rulings and passing the bill, H.R. 3894, as amended. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Louisiana (Mr. BAKER) that the House suspend the rules and pass the bill, H.R. 3894, as amended, on which the yeas and nays are ordered. This will be a 5-minute vote. The vote was taken by electronic device, and there were—yeas 418, nays 0, not voting 15, as follows:

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NOT VOTING—15

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ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ROGERS). Mr. ROGERS of Kentucky. Mr. Speaker, we are pleased today to present for consideration the conference agreement on the funding for the Department of Homeland Security. Five weeks ago this Nation experienced perhaps the worst natural disaster in our history.

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

Mr. Speaker, we are pleased today to present for the consideration the conference agreement on the funding for the Department of Homeland Security.

The SPEAKER pro tempore. Pursuant to House Resolution 474, the conference report is considered read. (For conference report and statement, see proceedings of the House of September 29, 2005, at page H8585.)

The SPEAKER pro tempore. The gentleman from Kentucky (Mr. ROGERS) and the gentleman from Minnesota (Mr. STARK) each will control 30 minutes.

The Chair recognizes the gentleman from Kentucky (Mr. ROGERS).

Mr. ROGERS of Kentucky. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the conference report to accompany the bill, H.R. 3890, and that I may include tabular material on the same.

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

There was no objection.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we are pleased today to present for consideration the conference agreement on the funding for the Department of Homeland Security.

Ninety thousand square miles were declared a disaster area. Ninety thousand square miles, an area twice the size of my home State of Kentucky, I believe Hurricane Katrina was a wake-up call. It showed us we are not indestructible. Vulnerabilities clearly exist. We were reminded that there are many threats to the homeland security beyond terrorism.

There are obviously many lingering and important questions about Hurricane Katrina, all of which need to be addressed and will be addressed in the upcoming months. We witnessed firsthand in Katrina the immediate response was inadequate. We also saw how responses varied across State lines and at different levels of government.

But while the response to Katrina was plagued by problems, the prearranged response to Hurricane Rita was not. We observed an instantaneously more organized preparation and response, demonstrating how the Department of Homeland Security can and does work.
as an effective organization. The fact is for many within the Department, the response to these disasters has been nothing short of remarkable.

For instance, in the week immediately following Katrina, the Coast Guard saved more than 26,000 lives, more than the Coast Guard saved over the past 5 years. Over 4,000 Coast Guard, 12,000 FEMA, 2,500 Federal law enforcement personnel have been sent to support Hurricane Katrina and Rita relief operations, and their work continues to speak.

The bill before us supports these efforts and more. It provides the funds the Department needs to prevent, prepare and respond to disasters, both natural and man-made. It provides a balance among Homeland Security programs and ensures the Department has the resources it needs to carry out its missions. This bill maintains a steady course towards keeping our communities safe and making our Nation more secure.

In total, the 2006 conference agreement provides $30.8 billion, $1.4 billion above the current year and $1.3 billion above what the President asked of us. This includes more than $19.1 billion for border and immigration enforcement; $3.3 billion for our Nation’s first responders; $6.33 billion for transportation security; $1.5 billion for research, development and deployment of innovative technologies; and $625 million for efforts to comply with our national critical infrastructure and key assets.

In the interest of time, Mr. Speaker, I would like to highlight just a few of these items that I know are of interest to all the Members.

There is $3.3 billion for our first responders. This agreement strikes a balance between funding high-risk communities and providing support for States and localities to achieve and maintain minimum levels of preparedness, and includes $550 million for basic formula and law enforcement terrorism prevention grants and $1.2 billion for security in our urban and most populated areas, including $390 million for transportation and infrastructure security grants. Some people say the amount of money for first responders is below the current level, and it is true. It is. The reason for that is they have got $6.6 billion in the pipeline, not yet allocated; so why add to the reservoir when the river is running full?

The bill provides $19.1 billion for border protection, immigration enforcement and related activities, which is $1.2 billion over the current year and almost a half billion over what the President asked of us. That includes $1.8 billion for border security and control; $3.4 billion for Immigration and Customs Enforcement; $340 million for the US-VISIT program; $2.9 billion for Coast Guard operations; fully funding Deepwater at $933.1 million; and $10 million for the implementation of the REAL ID Act.

So I think the agreement, Mr. Speaker, will go a long way towards improving the integrity of our borders. When we combine what we have in this bill with the 2005 supplemental, we will have 1,500 new Border Patrol agents and 568 Immigration and Customs Enforcement agents across the land to be hired in fiscal year 2006. The bill also supports thousands of intensive beds for housing people who are locked up, having come across the border.

The conference agreement supports security for all modes of transportation, including $6.5 billion for the Transportation Security Administration and the Federal Air Marshals and $150 million in rail security grants.

There is $85 million for air cargo security, which will support the hiring of 100 new air cargo inspectors, the development of new cargo screening technology and the expansion of canine enforcement teams. The bill also continues to provide strong oversight of TSA’s progress towards inspecting all cargo that is transported on passenger aircraft.

There is $1.5 billion for science and technology, including $318 million for the Domestic Nuclear Detection Office that will coordinate our Nation’s efforts against the smuggling of nuclear materials. This is a brand new agency, and this is brand new funding. We also continue to fully fund research and development for anti-missile devices that might be used against commercial aircraft.

Mr. Speaker, the important work of the Department of Homeland Security cannot be emphasized enough. As we continue to watch the recovery efforts in the Gulf States and our hearts go out with our money to those regions, it is clear that the assets we have given the Department over the past 3 years are being put to good use. I believe this conference agreement builds on the Department’s progress and substantially furthers the protection of our homeland, and I urge all of my colleagues to support this.

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

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

When the House passed the 2006 Homeland Security appropriations bill, I said that the bill represented a substantial improvement over the President’s budget request. The conference report does as well. I said that the bill included better funding for border enforcement, port security, transit and port security. This conference report does those same things.

I said that the House bill toughened security for air cargo screening, privacy safeguards and the designation of security-sensitive information. This conference report includes these initiatives.

However, I also said that I had reservations about some parts of the House bill, and I continue to have those concerns. I have more reservations because of changes made to the bill in conference.

I am a strong minority who has strong reservations about the shift in distributing State and local grant funds from being based on population to being based on the Department of Homeland Security’s assessment of risk and threat. These are funds that flow to State governments to be reallocated at least 50 percent to local governments. Last year, less than 40 percent of these grant funds went out by threat. This year, 78 percent of the funding will go out by this threat measurement. I wonder how the DHS risk model and threat assessment does that in the way the DHS assess and treat Michigan, a border State, as compared to North Carolina, a hurricane-prone State.

Only two of the Department’s 15 threat scenarios are based on natural disasters. As a result, I worry that our Nation may be less prepared for the disasters that we know will occur. My observation of the Department over the last several years leave me with little confidence that they are going to make fair judgments or correct judgments in making their allocation.

I am disappointed that this agreement does not do more to strengthen chemical plant security. In the conference, I offered an amendment, a simple judgment, to the Homeland Security Secretary the authority he needs to issue requirements for security standards and plans for facilities he determines to present the greatest security risk. We should demand that the Department get serious about hardening these chemical facilities. However, my amendment failed on a party-line vote.

I also have reservations about Secretary Chertoff’s reorganization proposal, which is rubber stamped by this conference report. This reorganization plan was submitted to Congress barely 3 months ago, and we have not taken the time to evaluate it carefully. This reorganization was supposed to bring the Department’s poor Hurricane Katrina performance. It further weakens FEMA by severing its relationship to preparedness programs. I strongly believe that this is a mistake.

So, Mr. Speaker, as in so many bills, there are good things and bad things in this conference report. Members must make their own judgment. On balance, I will vote ‘yes.’

