies are hurt or killed or are caught carrying out a mission not approved by the Congress or was unknown by the Congress. I guess you could say I just had too many questions. And, sadly, I did not like the answers I was finding as I did my research.

Over 3 years ago, I asked questions about the appearance of war profiteering just after our President declared the war on terror, and I called for an investigation into the tragic events of September 11. Now, I am pleased that important legislation to look into war profiteering has been introduced and voted on in this House. And today, we voted on legislation suggested by the 9/11 Commission which was convened to investigate the tragic events of September 11 just as I had called for. Everyone in this body and most who are watching know what happened to me for asking these questions and demanding accountability. I was kicked out of Congress, and for 2 years, I had the opportunity to travel around our country and to other countries and tell my story to people who were hungry to know more about America's war on terror and about September 11. During those 2 years, I met some wonderful patriots who want only the best for our country and its people and who wish for peace with justice for other people around the world. And that is why we have been inundated with letters and calls and e-mails and faxes and visits from people all over the country welcoming me back to Congress. And so I am glad to be here and rejoin my colleagues in the competition of ideas on how we can make our country even better.

This afternoon I would like to start by recounting an experience that happened to me this morning. This morning, I was doing my customary walk to work to enjoy these wonderful Washington, D.C., mornings. And about midway through my walk, I heard a little boy yelling at me. He was asking me to stop the bus for him as he was running to catch the bus for school. Usually I am loaded down with lots of bags, but this morning, thank goodness, I did not have a heavy load. And so I kicked into high gear, and I ran so I could catch that bus for that little boy. I caught the tail end of the bus, and I banged on the back of the bus to get it to stop and let the little boy on, but the bus pulled off without acknowledging any of my bangs. I turned to the little boy, and I told him, "Don't give up. Let's run, we'll catch that bus together." So we both got into high gear, and we ran and we ran and we ran and we ran. And soon I saw that the bus had stopped. So I told the little boy, "Don't give up, we can make it. We've just got to keep on running." The little boy did not give up. He kept running. The little boy's determination to make it to that bus was evident. The little boy wanted to get to school. While the bus was

stopped at the red light, we managed to catch up. The fact that we did not give up gave us the opportunity to catch the bus. I thought there was a good lesson in that for the little boy.

And then I started to bang on the bus. I banged on the bus from the rear all the way up to the front passenger door. I pointed to the little boy who was just a few steps behind me, and I yelled, "Please open the door. Let this little boy onto the bus." The driver looked at me. She looked at the little boy. She shook her head, and she drove off.

The little boy was crushed. Tears welled in his eyes. He wanted to get to school. That bus represented the door of opportunity. He had done all he could to reach that door. He ran. He told himself he could make it. He made it. That, in and of itself, was a victory, but it still was not enough to get the little boy on the bus and on his way to school. The door of opportunity for that little boy was closed when the bus pulled off. It left that little boy behind.

And so what I would like to address today are the closed doors of opportunity that leave too many Americans behind. That little boy's name was Martin. That is important, because behind the statistics that we tout on this floor every day over and over again are real people whose lives are affected by what we do and the decisions we make.

Mr. Speaker, the policies of this Congress and this administration and the decisions of the court are leaving too many Americans behind. Our goal ought to be to open the doors of opportunity for all Americans, so that no one is left behind. But, sadly, the statistics tell us conclusively that the doors of opportunity are as closed for certain Americans as they were for little Martin this morning.

Today, I would like to explore some of those statistics and suggest that we fail to do our jobs if we do not enact policies that turn these numbers around. I will be quoting from Hull House, the New York Times, United for a Fair Economy, and the National Urban League. Hull House is an organization in Chicago. They did a study on the disparities between blacks and whites living in Chicago, and what they found was that in economic and social indices, it would take 200 years for those gaps in the quality of life enjoyed by black Chicagoans and white Chicagoans to close. Here is what they said: Fourteen years ago, a report was released examining human relations in Chicago that told us that racism was alive and well. Over the years, we have seen racial disparity impacted by a growing economic gap that has left many behind. The information in this report will help us create more effective, sustainable solutions by allowing us to deal with systemic barriers. It is critical that we establish a floor under which no Chicagoan will fall.

Where are these gaps in Chicago? They are in income, wealth and employment, education, health, housing,

welfare and health of children, crime, law enforcement and justice and transportation. The gap between high- and low-income households in the region increased 11 percent between 1999 and 2000, the first rise in 7 years.

Under health, in Illinois, Latinos had the highest rate of non-elderly uninsured, 29 percent; followed by blacks at 24 percent; Asian, Pacific Islander/Native Americans at 17 percent. For the white population, the rate is 10 percent. For crime, law enforcement and justice, African-Americans are less likely to use drugs than whites or Latinos. Let me repeat that: African-Americans are less likely to use drugs than whites or Latinos. There is, however, a gap between the number of African-Americans who are convicted of drug possession or drug delivery and sentenced to prison and the number of whites and Latinos who are convicted of the same crime who get probation.

Another study was conducted by the New York Times. In that survey, they found that nearly 50 percent of all African-American men living in New York City were unemployed. Nearly 50 percent of African-American men between the ages of 16 and 64 were unemployed, a crisis, an emergency. African-American unemployment remains high. It is significantly higher than the national average. The nonpartisan Congressional Budget Office recently reported African-Americans have lost up to 88 percent of their earning potential since President Bush assumed office in January 2001. I think I need to repeat that one: The nonpartisan Congressional Budget Office recently reported African-Americans have lost up to 88 percent of their earning potential since President Bush assumed office in January 2001.

Another study: Blacks lose better jobs faster as middle-class work drops. Unemployment among blacks is rising at a faster pace than at any time since the mid-1970s, and jobs lost are mostly in manufacturing where pay for blacks has historically been higher than in any other fields. Nearly 2.6 million jobs have disappeared in the past 28 months, nearly 90 percent in manufacturing. Jobless blacks are continuing to look for work, but the types of jobs lost have diminished their standing in the middle class.

I have a report which is the status of health in DeKalb County, which is in my district of the Fourth Congressional District. Now, folks in the Fourth Congressional District like to tout that our district of African-American communities is the first or second most affluent African-American community in the entire United States. Yet that affluent African-American community, first or second in the United States, has a result thus in infant mortality: In 2001, Georgia had the ninth highest infant mortality rate in the United States with a rate of 8.6 deaths per 1,000 live births. Infant mortality rates in DeKalb County have been increasing slightly from 9.9 deaths

per 1,000 live births in 1994 to 10.5 in 2002. From 1994 to 2002, there was an average of 12 black infant deaths per 1,000 live births and 4.7 white infant deaths per 1,000 live births. That is the statistic for the first or second most affluent African-American community in the country.

Let us look at some information that has been provided to us by United for a Fair Economy.

□ 1530

United for a Fair Economy produces a report every year called the "State of the Dream Report." In their 2004 "State of the Dream Report," they discuss racial disparities in poverty. The black poverty rate was three times greater than the white poverty rate in 2002. At the slow rate that the black/white poverty gap has been narrowing since 1968, it will take 150 years to close the gap.

Let us look at imprisonment. They start out with a quote from Dr. King. He says: "So I must return to the valley, a valley filled with millions of people who, because of economic deprivation and social isolation, have lost hope and seen life as a long and desolate corridor with no exit sign. I must return to the valley all over the South and in the big cities of the North, a valley filled with millions of our white and Negro brothers who are smoldering in an airtight cage of poverty in the midst of an affluent society."

African Americans on imprisonment are about six times as likely as whites to have been imprisoned at some point in their lives. This gap between black and white men is growing. One out of three black males born in 2001 will be imprisoned at some point in their lifetime if current trends continue. That is up from one out of 11 in 1974.

By comparison, 5.9 percent of white males born in 2001, 5.6 percent of black females, and nine-tenths of 1 percent of white females have a lifetime chance of imprisonment.

What about child poverty? Almost a third of black children live in poverty, 32.1 percent in 2002. The child poverty gap would take 210 years to disappear, not reaching parity until 2212.

Income, for every dollar of white income, African Americans had 55 cents in 1968. That is the year Dr. King was murdered. In 2001 African Americans had 57 cents for every dollar of white income. It has taken more than 3 decades for blacks to close the gap by two cents. At this pace it would take 581 years for blacks to gain the other 43 cents, which would bring them to parity with white per-capita income.

And let us look at housing. The homeownership gap has barely budged since 1970. In 2002 almost three quarters of white Americans owned their own home, compared with fewer than half of African Americans. If the homeownership gap continues to close at this rate, it would take 1,664 years, or approximately 55 generations, before the gap is completely closed.

I know that I am not willing to wait 581 years. I am not willing to wait 1,664 years, and I think the American people ought not be willing to tolerate these kinds of inequalities.

The National Urban League produces an annual report called the "State of Black America," and they have just recently produced the 2005 edition of the "State of Black America." Their headline: "Even as U.S. Economy Gets Better, Jobs and Wealth Gap Gets Larger on the 'Equality Index.'" They say to us: "Equality between blacks and whites in urban America is not improving, and changes in national policies and priorities must be made to help, according to a report released by the National Urban League, entitled 'The State of Black America, 2005, Prescriptions for Change.'"

The overall equality index shows that black status remains at 73 percent, but the numbers inside the index tell a troubling story in terms of unemployment, income, and wealth. Marc Morial, the President and CEO of the National Urban League, says: "Our Nation must wake up. The growing wealth gap in this country is not just leaving behind Black America. It's leaving behind the middle class, urban America, rural America, and Hispanic America too. When one community in America suffers, our entire economy suffers. That is why we are recommending specific changes in our national priorities and policies."

In economics the National Urban League finds that this is still the largest divide. Black economic status measures 57 percent of white counterparts, an equality gap 20 percent wider than any other category. Black unemployment remains stagnant at 10.8 percent while white unemployment dropped to 4.7 percent, making black unemployment more than twice that of whites.

Under health, black health status is 76 percent of whites. Under education black education status is 77 percent of whites. Under social justice, when measuring sentence enforcement and victimization, black versus white equality under law is 68 percent of whites, 5 percent less than 2004, the worst decline overall. We went backwards on the measure for social justice. Blacks are three times more likely to become prisoners once arrested and a black person's average jail sentence is 6 months longer than a white's for the same crime.

What can be done? The National Urban League offers us some specific recommendations, some of which I will read here. First on their list of recommendations is the extension of the Voting Rights Act, which expires in 2007. Now, a whole lot of American people do not know, even our President did not know, that the important enforcement provisions of the Voting Rights Act expire in 2007.

How can it be, how can it be, that the Voting Rights Act enforcement provisions would ever expire after the pain

and the suffering that brought the Voting Rights Act to signature in 1965, after the American people had the opportunity to see Bloody Sunday when African Americans in Alabama were trying to cross the Edmund Pettus Bridge just so that they could get the right to vote? How could any provision of the Voting Rights Act ever expire?

The National Urban League also recommends that we raise the minimum wage, and they suggest that we close the homeownership gap; 1,664 years is intolerable. And as the President touts homeownership and how homeownership is an integral part of his ownership society that he wants to create, 1,664 years to close that gap is intolerable. Expanding job training, strengthening the Community Development Block Grant program, and to double the size of the New Markets Tax Credit program, these are just some of the recommendations that are put forward by the National Urban League.

In the United Kingdom, it is interesting to note that a psychiatrist was able to publish in the "British Medical Journal" that racism is harmful to one's health, is harmful to one's mental health; racism is harmful to health. He notes that a group of Harvard University researchers documented that a mere 1 percent increase in incidences of racial disrespect, the kind of stuff like following black people in a store, for which there have been many lawsuits in stores; or having African Americans go to restaurants and not being served, for which there have been many lawsuits; or for discrimination at the workplace in big corporations that get tax breaks here, for which many lawsuits have been filed, the result of a mere 1 percent increase of racial disrespect translates to an increase in 350 deaths per 100,000 African Americans. So not only is racism harmful to one's mental health; it is harmful to the fabric of our country. It is harmful to the very lives of the people who are impacted by it.

This is now the budget season in the United States Congress. We are deliberating on the budget, which are the priorities of our country; and pretty soon we will be receiving reports from the Committee on Appropriations on how those priorities are going to be translated into real dollars for the American people. One could say that the budget is the most important piece of legislation passed by any legislative body and certainly is very important because it sets the policies and priorities for our country.

The very definition of politics is who gets what. The authoritative allocation of values in a society, the definition of politics: that is the budget process, the appropriations process. Who gets what, whose problems get solved. We have the opportunity in this Congress to solve these problems. We have a responsibility in this Congress to solve these problems, to make this country better for all of our people so that the bus of opportunity does not pull off

when we are standing there trying to get on, so that the doors of opportunity are open for all Americans.

And I am proud to say that under the leadership of the gentleman from North Carolina (Mr. WATT) that the members of the Congressional Black Caucus have decided to tackle these disparities, these intolerable disparities.

One of the things, however, that we have a responsibility to do is to make sure that the American people understand that these inequalities, these inequities, these gaps, these disparities, that they exist.

I would like to add a few comments before I begin to wrap up. These comments are about the United for a Fair Economy 2005 report that takes into consideration the President's proposals in the budget.

□ 1545

United for a Fair Economy says that while, at first, President Bush's ownership society goals may appear to be consistent with Dr. Martin Luther King's dream of economic opportunity for all races, during the first Bush administration, the United States actually moved farther away from Dr. King's vision. The employment and income picture has gotten worse for people of color since 2000, eroding the progress that was made during the 1990s.

We all know that not only did the Clinton years provide prosperity for all Americans, all boats were lifted up, but those boats within the African-American community and other communities of color were lifted up.

In 2000, the African-American unemployment rate reached an historic low: an historic low. Latino and Hispanic unemployment rates also dropped, but have risen again in the last 4 years. About half of the progress in the median income of people of color from 1996 to 2000 was wiped out in the first 3 years of the Bush administration. After slowly increasing from 55 percent of white income to 65 percent in 2000, black median income fell to 62 percent. For the first time in 15 years, the average Latino household now has an income that is less than two-thirds that of the average white household. So not only are blacks falling back, Latinos are falling back as well.

Throughout the 1990s, poverty rates fell across-the-board. All boats were being lifted up in the 1990s. But since 2000, more than one-third of that progress in reducing poverty among African-American families has been erased; 300,000 African-American families fell below the poverty line from 2000 to 2003.

What about private retirement income and inheritances? Well, they remain scarce among people of color. We have heard a lot of talk about Social Security and privatizing Social Security, and the gentleman from Washington (Mr. MCDERMOTT) was here earlier, and he talked about insecurity, social insecurity.

African-Americans have less in private pensions and retirement accounts, if you are unemployed you have got to have less, and so depend more heavily on Social Security. They would be more affected than whites by any privatization plan that made benefits uncertain.

And, of course, we talked about home ownership; United for a Fair Economy revisits the issue of home ownership in their 2005 report. Then they add that business owners of color, who are largely small business owners, received only minor tax breaks from the four Bush tax cuts. Most tax breaks for businesses and investors have landed with those who are wealthy and white.

Now, we understand what the President told us in the movie *Fahrenheit 911*. He told us that his base were the haves and the have-mores. So, accordingly, the tax cuts have provided money for the haves and the have-mores, and that is borne out in these statistics.

Now, what do we do about this? We have to address these issues in public policy. It is public policy that can turn these numbers around and make better the lives of all of the little Martins out there who did their best and still found that the door of opportunity was closed for them, to turn that around and make opportunity available for all of them.

Public policy requires, though, a consensus. It requires an American consensus. So we fought the Civil War, and after the Civil War, the Congress passed a Civil Rights Act. So 1964 was not the first time that we had a Civil Rights Act passed, because there was a consensus that something needed to be done to help all Americans.

But how can we arrive at a consensus when the American people are not informed of the facts? Well, you certainly cannot get it on the WB or UPN. You cannot even get it on BET or CNN a lot of the time. But we are told by a Harvard University-Kaiser Family Foundation study that misperceptions cloud whites' views of blacks. You cannot arrive at an answer if you do not know the facts.

Misperceptions cloud whites' views of blacks: Whether out of hostility, indifference or simple lack of knowledge, large numbers of white Americans incorrectly believe that blacks are as well off as whites in terms of their jobs, incomes, schooling and health care, according to a national survey by the Washington Post, the Henry J. Kaiser Family Foundation and Harvard University.

Depending on the question, the poll found that 40 percent to 60 percent of all whites say that the average black American is faring about as well and perhaps even better than the average white in these areas. These misperceptions have consequences, the survey suggests. Among whites, the pervasiveness of incorrect views seems to explain at least in part white resistance to even the least intrusive types

of affirmative action, and more broadly, these mistaken beliefs represent formidable obstacles to any government efforts to equalize the social and economic standing of the races.

This is the State of the Dream 2005 report, issued by United for a Fair Economy, and in its introduction, it quotes President Bush: "The generation of wealth should not be limited to a few in our society. It ought to be an opportunity for everybody. There is nothing better than providing the incentive to say this is my asset base, I own it, I will live on it in retirement, and I will pass it on to somebody in my own family."

Dr. Martin Luther King had a response for that, even though dead. Dr. King said, "The majority of white Americans consider themselves sincerely committed to justice for the Negro. They believe that American society is essentially hospitable to fair play and to steady growth toward a middle-class utopia embodying racial harmony. But unfortunately, this is a fantasy of self-deception and comfortable vanity."

I would hope that all of the reams of paper that have been produced recording these studies that I have recounted here this afternoon, from Hull House reporting on Chicago to the New York Times reporting on African-American male unemployment at 50 percent between the ages of 16 and 64, which is veritably the entire population, to United for a Fair Economy to the National Urban League to Harvard University to the Kaiser Family Foundation, the reams and reams and reams and reams of paper produced chronicling the pitiful state that some Americans continue to have to endure.

Mr. Speaker, it is clear that we are leaving too many Americans behind. Our policies are creating two Americas, and, instead of growing together, we are clearly growing apart.

I hope to return to this place, to this well, and do more special orders about this subject and other subjects of interest to my constituents in my district and the people who have voiced their support around the country. We have such serious issues, and the people need our help and our attention.

Mr. Speaker, I am hopeful that this Congress will provide some relief to all of the people who fall into the numbers that I have accounted tonight.

MAKING HEALTH CARE ACCESSIBLE AND AFFORDABLE

The SPEAKER pro tempore (Mr. JINDAL). Under the Speaker's announced policy of January 4, 2005, the gentleman from Georgia (Mr. GINGREY) is recognized for 60 minutes as the designee of the majority leader.

Mr. GINGREY. Mr. Speaker, it is indeed a coincidence today that Democrats in their one hour special order would be led by a Georgian, my colleague, the gentlewoman from Georgia

(Ms. MCKINNEY), and the Republican hour today would be led by myself, another Georgian. I am really, of course, pleased to have this opportunity.

I am going to talk on an entirely different subject to my colleagues, Mr. Speaker, than what we just heard for the previous hour. This time is dedicated really to the Republican Conference Health Care Access and Affordability Public Affairs Team. We put together this team for the purpose of letting our colleagues know, letting the American people know, that the Republicans care deeply about the health of this Nation, particularly in regard to those who are the neediest, whether they are white, black or Latino. It does not matter. People in this country who need health care that really cannot afford it, who are struggling through no fault of their own, we are deeply committed to solving these problems, whether we are talking about Medicare, Medicaid or Social Security for that matter.

These are the so-called entitlement programs, the mandatory spending. When we talk about a budget for fiscal year 2006 of \$2.6 trillion, two-thirds of that budget goes to mandatory spending. That means those who meet eligibility requirements, obviously Social Security retirees and disabled and widows and dependent children; the Medicare program, you are 65; or you are younger than 65 and you are disabled, the Medicaid program; or you are poor.

□ 1600

And you do not have the means or the wherewithal to purchase private health insurance or maybe you do not have a job, you do not have an employer that provides health insurance for you. These are the people who meet those eligibility standards, and that is called mandatory spending; and it includes two-thirds of our Federal budget. We have a huge problem with the growth in those numbers because, as our population grows, there are more and more people who are struggling who become eligible for one of these three mandatory benefits. It is becoming a tremendous strain on this country.

Tonight I will focus primarily on the Medicaid program, because our States are in such dire economic stress because of Medicaid, which is a joint Federal-State program, a shared program, if you will.

The President, during the last couple of months, has spent a lot of time talking about the Social Security program. My colleagues know that he has been going all over this country trying to explain to the American people that we are in a real crisis; and certainly, at least I think everybody would agree, there is a serious problem with Social Security because of demographics, because of the fact that thankfully, thankfully, people today are living longer and they are healthier.

As the baby boomers fully mature and that starts the first wave, the lead-

ing edge of that wave is upon us in 2008, and as they fully mature, we go from 45 million Social Security beneficiaries today to within 10 or 15 years to having 77 million. And trying to fund that program with a payroll tax that has not increased in a number of years, it is a tremendously difficult problem; and it needs to be solved. It is not something we can put off for other Congresses.

I hear from some of my colleagues, particularly on the other side of the aisle, well, it is not that bad of a problem; why do we not just kind of wait awhile and let somebody else deal with it. I mean after all, 2006 will be upon us pretty soon, and it is the next election that is most important, not the next generation.

I certainly do not agree with that, and I know this President and this Republican leadership does not agree with that at all.

But what we are hearing a lot of times is, well, why are you focusing on Social Security when we have these huge problems with Medicare and Medicaid? I know my colleagues on both sides of the aisle have heard that argument. The point, of course, is that we have focused on Medicare, and I am very surprised at how quickly they forget. It was, after all, just December of 2003 when this body, this Congress, in a bipartisan fashion, passed the Medicare Modernization and Prescription Drug Act. That prescription drug part of Medicare, of course, does not become operational until January of next year, 2006. So we have not had an opportunity to see what benefits that will bring to the program.

We have had an interim program, I think, that has worked very, very well. It is called the Transitional Medicare Prescription Drug Discount Card program. All of my colleagues, Mr. Speaker, remember that, the 1½ to 2-year program, before we get started in the part D prescription drug premium-based, voluntary part of Medicare next year, to give immediate relief, as we did in December of 2003, to let our seniors obtain, for no more than \$30 a year and, in most instances, a free Medicare prescription drug discount card, which would allow them to go to the drugstore with those four or five prescriptions that their doctor had written for high blood pressure or control of their blood sugar so their diabetes did not get worse, or something to prevent osteoporosis, or to, as I say, lower blood pressure and cholesterol.

So when they went to the drugstore, they were not paying sticker price. They were getting the same kinds of discounts, competitive discounts that people who were working and had employer-sponsored health care, maybe under an HMO, and they got deep discounts on their drug prices.

This is what the discount program, the transitional program brought to our neediest seniors; and, in fact, those living at or below the Federal poverty level were credited on that card. It became not a credit card, but a debit

card; and they got \$600 a year for those two years, 2004 and 2005, a total of \$1,200 that they could apply to the cost of their prescription medication.

There were other things, Mr. Speaker, and I know my colleagues remember that. If not, hopefully, this will be a reminder. For the first time ever under the Medicare program, new beneficiaries, those just turning 65, were having the opportunity to go to their doctor, to their general doctor, their internist, their family practitioner and having a complete, thorough, head-to-toe physical examination. In the past, Medicare did not pay for that. You could only get reimbursed for a doctor visit if you were sick, if your nose was bleeding, if you had pain in your chest from a coronary and you were staggering because you were about to have a stroke, or you showed up in the emergency room. But just to have a routine physical to find out, hey, is everything okay, to get your blood pressure checked and have that cholesterol level determined, and the screening procedures, or maybe if you had a mammogram to rule out a very early breast cancer; these things were not covered under Medicare.

But under this leadership, this Speaker, this Republican-led Congress, this President brought, in December of 2003, the Medicare Modernization and Prescription Drug Act.

So for everybody to suggest that this Congress is not focused on health care and has done nothing and is wasting our time trying to solve the Social Security problem is just absolutely untrue; and I think fair-minded Members of this body, whether Republicans or Democrats, know that. They know that. They know that we have devoted a lot of attention to Medicare. It remains to be seen, really, how that program is going to work.

All we hear from the opposition is, oh, well, you know, it is going to cost a lot. They misled us, they lied to us, they said it was only going to cost \$395 billion, and now it is going to cost \$750 billion. I do not know what the true cost is, but I do know this: when, Mr. Speaker, the Congressional Budget Office is calculating the expense of the program, they are talking about what it is going to cost to provide a prescription drug benefit, even though it is premium-based. Like part B, sure, there will be a cost to the taxpayer. The part B Medicare program, Mr. Speaker, a lot of people probably do not realize this, but the premiums, even though they have gone up every year since 1965, and now are approaching \$80 a month, they only cover 25 percent. The general fund taxpayers are supporting 75 percent of that cost.

So the prescription drug program will be very similar to that. There will, indeed, be a cost. But what is so misleading is no credit whatsoever is given to the fact that if a person is taking a blood pressure medication to keep them from having a stroke, if a person can now afford to go to the drugstore

and get Lipitor or Pravachol or one of these statin drugs to lower their cholesterol and avert the need for open heart surgery, or someone is able to take Glucophage or insulin so that that diabetic condition does not get so bad that it destroys their kidneys or causes blindness or causes peripheral vascular disease to the point that they need an amputation of a limb or renal dialysis or maybe even a kidney transplant; all of those things, by the way, are currently today covered under Medicare, but extremely expensive.

If we can prevent that by allowing our seniors, our neediest seniors to afford the medication and treat these diseases in a timely fashion, then we save money on part A, being the hospital, the nursing home care, for those who have had a stroke and maybe have to spend the rest of their lives in a nursing home; part B would be the fee that the cardiothoracic surgeons charge to do open heart surgery. We save that money, yet you get no credit, you get no score for that. But, Mr. Speaker, surely, if this program is going to work and if it makes sense, and it certainly makes sense for this physician Member of this body and, furthermore, it is the compassionate thing to do.

So, indeed, to suggest that the Republican majority in this body, led by our Speaker, the gentleman from Illinois (Mr. HASTERT), and that President Bush and his administration do not care about health care and have ignored and narrowly focused on Social Security and forgotten about the needy in this society regarding health care, it is just absolutely, Mr. Speaker, absolutely untrue. I think, again, fair-minded Members of this body on both sides of the aisle would readily admit that.

Now, I spoke at the outset of this hour of the Republican Conference on Health Care, Access, and Affordability Public Affairs Team. That is us; that is me. I am taking all of the time this evening, but we have a strong team. We are not just health care providers, although many of us are physicians and dentists and other people involved in health care. I wanted to take this time to share with our colleagues our vision and our focus and what we are doing to try to make sure that we have a good policy that is fair and balanced and that we are taking care of those who are in most need in regard to health care.

Mr. Speaker, one of the huge problems right now, of course, is the Medicaid program. Again, this is part of our entitlement spending, the mandatory spending, as I outlined at the beginning of the hour, the two-thirds of the Federal budget. Medicaid is a Federal-State program, with the Federal Government actually paying, in most cases, more than the State does, to provide health care for the neediest in our society, especially for children and single mothers. It is a great program. It has served us very, very well. In fact,

I have a slide, Mr. Speaker, that I will get up in just a few minutes and I would like to point out how that Federal-State match works.

It is based, really, on average income in a State. A State with a lower average income, a poor State, there is going to be a higher Federal percentage; and the parameters range from a 50-50 participation to 80-20. And if we can focus on this chart to my left, this is not all of the States; I think I was informed that the machine broke and they were not able to get but about half of the States on the chart. But it does include my State of Georgia; and last year in Georgia, the Federal match was 60, almost 60.5 percent, and the anticipated match for the fiscal year 2006 is 60.6. So in Georgia it is about a 60-40 split.

I was looking for Mississippi, which I think is probably one of the States that has the lowest per capita income where the Federal match actually approaches the maximum 80 percent.

□ 1615

It is not on this board. But I think the Federal match in the State of Mississippi is about 78 percent. But it varies. Alabama is here, 70.1 percent Federal participation in 2005. And in 2006, that dropped down to 69.5 percent. There are other States, like I say, that are 50/50. Illinois, as an example, is 50/50. The State of Massachusetts is about 50/50.

Mr. Speaker, this is the way it should be. We should indeed participate more for those States who have the greatest need. One thing, though, that really concerns us, and I think one of the main problems with the Medicaid system, is that there is a significant amount of waste and abuse of the system. And yes, in fact, Mr. Speaker, in some instances, downright fraud. And if a State is a 50/50 state, there may not be much advantage to take an advantage of the system. But if the State has a higher Federal match than the State match, you can see that if you are abusing the system, gaming the system, if you will, then there is an advantage because you are pulling down more Federal dollars than you are spending at the State level.

And so these are some of our problems, of course, that we are facing now with the Medicaid program. The spending is growing more, of course, in times of economic stress and distress. And we have gone through a lot of that in the last several years, particularly since 9/11. And of course the population growth, you are going to have more people who are legitimately eligible for this care. So the spending is going to go up. But we want to make sure that we get dollars to those who are in need and not to those who are in greed, if you will. And that is very important.

And there will be a very strong focus on Medicaid reform, led, quite honestly, by the governors, by the Governors Association, both Democratic and Republican governors. They have

been here. They have talked to the President. They have talked to Congress. They have some very good ideas of how to make this system work better and make sure that those who have the greatest need have access to those Medicaid dollars.

I wanted, Mr. Speaker, to share with my colleagues just a few numbers about the magnitude of really what I am talking about. In the year 2002, the total Federal dollars spent on the Medicaid program, now this is just the Federal dollars, \$140 billion. That is in the year 2002. In the year 2004, that number has gone up to \$184 billion. You know, we are talking about significant increases. From 2001 to 2002, the Federal spending Medicare increased 8 percent. From 2002 to 2003, it was about 9 percent. From 2003 to 2004, in the same range. And on and on and on.

So when people say to me from back home, Congressman, do not cut Medicaid spending because, you know, you are affecting my program. And that could be a physician talking about, you know, his or her reimbursement. It could be a hospital. It certainly is likely to be one of these rural hospitals that is called a disproportionate share, which means their clientele is disproportionately weighted toward the Medicaid program because they are a poor community. And they are concerned, and I understand that.

But what the President did in the 2006 budget that he submitted to us was to cut a certain number of Medicaid dollars over a 5-year period of time. What we have done here in the Congress, the President recommends, and then we legislate. We make the final decision. And it looks like we are going to have a Medicaid funding cut over the next 5 years of \$10 billion. That is \$2 billion a year but that, we hope and I feel very confident, we can find those savings by eliminating this situation that I described, waste, fraud and abuse.

Now, let me just give you one example, Mr. Speaker, and I want to share that with my colleagues, the nursing home situation, long-term care in a skilled facility. Medicare, under Part A only covers a certain number of days. I think it is something like 100. And after that, the patient is pretty much on their own, and that has to come out of their pocket. If they do not have long-term care insurance, and most people do not, we are trying to address that. This Congress is trying to address that, the Republican leadership, and that is why we put health savings accounts in the Medicare modernization bill of December 2003, so that that money in those accounts can be used without any tax penalty whatsoever to purchase long-term health care insurance. But most people do not have that today. And if a loved one ends up in a nursing home, then once those Medicare dollars, those days of eligibility are utilized, and the person has no other resources, they become what is known as dual eligible because they

have no wealth and no source of income, then all of a sudden they are eligible for Medicaid.

So, the reality today, my colleagues, is that probably 70 percent of nursing home reimbursement is from the Medicaid program. Now, some of that is appropriate. But some of it is inappropriate.

And indeed, there is actually a cottage industry out there where our good attorneys advise people how to hide their income, how to shift their possessions and their net worth to maybe another family member, and all of a sudden they have got nothing. They do not have any wealth. They do not have any income, and they are dual eligible for Medicaid. That, my colleagues, is what I call gaming the system. And when you do that, you take money away from the program, desperately needed money for single moms, for the poor who need prenatal care, for little infants that are born prematurely that need a good start in life, and they cannot get it because there is no money there.

This is something that we, the Republican majority, and hopefully in a bipartisan fashion with our colleagues on the other side of the aisle, we are giving very serious attention to it. And yes, we can walk and chew gum at the same time. We can work on the Social Security problem and fix that, get out of that crisis situation and work on solving the Medicaid problem at the same time. Absolutely, we can. We will. We are doing that, and we will get to the finish line on both of these programs, and we will do it sooner rather than later.

We will not be irresponsible on these issues and put this off and say, Hey, you know, we do not want to touch that third rail because we are worried about our re-election in 2006 and keeping our majority. We are going to keep our majority by doing the right thing. And we will let the elections take care of themselves.

But we have to make sure that we understand, the American people understand, and that we do not let the nay-sayers poison the well like they tried to do on that Medicare discount card.

I was at a little town hall meeting in one of my poorest counties recently in Southwest Georgia, Talbot County, a great community, wonderful people, but poor, very low tax base. And we were talking about Social Security. Miss Menafee came up to me after the hour and a half town hall meeting, and she said, Congressman, thank you for that information on Social Security. I think I really understand it better now. I have been getting those automated phone calls and those slick glossy mailers. I do not know whether they were from AFL-CIO or George Soros and some 527, but thank you, Congressman for helping me understand it better, to see how an individual personal account can grow and have the miracle of compound interest.

But I just want to say to you, also, thank you for Medicare modernization. And thank you from the bottom of my heart for that prescription drug discount card, that transitional program.

Miss Menafee told me that she had been spending something like \$400 a month for five or six drugs that she desperately needed, and because she was eligible for that \$1,200 credit and the lowest pricing, in fact, I think maybe a dollar, \$3 copay, she said she had reduced over \$400 a month worth of medical expenses to \$9 a month.

Miss Menafee, God bless you. And she is 80 years old and looks healthy, and I think she is going to outlive us all because of what we did. So that is the compassion. That is the thoughtfulness that this Republican leadership, this majority has in regard to the health care program.

Mr. Speaker, I guess I could go on probably long beyond my allotted hour. But I am going to try to go ahead and bring this to a close because I think, hopefully, my colleagues have heard me loud and clear and understand that we care about health care. We care about the uninsured.

We have passed association health plans in this body at least twice, and we will continue to pass it. We have passed tort reform so that doctors and hospitals are not ordering all these unnecessary tests. And every individual that walks into an emergency room with a headache does not need a CAT scan, but they are getting it because the doctors are afraid they are going to be sued, or the hospital, and that is why people cannot afford health insurance.

