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No. 67—Part II

House of Representatives

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2007—Continued

□ 1800

When first responders cannot communicate with one another lives are lost, including theirs.

We need this additional \$10.3 million so that it can be properly staffed to address a critical homeland security function: the ability for our first responders to communicate in real time, when needed and when authorized.

The offset from this will come from the \$10.3 million reduction to the Transportation Security Administration Aviation Security account. I support TSA, but we do not need more money to contract out for private screeners. We do not accept this, on either side of the aisle.

So let us build on the success of SAFECOM. It is time for Congress to act and help the State and local emergency management personnel to do their job preparing our Nation and to ensure that our first responders have all the support that they need.

The amendment is supported again, Mr. Chairman, I cannot emphasize this enough, by the National Emergency Management Association and the International Association of Emergency Managers. They were just here a short time ago in Washington.

Again, I will end with an appeal to both the chair and the ranking member who have been most courteous today in our going through the tedious task of going through this.

NATIONAL EMERGENCY
MANAGEMENT ASSOCIATION,
May 25, 2006.

Hon. BILL PASCRELL,
Ranking Member, House Homeland Security
Subcommittee on Emergency Preparedness,
Science, and Technology, House of Rep-
resentatives, Washington, DC.

DEAR RANKING MEMBER PASCRELL: On behalf of the National Emergency Management Association (NEMA), I would like to thank you for your efforts to enhance preparedness

of state and local emergency management through your amendment to the FY 2007 Homeland Security Appropriations Bill (H.R. 5441) to add an additional \$40 million to the Emergency Management Performance Grants (EMPG) program. We strongly support this amendment as the increase would enable state and local emergency management to address additional federal requirements such as updating and adopting plans for the National Response Plan and the National Incident Management System, conducting training on these plans and systems, and addressing the requirements of the National Preparedness Goal.

The most important and critical component for strengthening our national preparedness and response to disasters is federal funding. After modest increases, EMPG's growth rate has not kept pace with inflation or increased federal requirements. This year, of all years, the Administration is proposing to cut EMPG by \$13.1 million, despite the \$260 million shortfall identified by NEMA in a 2004 study. While last week the House of Representatives proposed to address this year's EMPG funds with a \$3 million increase over the FY 2006 level, significant resources must be allocated to this vital program to ensure our nation's preparedness levels. NEMA is appreciative of Congress's recognition of the EMPG program, but this year we respectfully ask that Congress aggressively address the program's shortfalls. This amendment builds on this essential need and makes a significant down-payment to address the shortfall.

EMPG is the only source of funding to assist state and local governments with planning and preparedness/readiness activities associated with natural disasters. EMPG is the backbone of the nation's all-hazards emergency management system and the only source of direct federal funding to state and local governments for emergency management capacity building. EMPG is used for personnel, planning, training, and exercises at both the state and local levels. EMPG is primarily used to support state and local emergency management personnel who are responsible for writing plans, conducting training, exercises and corrective action, educating the public on disaster readiness and maintaining the nation's emergency response system. EMPG is being used to help states create and update plans for receiving and distribution plans for commodities and ice after a disaster, debris removal plans,

and plans for receiving or evacuating people—all of these critical issues identified in the aftermath of Hurricane Katrina.

EMPG is the only program in the Preparedness account within the Department of Homeland Security that requires a match at the state and local level. The match is evidence of the commitment by state and local governments to address the urgent need for all-hazards emergency planning, to include terrorism. EMPG requires a match of 50 percent from the state or local governments.

We appreciate your efforts to ensure adequate support for emergency management and look forward to continuing to work with you.

Sincerely,

BRUCE P. BAUGHMAN,
President and Director, Alabama
Emergency Management Agency.

INTERNATIONAL ASSOCIATION
OF EMERGENCY MANAGERS,
May 25, 2006.

Hon. BILL PASCRELL, JR.,
House of Representatives,
Washington, DC.