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

Mr. ROGERS of Kentucky. Mr. Speaker, I yield such time as he may consume.

When the House passed the 2006 conference report. This reorganization plan was submitted to Congress barely 3 months ago, and we have not taken the time to evaluate it carefully. This reorganization was supposed to bring the Department’s poor Hurricane Katrina performance. It further weakens FEMA by severing its relationship to preparedness programs. I strongly believe that this is a mistake.

So, Mr. Speaker, as in so many bills, there are good things and bad things in this conference report. Members must make their own judgment. On balance, I will vote ‘yes.’

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

Mr. LEWIS of California. Mr. Speaker, I want to express my deep appreciation to both my chairman from Kentucky and the gentleman from Minnesota for the work they have done on this conference report.

At the beginning, as we brought Homeland Security to the House, we brought some 22 different agencies together under one maze. A very difficult process. Much of the original bureaucracies remaining in place and yet...
struggling to figure out how and where and why they effectively work within the Federal Government. The chairman and ranking member have worked very hard to provide the kind of oversight that is necessary to lead them down this pathway, dealing with very tough issues that relate to America's national security.

Having said that, I want to congratulate the gentlemen for their work and at the same time suggest rather directly that none of us can do anything with that which we do not have the nature brings upon us. Katrina and Rita were natural disasters. We have not experienced such in my lifetime in public affairs. But, indeed, Americans are attempting as best they can to help the region of this country that is so important not only in terms of our natural resources but to our economy as well.

I very much appreciate the work particularly that was done by the gentlemen in overseeing that work which is the responsibility of the Coast Guard. For, indeed, they have gotten their attention. It is very apparent they are not just responding to the committee but in this very horrendous crisis did a great bit of response on behalf of America.

So I congratulate both of them for their work. I appreciate very much the job they have done.

Mr. SABO. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Wisconsin (Mr. OBEY), the ranking member of the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, first let me say that there are a number of useful things in this conference report. For 3 years, many of us have been trying to strengthen support for border enforcement and control, and this bill is $675 million above the President's request. That is good. It also provides additional funding to beef up transit security and port security, and that is good. It provides $655 million for fire grants, 30 percent more than the Bush request, and that is good. It provides $30 million for three pilot projects to increase the screening of cargo, which is a major terrorism vulnerability that remains unaddressed by the Bush administration recommendations. This bill, therefore, helps to take care of a rather important problem.

But, in my view, there are three big problems that remain which will require me to vote "no." First of all, because of the need to add $675 million more for border programs, the conference cuts funding for other programs substantially below the President's own request. Example: Pre-disaster mitigation programs, $100 million below the Bush request, $50 million below last year. Grants to States and localities to help them prepare for terrorist acts are cut by over $800 million, or 20 percent from last year; and this occurs on the very day when we have been briefed by the administration warning us about the total incapacity of State and local governments to respond to local problems, such as a pandemic. Aviation security screening is cut by $383 million from the Bush request under this bill.

My second problem with the bill is that it embraces a thoughtless reorganization proposal made by Secretary Chertoff. Just 2 weeks ago, members of the majority party told us it was premature to return FEMA to its previously independent status; and yet this legislation embraces reorganization plan proposed by Secretary Chertoff, the sixth reorganization this agency has had, and that reorganization goes in the wrong direction.

My third objection is that FEMA is not reformed, but it is in fact further deformed by this proposal. We all understand that the response of the Homeland Security agency to the disaster of Katrina was, well, for want of a better word, disastrous; and yet nothing in this legislation to provide for a return to independent status for FEMA. It remains buried in the bowels of a dysfunctional bureaucratically layered agency; and, in fact, this bill moves us further in the wrong direction.

So there are two ways, I suppose, that Members can deal with this bill. We can squawk about it, if we do not like parts of our names and then vote for it because it does have some substantial improvements, and I congratulate the gentleman from Minnesota and the gentleman from Kentucky for those.

But the fact is that there is another choice if we believe that this bill still is not sufficient to meet the national interests, and that is to vote against the bill as a protest; and that is what I feel compelled to do tonight.

Mr. ROGERS. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa (Mr. LATHAM), one of the hard-working members of our subcommittee whose work helped make this bill happen.

Mr. LATHAM. Mr. Speaker, I thank the chairman for yielding me time.

Mr. Speaker, I rise in support of this conference agreement and urge my colleagues to act the same. I want to commend the gentleman from Kentucky and the gentleman from Minnesota (Mr. SABO), and the great subcommittee staff for their hard work in putting this bill together.

The process of structuring an appropriations bill addressing the operational needs of 22 agencies under the Homeland Security Department has, once again, been very difficult, difficult in part because we are funding a mission that has many dimensions and for which there are few absolutes.

As I participated in this process, I have come to believe that our approach to funding homeland security has been measured and judicious. We have had to make difficult choices. Most importantly, we continue to benefit from the ideas and knowledge of State and local officials from our districts all around the country. That collective wisdom serves us well.

Because of this cooperation, we are beginning to see some of the improvements in the funding process for first responders. In Iowa, we are working to protect the agriculture community through planning and training, and in fact thousands of people have been trained in our community colleges throughout federally funded assistance. The Middle Western States are doing what is necessary to protect our communities from man-made and natural disasters.

Of course, obstacles remain for our security systems. We have demanded much from our States, and the Federal Government must remain a working partner by providing appropriate funding. We must continue to work closely with local and State officials because the people we will look to when disaster occurs.

I am especially pleased in this bill that we have increased the number of border patrol agents by 2,000 and provide more beds to house the people who are coming across our border illegally until we can send them back to their country.

Again, I commend the chairman and the ranking member and urge all Members to support this bill.

Mr. SABO. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota (Mr. OBERSTAR), the ranking member of the Committee on Transportation and Infrastructure.

(Mr. OBERSTAR asked and was given permission to revise and extend his remarks.)
The American people deserve better.

Furthermore, in my reading of the language, this provision does not relieve an airport operator of liability in a case involving a breach of security for any act or failure to act by the airport operator, or its employees which constitutes negligence, gross negligence, or intentional wrongdoing. In a situation where the airport or airport employees knew that a screening company was not doing an adequate job, but failed to take action to notify TSA, or if an airport employee were part of a scheme to commit a terrorist act, then my interpretation of the language in this conference report is that the airport, nonetheless, would be liable.

Since the terrorist attacks on September 11, 2001, the Federal Government has spent billions on aviation security, and little on transit and rail security, even though five times as many people take trains as planes every day. Over 9.6 billion transit trips are taken annually on our transit systems, with people using public transportation vehicles over 32 million times each weekday.

Since September 11th, the transit industry has invested more than $2 billion of its own funds for enhanced security measures. Railroads have also strengthened security. Amtrak has added police and dog units and removed large fixtures from their platforms, but the railroads and the transit industry can't do it alone.

Even with the investments made by transit agencies, the documented transit security needs are still $6 billion, far more than the $150 million provided in the conference report for rail and transit security grants (the same amount provided in FY2005).

Amtrak alone has requested $100 million in security upgrades and nearly $600 million for fire and life-safety improvements to tunnels on the Northeast Corridor in New York, Maryland, and Washington, D.C.

Transit agencies have requested $2 billion from Congress, yet the conference report provides only $10 million for intercity bus security grants.

Securing our Nation's transit and rail facilities is a formidable task, but Congress must get it done.

The London bombings and the terrorist train bombing in Madrid, Spain in 2004, which killed 191 people and wounded more than 1,800 others, show that there is a clear need—more than ever before—to strengthen transit and rail security.

The London and Madrid bombings were just the latest in a series of attacks on trains worldwide. Since 1995 and 2000, there were 181 attacks worldwide on trains and rail-related targets such as depots, ticket stations, and rail bridges, resulting in an estimated 431 deaths and several thousand injuries.

It is clear that Federal leadership and Federal resources are required to address the needs of a vast network. Security is a crucial element to our overall transportation security, just as has been used in establishing a secure Federal aviation network. But despite recent attacks, Congress is again short-changing our transit and rail industries.

One hundred and fifty million dollars for such a vast network isn't enough. It's not enough to secure our most vulnerable infrastructure. The American people deserve better.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. CARTER), another hard-working member of our subcommittee whom I rely upon very much.

Mr. CARTER. Mr. Speaker, I thank the gentleman from Kentucky (Mr. ROGERS) and the gentleman from Minnesota (Mr. SABO) for their hard work on this conference report.

Mr. Speaker, I rise in support of this bill, because it is important for the State of Texas. I look at the largest single foreign border in the United States in Texas. I look at a port that the Coast Guard told me carries the largest amount of dangerous cargo in the United States, and possibly the largest amount of dangerous cargo on Earth, the port of Houston.

I look at the big spaces we have to cover as we try to secure just the State of Texas. I look at the 68,000 other-than-Mexican immigrants that we have stopped in the last 8 months crossing the Texas border. These are people from places other than Mexico: Central and South America, Eastern Europe, Russia, the Middle East, Syrians, Iranians, Iraqis, Chinese and Far Easterners, crossing our border across the Rio Grande River.

I view that world, and it is a world that requires a secure homeland.

Mr. Speaker, there has been a lot of hard work done on this bill, and I think this bill goes a long way to start securing the Texas border and the rest of the border between the United States and Mexico and the United States and Canada. We are adding 1,000 border patrol agents by this bill; we are putting on investigators; we are beefing up ICE. We are doing everything we can to say to the world, We are not anti-immigrant; we are anti-people who break the law to enter our country or who are coming in illegally.

Mr. Speaker, this bill will help, so I stand in support of this bill, because it does the right thing for America.

Mr. SABO. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Mississippi (Mr. THOMPSON), the ranking member of the Committee on Homeland Security.

Mr. THOMPSON of Mississippi. Mr. Speaker, I thank the ranking member for yielding me time and for allowing me the opportunity to speak.

Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. FOLEY).

Mr. FOLEY. Mr. Speaker, I thank the chairman for yielding me this time and for his hard work in this Herculean task of trying to make this agency better.

Thankfully, homeland security has worked. Our Nation is safer. My gripe, though, is FEMA. Four storms hit Florida, and FEMA was ill equipped. In 2000, it is ill equipped because it resides in an agency that should be focused solely on terrorism and homeland security.

FEMA should be able to respond to the needs of a natural disaster that we have experienced.

Immigration has been mentioned repeatedly. Immigration is out of control. We recently read in the paper that employees of the U.S. Citizenship and Immigration Service are facing misconduct charges ranging from bribery...
to exchanging green cards for immigration in return for sexual favors. It is not enough that we have illegal immigrants running around unfettered, we also have them committing serious crimes.

Daniel Rodriguez Mendoza, a 21-year-old illegal alien from Mexico, was recently responsible for killing the mother of two children in a traffic accident in West Palm Beach, Florida. He did not have a driver’s license. He had no papers, and four times he had been previously ticketed for driving without a license. Each time, he was let back into the community, even after immigration officials were notified of him, but failed to do anything.

Then there is the 26-year-old young man in my district who was hit by a truck while riding his motorcycle in a small town on Father’s Day. He is now hospitalized, paralyzed from the chest down. The illegal alien who paralyzed him was caught, charged with the accident and Broward and Miami-Dade Counties, Florida, who suffered damage because of Hurricane Katrina. Our country, serious vulnerabilities persist in a range of major areas: chemical plant security: More than 100 facilities could cause injuries or deaths to 1 million people. This bill still does not mandate armed guards at chemical facilities. The nuclear power industry still does not have a permanent upgrade of the protective structures against an al Qaeda attack, even though we know that al Qaeda has nuclear power plants at the top of their terrorist target list. Public transit. While $18 billion has been spent on airlines, only a small fraction of that has been spent on mass transit to protect against al Qaeda attacks, even though we have been warned in Madrid, warned in London, and even today, New York is in fear that there could be an attack on that city.

LNG: What the Republicans have done this year is they have told mayors they have no say over where LNG facilities would go. Governors have no say. And the Coast Guard has no say. Only the Federal Energy Regulatory Commission, dealing with the wish lists of the oil and gas industry, can decide where they go, but in the City of Boston and in dozens of cities across our country, they are going to have a homeland security nightmare trying to protect if al Qaeda attacked an LNG facility.

When it comes to hazardous material shipments, this majority Republican Party still refuses to have a mandate that there is a rerouting of those dangerous chemicals, the chlorines and the others that, if they were attacked, could cause catastrophic injuries in our country.

And in aviation, still only a small fraction of all of the cargo that goes on passenger planes in our country is inspected. So, those people in our country who are out of the country, their computer through, their bags go through, all of it is screened, and they are sitting in the passenger section of the plane, and then underneath their feet will come all of this cargo that has not been screened.

This bill has only a very slight increase in its budget, but the budget itself does not determine whether or not we have good homeland security. This Republican majority still refuses to tell the chemical, the nuclear, the LNG, the hazardous material industry, the aviation industry that there is a regulatory black hole through which al Qaeda can come to attack the very list of targets that they put at the top of their terrorist target list. Not enough money and no mandates on the industry.

Mr. Speaker, catastrophe is bred by complacency, and that is what this bill is.

Mr. Speaker, the conference report we are considering today on the House Floor fails to close dangerous homeland security loopholes that continue to put Americans at risk more than 4 years after the September 11 attacks. Despite the urgent need to increase protections against terrorists determined to strike our country, serious vulnerabilities persist in a range of major areas:

Chemical plant security: More than 100 facilities in 23 States could threaten 1 million or more people if terrorists attacked the facility. There are no federal security requirements for chemical plants—the industry secures itself if it decides, on its own, to do so. “60 Minutes” reported where thieves right through an open front gate into a chemical plant outside downtown Pittsburgh. At one facility, the reporter climbed up onto a tank containing toxic material and shouted “hello, I’m on your tank.” There were no guards and no one tried to stop him. There are nightclubs in New York City that are harder to get into than some of our chemical plants.

Leaks of toxic chemicals can be devastating. In India in 1984, a leak at a chemical plant in Bhopal killed at least 4,000 people and injured hundreds of thousands more.

Transportation of extremely hazardous materials: Shipments of extremely hazardous materials such as chlorine routinely travel through
densely populated areas of our country. These shipments are mobile chemical weapons that often share the same track as urban passenger rail systems and could kill or injure 100,000 people within half an hour.

In a report released by the Teamsters Rail Conference that surveyed rail employees, 65 percent of those surveyed indicated that their train or equipment was delayed or left unattended for an extended period of time that day, and of those, 55 percent indicated that there were hazardous materials aboard that train.

LNG Security: One of Millennium Bomb plots planning to attack Los Angeles International Airport was smugled into the country on an LNG tanker docking in Everett, MA, in my Congressional District. Terrorists may target LNG tankers and terminals, resulting in catastrophic consequences for surrounding communities. In 1979, my bill to require such remote siting was signed into law. But the Bush Administration is trying to undermine it, opening up the possibility an LNG plant would be placed, like a sitting duck, in the middle of an urban area, an attack on what would cause incredible devastation. Energy Bill signed into law in August 2005 froze out local officials from site decision-making process, so now convenience for energy companies, rather than security safeguards for surrounding communities, will determine where facilities are built. Last month, I offered an amendment to the Coast Guard reauthorization bill to require the involvement of the Coast Guard, which is part of the Homeland Security Department, in siting decisions. My amendment was defeated on the House Floor.

Republicans claim to support local control and the right of states to fend off federal encroachments. But when it comes to LNG siting, Republicans cut out mayors and governors and state homeland security officials from carrying out one of their most important responsibilities—protecting the public.

Aviation: Approximately 22 percent of all cargo transported by air in the United States is carried on passenger planes. This cargo consumes about half of the space in the cargo bays of a typical flight, and almost none of it is ever inspected! In the past, this cargo loop hole has been exploited with deadly results, such as when Pan Am Flight 103 was blown up over Lockerbie, Scotland by a bomb hidden in unscreened baggage. I asked Secretary Chertoff if he would support a requirement that 100 percent of the cargo carried on passenger planes be inspected, just as all checked bags, carry-on bags and passengers are currently inspected before boarding? He said “No.”

Why should the booties of babies be scrutinized more carefully than the cargo bound for the belly of a Boeing? The Bush administration says we should trust the shipper. But we must apply the Reagan Doctrine to cargo security—Trust, but verify.

Public transit: The attacks in London and New York are reminders that our cities and our nation are vulnerable to terrorism at any time, any place, and no one can be safe. The American Public Transportation Association has identified $6 billion in transit security needs for U.S. public transportation systems, approximately the same amount of money we’re spending each month in Iraq. Since September 11, the Federal Government has spent $18 billion on passenger air security, but only $250 million on transit security. Yet, Americans take public transportation 32 million times a day—16 times more than they fly.

Biological Weapons: Four years after the unsolved anthrax attacks on the Capitol that killed two innocent workers, DHS has completed material threat assessments on four of the biological, chemical and radiological agents that is required to assess under Project BioShield. I asked Secretary Chertoff if he would commit to completing the rest of these threat assessments within 60 days. He said “no.”

Today’s conference report does not adequately address these issues. This bill does not:

Require chemical plants to be protected by armed guards trained to prevent attacks by sophisticated, suicidal terrorists or require chemical companies to substitute safer technologies and chemicals in their processes whenever possible, so if terrorists penetrate a plant, damage they could cause would be dramatically reduced.

Require re-routing of extremely hazardous materials whenever possible to reduce the threat of an attack on a chemical shipment in a densely populated area.

Mandate that LNG facilities should be built in remote areas far away from population centers or ensure that security officials, including State and local government representatives are involved in siting process.

Require that all the commercial cargo carried on passenger planes be inspected for bombs, just as all passengers and their luggage are.

Direct the Department of Homeland Security to complete all of the 60 material threat assessments and purchase all of the vaccine doses required under Project BioShield.

Congressional testimony continues to nickel and dime homeland security while writing a blank check for the war in Iraq. Specifically, the discretionary funding provided in this bill is $1.3 billion, only 4.5 percent more than last year, which is just slightly more than the rate of inflation. When Ranking Members Ose and Saso attempted to add $1.7 billion for FEMA disaster mitigation programs, emergency management grants, chemical, transit and port security, and other critical security programs such as aviation security and Coast Guard operations, the Appropriations Committee did not support these funds. I urge a “no” vote.

Mr. SABO. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE. Mr. Speaker, let me first of all acknowledge the very hard work of the Chairman and the Ranking Member of the Subcommittee on Homeland Security, and I recognize that this is a difficult challenge.

As a member of the Select Committee on Homeland Security and now the authorizing committee for two terms, I believe that those of us who have studied the details of the structure of homeland security can speak with a degree of information, if you will, of both the assets of this appropriation but also some elements that are obviously missing.

Spending a lot of time walking through the cots and tents, those who were survivors of Hurricane Katrina, having now in our community almost 125,000, I know the fear and the devastation of the lack of preparedness of this government. So it is to my dismay that the acceptance of Secretary Chertoff’s reorganization plan was not put on hold so that we could truly find out what were the funding needs.

I join my colleagues in wanting more dollars for rail security. I have joined my colleagues in offering new legislation that was the result of the gentleman from Mississippi (Mr. THOMPSON). I join my colleagues in the concerns of the limited regulation of chemical plants. But, most of all, I speak to issues that I think would save additional lives.

There are 1,100 persons dead and still counting in the Hurricane Katrina backdoor of Mississippi, Alabama and in New Orleans. We have yet to mourn those who have lost their lives. But certainly the director for preparedness and response is not the answer. FEMA needs to be independent, self-sufficient, well-funded and a separate component to Homeland Security, even to the extent of being its own cabinet.

I realize that Michael Brown has been singled out, and I am delighted that Director Paulson is the Acting Director, but I can assure my colleagues, having been to Beaumont and Port Arthur after Hurricane Katrina, we did not see our act today. We did not have our time and our organization together, even then. FEMA was not there timely. Generators that were needed were not there. Ice and water was not there. The National Guard did not have orders, and no one knew who was in charge, so ultimately, I believe there is much work to be done.

In the backdrop of the potential epidemic of bird flu, I believe there needs to be more resources and efforts than a chief medical officer. We need to boost funding under Homeland Security the public health system. The sense of Congress that Immigration and Customs and border protection should be merged, I
do not know if that is a well-thought-out plan. In fact, we need to investigate some of the failings of these entities before we begin to merge one entity into another. I am grateful that we have provided dollars for transportation security, but it is not enough. Whistleblower protection is good, but there is not enough funding, if you will, to establish an independent, strong FEMA. That is what we need to be focusing on, and the reorganization plan should not be accepted so quickly, if we decide to fund the failures of Hurricane Katrina.

Mr. SABO. Mr. Speaker, I yield for the purpose of making a unanimous consent request to the gentlewoman from New York (Mrs. MALONEY).

(Mrs. MALONEY asked and was given permission to revise and extend her remarks.)

Mrs. MALONEY. Mr. Speaker, I thank the gentleman for yielding me this time and for his critical leadership on this issue.

As one who represents New York City, the site of the 9/11 attack, nothing is more important to New York and, I would say, our country than homeland security. Just this evening the mayor has been working with the FBI and the appropriate agencies with another serious terrorist threat against New York City’s mass transit system. This is critical. I am deeply concerned about funding formulas, the lack of intention for the cargo, for the mass transit and many other areas.

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

Mr. ROGERS of Kentucky. Mr. Speaker, before I yield back, I think it is important that the gentleman from Minnesota and I express our thanks to staff. They make us look good, because they are the ones who produce these products, the staff that is seated here with me and the staff on the minority side. These people have done yeoman’s work here for the last year on this bill. I want to thank them for all of the great work that they have done.

Mr. SABO. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of Kentucky. I yield to the gentleman from Minnesota.

Mr. SABO. Mr. Speaker, I rise in total agreement.

Mrs. MALONEY. Mr. Speaker, it is unbelievable to me that we can slash funding for first responders, do nothing about making sure funding is distributed based on risk and sit here slapping each other on the back.

What are we commending ourselves about?

Is it the $550 million dollar cut to State Homeland Security Grants?

Is it the $120 million dollar cut to the high threat chemical?

Is it the fact that we did nothing to require funding to be distributed based on risk?

Is it the overall cut for first responders of $645 million?

Is it the further weakening of FEMA or the cutting of their budget?

Is it the $50 million cut to pre-disaster mitigation loans that could save communities from future disasters?

Is it that we are paving the way to return private screeners at airports and picking up the tab for their liability insurance?

Or is it the fact that we are funding 1,000 fewer border patrol agents, 450 fewer immigration investigators and 6,200 fewer detention beds than we had when we passed the Intelligence Reform Bill last year?

This bill does not reflect our homeland security needs.

It is good that we, once again, give the Department of Homeland Security complete control over how more than 60 percent state homeland funding will be distributed.

Will this actually be the year they use their authority to distribute it based on risk?

Why do we refuse to listen to the 9/11 Commission and mandate it is distributed based on risk?

What ever happened to the Cox Bill that passed this house 409–10 and would distribute funding based on risk?

Where is the threat reduction that go with these cuts?

We are told to remain vigilant.

The President went on national TV this morning reminding us just how long it will be to defeat terrorism and protect our Nation.

Back home in New York City we are still in a code orange. This is not code orange funding. This is code orange neglect.

We need to get our priorities straight.

We need to make sure we give our first responders the funding they need. We need to make sure homeland funding is distributed based on risk.

We need to do better than this.

Mr. HOLT. Mr. Speaker, today the House is considering the conference agreement on H.R. 2360, the Homeland Security Appropriations Bill for FY 2006. I am pleased by some of the provisions in this conference report, but I am also troubled by a number of other provisions.

We had several days to prepare before Hurricane Katrina ravaged the gulf coast—much longer than we will have before a potential terrorist attack. But the administration’s incompetence meant that extra time was almost wasted. New York has been working with the FBI since April. We had a successful terrorism response exercise in New Jersey called TOPOFF 3, bringing together Federal, State and local authorities to respond to simulated terrorist attacks. What we need are more exercises like these, not fewer; more and better planning, not less. But this conference report cuts pre-disaster mitigation by $50 million over last year and by $100 million from even the administration’s request. If we had spent money ahead of time—if we had pre-positioned assets in the gulf coast region before Katrina struck—we could have saved lives and billions of dollars. As our Nation faces a variety of threats, both manmade and natural, we need to think seriously about these cuts.

After watching the Federal Emergency Management Agency seriously mishandle their response to Hurricane Katrina there is a clear need to restructure the Agency. However, we will not be doing that today. This legislation does nothing to reform FEMA—it doesn’t improve the leadership, it doesn’t return staffing levels to the highs of the 1990s. It doesn’t return FEMA reporting directly to the president. FEMA is the Federal Government’s first line of defense and response to disasters, and it needs to be reformed. And this bill doesn’t provide the money either. This conference report even cuts funding for FEMA by 12 percent from last year’s funding level. It also slashes funding for state and local preparedness grants by $585 million below FY 2005 levels. We know that New Jersey is a target for terrorists. In a bioterrorism attack just last September 11, workers in Hamilton were sickened with anthrax. Last year, the Prudential Plaza building in Newark was named as a target after an Al Qaeda laptop computer containing information on the building was found. Of course, four of the 9/11 hijackers passed through Newark Liberty International Airport and 700 residents of the State were killed on that terrible day. Funds for State and local preparedness are crucial to keep New Jersey and our Nation safe. The police officers who notice something suspicious, the community leaders who develop evacuation plans, the first responders on the scene immediately after an attack—these people are local authorities, and we need to give them the tools they need to do their jobs.

There have been two major terrorist attacks in the West since September 11, and both have been aimed at mass transit—the March 11, 2004 Madrid bombings, and the July 2005 London bombings. But we should not request any specific funds for mass transit.

Fortunately, the conference agreement adds $150 million dollars for transit security. New Jersey Transit, the Nation’s third largest transit authority, with 220 million riders a year, 40 percent inbound to New York City, runs several trains and buses through my district. Princeton Junction, located in my district, is the fourth busiest station in New Jersey Transit’s system. We need more funding for mass transit, and this is a start.

This conference report also begins to address one of our greatest vulnerabilities to terrorism, one that the Bush administration continues to ignore. It allocates $30 million for initial programs for better screening of passenger stowed luggage on commercial flights. The conference report also provides for adequate independent oversight of Secure Flight, the next generation of the air passenger prescreening program. This will allow us to balance security and privacy.

It also provides $655 million for fire grants, $150 million more than President Bush requested. As we all know, our local fire departments are the backbone of our first responder network. Fire fighters are some of the first to arrive at disasters, be they natural or manmade. I am glad that the conference report provides much needed funds for fire grants.

New Jersey is home to what terrorism experts call “the most dangerous two miles in America”—the chemical plants, highways, and railroads that lie between Newark Liberty International Airport and the Meadowlands. And in a 14-mile radius around the site, there are 12 million people living and working. The House earlier this year voted to increase funding to help secure these sites. But the conference report does not include this desired increased funding. In total, it contains only $95 million for the necessary chemical countermeasures that would help secure industrial materials, and provide safety and peace of mind to millions of New Jerseyans.

Mr. Speaker, this bill leaves too much undone. Cutting funding for local preparedness and first responders is more than enough justification for New Yorkers to oppose this bill.
We can do better in planning for disasters, re-forming FEMA, and assisting state and local governments. And though the conference report does more for transit and air cargo screening, these efforts are just down-payments on what will be a long-term project.

Mr. SMITH of Texas. Mr. Speaker, today we are considering appropriations for The Department of Homeland Security, which was created with one mission in mind—to help protect the country. Unfortunately, it seems that not all of the agencies within the Department take that mission as seriously as they should.

The Bureau of Citizenship and Immigration Services, CIS, is responsible for processing petitions for immigration benefits. This includes petitions for green cards, visa issuance, asylum status, and marriage benefits. The adjudication process must be thorough and secure to ensure that those who want to harm America are not allowed to enter the country.

Monday’s Washington Times included a disturbing article about a Congressional briefing by an FBI security investigator that highlighted alleged corruption and dysfunctional practices at the Agency. If true, these practices would comprise a threat to national security.

According to the article, the allegations include CIS employees exchanging immigration benefits for sexual favors, and providing access to the appropriate systems to do so. The Department of Homeland Security, which was created with one mission in mind—to help protect the country—is obligated to do everything in its power to ensure access to the appropriate systems to do so. If true, these practices would comprise a threat to national security.

When an agency receives Federal funding it is obligated to do everything in its power to complete its job. The Department of Homeland Security needs to better protect our country from those who would do us harm.

Mr. MORAN of Virginia. Mr. Speaker, I rise in reluctant support of this appropriations bill. As State and local governments await critical homeland security funding, I do not want to stand in the way of the bill’s passage, particularly as we proceed further into the fiscal year with so few spending bills already law. I do have need to register my concerns with a number of this bill’s shortcomings and identify pressing needs that are not being adequately addressed by today’s actions.

First, let me start with the obvious; the amount spent to protect our homeland is too small, even for the gaps that have diminished over the past year, yet the amount spent to protect our homeland is too small, even for the gaps that have diminished over the past year. Despite the fact that passenger rail is capable of responding effectively to another catastrophic event, A natural disaster is one thing, but terrorists can strike anytime, anywhere and use our own resources against us.

I urge my colleagues to consider fully funding the needs of securing our homeland, and I challenge us as a body to meet the vital challenge of protecting our Nation.

Mr. UDALL of Colorado. Mr. Speaker, I rise in support of the FY 2006 Homeland Security Appropriations conference report. This bill includes $36 million for disaster preparedness grants to protect mass transit systems, as compared to $4.6 billion for aviation security. I’m very concerned that crucial security upgrades to our rail and public transportation systems because DHS has not yet spent funds it was allocated last year. Despite the fact that passenger rail in the U.S. carries about five times as many passengers each day as do airlines, this bill only includes $36 million for transportation security and $150 million for State grants to protect mass transit systems, as compared to $4.6 billion for aviation security. I’m very concerned that crucial security upgrades to our rail and public transportation systems—especially in light of the bombings in Madrid and London—can’t move forward more quickly. The bill also underfunds port security and does not include $50 million for chemical plant security that was included in the House-passed bill.

