

our President and our leadership in this institution as we choose the times and the days ahead for war.

WE NEED A TAX POLICY WHICH WILL HELP THE ECONOMY RECOVER QUICKER

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

Mr. SMITH of Michigan. Mr. Speaker, in my Seventh Congressional District of Michigan unemployment is going up. Some of the companies are closing. Several are moving to Mexico and other countries.

In the past, the United States has been so advanced in our productivity and our efficiency that we could put heavy taxes on business and industry, and we could impose restrictive regulations, and still be competitive in the world market. That is no longer true, Mr. Speaker. The international community is now vying for our markets, our ways of producing, trying to be more productive and take away our business.

That means that we have got to take another look at how we put our companies at a competitive disadvantage, the way we tax our business and industry more than what other countries are taxing theirs. We now have a situation where Democrats are suggesting that if we have any tax changes to have a faster economic recovery, they are going to use it politically, suggesting taxation to give benefits for just the rich. We need to look at the kind of taxes that will protect workers savings and are going to help this economy recover quicker.

AMERICA'S BANKRUPTCY LAWS NEED TO BE FIXED

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

Mr. PITTS. Mr. Speaker, America's bankruptcy laws need to be fixed. The system is broken, and we need to act. In fact, we have acted. The House of Representatives has passed an excellent bill to do the job. Unfortunately, the other body has injected one of the most controversial issues of our time, abortion, into this legislation. Now many of us simply can no longer vote for it.

The issue of abortion does not belong in this bill. Mr. Speaker, as it is written now, the bankruptcy bill singles out peaceful, nonviolent, pro-life protesters for unusually harsh punishment if they pray or protest or hand out leaflets in front of an abortion clinic. I ask my colleagues, why is it okay to have civil rights protests, why is it okay to have union protests, why is it okay to have animal rights protests or peace protests, and why is it not okay to protest in defense of unborn babies?

This Congress should stand for equal treatment under the law. We should

not have one set of rules for liberals, another for conservatives; one set of rules for pro-choice people, another for pro-life people. It is not right, and that is why we want to see the bankruptcy bill fixed before we vote on it.

REGARDING THE JOINT MEETING OF CONGRESS IN NEW YORK CITY

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

Mr. GIBBONS. Mr. Speaker, I look forward tomorrow to joining approximately 250 of my colleagues at the Joint Meeting of Congress in New York City, where we will honor the victims and celebrate the heroes of September 11, 2001.

We will be returning to the city which terrorists targeted for devastation almost 1 year ago, and yet the terrorists did not succeed in destroying this Nation or the American spirit. Instead, our Nation is strong, our people are its strength. The people of New York are the beacon to the strength of the American spirit. Tomorrow we will see firsthand that strength, and how New York City has survived in spite of the horrible tragedy of September 11.

Our message to those terrorists is that no one in this Nation will retreat, and we will not be intimidated. Terrorism against the United States, our freedom, and our people will never be tolerated.

Mr. Speaker, I would like to thank the people of New York for welcoming Congress to their city. May this visit symbolize not only the unity of Congress, but that of the entire country to rebuild our Nation and defend our freedom.

DAM SAFETY AND SECURITY ACT OF 2002

The SPEAKER pro tempore (Mr. GIBBONS). Pursuant to the order of the House of Wednesday, September 4, 2002, and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 4727.

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IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4727) to reauthorize the national dam safety program, and for other purposes, with Mr. RYAN of Wisconsin in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the order of the House of Wednesday, September 4, 2002, the bill is considered as having been read the first time.

The gentleman from Ohio (Mr. LATOURETTE) and the gentleman from Illinois (Mr. COSTELLO) each will control 30 minutes.

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

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

Mr. Chairman, H.R. 4727, the Dam Safety and Security Act of 2002, introduced by the gentleman from Pennsylvania (Mr. SHUSTER), reauthorizes and updates the national dam safety program, which was originally passed as part of the Water Resources Development Act of 1996.

This program was created to improve public safety around dams by providing grants to State dam safety agencies to assist them in improving their regulatory programs, funding research to enhance technical expertise as dams are built and rehabilitated, establishing training programs for dam safety inspectors, and creating a national inventory of dams.

Since its passage in 1996, the program has worked to provide assistance grants, training, research, and expertise in each of the 48 States that has a dam safety program.

Dams serve a number of important functions in today's society. They provide water for recreation, electricity, human and livestock consumption, crop irrigation, and flood control.

According to the Army Corps of Engineers, which maintains the national inventory, there are more than 80,000 dams in the United States. Of these, 10,000 have been classified as high risk, meaning that their failure poses a risk of either loss of life or severe loss of property.

While it is widely believed that the Federal Government owns most of America's dams, the reality is far from that. In fact, the Federal Government owns just over 5 percent of the dams in the United States, with the vast majority, some 58 percent, being owned by private individuals.

This fact highlights the need for coordinated and adequately funded inspection programs at the State level. This bipartisan legislation will reauthorize this important public works safety program for an additional 4 years, require the creation of a strategic plan, give the Interagency Board greater flexibility to provide assistance to States, allow for the inclusion of State dam safety officials on the Interagency Board, increase the amount of money available for grants and research, and require that the Board consider security when assessing the safety of dams.

Mr. Chairman, I support this very important piece of legislation. I want to commend the ranking member of our subcommittee, the gentleman from Illinois (Mr. COSTELLO), for his diligence and willingness to continue to work with us in a bipartisan manner to produce good legislation, and also the chairman of the full committee, the gentleman from Alaska (Mr. YOUNG), and the ranking member of the full committee, the gentleman from Minnesota (Mr. OBERSTAR).

I want to pay special note at this time and give thanks to the author of

the legislation, the gentleman from Pennsylvania (Mr. SHUSTER). Although a new Member of the House, the gentleman from Pennsylvania has already proven himself to be a leader in important issues of transportation and infrastructure, following in the important footsteps of his father, and this piece of legislation is a good example of that.

This is a good piece of legislation.

Mr. Chairman, I yield the balance of my time to the gentleman from Pennsylvania (Mr. SHUSTER), and I ask unanimous consent that he be permitted to control that time.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

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

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

Mr. SHUSTER. Mr. Chairman, I would like to thank the gentleman from Ohio (Mr. LATOURETTE) for his leadership on this issue.

Mr. Chairman, I rise in support of the Dam Safety and Security Act. This important legislation reauthorizes a program that has directly helped the States and protects the citizens of this country.

This program, run by the Federal Emergency Management Administration, provides vital assistance to States, and actually saves the government money by helping prevent dam accidents from happening, allowing FEMA to direct its emergency funds where they are needed most.

Dams provide tremendous benefits, including water supply for drinking, irrigation and industrial uses, flood control, hydroelectric power, recreation, and navigation.

At the same time, dams also represent one of the greatest risks to public safety. Historically, some of the largest disasters in U.S. history have resulted in dam failures.

In 1928, the St. Francis Dam failure killed more than 500 Californians. During the 1970s, the Buffalo Creek Teton and Toccoa Creek Dam failures collectively cost 175 lives and over \$1 billion in losses. In 1889, the collapse of the South Fork Dam decimated the town of Johnstown, Pennsylvania, killing more than 2,000 people.

Despite the tragedies of the past, many dams are not maintained properly. Dams require ongoing maintenance, monitoring, safety inspections, and rehabilitation. In the past 2 years, more than 520 dam incidents, including 61 dam failures, were reported.

While the Federal Government maintains many well known dams, like the Hoover Dam, more than 90 percent of the dams, over 100,000 dams, are regulated by the States. Additionally, the number of high hazard potential dams whose failures would cause loss of human life or severe property damage is increasing due to the development of downstream land. Today, there are al-

most 10,000 high hazard potential dams. Even more alarming, States presently report approximately 23,100 unsafe dams which have deficiencies that leave them highly susceptible to failure.

Some States, Delaware, for example, have relatively few dams, while others like Kansas, Missouri, Oklahoma, and Texas have 4,000 dams each. Many States fully fund their dam safety program. Unfortunately, others do not. In Iowa, for example, a single staff person is responsible to devote one-third of his time to dam safety and yet be responsible for inspecting almost 11,000 State regulated dams.

Clearly, more can be done. The combined effort of rapid downstream development and aging or non-compliant structures demands fully funded and staffed State dam safety programs, as well as substantial proactive funding for dam repairs.

1030

Not surprisingly, repairs to dams are expensive. Some estimates say as much as \$7 billion across the United States. It is important to note that other Members of Congress are working on drafting separate legislation that would provide loans to dam owners to help cover the costs of repairs. I support the intent and look forward to reviewing the legislation.

In an effort to ensure dam safety, Congress passed the National Dam Safety Program in 1996. Under that program State dam safety agencies received grants totaling \$7 million to assist them with improving dam safety regulatory programs by procuring equipment, implementing new technology, and enabling more frequent inspections. The program also provides opportunities for continuing education to dam safety engineers and funding for research to advance the technology for investigations, construction, and the rehabilitation of dams.

I am pleased to report this program was successful and deserves to be continued. It is important to note this model program sent the money directly to States, where it was used to educate, inform, and help protect the people.

My State of Pennsylvania has been in the forefront of the Nation's dam safety efforts over the last two decades and our program has been cited as a role model for other States in developing new and expanded programs. Of the 3,200 dams in Pennsylvania, 950 are classified as high-hazard potential structures.

This determination helps State dam officials identify which dams deserve regular inspection. In conversations with Pennsylvania State dam officials, they confirmed that they could not have done it without the National Dam Safety Program.

This bill reauthorizes this successful program by updating and fine-tuning the underlying language and providing a modest boost to the funding for re-

search and development. The total authorized funding is increased by \$2.7 million per year, with \$2 million being directed in State grants, \$500,000 for research, and \$200,000 for additional staff of FEMA to conduct training. Importantly, this legislation will also provide States the technical assistance necessary to maintain security for our Nation's dams.

Specifically the program will develop cost-effective programs and procedures for hazard reduction; develop procedures to be used for dam site investigation, design, construction, operation, maintenance, and emergency preparedness; encourage the establishment of dam safety problems in each State; develop public awareness projects to increase acceptance and support of State dam safety programs; develop technical assistance materials for Federal and non-Federal dam safety programs; develop mechanisms to provide technical assistance to the non-Federal sector; and develop technical assistance and encourage appropriate security for our Nation's dams.

Mr. Chairman, I would like to remind everybody how important dams are to this country. Dams provide hydroelectric power to almost every State in the Union, habitats for fish, birds and other animals, recreational activities from bird watching to water sports, flood control and are an important source of our drinking water. The positive impacts of dams may be influencing more people to build downstream from dams. This is not dangerous as long as dams are monitored and maintained. For these reasons and in memory of the thousands of lives lost to dam failures, I urge my colleagues to support this common sense legislation.

Mr. Chairman, I would like to include in the RECORD three letters of support for this important legislation. The National Governors' Association, the American Society of Civil Engineers, and the Association of State Dam Safety Officials each sent a letter in support of the National Dam Safety and Security Act. I would also like to thank the gentleman from Alaska (Mr. YOUNG), the chairman, for his assistance and leadership on this bill; the gentleman from Ohio (Mr. LATOURETTE), subcommittee chairman, for his help and guidance. In addition, I appreciate the support of the gentleman from Illinois (Mr. COSTELLO), ranking member, and the gentleman from Minnesota (Mr. OBERSTAR) for their help in crafting this legislation.

The letters referred to are as follows:

NATIONAL GOVERNORS ASSOCIATION,

Washington, DC, September 3, 2002.

To: All Members of the House of Representatives

The National Governors Association supports legislation to reauthorize the National Dam Safety Program Act, therefore, we urge you to support the "Dam Safety and Security Act of 2002" (H.R. 4727). From its \$5.9 million annual authorization, the National Dam Safety Program provides \$4 million per year in grants to states to help improve dam

safety inspection, classification and regulatory programs, as well as \$500,000 for training state dam safety inspectors.

Dams are a critical component of state infrastructure, equal in importance to bridges, roads, or airports. They provide benefits such as water supply, flood control, power generation, navigation, recreation, and wildlife habitat. Dam failures can cause loss of life and significant financial impacts on downstream areas. The American Society of Civil Engineers, in their 2001 Report Card for America's Infrastructure, gave dams a grade of "D," indicating a problem that deserves national attention.

State governments have regulatory responsibility for 95 percent of the approximately 75,000 dams within the National Inventory of Dams. The bulk of the responsibility to ensure the safety of the nation's dams falls on the shoulders of the states, and concerns about homeland security have increased this burden. State dam safety programs vary in authority, but typically the program includes safety inspections of new and existing dams, review of plans and specifications for dam construction and repair, and review and approval of emergency action plans.

H.R. 4727 makes only small changes in the existing National Dam Safety program but will continue a modest yet vital agenda for addressing America's dams. Thank you for your consideration of our views.

Sincerely,

GOVERNOR BOB WISE,
*Chair, Committee on
Natural Resources.*
GOVERNOR BILL OWENS,
*Vice Chair, Committee
on Natural Resources.*

ASSOCIATION OF STATE DAM
SAFETY OFFICIALS,
Lexington, KY, September 4, 2002.

Hon. BILL SHUSTER,
*House of Representatives, Rayburn House Office
Building, Washington, DC.*

DEAR REPRESENTATIVE SHUSTER: On behalf of the more than 2,000 members of the Association of State Dam Safety Officials (ASDSO), we urge passage of the bill H.R. 4727, The Dam Safety and Security Act of 2002. The Dam Safety and Security Act reauthorizes the National Dam Safety program through FY 2006, and makes some minor changes to the program that were identified over its first five years.

The National Dam Safety Program Act (NDSPA), enacted as part of the Water Resources Development Act of 1996 (P.L. 104-303), expires in FY 2002. This modest, yet vital, program enables the states to improve their fledgling dam safety programs which, in turn, translates into reduced risks to life and property. The National Dam Safety Program (NDSP) has fostered many significant improvements in the state dam safety programs, provided critical training to state engineers and established unprecedented cooperation between Federal dam safety agencies and state dam safety programs.

The accomplishments realized through the NDSP, under FEMA's direction, clearly demonstrate the benefits of Federal leadership. The National Dam Safety Program Act of 1996 is set to expire in FY 2002, but there are many more goals and challenges ahead that should be addressed in order to improve dam safety in the United States. Conducting vulnerability assessments and improving dam security, mapping of dambreak flood inundation areas below dams and creating a funding source to provide low interest loans for dam repairs are the most urgent challenges.

ASDSO urges you to support H.R. 4727 when it comes to the House floor on September 5, 2002, to continue to improve the

safety of our Nation's dams and to prevent dam failures that threaten lives and property.

If you or your staff have any questions please call Brad Larossi, Chairman of the ASDSO Legislative Committee at 410-631-3538.

Sincerely,

BRAD LAROSI, P.E.,
Chairman, Legislative Committee.

AMERICAN SOCIETY OF CIVIL ENGINEERS,
Washington, DC, September 4, 2002.

Hon. BILL SHUSTER,
*House of Representatives, Rayburn House Office
Building, Washington, DC.*

DEAR REPRESENTATIVE SHUSTER: On behalf of the more than 125,000 members of the American Society of Civil Engineers (ASCE), I urge the passage of H.R. 4727, the Dam Safety and Security Act of 2002, which reauthorizes the National Dam Safety Program (P.L. 104-303) for an additional four years.

The bill authorizes \$8.6 million in each of the fiscal years 2003 through 2006 for dam safety. It amends the National Dam Safety Program Act to direct the Interagency Committee on Dam Safety to encourage the establishment and maintenance of effective federal programs, policies, and guidelines intended to enhance dam safety.

The National Dam Safety Program Act (NDSPA), enacted as part of the Water Resources Development Act of 1996, expires in FY 2002. This modest, yet vital, program enables the states to improve their fledgling dam safety programs, which, in turn, translate into reduced risks to life and property. The National Dam Safety Program (NDSP) has fostered many significant improvements in the state dam safety programs, provided critical training to state engineers and established unprecedented cooperation between Federal dam safety agencies and state dam safety programs.

ASCE's 2001 Report Card for the Nation's Infrastructure concluded dams require ongoing maintenance, monitoring, frequent safety inspections and rehabilitation. More than 90 percent of the nation's approximately 100,000 dams are regulated by the states.

ASCE believes that H.R. 4727 is critically important to the constant effort to protect human life and property in every state in the United States. We urge you to support H.R. 4727 when it comes to the House floor on September 5, 2002.

Sincerely yours,

H. GERARD SCHWARTZ, JR., Ph.D., P.E.,
President.

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

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

Mr. Chairman, H.R. 4727, the Dam Safety and Security Act of 2002, reauthorizes and amends the National Dam Safety Program. The program's goal is to reduce the risk to life and property by establishing an effective dam safety maintenance program that utilizes the resources and expertise of the Federal and non-Federal communities to achieve the reduction of dam safety hazards. One of the primary purposes of the National Dam Safety Program Act is to provide financial assistance to the States for strengthening their dam safety program.

Since the passage of the National Dam Safety Program Act in 1996, the program has improved the Nation's dam safety. Dam inspections have in-

creased by 25 percent. There have been advances in the state-of-the-art practice and user documentation; State training programs have been enhanced; research in the area of improving dam safety has increased; and an information technology plan will be developed that will establish an information resource system to centralize national dam safety information.

Additionally, in light of our Nation's need to protect our infrastructure from possible terrorist attacks, the National Dam Safety Review Board has established the Dam Safety Security Task Force to facilitate dialogue and offer technical support on security-related policy and guidance.

H.R. 4727, the Dam Safety and Security Act of 2002, seeks to build upon these achievements made over the past several years and enhance them. In addition to reauthorizing the National Dam Safety Program for 3 additional years, the bill enhances the program by requiring the development of dam safety training materials and courses for State and local officials, by providing for assistance for dam safety programs, and by allowing for the appointment of State dam safety officials to the Interagency Board, in addition to making other conforming amendments.

Mr. Chairman, this is a good bipartisan bill. Dam safety is important to our Nation, and coming from an area of the country where during certain times of the year flooding can reach a critical point, I am pleased that we are taking the time to reauthorize and enhance this important program.

Finally, I want to commend the gentleman from Alaska (Mr. YOUNG), the chairman, for his leadership; and the gentleman from Minnesota (Mr. OBERSTAR), ranking member, on this legislation, as well as the gentleman from Ohio (Mr. LATOURETTE), chairman of the subcommittee, for their work, and in particular the gentleman from Pennsylvania (Mr. SHUSTER), my friend and colleague on the committee, who authored this legislation, for his leadership on this bill.

Mr. Chairman, I urge passage of this legislation.

Mr. Chairman, I yield such time as she may consume the gentlewoman from California (Ms. WATSON).

Ms. WATSON of California. Mr. Chairman, I stand in support of H.R. 4727, but I want to bring up another matter that relates to security and it relates more to the Transportation Security Administration.

Mr. Chairman, since September 11 of last year, Congress has taken important steps to help ensure the safety of America's flying public. For example, we established the Transportation Security Administration, federalized airport baggage screeners and expanded the Federal Air Marshal Program.

Although these were valuable first steps, we must make sure that they are effective. For example, recent press reports have indicated that the Air Marshal Program has encountered significant problems as the service seeks to

expand in response to last year's terrorist attacks. Subsequently, I have requested that the GAO conduct a study on reported failures of the Air Marshal Program.

Among the problems cited in recent news articles are: Many new air marshals were given guns and badges and put aboard planes and flights before extensive background checks were completed; marshals have complained that program rules, specifically the dress code, can identify them as air marshals, thereby limiting their effectiveness and putting them in jeopardy; scheduling problems had left many marshals working as much as 16 hours a day while others are idle for weeks.

These problems, among others, have led at least 80 air marshals to resign from the program and some to consider a class action lawsuit, according to the article. These reports, if true, represent a serious decline in a program that until recently was hailed as one of the finest in our Nation.

In the wake of September 11, the movement to expand the Air Marshal Program was an appropriate response to the terror attacks. However, it is apparent that the rapid expansion of this program has caused new problems. It is my hope that the GAO report will bring to light these new problems so that the TSA and Congress can take appropriate action on behalf of the American people.

Mr. COSTELLO. Mr. Chairman, I have no further speakers, and I yield back the balance of my time.

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

Mr. Chairman, I just want to close by thanking again the ranking member on the subcommittee for his support. As he stated, this is good bipartisan legislation, and I would urge all of my colleagues to vote today to pass the Dam Safety and Security Act.

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

The CHAIRMAN. All time for general debate has expired.

Pursuant to the order of the House of Wednesday, September 4, 2002, the committee amendment in the nature of a substitute printed in the bill shall be considered by sections as an original bill for the purpose of amendment, and each section is considered read.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will designate section 1.

The text of section 1 is as follows:

SECTION 1. SHORT TITLE; AMENDMENT OF NATIONAL DAM SAFETY PROGRAM ACT.

(a) **SHORT TITLE.**—This Act may be cited as the "Dam Safety and Security Act of 2002".

(b) **AMENDMENT OF NATIONAL DAM SAFETY PROGRAM ACT.**—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision, the reference shall be con-

sidered to be made to a section or other provision of the National Dam Safety Program Act (33 U.S.C. 467 et seq.).

The CHAIRMAN. Are there any amendments to section 1?

If not, the Clerk will designate section 2.

The text of section 2 is as follows:

SEC. 2. INTERAGENCY COMMITTEE ON DAM SAFETY.

Section 7(b) (33 U.S.C. 467(b)) is amended—
(1) by striking "Federal and State programs" and inserting "Federal programs"; and

(2) by striking "through—" and all that follows through the period at the end and inserting "through coordination and information exchange among Federal agencies concerning implementation of the Federal Guidelines for Dam Safety."

The CHAIRMAN. Are there any amendments to section 2?

If not, the Clerk will designate section 3.

The text of section 3 is as follows:

SEC. 3. NATIONAL DAM SAFETY PROGRAM.

(a) **IN GENERAL.**—Section 8(a)(3) (33 U.S.C. 467(a)(3)) is amended—

(1) in subparagraph (B) by striking "implementation plan described in subsection (e)" and inserting "strategic plan described in subsection (b)"; and

(2) in subparagraph (C) by striking "subsection (f)" and inserting "subsection (e)".

(b) **DUTIES.**—Section 8(b) (33 U.S.C. 467(b)) is amended to read as follows:

"(b) **DUTIES.**—The Director shall prepare a strategic plan—

"(1) to establish goals, priorities, and target dates to improve the safety of dams in the United States; and

"(2) to the extent feasible, to establish cooperation and coordination with, and assistance to, interested governmental entities in all States."

(c) **OBJECTIVES.**—Section 8(c) (33 U.S.C. 467(c)) is amended—

(1) in paragraph (5) by striking "and" at the end;

(2) in paragraph (6) by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following:

"(7) develop technical assistance materials, seminars, and guidelines to improve security for dams in the United States."

(d) **FUNCTIONAL ACTIVITIES.**—Section 8(d)(3)(A) (33 U.S.C. 467(d)(3)(A)) is amended by striking "and shall be" and all that follows through the period at the end and inserting "and shall be exercised by chairing the Board to coordinate national efforts to improve the safety of the dams in the United States."

(e) **IMPLEMENTATION PLAN; DAM SAFETY TRAINING.**—

(1) **IN GENERAL.**—Section 8 (33 U.S.C. 467f) is amended by striking subsections (e) and (g) and redesignating subsections (f) and (h) as subsections (e) and (f), respectively.

(2) **CONFORMING AMENDMENTS.**—Section 2 (33 U.S.C. 467) is amended—

(A) in paragraph (1) by striking "section 8(h)" and inserting "section 8(f)"; and

(B) in paragraph (12) by striking "section 8(f)" and inserting "section 8(e)".

(f) **ASSISTANCE FOR STATE DAM SAFETY PROGRAMS.**—Section 8(e) (as redesignated by subsection (e) of this section) is amended—

(1) in paragraph (1) by striking "The Director shall provide assistance" and all that follows through the period at the end and inserting "the Director shall provide assistance with amounts made available under section 13 to assist States in establishing, maintaining, and improving dam safety programs in accordance with the criteria specified in paragraph (2).";

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A)—

(i) by striking "primary"; and

(ii) by striking "and for a State to be eligible" and all that follows before the colon;

(B) in subparagraph (A)—

(i) in the matter preceding clause (i) by striking "For a State to be eligible for assistance under this subsection, a State" and inserting "A State"; and

(ii) in clause (vi) by inserting "improve security," before "revise operating procedures,"; and

(3) in paragraph (3) by striking "contract" each place it appears and inserting "agreement".

(g) **BOARD.**—

(1) **ESTABLISHMENT.**—Section 8(f)(1) (as redesignated by subsection (e) of this section) is amended—

(A) by striking "The Director may establish" and inserting "The Director shall establish"; and

(B) by striking "to monitor" and all that follows through the period at the end and inserting "to monitor the safety of dams in the United States, to monitor State implementation of this section, and to advise the Director on national dam safety policy."

(2) **VOTING MEMBERSHIP.**—Section 8(f)(3) (as redesignated by subsection (e) of this section) is amended—

(A) in the paragraph heading by striking "MEMBERSHIP" and inserting "VOTING MEMBERSHIP";

(B) in the matter preceding subparagraph (A) by striking "11 members" and inserting "11 voting members"; and

(C) by striking subparagraphs (F) and (G) and inserting the following:

"(F) 5 members shall be selected by the Director from among State dam safety officials; and

"(G) 1 member shall be selected by the Director to represent the private sector."

(3) **NONVOTING MEMBERSHIP; DUTIES; WORK GROUPS.**—Section 8(f) (as redesignated by subsection (e) of this section) is amended—

(A) by redesignating paragraphs (4), (5), and (6) as paragraphs (7), (8), and (9), respectively; and

(B) by inserting after paragraph (3) the following:

"(4) **NONVOTING MEMBERSHIP.**—The Director, in consultation with the Board, may invite representatives from Federal or State agencies or dam safety experts, as needed, to participate in meetings of the Board.

"(5) **DUTIES.**—

"(A) **IN GENERAL.**—The Board shall encourage the establishment and maintenance of effective programs, policies, and guidelines to enhance dam safety for the protection of human life and property throughout the United States.

"(B) **COORDINATION AND INFORMATION EXCHANGE AMONG AGENCIES.**—In carrying out subparagraph (A), the Board shall encourage coordination and information exchange among Federal and State dam safety agencies that share common problems and responsibilities for dam safety, including planning, design, construction, operation, emergency action planning, inspections, maintenance, regulation or licensing, technical or financial assistance, research, and data management.

"(6) **WORK GROUPS.**—The Director may establish work groups under the Board to assist the Board in accomplishing its goals. The work groups shall consist of members of the Board and other individuals selected by the Director."

(4) **TRAVEL EXPENSES.**—Section 8(f) (as redesignated by subsection (e) of this section) is amended by striking paragraph (8) (as redesignated by paragraph (3)(A) of this subsection) and inserting the following:

“(8) TRAVEL EXPENSES.—

“(A) REPRESENTATIVES OF FEDERAL AGENCIES.—To the extent amounts are made available in advance in appropriations Acts, each member of the Board who represents a Federal agency shall be reimbursed of appropriations for travel expenses by his or her agency, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of services for the Board.

“(B) OTHER INDIVIDUALS.—To the extent amounts are made available in advance in appropriations Acts, each member of the Board who represents a State agency, the member of the Board who represents the private sector, and each member of a work group created under paragraph (1) shall be reimbursed for travel expenses by FEMA, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from home or regular place of business of the member in performance of services for the Board.”

The CHAIRMAN. Are there any amendments to section 3?

AMENDMENT OFFERED BY MR. WU

Mr. WU. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WU:

In section 3(g)(3)(B) of the bill, before “may invite” insert “may invite a representative of the National Laboratories of the Department of Energy and”.

Mr. WU. Mr. Chairman, I would like to recognize the courtesy of the gentleman from Pennsylvania (Mr. SHUSTER) for working with me on this amendment.

Dams are an extremely important part of our Nation's infrastructure, equal in importance to bridges, roads or airports; but like these other crucial assets, safety is the key to the effectiveness of a dam. Dam failures can be devastating for downstream populations and property to the dam owners, for the dam's intended purpose, such as generating electricity, flood control, irrigation, navigation. Property damage can range in the thousands to billions of dollars and no price can be put on the lives which would be lost or could be lost in the future due to dam failure.

Failures know no State boundaries. Inundation from a dam failure could affect several States and large populations.

In the past several years there have been hundreds of documented dam failures across the Nation. Earlier in the century many dams failed due to lack of proper engineering and maintenance and even natural disasters. Today we also have to be concerned about terrorist attacks.

Through a public/private partnership, the outlook is improving for dam safety. Today's legislation expands on the earlier Dam Safety Act and I am very happy to support it. However, there is more that we can do and that is what my common sense amendment is about.

After September 11 I visited a number of the many dams along the Colum-

bia River to investigate what the Federal Government can do to improve the state of our dams. One of the crucial things that I learned from my conversations with the many officials responsible for the operation and safety of these dams was that some of them felt they did not have the technological capability to do the proper modeling of certain disasters, including terrorist attacks, explosions and the effect of earthquakes on large concrete dams. Their computers just could not handle the computational volume to adequately assess what would happen under certain circumstances.

However, the national laboratories of our Department of Energy do have this capability. They have the most powerful supercomputers in the world. And in certain instances, State and local officials have already worked with the national labs using their supercomputers to do the necessary modeling of explosions and earthquakes.

□ 1045

They were then able to model more accurately the potential for catastrophic dam failure.

We should use all the technology available to us to improve the safety of our dams. My amendment would help ensure that the national labs work with dam officials by including a representative from the national labs on the national review board. This representative would serve as a nonvoting member and would work with the review board in an advisory capacity.

We can learn a great deal from the national labs. They have already helped some of the dam officials with whom I have spoken. It is important that we ensure that we continue to help officials throughout the country.

My amendment would do that, and I urge my colleagues to join me in supporting this important commonsense amendment.

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

Mr. WU. I yield to the gentleman from Illinois.

Mr. COSTELLO. Mr. Chairman, I thank the gentleman for yielding, and I rise in support of the Wu amendment that seeks to permit FEMA to invite an official from one of the Department of Energy's national laboratories to participate as a nonvoting member of the Dam Safety Review Board.

Our national laboratories' involvement in counterterrorism and anti-terrorism programs began years ago as a part of our work to develop technology to protect nuclear weapons and nuclear energy facilities against terrorists. Much of this technology also proved valuable for securing other important facilities and is now helping to fight terrorism throughout the world and to meet the Nation's homeland security needs.

The national labs can assist the Dam Safety Review Board and Dam Safety Task Force by providing technical support through modeling disaster scenarios in other related areas.

In light of the Nation's need to protect our Nation's infrastructure, including dams, from possible terrorist attacks, including an official from the national labs on the Dam Safety Review Board will assist us in furthering these goals by providing technical support in computer modeling simulations and other related security support.

I compliment the gentleman for his amendment and urge its adoption.

Mr. SHUSTER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I appreciate the interest in the legislation my colleague from Oregon has shown, and we are prepared to accept the amendment.

The amendment merely clarifies that the director may invite a representative of the national laboratories of the Department of Energy to participate in meetings or working groups of the board. This amendment makes no substantive change to existing law and, in fact, represents current practice of FEMA which is to include the national labs in many of their activities.

I am pleased that we could come to a mutually agreed-upon resolution to this amendment, and I appreciate the gentleman from Oregon's (Mr. WU) interest on this issue.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon (Mr. WU).

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to section 3?

Mr. SHUSTER. Mr. Chairman, I ask unanimous consent that the remainder of the committee amendment in the nature of a substitute be printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

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

SEC. 4. RESEARCH.

Section 9(a) (33 U.S.C. 467g) is amended—

(1) in the matter preceding paragraph (1)—

(A) by striking “in cooperation with ICODS” and inserting “in cooperation with the Board”; and

(B) by inserting “and support” after “develop”;

(2) in paragraph (1) by striking “and” at the end;

(3) in paragraph (2) by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

“(3) development and maintenance of information resources systems needed to support managing the safety of dams; and

“(4) initiatives to guide the formulation of effective public policy and advance improvements in dam safety engineering, security, and management.”.

SEC. 5. DAM SAFETY TRAINING.

The Act (33 U.S.C. 467 et seq.) is amended—

(1) by redesignating sections 10, 11, and 12 as sections 11, 12, and 13, respectively; and

(2) by inserting after section 9 the following:

“SEC. 10. DAM SAFETY TRAINING.

“At the request of any State that has or intends to develop a State dam safety program, the Director shall provide training for State dam safety staff and inspectors.”.

SEC. 6. REPORTS.

Section 11 (as redesignated by section 5 of this Act) is amended by striking subsection (a) and all that follows through “(b) BIENNIAL REPORTS.—”.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

(a) **ANNUAL AMOUNTS.**—Section 13(a)(1) (as redesignated by section 5 of this Act) is amended—

(1) by striking “sections 7, 8, and 10” and inserting “sections 7, 8, and 11”; and

(2) by striking “\$1,000,000 for fiscal year 1998,” and all that follows through the period at the end and inserting “\$6,000,000 for each of fiscal years 2003 through 2006, to remain available until expended.”.

(b) **ALLOCATION.**—Section 13(a)(2) (as redesignated by section 5 of this Act) is amended—

(1) in subparagraph (A) by striking “section 8(f)” each place it appears and inserting “section 8(e)”; and

(2) in subparagraph (C) by striking “needing primary assistance and States needing advanced assistance under section 8(f)”.

(c) **RESEARCH; DAM SAFETY TRAINING; STAFF.**—Section 13 (as redesignated by section 5 of this Act) is amended by striking subsections (c) through (e) and inserting the following:

“(c) **RESEARCH.**—There is authorized to be appropriated to carry out section 9 \$1,500,000 for each of fiscal years 2003 through 2006, to remain until expended.

“(d) **DAM SAFETY TRAINING.**—There is authorized to be appropriated to carry out section 10 \$500,000 for each of fiscal years 2003 through 2006.

“(e) **STAFF.**—There is authorized to be appropriated to FEMA for the employment of such additional staff personnel as are necessary to carry out sections 8 through 10 \$600,000 for each of fiscal years 2003 through 2006.”.

The **CHAIRMAN**. Are there other amendments to the bill?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The **CHAIRMAN**. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GOODE) having assumed the chair, Mr. RYAN of Wisconsin, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4727) to reauthorize the national dam safety program, and for other purposes, pursuant to the previous order of September 4, 2002, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The **SPEAKER pro tempore**. Under the rule, the previous question is ordered.

Is a separate vote demanded on the amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The **SPEAKER pro tempore**. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The **SPEAKER pro tempore**. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SHUSTER. 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, this 15-minute vote on passage of H.R. 4727 will be followed by a 5-minute vote on House Resolution 94, a motion to suspend the rules debated yesterday.

The vote was taken by electronic device, and there were—yeas 401, nays 2, not voting 30, as follows:

[Roll No. 373]

YEAS—401

Abercrombie	Crenshaw	Gutknecht
Ackerman	Crowley	Hall (OH)
Aderholt	Culberson	Hall (TX)
Akin	Cummings	Hansen
Allen	Cunningham	Harman
Armey	Davis (CA)	Hart
Baca	Davis (FL)	Hastings (FL)
Bachus	Davis (IL)	Hayes
Baird	Davis, Jo Ann	Hayworth
Baker	Davis, Tom	Hefley
Baldacci	Deal	Herger
Baldwin	DeFazio	Hill
Ballenger	DeGette	Hilleary
Barcia	Delahunt	Hilliard
Bartlett	DeLauro	Hinchev
Barton	DeLay	Hinojosa
Bass	DeMint	Hobson
Becerra	Deutsch	Hoeffel
Bentsen	Diaz-Balart	Hoekstra
Bereuter	Dicks	Holden
Berkley	Dingell	Holt
Berry	Doggett	Honda
Biggert	Dooley	Hooley
Bilirakis	Doolittle	Horn
Bishop	Doyle	Hostettler
Blagojevich	Dreier	Houghton
Blumenauer	Duncan	Hoyer
Blunt	Dunn	Hulshof
Boehlert	Edwards	Hunter
Boehner	Ehlers	Hyde
Bonilla	Ehrlich	Inslee
Bonior	Emerson	Isakson
Boozman	English	Israel
Borski	Eshoo	Issa
Boswell	Etheridge	Istook
Boucher	Evans	Jackson (IL)
Boyd	Everett	Jackson-Lee
Brady (PA)	Farr	(TX)
Brady (TX)	Fattah	Jefferson
Brown (FL)	Ferguson	Jenkins
Brown (OH)	Filner	John
Brown (SC)	Fletcher	Johnson (CT)
Bryant	Foley	Johnson (IL)
Burr	Forbes	Johnson, E. B.
Burton	Ford	Johnson, Sam
Callahan	Fossella	Jones (NC)
Calvert	Frank	Jones (OH)
Camp	Frelinghuysen	Kanjorski
Cannon	Frost	Kaptur
Cantor	Gallegly	Keller
Capito	Ganske	Kelly
Capps	Gekas	Kennedy (MN)
Capuano	Gephardt	Kennedy (RI)
Cardin	Gibbons	Kerns
Carson (OK)	Gilchrest	Kildee
	Castle	Kilpatrick
	Chabot	Kind (WI)
	Chambliss	King (NY)
	Clayton	Kingston
	Clement	Kirk
	Clyburn	Kleczka
	Coble	Knollenberg
	Collins	Kolbe
	Combest	Kucinich
	Cooksey	LaFalce
	Costello	LaHood
	Cox	Lampson
	Coyne	Langevin
	Cramer	Larsen (WA)
	Crane	Larson (CT)
	Gutierrez	

Latham	Oxley	Skeen
LaTourette	Pallone	Skelton
Leach	Pascrell	Slaughter
Lee	Pastor	Smith (MI)
Levin	Payne	Smith (NJ)
Lewis (CA)	Pelosi	Smith (TX)
Lewis (GA)	Pence	Snyder
Lewis (KY)	Peterson (MN)	Solis
Linder	Peterson (PA)	Souder
Lipinski	Petri	Spratt
LoBiondo	Phelps	Stark
Lofgren	Pickering	Stearns
Lowey	Pitts	Stenholm
Lucas (OK)	Platts	Strickland
Luther	Pombo	Stupak
Lynch	Pomeroy	Sullivan
Maloney (CT)	Portman	Sununu
Maloney (NY)	Price (NC)	Sweeney
Manzullo	Pryce (OH)	Tancredo
Markey	Putnam	Tauscher
Mascara	Quinn	Tauzin
Matheson	Radanovich	Taylor (MS)
Matsui	Rahall	Taylor (NC)
McCarthy (MO)	Ramstad	Terry
McCarthy (NY)	Rangel	Thompson (CA)
McCollum	Regula	Thompson (MS)
McCrery	Rehberg	Thornberry
McDermott	Reyes	Thune
McGovern	Reynolds	Thurman
McHugh	Riley	Tiahrt
McInnis	Rivers	Tiberi
McIntyre	Rodriguez	Tierney
McKeon	Roemer	Toomey
McNulty	Rogers (KY)	Turner
Meehan	Rogers (MI)	Udall (CO)
Meek (FL)	Ros-Lehtinen	Udall (NM)
Meeks (NY)	Ross	Upton
Menendez	Rothman	Visclosky
Mica	Roybal-Allard	Vitter
Millender-	Royce	Walden
McDonald	Rush	Walsh
Miller, Dan	Ryan (WI)	Wamp
Miller, George	Ryun (KS)	Waters
Miller, Jeff	Sabo	Watkins (OK)
Mollohan	Sanders	Watson (CA)
Moore	Sandlin	Watt (NC)
Moran (KS)	Sawyer	Watts (OK)
Morella	Saxton	Waxman
Murtha	Schaffer	Weiner
Dicks	Schakowsky	Weldon (FL)
Myrick	Schiff	Weldon (PA)
Nadler	Scott	Weller
Napolitano	Sensenbrenner	Wexler
Neal	Serrano	Whitfield
Nethercutt	Sessions	Wicker
Ney	Shadegg	Wilson (NM)
Norwood	Shaw	Wilson (SC)
Nussle	Shays	Wolf
Oberstar	Sherman	Woolsey
Obey	Sherwood	Wu
Olver	Shimkus	Wynn
Ortiz	Shows	Young (FL)
Osborne	Shuster	
Ose	Simmons	
Otter	Simpson	
Owens		

NAYS—2

NOT VOTING—30

Flake	Paul	Rohrabacher
Andrews	Cubin	Roukema
Barr	Engel	Sanchez
Barrett	Hastings (WA)	Schrock
Berman	Lantos	Smith (WA)
Bono	Lucas (KY)	Stump
Buyer	McKinney	Thomas
Carson (IN)	Miller, Gary	Towns
Clay	Mink	Velazquez
Condit	Moran (VA)	Young (AK)
Conyers	Northup	

□ 1117

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

HONORING THE CONTRIBUTIONS OF VENUS AND SERENA WILLIAMS

The **SPEAKER pro tempore** (Mr. JEFF MILLER of Florida). The unfinished business is the question of suspending the rules and agreeing to the resolution, H. Res. 94.