

look at what the failures were that led to the devastation of Hurricane Katrina, an independent commission that can look at the administration, can look at the Congress of the United States, because both bodies, both entities, made decisions.

The Republican leadership in the administration, the Republican leadership in the Congress made decisions about resources, about talent, about personnel, about the deployments and all of the rest of this.

The idea now that they can come and investigate themselves, and they alone can hold the subpoena power, is a horrible mistake on behalf of the victims of Katrina and the American people. It should be rejected, and we should have a 9/11-type commission.

RECOGNIZING THE PHILANTHROPIST MRS. PAT SEAMANS WALKER

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

Mr. BOOZMAN. Mr. Speaker, I rise today to recognize one of Arkansas' most generous philanthropists, Mrs. Pat Seamans Walker.

Next week, Pat will be presented with the prestigious Arkansas Children's Award. There is good reason Pat is receiving this honor. Since Pat and her late husband Willard founded the Willard and Pat Walker Foundation in 1986, she has made it her goal to improve the quality of life in communities across Arkansas.

It is impossible to list all of the donations that the Walkers have made over the years in the short amount of time allotted to me. I would, however, like to give my colleagues a brief description of Pat's generosity.

Over the years, her foundation has given millions to educational institutions in Arkansas, millions to health care research and community health care centers in Arkansas, and hundreds of thousands of dollars to community libraries in the Third District of Arkansas.

Mr. Speaker, the examples that I have given are just a few of Pat Seamans Walker's gifts to Arkansas. Arkansas is extremely appreciative of her generosity. She certainly deserves this prestigious award, and I congratulate her on this honor.

COMMUNICATION FROM LEGISLATIVE ASSISTANT OF HON. WILLIAM J. JEFFERSON, MEMBER OF CONGRESS

The SPEAKER pro tempore (Mr. LAHOOD) laid before the House the following communication from Angelle Kwemo, Legislative Assistant of the Honorable WILLIAM J. JEFFERSON, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
September 12, 2005.

Hon. J. HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives that I have been served with a grand jury subpoena for testimony issued by the U.S. District Court for the Eastern District of Virginia.

I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

ANGELLE KWEMO,
Legislative Assistant.

PROVIDING FOR CONSIDERATION OF H.R. 889, COAST GUARD AND MARITIME TRANSPORTATION ACT OF 2005

Mrs. CAPITO. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 440 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 440

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 889) to authorize appropriations for the Coast Guard for fiscal year 2006, to make technical corrections to various laws administered by the Coast Guard, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill. The committee amendment in the nature of a substitute shall be considered by title rather than by section. Each title shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. Notwithstanding clause 11 of rule XVIII, no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII and except pro forma amendments for the purpose of debate. Each amendment so printed may be offered only by the Member who caused it to be printed or his designee and shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. It shall be in order at any time on the legislative day of Thursday, September 15, 2005, for the Speaker to entertain a motion that the House suspend the rules relating to the bill H.R. 3768.

The SPEAKER pro tempore. The gentlewoman from West Virginia (Mrs. CAPITO) is recognized for 1 hour.

Mrs. CAPITO. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 440 is a modified open rule that provides for full consideration of H.R. 889, the Coast Guard and Maritime Security Act of 2005.

The rule provides 1 hour of general debate equally divided and controlled by the chairman and ranking member of the Committee on Transportation and Infrastructure. The rule waives all points of order against consideration of the bill and makes in order only those amendments that are preprinted in the CONGRESSIONAL RECORD or are pro forma amendments for the purpose of debate.

H.R. 889 was reported by voice vote from the Committee on Transportation on May 17, 2005. The bill provides for the reauthorization of Coast Guard activities for the coming fiscal year.

H.R. 889 has the strong bipartisan support from members of the Transportation Committee, and I want to thank the gentleman from Alaska (Mr. YOUNG) and the gentleman from Minnesota (Mr. OBERSTAR) for again bringing legislation to the floor that has support from both sides of the aisle.

The Coast Guard is critical to our defense against terrorism and our response to natural disasters. Along the gulf coast, the Coast Guard rescued thousands of people from flooded areas in the aftermath of Hurricane Katrina. Many of these people were saved in daring rescue attempts from rooftops or trees.

We all mourn the loss of life caused by Hurricane Katrina, and we do not yet know what the final death toll will be. It is clear, however, that the loss of life would have been much greater without the heroic efforts of the U.S. Coast Guard.

The U.S. Coast Guard has the primary responsibility of securing ports from our oceans to inland rivers and has the job of providing maritime security across the country. Given the added responsibility of the Coast Guard in the post-September-11 world, we must ensure that the agency has the adequate personnel to maintain their readiness for both homeland security and for response to natural disasters.

It is clear that the Coast Guard faces many challenges in the homeland security and rescue missions. The GAO noted earlier this year that some stations need additional boats or staff to meet Coast Guard readiness standards and goals.

This legislation maintains a force of 45,500 personnel and authorizes funding for Integrated Deepwater Systems and for sustaining legacy vessels. The bill also requires a report to Congress on the implementation of the Integrated Deepwater Program that is modernizing the Coast Guard's fleet. These actions will allow the Coast Guard to continue to meet its mission to protect the public and our economic interests in the Nation's ports and waterways.

I would like to thank the Coast Guard and all of the many members of the Coast Guard, retirees and volunteers who have worked with the Coast Guard in heroic efforts surrounding Hurricane Katrina. Their ongoing efforts and their ongoing energy that is providing the ability to rebuild and re-fortify that wonderful part of our country are to be congratulated.

I would like to thank the leaders of the Transportation and Infrastructure Committee for bringing this legislation to the floor and hope that my colleagues will join me in support for the rule and the underlying bill.

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

Mr. HASTINGS of Florida. Mr. Speaker, I thank the gentlewoman from West Virginia (Mrs. CAPITO) for yielding me the time, and I yield myself such time as I may consume.

I rise today in support of the Coast Guard reauthorization bill. As my colleague previously noted, the rule permits Members who preprinted their amendments in the CONGRESSIONAL RECORD to offer those amendments. I appreciate that this opportunity was afforded to Members.

I am, nevertheless, disappointed that the preprinting of amendments was even required. Despite the majority's claims, this legislative procedure which they call open is actually restricted. It is not an open rule because every Member is not permitted to offer any germane amendment.

Mr. Speaker, first established in 1915, the Coast Guard is responsible for patrolling the more than 12,400 miles of coastline in the United States. Nearly 2,000 of these miles are located in my home State of Florida.

Today, the more than 100,000 active personnel, reservists, civilian and volunteer members of the Coast Guard auxiliary are America's front line guarding our seas, shores, ports and borders. In South Florida, the auxiliary volunteers play a critical role in promoting boating safety and awareness in our communities. They assist in search and rescue operations and work every day to make South Florida the recreation hotspot that it is.

The underlying legislation authorizes \$8.7 billion for the programs of the Coast Guard in fiscal year 2006. This includes some \$1.6 billion for its Integrated Deepwater System to assist the Coast Guard to upgrade an aging fleet of ships and aircraft and improve the technologies it utilizes.

With three major international shipping and cruise ports located within

just miles of my district, the Deepwater System is critically important to Coast Guard operations in Florida and elsewhere.

The Coast Guard works tirelessly to protect the ships and individuals who utilize our ports in this Nation and in my district, Port Everglades, Palm Beach and Miami and Dania.

I am pleased that the committee has determined this program worthy of such critical funding, and I express my hope that the Committee on Appropriations will fund IDS at its authorized level.

The authorization bill also permits the Coast Guard to establish Naval Vessel Protection Zones offshore, and it increases the number of active duty personnel in the Coast Guard to 45,500. The bill also doubles the duration of time that Coast Guard Reservists may be called up to active duty from 60 to 120 days over a 1-year period.

While the increase in active personnel is certainly needed so that the Coast Guard can continue to accomplish its mission, the change highlights a growing problem facing our Armed Forces. That is, America's all-volunteer military has become increasingly dependent upon the extended call-ups of Reserves.

The war in Iraq has indeed made recruiting more difficult for our armed services, but so have the diminishing benefits and pay we offer to our soldiers and the health care services we extend to our veterans. This Congress, so quick to wrap itself in the American flag, continues to underpay our soldiers and shortchange our veterans. With a track record like this, who can blame a soldier for not re-enlisting and a veteran who questions her country's commitment to her well-being now that she is out of the military?

□ 1030

Mr. Speaker, on behalf of this body, I thank the Coast Guard, as I am sure all of our colleagues do, for its service and commitment to the security of our great Nation. I am proud to offer my support for the Coast Guard and the underlying legislation.

Before ending, Mr. Speaker, I do want to make mention that during this time of great division and nastiness in Congress, it is commendable that the Committee on Transportation and Infrastructure was able to work in a truly bipartisan fashion. While our fellow citizens in the gulf States begin to rebuild their lives, they should take note of the bipartisanship and cooperation that went into crafting the underlying legislation.

As the author of legislation establishing an independent commission to evaluate the Federal, State and local governments' responses to Hurricane Katrina and with the support of more than 150 Members of this body and 75 percent of the American people, at least in one poll, it had been my hope that a similar willingness would have existed amongst my majority col-

leagues to address that issue. Unfortunately, as the American people have learned in the past 2 weeks and will find out again later this morning, no such willingness exists.

We can come together today and create an independent, bipartisan Katrina Commission with an equal number of Republicans and Democrats on it who will not be subject to political influence and partisanship. I implore my Republican colleagues to rise above the rancor in this body, follow the example set today by the chairman and ranking member of the Committee on Transportation and Infrastructure and establish an independent Katrina Commission.

The majority's unwillingness to establish such a commission will leave us woefully incapable of reforming our current disaster preparedness and response programs. If the last 5 years have taught us anything, it is that this Congress is unwilling to police itself or this administration. The only viable option is an independent commission.

In support of the Coast Guard, I ask that all of us look at the extraordinary work that they are doing and have done in the gulf coast region. We must know that every time one of those helicopters lifts and rescues victims from this awful tragedy that the time for that propeller is running out and these are already aging crafts. It is critical that we allow the Coast Guard the sufficient funding in order that they may revamp, restore, rehabilitate, and purchase the appropriate equipment to patrol our Nation's shores.

Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts (Mr. DELAHUNT).

Mr. DELAHUNT. Mr. Speaker, I thank my friend from Florida for yielding me time.

Mr. Speaker, in the course of a normal year, the Coast Guard rescues 5,000 people. In the last 16 days they have saved more than 33,000 lives. We have all marveled at the daring rooftop rescues, the heroism, the professionalism that they have demonstrated.

Since Hurricane Katrina hit the gulf coast, the men and women of the Coast Guard have been working backbreaking long hours, pushing themselves and their equipment to operational limits. In some cases they have used sledge hammers and axes to break through rooftops to rescue trapped residents. They have been delivering food, water, and medicine to those in need. They have responded to 284 fuel spills. And the Coast Guard's chief of staff, Thad Allen, has brought much needed order and structure to the relief efforts. It has truly been one of the Coast Guard's finest hours, and all America is profoundly grateful.

What Americans do not know is that even before the destructive power of Katrina hit the gulf coast, the Coast Guard had pre-positioned a number of aircraft and ships in the area ready to launch search and rescue efforts as soon as the weather cleared. In fact,

the very first rescue occurred when the eye of the storm passed over the region, and it happens that that first rescue was from a helicopter based at Air Station Cape Cod in my district, and I am proud.

The Coast Guard was ready. But also what most Americans do not realize is that the Coast Guard operates the second oldest naval fleet in the world. Their ships and planes are so old they are euphemistically described as "legacy assets." Many of these legacy assets are riddled with structural defects, putting Coast Guard personnel and the people who call on them for help at risk, like the nine crew members aboard the cutter *Storis* that was built in 1942 who were nearly killed when the davit lowering their lifeboat ripped away from the steel superstructure, crashing them into the frigid Bering Sea. The rescuers, in fact, had to be rescued.

Remember last year the Coast Guard's main search and rescue helicopter, the *Jayhawk*, experienced in-flight engine failures at a rate of 329 mishaps per 100,000 flight hours. The FAA-acceptable standards is one per 100,000 flight hours. These failures limit the *JAYHAWK*'s ability to hover and place the lives of its crew, passengers, and those below in grave danger. The same helicopters are flying over the skies of the gulf coast right now.

The indisputable fact is that the demands on the Coast Guard have vastly outpaced its resources, and that is why it is incredibly important that we accelerate the Deepwater program and encourage the purchase of additional cutters and aircraft, as my friend from Florida has indicated.

As negotiations on the conference report for the homeland security appropriations bill continue, I implore our colleagues to bear this in mind and do all that they can do to give the Coast Guard the financial resources it needs to speed up, accelerate the Deepwater program.

It is essential if the Coast Guard is to continue to honor their motto of "Semper Paratus."

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

Mr. Speaker, the gentleman from Massachusetts (Mr. DELAHUNT) put it so well when he indicated that the Coast Guard is overburdened and underprepared. It is our responsibility to ensure that we do better.

On the scale of our armed services, the Coast Guard is always an afterthought, it seems, when it comes to resources. But in terms of what they do immediately with reference to the 12,000 miles of shores that they patrol, it is critical that we have clear understanding of their needs.

I have been on Coast Guard cutters, as have many of my colleagues. I have seen them in their rescue operations for persons who are not even American citizens, risking their lives and some-

times suffering loss themselves trying to ensure that others are protected in a proper manner. They do an outstanding job and their Deepwater program will help them to do an even better job than they are doing. It is not fair to send people up in aircraft that are legend related in terms of their age and usage.

It is critical that we pass this measure, and I believe that it will pass overwhelmingly; and I hope that the future of the Deepwater program will be appropriately funded by this Congress so that the Coast Guard will have in its possession the necessary personnel and material in order to do the job to keep this Nation safe.

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

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

Mr. Speaker, I urge all of my colleagues to support this fair rule and the bipartisan legislation which provides critical funding to improve our Nation's coasts and ports.

I think it is very timely that we are addressing this legislation today because the Coast Guard has done an exemplary job in rescuing the many victims of Hurricane Katrina; and we need to ensure, as my colleague has said, that they have the necessary resources to continue their mission.

I believe all Members should be able to support this rule and the underlying legislation.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H. RES. 437, ESTABLISHING THE SELECT BIPARTISAN COMMITTEE TO INVESTIGATE THE PREPARATION FOR AND RESPONSE TO HURRICANE KATRINA

Mr. DREIER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 439 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 439

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the resolution (H. Res. 437) to establish the Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution to final adoption without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Rules; and (2) one motion to recommit which may not contain instructions.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from California (Mr. DREIER) is recognized for 1 hour.

Mr. DREIER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from Rochester, New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

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

Mr. DREIER. Mr. Speaker, House Resolution 439 is a closed rule providing for 1 hour of debate for consideration of H. Res. 437, a resolution establishing a select bipartisan committee to investigate the preparation for and response to Hurricane Katrina.

The rule waives all points of order against consideration of the bill and provides one motion to recommit which may not contain instructions.

Mr. Speaker, the human suffering and physical damage wrought by Hurricane Katrina is heart-wrenching and overwhelming. We all know that very well. Lives have been lost and uprooted. Families are separated without homes and without jobs.

Our initial focus has been on restoring hope and rebuilding community on the gulf coast. With great urgency Congress came together and with virtual unanimity passed legislation to fund the very important relief efforts. Over \$60 billion has been appropriated so far. Also critical has been the outpouring of support and generosity from fellow Americans and very importantly from 94 countries around the world. From small businesses to large corporations, people are pitching in.

That said, as President Bush has stated, there were aspects of the immediate response to Hurricane Katrina that were not acceptable. He said that this week, and I am sure that it will be made clear in the remarks that he gives to the Nation this evening.

Already we have seen the head of the Federal Emergency Management Agency resign. Clearly, many lessons are to be learned from what has happened. As debris is removed, water recedes and homes are rebuilt, we in Congress must now assume our very serious and consequential constitutional oversight role of the executive branch and Federal agencies so that we can find out exactly what went wrong and what went right in the early response to Hurricane Katrina.

□ 1045

We need to get to the bottom of what happened, when it happened and why it happened.

Mr. Speaker, to fulfill our oversight responsibility, we are following precedent and honoring tradition by creating a bipartisan select committee to look at the response of the government to Hurricane Katrina. This select committee will allow us to take a sober, serious, nonpartisan look at the development, coordination and execution of relief by State, local and Federal authorities.