I am also concerned that this bill includes DHS Secretary Chertoff’s proposal to create a new Preparedness Directory and take that responsibility away from FEMA, making FEMA a stand-alone office focused on response and recovery only. Secretary Chertoff’s proposal was made in July—before Hurricane Katrina hit—and this bill would move it forward. This administration crippled FEMA by making it just one of many organizational boxes under the Homeland Security Department. Splitting preparedness and response and recovery tasks now would weaken FEMA even further, at a time when we should be focused on how to learn from the lessons of Katrina.

Instead of making these changes in FEMA, we should remove it from DHS and make it an important amendment offered by Representative DAVID OBEY that requires the Department of Homeland Security, DHS, to provide details on how money appropriated for responding to Hurricanes Katrina and Rita is spent. I am a co-sponsor of H.R. 3737, a bill that would create a Special Inspector General for Hurricane Katrina Recovery who would have oversight over all Federal Hurricane Katrina emergency funding. While the Obey amendment doesn’t go as far as this legislation, it is a significant step forward.

I am also pleased that the conference report includes funding to help States comply with the REAL ID Act. Estimates are that complying with the Act will cost the States between $100 million and $500 million over the next 4 years. Since the majority saw fit to push the REAL ID provisions through Congress, it is important that Congress also provides funding to do the job.

Still, I’m concerned about shortfalls in the bill. It cuts fire grants by $60 million (8 percent) below FY 2005, even as a recent survey found that fire departments across the country aren’t prepared to respond to a haz-mat incident and lack equipment. The bill also cuts State and local domestic preparedness grants by $585 million, 19 percent, and Urban Area Security Initiative grants by $270 million, 26 percent below FY 2005 levels. Funding for communications equipment for first responders is cut from the levels in the bill the House passed in May, before Katrina struck—from $27 million to $15 million. The bill does provide additional funding for border patrol, but the number of agents is still well below the 2,000 called for in the Intelligence Reform bill. Since September 11th, just 965 additional border patrol agents have been hired—less than a 10 percent increase in 4 years.

The conference report fail to provide much more than basic funding for the security of rail and public transportation systems because DHS has not yet spent funds it was allocated last year. Despite the fact that passenger rail in the U.S. carries about five times as many passengers each day as do airlines, this bill only includes $36 million for transportation security and $150 million for State grants to protect mass transit systems, as compared to $4.6 billion for aviation security.

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Mr. HOYER. Mr. Speaker, there are many good provisions in this conference report, and I intend to support it.

I am pleased, for example, with the $110 million appropriated for the SAFER Program—and was proud to have worked with Congressmen WELDON and SABO on an amendment to provide additional SAFER funding.

The President’s budget zeroed out this program of hiring grants, which help achieve adequate staffing levels and improve the safety of our firefighters and communities.

I also am pleased that the conference agreement would increase the Fire Grant Program—representing an increase of $45 million over the President’s request.

Nonetheless, even this funding level is $100 million below last year’s level.

The Fire Grant Program is authorized at $1 billion, and we must work to increase—not decrease—funding that ensures that firefighters have modern equipment and advanced training.

However, none of us should delude ourselves.

This Republican Congress is simply not doing enough to address our unmet homeland security needs.

The inept Federal response to Hurricane Katrina—almost 4 years to the day after the terrorist attacks of 9/11—has only heightened concern about this Nation’s ability to respond to another catastrophe.

Democrats would meet our first responder needs. Yet, this conference report cuts three of the four first responder grant programs.

Democrats would meet our needs for port security. Yet, with this conference report, we have funded only 12 percent of the amount needed for ports to comply with the Maritime Transportation Security Act.

Democrats would meet our needs for rail and transit security. Yet, while an estimated $6 billion is needed to improve rail and transit security, this conference report provides only $150 million for fiscal 2006.

Mr. Speaker, this Republican Congress—despite its proclamations otherwise—simply is not addressing our Homeland Security priorities.

I intend to support this conference report. But its flaws ought to give all of us pause.

Mr. Speaker, I rise to comment on the fiscal year 2006 Department of Homeland Security appropriations bill. I supported this bill when it passed the House in May, and I will vote in favor of the conference report, but I want to state for the record the serious deficiencies in this legislation.

My home State of North Carolina has been the victim of a number of devastating natural disasters including Hurricanes Floyd and Fran, as well as floods, tornadoes and ice storms. In many cases these natural disasters overwhelmed local and state resources, and the Governor asked for help from the Federal Government which, in most cases, responded appropriately.

The U.S. Congress established the Department of Homeland Security to address all hazards faced by our Nation—both natural and man-made. However, since the creation of the Department, we have seen the focus and funds shift from preparing for and responding to all hazards to a narrow, short-sighted focus on terrorism.

Again and again the administration and Republican leadership have pushed through cuts in pre-disaster mitigation efforts, emergency management performance grants, and even annual funding for the Federal Emergency Management Agency.

Unfortunately, Hurricane Katrina exposed the erosion of our Nation’s response capabilities and its horrendous results.

And now, Congress has the responsibility and opportunity to address some of these weaknesses through the appropriations process, but the Republican leadership has produced a piece of legislation that is almost in complete disregard of the Department’s weaknesses.

This bill cuts pre-disaster mitigation funds by 67 percent; it cuts state and local preparedness funds by more than a half billion dollars, and it cuts disaster relief funding by $370 million.

Furthermore, this legislation strips the preparedness functions from FEMA, further weakening this unagreed upon agency. Experienced emergency managers on every level will tell you, as they have told the members of the Homeland Security Committee, that their duties include prevention, protection, response and recovery. You cannot take away one of these four roles and expect the agency to function. Preparation, whether it be to prepare updated flood maps or train personnel to respond to a dirty bomb attack, are all vital to the creation of an effective, sustainable, and practical approach to domestic security.

Mr. Speaker, I will vote for this bill with great reluctance and strong reservations, but it is my fervent hope that my colleagues in the U.S. House will join me in restoring FEMA to its former effectiveness and preparing our nation for all eventualities.

Mr. SERRANO. Mr. Speaker, I rise in support of the conference agreement on H.R. 2360, the Department of Homeland Security Appropriations Act for fiscal year 2006. This is not a perfect bill; I believe that we are acquiescing too readily to yet another restructuring plan, allowing the Department to yet again re-shuffle boxes on its organizational chart without adequately establishing in hearings that the proposals will actually make this country safer. No amount of structural reform, which inherently muddies missions and produces chaos among employees, can substitute for professionalism, expertise, and strong leadership.

I am also concerned that, given our woefully inadequate 302(b) allocation, we have had to shore up funding for the Department’s essential activities at the expense of our support for state and local law enforcement agencies and first responders. State and local governments continue to be on the front lines of any effort to respond to natural disasters and acts of terrorism, and yet we have funded them significantly below both last year’s level and the Administration’s request. In addition, when the Administration is trying to shift blame to state and local governments for the chaotic overall response to Hurricane Katrina, we have not provided them with adequate resources to get the job done.

That said, I believe that this bill does a reasonably good job of addressing our most pressing homeland security needs. I especially want to highlight a provision that directs the Department to allocate 8 percent of that grant on the basis of threat and risk. While I do not believe that our task in this Congress will be finished until 100 percent of the Department’s grant funds are allocated on the basis of risk, this conference report is a noteworthy step in the right direction.

I am pleased that the conference report includes measures to ensure accountability in the way that the Department spends these appropriations, especially with respect to emergency supplemental funding for Hurricane Katrina. The Department’s initial reports to Congress, required by law, have lacked detailed specifics on how the Department has been spending the $60 billion that this Congress has provided since the hurricane first hit. While the American people fully support our commitment to providing relief to the victims of Katrina and Rita, they also expect this Congress to make sure that the Department spends their tax dollars effectively and responsibly.

In closing, I would like to thank subcommittee Chairman ROGERS and Ranking Member SABO for their hard work on this critical bill. We all knew that the creation of the department would create a considerable management challenge, and today, as we pass the third appropriations bill funding the department, I would like to applaud their leadership and that of the subcommittee for making sure that many of these concerns have been addressed.

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise in reluctant support of the conference report on H.R. 2360, the Homeland Security Appropriations Act for Fiscal Year 2006.

My support is based on the fact that it is the only vehicle available at this time to fund critical homeland security efforts.

While this bill makes some progress over last year’s funding levels, we are far from where we need to be in response to a terrorist attack or natural disaster. I am disappointed and concerned that the bill before us falls short of addressing the weakness and lessons learned from September 11, Hurricane Katrina and the terrorist attacks in Madrid and London.

H.R. 2360 unfortunately is a status quo homeland security appropriations bill with only modest improvements over the previous year’s bill.

My first concern is that the Republican leadership would not accept a Democratic motion to delay Homeland Security Secretary Michael Chertoffs proposal to reorganize the Homeland Security Department until a thorough investigation of the Federal Emergency Management Agency, FEMA, could be undertaken. Such an investigation would provide us with the necessary information to determine how best to organize FEMA including the advisability of consolidating FEMA’s existing preparedness functions under a new Preparedness Directorate and limiting FEMA’s functions solely to recovery and disaster response.

Second, I was disappointed that Republican conferees did not accept the Obey-Sabo-Byrd amendment that would have provided an additional $1.7 billion in investments in emergency
disaster planning, grants to first responders, transit, port and chemical security, and additional border security. These are critical programs that help communities prepare for a disaster and help bring relief following a catastrophe.

I am concerned that the conference report actually cuts funding for several programs that are of particular concern to urban areas such as my Los Angeles district. For example, two programs that provide essential funding for first responders, the State Homeland Security Grant Program and the State and Local Program are cut below their current year funding by 50 percent and 20 percent respectively. I am also alarmed that grants for high-threat, highly-populated urban areas will suffer a 15 percent cut and that grants for firefighters to buy needed safety equipment are cut by 8 percent. Lastly, I am troubled that funding for FEMA to perform its limited functions has been reduced by 11.5 percent.

In closing, Mr. Speaker, I will support this bill to provide critical resources to help make our country safer. However, fully addressing our critical national security concerns in light of recent events requires resources that the Administration simply did not support and which the Republican majority did not provide in this bill. While this bill is an improvement over the Administration's request, unfortunately critical homeland security needs will still go unmet despite the probability of disasters lurking in the not so distant future.

Mr. MARKAY. Mr. Speaker, the conference report we are considering today on the House Floor offers an approach to homeland security loopholes that continue to put Americans at risk more than four years after the 9/11 attacks.

Despite the urgent need to increase protections against terrorists determined to strike our country, serious vulnerabilities persist in a range of major areas.

Nuclear terrorism: Non-proliferation expert Graham Allison has said that more likely than not there will be an act of nuclear terrorist attack in our country. Al Qaeda views obtaining nuclear weapons as a religious duty. There are tens of thousands of nuclear weapons—worth of highly enriched uranium in the former Soviet Union, but we do not have the technology that can reliably detect it at our ports of entry.

Chemical plant security: More than 100 facilities in 23 States could threaten 1 million or more people if terrorists attacked the facility. There are no federal security requirements for chemical plants—the industry secures itself if it decides, on its own, to do so. “60 Minutes” did a segment where they literally walked right through an open front gate into a chemical plant outside downtown Pittsburgh. At one facility, the reporter climbed up onto a tank containing toxic material and shouted “hello, I’m on your tank.” There were no guards and no one tried to stop him. There are nightclubs in New York City that are harder to get into than some of our chemical plants.

Leaks of toxic chemicals can be devastating. In India in 1984, a leak at a chemical plant in Bhopal killed at least 4,000 people and injured hundreds of thousands more. Transportation of extremely hazardous materials: Shipment of extremely hazardous materials such as chlorine routinely travel through densely populated areas of our country. These shipments are mobile chemical weapons that often share the same track as urban passenger rail systems and could kill or injure 100,000 people within half an hour. In a report released by the Teamsters Rail Conference last week that surveyed rail employees, 63 percent of respondents said that their train or equipment was delayed or left unattended for an extended period of time that day, and of those, 55 percent indicated that there were hazardous materials aboard the train.

LNG Security: One of Millenium Bomb plotters planning to attack Los Angeles International Airport was smuggled into the country on an LNG tanker docking in Everett, MA in my Congressional District. In the wake of the Lockerbie, Scotland, an urban area was airlifted to the site of an attack, trying to save a densely populated area. In 1979, my bill to require such LNG tankers, resulting in catastrophic consequences for surrounding communities. In 1979, my bill to require such remote sitting was signed into law. But the Bush Administration is trying to undermine it, opening up the possibility an LNG plant would be planned on the middle of an urban area, where an attack or accident would cause incredible devastation. Energy Bill signed into law in August 2005 froze out local officials from site decision-making process, so now convenience for energy compa-

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Republicans claim to support local control and the right of states to fend off federal overcrow-throwments. But when it comes to LNG siting, Republicans cut out mayors and governors and state homeland security officials from carrying out one of their most important responsibilities—protecting the public.

Aviation: Approximately 22 percent of all cargo transported by air in the United States consumes about half of the space in the cargo bay on a typical flight, and almost none of it is ever inspected! In the past, this cargo loophole has been exploited with deadly results, such as when Pan Am Flight 103 was blown up over Lockerbie, Scotland, a bomb hidden in unscreened baggage. I asked Secretary Chertoff if he would support a requirement that 100 percent of the cargo carried on passenger planes be inspected, just as all check bags, carry-on bags and passengers are currently inspected before boarding? He said “No.”

Why should the booties of babies be scrutinized for bombs, but no one checks the cargo bound for the belly of a Boeing? The Bush Administration says we should trust the shipper. But we must apply the Reagan Doctrine to cargo security, not the Bush doctrine.

Public transit: The attacks in London and Madrid clearly demonstrated our vulnerability to similar strikes against our transit systems here in the United States. Despite these wake-up calls, Congress provides only slightly more funding than what is being provided today. Ranking Members OBEY and SABO offered amendments during the conference to increase funding for public transit security, but these amendments were defeated by the unanimous opposition from Republicans on the conference committee.

The American Public Transportation Association has identified $6 billion in transit secu-

rity needs for U.S. public transportation systems, approximately the same amount of money we’re spending each month in Iraq. Since September 11, the federal government has spent $18 billion on passenger air security, but only $250 million on transit security. Yet, Americans take public transportation 32 million times a day—16 times more than they fly.

Biological Weapons: Four years after the unsolved anthrax attacks on the Capitol that killed innocent workers, DHS has only completed four material threat assessments on FOUR of the biological, chemical and radiological agents that it is required to assess under Project Bioshield. I asked Secretary Chertoff if he would commit to completing the rest of these threat assessments within 60 days. He said “No.”

Today’s conference report does not adequately address these issues. This bill does not:

1. Require chemical plants to be protected by armed guards trained to prevent attacks by sophisticated, suicidal terrorists or require chemical companies to substitute safer technologies and chemicals in their processes whenever possible, so if terrorists penetrate a plant, damage they could cause would be dramatically reduced.

2. Require re-routing of extremely hazardous materials whenever possible to reduce the threat of an attack on a chemical shipment in a densely populated area.

3. Mandate that LNG facilities should be built in remote locations far away from population centers or ensure that security officials, including state and local government representatives are involved in siting process.

4. Require that all the commercial cargo carried on passenger planes be inspected for bombs, just as all passengers and their luggage are.

5. Direct the Department of Homeland Security to complete all of the 60 material threat assessments and purchase all of the vaccine doses required under Project Bioshield.

Republicans continue to nickel and dime homeland security while writing a blank check for the war in Iraq. Specifically, the discretionary funding provided in this bill is $1.3 billion—4.5 percent of the Bush Administration’s request, which is just slightly more than the rate of inflation. When Ranking Members OBEY and SABO attempted to add $1.7 billion for FEMA disaster mitigation programs, emergency management grants, chemical, transit and port security, and other critical security programs such as aviation security and Coast Guard operations, they were defeated by Republicans on a party-line vote.

Hurricane Katrina and Hurricane Rita washed away the illusion that the Federal govern-

ment was better prepared to respond to a natural disaster or terrorist attack than it was on 9/11. Not only are we not prepared for a natural or man-made disaster such as a dirty bomb, we are not taking the preventive measures to reduce the risk of these devastating events.

This conference report does not provide for qualified, experienced leadership at FEMA, and it does not return FEMA to the staffing levels of the 90s. Mr. Speaker, I cannot support this conference report, which fails to address pressing, well-known homeland security weaknesses. I urge a “no” vote.

Mrs. CHRISTENSEN. Mr. Speaker, I rise in opposition to the Conference report on H.R.
2360, the Department of Homeland Security Appropriations Acts for fiscal year 2006 because I am concerned about some of the areas where it falls short, but moreso because I believe it is the wrong vehicle to make the structural changes to the Department of Homeland Security that Secretary Chertoff laid out in his testimony on the fiscal year 2007 Budget without the appropriate congressional scrutiny.

As a member of the Homeland Security Committee, I am very disappointed that the Conference Report, even though it provides more funding that the President’s original request, does not provide leadership or clear lines of authority. This Conference Report does not provide leadership or clear lines of authority. This Conference Report does not provide leadership or clear lines of authority.

This Conference Report fails to make Homeland Security the priority it ought to be.

Mr. Speaker, as someone who represents an area which as seen more than its share of devastating hurricanes, and is home to some sites of critical national infrastructure, I am particularly concerned about some of the proposals set forth in Secretary Chertoff’s reorganization which could split FEMA’s preparedness and response functions and leave FEMA solely as a disaster response agency reporting to the Secretary. It is because of this concern and others why I joined Homeland Security Committee Ranking Member VOBIE THOMPSON and other members of the Committee in introducing the Department of Homeland Security Reform Act of 2005 to offer solutions where the administration’s reorganization plan creates more problems. I also have grave concerns that what this reorganization does is cut funding for border security, even at the NIH, and it is a dangerous trend which is presently an isolated entity located in California.

With these motions in mind, Mr. Speaker, I will ultimately support the underlying legislation under the Conference Report, but I recognize that it has many shortfalls that will affect this Nation’s ability to respond to a new and rapidly changing set of circumstances—namely the aftermath of Katrina and Rita. I speak not only from the standpoint of a Representative of an area that experienced compound effects of both Katrina and Rita, but I speak as a mother, a husband, and a person who understands the pressures of economic hardship.

I applaud the Conferees for giving agencies such as ICE an appropriation of $3.175 billion—which was a $216 million increase over the FY05 level of $2.95 billion. Furthermore, of the $4.6 billion allocated to TSA, $2.54 billion is allocated to cover the passenger and baggage screener workforce. The number of TSA screeners is capped at 45,000—which will constrain our efforts to compensate for the effects of two hurricanes. Within this account, privatized screening operations are funded at $164.5 million. This account also extended liability protection to airports with private TSA screeners for “any act of negligence, gross negligence, or intentional wrongdoing” committed by a Federal or private screener—which will be a good element.

While I support many of the allocations set forth in this measure, it is my feeling that, overall, the initiative to implement the departmental facelift called for in the Secretary’s Second Stage Review is the wrong focus at this time. Katrina and Rita have created more pressing issues that could be addressed with this bill.

To compound the severe need for resources and administrative services caused by the hurricanes, there are major departmental changes that have been made that could weaken our ability to address those needs. The proposed transfer of all state and local grants and associated activities to the new Preparedness Directorate must be given oversight analysis before it is implemented. After having seen firsthand the cries for ice, potable water, food, and other subsistence items from the villages of Port Rouge, LA, now a backdrop of Port Arthur, I know that this bill does not do all that it can to make us more prepared for incidents similar to Katrina and Rita.

Unfortunately, the underlying bill is not exactly on-point or up-to-date vis-a-vis Hurricane Rita. Many of the problems that we face are new, late breaking, and developing in front of our eyes.

In emergency situations such as occurred in the Gulf States, communications capabilities are essential. Emergency managers must have the equipment that will allow essential communications efforts to continue in case of the major damage to infrastructure we have seen in New Orleans.

Clearly, the Federal Emergency Management Agency needs a change—from the top to the bottom. We need to look at whether the tasks charged to FEMA are too large to be included with 21 other agencies under the Department. Before some of the very substantial changes set forth in H.R. 2360 are passed into law, we need to seriously consider separating FEMA so that from top to bottom—especially given the recent resignation of former Director, Michael Brown, whose credentials as an emergency manager had been widely questioned.

Funds that we appropriate to FEMA must be prioritized for disaster preparedness, and we need substantial oversight in order to prevent catastrophic aftermaths.

Mr. ROGERS of Kentucky. Mr. Speaker, I urge adoption of the conference report, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the conference report. Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, this 15-minute vote on adoption of the conference report will be followed by 5-minute votes on the motion to suspend the rules on H.R. 3885 and on the motion to suspend the rules on H.R. 3896.

Proceedings will resume on H. Con. Res. 248 tomorrow.

The vote was taken by electronic device, and there were 497 yeas, 70 nays, 16 not voting, as follows:

[Roll No. 512]

YEA—477

Bilirakis — Bonner — Bonilla

Ackerman — Aderholt — Akin — Alexander

Bachus — Bartlett (MD) — Barton (TX)

Boehner — Boenzi — Bono

Ackerman — Akin — Alexander

Bachus — Bartlett (MD) — Barton (TX)

Boehner — Boenzi — Bono

Ackerman — Akin — Alexander

Bachus — Bartlett (MD) — Barton (TX)

Boehner — Boenzi — Bono

Ackerman — Akin — Alexander

Bachus — Bartlett (MD) — Barton (TX)

Boehner — Boenzi — Bono

Ackerman — Akin — Alexander

Bachus — Bartlett (MD) — Barton (TX)

Boehner — Boenzi — Bono
Mr. OWENS, Mr. BERRY, Ms. GOTO, Mr. ROYCE, Mr. STIFF, Mr. DOOLEY, Mr. RUTHERFORD, Mr. FORD, Mr. KENNEDY, Mr. KIM, Mr.IÓN, Mr. BROWN, Mr. HOFFMAN, Mr. MCINTOSH, Mr. RODRIGUEZ, Mr. ROY, and Mr. LEE moved to pass the bill without amendment.

Mr. OWENS, Mr. BERRY, Ms. GOTO, Mr. ROYCE, Mr. STIFF, Mr. DOOLEY, Mr. RUTHERFORD, Mr. FORD, Mr. KENNEDY, Mr. KIM, Mr.IÓN, Mr. BROWN, Mr. HOFFMAN, Mr. MCINTOSH, Mr. RODRIGUEZ, Mr. ROY, and Mr. LEE offered the following amendment, which was agreed to:

[Amendment text]

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RURAL HOUSING HURRICANE RELIEF ACT OF 2005

The SPEAKER pro tempore (Mr. WALDEN of Oregon). The pending business is the question of suspending the rules and passing the bill, H.R. 3895, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BAKER) that the House suspend the rules and pass the bill, H.R. 3895, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 335, nays 81, not voting 17, as follows:

[Vote results table]

The Clerk announced the results of the vote.