DEAR MR. PASCRELL: I've recently been informed of your amendment to H.R. 5441 which would increase the appropriation for the Emergency Management Performance Grant (EMPG) by an additional \$40 million beyond the current mark-up of \$186 million. The International Association of Emergency Managers (IAEM) is certainly in favor of any measure that would increase funding for this critically important program. As I stated in recent written testimony to the Appropriations Committee, we believe it is the single most effective use of federal funds in providing emergency management capacity to state and local governments. No other source of homeland security funding is based on a consensus building process determining outcomes and specific deliverables backstopped by a quarterly accountability process.

This program provides funding for the emergency managers who perform the role of the "honest broker" at the state and local level and who establish the emergency management framework for preparedness, response, recovery and mitigation. EMPG funding provides the people who are legally responsible for creating a "culture of preparedness" at the state and local level.

EMPG funding has assumed a greater importance in light of recent catastrophic events and the responses to those events. For

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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H3311

example, the President and the Department of Homeland Security (DHS) have tasked state and local government emergency managers with the responsibility to review their Emergency Operations Plans regarding the issue of evacuation. EMPG supports the people who have had the added responsibility of administering homeland security funding programs and additional planning efforts since 2001. Without more funding and people we can't reach the level of preparedness our nation deserves and our citizens demand. Your recognition of this need and your willingness to propose additional funding are supported and deeply appreciated.

Sincerely,

MICHAEL D. SELVES, CEM,
First Vice President.

Mr. ROGERS of Kentucky. Mr. Chairman, I rise in opposition.

The amendment would increase funding for the emergency management performance grants by \$40 million and \$10.3 million for SAFECOM, and the offset would be, guess what, the poor old Under Secretary for Management. We have tried to dip into that well today 15 times, and every time we have said no because it would stop the Department's operations.

The committee already has in the bill \$186 million for these grants. That is \$16 million more than the President asked of us, and it is \$2.8 million more than what we have in it right now.

So, you know, we have done well by this grant program. I cannot imagine somebody complaining about it.

Then you are taking the money out of the Under Secretary for Management, and that would either zero out or substantially decrease funding for absolutely critical programs that are designed to bring these 22 agencies into a single program, and so I would strongly oppose this amendment.

Mrs. LOWEY. Mr. Chairman, I move to strike the requisite number of words.

I rise in strong support of this amendment which would provide much-needed funding for interoperability.

Amazingly, we have made so little progress in solving the communications problems that plagued first responders on September 11 and in every other emergency in the last 15 years. SAFECOM, which has been tasked as the lead Federal agency for first responder communication issues, has only five employees and less than 1/100th of 1 percent of the Department of Homeland Security budget.

Due to its lack of resources, SAFECOM is just not meeting its objective. It has not adopted a single equipment standard. There is no long-term strategy to solve the interoperability problem. We are not prepared to effectively respond to any emergency unless our first responders on the ground are able to communicate with one another.

I ask my colleagues to let us move this amendment, let us support this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. PASCRELL).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. PASCRELL. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

AMENDMENT OFFERED BY MR. MARKEY

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

The Clerk read as follows:

Amendment offered by Mr. MARKEY:

Page 3, line 15, after the dollar amount, insert the following: "(reduced by \$14.7 million)".

Page 28, line 23, after the dollar amount, insert the following: "(increased by \$14.7 million)".

Page 31, line 1, after the dollar amount insert: "(increased by \$14.7 million)".

Mr. ROGERS of Kentucky. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman reserves a point of order.

Mr. MARKEY. Mr. Chairman, I hope everyone who has been watching this debate appreciates this free, online parliamentary lesson that we are conducting out here on the floor. My amendment has been redrafted in a way, working with the Parliamentarians, which I think is now completely in conformance with the rules of the House.

But what I have decided to do during the time that we have been actually working on the parliamentary questions is to change the amendment by reducing the amount that I am going to ask to be transferred over to the metropolitan medical response systems in the country. That decision rested upon kind of a suggestion that I take the money that we really need out of the Max HR program, this program which the unions of America are in opposition to, the National Treasury Employees Union, the American Federation of Government Employees. We have the Fire Chiefs of the United States who have endorsed my amendment.

Just to restate for those who were not listening earlier, the point of this is that we have learned a lot since this time last year when we were appropriating the last time; \$30 million was inserted. And I want to congratulate the gentleman from Kentucky and the gentleman from Minnesota.

Again, the White House recommended no money. But we all know the critical role which the local police, the local fire, the local medical personnel are going to play in the event that, God forbid, there is ever a catastrophic event in a community.

We have also learned from this time last year of the inadequacy of local preparedness. Hurricane Katrina showed us how locally unprepared we are in our community. The Avian flu has only appeared as a major pandemic threat to our country since this time last year. We did not have that as part of our discussion.

What have we heard from the local level? We have heard that there is no capacity for just about any community in America to respond to the level of catastrophe that a terrorist attack, nuclear, biological or chemical; a hurricane of a magnitude of a three or higher; or an avian flu type of pandemic would present to a community.

So here in this amendment, what I am doing is increasing by \$14.7 million the funding that will go out to these 125 largest of all metropolitan areas in the United States, so that at the State level and local level they can coordinate with the Federal Government and their police, fire and medical resources, so that there is a strategy to respond in the event of one of those catastrophes.

The money, again, will be coming out of the Max HR program. It is one that has already been tapped in this process. It is one that deals with the program which has come under assault from the unions of our country as being an assault upon their workplace.

So to the Members, I urge them to support this amendment. It will provide for those local heroes the help that they are going to need, the reinforcements that they are going to need in the event, and we know that no one community has an inevitable catastrophe, but we know that across the country, in any one year, it is inevitable that someone will be hit. This is a way of giving us that extra insurance policy so that the planning can be in place.

I urge an "aye" vote on the Markey amendment.

The CHAIRMAN. Does the gentleman wish to be heard on his point of order?

Mr. ROGERS of Kentucky. No, Mr. Chairman, I withdraw the reservation.

The CHAIRMAN. The gentleman withdraws his reservation.

Mr. ROGERS of Kentucky. Mr. Chairman, I am opposed to this amendment.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Kentucky. Mr. Chairman, the gentleman, as I understand his amendment, would take \$14.7 million out of the Office of the Under Secretary for Management and provide that money to the metropolitan medical response teams.

Mr. Chairman, we have already provided \$30 million in the bill for these teams. The budget request that came to us asked for zero, and the subcommittee and the committee decided these were worthwhile programs, doing great work, and we provided \$30 million in the bill that we had to find from somewhere else.

Now, Mr. MARKEY wants to take another slug of money from the Office of the Under Secretary for Management. The poor guy's out of money. With the amendments that have been offered so far, there is no more money left in the Under Secretary For Management's account if those amendments pass, Mr. Chairman. So we have hit bottom and the Under Secretary for Management

and the management of the Department of Homeland Security, if these amendments pass, will go out of business.

So I urge a rejection of this amendment. I cannot see how the extra money would be used by the teams because we have already got \$30 million in their account, and the offset would wreck the Department.

I urge a "no" vote.

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

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts to speak again on the amendment?

Mr. ROGERS of Kentucky. Mr. Chairman, I will not object at this point in time. I am serving notice, however, that this is the last time during the consideration of this bill that I will not object.

The CHAIRMAN. Without objection, the gentleman from Massachusetts is recognized for 5 minutes.

There was no objection.

Mr. MARKEY. Mr. Chairman, I appreciate that, and I appreciate the gentleman not objecting at this time.

What I did was, to be honest with you, I truncated my statement when I rose this second time, that is, on this second iteration of the amendment, and I realize that many people an hour ago probably were not listening. So when the gentleman from Kentucky said that \$30 million was in the budget, that was true and it remains true, and I do not contest that except in my earlier statement I made clear that, one, I praised him for putting in \$30 million because the Bush administration wanted zero, but second, the \$30 million number is the same number that was in last year's budget before Katrina, before the avian flu threat became clear, before all the lessons that this country has learned unfortunately through real life experience.

That is why I believe that we have to increase this budget by this near \$15 million. That is what the fire chiefs are asking us for. That is what the unions are asking us for. In other words, the local police, the local fire, the employees in the hospitals all across the country, they are all saying: We are not prepared. Our emergency rooms will be overrun. We do not have the capacity to respond to a nuclear or chemical or biological event. We will be paralyzed in the first one hour. We need better metropolitan planning so that no one hospital, no one neighborhood is devastated.

So I am asking for the increase because of what we have learned over the last year, what we are seeing ourselves as Americans, horrified last Labor Day weekend, saw these people looking up, looking for help, and realizing there was no metropolitan medical response plan. We have learned in audits of plans across the whole country that there is still not in existence plans of a way that would adequately deal with this issue.

So, I thank the gentleman from Kentucky for not objecting, and I urge the Members to support my amendment.

□ 1815

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. MARKEY. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Massachusetts will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment by Mr. KUCINICH of Ohio.

Amendment by Mr. BROWN of Ohio.

Amendment by Ms. JACKSON-LEE of Texas.

Amendment by Mr. LANGEVIN of Rhode Island.

Amendment by Mr. STUPAK of Michigan.

Amendment by Mr. LYNCH of Massachusetts.

Amendment by Mr. PASCRELL of New Jersey.

Amendment by Mr. MARKEY of Massachusetts.

Pursuant to the order of the House of today, the Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. KUCINICH

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio (Mr. KUCINICH) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 170, noes 251, not voting 11, as follows:

[Roll No. 211]

AYES—170

Abercrombie
Ackerman
Allen
Andrews
Baca
Baldwin
Barrow
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Boswell
Brady (PA)

Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn

Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio

DeGette
Delahunt
DeLauro
Dicks
Doggett
Doyle
Emanuel
Engel
Farr
Fattah
Filner
Ford
Frank (MA)
Gordon
Green, Al
Grijalva
Gutierrez
Hastings (FL)
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inlee
Israel
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Johnson, E. B.
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach

Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-
McDonald
Miller (NC)
Miller, George
Moore (KS)
Moore (WI)
Moran (VA)
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Owens
Pallone
Pascrell
Pastor
Payne
Pomeroy
Rahall
Rangel
Ross

Rothman
Ruppersberger
Rush
Ryan (OH)
Salazar
Sanchez, Linda
T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Shays
Sherman
Slaughter
Smith (WA)
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Wasserman
Schultz
Waters
Watson
Watt
 Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—251

Aderholt
Akin
Alexander
Bachus
Baird
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Berry
Biggart
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boucher
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite,
Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocoma
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson

Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doolittle
Drake
Dreier
Duncan
Edwards
Ehlers
Emerson
English (PA)
Etheridge
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Foley
Forbes
Fortenberry
Fossella
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Granger
Graves
Green (WI)
Green, Gene
Gutknecht
Hall
Harman
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling

Herger
Herseth
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Matheson
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary

Jackson-Lee (TX)	Meeks (NY)	Sanchez, Loretta	Pryce (OH)	Schwarz (MI)	Thomas	Lee	Obey	Slaughter
Jefferson	Michaud	Sanders	Putnam	Sensenbrenner	Thornberry	Lewis (GA)	Olver	Smith (NJ)
Johnson, E. B.	Millender-	Schakowsky	Radanovich	Serrano	Tiahrt	Lipinski	Ortiz	Smith (WA)
Jones (OH)	McDonald	Schiff	Ramstad	Sessions	Tiberi	LoBiondo	Owens	Solis
Kelly	Miller (NC)	Scott (GA)	Regula	Shadegg	Turner	Lofgren, Zoe	Pallone	Spratt
Kildee	Miller, George	Scott (VA)	Rehberg	Shaw	Upton	Lowe	Pascrell	Stark
Kilpatrick (MI)	Moore (KS)	Sherman	Reichert	Shays	Visclosky	Lynch	Pastor	Strickland
Kind	Moore (WI)	Skelton	Renzi	Sherwood	Walden (OR)	Maloney	Payne	Stupak
Kucinich	Moran (VA)	Slaughter	Reynolds	Shimkus	Walsh	Markey	Pelosi	Tancredo
Langevin	Nadler	Smith (WA)	Rogers (AL)	Shuster	Wamp	Marshall	Platts	Tanner
Lantos	Napolitano	Solis	Rogers (KY)	Simmons	Wasserman	Matheson	Pomeroy	Tauscher
Larsen (WA)	Neal (MA)	Spratt	Rogers (MI)	Simpson	Schultz	Matsui	Porter	Taylor (MS)
Larson (CT)	Oberstar	Stark	Rohrabacher	Smith (NJ)	Weldon (FL)	McCarthy	Rahall	Thompson (CA)
Lee	Obey	Strickland	Ros-Lehtinen	Smith (TX)	Weldon (PA)	McCollum (MN)	Ramstad	Thompson (MS)
Levin	Ortiz	Stupak	Royce	Sodrel	Weller	McDermott	Rangel	Tierney
Lewis (GA)	Owens	Tanner	Ryan (WI)	Souder	Westmoreland	McGovern	Reyes	Towns
Lipinski	Pallone	Tauscher	Ryun (KS)	Stearns	Whitfield	McHugh	Ross	Udall (CO)
Lofgren, Zoe	Pascrell	Taylor (MS)	Sabo	Sullivan	Wicker	McIntyre	Rothman	Udall (NM)
Lowe	Pastor	Thompson (CA)	Salazar	Sweeney	Wilson (NM)	McKinney	Roybal-Allard	Upton
Lynch	Payne	Thompson (MS)	Saxton	Tancredo	Wolf	McNulty	Ruppersberger	Van Hollen
Maloney	Pelosi	Tierney	Schmidt	Taylor (NC)	Young (AK)	Meehan	Rush	Velázquez
Markey	Pomeroy	Towns	Schwartz (PA)	Terry	Young (FL)	Meek (FL)	Ryan (OH)	Wasserman
Marshall	Porter	Udall (CO)				Meeks (NY)	Salazar	Schultz
Matheson	Price (NC)	Udall (NM)				Melancon	Sánchez, Linda	T. Waters
Matsui	Rahall	Van Hollen	Akin	Flake	Snyder	Michaud	T. Sanchez, Loretta	Watson
McCarthy	Rangel	Velázquez	DeLay	Kennedy (RI)	Wilson (SC)	Millender-	Sanders	Watt
McCollum (MN)	Reyes	Waters	Eshoo	Mollohan		McDonald	Schakowsky	Waxman
McDermott	Ross	Watson	Evans	Paul		Miller (NC)	Schiff	Weiner
McGovern	Rothman	Watt				Miller, George	Schwartz (PA)	Weldon (PA)
McIntyre	Roybal-Allard	Weiner				Moore (KS)	Schwarz (MI)	Weller
McKinney	Ruppersberger	Wexler				Moore (WI)	Scott (GA)	Wexler
McNulty	Rush	Woolsey				Moran (VA)	Scott (VA)	Wilson (NM)
Meehan	Ryan (OH)	Wu				Nadler	Shays	Woolsey
Meek (FL)	Sánchez, Linda	Wynn				Napolitano	Sherman	Wu
	T.					Neal (MA)	Skelton	Wynn
						Oberstar		

NOT VOTING—10

□ 1852

So the amendment was rejected.
The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. LANGEVIN

THE CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Rhode Island (Mr. LANGEVIN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

THE CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

THE CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 205, noes 216, not voting 11, as follows:

[Roll No. 214]

AYES—205

Aderholt	Doolittle	Keller	Abercrombie	Cooper	Gordon	Aderholt	Everett	Lewis (CA)
Alexander	Doyle	Kennedy (MN)	Ackerman	Costa	Green (WI)	Akin	Feeney	Lewis (KY)
Bachus	Drake	King (IA)	Allen	Costello	Green, Al	Alexander	Fitzpatrick (PA)	Linder
Baird	Dreier	King (NY)	Andrews	Cramer	Green, Gene	Bachus	Foley	Lucas
Baker	Duncan	Kingston	Baca	Crowley	Grijalva	Baker	Forbes	Lungren, Daniel
Barrett (SC)	Edwards	Kirk	Baird	Cuellar	Gutierrez	Barrett (SC)	Forbes	E.
Bartlett (MD)	Ehlers	Kline	Baldwin	Cummings	Harman	Bartlett (MD)	Fossella	Mack
Barton (TX)	Emerson	Knollenberg	Barrow	Davis (AL)	Hastings (FL)	Barton (TX)	Fox	Manzullo
Bass	English (PA)	Kolbe	Bass	Davis (CA)	Hayworth	Beauprez	Frelinghuysen	Marchant
Beauprez	Everett	Kuhl (NY)	Bean	Davis (FL)	Herseth	Biggart	Gallely	McCauley (TX)
Berry	Farr	LaHood	Becerra	Davis (IL)	Higgins	Bilirakis	Garrett (NJ)	McCotter
Bilirakis	Feeney	Latham	Berkley	Davis (KY)	Hinchey	Bishop (GA)	Gibbons	McCrery
Bishop (UT)	Ferguson	LaTourette	Berman	Davis (TN)	Holt	Bishop (UT)	Gilchrest	McHenry
Blackburn	Foley	Leach	Berry	DeFazio	Honda	Blackburn	Gillmor	McKeon
Blunt	Forbes	Lewis (CA)	Bishop (NY)	DeGette	Hooley	Blunt	Gingrey	McMorris
Boehler	Fortenberry	Lewis (KY)	Blumenauer	Delahunt	Inslee	Boehner	Gohmert	Mica
Boehner	Fossella	Linder	Boren	DeLauro	Israel	Boehner	Goode	Miller (FL)
Bonilla	Fox	LoBiondo	Boswell	Dent	Jackson (IL)	Bonilla	Goodlatte	Miller (MI)
Bonner	Franks (AZ)	Lucas	Boucher	Dicks	Jackson-Lee	Bonner	Granger	Miller, Gary
Bono	Frelinghuysen	Lungren, Daniel	Brown (OH)	Dingell	(TX)	Bono	Graves	Miller, Gary
Boozman	Gallely	E.	Brown, Corrine	Doggett	Jefferson	Bono	Gutknecht	Moran (KS)
Boozman	Garrett (NJ)	Mack	Butterfield	Emanuel	Johnson, E. B.	Boozman	Hall	Murphy
Boren	Gibbons	Manzullo	Capps	Engel	Johnson (OH)	Boustany	Harris	Murtha
Boustany	Gilchrest	Marchant	Capuano	Farr	Kennedy (MN)	Boyd	Hart	Musgrave
Boyd	Gillmor	McCaul (TX)	Cardin	Fattah	Kildee	Bradley (NH)	Hastings (WA)	Myrick
Bradley (NH)	Gingrey	McCotter	Cardoza	Ferguson	Kilpatrick (MI)	Brady (PA)	Hayes	Neugebauer
Brady (PA)	Gohmert	McCrery	Carnahan	Filner	Kind	Brady (TX)	Hefley	Northup
Brady (TX)	Goode	McHenry	Carson	Ford	Kirk	Brown (SC)	Hensarling	Norwood
Brown (SC)	Goodlatte	McHugh	Case	Fortenberry	Kucinich	Brown-Waite,	Herger	Nunes
Brown-Waite,	Granger	McKeon	Chandler	Frank (MA)	Lantos	Ginny	Hinojosa	Nussle
Ginny	Graves	McMorris	Clay	Franks (AZ)	Larsen (WA)	Burgess	Hobson	Osborne
Burgess	Green (WI)	Melancon	Cleaver	Gerlach	Larson (CT)	Burton (IN)	Hoekstra	Otter
Burton (IN)	Gutknecht	Mica	Clyburn	Gonzalez	Leach	Buyer	Holden	Oxley
Buyer	Hall	Miller (FL)	Conyers			Calvert	Hostettler	Pearce
Calvert	Harris	Miller (MI)				Camp (MI)	Hoyer	Pence
Camp (MI)	Hart	Miller, