

Murrah Federal Building in Oklahoma City, directed rescue efforts at the 1993 attack at the World Trade Center, and assisted FEMA in forming a national network search and rescue team.

Mr. Speaker, these remarkable accomplishments speak highly of Raymond Downey. Those who saw him work were awed by his abilities to bring order to even the most chaotic situations. Chief Downey achieved almost mythical status among his colleagues.

Mr. Speaker, I would just like to say on a personal note, being married to a battalion chief in the Hampton Fire Department for 30 years, I know what these firefighters go through and I know what they are like, and I can just imagine what Mr. Downey did for his men that worked for him, and I know they are all very proud of him, as I am sure all of New York is.

Since September 11, we have heard countless stories of heroic acts from members of New York's Fire Department. And yet, even in an organization filled with great men and women, Chief Raymond Downey stood out. That he would die in just the type of disaster for which he had received world acclaim was no surprise to those who knew him. For almost 40 years, he had been running into buildings as everyone else was running out.

Raymond Downey was a cornerstone of the New York Fire Department. His commitment to public service and his fellow man will forever linger in the hearts and minds of New Yorkers and all Americans.

Mr. Speaker, it is fitting that we honor the memory of this great American hero by renaming the post office at 375 Carlls Path in Deer Park New York as the Raymond M. Downey Post Office Building. He is deserving of this great tribute. I urge all Members to support this important resolution.

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

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

I rise today not simply to honor a constituent but, rather, to honor a national treasure, Raymond Downey. Heroes are known not only for their deeds but also for their rarity. New York lost many heroes on September 11, Ray Downey epitomized their courage.

At 63, he had been a New York firefighter for nearly 40 years. He led the Special Operations Command, and was probably the world's leading expert on rescues of collapsed buildings. When the World Trade Center was first attacked in 1993, Ray Downey led rescue operations at the World Trade Center. When the Murrah Federal Building in Oklahoma was bombed, Chief Downey was the natural choice to oversee the search and rescue efforts. On September 11, when planes crashed into the Twin Towers, of course Chief Downey would be there, sacrificing his own life so that thousands of others might live; giving his life doing the job he performed so nobly.

Ray Downey gave his life side-by-side hundreds of New York rescue workers, thousands of New Yorkers. Almost everyone in my district knows someone who did not make it out of the World Trade Center that day. We are all prone to a sense of why some and not others. It is a question different people with different faiths will answer in different ways, but in the case of Chief Downey, we know why: It was because while everyone was running away from danger, Ray Downey and his comrades were rushing towards danger. He had been going in that direction for 39 years as firefighter.

While everyone was running down the stairs of the Towers, Ray Downey was going into those buildings, going up the stairs, an act of heroism that allowed thousands of innocent men and women to return home to their families that night. He was an inspiration to all who saw him that morning. He will be an inspiration to all who will know him throughout history. In the words of Reverend Billy Graham, "courage is contagious. When a brave man takes a stand, the spines of others are stiffened." On September 11, Ray Downey took a noble stand.

There were over 300 firefighters who lost their lives running up the stairs, running into the very face of danger on September 11. I have been to countless memorial services for the almost 100 people in my district who have been lost. This weekend, I went to Ray Downey's. The turnout was immense, huge, commensurate to his standing in his community and his country. He was a rock of strength and courage to his fellow firefighters, to the people of New York, and his community of Deer Park.

We have come to know a lot of heroes in New York since September. Even among heroes, Ray Downey was something special, something truly extraordinary. His colleagues knew that. They called him God. He was not God. He was not immortal. And the risks he took running into a dangerous building were just as great as they were for anyone else. To give his life to save others, that is what made him a hero.

When Ray Downey and his 300 men raced up the staircases of the World Trade Center, they surely knew what the likely outcome would be. Yet they chose others' lives over their own. They chose professionalism over self-interest. They looked directly into the face of death and made us all brave. They were frightened in those last moments, of course, but they kept moving up to death, guiding people down to life. In the words of the poet, "courage is not the absence of fear, it is the conquest of it."

Ray Downey. We will not see his likes again in our lifetime, and that is why the naming of the Deer Park Post Office as the Raymond Downey Post Office is so appropriate a tribute.

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

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield 30 seconds to the gentleman from New York (Mr. KING).

Mr. KING. Mr. Speaker, I thank the gentlewoman for yielding me this time, and I am proud to join with my colleague, the gentleman from New York (Mr. ISRAEL) this afternoon.

Ray Downey was a legend in the New York City Fire Department. He and I grew up in the same department in Queens. He is a man who dedicated his life to saving other lives. And as the gentleman from New York (Mr. ISRAEL) said, when 25,000 people were coming down the stairs, Ray Downey, at the age of 63, when he could have been sitting behind a desk, was going into a building to rescue thousands of people, and he certainly deserves whatever accolades we can give him. But more important than that, he has the accolades of all those who knew and loved him.

Mr. ISRAEL. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, at Raymond Downey's memorial service, his daughter Kathy recited a poem I would like to share. It is entitled Our Angel.

"On that dreadful day we huddled in prayer, hearts joined in sorrow, pain difficult to bear. Our angels climbed up, as they helped others down. The Towers may have fallen, but our bravest never touched the ground. They kept soaring up to that heavenly cloud, shining strength down on us, we are grateful and proud. So please say a prayer as a tribute to those whose love never faltered and eternally grows."

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

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield myself the balance of my time. I commend the distinguished gentleman from New York (Mr. ISRAEL) for introducing this legislation and working so hard to ensure its passage.

I again urge all Members to support this important resolution and to reflect upon this great American, Raymond Downey, for the tremendous devotion that he gave to all New Yorkers during his tenure with the New York Fire Department.

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

The SPEAKER pro tempore (Mr. CULBERSON). The question is on the motion offered by the gentlewoman from Virginia (Mrs. JO ANN DAVIS) that the House suspend the rules and pass the bill, H.R. 3379.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. ISRAEL. 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.

WATER INFRASTRUCTURE SECURITY AND RESEARCH DEVELOPMENT ACT

Mr. BOEHLERT. Mr. Speaker, I move to suspend the rules and pass the bill

(H.R. 3178) to authorize the Environmental Protection Agency to provide funding to support research, development, and demonstration projects for the security of water infrastructure, as amended.

The Clerk read as follows:

H.R. 3178

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 “Water Infrastructure Security and Research Development Act”.

SEC. 2. DEFINITIONS.

For purposes of this Act—

(1) the term “Administrator” means the Administrator of the Environmental Protection Agency;

(2) the term “research organization” means a public or private institution or entity, including a national laboratory, State or local agency, university, or association of water management professionals, or a consortium of such institutions or entities, that has the expertise to conduct research to improve the security of water supply systems; and

(3) the term “water supply system” means a public water system, as defined in section 1401(4) of the Safe Drinking Water Act (42 U.S.C. 300f(4)), and a treatment works, as defined in section 212 of the Federal Water Pollution Control Act (33 U.S.C. 1292), that is publicly owned or principally treating municipal waste water or domestic sewage.

SEC. 3. WATER SUPPLY SYSTEM SECURITY RESEARCH ASSISTANCE.

(a) IN GENERAL.—The Administrator, in consultation and coordination with other relevant Federal agencies, shall establish a program of research and development activities to achieve short-term and long-term improvements to technologies and related processes for the security of water supply systems. In carrying out the program, the Administrator shall make grants to or enter into cooperative agreements, interagency agreements, or contracts with research organizations.

(b) PROJECTS.—Awards provided under this section shall be used by a research organization to—

(1) conduct research related to or develop vulnerability assessment technologies and related processes for water supply systems to assess physical vulnerabilities (including biological, chemical, and radiological contamination) and information systems vulnerabilities;

(2) conduct research related to or develop technologies and related processes for protecting the physical assets and information systems of water supply systems from threats;

(3) develop programs for appropriately disseminating the results of research and development to the public to increase awareness of the nature and extent of threats to water supply systems, and to managers of water supply systems to increase the use of technologies and related processes for responding to those threats;

(4) develop scientific protocols for physical and information systems security at water supply systems;

(5) conduct research related to or develop real-time monitoring systems to protect against chemical, biological, and radiological attacks;

(6) conduct research related to or develop technologies and related processes for mitigation of, response to, and recovery from biological, chemical, and radiological contamination of water supply systems; or

(7) carry out other research and development activities the Administrator considers appropriate to improve the security of water supply systems.

(c) GUIDELINES, PROCEDURES, AND CRITERIA.—

(1) REQUIREMENT.—The Administrator shall, in consultation with representatives of relevant Federal and State agencies, water supply systems, and other appropriate public and private entities, publish application and selection guidelines, procedures, and criteria for awards under this section.

(2) REPORT TO CONGRESS.—Not later than 90 days before publication under paragraph (1), the Administrator shall transmit to Congress the guidelines, procedures, and criteria proposed to be published under paragraph (1).

(3) DIVERSITY OF AWARDS.—The Administrator shall ensure that, to the maximum extent practicable, awards under this section are made for a wide variety of projects described in subsection (b) to meet the needs of water supply systems of various sizes and are provided to geographically, socially, and economically diverse recipients.

(4) SECURITY.—The Administrator shall include as a condition for receiving an award under this section requirements to ensure that the recipient has in place appropriate security measures regarding the entities and individuals who carry out research and development activities under the award.

(5) DISSEMINATION.—The Administrator shall include as a condition for receiving an award under this section requirements to ensure the appropriate dissemination of the results of activities carried out under the award.

SEC. 4. EFFECT ON OTHER AUTHORITIES.

Nothing in this Act limits or preempts authorities of the Administrator under other provisions of law (including the Safe Drinking Water Act and the Federal Water Pollution Control Act) to award grants or to enter into interagency agreements, cooperative agreements, or contracts for the types of projects and activities described in this Act.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to the Administrator to carry out this Act \$12,000,000 for each of the fiscal years 2002, 2003, 2004, 2005, and 2006.

(b) AVAILABILITY.—Funds appropriated under subsection (a) shall remain available until expended.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. BOEHLERT) and the gentleman from Washington (Mr. BAIRD) will each control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. BOEHLERT).

GENERAL LEAVE

Mr. BOEHLERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material in the RECORD on H.R. 3178.

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

There was no objection.

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

Mr. Speaker, H.R. 3178, the Water Infrastructure Security and Research Development Act, or WISARD, as we call it, authorizes the Environmental Protection Agency to provide assistance for research and development of anti-terrorism tools for water infrastruc-

ture protection. The Committee on Science has worked hard to bring forth to this House a bipartisan broadly supported bill that responds to the growing threats facing our country's drinking water and wastewater systems.

Mr. Speaker, fences, guards dogs, and bottled water are not a sustainable approach to water infrastructure security. That is why my colleagues and I, with the help and support of water management agencies, State and local officials, engineering companies, and experts in the scientific community introduced and advanced the legislation before us today. H.R. 3178 is an important first step in ensuring that we have the research and development our country needs to combat biological, chemical, physical, and cyberterrorist threats today, tomorrow, and into the future. It focuses on not just short-term research needs, but also intermediate and, importantly, long-term needs.

Just as it took the greatest scientific minds and technological advances to win World War II and the Cold War, the success of America's new war will be measured not only on the battlefield, but also in the laboratory. H.R. 3178 is a big step down that path. The WISARD bill will help us identify and assess vulnerabilities, enhance our prevention and response measures, and ensure long-term security.

The testimony we received from experts in national security, water management, and scientific research confirmed the compelling need for this bill. While there are certain immediate actions we can take to increase the security of our water supplies, we cannot lose sight of the longer-term questions and opportunities involving technologies. H.R. 3178 responds with a focused research and development program to help answer the necessary questions and develop the technological solutions in collaboration with EPA's public and private partners.

Mr. Speaker, this bill is just one example of the Committee on Science's efforts regarding terrorism since September 11, 2001. We have held hearings and moved bills relating to cyberterrorism and information technology. We have had detailed hearings on bioterrorism, exploring issues of anthrax decontamination, how clean is clean and how coordinated is coordinated in terms of the Federal response. We have also looked at the interoperability issues and the interdependence of water systems and other critical infrastructures, such as telecommunications, energy and transportation. H.R. 3178 builds upon this record.

I should also explain that the text of this bill is essentially the text of H.R. 3178 as approved by the Committee on Science on November 15, 2001. We made additional clarifications and revisions after consultation with committees expressing a jurisdictional interest in the bill.

Finally, Mr. Speaker, I want to particularly thank the gentleman from

Washington (Mr. BAIRD) for his leadership, and the 46 other cosponsors who have helped shape and advance this legislation. My colleagues on the Committee on Science, including the ranking minority member the gentleman from Texas (Mr. HALL), and the chairman and ranking minority members of the Subcommittee on Environment, Technology, the gentleman from Michigan (Mr. EHLERS) and the gentleman from Michigan (Mr. BARCIA) respectively, approved H.R. 3178 unanimously on November 15.

I also want to thank the chairman of the Committee on Transportation and Infrastructure, the gentleman from Alaska (Mr. YOUNG); chairman of the Committee on Energy and Commerce, the gentleman from Louisiana (Mr. TAUZIN); and the chairman of the Committee on Resources, the gentleman from Utah (Mr. HANSEN), for their suggestions and cooperation in clarifying some of the bill's provisions.

Mr. Speaker, at this point, I enter into the RECORD background materials on H.R. 3178, including the exchange of correspondence between the Committee on Science and the Committee on Energy and Commerce, and the Committee on Transportation and Infrastructure.

PURPOSE OF THE BILL

The purpose of H.R. 3178 is to authorize the Environmental Protection Agency (EPA) to provide assistance for research and development of technologies and related processes to strengthen the security of water infrastructure systems.

BACKGROUND AND NEED FOR THE LEGISLATION

Federal, state and local governments have spent tens of billions of dollars to build the nation's drinking water and wastewater treatment infrastructure. In the coming decades, tens of billions more will be required to maintain that infrastructure and meet the needs of a growing population. What has become clear in recent years and, even more so after the September 11, 2001 attacks, is that while the nation's water infrastructure provides safe and plentiful water to more than 250 million Americans, the system was not built with security from terrorism in mind.

How can the nation respond successfully to this new and daunting challenge? Success will depend on, among other things, focused and sustained research to: (1) Assess potential physical, chemical and cyber vulnerabilities of the system, (2) develop techniques for real-time monitoring to detect threats, (3) conduct research on mitigation, response and recovery methods, and (4) develop mechanisms for widely disseminating and sharing information. H.R. 3178 directly addresses these needs by specifically authorizing water system infrastructure research and development projects and by authorizing funding to carry out this important work.

WATER INFRASTRUCTURE

Approximately 170,000 "public water systems" provide water for more than 250 million people in the United States. The Safe Drinking Water Act defines public water system as "a system for the provision to the public of water for human consumption through pipes or other constructed conveyances, if such system has at least 15 service connections or regularly serves at least 25 individuals . . . and includes collection, treatment, storage, and distribution facil-

ties used primarily in connection with the system." Environmental Protection Agency (EPA) regulations recognize two primary types of such systems: (1) "Community water systems," which provide drinking water to the same people year-round; and (2) "non-community water systems," which serve people on a less than year round basis at such places as schools, factories or gas stations.

There are approximately 16,000 municipal sewage treatment works, servicing 73 percent of the U.S. population. Privately owned treatment systems, including septic tanks, serve the remaining population. The Federal Water Pollution Control Act (also known as the Clean Water Act) defines treatment works as "any devices and systems used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature . . . including intercepting sewers, outfall sewers, sewage collection systems . . . and any works that will be an integral part of the treatment process."

THREATS TO DRINKING AND WASTEWATER SYSTEMS

Physical threats to drinking water systems include chemical, biological, and radiological contaminants and disruption of flow through explosions or other destructive actions. Like wastewater treatment systems, drinking water systems may also be at risk because of on-site stockpiles of chemicals that could create fire, explosion, or other hazards. Cyber threats are an increasing concern, given the automated, remote-control nature of most drinking water treatment and distribution systems. Systems are also dependent on other critical infrastructure systems such as energy, telecommunications, and transportation. For example, a water treatment plant that depends on daily deliveries by truck of aluminum sulfate, chlorine, or other chemicals needs an emergency operations plan if such deliveries are interrupted. In recent years, most attention has focused on threats to drinking water systems, particularly to water storage reservoirs.

Wastewater treatment facilities have received increasing attention after the September 11, 2001 attacks. Like drinking water plants, they face physical and cyber threats and other vulnerabilities due to their dependence on other critical infrastructures. Particular attention has also focused on the large volume of liquid chlorine, sulfur dioxide, and other toxic chemicals that may be stored or in use at sewage facilities and the potential for an explosion to create a toxic cloud that could threaten employees and surrounding communities. In addition, some research has occurred with respect to alternative treatment systems and chemicals (such as chlorine bleach or sodium hypochlorite in lieu of liquid chlorine).

SECURITY REPORTS AND ACTIONS

There has been increasing, though still limited, attention to infrastructure security in recent years. In response to a 1995 Congressional directive, President Clinton established a Commission on Critical Infrastructure Protection, which issued an October 1997 report, "Critical Foundations, Protecting America's Infrastructure." The report addressed various infrastructure systems, including water, and recommended greater cooperation and communication between government and the private sector.

In May 1998, President Clinton issued President Decision Document 63 (PDD-63), which included the goal of protecting the nation's critical infrastructure from intentional physical and cyber attacks by 2003. Plans by key federal agencies to meet this goal were to be in place by late 1998. The re-

port identified water supply as one of eight critical infrastructure systems requiring attention, specifically focusing on the 330 largest community water systems that each serve more than 100,000 persons. PDD-63 designated EPA as the lead federal agency for interacting with the water supply sector.

EPA responded in late 1998 with a "Plan to Develop the National Infrastructure Assurance Plan: Water Supply Sector" to address water infrastructure security. In June 2001, EPA's Inspector General issued a report that credited EPA with achieving a fast start on its efforts, but criticized the agency for missing many important milestones it had set for developing critical infrastructure protections. After the report, and again after the September 11 attacks, the pace of EPA's efforts has accelerated.

To date, EPA has entered into a partnership with the Association of Metropolitan Water Agencies (AMWA) and the American Water Works Association (AWWA) to reduce the vulnerability of water systems. AWWA's Research Foundation has contracted with the Department of Energy's Sandia National Laboratories to develop vulnerability assessment tools for water systems. EPA has also received appropriations (e.g. \$2M in FY 01) for projects with Sandia to pilot test physical vulnerability assessment tools and develop a cyber vulnerability assessment tool. Additional actions (e.g. upgrading security technologies and developing real-time monitoring technologies) on a variety of important security related issues have yet to be completed.

PDD-63 also called for the Federal Bureau of Investigation (FBI) to establish a National Infrastructure Protection Center to provide information sharing and analysis and to coordinate with and encourage private sector entities to establish Information Sharing and Analysis Centers (ISACs). AMWA volunteered to be the Water ISAC coordinator. The purpose of the Water ISAC is to provide to water managers early warnings and alerts about threats to the integrity and operation of water supply and wastewater systems.

While various federal agencies are conducting research on water-related security issues, the January 2001 report of the President's Commission on Critical Infrastructure Protection characterized ongoing water sector research efforts as relatively small with a number of gaps and shortfalls. Four major areas for further research are identified: (1) Threat/vulnerability risk assessments; (2) identification and characterization of biological and chemical agents; (3) establishment of a center of excellence to support communities in conducting vulnerability and risk assessments; and (4) application of information assurance techniques to computerized systems used by water utilities.

Various drinking water system managers and researchers have identified priority areas for research, including: (1) Assessment of physical vulnerabilities including disruption of flow and contamination by chemical, biological, or radiological agents; (2) cyber vulnerabilities including process control equipment, Supervisory Control and Data Acquisitions (SCADA) systems, and other information systems; and (3) vulnerabilities associated with interdependencies with other critical infrastructure sectors such as energy, telecommunications, transportation, and emergency services. Specific research needs include: vulnerability assessment tools; technologies and processes for protecting physical assets and information and process control systems; training, education, and awareness programs; information sharing tools; demonstration projects; real-time monitoring and detection systems; and response and recovery plans.

SUMMARY

Together, the various studies, plans and recommendations highlight significant gaps in research and development projects and shortfalls in funding for such research-related activities. More importantly, they provide a roadmap for actions in the short, medium and long term. H.R. 3178 directly addresses these gaps by providing a broad framework for water system infrastructure research and development projects and by authorizing funding to meet such needs.

SUMMARY OF HEARINGS

The Committee held a hearing on "H.R. 3178 and Developing Anti-Terrorism Tools for Water Infrastructure" on November 14, 2001. Four witnesses presented testimony: Mr. James Kallstrom, Director of the Office of Public Security, and a former official with the Federal Bureau of Investigation, described some of his experiences with terrorism and the importance of water infrastructure security. He testified on New York State's strong support for H.R. 3178 and reinforced the importance of building the technological prowess to anticipate, prevent, and respond to terrorist attacks.

Dr. Richard Luthy, Professor of Civil Engineering, Stanford University and Chair, Water Science and Technology Board, National Research Council, provided an overview of vulnerabilities facing water systems and areas for further research and development. In his support for H.R. 3178, he pointed out that dams, aqueducts and pumping stations are especially vulnerable to attack, including cyber attacks. He emphasized that while there are real physical threats to water systems from chemical or biological contamination, there are also important psychological and economic consequences from perceived or minor contamination. He recommended that steps be taken to enable early detection of threats or contamination, and to explore opportunities for interconnectedness or redundancies in and among water systems to address a failing in one part of the system.

Mr. Jeffrey Danneels, Department Manager, Security Systems and Technology Center at Sandia National laboratories, also provided an overview of water system vulnerabilities and described current and proposed projects by Sandia National Laboratories to increase water infrastructure security and develop vulnerability assessments. He testified first to the dramatic funding challenges faced by the nation's communities to maintain and build new drinking water and wastewater infrastructure in the coming years. In this context he described how less than one percent of the water flowing from most urban drinking water systems is consumed as drinking water. Because the remainder goes to other uses (such as fire fighting, flushing toilets, etc), he suggested that H.R. 3178 support research on prospective water system design improvements that could have profound benefits. In supporting H.R. 3178, he urged members to ensure that the bill addressed short-medium- and long-term threats and appropriate responses to them. In particular, he recommended that H.R. 3178 support the following efforts: security risk assessment methodologies, new security technologies, real-time monitoring supervisory control and data acquisition, and advanced treatment technologies.

Mr. Jerry Johnson, who oversees the District of Columbia's water distribution and wastewater treatment systems, and represented the Association of Metropolitan Waster Agencies (AMWA) and the American Water Works Association Research Foundation (AwwaRF), described the need for additional and/or improved information, tech-

nologies, and practices to strengthen the security of water systems. He conveyed the strong support of the water infrastructure community for H.R. 3178 and highlighted a variety of ongoing infrastructure security related research among federal agencies and the water infrastructure community. He also depicted numerous areas requiring further research, including: (1) An assessment of potential contaminants; (2) development of portable assessment tools, such as miniature liquid chemical laboratories and a gas chromatograph on a silicon chip; (3) nanoelectrode analysis technologies; (4) DNA chips; and (5) other technologies to assure rapid assessment and response to chemical or biological threats.

COMMITTEE ACTIONS

On October 30, Congressman Sherwood Boehlert, joined by Congressman Baird and several other members, introduced H.R. 3178. On November 14, 2001, the Science Committee held a hearing on the bill.

On November 15, 2001, the Science Committee considered the bill. Chairman Boehlert offered an en bloc amendment, which was adopted by voice vote. The amendment made the following changes: (1) Clarified that eligible research organizations include state and local entities and that entities have expertise to conduct water security research; (2) broadened the definition of water supply system to include source waters such as streams and aquifers and also aqueducts and other facilities to convey water from the water source; (3) clarified that funding arrangements include grants, cooperative agreements, interagency agreements, and contracts; (4) clarified that vulnerability assessment efforts included research, development, and demonstration; (5) specified and clarified that, to the maximum extent practicable, research projects should meet the needs of water systems of various sizes and that award recipients should be geographically, socially, and economically diverse; (6) clarified that dissemination of information and the results of research under the Act are to be on an appropriate basis, considering the sensitive nature or potentially sensitive nature of such information and research results; and (7) added a savings clause that nothing in the Act limits or preempts EPA authorities under other laws such as the Safe Drinking Water Act and the Clean Water Act.

The committee favorably reported the bill as amended, by voice vote, and authorized staff to make technical and conforming changes as necessary.

SECTION-BY-SECTION ANALYSIS

SECTION 1

Provided short title.

SECTION 2

Defines the terms "Administrator," "research organization," and "water supply system." Research organizations include national laboratories, state and local agencies, universities, and water management associations. Water supply systems include drinking water and wastewater facilities.

SECTION 3

"Water Supply System Security Research Assistance"—subsection (a): Directs the EPA, in conjunction with other relevant agencies, to establish a program for the research and development of technologies and related processes to increase the security of water supply systems. In carrying out the program, EPA is to make grants or enter into cooperative agreements, interagency agreements, or contracts.

Subsection (b) Projects—provides that awards may be used to: (1) Conduct research related to or develop technologies and re-

lated processes to assess physical and information systems vulnerabilities; (2) conduct research related to or develop technologies and related processes for protecting physical assets and information systems; (3) develop programs to appropriately disseminate the results of research to increase public awareness of threats to water supply systems, and to help managers of water supply systems respond to threats; (4) develop scientific protocols for physical and information systems security at water supply systems; (5) conduct research related to or develop real-time monitoring systems related to chemical, physical, and radiological attacks; (6) conduct research related to or develop technologies for the mitigation, response to, and recovery from biological, chemical, and radiological contamination; or (7) carry out other research, development, and demonstration activities EPA considers appropriate.

Subsection (c) Guidelines, Procedures, Criteria—(1) Requires EPA to consult and coordinate with various entities, including water supply agencies, in developing guidelines, procedures, and criteria for applications and the selection of awards.

(2) Requires EPA to transmit to Congress proposed guidelines, procedures, and criteria at least 90 days before finalizing such proposals.

(3) Directs the EPA to ensure, to the maximum extent practicable, that awards are provided to a wide variety of projects to meet the needs of water systems of various sizes and to geographically, socially, and economically diverse recipients.

(4) Requires, as a condition of receiving an award, that research organizations have in place appropriate security measures regarding entities and individuals carrying out activities under the award.

(5) Requires the appropriate dissemination of the results of activities carried out under the award.

SECTION 4

"Effect on Other Authorities"—provides that nothing in the Act limits or preempts authorities of the Administrator under other provisions of law (including the Safe Drinking Water Act and the Federal Water Pollution Control Act) to award grants or to enter into interagency agreements, cooperative agreements, or contracts for the types of projects and activities described in the Act.

SECTION 5

"Authorization of Appropriations"—authorizes \$12 million for each of fiscal years 2002 through 2006 for EPA to carry out the Act and requires that such funds remain available until expended.

ADDITIONAL COMMENTS

The Committee encourages the Administrator to make full use of scientific peer review procedures, the Science Advisory Board, and other appropriate entities, to help ensure the wisest, most cost-effective use of federal and non-federal funds. In carrying out this Act, which authorizes scientific, environmental, and energy-related research and development activities, the Administrator should consult and coordinate with other agencies, including the National Science Foundation, the National Institute of Standards and Technology, and the Department of Energy.

The definition of "water supply system," including the terms defined in section 1401 of the Safe Drinking Water Act and section 212 of the Clean Water Act, should be construed broadly.

In carrying out section 3(a) and (c), the Administrator should consult and coordinate with the Director of the National Institute of Standards and Technology. Such coordination is particularly important for any EPA

research projects, as described in subsection (b)(4), relating to the development of scientific protocols. The purpose of subsection (b)(4) is to foster the development of scientific protocols for security-related technologies; nothing in the paragraph should be construed to affect or relate to EPA's regulatory activities or programs. Activities under subsection (b)(7) include the provision of financial and technical assistance for dissemination of research results.

The Committee directs the Administrator to ensure an appropriate balance among short-, medium-, and long-term research and development activities. Throughout the Committee's deliberations on H.R. 3178, witnesses and Members consistently emphasized the importance of looking at more than just immediate- and short-term needs. Accordingly, this legislation emphasizes and lays the foundation for a longer-term, focused program of research that can provide answers to the most basic questions in water security.

The Administrator should ensure that awards are made for a wide variety of projects to meet the needs of large, medium, and small water supply systems. Awards should also be provided to recipients from different geographic areas and with different social or economic backgrounds. For example, where appropriate, the Administrator should consider research organizations that are historically black colleges and universities, institutions that serve Hispanic and other minority populations, and institutions that serve rural communities.

Water sources and water systems vary widely in the differing regions of the United States in how they obtain, store and deliver water. In testimony before the Committee on November 14, 2001, Dr. Richard Luthy highlighted how unique water resources and facilities (such as impoundments or dams, aqueducts, rivers, groundwater, etc.) require different solutions to protect them. It is the intent of the Committee that funds provided in this bill should be made available to researchers familiar with the challenges posed by the unique circumstances of differing regions. EPA should give serious consideration providing funds under this Act to the numerous state regional centers of excellence for water research.

The Committee believes that dissemination of research results and related information to water managers and other officials, including the public, should be only on an "as appropriate" basis. EPA should determine the appropriateness of such dissemination, in close consultation with the FBI and other agencies with expertise in national security matters. The Committee recognizes there is a difficult, but important, balance required between distributing information on infrastructure vulnerabilities and potential or developed solutions on the one hand and withholding sensitive or classified information on the other. Accordingly, the Committee directs the Administrator and recipients of awards under this Act to work together closely to ensure that potentially sensitive information is obtained, disseminated, and used only under secure situations with safeguards in place.

Among options to be considered under section 3(b)(7) should be: research and development of innovative technologies capable of reducing reliance upon the centralized purification of water to potable quality. Such innovative technologies should enable distributed or on-site water treatment or water recycling. The goal of such technologies is to make water supplies more secure from deliberate disruption or contamination by increasing redundancy while improving purity, isolation, reliability and availability.

EPA should also consider research and development projects involving the effective-

ness of alternative materials, processes, and technologies for reducing the quality of toxic or hazardous materials maintained on site at facilities for use in the treatment of water and wastewater.

H.R. 3178—THE WATER INFRASTRUCTURE SECURITY AND RESEARCH DEVELOPMENT ACT (WISARD)

Supporters Include the Following: American Council of Engineering Companies; American Society of Civil Engineers; American Water Works Association; American Water Works Research Foundation; Association of California Water Agencies.

Association of Metropolitan Sewerage Agencies; Association of Metropolitan Water Agencies; National Association of Counties; National Association of Water Companies; National Society of Professional Engineers; and the Water Environment Federation, State of New York.

U.S. CONGRESS,

**CONGRESSIONAL BUDGET OFFICE,
Washington, DC, November 16, 2001.**

**Hon. SHERWOOD L. BOEHLERT,
Chairman, Committee on Science, House of Representatives, Washington, DC.**

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 3178, the Water Infrastructure Security and Research Development Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are Susanne S. Mehlman (for federal costs), who can be reached at 226-2860, and Elyse Goldman (for the state and local impact), who can be reached at 225-3220.

Sincerely,

STEVEN M. LIEBERMAN

(For Dan L. Crippen, Director).

Enclosure.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE, NOVEMBER 16, 2001.

H.R. 3178: WATER INFRASTRUCTURE SECURITY AND RESEARCH DEVELOPMENT ACT

[As ordered reported by the House Committee on Science on November 15, 2001]

SUMMARY

H.R. 3178 would authorize the appropriation of \$60 million over the 2002-2006 period for the Environmental Protection Agency (EPA) to provide new grants to research organizations, including state and local agencies, to carry out projects aimed at improving the protection and security of water supply systems, such as protection from biological and chemical contamination. The bill would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply.

H.R. 3178 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, and tribal governments.

ESTIMATED COST TO THE FEDERAL GOVERNMENT

The estimated budgetary impact of H.R. 3178 is shown in the following table. The costs of this legislation fall within budget function 300 (natural resources and environment).

By fiscal year, in millions of dollars—					
2002	2003	2004	2005	2006	
CHANGES IN SPENDING SUBJECT TO APPROPRIATION					
Authorization Level	12	12	12	12	12
Estimated Outlays	5	10	12	12	12

BASIS OF ESTIMATE

For this estimate, CBO assumes that the bill will be enacted before the end of 2001,

that the full amounts authorized will be appropriated each fiscal year, and that outlays will occur at rates similar to previous funding for EPA's Science and Technology programs. CBO estimates that implementing H.R. 3178 would increase spending subject to appropriation by \$51 million over the 2002-2006 period.

Pay-as-you-go considerations: None.

INTERGOVERNMENTAL AND PRIVATE-SECTOR IMPACT

H.R. 3178 contains no intergovernmental or private-sector mandates as defined in UMRA and would impose no costs on state, local, and tribal governments. The bill would benefit state and local governments by establishing a grant program for research institutions, including public universities and state and local agencies, to improve the protection and security of public water supply systems. Any costs associated with the grant program would be considered a condition of aid.

PREVIOUS CBO ESTIMATE

On November 16, 2001, CBO transmitted a cost estimate for S. 1593, the Water Infrastructure Security and Research Development Act, as ordered reported by the Senate Committee on Environment and Public Works on November 8, 2001. The bills are similar but our cost estimate of S. 1593 reflects additional spending provisions in that bill.

Estimate prepared by: Federal Costs: Susanne S. Mehlman (226-2860); Impact on State, Local, and Tribal Governments: Elyse Goldman (225-3220); and Impact on the Private Sector: Jean Talarico (226-2940).

Estimate approved by: Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

**HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, December 14, 2001.**

**Hon. SHERWOOD L. BOEHLERT,
Chairman, Committee on Science, Rayburn House Office Building, Washington, DC.**

DEAR CHAIRMAN BOEHLERT: I am writing with regard to H.R. 3178, the Water Infrastructure Security and Research Development Act.

As you know, Rule X of the Rules of the House of Representatives grants the Committee on Energy and Commerce jurisdiction over public health and quarantine. Under this authority, the Committee on Energy and Commerce Committee has jurisdiction over the Safe Drinking Water Act (SDWA) and the construction, operation and maintenance of "public water systems" as defined in the Act. As ordered reported, H.R. 3178 authorizes EPA to undertake certain specified activities concerning the regulation, design, and operation of public water systems (including treatment techniques used, monitoring activities, operational processes and both internal and external information systems), among other things, and therefore the bill falls within the jurisdiction of the Energy and Commerce Committee. I understand that you are making changes to H.R. 3178 as ordered reported that may lessen, though not eliminate, the jurisdictional interests of my Committee in the bill.

I recognize your desire to bring this legislation before the House in an expeditious manner. Accordingly, I will not exercise the Committee's right to a referral. By agreeing to waive its consideration of the bill, however, the Energy and Commerce Committee does not waive its jurisdiction over H.R. 3178. In addition, the Energy and Commerce Committee reserves its authority to seek conferees on any provisions of the bill that are within its jurisdiction during any House-Senate conference that may be convened on this or similar legislation. I ask for your

commitment to support any request by the Energy and Commerce Committee for conferees on H.R. 3179 or similar legislation.

I request that you include this letter as part of the Record during consideration of the legislation on the House floor.

Thank you for your attention to these matters.

Sincerely,

W.J. "BILLY" TAUZIN,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON SCIENCE,
Washington, DC, December 14, 2001.
Hon. W.J. "BILLY" TAUZIN,
Chairman, Committee on Commerce, Rayburn
House Office Building, Washington, DC.

DEAR CHAIRMAN TAUZIN: Thank you for your letter of December 14, 2001, regarding the Commerce Committee's jurisdictional interest in H.R. 3178, the "Water Infrastructure Security and Research Development Act," with amendments.

The Science Committee appreciates you not seeking a referral of H.R. 3178 and appreciates your cooperation in moving the bill to the House floor expeditiously. I concur that your decision to forego action on the bill will not prejudice the Commerce Committee with respect to its jurisdictional prerogatives on H.R. 3178 or on similar or related legislation. Additionally, I recognize your right to request conferees on H.R. 3178 or similar legislation for those provisions that fall within the purview of the Committee on Energy and Commerce. I will include a copy of your letter and this response in the Congressional Record when the House considers the legislation.

Once again, thank you for your cooperation in this matter.

Sincerely,

SHERWOOD L. BOEHLERT,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, December 17, 2001.
Hon. SHERWOOD L. BOEHLERT

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

DEAR MR. CHAIRMAN: Thank you for the opportunity to review H.R. 3178 on behalf of the Committee on Transportation and Infrastructure before the filing of the report by the Committee on Science.

The Committee on Transportation and Infrastructure has a valid claim to jurisdiction over H.R. 3178, both as introduced and as amended. This legislation authorizes the Administrator of the Environmental Protection Agency (EPA) to award grants for the development of technologies, processes, protocols, and monitoring systems for the security for treatment works, as defined in section 212 of the Federal Water Pollution Control Act. Security measures are component of operation and maintenance. The Committee on Transportation and Infrastructure has jurisdiction over the operation and maintenance, as well as construction, of treatment works. Accordingly, the Committee on Transportation and Infrastructure has jurisdiction over EPA grants awarded to develop security measures for treatment works. As you know, this topic was a topic covered in an October 10, 2001, hearing held by the Water Resources and Environment Subcommittee on "Terrorism, Are America's Water Resources and Environment at Risk?"

The Committee on Transportation and Infrastructure recognizes the importance of this legislation. In view of your desire to move H.R. 3178 to the floor in an expeditious fashion, I do not intend to seek a sequential referral of H.R. 3178. However, this should in

no way be viewed as a waiver of jurisdiction and the Transportation and Infrastructure reserves the right to seek conferees in the event that this legislation is considered in an House-Senate conference.

I look forward to working with you on this bill.

Sincerely,

DON YOUNG,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON SCIENCE,
Washington, DC, December 17, 2001.
Hon. DON YOUNG,
Chairman, Committee on Transportation and Infrastructure, House of Representatives,
Washington, DC.

DEAR CHAIRMAN YOUNG: Thank you for your letter of December 17, 2001, regarding the Transportation and Infrastructure Committee's jurisdictional interest in H.R. 3178, the "Water Infrastructure Security and Research Development Act," with amendments.

The Science Committee appreciates you not seeking a referral of H.R. 3178 and your cooperation in moving the bill to the House floor expeditiously. I concur that your decision to forego action on the bill will not prejudice the Committee on Transportation and Infrastructure with respect to its jurisdictional prerogatives on H.R. 3178 or on similar or related legislation. Additionally, I recognize your right to request conferees on H.R. 3178 or similar or related legislation for those provisions that fall within the purview of the Committee on Transportation and Infrastructure. I will include a copy of your letter and this response in the Congressional Record when the House considers the legislation.

Once again, thank you for your cooperation in this matter.

Sincerely,

SHERWOOD L. BOEHLERT,
Chairman.

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

Mr. BAIRD. Mr. Speaker, I yield my self such time as I may consume.

I want to begin by complimenting the gentleman from New York (Mr. BOEHLERT). He has shown his commitment to our Nation's security and to a bipartisan manner of governing this committee. He has held hearings on a number of issues pertaining to terrorism, and the bill we are considering today, the water security bill. Chairman BOEHLERT has always lead our committee in a bipartisan manner, and I think it is a credit to his leadership that this bill has been so well crafted and brought to the floor in such a timely manner.

In the aftermath of September 11, our citizens have been more cognizant and more diligent than ever in trying to protect themselves and their neighbors against terrorist attack.

□ 1500

I believe it is a fundamental responsibility of our government to make sure we help those citizens in that effort. The bill we will vote on today will provide the means necessary to ensure the water we drink is safe from terrorist threats. It will also benefit the public by providing much-needed research on the various aspects of the water protection, such as endocrine disruptors and arsenic standards.

After September 11, we realized how much more we should have done to bolster airport security. Fortunately, with the legislation we are considering now, we are given a chance to protect our water supply before it is seriously threatened.

I would like to thank the gentleman from New York (Mr. BOEHLERT); the gentleman from Texas (Mr. HALL), the ranking member; the staff of the Committee on Science for their hard work on making this bill a reality, especially Ben Grumbles, who has worked tirelessly in making this a technically sound bill; Mark Harkins for his support and advice; and my own staff member, Brooke Jamison, for her hours of service to the people of my district.

Mr. Speaker, I strongly urge my colleagues to support this important piece of legislation, and I commend the chairman for his leadership.

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

Mr. Speaker, the gentleman from Virginia (Mr. TOM DAVIS) is interested in ensuring that areas of particular vulnerability, such as water systems in the National Capital region, receive appropriate attention when EPA is selecting research-related projects. I appreciate the gentleman's interest, and also the interest expressed by all of the cosponsors of this legislation, but most particularly, once again, the gentleman from Washington (Mr. BAIRD). He has been there from the beginning, and I appreciate that cooperation.

Mrs. WILSON. Mr. Speaker, I rise today in support of H.R. 3178, the Water Infrastructure Security and Research Development Act.

There are approximately 170,000 "public water systems" that provide water for more than 250 million people in the United States. There are also approximately 16,000 municipal sewage treatment works, servicing 73 percent of the U.S. population. The Federal, state and local governments have spent tens of billions of dollars to build the nation's drinking water and wastewater treatment infrastructure. In the coming decades, tens of billions more will be required to maintain that infrastructure and meet the needs of a growing population. What has become clear after the September 11, 2001 attacks, is that the nation's water infrastructure system was not built with security from terrorism in mind. Physical threats to drinking water systems include chemical, biological, and radiological contaminants and disruption of flow through explosions or other destructive actions.

The Water Infrastructure Security and Research Development Act directly addresses the need to protect our nation's water supply systems. The legislation authorizes \$12 million per year for the Environmental Protection Agency (EPA) from fiscal year 2002 through 2007. The money would be used to provide grants to public and private non-profit entities to conduct research, development and demonstration projects. Projects could include efforts to prevent, detect or respond to physical and cyber threats to water supply or wastewater treatment systems.

Sandia National Labs has been working on the safety and security of water supplies for

several years. Sandia-developed technologies could make it possible to have real-time monitoring of water systems for chemical or biological contaminants within 3 to 5 years. We need to step up the pace and use the work developed in New Mexico to protect the 170,000 "public water systems" around the country.

Mr. FORBES. Mr. Speaker, as a member of the House Science Committee and an original cosponsor of this bill, I rise in strong support of H.R. 3178, the Water Infrastructure Security and Research Development Act.

In October, as the Anthrax scare was at its zenith, I held two town hall meetings in my district. The first question at each one revealed the serious concerns of my constituents about the safety of their water. They wanted to know if the water that they use every day to cook, to bathe, and to clean would be protected from being used to deliver chemical or biological weapons.

Each one of us relies upon the cleanliness and purity of our water supplies and upon the appropriate treatment of our sewage. But, since September 11th, we've become acutely aware that the things we take for granted could easily be threatened by terrorists who want to do us harm. Our water supplies, simply because they reach every one of us every day, top that list.

Last month, a Richmond, Virginia newspaper did a security check of its own at three area drinking water plants. What they found gave great reason for concern to Richmond City residents. A reporter and photographer were able to walk right through the front gate of the City's facility, wander around for about an hour each day for a week, and have access to the water supply. Similar surprise inspections at neighboring county facilities, Mr. Speaker, were thankfully less alarming.

The legislation we consider today will help the people of Richmond and elsewhere to ensure the long-term safety of our water. It provides \$60 million in grants over the next five years to identify threats and respond to them. Similar legislation is before the Senate, and we should move quickly as a Congress to approve this initiative to give every American peace of mind when turning on the tap.

I encourage my colleagues to support this important bill.

Mrs. MORELLA. Mr. Speaker, I rise in strong support of H.R. 3178. As an original cosponsor of this legislation, I want to thank Science Committee Chairman BOEHLERT and Ranking Member HALL for bringing this issue forward and I strongly urge my colleagues to pass this important piece of legislation. H.R. 3178 authorizes \$12 million per year for research and development programs related to securing the water supply funded through grants from the Environmental Protection Agency. These limited research funds are a reasonable and measured response to a pressing need.

Protection of our nation's water supply is in our vital interest. Since the attacks of September 11th, we have had to question the vulnerability of many of our critical infrastructures to deliberate attack. Fortunately, the water supply community was already at work and had established many collaborative relationships between local, state, and federal agencies as well as various national associations. However, despite the formal structures for cooperation and teamwork that already exist, there are many unanswered questions and a great need for additional resources.

Physical destruction of a water system could deprive a population of its essential water supply, as well as cause secondary effects such as the inability to ensure sanitation or provide fire protections. In addition, loss of water to manufacturers or other business could have serious consequences on local economies. Deliberate contamination is also a threat. While it is generally believed that the large volumes and treatment protocols provide some assurance, this matter still requires thoughtful analysis. Small quantities of toxic chemicals, even if not directly harmful, could cause problems. The contamination does not have to have any short term effects; a water system could be rendered unusable merely by elevating the amounts of lead, cyanide, or arsenic to unacceptable levels. Even introducing taste or odor may be sufficient to incite panic.

To combat these threats, we need to develop new technologies and rethink the way we are managing our water supply. Real time monitoring of a wide number of contaminants is something that should be considered. Changing our delivery system and increasing the interconnectedness of our supply may be in order. Separation of the water we consume from water for general purposes like washing our clothes or our car may be necessary to keep additional safeguards affordable. All these ideas will require significant changes to our infrastructure and need to be carefully considered.

In short, we have a lot of work to do. We do not fully understand all of the threats, nor do we know what the proper policy response should be. But we do know we need to address these shortcomings and answer the hard questions about how to secure our water supply. The bill puts us on the path by providing the research with the necessary support. It is an important first step and I urge my colleagues to support it.

Mr. DUNCAN. Mr. Speaker, I rise in strong support of H.R. 3178, "the Water Infrastructure Security and Research Development Act."

As Chairman of the Subcommittee on Water Resources and Environment, I am well aware of the need to improve our water infrastructure security.

I held a subcommittee hearing on this subject a month after the horrific events of September 11th. The subcommittee received testimony from representatives of drinking water and wastewater operators, as well as EPA and a security expert from Sandia National Laboratories. All the witnesses agreed that more information about terrorist threats and how to protect against them was needed.

I appreciate the interest of the Chairman of the Science Committee in promoting research in this area. I also appreciate his interest in developing additional security tools that can be used by drinking water and wastewater operators.

My subcommittee has jurisdiction over the operation of wastewater treatment works, including security measures. But, I was pleased to work with the gentleman from New York on H.R. 3178 to avoid any delay in floor consideration and I look forward to continuing these efforts in a House-Senate conference.

Mr. TOM DAVIS of Virginia. Mr. Speaker, in the wake of the attacks of September 11th, Americans have begun in earnest to critically look at the security of our nation's infrastructure. Indeed, unanticipated failures of electrical power or water supplies could have dev-

astating and long-term effects on a region's economy, safety and security. The security of infrastructure is of particular importance in the National Capital region.

I rise today to applaud your efforts, Mr. Chairman, with regard to this important legislation. In the years to come I believe that this legislation will prove to be a significant first step in the nation's efforts to develop models for critically important water system security technologies and procedures.

However, I also rise today to direct your attention to the importance of ensuring that water systems in highly vulnerable areas, or areas that serve a large number of federal facilities, are given greater funding priority by the Environmental Protection Agency.

In response to the September 11th attacks and the heightened security in the region, the Fairfax County Water Authority in my district has had to begin developing a number of critically important physical security enhancements and practices in order to better protect the region's water supply.

The Authority is particularly sensitive to the threat of electrical power outage by potential terrorist attack. For instance, the failure of commercial power for a period of even three hours would render the public water supply for the 1.2-million users in the Fairfax County Water Authority service region virtually useless. The Fairfax County Water Authority is currently studying the feasibility of constructing an on-site state-of-the-art power generation complex capable of making the Authority self-sustaining, even during periods of reduced power or blackouts.

Staff at the Authority has a long and solid record of responding to a wide variety of operating conditions in the treatment and distribution system. These actions, however, have been in response to slowly evolving external pressures or isolated component failures. To improve staff skills in thinking through its response plan, and identifying communications, command, control and information issues during a period of sudden attack (or perceived attack) on a water system, the Authority is also developing a holistic crisis, rapid response staff training workshop.

Both the study and the workshop could be used as tools for water providers throughout the nation.

It is my fervent hope that when deciding water infrastructure security awards, the Administrator of the Environmental Protection Agency will take into account the region or service area's vulnerability of or potential for forced interruption of service. Indeed, I believe that no one would disagree with the notion that the Administrator should consider a water system's importance to national security and the operation of government.

This is especially true in my district. The Fairfax County Water Authority's service area covers many critical federal facilities. Some of the largest of these facilities include: Ft. Belvoir U.S. Army Reservation, Ft. Belvoir Proving Grounds; Dulles International Airport; facilities of the Central Intelligence Agency; U.S. Fish and Wildlife Service (Harry Diamond Laboratories); Dulles Mail Distribution Center; U.S. Navy Family Housing; U.S. Coast Guard Information Systems Center, training facilities, and housing; Facilities of the General Services Administration; Facilities of the U.S. Department of State; and, Office space and warehouses for the U.S. Securities Exchange Commission.

It is my fervent hope that this bill will help ensure funding for the Fairfax County Water Authority next year.

Mr. BAIRD. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BOEHLERT. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the motion offered by the gentleman from New York (Mr. BOEHLERT) that the House suspend the rules and pass the bill, H.R. 3178, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A bill to authorize the Environmental Protection Agency to provide funding to support research and development projects for the security of water infrastructure."

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a concurrent resolution of the House of the following title:

H. Con. Res. 289. Concurrent resolution directing the Clerk of the House of Representatives to make technical corrections in the enrollment of the bill H.R. 1.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 1) "An Act to close the achievement gap with accountability, flexibility, and choice, so that no child is left behind."

TRUE AMERICAN HEROES ACT

Mr. KING. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3054) to award congressional gold medals on behalf of the officers, emergency workers, and other employees of the Federal Government and any State or local government, including any interstate governmental entity, who responded to the attacks on the World Trade Center in New York City and perished in the tragic events of September 11, 2001, as amended.

The Clerk read as follows:

H.R. 3054

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 "True American Heroes Act".

SEC. 2. CONGRESSIONAL GOLD MEDALS FOR GOVERNMENT WORKERS WHO RESPONDED TO THE ATTACKS ON THE WORLD TRADE CENTER AND PERISHED.

(a) PRESENTATION AUTHORIZED.—In recognition of the bravery and self-sacrifice of offi-

cers, emergency workers, and other employees of State and local government agencies, including the Port Authority of New York and New Jersey, and of the United States Government, who responded to the attacks on the World Trade Center in New York City, and perished in the tragic events of September 11, 2001 (including those who are missing and presumed dead), the President is authorized to present, on behalf of the Congress, a gold medal of appropriate design for each such officer, emergency worker, or employee to the next of kin or other representative of each such officer, emergency worker, or employee.

(b) DESIGN AND STRIKING.—For purposes of the presentation referred to in subsection (a), the Secretary of the Treasury shall strike gold medals with suitable emblems, devices, and inscriptions to be determined by the Secretary to be emblematic of the valor and heroism of the men and women honored.

(c) DETERMINATION OF RECIPIENTS.—The Secretary of the Treasury shall determine the number of medals to be presented under this section and the appropriate recipients of the medals after consulting with appropriate representatives of Federal, State, and local officers and agencies and the Port Authority of New York and New Jersey.

(d) PRESENTMENT CEREMONY.—The President shall consult with the Speaker of the House of Representatives, the President Pro Tempore of the Senate, the majority leader and the minority leader of the House of Representatives, and the majority leader and the minority leader of the Senate with regard to the ceremony for presenting the gold medals under subsection (a).

(e) DUPLICATIVE GOLD MEDALS FOR DEPARTMENTS AND DUTY STATIONS.—

(1) IN GENERAL.—The Secretary of the Treasury shall strike duplicates in gold of the gold medals struck pursuant to subsection (a) for presentation to each of the following:

(A) The Governor of the State of New York.

(B) The Mayor of the City of New York.

(C) The Commissioner of the New York Police Department, the Commissioner of the New York Fire Department, the head of emergency medical services for the City of New York, and the Chairman of the Board of Directors of the Port Authority of New York and New Jersey.

(D) Each precinct house, fire house, emergency response station, or other duty station or place of employment to which each person referred to in subsection (a) was assigned on September 11, 2001, for display in each such place in a manner befitting the memory of such persons.

(f) DETERMINATION OF RECIPIENTS.—The Secretary of the Treasury shall determine the number of medals to be presented under subsection (e) and the appropriate recipients of the medals after consulting with appropriate representatives of Federal, State, and local officers and agencies and the Port Authority of New York and New Jersey.

(g) DUPLICATE BRONZE MEDALS.—The Secretary of the Treasury may strike and sell duplicates in bronze of the gold medal struck pursuant to subsection (a) under such regulations as the Secretary may prescribe, at a price of \$50 per medal.

(h) PROCEEDS OF SALE.—Amounts received from the sales of duplicate bronze medals under subsection (g) shall be deposited in a fund to be used to erect a memorial for the fallen emergency responders.

(i) USE OF THE UNITED STATES MINT AT WEST POINT, NEW YORK.—It is the sense of the Congress that the medals authorized under this section should—

(1) be designed, struck, and presented not more than 90 days after the date of the enactment of this Act; and

(2) be struck at the United States Mint at West Point, New York, to the greatest extent possible.

SEC. 3. CONGRESSIONAL GOLD MEDALS FOR PEOPLE ABOARD UNITED AIRLINES FLIGHT 93 WHO HELPED RESIST THE HIJACKERS AND CAUSED THE PLANE TO CRASH.

(a) CONGRESSIONAL FINDINGS.—The Congress finds as follows:

(1) On September 11, 2001, United Airlines Flight 93, piloted by Captain James Dahl, departed from Newark International Airport at 8:01 a.m. on its scheduled route to San Francisco, California, with 7 crew members and 38 passengers on board.

(2) Shortly after departure, United Airlines Flight 93 was hijacked by terrorists.

(3) At 10:37 a.m. United Airlines Flight 93 crashed near Shanksville, Pennsylvania.

(4) Evidence indicates that people aboard United Airlines Flight 93 learned that other hijacked planes had been used to attack the World Trade Center in New York City and resisted the actions of the hijackers on board.

(5) The effort to resist the hijackers aboard United Airlines Flight 93 appears to have caused the plane to crash prematurely, potentially saving hundreds or thousands of lives and preventing the destruction of the White House, the Capitol, or another important symbol of freedom and democracy.

(6) The leaders of the resistance aboard United Airlines Flight 93 demonstrated exceptional bravery, valor, and patriotism, and are worthy of the appreciation of the people of the United States.

(b) PRESENTATION OF CONGRESSIONAL GOLD MEDALS AUTHORIZED.—The President is authorized to award posthumously, on behalf of Congress and in recognition of heroic service to the Nation, gold medals of appropriate design to any passengers or crew members on board United Airlines Flight 93 who are identified by the Attorney General as having aided in the effort to resist the hijackers on board the plane.

(c) DESIGN AND STRIKING.—For the purpose of the presentation referred to in subsection (b), the Secretary of the Treasury shall strike gold medals of a single design with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

(d) DUPLICATE MEDALS.—Under such regulations as the Secretary of the Treasury may prescribe, the Secretary may strike and sell duplicates in bronze of the gold medals struck under subsection (b) at a price sufficient to cover the cost of the bronze medals (including labor, materials, dies, use of machinery, and overhead expenses) and the cost of the gold medals.

SEC. 4. NATIONAL MEDALS.

The medals struck under this Act are national medals for purposes of chapter 51 of title 31, United States Code.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. KING) and the gentlewoman from New York (Mrs. MALONEY) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. KING).

GENERAL LEAVE

Mr. KING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3054, and to include extraneous material on the bill.

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

There was no objection.

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