time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. COSTELLO) that the House suspend the rules and agree to the resolution, H. Res. 1366, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. COSTELLO. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

MULTI-STATE DISASTER RELIEF ACT

Mr. COSTELLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5825) to review, update, and revise the factors to measure the severity, magnitude, and impact of a disaster and to evaluate the need for assistance to individuals and households.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5825

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 ''Multi-State Disaster Relief Act''.

SEC. 2. INDIVIDUAL ASSISTANCE FACTORS.

(a) IN GENERAL.—In order to provide more objective criteria for evaluating the need for assistance to individuals and households and to speed a declaration of a major disaster or emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), not later than one year after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency (referred to in this Act as the ''Administrator''), in cooperation with representatives of State and local emergency management agencies, shall review, update, and revise through rulemaking the factors considered under section 206.48(b) of title 44, Code of Federal Regulations, to measure the severity, magnitude, and impact of a disaster.

(b) CONSIDERATION OF A CONTIGUOUS COUNTY.—In reviewing, updating, and revising the factors referenced in subsection (a) the Administrator shall include as a factor whether a contiguous county in an adjacent state has been designated in a major disaster or emergency as a result of the same incident.

(c) REPORT.—Not later than 3 months after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the Federal Emergency Management Agency's current regulations, policies, procedures, and practices on—

(1) recommending major disaster or emergency declarations in order to provide assistance to individuals and households; and

(2) making post-declaration designations of the need for assistance to individuals and households in a county that is contiguous to a State that has received a major disaster or emergency declaration for the same incident.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. COSTELLO) and the gentleman from Pennsylvania (Mr. SHUSTER) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 5825.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 5825, a bill to require the Federal Emergency Management Agency to review, update, and revise the factors to measure the severity, magnitude, and impact of a disaster and to evaluate the need for assistance to individuals and households, sponsored by my friend and colleague from Indiana, Congressman BARON HILL.

Under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, the President has the sole discretion to determine when a disaster is beyond the capability of State and local governments, and therefore, when FEMA and Federal assistance is needed. In doing so, the President looks to the administrator of FEMA for a recommendation.

FEMA published regulations more than 10 years ago to explain the factors it looks to when making a recommendation to the President on whether to declare a major disaster or emergency to provide assistance to individuals and households. These regulations are important, as they provide guidance to the States on when and how to seek Federal assistance under the Stafford Act, including specific criteria FEMA considers. Knowing this helps States put together the best information they can as quickly as possible, and hopefully expedite the process to get assistance where it is needed.

FEMA has recognized that these regulations need to be improved, and have been working with the States to do so. However, the process has been occurring for some time. This legislation would merely put a reasonable deadline of 1 year on that process. This legislation also requires that FEMA add to the list of criteria it considers whether an adjacent community across a State line has received a major disaster or emergency declaration for the same incident.

□ 1230

This logical approach recognizes that the impact of disasters do not stop at the State line. This is something that FEMA should be doing and, if they are not already doing so, will do so under this legislation.

I thank my friend, Mr. HILL, for bringing this issue to the attention of the House and for sponsoring this legislation.

I urge my colleagues to support H.R. 5825.

I reserve the balance of my time.

The SPEAKER pro tempore. Without objection, the gentleman from Florida (Mr. MARIO DIAZ-BALART) will control the time.

There was no objection.

Mr. MARIO DIAZ-BALART of Florida. I yield myself such time as I may consume.

Obviously, we've heard it before. I'm disappointed that, frankly, none of the bills that we are considering today are from any Republicans, and I know that's something we need to continue to work on, but I want to refer to this specific legislation.

It would direct the administrator of FEMA to review and revise the current the regulations, as we just heard, related to eligibility under its Individuals and Households Program. Again, specifically, it would require FEMA to consider whether a county in one State is adjacent to a State that has been designated in a major disaster or emergency. In other words, there may be a county in a different State that may be affected, and that's got to be considered as well because, again, the impact of disasters are obviously not contained or limited to just manmade geographic boundaries.

In many cases, the destruction is significant enough that all States involved are designated in a major disaster emergency, but in some cases that's not the case. So there could be a State right next door that has one county that's been significantly hit but the rest of the State has not, and this would hopefully remedy that, and this would allow FEMA to look at that and remedy that.

I think this is a commonsense bill. It's also taking place now while we're already in the hurricane season, so I think it's important that we're doing this now. For those of us who are living in States that are too often—more often than we would like, because obviously once is too often—affected by storms and the like, this could not come soon enough.

So I want to thank the chairman and thank all of you for bringing this forward. It's a commonsense piece of legislation.

With that, I reserve the balance of my time.

Mr. COSTELLO. Mr. Speaker, I yield such time as he may consume to the sponsor of this legislation, the gentleman from Indiana (Mr. HILL).

Mr. HILL. First, let me thank Chairman OBERSTAR and Subcommittee Chairwoman NORTON for working with me on this particular piece of legislation and for the continuous work on bills aimed at improving our country's emergency response and preparedness.

Let me also take the opportunity to thank Congressman COSTELLO for managing this bill today.

Mr. Speaker, I appreciate the opportunity to present information about this bill being considered here today, House Resolution 5825, the Multi-State Disaster Relief Act. Southern Indiana has been devastated by seven major natural disasters over the last few years. Yet the one that stands out and the one that brought the most pain and frustration to the residents of southern Indiana was the incident that occurred almost exactly 1 year ago today.

In early August of 2009, a series of severe storms rocked Indiana and Kentucky and damaged or destroyed hundreds of homes. The State of Kentucky received a major disaster declaration but Indiana did not from the same storm. As a result, hundreds of Hoosiers living just a few miles from their friends and neighbors across the border in neighboring Kentucky were not eligible to receive Federal grants to repair their homes even though they were devastated by the same natural disaster.

We can try to be prepared for natural disasters, but these events are largely beyond our control. However, we do have full control over how our Federal Government responds and aids individuals following a disaster. And, in this instance, I believe our government missed the mark.

This incident exposed a major flaw with the current FEMA disaster assistance process—the inability to fairly and accurately provide assistance for natural disasters that strike more than one State. Currently, FEMA provides disaster assistance on a State-by-State basis. So when a disaster strikes, if a Governor believes a disaster is beyond the capability of the State, he or she will make a request to the President to receive a major disaster declaration, and FEMA will make a recommendation to the President about whether a State should receive a declaration and whether individuals in certain counties should be eligible for individual assistance to repair their homes.

When a disaster hits in the middle of a State and the damage is concentrated, the process is straightforward and the victims in the States most significantly affected will usually receive the necessary assistance. Yet, when a disaster crosses over State lines, FEMA treats the instance as two separate cases and requires each State to meet a specific Statewide damage threshold to receive a major disaster declaration. If that threshold is not met and a State is denied a disaster declaration, individuals who were as severely affected as those just across the State line have limited options for recourse and rebuilding.

FEMA considers certain factors when determining whether to recommend that the President declare a major disaster for a State and provide individual assistance. House Resolution 5825 would update and improve the factors FEMA uses to determine whether a State should receive a major disaster declaration.

Specifically, House Resolution 5825 would require FEMA to take into account whether contiguous counties in a neighboring State were designated in a major disaster from the same incident. This means that FEMA would have to look at the damage from a neighboring State and factor this into their decision about whether to provide aid to individuals and issue a major disaster declaration; whereas, now they are not required to take this into account.

The bill would also require FEMA to review, update, and revise the regulation used to measure the severity and impact of a disaster when determining that the individuals should receive assistance within 1 year of the enactment.

Lastly, this bill would require FEMA to issue a report to Congress within 3 months of enactment on their current policies concerning major disaster declarations for individual assistance and their policy on providing aid to individuals in counties contiguous to a State that has received a major disaster declaration.

While this bill, unfortunately, is not retroactive, I believe if this law were in place last year, the result for my constituents in Indiana would have been very much different. This bill is the first step to right a wrong that befell Hoosiers last year when trying to pick up the pieces after a natural disaster while left wondering why their Federal Government was picking favorites.

Storms and natural disasters do not care about State lines when they destroy someone's home or business, and under this bill, when disaster strikes more than one State, FEMA officials would have to look at the impact of the overall storm and not just the impact on that individual State when deciding whether to provide disaster assistance to individuals. I believe this bill will help all Americans receive fair treatment the next time disaster strikes no matter which State they come from.

To the people of southern Indiana, I want to say that the lessons have been learned from last year's tragedy, and we're not going to let those same mistakes be repeated.

Let me also give my thanks to my Republican friends for their bipartisan support of this bill.

Mr. MARIO DIAZ-BALART. Mr. Speaker, as I said before, this is a commonsense bill. As the ranking member of the subcommittee that deals with emergency management and other issues, it would have been nice to have this go through the committee process through regular order. It didn't. It came straight to the floor. But it is a good bill. It's a very good bill. It's a commonsense bill and obviously I do support it.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of H.R. 5825, the "Multi-State Disaster Relief Act". The gentleman from Indiana (Mr. HILL) identified this issue after floods struck last August in his district in Indiana, and neighboring counties in Kentucky. I thank Representative HILL for bringing this issue to the attention of the Committee on Transportation and Infrastructure, and working with the Committee on a practical solution.

The Stafford Act and our Nation's emergency management system are based on a multi-level system of response at the local, State, and Federal level, as necessary. Local citizens and communities have the primary responsibility for responding to incidents and disasters that strike their communities. When they need additional assistance, they seek that assistance from their State. When the disaster is beyond the capability of the State, the State seeks help from the Federal Government. As a result, the President must look at the impacts on the State in which the disaster took place in determining whether Federal assistance is warranted.

However, disasters don't always stay neatly within the lines we have drawn, and the impact of a particular event often crosses State lines. When disaster strikes, first responders, emergency managers, volunteers, and others respond, regardless of county or State lines. In my home State of Minnesota, there are neighboring jurisdictions separated by a river. In many places, that river is the State boundary, but in reality, it is one community that encompasses both sides of the river. In 1997, in the western part of Minnesota along the Red River, devastating floods struck both Grand Forks, North Dakota, and East Grand Forks, Minnesota.

In my own district, we have seen this happen as well. In 1992, a gas leak from a derailed railroad tank resulted in the evacuation of more than 50,000 people from the Twin Ports of Duluth, Minnesota, and Superior, Wisconsin—communities separated by the St. Louis River. Hundreds of first responders provided assistance, including members of the National Guard and Army Reserve. While at least two dozen people from both States were hospitalized, we were fortunate that the cloud quickly dissipated and Federal assistance was not necessary.

It is only logical that the Federal Emergency Management Agency (FEMA) and the President, in making a determination whether to declare a disaster and provide assistance to individuals and households, consider both immediate local impacts and the impacts in neighboring communities, even if they are in another State. When a disaster also affects a neighboring county across a State line, this legislation directs FEMA to consider this fact when the agency recommends to the President whether or not to declare a disaster.

The Committee understands that FEMA is currently working with State and local emergency managers on revamping the criteria the agency uses regarding whether to recommend that the President declare a major disaster or emergency in order to provide assistance to individuals and households. FEMA has been working on these changes for some time. This legislation is not intended to impede that process. This legislation merely puts a reasonable deadline on the process and requires that one common-sense criteria be incorporated.

This legislation is supported by the International Association of Emergency Managers (IAEM), which represents our Nation's county, local, and tribal emergency managers, who serve in the communities that would benefit most from this legislation.

I urge my colleagues to join me in supporting H.R. 5825.

Mr. MARIO DIAZ-BALART of Florida. I yield back the balance of my time.

Mr. COSTELLO. Mr. Speaker, I urge passage of this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. COSTELLO) that the House suspend the rules and pass the bill, H.R. 5825.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

□ 1240

SUPPORTING OBSERVER STATUS FOR TAIWAN IN INTERNATIONAL CIVIL AVIATION ORGANIZATION

Ms. BERKLEY. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 266) expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization (ICAO).

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 266

Whereas the Convention on International Civil Aviation, signed in Chicago, Illinois, on December 7, 1944, and entered into force April 4, 1947, approved the establishment of the International Civil Aviation Organization (ICAO), stating ''The aims and objectives of the Organization are to develop the principles and techniques of international air navigation and to foster the planning and development of international air transport so as to . . . meet the needs of the peoples of the world for safe, regular, efficient and economical air transport'';

Whereas following the terrorist attacks of September 11, 2001, the ICAO convened a High-level Ministerial Conference on Aviation Security that endorsed a global strategy for strengthening aviation security worldwide and issued a public declaration that ''a uniform approach in a global system is essential to ensure aviation security throughout the world and that deficiencies in any part of the system constitute a threat to the entire global system'', and that there should be a commitment to ''foster international cooperation in the field of aviation security and harmonize the implementation of security measures'';

Whereas, on January 22, 2010, the Secretary General of the ICAO stated, ''The attempted sabotage of Northwest Airlines Flight 253 on 25 December [2009] is a vivid reminder that security threats transcend national boundaries and can only be properly addressed through a global strategy based on effective international cooperation.'';

Whereas the Taipei Flight Information Region, under the jurisdiction of the Republic of China (Taiwan), covers an airspace of 176,000 square nautical miles and provides air traffic control services to over 1,350,000 flights annually along 12 international and 4 domestic air routes;

Whereas over 174,000 international flights carrying more than 35,000,000 passengers travel to and from Taiwan annually, reflecting its importance as an air transport hub linking Northeast and Southeast Asia;

Whereas a total of 30 airlines, 23 of which are foreign-owned, provide scheduled flights to Taiwan;

Whereas airports in Taiwan handle more than 1,580,000 metric tons of air cargo annually;

Whereas Taiwan Taoyuan International Airport was ranked in 2009 by the Airports Council International as the world's 8th and 18th largest airport by international cargo volume and number of International passengers respectively;

Whereas exclusion from the ICAO since 1971 has impeded the efforts of the Government of Taiwan to maintain civil aviation practices that comport with evolving international standards, due to its inability to contact the ICAO for up-to-date information on aviation standards and norms, secure amendments to the Organization's regulations in a timely manner, obtain sufficient and timely information needed to prepare for the implementation of new systems and procedures set forth by the ICAO, receive technical assistance in implementing new regulations, and participate in technical and academic seminars hosted by the ICAO;

Whereas, despite these impediments and irrespective of its inability to participate in the ICAO, the Government of Taiwan has made every effort to comply with the operating procedures and guidelines set forth by the organization;

Whereas, despite this effort, the exclusion of Taiwan from the ICAO has prevented the organization from developing a truly global strategy to address security threats based on effective international cooperation, thereby hindering the fulfillment of its overarching mission to ''meet the needs of the peoples of the world for safe, regular, efficient and economical air transport'';

Whereas the United States, in the 1994 Taiwan Policy Review, clearly declared its support for the participation of Taiwan in appropriate international organizations, in particular, on September 27, 1994, with the announcement by the Assistant Secretary of State for East Asian and Pacific Affairs that, pursuant to the Review and recognizing Taiwan's important role in transnational issues, the United States ''will support its membership in organizations where statehood is not a prerequisite, and [the United States] will support opportunities for Taiwan's voice to be heard in organizations where its membership is not possible'';

Whereas section 4(d) of the Taiwan Relations Act (22 U.S.C. 3303(d)) declares, ''Nothing in this Act may be construed as a basis for supporting the exclusion or expulsion of Taiwan from continued membership in any international financial institution or any other international organization.''; and

Whereas ICAO rules and existing practices have allowed for the meaningful participation of noncontracting countries as well as other bodies in its meetings and activities through granting of observer status: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that—

(1) meaningful participation by the Government of Taiwan as an observer in the meetings and activities of the International Civil Aviation Organization (ICAO) will contribute both to the fulfillment of the ICAO's overarching mission and to the success of a global strategy to address aviation security threats based on effective international cooperation;

(2) the United States Government should take a leading role in gaining international support for the granting of observer status to Taiwan in the ICAO for the purpose of such participation; and

(3) the United States Department of State should provide briefings to or consult with Congress on any efforts conducted by the United States Government in support of Taiwan's progress toward observer status in the ICAO.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Nevada (Ms. BERKLEY) and gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Nevada.

GENERAL LEAVE

Ms. BERKLEY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Nevada?

There was no objection.

Ms. BERKLEY. I yield myself such time as I may consume. Mr. Speaker, I rise today in support of H. Con. Res. 266, expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization, the ICAO.

As cochairman of the Congressional Taiwan Caucus, I have seen firsthand the amazing progress that Taiwan has made in its economic and political development. Throughout the 1970s and 1980s, Taiwan's economy grew by more than an amazing 10 percent per year and is now the United States' ninth-largest overall trading partner, with two-way trade in 2008 valued at $61.6 billion. Taiwan also is the sixth-largest destination for U.S. agricultural exports, about $2.5 billion annually.

Meanwhile, Taiwan has developed one of the strongest democracies in the region, having had several peaceful, democratic transfers of power. I have met their current President, President Ma Ying-jeou, who is a well-spoken, Western-educated leader who has worked very hard to reduce tensions between Taiwan and China and concluded an Economic Cooperation Framework Agreement with the PRC Government recently.

All the while, however, Taiwan has been shut out of participating in international organizations like the International Civil Aviation Organization. Founded in 1947, ICAO's goal is to ''meet the needs of the peoples of the world for safe, regular, efficient, and economical air transport.'' These goals can only be reached through a cooperative approach that brings together the world's leading economies to share best practices and information. We need look no further than this past Christmas for a reminder of how our aviation security transcends national boundaries and can only be addressed through a cooperative, international strategy.

Mr. Speaker, Taiwan deserves to be brought into the ICAO as on observer.