All that defensive medicine, these additional lab tests, it drives the price of health insurance up so high that it is out of reach for far too many people. And we end up with 43 million in this country who have no health insurance, and most of them are working. But we are going to help them. Again, we are going to help them by what we have done in Medicare modernization, give them an opportunity to set up through their employer a health savings account where they can get catastrophic insurance for a very low premium, Mr. Speaker, a very low monthly premium, and then the employer or a relative or a friend can help them fund an account that can grow, that can enjoy the miracle of compound interest, that they can use that money for a lot of types of things that traditional health insurance does not even cover, eye care, dental care, mental health services, just so many things.

So it is a pleasure to be part of this team, to be here tonight, to be talking about what we, the Republican health care access team, is doing.

But, you know, again, I want to make sure my colleagues understand that I am not an overly partisan person. It is not all about left versus right or Republican versus Democrat. It is right versus wrong, and I think we need to focus on doing the right thing, and

we ought to try to do it as much as we can in a bipartisan fashion.

And to that point, Mr. Speaker, I want to let my colleagues know that we have recently formed a medical/dental doctors in Congress caucus in this House. There are 13 of us. There are three dentists. There are ten MDs. Three of those MDs are on the democratic side; seven on the Republican side. And we are going to work on these issues in a bipartisan fashion.

You know, I thought yesterday, as we had that plane, that little Cessna that inadvertently got in the airspace over the Capitol, and we all went just, I mean, pouring out of here in semi panic, although the Capitol police did an excellent job of keeping people calm, but, you know, making sure that we got out of harm's way as quickly as possible.

□ 1630

You have to take every one of these threats seriously, and I could not help but thinking as I was running down the street, where are the other 12 members of our physician and dental doctor caucus?

We probably were all going in a different direction. My co-chairman of that caucus is the gentleman from Arkansas (Mr. SNYDER), Mr. Speaker, a great Member of this body. The gentleman has been here a good bit longer than I have been, a fine doctor from Arkansas.

The gentleman and I have been working together. That was one of the things we were talking about last week. The next meeting we have, we are going to make sure that we work with the House physician so that this team would know what we would do in a situation like that so we were not all going in different directions. Maybe all 13 of us, hopefully the caucus will grow, I like doctors and dentists in Congress, but we could go to a designated spot so if this really truly turned out to be a terrorist attack, we would be part of the solution and not part of the problem.

Again, as I speak to my colleagues this afternoon and I am deeply appreciative, Mr. Speaker, of the opportunity to talk about what the Republican majority is doing on health care, I do not want to forget that the American people do not like a lot of partisanship and animosity and, indeed, hatred. We do not accomplish anything in that fashion. I am very proud to be part of that new bipartisan caucus as we work towards solving these problems.

APPOINTMENT OF MEMBERS TO CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE'S REPUBLIC OF CHINA

The SPEAKER pro tempore. Pursuant to 22 U.S.C. 6913, and the order of the House on January 4, 2005, the Chair announces the Speaker's appointment of the following Members of the House

to the Congressional-Executive Commission on the People's Republic of China:

Mr. LEACH, Iowa, co-chairman;
Mr. DREIER, California;
Mr. WOLF, Virginia;
Mr. PITTS, Pennsylvania;
Mr. ADERHOLT, Alabama.

THE DANGERS OF CAFTA

The SPEAKER pro tempore (Mr. DENT). Under the Speaker's announced policy of January 4, 2005, the gentleman from Ohio (Mr. BROWN) is recognized for 60 minutes.

Mr. BROWN of Ohio. Mr. Speaker, I enjoyed hearing my friend, the gentleman from Georgia (Mr. GINGREY), and his comments about Medicare.

I know that my Republican friends care about health care. But unfortunately, they care more about the drug companies and the insurance companies than they do in providing low-cost prescription drugs and health insurance to the 50 million Americans who do not have health insurance.

I did not come forward today to talk about Medicare, particularly, except to note that when Congress passed the Medicare bill last year, a bill that a couple of years ago was not received by the public very well in part because they did not tell us the truth about the cost of the bill, it ended up costing almost \$1 trillion when they told Congress it would only cost \$400 billion.

But more than that, this bill provided literally 180 additional billion dollars to the drug industry profits and had direct subsidies of about \$60 billion to the insurance industry.

So I wish, while my Republican friends, I do believe they care about the poor, they care about working people, they care about health insurance, unfortunately their caring so much more about the drug industry, the insurance industry, it sort of gets in the way of too often doing the right thing.

I come forward this afternoon, Mr. Speaker, to talk a little bit about the Central American Free Trade Agreement which, frankly, will likely be defeated in this Congress bipartisanship. This is not a partisan issue. It is an issue of justice, an issue of jobs, and an issue of where our country and our economy goes.

Two weeks ago, more than 150 Republicans and Democrats, Senate and House Members, pro-business, pro-labor groups gathered on Capitol Hill to speak out against the Central American Free Trade Agreement. Republican House and Senate Members and Democratic House and Senate Members joined with these outside groups, this group of unlikely bed fellows perhaps, to speak with one voice of the unified message to vote against the Central American Free Trade Agreement.

CAFTA expands on the failed trade policies of the North American Free Trade Agreement and expands on those policies by enlarging NAFTA, the North American Free Trade Agree-

ment, to six Central American countries, including the Dominican Republic.

When I ran for Congress in 1992, I do not want to bore my colleagues with numbers, when I ran for Congress in 1992, the United States had a trade deficit of \$38 billion. We thought that was way too big. That meant we were buying, importing \$38 billion more worth of goods than we were exporting; \$38 billion trade deficit we had in 1992.

Last year after NAFTA, after PNTR with China, after several other trade agreements over the last decade-plus, our trade deficit is \$618 billion, from \$38 to \$618 billion.

Now, you can see the trade deficit with Mexico as an example, prior to NAFTA, the year I came to Congress, in 1992, we actually had a trade surplus with the Republic of Mexico. We actually sold them more than we bought from them. Look what happened after NAFTA. Look at these numbers. This is zero right here. We had a trade surplus in those 4 years prior to NAFTA. Then all of the sudden 10 billion, almost 20 billion, 25 billion, over 30 billion, almost 40, over 40, approaching a \$50 billion trade deficit with Mexico.

Now, George Bush, Sr., who originally negotiated the North American Free Trade Agreement, he said that \$1 billion in imports or exports represented about 12,000 jobs. That meant if you have a \$3 billion trade surplus then that is three times 12,000. You would have 36,000 more jobs in your country. If you have a \$3 billion trade deficit, you would have 36,000 fewer jobs in your country.

Look at this. We went from a \$38 billion trade deficit overall to \$618 billion. You do not need to do the math except you just sort of estimate and you see what these trade agreements have meant to the American people, to our economy, to our manufacturing base.

In my State of Ohio we have lost 200,000 manufacturing jobs. One out of 5 manufacturing jobs in my State has disappeared in the last 4½ years since President Bush took office. Those manufacturing jobs have been lost for a lot of reasons. The most important reason is NAFTA and PNTR and these trade agreements.

Unfortunately, these trade pacts like NAFTA and like CAFTA enable companies to exploit cheap labor in other countries and then import back to the United States under favorable terms. The Central American Free Trade Agreement should probably be named the Central American Free Labor Agreement because that is really what it is all about.

About 5 or 6 years after NAFTA passed, in the mid-to late 1990s, at my own expense I flew to McAllen, Texas, rented a car and went across the border to Reynosa, Mexico because I wanted to see what NAFTA looked like, what these free trade agreements looked like. I wanted to put a face on these numbers. These numbers are persuasive. They certainly convinced me and

I think convinced many that these trade agreements are bad ideas. But I wanted to see real faces and real people and put real names next to those faces and people so I really could understand what this global economy looked like.

I went to the home of two people who worked for General Electric Mexico. They lived in an area about 30 feet by 30 feet, maybe smaller than that, probably more like 20 feet by 20 feet. No running water. No electricity. Dirt floor. When it rained hard, their floor turned to mud. Both of these people worked at General Electric Mexico. They lived 3 miles from the United States of America.

Now, if you walk outside their little shack into their colonia, their neighborhood, 3 miles from the United States, you will notice as you look around a couple of things. The first thing you will notice is there is a ditch nearby with who-knows-what human and industrial waste running through this ditch, maybe 4 feet wide. Children playing in this ditch because children will play wherever children play.

The American Medical Association said this area along the Mexican-U.S. border was the most toxic area in the Western Hemisphere. So no telling what kinds of diseases these children could get from playing in this ditch.

If you walk through the neighborhood more, you will notice that all of these shacks were built out of packing materials, boxes and wooden crates and wooden platforms, coming from the companies from where they worked. So you could tell where these workers worked just by walking through the neighborhoods and looking at the shacks, shacks literally constructed out of packing materials for these companies they worked for.

The point of the story is when I went to a General Motors plant nearby and what I noticed was this General Motors plant looked just like a General Motors plant in Lawrencetown, Ohio, and just like a Ford plant in Avon Lake, Ohio, or just like a Chrysler plant in Twinsburg, Ohio. It was modern. It was new, newer than the plants in my State. The floors were clean. The workers were working hard. The latest technology.

There was one difference between the General Motors plant in Mexico and the auto plant in Ohio. And the different was the auto plant in Mexico did not have a parking lot because the workers were not paid enough to buy the cars which they make.

You can go half way around the world to Malaysia to a Motorola plant. The workers do not make enough to buy the cell phones which they manufacture. You can go back halfway around the world to Costa Rica, one of the countries in the Central American Free Labor Agreement, and the workers at a Disney plant do not make enough to buy the toys that they manufacture.

You can go back halfway around the world to China and go to a Nike plant

and the workers do not make enough to buy the shoes that they manufacture.

That is what is great about our country. In our country because of labor unions, because of labor laws, because of our democracy workers share in the wealth that they are creating. If you work at General Motors or you work at a hardware store or wherever you work, if you help your employer make a profit and create wealth at that company or create value as a nurse at a hospital or a teacher in a high school, you share in the wealth or share in the good that you do. You get a share of those profits, a share of that wealth. That is how our country works.

Unfortunately, it does not work that way in Mexico. And as you will see, frankly, it does not work that way in the other countries that are part of the Central American Free Trade Agreement.

The average worker in the United States makes \$38,000. That is enough to buy shoes, maybe to send your kids to college. It is enough to live in a decent place. It is enough to own a car. It is enough to go to the grocery store. It is enough to buy some things. But if you look at the rest of the countries in the Central American Free Trade Agreement, Costa Rica, the average income is \$9,100. In the Dominican Republic it is \$6,000; El Salvador, \$4,800; Guatemala, \$4,100; and in Honduras and Nicaragua it is less than 10 percent of the income that Americans make: \$2,600 in Honduras; \$2,300 in Nicaragua.

The combined purchasing power of these six countries, the combined purchasing power of the Central American countries is equal to that of Columbus, Ohio, or Orlando, Florida.

When you think about the combined purchasing power and you look what these people in those countries earn, you know they do not make enough to buy a car manufactured in Ohio. They do not make enough to buy prime rib coming from cattle in Nebraska or Colorado. They do not make enough to buy software from the State of Washington. They do not make enough to buy steel from West Virginia. They do not make enough to buy clothes from North Carolina or South Carolina or Georgia.

The fact is this Central American Free Labor Agreement is not about U.S. companies and U.S. farmers exporting their products to Central America. That will not happen because the Central American people are not paid enough to buy American products.

What this agreement is all about is simply outsourcing of jobs; is American manufacturers moving production to Central America and setting up plants and paying workers wages that barely keep them alive and then selling those products back to the United States at tremendous profits.

I have visited a factory in Nicaragua where the workers are making 23 cents per pair of jeans that they sew. They get 23 cents for a pair of jeans they

sew, and that pair of jeans is sold at Wal-Mart in the United States for \$25 or \$30. So the company is getting rich. The workers stay poor. And unfortunately, that is what is going to happen and get worse if CAFTA passes.

If you want more proof already than this, the trade deficit, the amount of money that people are making, the fact that they simply cannot buy American products, let us look at the politics of it for a moment.

The President of the United States has sent five trade agreements to Congress. The first four trade agreements, the trade agreement with Morocco, one with Chile, one with Singapore, and one with Australia, all passed the Congress overwhelmingly in fewer than 60 days, in less than 2 months. This time the President sent this trade agreement to us is almost a year ago, 348 days ago to be exact.

Now, the reason the President sent this a year ago and Congress has not moved on it is simply because the American people understand what these trade agreements do to our country. Not just what they do to a family that loses a job. But what that means to that family, what that means to that school district, what that means to police and fire protection is that they do not have the kind of tax revenues when a plant closes down in a community and moves to China or moves out of town. All of that the American people understand it.

It is finally after all of these trade agreements, the Congress of the United States has finally figured it out. That is why we have not voted on the Central American Free Labor Agreement yet, simply because the American people understand this trade agreement is not working. It has not worked in the past. These trade agreements will not work in the future.

The President has tried to get it to pass in Congress, and Congress simply does not have the votes to pass it.

□ 1645

Earlier this spring, the majority leader, the gentleman from Texas (Mr. DELAY), the most powerful Republican in the Congress, has announced that we would vote on Central American Free Trade Agreement by the end of the month, by May 27 before Congress leaves for Memorial Day weekend.

That will mark literally the 1 year deadline, the 1 year anniversary, since CAFTA was signed by the President. That means with CAFTA, if CAFTA's not voted on by then, it is dead in the water. The issue is dead on arrival. It is clear the American people have said no and the U.S. Congress has said no.

Once this 1-year anniversary passes, a lot of us who are opposed to this agreement say the President, I think the 1 year really means, okay, it has failed, it is time to go back to the drawing board and write a Central American Free Trade Agreement that we can pass.

Clearly, there is a desperation among those people who have pushed Central

American Free Trade Agreement in this Congress, that they have not been able to convince the American people that it is a good idea. So they are trying one last-ditch effort and that happened this week.

This week the Presidents of the Central American countries and the Dominican Republic and six countries under CAFTA are touring the United States. The six Presidents of these countries are on a United States Chamber of Commerce junket pushing CAFTA. They went to Miami, Los Angeles, Albuquerque, to my State to Cincinnati, and they are attempting to convince the American people and the press that CAFTA is good for their country, good for their people and good for our country and good for our people.

Like our own President, like in this country, these six Presidents have tried to convince everybody that CAFTA will lift up low income workers and that CAFTA will create jobs here in the United States. What they do not say is they do not talk about the combined purchasing power of CAFTA Nations equal to that of Columbus, Ohio, or Orlando, Florida, or Memphis, Tennessee. They do not mention that.

They do not mention the fact, as I said earlier, that the workers in Central America cannot buy cars in Ohio or software from Washington State or steel made in Pennsylvania.

What we do not hear from them is that CAFTA does nothing to ensure the enforcement of internationally recognized labor standards in their countries, and with all due respect to the Central American leaders, what they are not saying and what millions of us know already is that millions of their workers, like 10s of millions of American workers, do not support this agreement. The Presidents may support them, but the workers in their countries and our country do not support this agreement.

What they will not tell reporters, what they did not tell reporters in their Chamber of Commerce junket around the United States is that 8,000 Guatemalan workers protested against CAFTA 2 months ago. Two of them were killed by government security forces.

They do not tell us that 10s of thousands of El Salvadorans protested CAFTA two-and-a-half year ago.

They do not tell us about the 18,000 letters sent by Honduran workers to the Honduran legislature, decrying the dysfunctional cousin of CAFTA, NAFTA.

They do not tell us about the 10,000 people who protested CAFTA in Managua, Nicaragua, in 2003.

They do not tell us about the 30,000 CAFTA protesters in Costa Rica this past fall.

They do not tell us that hundreds of thousands of workers have protested in Central America in 45 different demonstrations in the last 3 years.

Opposition to CAFTA is as strong in Central America as it is in the United

States. I ask my colleagues in this Congress, when the Presidents of Central American countries come around to our offices, as they have, and ask us to vote for the Central American Free Trade Agreement, understand, they may support it for whatever reasons, but the people of their countries, in large numbers, do not.

A couple of nights ago, after the Chamber of Commerce tour of America that the six Presidents took, the Chamber of Commerce hosted a reception for the visiting dignitaries, rewarding them, thanking them for their lobbying efforts this week. You can imagine this very plush room at the Chamber of Commerce, in its beautiful structure in downtown Washington, where the chamber has its very nice offices.

You can imagine the leaders, the CEOs, of the most powerful and largest corporations in our country were raising toasts, thanking the six Central American and Dominican Republic Presidents for their campaigning for this issue. Then you can see the six Presidents raising a toast to the Presidents and CEOs of the largest companies in America, thanking them for their support.

It just made you wonder were the CEOs or were these Presidents thinking of the millions of workers and hundreds of thousands of workers in each of these countries, millions of workers in the United States, who are opposed to this agreement and who knew that this agreement would bring more problems for America.

Did they think about the small businesses in Ohio and Michigan that do not want another failed trade agreement? Did they think about the small stores in Managua and Santo Domingo and in San Juan that would go out of business and that would be pushed out of business because of these trade agreements? Did they think about the family farms in North Carolina or the coffee farmers in Costa Rica or the highlands of Nicaragua? Did they think about the sugar farmers in Minnesota, in eastern Oregon and in Idaho and in Minnesota and Louisiana? Or did they think about the sugar cane workers in Central American? My guess is they did not.

When I think about these trade issues, and I again go back to this chart as I am about to close, I go back to this chart which shows the relative income of each of these Central American countries, and when you think about where we want to go with our trade agreements and what has happened to our trade agreements, we have seen so much pain on each side.

We have seen pain in O'Leary, Ohio, near where I live, a town of about 50,000, industrial town which has had certainly its tough times. When York Manufacturing shut down its plant and moved much of its production to Mexico, think about those families; the unemployment in that community; people losing their jobs; kids not able to

go to college; people, their homes are foreclosed on; what happened to the school district, which lost a big chunk of money; what happened to police and fire protection in that city because they lost so much tax revenue. Then you think about what happens to workers in the developing world in these countries when these trade agreements inflict the damage that they do on them, these workers, the family I met in Mexico that worked at General Electric, that could barely make a living and what happened in their lives and the pain they felt.

You think about the damage, both in the rich world, our world, the United States, the rich countries, and you think of the poor countries and the damage there. Instead, we could pass not this Central American Free Trade Agreement. When the time runs out, when this clock is down, when the deadline passes and CAFTA is dead, it is time to pass a new Central American Free Trade Agreement, negotiate a new one that will really lift workers up, because trade agreements work when the world's poorest workers, the workers for Nike in China, the workers for Motorola in Malaysia, the workers for Disney in Costa Rica, the workers at the auto plants in Mexico, when the world's poorest workers can buy American products, rather than just make them, then we will know, Mr. Speaker, that our trade policies are finally succeeding.

ENERGY

The SPEAKER pro tempore (Mr. DENT). Under the Speaker's announced policy of January 4, 2005, the gentleman from Maryland (Mr. BARTLETT) is recognized for 60 minutes.

Mr. BARTLETT of Maryland. Mr. Speaker, we are here this afternoon to build on a discussion that was started last evening when five of us were here on the floor to talk about the problem of energy in general and about oil and peak oil in particular.

I would like to start with a chart that shows some curves that will lead us to this one. Here, we have a 2 percent growth curve, and what this is is the rate at which we are increasing our demand for oil. You will see that it is exponential. It is not a straight line. It goes out and up, and the further you go, the steeper it gets. I wanted to talk for just a moment about these exponential curves because I think a lot of people do not understand the exponential function.

There is a very interesting story about the person who a very long time ago invented the game of chess, and the monarch of the kingdom was so impressed with that contribution that he told the inventor that any reasonable thing that you ask, I will give you. The inventor said, I am a simple man, with simple needs, and if you will simply take my chess board and put a grain of wheat on the first square and 2 grains of wheat on the second square and 4

grains of wheat on the third square and 8 grains of wheat on the fourth square and just continue, continue doubling the number of grains you put on each square until you have gone through all the squares of the chess board, that will be reward enough for what I have done. The king thought he had gotten off lightly; geez, that is easy.

He could not do that, of course, because if you do that, go to the 64th power, that would represent all the wheat that is grown in all the world in 4 years of harvest, I understand, and you notice that is the exponential function.

We see here just a 2 percent growth curve, and many people think of 2 percent growth as a straight line. That is only 2 percent for the first year, but then if it is going to 2 percent for the second year, it is not going to be 2 percent of what existed at the end of that year. So you are kind of getting interest on interest which is what compound interest is, and I think many people have a little appreciation of compound interest.

This is a 4 percent growth curve. It quadruples in 35 years. This is a 5 percent growth curve, and China now is on a 10 percent growth curve. That is this curve. In 7 years, if they continue on this curve, their economy will double, and their use of oil will double if it follows the economy. There is not much way to keep it from following the economy. In 14 years, they will be using four times as much oil, and in just 21 years, they will be using eight times as much oil.

The next chart kind of puts the thing in perspective as far as our country is concerned. We have 2 percent of the world's oil reserves, and we use 25 percent of the world's oil, and we import about two-thirds of what we use. That is up, by the way, from the Arab oil embargo where we imported just about a third of what we use.

Two other figures are of interest. One is that we represent less than 5 percent of the world's population. We are about one person in 22 in the world, and this one person is so fortunate that we get to have 25 percent of all the good things in the world, a subject for another discussion, but I wonder, Mr. Speaker, if you have asked yourself the question, how come that is true; what is so unique about this country and our culture that this one person in 22 has a fourth of all the good things in the world? Perhaps we will come here to the floor another day to talk about that because I think there are some real lessons to learn. If you understood how we got here, then we might understand what we need to do to stay here, but that is not the subject of tonight's discussion.

With only 2 percent of the world's oil reserves, we produce 8 percent of the world's oil. What that means, of course, is that we are really good at pumping oil. We know how to get oil out of the ground better than almost anybody in the world. As a matter of

fact, we are so good at that, that the Chinese have come here. They may still be here. They were here a few days ago, and they were coming to try and see how we do it, because we are really good at getting oil out of the ground.

What that means, of course, is for the moment we are better off because with 2 percent of the world's oil reserves, we are getting 8 percent of the world's oil. So we are really maximizing the opportunities we have from the oil that is available to us.

The next chart will show us one of the consequences of this, and I have to go back now about 6 decades to put what we are talking about in perspective.

There was apparently lots of oil available in the world at that time. We were awash in oil, and gasoline was very cheap. I remember buying it at 6 gallons for a dollar. You could not do that today, no matter what the price of crude oil was, because I think there is \$0.48 tax per gallon.

□ 1700

And then, obviously, there was a much lesser tax per gallon, because I remember buying gas, 6 gallons for a dollar.

There was during the 1940s and 1950s, a scientist working for Shell Oil Company named M. King Hubbert. He became quite an icon in that world because he made a prediction in 1956 that the United States would peak in its oil production; that we would reach a maximum capacity for pumping oil in this country in about 1970. He made that prediction 14 years before the date at which he said it would happen.

He made that prediction because, as a student of this technology, he had watched the exploitation and the depletion of individual oil fields. He noticed that for every oil field the rate of production increased and increased until after it reached a peak, and then after it reached a peak it was more difficult to get, and so it fell down the other side of the slope, and it always followed a bell curve.

Here we have a bell curve. As a matter of fact, that is the bell curve, the green there. That smooth green line is a bell curve that was predicted by M. King Hubbert. The more ragged green line are the actual data points where they fell on that curve, remarkably close to his predicted curve.

If we look at the next graph, and by the way, before we look at that one, the red one here shows Russia. There are charts for a lot of countries, because a number of countries have now peaked in their oil production.

In this next one, the red one here shows Russia, really the Soviet Union, and they kind of fell apart. And notice that the actual production did not follow the predicted curve. They now are capitalizing on that and they are having a second little peak here, but it is still falling off.

Notice the blue lines here. We will talk about that in just a moment with

the next chart here, because what the next chart does is to show where we got our oil from and where we were getting it from when M. King Hubbert made his prediction. When he made that prediction back here in 1956, we were getting a tiny bit of natural gas liquids, and we were getting about half of our oil from Texas and the other half from the rest of the United States.

He predicted that by 1970 that we would peak. And he did that because he rationalized that if you took each one of these little oil fields that was going to follow a bell curve, and if you added up all the little bell curves, you would get one big bell curve for the whole country. And so with some confidence he predicted, by estimating the additional oil that we would find, he predicted when we ought to peak. As a matter of fact, we did peak in 1970.

When we were falling down the other side of Hubbert's Peak, we discovered oil in Prudhoe Bay in Alaska; and there was a lot of oil there. There was hopes that this would solve our oil problem. You see what it did? There is just a little blip in the slope down the other side of Hubbert's Peak. That, by the way, represents about 25 percent of our present production of oil. That is tailing off, as you see, because we are now down pumping relatively the last oil out of Prudhoe Bay.

I am sure, Mr. Speaker, that you can remember all of the hullabaloo, I guess is the best way to say it, about the enormous oil finds in the Gulf of Mexico. We were going to be home free. It was energy and oil for the foreseeable future. That is the little yellow segment here. That is how much it amounted to.

The next chart shows the discovery of oil. We have been talking so far about the production of oil, and the reality is that the world found its oil many years before it produced oil. I hope there is a whole lot of oil out there that we have not found; but by the time we finish this evening, I think you will agree that for our present situation and for the next few years, it really is not going to be of much moment whether we find a whole lot more or not. I hope we do. I do not think the industry expects that we will, because they are now awash in cash. And you may or may not know, they are not spending a lot of that money on prospecting. They believe that they have found much of the oil that is out there to find.

This chart reflects worldwide. Our peak occurred well before this, but worldwide the peak discoveries occurred back here in the mid-1960s, and now we are reaching the peak production about 40 years later. That is roughly what it was in our country, about 30 or 40 years later after we had the maximum discoveries, then you have the maximum exploitation and the highest pumping of that oil.

We were already 10 years down the slope of the other side of Hubbert's Peak when Ronald Reagan came to of-

fice. And he and his administration understood that we were becoming every day more dependent on foreign oil, and so they had a solution to the problem. It turned out to be not the right solution, but at least they tried to do something. You may remember those days, and the philosophy was that the marketplace solves problems. And with unlimited resources, the marketplace is great at solving problems. So they theorized if we just gave our oil industry an excuse, an incentive to drill more wells, that they would go out and drill more wells and they would find more oil. So we put in place a number of incentives to go out and drill more wells and, boy, it worked.

This was the rate at which we were drilling wells. And then after Reagan came in, notice how it shot up. Now, the green here represents the excess we had compared to what we were pumping. The red represents a deficit that we are now using more than we pump. And notice that the increased drilling coincided with the beginning of a surge in red, which continued more and more. And notice how drilling has fallen off.

With us having only 2 percent of the reserves and using 25 percent of the world's oil and importing two-thirds of what we use, and with oil at \$50 a barrel, you would think that with the big profits the oil companies have that they would now be drilling a lot of wells. They are not drilling a lot of wells. Could that be because they have some reasonable confidence that they have probably found most of the oil that is out there to find?

The next chart shows us something very interesting. We are not the only country in the world that uses oil. China, of course, is a big user of oil. As a matter of fact, they are now the number two importer of oil in the world. I think they are the number two user of oil in the world. They just surpassed Japan, with 1.3 billion people that have some qualities that you can admire, because they are the qualities, at least some of the reason, that America is the great country that it is. We had a great work ethic. We had a great respect for education. And we have been the most innovative society in the world.

But now the Chinese are rivaling us and maybe surpassing us in the work ethic. And if you look at our schools, particularly our technical schools in science math and engineering, you might conclude they had a little more respect for technical education than we have, because not only have they filled the schools up in their country, and they have some pretty good schools there now, but they are also about half the students in our country. Their economy has been growing at 10 percent a year. Last year, they increased their demands for imported oil by about 25 percent. I hope that does not continue, because if it does, the world is going to have an oil crunch or crisis a little sooner than it might otherwise.

This map of the world, and by the way there is an interesting depiction here, and that is the green, which is Russia. By the way, this should be colored green over here too, right next to Alaska. Russia spans 11 time zones. They go almost halfway around the world. And they have got a lot of oil over in what is called the Far East of Russia, over here near the Sakhalin Islands. And China, this symbol here represents China's negotiating with Russia, and they may very well build a pipeline from Russia's Far East down to China, maybe on down to the Korean Peninsula, because the Russians have the oil and the Chinese need the oil.

Not only are they working there to get oil, but they are certainly several places in the Middle East. They are in Africa. They have contracts in these areas. And in many areas they are buying access to facilities to make sure that they will have more reasonable access to oil in the future. They are in our back yard. They are in Colombia; they are in Venezuela.

By the way, they are talking about building a canal across the Isthmus of Panama so they can move oil from one side to the other to more quickly get it to China.

They are in Brazil. They are in Argentina. They are scouring the world for oil. As a matter of fact, they have locked up the oil from the oil sands in Alaska, oil sands that I suspect we are counting on, because Canada is a big exporter to the United States. But they now have, I understand, a 40-year contract, locking up at least some of the production of the tar sands. And that production may well drop off so that the oil available to them through this contract may be a major part of the oil produced in Canada.

This is a reality that we must deal with. Although we are now big, using a fourth of the oil in the world, China, with 1.3 billion people, with an economy growing at 10 percent a year, will double in 7 years. Our economy has been growing more or less 2 percent a year. We are pretty good at efficiency, so our use of oil has only been growing at 2 percent. Even if our economy grows a bit more than that, this 2 percent growth means it will take 35 years before we double our use of oil. But China, at their 10 percent, will only go 7 years before they double the use of their oil.

So when we look to the future, we will have to recognize that there will be a lot more people out there needing oil and looking for oil than just the United States.

The next graph shows us something pretty interesting. It goes back through history, and we go way back. Here we go back to the 1600s and the 1700s, and what this chart shows is the development of the Industrial Age. The first energy source that we really learned how to use was fire and wood, and that is the brown here. You see that we developed an economy with wood. This shows how many quadrillion Btus were produced by wood.

By the way, the Industrial Revolution almost floundered because we were stuck on wood for too long. England was largely denuded of trees to fuel their furnaces for making steel, and we largely denuded New England. I understand there are more forests in the New England States, New Hampshire today, than there was at the Revolutionary War, because those trees had been cut and hauled to England for charcoal to make steel.

But then we found coal, and look what happened to the economy, because coal has a higher energy density than wood. So the economy grew to five times the size in terms of quadrillion Btus.

Then we discovered a fuel source, an energy source even more convenient than coal, and that was oil, and that is the red line here. That is oil and gas, because they frequently occur together. Sometimes it is only gas if you are very deep, and the heat of the Earth and time so that most of the oil has now kind of been converted into gas. But many of the other reservoirs have oil and the gas trapped above it, with a dome of rock over it so it holds it. Otherwise, the gas would have leaked out and the oil would have been of poorer quality as a result of that.

□ 1715

You may have seen pictures of many oil wells in the past that had a big flame burning there at the well. That is because of the natural gas that occurred with the oil, and it was just a product that they did not have any use for because you cannot put gas in a truck and haul it and so they just burned it off at the wellhead. Now, of course, we do not do that and gas is becoming a very precious commodity.

Notice that when we were using a lot of wood, we were using very little coal. When you looked at the energy use across our country in those days, very little coal used and a lot of wood, but soon there was a lot of coal and less wood because coal was more efficient. And look how small oil was here when coal was a big, big factor. But then when we started using oil and found out how superior it was for many uses as compared to coal; why, the use really shot up.

What is there on the horizon today that could take the place of oil when we have run down the other side and as we are running down the other side of Hubbert's peak? The lower curve here, and we have here separated out the petroleum and the natural gas so you do not have the big peak here. If you added these two together, it would be the red line there. We have many fewer years, just this little segment in here. But notice at the bottom those things that we might look to for the future. Nuclear, getting 20 percent of our electricity now, it is not a big percentage of our total energy, but it is meaningful. And solar and wind, they are very little down here but these are the kinds of things that we need to look to for the future.

I would like to go back to the first chart that is on the board here now and just spend a couple of minutes looking at this because this kind of tells us where we are or where we are shortly going to be in the future. This is Hubbert's Peak. By the way, we can make this peak very steep. By compressing the abscissa and expanding the ordinate, you will make it a very steep peak. So whether it is steep or spread out just depends upon the scale you use. Two percent growth. Notice that, at some point, as we near the peak that the 2 percent growth, and that is the oil you would like to use. The blue down here is the oil that is available. Up until this time, all the oil we needed to use has been there. That is pretty much where we are today; although there may be a bit less than we would like to use because oil is not \$20 a barrel, it is \$50 a barrel. That may reflect an already recognized shortage or potential shortage.

As time goes on, you see the enormous variance between the oil that we would like to use and the oil that is available to use. I would like to make a point that, if we use all the oil for our ordinary economic functions that is available to use, that we are dooming ourselves to a very rough ride in the future, because we will need a bunch of energy, much of it from oil, to develop the alternatives that will be essential as we slide down the other side of Hubbert's Peak. So, at this point in time, we cannot use that much oil when we would like to be using that much. We can only maybe use that much oil, so we are going to be in a position, unless we can reduce our use of oil to about half of what it is now, we are not going to have the energy available to invest in the alternatives so that will ultimately free ourselves from this dependence on a diminishing resource.

From our perspective in this country, our dependence on a resource that is largely in foreign lands and much of that, a great deal of that, as the President himself said, is in countries that do not even like us and that may be pretty terrible in expressing their attitude toward us.

There are many observers of this phenomenon of peak oil that do not believe that we as a country and we as a society have either the wit or the will to do the things that we really need to do to avoid a train wreck in the future. I would just like to read from a few of those. Some of these names you will recognize because some of them are very prominent names. The first is from a Matt Savinar who wrote a treatise, which I have here and you can find it, *Life After the Oil Crash*. Just do a Google search and go to Peak Oil and you will find Matt Savinar and *Life After the Oil Crash*. I would encourage you, Mr. Speaker, to read that if you have not. This is the way he begins his treatise. I almost put it down. I said, This guy has to be a nut to say this. This is what he said. I did not put

it down. I am glad I did not put it down. I read it through. When I finished reading it through, I found it very difficult to argue with his premises unless we make a big, big effort in this country and worldwide to avoid what he says will happen. This is how he begins this article:

“Dear Reader,

“Civilization as we know it is coming to an end soon.”

That is enough to grab your attention or to convince you that, gee, this guy is a nut, I don't need to read that.

“This is not the wacky proclamation of a doomsday cult, apocalypse Bible prophecy sect, or conspiracy theory society. Rather, it is the scientific conclusion of the best-paid, most widely respected geologists, physicists and investment bankers in the world. These are rational, professional, conservative individuals who are absolutely terrified by a phenomenon known as global peak oil.”

If this is true, Mr. Speaker, why have you not been hearing about this? That is a very reasonable question to ask. There is an aversion to bringing bad news. As a matter of fact, in ancient Greece, the bearer of bad news frequently paid with his life for the fact that he brought bad news, and politicians frequently pay with their seat for the bad news they bring the people. And since this was a problem where the sky probably was not going to fall on my term, let's let the next guy deal with it.

We have in our country the tyranny of the urgent. In the business world, they always deal with what is urgent. In dealing with the urgent, you may put off the important. The urgent thing for a business is to have a good quarterly report. If you do not have a good quarterly report, your stock is going to drop, the board of directors may meet, and you may not have your job. So you need to have a good quarterly report. Looking down the road to make the kind of investments that you need to make in the event that Hubbert and, by the way, I really need to emphasize something. M. King Hubbert was dead right, right on, for the United States. He predicted it precisely. Why should he not be right for the world? In 1973, he predicted that the world would peak in oil production about the turn of the millennium. It occurred a little bit later because he could not have anticipated the Arab oil embargo and its consequences or the oil price spike hikes or the worldwide recession that occurred most largely because of the price of energy. So now we got about another 5 years. Somebody should have noticed that M. King Hubbert was right about the United States, and if he was right about the United States, maybe he could be right about the world. And if he could be right about the world, then should we not be doing something about the situation in the world?

I was privileged to have lunch today with, I think, the largest energy in-

vestment banker in the world, Matthew Simmons, adviser of the President, widely known by many people in both the economic area and in the oil area.

“Simmons is a self-described lifelong Republican. His investment bank, Simmons & Company International, is considered the most reputable and reliable energy investment bank in the world.

“Given Simmons' background, what he has to say about the situation is truly terrifying. For instance, in an August 2003 interview with *From the Wilderness* publisher Michael Ruppert, Simmons was asked if it was time for peak oil to become part of the public policy debate and this was his answer:

“It is past time. As I have said, the experts and politicians have no plan B to fall back on. If energy peaks,” and I think, and he believes, that energy has peaked or will imminently peak. As a matter of fact, he has a book coming out on the 15th. I hope it will be a best seller. It is called *Twilight in the Desert*. It is a book about Saudi Arabia. He believes, and there is pretty good evidence, that Saudi Arabia has now peaked in its oil production. The oil prince from Saudi Arabia was a week or two here visiting the President, you may remember. The President was very anxious to extract the promise that Saudi Arabia would pump more oil because \$50 a barrel oil and \$2.25 for a gallon of gasoline is not good for our economy. So it would be nice to have more oil which would bring the price down and would help our economy. You may have noted that the oil prince did not, I think he could not, promise the President that he would increase oil production.

“It is past time. As I have said, the experts and politicians have no plan B to fall back on. If energy peaks, particularly while 5 of the world's 6.5 billion people have little or no use of modern energy, it will be a tremendous jolt to our economic well-being and to our health, greater than anyone could ever imagine.”

“When asked if there is a solution to the impending crisis, Simmons responded:

“I don't think there is one. The solution is to pray. Under the best of circumstances, if all prayers are answered, there will be no crisis for maybe 2 years. After that, it's a certainty.”

I hope he is wrong. I hope that we in the United States and we in the world recognize the impending crisis as our demand for oil goes ever up and as the oil available to us peaks. Are we here? Are we here? Where are we? We are somewhere near there. There are a lot of experts who agree that we are somewhere near that. And then it starts down the other side. There is this big difference between what we would like to use and what is available to use, and I have already made the point that if we use all the oil for our routine economic functions that is available to us, there will be no energy to invest in the

alternatives that we are going to have to have if we are going to transition from the age of oil to the age of renewables. Ultimately, we are going to have to make that transition.

Another expert, Lundberg. You have all heard of the Lundberg report on the price of gas. This is Jan Lundberg:

“The scenario I foresee is that market-based panic will, within a few days, drive prices up skyward.”

That has not happened. But who knows when it may happen, when there is suddenly a realization that we are not going to be able to increase the production rate of oil.

“And as supplies can no longer slake daily world demand of over 80 million barrels a day,” it is now 84, “the market will become paralyzed at prices too high for the wheels of commerce and even daily living in advanced societies. There may be an event that appears to trigger this final energy crash, but the overall cause will be the huge consumption on a finite planet.

“The trucks will no longer pull into Wal-Mart or Safeway or other food stores. The freighters bringing packaged techno-toys and whatnot from China will have no fuel. There will be fuel in many places, but hoarding and uncertainty will trigger outages, violence and chaos. For only a short time will the police and military be able to maintain order, if at all.”

I think we all know how thin the veneer of civilization is. Just let the lights go out in any of our major cities for a relatively short period of time and you get some idea of how thin the skin, the veneer of civilization is. I hope he is wrong. But after you read Matt Savinar's, and this is in Matt Savinar's article, after you read that whole article, you will find it difficult as I did, Mr. Speaker, to dismiss that with a wave of a hand, because if it is true that this is the reality, and it was for the United States, why should it not be true for the world? It was true for England. They peaked. Several countries have now peaked. It will be true for the world one day. Everybody admits that. The only difference of opinion is when it will occur. Many believe that we are now at peak or very close to peak oil. These predictions, I think, are made on the assumption that there will not be an adequate response.

One of the reasons I am here today, Mr. Speaker, is hoping that we can educate the American people, the people of the world, to this pending problem. By the way, another example of this tyranny of the urgent; in politics, it is very difficult to see beyond the next election. What political people tend to do are the things that will maximize their vote total at the next election, and talking about peak oil is probably not one of those things to make people feel good about their future. But I think that leadership has a responsibility. I want future generations when they look back on my generation to say, Gee, they did the right thing.

Another observer, Dr. Ted Trainer. By the way, we cannot see beyond the next election very far. Somebody in America, do you not think, Mr. Speaker, needs to be looking down the road?

□ 1730

Who is that going to be if not the elected representatives of the people? And I think the people out there across this great country, Mr. Speaker, are wise enough that they will accept the truth. We are an enormously innovative and creative country. I think that we can get by this. I think that we can have very high-quality lives using much less energy, and I think that we can create a brand-new economy around all of the entrepreneurship, the creativity, the inventions that are going to have to be there when we go from these fossil fuels to renewables.

Dr. Ted Trainer explains in a recent article on the thermodynamic limitations of biomass fuels: "This is why I do not believe consumer-capitalist society can save itself. Not even its 'intellectual' classes or green leadership give any sign that this society has the wit or the will to even think about the basic situation we are in."

I hope, Mr. Speaker, as a result of this evening and several prior times I have been here, and I will be here again. I am an old teacher, Mr. Speaker. I taught for 24 years, and I had an adage that I believed in in teaching, and that is that reputation is the soul of learning. And for 12 years I taught nursing students, and not one of them failed the board. And I think that is because I had this philosophy that one never can spend too much time making sure that they understand something. So we are going to spend some time at this podium with the American people until we understand this.

"This is why I do not believe consumer-capitalist society can save itself. Not even its 'intellectual' classes or green leadership give any sign that this society has the wit or the will to even think about the basic situation we are in. As the above figures make clear, the situation cannot be solved without huge reduction in the volume of consumption."

And that is what we have been talking about. If we are here, we would like to use oil at this level. We are going to have to use it at this level so that something remains, so that we can make the investments that we have got to make in renewables, or we are not going to get there.

In the February, 2005, issue of "Discover" magazine, Dr. Smalley gave the following diagnosis: "There will be inflation as billions of people compete for insufficient resources. There will be famine. There will be terrorism and war."

I hope not. But if we really permit ourselves to get to this point where we would like to have that much oil and there is only that much remaining and we recognize that if we somehow denied oil to some other parts of the

world there would be more oil for us, who knows, who knows what we might do?

Mr. Speaker, I have been very fortunate. I have never been placed in a situation where I had to do this, but I am not sure what I would do if the life or the health of my wife and children were at risk. And I think we need to be very careful that we do the things we need to do to create a future environment in which we will not be tempted to do things that under other circumstances we would be embarrassed to even think about.

The chief economist at Morgan Stanley recently predicted that we have a 90 percent chance of facing "economic Armageddon," while stating, "I fear modern-day central banking is on the brink of systematic failure." When somebody like the chief economist at one of the world's biggest banks makes a statement like that, it is not a surprise. Somebody like investment banker and Bush consultant Matt Simmons has stated "the only solution is to pray."

There was a recent article in "Time" magazine. It was pretty near the center, kind of a center spread. It said: "Why Gas Won't Get Cheaper," and they asked several questions, and then they answered the questions. And in broad terms, they were realistic in their answers. Let me go through some of these because I think it is very instructive. This is a major news medium which has now recognized that we may be getting near this point.

"Is the world running out of oil?" And the answer is: "No." We have got half of all the oil that was ever there. That is not what is running out. World's oil is not what is running out. What is running out is cheap oil, readily available, and high-quality oil. That is running out. We are not going to run out of oil for a long time, but we have run out or are about to run out of cheap oil, and we are about to run out of our ability to increase oil production.

So their next question is: "So cheap oil is now just part of history?" And their answer is: "Correct." Then they go on to explain why.

I was talking to the gentleman from Michigan (Mr. DINGELL) the other day, the longest-serving Member of the House here on this floor, who has served here, I think, over 52 years, and what he told me was we will never see \$50-a-barrel oil again. Now, it may dip. Today I think it may be a bit below \$50. But what he meant was that oil is really not going down to \$25, \$30, \$40 a barrel again; that it is going to go up from here. That is a recognition that we are probably at this point where demand is going to exceed supply, and when that happens, a little bit of difference, just a dip in supply, and we have seen what happens to prices.

"Will other sources of energy, like wind power or nuclear power, save the day?" And then they make a very correct statement: "Only if they replace

oil consumption. Building nuclear plants or wind farms to produce electricity, for example, won't add a barrel of oil to the world's supply because we generally don't use oil for electricity."

In a few moments, we are going to be talking about the real challenges we have in developing these alternatives. It is not impossible, but it is going to challenge the best of us. There is nothing like a challenge to sharpen the intellect or give one the satisfaction of achievement. And, boy, we had better sharpen a lot of intellects, and there is going to be a lot of satisfaction of achievement if we get by this without the rough ride that these authors in this report were making reference to.

"Why is demand for oil rising?" And then they talk about China and India. We would like our economy to grow. As a matter of fact, if our economy does not grow at least 2 percent a year, we cannot service our debt. And the interest on our debt at today's low interest rates, pray they stay low, is almost as large as all of the money that we spend on the ordinary military. That does not include fighting the war: about \$400 billion on the military, about \$300 billion interest on the debt. So the interest only has to go up about 30 percent and we are spending as much interest on the debt as we are for our military. These are the big-ticket items.

Demand is rising. It will continue to rise. And if we have reached the peak, then there is going to be a big difference between what we would like to use and what there is available to use and who knows the geopolitical consequences of that? Who knows the stresses and strains in the world that will occur as a result of that and what this or that nation, including our own, by the way, might do?

Next question: "Will technologies like hybrid cars, which run on a combination of gasoline and electricity, lower the price of oil?" And they incorrectly answer: "Eventually, yes." I do not think that the author of this understood that we are close to peak oil. No, it is not going to decrease the price of gas. If we have a massive effort at conservation and efficiency, what it is going to do is to permit us to continue to live well while we reduce our oil consumption below this level so we have something to invest in the alternatives.

"Will higher oil prices cripple the U.S. economy?" And then he makes reference to another article written by Howard Kuntzler, and it is in a book. "The Long Emergency," he calls it. And it goes something like this: "Gasoline will soon get so expensive that most Americans simply won't be able to afford it. Suburbs, strip malls, interstate highways, the infrastructure of the modern U.S. economy just won't work anymore without cheap oil, and the U.S. will have to reinvent itself or risk falling into decay." That is a pretty dire prophecy.

What does "Time" magazine say about that? This is what they say. It is

very interesting what they say. That dire prophecy, though, is really all about timing. What they are really saying is if we do not take the right actions at the right time, that could very well happen. That is what they mean. This is all about timing. If we now aggressively pursue a program of conservation and efficiency and developing renewables, we will have a less rough ride through this crisis.

It is really quite lamentable that we have now blown 25 years. We very well knew we were on the downside of Hubbert's Peak in 1980. We should have then begun to make the investments in the alternatives that would make their use a realistic replacement for oil today. Today we have a very steep hill to climb.

I would like to put the next chart up which shows energy density. This gives us some idea of the challenges that we face here as we look to what is going to take the place of gas and oil. And this lists a number of things that we can burn and get energy from and how much energy there is. Domestic refuse, it does not have much. It is wet, and it has got a bunch of stuff in it that will not burn. But many places are burning it to get electricity, and the excess heat can now provide what is called "district heating." By the way, we do not need to be getting rid of this heat in these big cooling towers and evaporating precious water. This heat ought to be used for heating buildings and so forth. They do that all over the rest of the world. We need to do more of that in this country.

Here is brown coal. That is a cheap coal that has a very low energy density. Straw, we are talking about burning biomass, pretty low energy density. If we burn enough straw and soybean stubble and so forth, we can get some energy from it, enough sawdust. Dung, in some countries they are burning dried dung to heat themselves. We used to do that out in the West. Cow chips, I think they called them. Buffalo chips. They picked them up and burned them there.

Wood, 16.2 gigajoules per ton. Black coal, better than wood, 50 percent better than wood. Coke, even better. Ethanol, notice that the ethanol that we would like to have more of because it replaces gasoline has nowhere near the energy density of gasoline because here is petrol down here at 46 and ethanol has less. But, nevertheless, we will talk in a few minutes about ethanol. It is still a really good idea.

Crude oil; diesel; petrol, automotive petrol; naphtha; aviation fuel, higher octane, more energy; and natural gas, more hydrogen and still more energy.

I would like to give just a little anecdotal illustration of how important energy density is. One barrel, which is 42 gallons, of crude oil has the energy equivalent of 25,000 manhours of effort. From 8 years with IBM and writing a lot of proposals, I know that 2,060 is a man-year. So this is about 12 man-years of effort. What that means is

that for \$100, about \$50 for the oil and maybe \$50 to refine it and transport it to something a gallon for gasoline times 40 is about \$100. For \$100 one can now buy the energy equivalent worth of 12 men, or women, 12 people working for them all year long, and they bought that for \$100. That is the challenge—we have to find something that cheap. And one will say \$50 a barrel is not cheap, that \$2.25 a gallon for gas is not cheap. But gas is still cheaper than water in the grocery store, is it not? The challenge is to find something with that kind of energy density.

Let me give another little illustration that people may be able to identify with because almost all of us drive cars. We drive a Prius, since 2000. A few weeks ago we had four people, and we were going down into West Virginia, up some mountains down there. We got lousy mileage going up the mountain. We have instantaneous mileage on the Prius so we could see what we were getting. And our mileage was only 20 miles per gallon. But I thought about that. One gallon of gasoline. Members know how big it is. A gallon of milk in the grocery store. One gallon of gasoline took four people and their luggage up a West Virginia mountain for 20 miles. And I thought, Mr. Speaker, how long would it take me to pull my Prius up 20 miles a West Virginia mountain? Now, obviously I cannot pull it up. I am not strong enough. But I can get it up there with some mechanical advantage like a winch that is built into the little thing we call a "come-along" and hook it to the guardrail or trees and by and by, if I did it in 90 days, and one can calculate out how far they would have to pull the car in a day, they would be pretty good if they got it up that 20 miles of mountain in 90 days.

□ 1745

That is the equivalent of the 20 years of effort from a single 20,000 man-hours of effort, about 24 years of man work that you get from one barrel of oil. So we have a big challenge in getting a replacement that has the energy density.

I would like to look at one possible replacement, and that is coal. We have a lot of coal. You hear 500 years. That is not true, but we have about 250 years of coal at present use rates, about 250 years at current use rates. That is no growth.

Remember those exponential curves that we looked at a while ago? Just 1.1 percent growth, and that comes down to 125 years. Two percent growth, the curves we have been looking at, we are down to under 100 years. But you cannot put a trunk load of coal in your car and go up the mountain. You have to convert it into something where you can use it, so it is going to take some energy to convert it. It has to be a liquid or gas, and you can make both.

When I was a little boy, the things we burned in the lamps, we had no electricity when I was a child, and we burned coal oil. I kept calling it coal oil for a long time. That was a big im-

provement over whale oil, by the way, which is what we had before coal oil.

It was called coal oil because we made it from coal. But then we were able to make kerosene from oil, and that was cheaper and easier to make, so nobody used coal oil any more. We may be back using coal oil. After conversion with a 2 percent growth it lasts just about 50 years.

We really need to use oil. It is dirty, big environmental challenges, got to get the sulfur out of it. But still there is energy there and we need to use that energy. But coal, we have to be careful now. These are resources that are finite. When they are gone, they are gone. So we need to plan a future in which we use coal and all of the other of these finite resources in the wisest possible way.

The next chart I want to look at something that is really very revealing. There is a lot of talk about ethanol and ethanol could replace gasoline. Well, yes and no.

Here we have petroleum. You start out with petroleum and you end up down here with 1 million Btus of gasoline at the refueling station. This is all the energy inputs you have to put into the several stages in going from recovery, to transportation, to the refining facility and then transporting it to where you pick it up at the station. So you get 1 million Btus out of the gasoline, but you had to use 1.23 million Btus of fossil fuel to get there, because you have got to expend energy all along this transportation and conversion route.

Now, if we look at ethanol, and we end up with the same thing, 1 million Btus of ethanol, it is going to be a bigger volume, by the way. You remember the energy density? Ethanol has a lower energy density than gasoline. But we made them equivalent here because we are talking about 1 million Btus, so we can compare them, we are comparing apples to apples here.

Now we start with solar energy, and that is going to make the corn grow that we plant, and these are all the things that go into corn. We are going to look at that in a moment. That is really interesting. Then we have to transport the corn, and we have to produce the ethanol, we have to transport the ethanol to where we are going to use it.

But notice that for every 1 million Btus of ethanol we have at the pump, we have put in about three-fourths of a million Btus of fossil fuel to get there. Obviously you would not have to use the fossil fuel, you could use corn energy, ethanol energy, but that is going to further depreciate your yield here, is it not? Tonight, 20 percent of the world will go to bed hungry, and so our limits to transmute food into energy are obviously going to be limited if we would like to continue to feed the world.

What is on the bottom here in this little pie is really interesting. This is the energy that goes in to producing a bushel of corn. It could be a bushel of

soybeans or a bushel of wheat. With soybeans, by the way, you need less nitrogen here because they are a legume and they have little nodules on their roots and they get nitrogen from the atmosphere. But this is corn. It is going to be typical of wheat and rice.

Nearly half of all the energy that goes into producing corn comes from nitrogen, and nitrogen today comes almost exclusively from natural gas.

Mr. Speaker, before we knew how to get nitrogen from natural gas, we only got it in three places, nitrogen fertilizer. We got it from barnyard manures, and they were pretty limited. The farmer might have a good garden if he concentrated his manures on the garden. But for his fields he had to rely on what we called rotation farming. You planted grass and legumes, the legumes fixed nitrogen and put it in the soil, and after several years you plowed up the sod and you planted corn for one year. That sucked most of the nitrogen out of the ground, so you were back in grass and legumes again until you stored enough nitrogen to get another corn crop.

Today we use natural gas to get nitrogen and without natural gas to get nitrogen, I will let you, Mr. Speaker, draw your own conclusions as to how difficult it would be to feed the world, because you see the enormous amount of energy that comes in through natural gas and nitrogen.

Then there is hauling, that is oil; purchased water, you probably pump that with maybe some oil and gas for energy. Chemicals. Many of the chemicals that are used in farming come from a petroleum base.

By the way, there is something we have not talked about, Mr. Speaker, very important. There is an enormous petrochemical industry out there. In a very real sense, oil, and particularly gas, are too good to burn. We live in a plastic world, and all of these things, lipstick, all of these things, come from oil. There are other sources, but they are not as convenient and nowhere near as cheap. So many of the chemicals come from oil.

Custom work. His tractor was built with oil. It ran on oil. There is a lot of oil there. Natural gas, that is all fossil fuels. Electricity, that could have been produced with oil or gas. Liquid propane gas to dry the corn probably. Then gasoline itself, diesel.

We are not even free of the need for oil when you come to lime and phosphate and potash, these nutrients you have to put on the soil in addition to your nitrogen to grow the crop, because we had to mine those, and haul those. We needed energy for all that, and a great deal of that energy came from oil.

So you can see how much our food, in a very real sense, Mr. Speaker, the food you eat is oil. And in our country, just a word about agriculture in our country. We brag we have the most efficient agriculture in the world. That is because we spend fewer man-hours to

produce a ton of this or a bushel of that than perhaps any other country in the world. But we do that because we have these very large tractors that burn a lot of oil.

There is a trade-off here. The fewer man-hours you use, the more energy you are probably going to have to use. So although we have the most efficient agriculture in the world in terms of man-hours of effort needed to produce a crop, we may have close to the most inefficient agriculture in the world in terms of energy in and energy out.

As a matter of fact, the food you eat, which, by the way, each helping traveled an average of 1,500 miles before it got to your plate this evening, the food you eat is quite literally energy because of all of the energy that it took to put in to that food.

The next chart looks at some of the alternatives. We need to come back, Mr. Speaker, and spend more time, because we really need to spend a lot of time on this chart, because if these dire predictions that we read earlier are not going to come true, we have got to pay attention to this chart.

There are finite resources. We mentioned the tar sands and the oil shales. A lot of oil there that is not very good, very expensive to get out. You may spend almost as much energy getting it out as you get out of it, so there is not a big energy profit ratio there.

Then coal, we have talked about coal.

Nuclear, we really need to look at nuclear. There are three forms of nuclear. Fusion is one that will get us home free. I do not think that is very probable. In spite of that, I support all the money, about \$300 million a year I think we spend in that sector. Because if we really are able to get fusion, energy, and that is what the sun does, by the way, and most of the energy we use comes from the sun. All of the gas, all of the oil, all of the coal if you believe in a biogenic source, of that, and most people do, came from the sun, which shone a while ago.

Hydropower comes from the sun. The sun lifts water, it falls on the mountain and runs through the turbine and produces power. Direct solar, the wind blows because of differential heating. Ocean energy, differential temperatures in the ocean. Of course, you have some ocean energy from the tides. The only potential source of energy free from the sun is the moon; very diffuse, hard to harvest that.

Fission. Two kinds of fission. We have light water reactors, 20 percent of our electricity. The French produce about 70 to 80 percent of their electricity with nuclear and they have breeder reactors.

At another time, Mr. Speaker, we need to talk about breeder reactors. If we are going to get serious about nuclear, we are going to have to go to breeder reactors, because there is not much fissionable uranium in the world. If we all need to go to nuclear it will run out quicker than coal, quicker than oil, quicker than gas. So we need to talk about breeder reactors.

Well, we will come to the floor another hour and spend most of that time talking about these renewable sources. I hope to have with me then, we had five people here last evening, this is a getaway day, they have gone home. The next time it will not be, and we will have a number of people here, and we will have a good time talking about all of these renewables, the challenges and the opportunities there.

CORRECTION TO THE CONGRESSIONAL RECORD OF MAY 11, 2005, AT PAGE H3197

By Mr. HENSARLING (for himself, Mr. RYAN of Wisconsin, Mr. CHOCOLA, Mr. COX, Mr. AKIN, Mr. BARRETT of South Carolina, Mr. BARTLETT of Maryland, Mr. BEAUPREZ, Mr. BISHOP of Utah, Mrs. BLACKBURN, Mr. BRADY of Texas, Mr. BURGESS, Mr. BURTON of Indiana, Mr. CANNON, Mr. CARTER, Mr. CHABOT, Mr. COLE of Oklahoma, Mrs. CUBIN, Mr. MARIO DIAZ-BALART of Florida, Mr. ENGLISH of Pennsylvania, Mr. FEENEY, Mr. FLAKE, Ms. FOXX, Mr. FRANKS of Arizona, Mr. GARRETT of New Jersey, Mr. GINGREY, Mr. GOHMERT, Mr. GOODE, Mr. GUTKNECHT, Ms. HART, Mr. HERGER, Mr. HOEKSTRA, Mr. HOSTETTLER, Mr. JINDAL, Mr. SAM JOHNSON of Texas, Mr. JONES of North Carolina, Mr. KING of Iowa, Mr. KLINE, Mr. MACK, Mr. MCHENRY, Mr. MILLER of Florida, Mrs. MUSGRAVE, Mrs. MYRICK, Mr. NEUGEBAUER, Mr. NORWOOD, Mr. OTTER, Mr. PENCE, Mr. RADANOVICH, Mr. ROHRBACHER, Mr. ROYCE, Mr. RYUN of Kansas, Mr. SESSIONS, Mr. SHADEGG, Mr. SOUDER, Mr. TANCREDO, Mr. TURNER, Mr. WESTMORELAND, Mr. HAYWORTH, and Mr. BACHUS):

H.R. 2290. A bill to reform Federal budget procedures, to impose spending safeguards, to combat waste, fraud, and abuse, to account for accurate Government agency costs, and for other purposes; to the Committee on the Budget, for a period ending not later than July 11, 2005, and in addition to the Committees on Rules, Ways and Means, Appropriations, and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BERMAN (at the request of Ms. PELOSI) for today on account of official business.

Ms. SOLIS (at the request of Ms. PELOSI) for today on account of official business.

Mr. HONDA (at the request of Ms. PELOSI) for today after 1:00 p.m.

Mr. BECERRA (at the request of Ms. PELOSI) for today on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.
Mr. DEFAZIO, for 5 minutes, today.
Mr. SCHIFF, for 5 minutes, today.
Mr. PALLONE, for 5 minutes, today.
Mr. HINOJOSA, for 5 minutes, today.
Mr. CONYERS, for 5 minutes, today.
Mr. MCDERMOTT, for 5 minutes, today.

(The following Members (at the request of Mr. GILCREST) to revise and extend their remarks and include extraneous material:)

Mr. DENT, for 5 minutes, today.
Mr. GUTKNECHT, for 5 minutes, May 19.
Ms. FOXX, for 5 minutes, today.
Mr. NORWOOD, for 5 minutes, today.
Mr. MCHENRY, for 5 minutes, May 17 and 18.

ADJOURNMENT

Mr. BARTLETT of Maryland. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 57 minutes p.m.), under its previous order, the House adjourned until Monday, May 16, 2005, at 12:30 p.m., for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

1967. A letter from the Chairman, Federal Financial Institutions Examination Council, transmitting the 2004 Annual Report of the Appraisal Subcommittee, pursuant to 12 U.S.C. 3332; to the Committee on Financial Services.

1968. A letter from the Chief, Policy and Rules Division, OET, Federal Communications Commission, transmitting the Commission's final rule — Wireless Operations in the 3650-3700 MHz Band [ET Docket No. 04-151] Rules for Wireless Broadband Services in the 3650-3700 MHz Band [WT Docket No. 05-96] Additional Spectrum for Unlicensed Devices Below 900 MHz and in the 3GHz Band [ET Docket No. 02-380] Amendment of the Commission's Rules With Regard to the 3650-3700 MHz Government Transfer Band [ET Docket No. 98-237] received April 27, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1969. A letter from the Legal Advisor, WTB Broadband Division, Federal Communications Commission, transmitting the Commission's final rule — Allocations and Service Rules for the 71-76 GHz, 81-86 GHz, and 92-95 GHz Bands [WT Docket No. 02-146] received April 28, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1970. A letter from the Deputy Chief, Policy and Rules Division, OET, Federal Communications Commission, transmitting the Commission's final rule — Cognitive Radio Technologies and Software Defined Radios [ET Docket No. 03-108; FCC 05-57] received April 27, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1971. A letter from the Senior Legal Advisor, Media Bureau, Federal Communications

Commission, transmitting the Commission's final rule — Implementation of the Satellite Home Viewer Extension and Reauthorization Act of 2004; Procedural Rules — received April 28, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1972. A letter from the Acting Bureau Chief, CGB, Federal Communications Commission, transmitting the Commission's final rule — Truth-in-Billing Format [CC Docket No. 98-170] National Association of State Utility Consumer Advocates' Petition for Declaratory Ruling Regarding Truth-in-Billing [CG Docket No. 04-208] received April 28, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1973. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Lahaina and Waianae, Hawaii) [MB Docket No. 02-387; RM-10623] received April 27, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1974. A letter from the Assistant Bureau Chief for Management, International Bureau, Federal Communications Commission, transmitting the Commission's final rule — 2000 Biennial Regulatory Review — Streamlining and Other Revisions of Part 25 of the Commission's Rules Governing the Licensing of, and Spectrum Usage by, Satellite Network Earth Stations and Space Stations [IB Docket No. 00-248] received April 27, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1975. A letter from the Chief, Policy and Rules Division, OET, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Parts 2 and 90 of the Commission's Rules to Provide for Narrowband Private Land Mobile Radio Channels in the 150.05-150.8 MHz, and 406.1-420 MHz Bands that are Allocated for Federal Government Use [ET Docket No. 04-243] received April 27, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1976. A letter from the Office of the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Regulations Governing the Conduct of Open Seasons for Alaska Natural Gas Transportation Projects [Docket No. RM05-1-000] received February 28, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1977. A letter from the Deputy General Counsel for Equal Opportunity and Administrative Law, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1978. A letter from the Deputy General Counsel for Equal Opportunity and Administrative Law, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1979. A letter from the Architect of the Capitol, transmitting a report discussing the AOC's activities to improve worker safety during the fourth quarter of FY04, pursuant to the directives issued in the 107th Congress First Session, House of Representatives Report Number 107-169; to the Committee on House Administration.

1980. A letter from the Chairman, Medicare Payment Advisory Commission, transmitting a copy of the Commission's "Report to the Congress: Medicare Payment Policy"; jointly to the Committees on Ways and Means and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LEWIS of California: Committee on Appropriations. Report on the Suballocation of Budget Allocations for Fiscal Year 2006. (Rept. 109-78). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. ROYCE (for himself, Mr. KANJORSKI, Mr. LATOURETTE, Mrs. MALONEY, Mr. TANCREDO, Mr. SANDERS, Mr. BOEHLERT, Mr. GUTIERREZ, Mr. BURTON of Indiana, Mr. CASE, Mr. BROWN of South Carolina, Ms. JACKSON-LEE of Texas, Mr. PAUL, Mr. CHABOT, Mr. CANNON, Mr. CUNNINGHAM, Mr. KUHL of New York, and Mr. SHERMAN):

H.R. 2317. A bill to modernize credit union net worth standards, advance credit union efforts to promote economic growth, and modify and ease credit union regulatory standards and burdens, and for other purposes; to the Committee on Financial Services.

By Mr. GREEN of Wisconsin:

H.R. 2318. A bill to amend title 18, United States Code, to provide increased penalties for sexual offenses against children, and for other purposes; to the Committee on the Judiciary.

By Mr. WELLER:

H.R. 2319. A bill to amend the Internal Revenue Code of 1986 to allow taxpayers to expense property eligible for bonus depreciation; to the Committee on Ways and Means.

By Mr. WELLER:

H.R. 2320. A bill to amend the Internal Revenue Code of 1986 to permanently extend the 50-percent bonus depreciation added by the Jobs and Growth Tax Relief Reconciliation Act of 2003; to the Committee on Ways and Means.

By Mr. DOGGETT (for himself, Mr.

GEORGE MILLER of California, Mr. ABERCROMBIE, Mr. BACA, Mr. BAIRD, Mr. BECERRA, Mr. BISHOP of New York, Ms. CORRINE BROWN of Florida, Mr. BROWN of Ohio, Ms. CARSON, Mr. CONYERS, Mr. DAVIS of Illinois, Mrs. DAVIS of California, Ms. DELAURO, Mr. EVANS, Mr. FATTAH, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. HASTINGS of Florida, Mr. HINCHEY, Mr. HINOJOSA, Mr. HONDA, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Ms. KAPTUR, Mr. KILDEE, Ms. KILPATRICK of Michigan, Ms. LEE, Mrs. MCCARTHY, Ms. MCCOLLUM of Minnesota, Mr. MCDERMOTT, Ms. MILLENDER-MCDONALD, Mr. NADLER, Mr. OWENS, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. RYAN of Ohio, Ms. LORETTA SANCHEZ of California, Mr. SANDERS, Ms. SCHAKOWSKY, Ms. SOLIS, Mr. STARK, Mr. STRICKLAND, Mr. TIERNEY, Mr. TOWNS, Mrs. JONES of Ohio, Mr. VAN HOLLEN, Ms. WATSON, Mr. WAXMAN, Ms. WOOLSEY, and Mr. WU):

H.R. 2321. A bill to amend titles I and IV of the Employee Retirement Income Security Act of 1974 to improve disclosure of the funding status of pension plans; to the Committee on Education and the Workforce.

By Mr. DOGGETT (for himself, Mr. BACA, Mr. BECERRA, Mr. CARDOZA,

Mr. CUELLAR, Mr. CULBERSON, Mr. EDWARDS, Mr. GONZALEZ, Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. HALL, Mr. HINOJOSA, Ms. JACKSON-LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MCCAUL of Texas, Mr. MENENDEZ, Mrs. NAPOLITANO, Mr. ORTIZ, Mr. PASTOR, Mr. PAUL, Mr. PETERSON of Minnesota, Mr. POMEROY, Mr. REYES, Ms. ROYBAL-ALLARD, Ms. LINDA T. SANCHEZ of California, Ms. LORETTA SANCHEZ of California, Mr. SERRANO, and Ms. SOLIS):

H.R. 2322. A bill to designate the Federal building located at 320 North Main Street in McAllen, Texas, as the "Kika de la Garza Federal Building"; to the Committee on Transportation and Infrastructure.

By Mr. FARR (for himself, Mrs. CAPPS, Ms. WOOLSEY, Mr. LANTOS, Ms. ESHOO, Mr. BERMAN, Mr. CASE, Mr. HINCHEY, Mr. MCDERMOTT, Mr. GEORGE MILLER of California, Mr. OWENS, Ms. ROYBAL-ALLARD, Ms. LINDA T. SANCHEZ of California, Mr. SHERMAN, Mrs. TAUSCHER, Mr. VAN HOLLEN, Mr. GRIJALVA, Mr. FOLEY, Mr. ABERCROMBIE, Mr. BLUMENAUER, Mr. SHAYS, and Mr. ISSA):

H.R. 2323. A bill to establish a program of research and other activities to provide for the recovery of the southern sea otter; to the Committee on Resources.

By Mr. ANDREWS:

H.R. 2324. A bill to amend title XVIII of the Social Security Act to extend coverage of orthopedic shoes under part B of the Medicare Program to individuals without diabetes who medically require them; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KIND (for himself, Mr. DAVIS of Florida, Mr. ETHERIDGE, Mrs. MCCARTHY, Mr. CHANDLER, Mr. SMITH of Washington, Mr. HOLT, Mrs. JONES of Ohio, Mr. PRICE of North Carolina, Mrs. DAVIS of California, Mrs. TAUSCHER, Mr. CROWLEY, Mr. GONZALEZ, Mr. DAVIS of Alabama, Mr. CASE, Ms. SCHWARTZ of Pennsylvania, and Ms. HERSETH):

H.R. 2325. A bill to direct the National Science Foundation to establish a competitive grant program for institutions of higher education to enhance education and job training opportunities in mathematics, science, engineering, and technology; to the Committee on Science, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JONES of North Carolina (for himself, Mr. BUTTERFIELD, Mr. MILLER of North Carolina, Mr. PRICE of North Carolina, Mr. COBLE, Ms. FOX, Mr. MCINTYRE, and Mr. MCHENRY):

H.R. 2326. A bill to designate the facility of the United States Postal Service located at 614 West Old County Road in Belhaven, North Carolina, as the "Floyd Lupton Post Office"; to the Committee on Government Reform.

By Mr. GEORGE MILLER of California (for himself and Ms. SCHAKOWSKY):

H.R. 2327. A bill to impose a 6-month moratorium on terminations of certain plans instituted under section 4042 of the Employee Retirement Income Security Act of 1974 in cases in which reorganization of contributing sponsors is sought in bankruptcy or insolvency proceedings; to the Committee on Education and the Workforce.

By Mr. FOSSELLA (for himself, Mr. STEARNS, Mr. BAKER, Mr. SHAW, Mr. PALLONE, Mr. TOWNS, Mrs. KELLY, and Mr. SESSIONS):

H.R. 2328. A bill to establish a grant program to provide follow-up treatment for children identified to have a vision disorder; to the Committee on Energy and Commerce.

By Mr. KIRK:

H.R. 2329. A bill to permit eligibility in certain circumstances for an officer or employee of a foreign government to receive a reward under the Department of State Rewards Program; to the Committee on International Relations.

By Mr. KOLBE (for himself, Mr. FLAKE, Mr. GUTIERREZ, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MARIO DIAZ-BALART of Florida, Mrs. NAPOLITANO, and Mr. PASTOR):

H.R. 2330. A bill to improve border security and immigration; to the Committee on the Judiciary, and in addition to the Committees on Homeland Security, International Relations, Energy and Commerce, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WAXMAN (for himself, Ms. PELOSI, Mr. CLAY, Mr. CONYERS, Mr. CUMMINGS, Mr. DOGGETT, Mr. KUCINICH, Mr. LANTOS, Mr. LYNCH, Ms. MCCOLLUM of Minnesota, Mr. MCDERMOTT, Mrs. MALONEY, Ms. NORTON, Ms. LINDA T. SANCHEZ of California, Mr. SANDERS, Ms. SCHAKOWSKY, Ms. SLAUGHTER, Mr. STARK, Mr. VAN HOLLEN, and Ms. WOOLSEY):

H.R. 2331. A bill to restore and strengthen the laws that provide for an open and transparent Federal Government; to the Committee on Government Reform, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BEAUPREZ (for himself, Mr. UDALL of Colorado, Mr. HEFLEY, Ms. BALDWIN, Mr. KIND, and Mr. UPTON):

H.R. 2332. A bill to amend the National Trails System Act to clarify Federal authority relating to land acquisition from willing sellers for the majority of the trails in the System, and for other purposes; to the Committee on Resources.

By Mr. BURTON of Indiana (for himself, Mr. FRANK of Massachusetts, Mr. DELAHUNT, Mr. HINCHEY, and Mr. STARK):

H.R. 2333. A bill to redesignate the Federal building located at 935 Pennsylvania Avenue Northwest in the District of Columbia as the "Federal Bureau of Investigation Building"; to the Committee on Transportation and Infrastructure.

By Mrs. CAPPS:

H.R. 2334. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of permanent facilities for the GREAT project to reclaim, reuse, and treat impaired waters water in the area of Oxnard, California; to the Committee on Resources.

By Mr. COOPER (for himself, Mr. WAMP, Ms. JACKSON-LEE of Texas, Mr. ROSS, Mrs. CHRISTENSEN, Mr. TOWNS, Mr. MATHESON, Mr. CASE, Mr. FORD, Mr. PAYNE, Mr. ETHERIDGE, Mr. KIND, Ms. HOOLEY, Mr. DAVIS of Tennessee, Mr. REICHERT, and Mr. MOORE of Kansas):

H.R. 2335. A bill to amend the Public Health Service Act to provide for demonstra-

tion projects for the purpose of providing comprehensive services with respect to the problems of children who have been removed from environments in which methamphetamine is unlawfully manufactured, distributed, or dispensed; to the Committee on Energy and Commerce.

By Mr. COOPER:

H.R. 2336. A bill to extend the temporary suspension of duty on DMSIP; to the Committee on Ways and Means.

By Mrs. CUBIN (for herself and Mr. CANNON):

H.R. 2337. A bill to provide permanent funding for the payment in lieu of taxes program, and for other purposes; to the Committee on Resources.

By Mrs. CUBIN:

H.R. 2338. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to direct the President to designate a Small State Advocate in the Federal Emergency Management Agency; to the Committee on Transportation and Infrastructure.

By Mrs. CUBIN:

H.R. 2339. A bill to amend title II of the Social Security Act to provide for Congressional oversight and approval of totalization agreements; to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELAURO (for herself, Mr. LANTOS, Mr. TIERNEY, Ms. BERKLEY, Mr. CAPUANO, Ms. HARMAN, Mr. LEWIS of Georgia, Mr. WEINER, Ms. SLAUGHTER, Ms. LINDA T. SANCHEZ of California, Ms. MCCOLLUM of Minnesota, Mr. GILLMOR, Mr. KENNEDY of Rhode Island, Mr. SANDERS, Mr. KUCINICH, Ms. LEE, Mr. DOGGETT, Mr. FRANK of Massachusetts, Mr. BOUCHER, Mr. HOLDEN, Mr. POMEROY, Mr. RUSH, Mr. MCDERMOTT, Mr. CROWLEY, Mr. ABERCROMBIE, Ms. WATSON, and Mr. PLATTS):

H.R. 2340. A bill to amend the Higher Education Act of 1965 to extend loan forgiveness for certain loans to Head Start teachers; to the Committee on Education and the Workforce.

By Mr. DOGGETT:

H.R. 2341. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of a project to reclaim and reuse wastewater within and outside of the service area of the City of Austin Water and Wastewater Utility, Texas; to the Committee on Resources.

By Mr. FOSSELLA:

H.R. 2342. A bill to amend title 46, United States Code, to treat as a passenger vessel any vessel having berth or stateroom accommodations for more than 399 passengers, to require that such a vessel be equipped with a voyage data recorder, and to ensure reliable medical testing of vessel pilots, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. GENE GREEN of Texas:

H.R. 2343. A bill to amend title II of the Social Security Act to eliminate the 24-month waiting period for disabled individuals to become eligible for Medicare benefits; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOLDEN (for himself, Mr. EVANS, Mr. EMANUEL, Mr. FOLEY,

Mrs. DAVIS of California, Mr. SANDERS, Mr. GRIJALVA, Mr. TOWNS, Mr. BISHOP of Georgia, Mr. OWENS, Mr. REYES, and Mrs. MCCARTHY):

H.R. 2344. A bill to amend title 38, United States Code, to provide for the payment of dependency and indemnity compensation to the survivors of former prisoners of war who died on or before September 30, 1999, under the same eligibility conditions as apply to payment of dependency and indemnity compensation to the survivors of former prisoners of war who die after that date; to the Committee on Veterans' Affairs.

By Mr. ISRAEL:

H.R. 2345. A bill to amend the Federal Food, Drug, and Cosmetic Act to increase criminal penalties for the sale or trade of prescription drugs knowingly caused to be adulterated or misbranded, to modify requirements for maintaining records of the chain-of-custody of prescription drugs, to establish recall authority regarding drugs, and for other purposes; to the Committee on Energy and Commerce.

By Mr. JINDAL:

H.R. 2346. A bill to designate the facility of the United States Postal Service located at 105 NW Railroad Avenue in Hammond, Louisiana, as the "John J. Hainkel Post Office Building"; to the Committee on Government Reform.

By Mr. KING of New York (for himself and Mrs. MCCARTHY):

H.R. 2347. A bill to revitalize suburban communities, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LATHAM (for himself, Mr. KUHL of New York, Mr. WOLF, Mr. CASE, Mr. KENNEDY of Minnesota, and Mr. MCCAUL of Texas):

H.R. 2348. A bill to amend the Controlled Substances Act to provide civil liability for illegal manufacturers and distributors of controlled substances for the harm caused by the use of those controlled substances; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MOORE of Wisconsin:

H.R. 2349. A bill to authorize the Secretary of Health and Human Services to make grants to improve access to dependable, affordable automobiles by low-income families; to the Committee on Ways and Means.

By Mr. MORAN of Kansas (for himself, Mr. HINOJOSA, Mr. MCHUGH, Mr. BERRY, Mr. BISHOP of Georgia, Mr. SHIMKUS, Mr. SANDERS, Mr. ROSS, Mr. KIND, Mr. OTTER, Mr. PICKERING, Mr. PAUL, Mr. OSBORNE, Mr. MCINTYRE, Mr. OBERSTAR, Mr. DICKS, and Mr. RENZI):

H.R. 2350. A bill to amend title XVIII of the Social Security Act to provide for improvements in access to services in rural hospitals and critical access hospitals; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. OBERSTAR (for himself, Ms. CORRINE BROWN of Florida, Mr. CUMMINGS, Mr. BLUMENAUER, Mr. MENENDEZ, Mr. NADLER, Ms. NORTON, Mr. BISHOP of New York, Ms. MILLENDER-MCDONALD, Mr. WEINER, Mr. HOLDEN, Mr. CAPUANO, Mr. RAHALL, and Ms. CARSON):

H.R. 2351. A bill to provide for the safety and security of United States railroads, passengers, workers, and communities, and to establish an assistance program for families of passengers involved in rail accidents; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAUL:

H.R. 2352. A bill to amend the Federal Food, Drug, and Cosmetic Act to ensure that health claims for foods and dietary supplements include accurate statements of the curative, mitigation, treatment, and prevention effects of nutrients on disease or health-related conditions, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ROGERS of Michigan (for himself, Mr. EHLERS, Mr. HOEKSTRA, Mr. WOLF, Mr. BOUSTANY, Mrs. JOHNSON of Connecticut, Mr. DENT, Mr. HERGER, Mr. SHAYS, and Mr. PITTS):

H.R. 2353. A bill to make technical corrections to the Indian Gaming Regulatory Act, and for other purposes; to the Committee on Resources.

By Mr. SENSENBRENNER (for himself and Mr. FRANK of Massachusetts):

H.R. 2354. A bill to prohibit the Federal Communications Commission from requiring digital television tuners in television receivers; to the Committee on Energy and Commerce.

By Mr. SHADEGG (for himself, Mr. AKIN, Mr. BARTLETT of Maryland, Mr. CANNON, Mr. CARTER, Mr. COLE of Oklahoma, Mr. COX, Mrs. CUBIN, Mr. FEENEY, Mr. FLAKE, Mr. FRANKS of Arizona, Mr. GUTKNECHT, Mr. HENSARLING, Mr. HERGER, Mr. HOEKSTRA, Mr. HOSTETTLER, Mr. ISTOOK, Mr. JONES of North Carolina, Mr. KENNEDY of Minnesota, Mr. KING of Iowa, Mr. LINDER, Mr. MCHENRY, Mr. MILLER of Florida, Mrs. MUSGRAVE, Mrs. MYRICK, Mr. OTTER, Mr. PAUL, Mr. PENCE, Mr. PRICE of Georgia, Mr. RADANOVICH, Mr. RENZI, Mr. ROHR-ABACHER, Mr. RYAN of Wisconsin, Mr. RYUN of Kansas, Mr. SENSENBRENNER, Mr. SESSIONS, Mr. SOUDER, Mr. WAMP, Mr. WELDON of Florida, Mr. WICKER, Mr. WILSON of South Carolina, and Mr. GREEN of Wisconsin):

H.R. 2355. A bill to amend the Public Health Service Act to provide for cooperative governing of individual health insurance coverage offered in interstate commerce; to the Committee on Energy and Commerce.

By Mr. SHAW (for himself and Mr. CARDIN):

H.R. 2356. A bill to amend title XVIII of the Social Security Act to reform the Medicare physician payment update system through repeal of the sustainable growth rate (SGR) payment update system; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHUSTER (for himself, Mr. HOLDEN, Ms. HART, and Mr. SMITH of Texas):

H.R. 2357. A bill to protect American workers and responders by ensuring the continued commercial availability of respirators and to establish rules governing product liability actions against manufacturers and sellers of respirators; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each

case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. UDALL of Colorado (for himself, Mrs. JO ANN DAVIS of Virginia, Mr. GORDON, Mr. KUCINICH, Mr. SCOTT of Virginia, and Mr. LARSON of Connecticut):

H.R. 2358. A bill to enable the United States to maintain its leadership in aeronautics and aviation, improve its quality of life, protect the environment, support economic growth, and promote the security of the Nation by instituting an initiative to develop technologies that will enable future aircraft with significantly lower noise, emissions, and fuel consumption, to reinvigorate basic and applied research in aeronautics and aviation, and for other purposes; to the Committee on Science.

By Ms. WATSON (for herself, Mr. HINCHEY, Mr. SANDERS, and Ms. SLAUGHTER):

H.R. 2359. A bill to establish minimum public interest requirements for multi-cast digital television channels; to the Committee on Energy and Commerce.

By Ms. ZOE LOFGREN of California:

H.J. Res. 49. A joint resolution proposing an amendment to the Constitution of the United States regarding the appointment of individuals to serve as Members of the House of Representatives when, in a national emergency, a significant number of Members are unable to serve due to death, resignation, or incapacity; to the Committee on the Judiciary.

By Ms. ZOE LOFGREN of California (for herself, Ms. WOOLSEY, Mr. STARK, Mr. MCDERMOTT, and Mr. SERRANO):

H.J. Res. 50. A joint resolution proposing an amendment to the Constitution of the United States to abolish the Electoral College and to provide for the direct election of the President and Vice President of the United States; to the Committee on the Judiciary.

By Mr. ISRAEL:

H. Con. Res. 151. Concurrent resolution urging the Commandant of the Coast Guard to name an appropriate Coast Guard vessel after Coast Guard Petty Officer Third Class Nathan Bruckenthal; to the Committee on Transportation and Infrastructure.

By Mr. BAIRD:

H. Res. 275. A resolution recognizing and honoring the work of Southwest Washington Independent Forward Thrust and its members; to the Committee on Government Reform.

By Mr. PLATTS:

H. Res. 276. A resolution supporting the goals and ideals of Pancreatic Cancer Awareness Month; to the Committee on Government Reform.

By Mr. WICKER (for himself, Mr. BARTLETT of South Carolina, Mr. LINDER, Mr. GOHMERT, Mr. CARTER, Mrs. CUBIN, Ms. FOXX, Mr. BARTLETT of Maryland, Mr. CHABOT, Mr. GUTKNECHT, Mr. PITTS, Mr. GARRETT of New Jersey, Mr. AKIN, Mr. MARIO DIAZ-BALART of Florida, Mr. ISTOOK, Mr. PENCE, Mr. SAM JOHNSON of Texas, Mr. CANTOR, Mr. FEENEY, Mr. SHADEGG, Mr. MCHENRY, Mr. MARCHANT, Mr. TIAHRT, Mrs. MYRICK, Mr. GOODE, Mr. DOOLITTLE, Mr. GOODLATTE, Mr. COLE of Oklahoma, Mr. ROGERS of Michigan, Mr. BLUNT, Mr. SESSIONS, Mrs. DRAKE, Mr. KING of Iowa, Mr. DAVIS of Kentucky, Mr. NEUGEBAUER, Mr. MILLER of Florida, Mr. TAYLOR of Mississippi, Mr. BISHOP of Utah, Ms. GINNY BROWN-WAITE of Florida, Mr. NEY, Mr. WAMP, Mr. BURTON of Indiana, Mr.

ADERHOLT, Mr. JONES of North Carolina, Mr. RENZI, Mr. POMBO, Mr. DUNCAN, Mr. CULBERSON, Mr. RYUN of Kansas, and Mr. BUYER):

H. Res. 277. A resolution expressing the sense of the House of Representatives that due to the allegations of fraud, mismanagement, and abuse within the United Nations oil-for-food program, the growing record of human rights abuses by United Nations personnel in the Democratic Republic of the Congo, and the lack of action by the United Nations in response to the genocide in the Darfur region of the Sudan, Kofi Annan should resign from the position of Secretary General of the United Nations to help restore confidence in the organization; to the Committee on International Relations.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 21: Mr. MOLLOHAN.
 H.R. 22: Ms. ROS-LEHTINEN and Mr. GREEN of Wisconsin.
 H.R. 66: Mr. HOEKSTRA.
 H.R. 94: Mr. BOOZMAN.
 H.R. 95: Mr. BURTON of Indiana, Mr. COSTA, Mr. BOSWELL, and Mr. TANCREDO.
 H.R. 98: Mr. BARRETT of South Carolina.
 H.R. 111: Mrs. MILLER of Michigan, Mr. STEARNS, Miss MCMORRIS, Mr. SHUSTER, Mr. LEWIS of Georgia, and Mr. DOOLITTLE.
 H.R. 123: Mr. FILNER.
 H.R. 136: Mr. DEAL of Georgia.
 H.R. 181: Mr. BILIRAKIS.
 H.R. 208: Ms. LEE.
 H.R. 282: Mr. BEAUPREZ, Mr. REYES, Mr. JACKSON of Illinois, Mr. ROGERS of Alabama, Mr. GRIJALVA, Mr. HIGGINS, Mr. MEEKS of New York, Mr. FRANKS of Arizona, Mr. KILDEE, Mr. GINGREY, and Mr. HOYER.
 H.R. 303: Mr. MANZULLO.
 H.R. 311: Mr. SANDERS and Mr. LEVIN.
 H.R. 312: Ms. DELAURO, Mr. ENGEL, Mr. SNYDER, Mr. FILNER, Ms. SCHAKOWSKY, Mr. SPRATT, Mr. GILCHREST, Mr. DUNCAN, Mr. BROWN of Ohio, Mr. EVANS, Mr. BURGESS, Mr. MCNULTY, Mr. UPTON, and Mr. BRADY of Pennsylvania.
 H.R. 314: Mr. COSTA.
 H.R. 369: Mr. UDALL of Colorado.
 H.R. 371: Mr. SESSIONS and Ms. BERKLEY.
 H.R. 376: Mr. HASTINGS of Florida.
 H.R. 438: Ms. HARMAN and Ms. LINDA T. SANCHEZ of California.
 H.R. 444: Mr. CUMMINGS and Ms. WOOLSEY.
 H.R. 467: Mr. MEEKS of New York.
 H.R. 500: Mr. CHABOT.
 H.R. 503: Mr. WELDON of Pennsylvania and Mr. MCGOVERN.
 H.R. 515: Mr. WYNN.
 H.R. 517: Mr. FILNER, Mr. GUTKNECHT, Mr. ROGERS of Alabama, Mr. PICKERING, Mr. SALAZAR, and Mr. INSLEE.
 H.R. 558: Ms. BALDWIN.
 H.R. 602: Ms. HERSETH.
 H.R. 615: Mrs. CAPITO, Mr. LATOURETTE, and Mr. JONES of North Carolina.
 H.R. 669: Mr. MORAN of Virginia and Mr. PAYNE.
 H.R. 676: Mr. SERRANO.
 H.R. 700: Mr. WEXLER.
 H.R. 731: Mr. MICHAUD.
 H.R. 793: Mr. SWEENEY.
 H.R. 799: Mr. VAN HOLLEN.
 H.R. 800: Mr. ROHRBACHER and Mr. SHIMKUS.
 H.R. 809: Mr. UPTON, Mr. SIMMONS, Mr. PENCE, Mr. BISHOP of Utah, Mr. HASTINGS of Washington, Mr. YOUNG of Alaska, Mr. BARTLETT of Maryland, Mr. FRANKS of Arizona, Mr. ALEXANDER, Mr. SHIMKUS, Mr. SIMPSON, Mr. OXLEY, and Mr. HAYES.

H.R. 817: Mr. FILNER, Mr. GEORGE MILLER of California, Mr. ENGEL, Mr. SMITH of New Jersey, Mr. FERGUSON, Mr. TANCREDO, Mr. SHAYS, Mr. WEXLER, Mr. HOSTETTLER, Mr. UPTON, Mr. DELAHUNT, Mr. SMITH of Texas, Mr. MCGOVERN, Mr. PENCE, and Ms. GINNY BROWN-WAITE of Florida.

H.R. 869: Mr. TIERNEY.
 H.R. 870: Ms. JACKSON-LEE of Texas.
 H.R. 900: Ms. ROYBAL-ALLARD.
 H.R. 963: Mr. MOORE of Kansas.
 H.R. 985: Mr. SOUDER.
 H.R. 986: Mr. TURNER.
 H.R. 994: Mr. ABERCROMBIE, Mr. FOSSELLA, Ms. ROS-LEHTINEN, Mr. GARRETT of New Jersey, Ms. ZOE LOFGREN of California, Mr. WALSH, Mr. DINGELL, Mrs. MCCARTHY, Mr. BRADLEY of New Hampshire, Mr. CARNAHAN, Mr. LARSEN of Washington, Mr. BOEHLERT, Mr. MEEK of Florida, Mr. BACA, Mr. LUCAS, and Mr. JENKINS.
 H.R. 997: Mrs. MUSGRAVE, Mr. ROGERS of Kentucky, Ms. HART, Mr. SODREL, Mr. SOUDER, and Mr. OXLEY.
 H.R. 1100: Mr. KING of Iowa and Mr. SUL-LIVAN.
 H.R. 1105: Mr. STUPAK.
 H.R. 1106: Ms. SCHAKOWSKY.
 H.R. 1120: Mr. SIMMONS, Mr. MENENDEZ, and Mr. GORDON.
 H.R. 1125: Mr. CAPUANO, and Mr. OWENS.
 H.R. 1150: Mr. SOUDER.
 H.R. 1167: Mr. KUHL of New York, Mrs. JO ANN DAVIS of Virginia, and Mr. MANZULLO.
 H.R. 1182: Mr. WEINER, Mr. KUCINICH, and Mr. UDALL of New Mexico.
 H.R. 1218: Mr. MENENDEZ and Mr. HOLT.
 H.R. 1243: Mr. BOOZMAN, Mr. MCINTYRE, Mr. JOHNSON of Illinois, Mrs. EMERSON, and Mr. YOUNG of Alaska.
 H.R. 1245: Mr. BLUNT, Mr. SHIMKUS, Mr. FITZPATRICK of Pennsylvania, Mr. FRANKS of Arizona, Mr. ROYCE, Mr. PENCE, Mr. CAPITO, Mr. CONAWAY, Mr. LARSON of Connecticut, Mr. KELLER, Mr. ROGERS of Michigan, Mr. RADANOVICH, Mr. GARY G. MILLER of California, Mr. BARTLETT of Maryland, Mr. FARR, Mr. HYDE, Ms. LINDA T. SANCHEZ of California, Mr. GOHMERT, and Mr. HAYES.
 H.R. 1288: Mr. JOHNSON of Illinois, Mr. MCCOTTER, Mr. BRADY of Texas, Mr. CUPELLAR, Mr. PLATTS, Mr. BOREN, and Mr. STRICKLAND.
 H.R. 1308: Mr. SHUSTER, Mr. WEXLER, Mr. UPTON, and Mrs. MCCARTHY.
 H.R. 1312: Ms. CARSON, Mr. CONYERS, Ms. SCHAKOWSKY, Ms. SLAUGHTER, Mr. STARK, and Mr. VAN HOLLEN.
 H.R. 1333: Mr. UDALL of Colorado, Mr. RAMSTAD, Mr. BISHOP of Georgia, Mr. KING of Iowa, Mr. TOM DAVIS of Virginia, Mr. FILNER, Mr. DUNCAN, Mr. KENNEDY of Rhode Island, Mr. TIERNEY, Mr. SODREL, Mr. CONAWAY, Ms. HERSETH, Mr. PASTOR, Mr. MACK, and Mr. SABO.
 H.R. 1335: Mr. ORTIZ and Ms. CARSON.
 H.R. 1352: Mr. DUNCAN.
 H.R. 1355: Mr. ROYCE, Mr. ENGLISH of Pennsylvania, and Mrs. JO ANN DAVIS of Virginia.
 H.R. 1358: Mr. PRICE of North Carolina, Mr. NORWOOD, and Mr. FOLEY.
 H.R. 1367: Mr. GRIJALVA.
 H.R. 1371: Ms. GINNY BROWN-WAITE of Florida.
 H.R. 1376: Mrs. DAVIS of California, Ms. MATSUI, Mr. GERLACH, Mr. KILDEE, Mr. DENT, Mr. CAPUANO, and Mr. GEORGE MILLER of California.
 H.R. 1378: Mr. BOREN.
 H.R. 1402: Mr. BOEHLERT, Mr. CAPUANO, Mr. PRICE of North Carolina, Ms. MCCOLLUM of Minnesota, Ms. SCHAKOWSKY, Ms. BERKLEY, Mr. KILDEE, and Mr. WEINER.
 H.R. 1415: Mr. ENGEL and Mr. STARK.
 H.R. 1447: Mr. HINCHEY and Ms. HERSETH.
 H.R. 1461: Mr. MCHENRY, Ms. ROS-LEHTINEN, and Mr. BLUNT.
 H.R. 1480: Mr. SCHIFF, and Mr. KENNEDY of Rhode Island.

H.R. 1492: Mr. BROWN of Ohio, Mr. RUPPERSBERGER, Mrs. BLACKBURN, Mr. KOLBE, Mr. HINCHEY, Ms. KILPATRICK of Michigan, Mrs. NAPOLITANO, Mr. MCGOVERN, and Mr. STARK.
 H.R. 1498: Mr. WICKER, Mr. MCCAUL of Texas, and Mr. REGULA.
 H.R. 1499: Mr. MILLER of Florida, Mrs. MILLER of Michigan, Mr. REICHERT, Miss MCMORRIS, and Mr. SMITH of New Jersey.
 H.R. 1522: Mr. CUMMINGS.
 H.R. 1547: Mrs. EMERSON and Mr. ROGERS of Michigan.
 H.R. 1552: Mr. WEINER.
 H.R. 1558: Mr. BERMAN and Mr. WEXLER.
 H.R. 1585: Mrs. CHRISTENSEN, Mr. SHERMAN, and Ms. BALDWIN.
 H.R. 1588: Ms. ROYBAL-ALLARD, Ms. MCCOLLUM of Minnesota, Mr. TIERNEY, and Mr. HASTINGS of Florida.
 H.R. 1591: Mr. NADLER.
 H.R. 1600: Mr. GRIJALVA.
 H.R. 1602: Mr. COSTA and Mr. COBLE.
 H.R. 1606: Mr. CANNON.
 H.R. 1607: Mr. OXLEY.
 H.R. 1634: Mr. WICKER, Mr. EMANUEL, Mr. CALVERT, and Mr. DOOLITTLE.
 H.R. 1639: Ms. HERSETH.
 H.R. 1642: Mr. SHADDEG and Mr. COOPER.
 H.R. 1649: Mr. LOBIONDO.
 H.R. 1652: Mrs. MCCARTHY, Mr. FRANK of Massachusetts, Mr. HASTINGS of Florida, Mr. ABERCROMBIE, Mr. MARKEY, Mrs. LOWEY, and Mr. SABO.
 H.R. 1654: Mrs. CUBIN.
 H.R. 1658: Mrs. MUSGRAVE.
 H.R. 1671: Mr. PRICE of North Carolina.
 H.R. 1678: Mr. GARRETT of New Jersey.
 H.R. 1696: Mr. KANJORSKI, Mr. CLEAVER, and Mr. ORTIZ.
 H.R. 1741: Mr. HOEKSTRA.
 H.R. 1744: Mr. OWENS, Mr. BARTLETT of Maryland, Mr. HOEKSTRA, Mrs. JO ANN DAVIS of Virginia, Mr. SANDERS, Mr. WALSH, Mr. MOORE of Kansas, and Mr. MICHAUD.
 H.R. 1745: Ms. BALDWIN, Ms. GINNY BROWN-WAITE of Florida, and Mr. INSLEE.
 H.R. 1749: Mr. HERGER, Mr. DEAL of Georgia, Mr. BISHOP of Utah, and Mrs. CUBIN.
 H.R. 1806: Mr. MCGOVERN and Mr. FRANK of Massachusetts.
 H.R. 1879: Mr. CHOCOLA.
 H.R. 1902: Mr. LIPINSKI, Mr. EMANUEL, Mr. STARK, Mr. PASCRELL, Mr. MORAN of Virginia, and Mr. WEINER.
 H.R. 1931: Ms. ZOE LOFGREN of California and Mr. OWENS.
 H.R. 1946: Ms. HERSETH, Mr. KUCINICH, Mr. MCDERMOTT, Mrs. MCCARTHY, Mr. SABO, and Mr. HINCHEY.
 H.R. 1954: Mrs. MCCARTHY.
 H.R. 1957: Mr. WILSON of South Carolina, Mr. PRICE of Georgia, and Mr. RADANOVICH.
 H.R. 1973: Mr. TOWNS.
 H.R. 2014: Mr. DOGGETT and Mr. ALEXANDER.
 H.R. 2018: Mr. PUTNAM and Mr. MCCAUL of Texas.
 H.R. 2034: Ms. HERSETH, Mr. BURTON of Indiana, and Mr. JOHNSON of Illinois.
 H.R. 2046: Mr. GUTIERREZ, Mr. BILIRAKIS, Mr. BROWN of South Carolina, Mr. MORAN of Kansas, Mr. MICHAUD, Ms. CORRINE BROWN of Florida, Mr. MILLER of Florida, Mr. BRADLEY of New Hampshire, Mr. STEARNS, Ms. HOOLEY, Mr. UDALL of New Mexico, Mr. EVERETT, Mr. SNYDER, Mr. STRICKLAND, and Mr. HOLDEN.
 H.R. 2060: Mr. HYDE, Mr. STEARNS, Mr. HUNTER, Mr. WELDON of Pennsylvania, Mr. CUNNINGHAM, Mr. SWEENEY, Mr. WHITFIELD, Mr. WAMP, Mr. TAYLOR of North Carolina, Mr. DUNCAN, Mr. CUMMINGS, Mr. SAM JOHNSON of Texas, Mr. GORDON, Mr. ABERCROMBIE, Mr. TAYLOR of Mississippi, and Mr. CRAMER.
 H.R. 2062: Mr. GERLACH, Mr. ENGLISH of Pennsylvania, and Mr. FITZPATRICK of Pennsylvania.

H.R. 2068: Mr. EDWARDS, Mr. MCINTYRE, Mr. TURNER, and Mr. BOUSTANY.
 H.R. 2074: Ms. HERSETH.
 H.R. 2076: Mr. MARSHALL.
 H.R. 2088: Mrs. MUSGRAVE.
 H.R. 2107: Mr. WOLF.
 H.R. 2122: Mr. LEVIN.
 H.R. 2177: Mr. DAVIS of Kentucky, Mr. PASCRELL, and Mr. RENZI.
 H.R. 2183: Mr. SAXTON.
 H.R. 2203: Mr. SOUDER.
 H.R. 2216: Mr. ISSA.
 H.R. 2233: Mr. LANTOS, Mr. MCGOVERN, Mr. LIPINSKI, and Mr. GUTIERREZ.
 H.R. 2248: Mr. RYAN of Ohio, Mr. BISHOP of Georgia, Mr. BOUCHER, Mr. TOWNS, Mr. HOLDEN, and Ms. KAPTUR.
 H.R. 2306: Mr. LIPINSKI.
 H.J. Res. 38: Mrs. LOWEY.
 H.J. Res. 41: Mr. DEAL of Georgia.
 H. Con. Res. 106: Mr. MARSHALL, Mr. WILSON of South Carolina, and Mr. SAM JOHNSON of Texas.
 H. Con. Res. 108: Ms. ESHOO, Mr. LARSEN of Washington, and Mr. DINGELL.
 H. Con. Res. 128: Mr. TERRY and Mr. SHAW.
 H. Con. Res. 141: Mr. ROHRABACHER.
 H. Con. Res. 144: Mr. BARTLETT of Maryland and Mr. MANZULLO.

H. Con. Res. 145: Mr. SNYDER.
 H. Res. 76: Mr. REYES.
 H. Res. 121: Mr. FLAKE.
 H. Res. 123: Mr. OBERSTAR.
 H. Res. 200: Mr. KENNEDY of Rhode Island.
 H. Res. 214: Mrs. MUSGRAVE.
 H. Res. 215: Mr. WAMP, Mr. KINGSTON, Mr. HERGER, Mr. COX, Mr. FLAKE, and Mr. CARTER.
 H. Res. 243: Mr. DELAHUNT, Ms. HARRIS, and Mrs. CUBIN.
 H. Res. 245: Ms. JACKSON-LEE of Texas and Mr. LYNCH.
 H. Res. 261: Mr. NORWOOD, Mr. WHITFIELD, Mr. DEFAZIO, Ms. ESHOO, Mr. ALEXANDER, Mr. HASTINGS of Washington, and Mr. KENNEDY of Rhode Island.
 H. Res. 266: Mr. PASCRELL, Mr. DUNCAN, Ms. SCHAKOWSKY, Mr. TERRY, Mr. INSLEE, Ms. WATSON, and Ms. ZOE LOFGREN of California.

H.R. 1650: Ms. LEE.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 1544

OFFERED BY: MR. WEINER

AMENDMENT No. 1: In title XVIII of the Homeland Security Act of 2002, as proposed to be added by the bill, insert at the end the following new section (and make such technical and conforming changes as may be necessary):

SEC. 18. . LIMITATION ON NUMBER OF UASI GRANTEES.

In carrying out the Urban Area Security Initiative, or any successor to such grant program, the Secretary may award not more than 50 grants for any fiscal year.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows: