

**FEDERAL FIREFIGHTERS
RETIREMENT AGE FAIRNESS ACT**

Mr. LATOURETTE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 93) to amend title 5, United States Code, to provide that the mandatory separation age for Federal firefighters be made the same as the age that applies with respect to Federal law enforcement officers, as amended.

The Clerk read as follows:

H.R. 93

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 “Federal Firefighters Retirement Age Fairness Act”.

SEC. 2. MANDATORY SEPARATION AGE FOR FIRE FIGHTERS.

(a) CIVIL SERVICE RETIREMENT SYSTEM.—

(1) IN GENERAL.—The second sentence of section 8335(b) of title 5, United States Code, is amended—

(A) by inserting “, firefighter,” after “law enforcement officer”; and

(B) by inserting “, firefighter,” after “that officer”.

(2) CONFORMING AMENDMENT.—Section 8335(b) of title 5, United States Code, is amended by striking the first sentence.

(b) FEDERAL EMPLOYEES’ RETIREMENT SYSTEM.—

(1) IN GENERAL.—The second sentence of section 8425(b) of title 5, United States Code, is amended—

(A) by inserting “, firefighter,” after “law enforcement officer” each place it appears; and

(B) by striking “courier” the second place it appears and inserting “courier, as the case may be.”

(2) CONFORMING AMENDMENT.—Section 8425(b) of title 5, United States Code, is amended by striking the first sentence.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. LATOURETTE) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. LATOURETTE).

GENERAL LEAVE

Mr. LATOURETTE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill, H.R. 93, as amended.

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

There was no objection.

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

Madam Speaker, I am pleased to have the House consider H.R. 93 this evening, important legislation introduced by our colleague, the gentleman from California (Mr. GALLEGLY). This bipartisan legislation amends Federal civil service law relating to the Civil Service Retirement System and the Federal Employees Retirement System to provide the same mandatory separation age for Federal firefighters and Federal law enforcement officers who have 20 years of service.

Currently, the mandatory separation age is 55 for firefighters and 57 for law

enforcement officers. In both cases, an agency head may allow the employee to work until the age of 60 if that is required by the public interest.

The Subcommittee on Civil Service has examined the legislative history of these mandatory separation ages and it has determined that there is no rationale for continuing to maintain the discrepancy that currently exists. If enacted, H.R. 93, this bill, will bolster our firefighting capabilities. Allowing these brave men and women the option of continuing their careers for an additional 2 years will make it easier to maintain more experienced firefighters in the field and in senior management positions.

Madam Speaker, I encourage all of our Members to support this bill.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, it certainly is a pleasure to be here this afternoon on the first bill of this session. Madam Speaker, last year more than 6.5 million acres of land, more than two times the ten-year national average, burned. Federal manpower resources were spread thin. More than 29,000 people were involved in firefighting efforts, including approximately 2,500 Army soldiers and Marines, and fire managers from Canada, Australia, Mexico and New Zealand.

In addition, 1,200 fire engines, 240 helicopters and 50 air tankers were in use last season. If nothing else, last year’s fire season taught us that we must take steps to recruit and retain more Federal firefighters. H.R. 93 is a step in that direction, and, I might add, a step in the right direction.

From the start of the Civil Service Retirement System in 1920 until 1978, all Federal workers were required to retire at age 70 if, at that age, they had completed at least 15 years of service. In 1978, mandatory retirement was repealed for most Federal workers, although it continues to apply to special occupational groups whose duties pertain to public safety. Under current law, Federal law enforcement officers must retire at age 57 or as soon after that age as they complete 20 years of service. The agency head may grant exemptions up to the age 60. Federal firefighters must retire at age 55 or as soon thereafter as they complete 20 years of service. H.R. 93 would raise the mandatory retirement age for firefighters to mirror that of Federal law enforcement officers. It would raise the mandatory retirement age of Federal firefighters to age 57.

In June 2000, the Washington Post reported a 5.8 percent reduction in the number of firefighters nationwide. H.R. 93 will help stem the declining firefighter population and will help the Federal Government retain some of its most experienced firefighters.

In addition to supporting this legislation, I urge my colleagues to support a

bill I introduced in the 106th Congress, and plan to reintroduce this session, that will be of equal benefit to the Federal public safety community.

Introduced last session as H.R. 1769, the bill works to eliminate a number of inequities found in the computation of benefits for public safety employees under the Federal Employees Retirement System and the Civil Service Retirement System. It is my hope that the chairman of the Subcommittee on Civil Service, the gentleman from Florida (Mr. SCARBOROUGH), H.R. 93 author, the gentleman from California (Mr. GALLEGLY), and the firefighter and law enforcement communities will work with me to move my legislation through the Congress this session.

I would be remiss if I did not acknowledge the hard work of the gentlewoman from California (Mrs. CAPPS), who worked very diligently with the gentleman from California (Mr. GALLEGLY) to bring H.R. 93 to the floor. I join my colleagues, the gentlewoman from California (Mrs. CAPPS) and the gentleman from California (Mr. GALLEGLY), and ask that this bill be given full support.

Madam Speaker, I reserve the balance of my time.

Mr. LATOURETTE. Madam Speaker, I yield 3 minutes to the gentleman from California (Mr. GALLEGLY), the author of the bill.

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

Mr. GALLEGLY. Madam Speaker, I thank the gentleman from Ohio (Mr. LATOURETTE) for yielding me this time.

Madam Speaker, I would first like to thank the leadership, the gentleman from Indiana (Mr. BURTON) and the subcommittee chairman, the gentleman from Florida (Mr. SCARBOROUGH), for all their help in bringing this bill to the floor early in our session.

I would also like to thank my constituent, retired Captain Mike Hair of the Federal firefighting unit at Point Mugu Naval Air Station, for first bringing this important issue to my attention.

Madam Speaker, H.R. 93, the Federal Firefighters Retirement Age Fairness Act, is a bill I first introduced way back in 1995 to stop the forced early retirement of our Federal firefighters. The bill raises the mandatory retirement age for Federal firefighters from 55 to 57 allowing Federal firefighters the option of continuing their careers for an additional 2 years. The bill has gained bipartisan management and labor support with the endorsement of the International Association of Fire Chiefs, as well as the American Federation of Government Employees and the National Association of Government Employees.

Several years ago, Congress raised the mandatory retirement age for Federal law enforcement officers from 55 to 57. However, Congress neglected to raise the retirement age for Federal firefighters. As a result, we are losing

our best and our most experienced firefighters to forced early retirement. Federal firefighters not only fight fires, they provide emergency medical service response, response to hazardous material situations and inspect and protect our military bases and other Federal employees. In fact, they were among the first to respond to the Oklahoma City bombing. If enacted, this bill will bolster our firefighter HAZMAT and EMS capabilities.

We will maintain more experienced firefighters in the field and in senior management positions by allowing these brave men and women the option of continuing their careers for an additional 2 years.

As an added bonus, Madam Speaker, the CBO estimates that the bill will actually save the government \$4 million over the next 5 years. We must act now to ensure we have the experienced personnel needed to fight our Nation's fires and to be prepared to respond to future critical situations.

Mr. CUMMINGS. Madam Speaker, I yield 5 minutes to the gentleman from the Eighth District of New Jersey (Mr. PASCRELL), who was the author of the Fire Act that became law during the last session. This was the first comprehensive fire bill ever passed on the part of DOD in the reauthorization. So he has been one of those Members of Congress who has, along with the gentleman from California (Mr. GALLEGLY) and the gentlewoman from California (Mrs. CAPPS), been at the forefront of addressing the concerns and the needs of our firefighters.

Mr. PASCRELL. Madam Speaker, I thank the gentleman from Maryland (Mr. CUMMINGS) for yielding me this time.

Madam Speaker, I also thank my good friends, the gentleman from Ohio (Mr. LATOURETTE) and the gentleman from California (Mr. GALLEGLY) for once again stepping to the plate. We did make progress in the House of Representatives, but so many of our efforts which were bipartisan stopped at the doorstep. This is important legislation. It again helps us address the other half of the public safety equation which has been neglected for so long.

Whether we are talking about the gentleman from California (Mr. GALLEGLY), whether we are talking about the gentleman from Pennsylvania (Mr. WELDON), whether we are talking about the gentleman from Maryland (Mr. HOYER), people that have been out there on the stump for 10 years for our firefighters, I am honored to join with them in looking at one part of those folks who put their lives on the line every day by raising the mandatory retirement age for the Federal firefighters from 55 to 57. H.R. 93 allows Federal firefighters the option of continuing their careers for an additional 2 years.

How many public servants in public safety all over America are being pushed out of their jobs? We are losing, as the prior speakers have addressed,

our most experienced people. While we are moving away from the high salaries, quote/unquote, that those folks may be receiving, their years of experience can never be paid for. We cannot put a dollar sign on it. We are addressing this inequity today.

Our Federal facilities, military facilities, our national forests, our National Fire Center in Idaho, are a very part of the national fabric. The Federal Firefighters Retirement Age Fairness Act has bipartisan management and labor support. This is only appropriate, Madam Speaker. After all, firefighters do not go into a burning building and ask the folks which political party they belong to.

It has also won the endorsement of the International Association of Fire Chiefs and the American Federation of Government Employees. As I always say, firefighters are the forgotten side of the public safety equation. This was again proven true when the Congress raised the mandatory retirement age for Federal law enforcement officers from 55 to 57 several years ago. At that time, Congress did not raise the retirement age for Federal firefighters, and is it not interesting we have played the game of catch-up with the 32,000 fire departments and the million firefighters in America. We are always playing catch-up. Thanks to the gentlemen and ladies I mentioned before, we are moving in the right direction.

Finally, let me also remind our colleagues the role of the firefighters is expanding. Several fire departments in this Nation reach across county and city lines to assist each other with natural disasters and incidents of domestic terrorism. In fact, there are two fire search and rescue units that have responded to international disasters on behalf of the United States, and our Federal firefighters have been called on to go out of the country just recently to Mexico to assist with problems in that country.

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Collectively, the Miami-Dade Fire Rescue Department, Fairfax County Search and Rescue Teams, while not Federal fire departments, have traveled to several countries around the world. These men and women do a job unbelievably and they get no credit for it, usually. Natural and man-made disasters do not discriminate when and where they arise. Proudly, the firefighters of the United States do not discriminate when or where they provide help. The role of our firefighters is ever-changing. It is my belief that the role that the Federal Government plays during these changes must be commensurate.

Because the role of the American firefighters is expanding, this bill will bolster more than firefighting capabilities. Hazardous material response, emergency medical services, and natural disaster support will be enhanced, Madam Speaker. By allowing these brave men and women the option of

continuing their careers for an additional 2 years, we will maintain more experienced firefighters in the field and senior management positions and, in fact, correct me if I'm wrong, it will even save the Federal Government money.

Madam Speaker, I urge all of my colleagues to vote in favor of this public safety bill.

Mr. LATOURETTE. Madam Speaker, I yield myself such time as I may consume to make the following comment: That the gentleman from New Jersey really hides his own light under a bushel basket. He was very effusive in his praise of the gentleman from California (Mr. GALLEGLY) and the gentleman from Pennsylvania (Mr. WELDON) and others which is well deserved, but those of us that served in the last Congress know full well the contribution of the gentleman from New Jersey (Mr. PASCRELL) as the lead sponsor for carrying the fire bill through this House, and the men and women that serve in the fire services owe the gentleman from New Jersey (Mr. PASCRELL), our friend, a great deal of the credit.

Madam Speaker, I yield 2 minutes to the gentleman from New York (Mr. GRUCCI), one of our new Members on our side.

Mr. GRUCCI. Madam Speaker, I rise today to honor all of the brave and fearless firefighters across the Nation who risk their lives on a daily basis.

This is a common-sense bill that provides 9,120 Federal firefighters with the opportunity to continue their careers for an additional 2 years. This is a simple measure that is afforded to other Federal law enforcement officers in order to stop the forced early retirement of well-qualified, experienced, emergency service personnel.

As my colleagues know, firefighters do more than just respond to fires. Firefighters are the first to respond to traffic and medical accidents and natural disasters like hurricanes. It is crucial that our Nation maintains a firefighting force of highly capable, highly trained competent men and women who are fully prepared to respond to any critical emergency situation.

Once again, Madam Speaker, I thank the gentleman from California (Mr. GALLEGLY), the sponsor of this fine bill.

Mr. CUMMINGS. Madam Speaker, I yield 6½ minutes to the gentlewoman from Texas (Ms. JACKSON-LEE), from the 18th District of Texas. She certainly has been one at the forefront of addressing the issues concerning our firefighters.

Ms. JACKSON-LEE of Texas. Madam Speaker, I thank the gentleman from Maryland (Mr. CUMMINGS), the ranking member, and I thank the gentleman from California (Mr. GALLEGLY), who is a colleague of mine on the Committee on the Judiciary, and the gentlewoman from California (Mrs. CAPPS) and the gentleman from Ohio (Mr. LATOURETTE) for bringing this bill to

the floor of the House, or presenting it at this time, H.R. 93.

It gives me time to acknowledge the importance of this legislation, the Federal Firefighters Retirement Age Fairness Act, but as well, it gives me a moment to speak about the courageousness and the importance of firefighters, both on the Federal level and on the local level.

I rise in support of H.R. 93, the Federal Firefighters Retirement Age Fairness Act, that would amend the Federal civil service law to provide that the mandatory retirement age for Federal firefighters be raised from 55 to 57 years. This adjustment would put Federal firefighters' retirement age on par with Federal law enforcement officers. I appreciate very much the words of the gentleman from Baltimore, Maryland (Mr. CUMMINGS) and will join him in his effort to promote his legislation as well.

Madam Speaker, in reviewing this bill, I was reminded of Benjamin Franklin who, in paying tribute to firefighters wrote, "Neither cold, nor darkness will deter good people from hastening to the dreadful place to quench the flame. They do it not for the sake of reward or fame; but they do it for the reward in themselves, and the love they have for their fellowman."

If we just chronicle over the last 5 years or so the kind of heroic and courageous efforts of our firefighters, well worth noting is the enormous number of western fires that we have called them to help us in, certainly the great tragedy of Oklahoma City when firefighters were coming in from all over the country, assisting Federal firefighters, and certainly the enormous amount of tragedies, natural disasters that we have faced, whether it has been flood or hurricane or tornadoes, we have called upon firefighters and emergency medical personnel under the jurisdiction of firefighters to help our Nation.

The poem by Benjamin Franklin is true today, as it was in the days of Benjamin Franklin. Madam Speaker, H.R. 93 recognizes this fact and was introduced not to honor our Nation's firefighters, but to recognize their desire to serve their country. Every day, firefighters pursue the dangers of their jobs with unflinching hearts and unwavering spirits. They face dangers on a daily basis that few of us can even imagine. Because of them, homes and loved ones are protected. Time and time again they battle fires, rescue children and the old, save lives and return to the firehouse with the quiet pride of knowing that they truly make a difference.

Federal firefighters not only fight fires, they provide emergency medical service response, respond to hazardous materials situations, and inspect and protect our military bases and other Federal facilities. As I indicated, they were among those who first responded to the Oklahoma City bombing.

Tomorrow, I will meet with a number of my constituents from the fire-

fighters' pension program in Houston. I would like to say to them personally now on the day of this legislation that, although it covers Federal firefighters, it is important to emphasize how much the firefighters in my own hometown have done. We have had an enormously cold winter, and we have found with the housing stock in Houston that we have had, unfortunately, a series of tragedies because of the very tinderbox-type of housing stock and the utilization of space heaters. So our firefighters have been called upon to do great service.

As I indicated, in my home city of Houston, the Houston Fire Department, which does not have a mandatory retirement age, is very successful in preventing fires, due, in part, to the contributions of seasoned and experienced firefighters. For example, experienced firefighters of the Houston Fire Department have established successful programs over the years to educate the public on ways to prevent fires through community service seminars, fire safety meetings, as well as a smoke detector donation program, which has been very successful.

In addition, the Houston Fire Department, as indicated and announced by my mayor, Mayor Lee P. Brown, will receive international certification as of today, January 30, 2001. The experienced members of the Houston Fire Department found that, without the proper educational programs which have formed their many years of experience, 81 percent of youth that have played with and started fires would do it again. However, because of the Houston Fire Department's fire prevention programs which were established by seasoned veterans, it has maintained a 98 percent success rate in preventing fire-setting behavior.

Madam Speaker, the Houston Fire Department has been successful and has been a role model for fire departments across the country because of the contributions of many of its firefighters who would be forced to retire if they were under the current Federal firefighters mandatory retirement requirement. Therefore, this bill is a common-sense bill that seeks to follow the lead set by this Congress who, several years ago, raised the mandatory retirement age for Federal law enforcement officers from 55 to 57. While Congress neglected to raise the retirement age for Federal firefighters at that time, H.R. 93 by the gentleman from California (Mr. GALLEGLY) would bring to par the mandatory retirement age of firefighters with that of Federal law enforcement officers.

Presently, we are losing our best and most experienced firefighters forced to early retirement, and H.R. 93 would correct this, but it would also reward individuals who want to serve. Madam Speaker, H.R. 93 even has bipartisan support from both management and labor, and has received the endorsement of the International Association of Fire Chiefs, as well as the American

Federation of Government Employees and the National Association of Government Employees.

I want to pay tribute, as I said, to my local firefighters union 341 and acknowledge that, in addition to the expertise we had in our local community, this was a difficult year for Houston inasmuch as we lost two of our valiant firefighters, for the first time in many, many years that firefighters lost their lives in protecting Houstonians' lives and property. They do it all the time willingly, and the Federal firefighters are simply asking, allow us to do it a little longer.

If enacted, H.R. 93 will bolster our firefighting and emergency services capabilities. We will maintain more experienced firefighters in the field and in senior management positions by allowing these brave men and women the option of continuing their careers for an additional 2 years. In addition, the CBO estimates that H.R. 93 will actually save the government \$4 million over the next 5 years.

Madam Speaker, I support this bill and I believe this will help us not only fight fires here in this country, but fight fires abroad as we have been asked to do quite frequently; and it will ensure this Nation has the experienced personnel needed to fight fires throughout the country. I urge my colleagues to join in this bipartisan effort.

Madam Speaker, I rise in support of H.R. 93, the Federal Firefighters Retirement Age Fairness Act that would amend the federal civil service law to provide that the mandatory retirement age for federal firefighters be raised from 55 to 57 years old. This adjustment would put federal firefighter's retirement age on par with federal law enforcement officers.

Madam Speaker, in reviewing this bill I was reminded of Benjamin Franklin, who in paying tribute to firefighters wrote, "Neither cold, nor darkness will deter good people from hastening to the dreadful place to quench the flame. They do it not for the sake of reward or fame; but they do it for the reward in themselves, and the love they have for their fellowman."

This quote by Benjamin Franklin is true today, as it was in the days of Benjamin Franklin. H.R. 93 recognizes this fact and was introduced not to honor our nation's firefighters but to recognize their desire to serve their country. Every day, firefighters pursue the dangers of their jobs with unflinching hearts and unwavering spirits. They face dangers on a daily basis that few of us can even imagine. Because of them, homes, and loves ones are protected. Time and time again they battled fires, rescued children and the old, saved lives and return to the firehouse with the quiet pride of knowing that they truly make a difference.

Federal firefighters not only fight fires, they provide emergency medical service response, respond to hazardous materials situations, and inspect and protect our military bases and other federal facilities. In fact, they were among those who responded to the Oklahoma City bombing.

In my home city of Houston, the Houston Fire Department which does not have a mandatory retirement age, is very successful in preventing fires, due in part to the contributions of seasoned and experienced firefighters.

For example, experienced firefighters of the Houston Fire Department have established successful programs over the years to educate the public on ways to prevent fires through community service seminars, fire safety meetings as well as a smoke detector donation program.

The experienced members of the Houston Fire Department found that without the proper educational programs which they have formed their many years of experience, 81 percent of youths that have played with and started fires will do it again. However, because of the Houston Fire Department's fire prevention programs which were established by seasoned veterans, it has maintained a 98 percent success rate in preventing fire setting behavior. Mr. Speaker, the Houston Fire Department is successful and has been a role model for Fire Departments across the country because of the contributions of many of its firefighters who would be forced to retire if they were under the current federal firefighter's mandatory retirement requirement.

This bill is a "common sense bill" that seeks to follow the lead set by this Congress who several years ago, raised the mandatory retirement age for "federal law enforcement officers" from 55 to 57. While Congress neglected to raise the retirement age for federal firefighters at that time, H.R. 93 would bring to par, the mandatory retirement age of federal fighters with that of federal law enforcement officers. Presently, we are losing our best and most experienced firefighters to forced early retirement. H.R. 93 would correct this.

H.R. 93 even has bipartisan support from both management and labor, and has received the endorsement of the International Association of Fire Chiefs as well as the American Federation of Government Employees and the National Association of Government Employees.

If enacted, H.R. 93 will bolster our firefighting, and emergency medical services capabilities. We will maintain more experienced firefighters in the field and in senior management positions by allowing these brave men and women the option of continuing their careers for an additional two years. In addition, the CBO estimates that H.R. 93 will actually save the government \$4 million over the next 5 years.

Madam Speaker, I support this bill because it would ensure that this nation has the experienced personnel needed to fight fires throughout the country. I urge my colleagues to vote in favor of its passage.

Mr. LATOURETTE. Madam Speaker, I yield 2 minutes to the gentlewoman from Virginia (Mrs. JO ANN DAVIS).

One of the most devoted and hard-working Members of this House was Herb Bateman, and it really comes as no surprise to me that tonight, the Representative who has assumed his seat wants to make a contribution on the very first day and on the very first piece of legislation.

(Mrs. JO ANN DAVIS of Virginia asked and was given permission to revise and extend her remarks.)

Mrs. JO ANN DAVIS of Virginia. Madam Speaker, I come to the floor today in support of H.R. 93, the Federal Firefighters Retirement Age Fairness Act. As my colleagues know, this bill raises the mandatory retirement age

for Federal firefighters from 55 to age 57, allowing Federal firefighters the option of continuing their public careers for an additional 2 years. As a wife of a career firefighter, I understand this lifestyle well and know that there is no substitute for experience in their line of work.

This bill has gained bipartisan support from both management and labor and has been endorsed by the International Association of Fire Chiefs as well as the American Federation of Government Employees.

In my district, the First District of the great Commonwealth of Virginia, I am proud of the hundreds of men and women who serve our local communities and our Nation on Virginia's many military installations as firefighters. These dedicated individuals often put their lives and health in jeopardy so that property and people are protected.

In addition to fighting fires, these men and women provide response to hazardous material incidents, provide emergency medical services, and inspect and protect our Federal facilities and bases.

I thank the gentleman from California (Mr. GALLEGLY) and the gentleman from Indiana (Mr. BURTON) for working to make this much-needed change in our Federal code, and I encourage my colleagues to join me in supporting H.R. 93.

Mr. CUMMINGS. Madam Speaker, I yield 2½ minutes to the gentleman from Maryland (Mr. HOYER), of the Fifth Congressional District. The gentleman from Maryland (Mr. HOYER) has always been very sensitive to our Federal employees and has constantly done things to lift up their lives and their family's lives.

Mr. HOYER. Madam Speaker, I appreciate very much the kind words of the gentleman from Maryland. I rise in strong support of this legislation. I thank the gentleman from California (Mr. GALLEGLY) for his leadership on this and the gentleman from Ohio (Mr. LATOURETTE) for his leadership on this as well.

This is the right thing to do. The good news is that we are healthier for longer periods of time, more able to do vigorous things. Obviously, our first responders, our firefighters and emergency response teams, whether they be career or volunteer, are critical components of our society. They are professionals in every sense of the word, whether paid or volunteer; well trained. What this will do will allow us for another 2 years to avail ourselves of that training, that expertise, that commitment, and that courage.

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That is a very important thing for us to do. Some may or may not know that there are some 10,000-plus firefighters in the Federal service, as well as, of course, thousands and thousands across this Nation, both paid and volunteer.

Firefighting is one of the most dangerous enterprises, and because it is so,

it requires people who have experience. I think this bill will go a long way towards providing us the ability when the firefighter chooses to allow them to continue in service until 57. As has been, I am sure, observed on the floor of this House, this will make parity between our law enforcement personnel and our firefighting personnel; a very appropriate step for us to take.

Madam Speaker, I rise in strong support of this legislation, and, like all of my colleagues, are in grateful recognition of the critical contribution that firefighters and emergency response personnel throughout this country make to our communities. As evidence of that, those of my colleagues who are new, I would urge my colleagues to join the Fire Service Caucus. It is the largest caucus in the Congress of the United States, bipartisan, led by and founded by the gentleman from Pennsylvania (Mr. WELDON), himself a former fire chief and probably is the most knowledgeable person we have in this country on fire issues.

I note on the floor, the gentleman from New Jersey (Mr. PASCARELL), who was a leader on an effort for the first time last year in this Congress, with the leadership on the majority side and on the minority side, in a bipartisan way, to appropriate \$100 million for firefighters and emergency responders throughout this country.

Madam Speaker, this is an appropriate step, and I am pleased to join my colleagues in seeing its overwhelming support.

Mr. LATOURETTE. Madam Speaker, it is my pleasure to yield 2 minutes to the gentleman from New York (Mr. GILMAN), one of the most respected Members of the House.

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

Mr. GILMAN. Madam Speaker, I thank the gentleman from Ohio (Mr. LATOURETTE) for yielding the time to me.

Madam Speaker, permit me to take this opportunity to thank the gentleman from California, (Mr. GALLEGLY) for his leadership in bringing this important measure, H.R. 93, the Federal Firefighters Retirement Age Fairness Act, before the House today. I want to thank my colleagues who have risen in support of this measure.

Everyday America's firefighters are placing their lives and welfare on the line to protect our families, our homes and our communities and, in turn, they deserve our providing them with the resources and training that is so necessary as they face their dangerous tasks.

However, each year, regrettably, our veteran firefighters are forced into retirement because of the mandatory separation age for Federal firefighters. The Federal Firefighters Retirement Age Fairness Act amends the Federal Civil Service law relating to the Civil Service retirement system and the

Federal Employees' Retirement System to provide the mandatory separation age for the Federal firefighters, currently age 55, be made the same as the age that applies with respect to Federal law enforcement officers, which is currently age 57.

This important measure will positively assist the lives of thousands of our Nation's firefighters, who will continue to offer experience to the younger men and women who look to them for leadership and guidance as they enter their noble profession.

Madam Speaker, I rise today in strong support of H.R. 93 and urge our colleagues in the House to support this worthy measure for our Nation's firefighters, for their families and for the communities that they all protect.

Mr. CUMMINGS. Madam Speaker, I yield 30 seconds to the gentlewoman from Ohio (Mrs. JONES), my colleague.

Mr. LATOURETTE. Madam Speaker, I am happy to yield another 30 seconds to the gentlewoman from Ohio (Mrs. JONES), so she has a full minute so we can hear what she has to say.

Mrs. JONES of Ohio. Madam Speaker, I want to thank my colleague from Maryland (Mr. CUMMINGS) and my colleague from Ohio (Mr. LATOURETTE) for yielding me this time.

Madam Speaker, I rise in support of this legislation. Having worked over the years with a number of firefighter organizations in Cleveland out of Ohio, particularly one year, on September 10, which is my birthday, my house caught on fire, and I was so pleased with the work and the level of experience of the officers that came to assist me.

They did not know it was me at the time that they came, but they are really wonderful firefighter folks, and I am standing here to say if they want to work longer, we ought to let them work longer, in terms of providing experienced service as firefighters.

I thank the gentleman from Maryland (Mr. CUMMINGS) and the gentleman from Ohio (Mr. LATOURETTE) for the opportunity to be heard on this legislation, and I ask all of my colleagues to join us as we give firefighters a new opportunity, just an opportunity to work on behalf of the people.

Mr. LATOURETTE. Madam Speaker, it is my pleasure to yield 2 minutes to the gentlewoman from Pennsylvania (Ms. HART), another new Member of the House of Representatives already making a difference.

Ms. HART. Madam Speaker, back in Pennsylvania, most of our firefighters units are run by volunteers. As a State senator, I did my best to support this proud community tradition, especially at times, like now, when the job is so demanding and the number of volunteers is declining.

Firefighting, as we all know, is tough work. It is difficult to find qualified men and women who are willing to serve, whether it is as a volunteer back home, at the Harrison Hills Volunteer Fire House in Natrona Heights, Penn-

sylvania, or as a member of the Federal firefighters who do everything from protecting military bases to responding to national emergencies, such as the Oklahoma City bombing.

I was surprised to learn that Federal law actually prevents many seasoned and capable firefighters from staying on the job, even if they wish to. Maybe it is my Pennsylvania perspective, but I believe that we should support our firefighters, not force them into retirement when their experience can still be put to great and even critical use.

To me, that means we should ensure our laws give firefighters more authority to decide for themselves how long they can work safely and effectively, and when they should retire. That is why I rise today in support of H.R. 93. The bill would prevent these able-bodied, experienced firefighters from being forced to retire before they wanted to by raising that retirement age to the age of 57.

Madam Speaker, it is a great, common-sense measure protecting not only these firefighters, but also public safety, by seeing that they retain the qualified and experienced force. The taxpayers benefit from this measure, too, because the Congressional Budget Office's analysis indicates that this change will save the taxpayers over \$4 million over the next 5 years.

I commend my colleague from California (Mr. GALLEGLY) for introducing this measure. I commend my colleagues who support this.

Mr. CUMMINGS. Madam Speaker, I yield 5 seconds to the gentlewoman from Texas (Ms. JACKSON-LEE), my good friend.

Ms. JACKSON-LEE of Texas. Madam Speaker, I want to thank the ranking member, the gentleman from Maryland (Mr. CUMMINGS), but I also want to thank the gentleman from Pennsylvania (Mr. WELDON) for his leadership on this issue.

Mr. LATOURETTE. Madam Speaker, I yield 2½ minutes to the gentleman from Michigan (Mr. SMITH).

Mr. SMITH of Michigan. Madam Speaker, we all should thank the gentleman from California (Mr. GALLEGLY) for bringing this to our attention. It moves the mandatory retirement age from 55 up to 57. The fact that this is the first piece of legislation this new body is considering I think helps demonstrate the esteem with which this Congress holds the Nation's firefighters, its first responders.

This bill corrects an inequity. We owe, I think, a great debt to what are some of the heroes of this country. We have 1.2 million firefighters in this Nation. Over 90 percent are volunteers. That means they are out risking their lives to help us. They truly are the first responders.

We made a lot of progress, I think, towards reinforcing the fact that this Congress supports firefighters. In this last session, we appropriated \$100 million in grants to cost share with local communities to make sure that they

have the equipment; that they have the personnel; that they have the capable training they need.

Madam Speaker, I am pleased to support H.R. 93 as the next step in our efforts to address issues of concern to the fire community. As the chairman of the Subcommittee on Basic Research that oversees the National Fire Administration, I suggest to all my colleagues that it is important that we continue this kind of support. These are the men and women that go out and have baked goods sales to try to support and raise enough money to have the kind of equipment that is going to end up saving our lives and our property. So when my colleagues go back home, thank these individuals. This is a good bill. Let us move on with it, and I hope that we continue this effort of supporting our first responders.

Mr. CUMMINGS. Madam Speaker, we have a limited amount of time, and it is my understanding that the gentleman from Ohio (Mr. LATOURETTE) has agreed to yield 1 minute to the gentleman from New Mexico (Mr. UDALL).

Mr. LATOURETTE. Madam Speaker, that is correct. In the spirit of bipartisanship that permeates the Chamber, it is my pleasure to yield 1 minute to the gentleman from New Mexico (Mr. UDALL).

(Mr. UDALL of New Mexico asked and was given permission to revise and extend his remarks.)

Mr. UDALL of New Mexico. Madam Speaker, I rise in support of H.R. 93, the Federal Firefighters Retirement Act, and this measure increases the mandatory separation age for Federal firefighters from 55 to 57.

Last year was one of the worst fire seasons in our Nation's history. My own congressional district experienced the devastating effects of the Cerro Grande and the Vivash fires which consumed over 75,000 acres, and burned over 200 homes.

The exemplary courage and dedication of the firefighters who have fought these wildfires was tremendous. In fact, these same firefighters continued to fight fire throughout the Nation beyond the normal fire season that charred almost 7 million acres. Last year, however, it became difficult to find enough firefighters to suppress, manage and support these large fires. This prompted the need to hire back some of the retired firefighting force.

We are losing wildland firefighters at an alarming rate to retirement or other occupations. For example, in 1999, 57 percent of the U.S. Forest Service firefighters were age 45 or older.

Madam Speaker, I would ask all my colleagues to support this bill.

H.R. 93 would allow the Federal Wildland fire agencies to keep experienced firefighters on the line to safely protect homes, families, and businesses. Moreover, the bill would allow more time for senior fire managers to obtain higher incident command qualifications.

H.R. 93 amends Federal civil service laws to make the mandatory separation age the

same with respect to the age in which Federal law enforcement officers can retire.

Furthermore, the legislation is estimated to save the Federal Government approximately \$4 million over 5 years. By allowing Federal firefighters the option of continuing their careers for another 2 years, we will bolster our firefighting capabilities with more experience and knowledge. I, therefore, urge my colleagues to support this measure.

Mr. LATOURETTE. Madam Speaker, it is my pleasure to yield 2 minutes to the gentleman from Pennsylvania (Mr. WELDON) whose name has been invoked many times during the course of the debate, a champion of firefighters all over the country and around the world.

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

Mr. WELDON of Pennsylvania. Madam Speaker, I rise, first of all, in thanks for the outstanding leadership provided by my colleagues on both sides of the aisle, the gentleman from Ohio (Mr. LATOURETTE), for bringing this bill to the floor, who has been constantly supportive of efforts associated with the Fire Service, and the gentleman from California (Mr. GALLEGLY), my good friend and colleague.

Madam Speaker, I can tell my colleagues that when the gentleman from California (Mr. GALLEGLY) bites an issue, he does not let go, whether it is fighting for the support for the airborne firefighters in California, by getting the military to respond to the MAPS program, or whether it is fighting for this legislation; the gentleman from California (Mr. GALLEGLY) has been there.

It is not just with his words. I mean, the gentleman from California (Mr. GALLEGLY) has gone out on nightly experiences here in D.C. with the paid fire department when he and I rode the fire trucks to get a feel for what our paid firefighters go through.

The gentleman from California (Mr. GALLEGLY) has been there on the scene in situations, in California. I have been with him on the wildlands fires, the earthquakes. The gentleman is someone who really believes that we have to do more to assist these brave Americans.

Madam Speaker, this Congress and the last Congress have been the most responsive in the history of this country to the American domestic defenders, the men and women of our fire service. Both the paid and volunteer firefighters in this country have benefitted from the actions of this Congress in a strong bipartisan way.

Madam Speaker, I want to thank my colleagues for, again, recognizing the fire service for what it is, the backbone of our country, the people who make America strong. I want to thank the gentleman from Maryland (Mr. HOYER). I do not see him in the room, but the gentleman has been a tireless advocate for the firefighters as the original co-chairman of the Fire Caucus. And, again, thank all of my colleagues and

ask for a very strong vote, again, for the support of the men and women who make America such a great Nation, our fire and EMS personnel.

□ 1815

Mr. CUMMINGS. Madam Speaker, it is my understanding that the other side will yield us 35 seconds.

Mr. LATOURETTE. That is correct, Madam Speaker.

Before I do, the gentleman from California (Mr. GALLEGLY) has asked for 30 seconds. Then I will be happy to yield the gentleman from Maryland (Mr. CUMMINGS) 30 seconds, if that is all right with him.

Madam Speaker, I yield 30 seconds to the gentleman from California (Mr. GALLEGLY).

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

Mr. GALLEGLY. Madam Speaker, I thank the gentleman from Ohio (Mr. LATOURETTE), again, for yielding me this time.

Madam Speaker, I want to thank all of my colleagues for their testimony this afternoon and for the kind words.

Madam Speaker, if enacted, this bill will bolster our firefighting, HAZMAT, and EMS capabilities. We will maintain more experienced firefighters in the field and in senior management positions by allowing Federal firefighters the option of continuing their careers for 2 additional years.

I ask my colleagues to join with me this afternoon in passing this very important legislation.

The SPEAKER pro tempore (Mrs. BIGGERT). The Chair recognizes the gentleman from Maryland (Mr. CUMMINGS) for 55 seconds.

Mr. CUMMINGS. Madam Speaker, our firefighters are often unseen, unnoticed, unappreciated, and unapplauded. By doing what we are doing today, I think we send a very strong message to them that we do appreciate them and we do appreciate the fact that they can serve beyond 55 years of life and probably could even go beyond 57.

But the fact still remains that we must continue to do what we are doing today; and that is to lift them up.

I want to thank the gentleman from Pennsylvania (Mr. WELDON), the gentleman from Maryland (Mr. HOYER), the gentleman from California (Mr. GALLEGLY), the gentlewoman from California (Mrs. CAPPS), and all of those people of this Congress who have taken it upon themselves to make sure that we send a very strong message to them.

With that, Madam Speaker, I urge all of our colleagues to vote in favor of the Federal firefighters Retirement Age Fairness Act.

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

Mr. LATOURETTE. Madam Speaker, I yield myself the balance of our time.

Madam Speaker, I want to commend the gentleman from California (Mr. GALLEGLY) for introducing this impor-

tant bill and for his efforts to bring it to the floor.

As our colleagues from the 106th Congress will remember, this bill passed the House under suspension on October 17, 2000, but failed to receive Senate action.

I want to take the time to thank the gentleman from Indiana (Mr. BURTON), the chairman of the full committee; the gentleman from Florida (Mr. SCARBOROUGH), the subcommittee chairman; the gentleman from California (Mr. WAXMAN), the ranking member of the full committee; and the gentleman from Maryland (Mr. CUMMINGS), ranking member of the subcommittee, for their effort.

Last year, Madam Speaker, the Congressional Budget Office estimated that the bill will actually save the government \$4 million in direct spending over the next 5 years. The Office of Personnel Management, which administers civil service retirement, believes that it is appropriate to apply the same mandatory separation age to firefighters as we do to law enforcement officers.

I urge Members to lend their support.

Mr. UNDERWOOD. Madam Speaker, I rise in support of H.R. 93, the Firefighters Retirement Age Fairness Act. This sensible piece of legislation eliminates the unfair forced retirement for Federal firefighters by raising the mandatory separation age from 55 to 57, providing Federal firefighters with the same retirement age as Federal law enforcement officers.

This bill goes a long way towards fairness and equity by giving a class of civil servants who provide valuable contributions towards public safety their just due. By raising the mandatory separation age for Federal firefighters, we do not only equate their benefits with Federal law enforcement officers, but we take into account their individual merits and their ability to continue substantial and dedicated service to the community.

Among the people who will benefit from the passage of this bill are about a hundred Federal fighters from my home island of Guam. These folks who work for both the Navy and the Air Force aside from their assigned duties are called upon to assist the civilian community in times of calamities and disasters. Among their distinguished contributions was the assistance they provided during the recent crash of Korean Air Flight 801. On Guam, these civil servants are distinguished and greatly admired members of our community.

Let us take this occasion to show our appreciation for the dedicated service and contributions of Federal firefighters by allowing them service based on their own merits. I urge my colleagues to support H.R. 93.

Mrs. CAPPS. Madam Speaker, I rise today in strong support of the Federal Firefighters Retirement Age Fairness Act, a bill which would raise the mandatory retirement age for Federal firefighters to the same age as Federal law enforcement officers. As a proud co-sponsor of this bill, I appreciate the House taking up this significant legislation.

Currently, federal firefighters must retire at age 55. The Federal Firefighters Retirement Age Fairness Act would correct this oversight by raising the retirement age to 57. This will allow more firefighters to remain on the front

lines in the battle against devastating fires in my District and across the country.

As the recent wildfires, which ravaged much of the West, have shown, firefighters are in great demand. Many of our Nation's firefighters are quickly approaching retirement age, highlighting the growing shortage of well trained, quality firefighters. In fact, a recent report issued by the General Accounting Office stated that because of an aging work force there will be a shortage of qualified firefighters in the U.S. Forest Service and the Bureau of Land Management, and that the situation could have a direct impact on firefighters' safety. Because it takes 17 to 22 years of experience to become eligible for firefighters leadership positions, an extra two years of service will give federal firefighters the option of continuing their careers and bolster fire fighting capabilities by having more experience in the field among our chiefs and commanders.

Madam Speaker, I offer my heartfelt gratitude to every person who has taken part in combating destructive fires—these heroes deserve our strongest support. Their work in protecting our lives, our families, our property, and our environment is deeply appreciated by the residents of the Central Coast and by all Americans.

Mr. SMITH of Michigan. Madam Speaker, the fact that the first piece of legislation this new body is considering is a firefighting bill helps demonstrate the esteem with which the Congress holds the Nation's firefighters. This bill, which corrects an inequity in the mandatory retirement age for federal firefighters compared to their law enforcement counterparts, continues the good work of the last Congress in addressing issues of concern to the fire-fighting community.

We owe a great debt to our firefighters—federal and municipal, paid and volunteer. The 1.2 million men and women of the fire services serve as our nation's domestic defenders, often placing themselves at great risk. And yet they continue to man the front lines for our communities against fires, accidents, and disasters. Increasingly, we are asking them to take on further responsibilities—to respond to terrorist attacks or to help stem environmental disasters, for example. It's important that as we ask them to take on more, we stay committed to insuring we support them as best we can.

We made a lot of progress towards that end in the last session. We were able to secure \$100 million in funding for a grant program that will help fire departments nationwide purchase equipment, train personnel, and promote fire safety. We increased our support for the Volunteer Fire Assistance Program and began a study of ways to better allocate radio frequencies to fire services.

Madam Speaker, I'm pleased to support H.R. 93 as the next step in our efforts to address issues of concern to the fire community. And, as Chairman of the Subcommittee with oversight over the U.S. Fire Administration, I look forward to continuing to work to ensure our first responders get the support they deserve.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. LATOURETTE) that the House suspend

the rules and pass the bill, H.R. 93, as amended.

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. GALLEGLY. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 401, nays 0, not voting 31, as follows:

	[Roll No. 5]	YEAS—401	
Abercrombie	Crowley	Hart	Linder
Ackerman	Cubin	Hastings (FL)	Peterson (MN)
Aderholt	Culberson	Hastings (WA)	Peterson (PA)
Akin	Cummings	Hayes	Lofgren
Allen	Cunningham	Hayworth	Lowey
Andrews	Davis (CA)	Hefley	Lucas (KY)
Armey	Davis (FL)	Herger	Lucas (OK)
Baca	Davis (IL)	Hill	Luther
Baird	Davis, Jo Ann	Hilleary	Maloney (CT)
Baker	Davis, Thomas	Hilliard	Maloney (NY)
Baldacci	M.	Hinchey	Manzullo
Baldwin	Deal	Hoefel	Markey
Barcia	Delahunt	Hoekstra	Mascara
Barr	DeLauro	Holden	Masterson
Barrett	DeLay	Holt	Matsui
Bartlett	DeMint	Honda	McCarthy (MO)
Barton	Deutsch	Hooley	McCarthy (NY)
Bentsen	Diaz-Balart	Horn	McCullum
Bereuter	Dicks	Hostettler	McCryer
Berkley	Dingell	Hoyer	McDermott
Berman	Doggett	Hulshof	McGovern
Berry	Doolley	Hunter	McNulty
Biggert	Doolittle	Hutchinson	Meehan
Bilirakis	Doyle	Hyde	Meeks (NY)
Bishop	Dreier	Inslee	Menendez
Blagojevich	Duncan	Isakson	Mica
Blumenauer	Dunn	Israel	Millender-McDonald
Blunt	Edwards	Issa	McDonald
Boehlert	Ehlers	Istook	Miller (FL)
Boehner	Ehrlich	Jackson (IL)	Miller, Gary
Bonilla	Emerson	Jackson-Lee	Miller, George
Bonior	Engel	(TX)	Miller, George
Borski	English	Jefferson	Moore
Boswell	Eshoo	Jenkins	Moran (KS)
Boucher	Etheridge	John	Moran (VA)
Boyd	Evans	Johnson (CT)	Morella
Brady (PA)	Farr	Johnson (IL)	Morello-Flores
Brady (TX)	Fattah	Johnson, E.B.	Nease
Brown (FL)	Ferguson	Johnson, Sam	Nethercutt
Brown (OH)	Filner	Jones (NC)	Northup
Brown (SC)	Flake	Jones (OH)	Northup
Bryant	Fletcher	Kanjorski	Notestein
Burr	Foley	Kaptur	Osborne
Burton	Ford	Keller	Ose
Buyer	Frank	Kelly	Otter
Calvert	Frelinghuysen	Kennedy (MN)	Owens
Camp	Frost	Kennedy (RI)	Pallone
Cantor	Gallagly	Kerns	Pascarella
Capito	Ganske	Kildee	Paul
Cardin	Gekas	Kilpatrick	Pastor
Carson (OK)	Gephhardt	King (WI)	Jefferson
Castle	Gillcrest	Kingston	Payne
Chabot	Gillmor	Kirk	Pelosi
Chambliss	Gilman	Kleckza	Pence
Clay	Gonzalez	Knollenberg	
Clayton	Goode	Kolbe	
Clement	Goodlatte	Kucinich	
Clyburn	Gordon	LaFalce	
Coble	Goss	LaHood	
Collins	Graham	Lampson	
Combest	Granger	Langevin	
Condit	Graves	Largent	
Conyers	Green (TX)	Larsen (WA)	
Cooksey	Green (WI)	Larson (CT)	
Costello	Greenwood	Latham	
Cox	Grucci	LaTourette	
Coyne	Gutknecht	Lee	
Cramer	Hall (OH)	Levin	
Crane	Hall (TX)	Lewis (CA)	
Crenshaw	Hansen	Lewis (GA)	
	Harman	Lewis (KY)	

NOT VOTING—31

Bachus	Fossella	Ortiz
Ballenger	Gutierrez	Oxley
Bass	Hinojosa	Rush
Becerra	Hobson	Sanchez
Bono	Houghton	Stark
Callahan	Lantos	Thomas
Cannon	Leach	Vitter
Carson (IN)	Meek (FL)	Wexler
DeFazio	Moakley	Young (AK)
DeGette	Mollohan	
Everett	Neal	

□ 1841

Mr. ENGEL changed his vote from "nay" to "yea."

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. SANCHEZ. Madam Speaker, during rollcall vote No. 5 on January 30, 2001, I was unavoidably detained. Had I been present, I would have voted "yea."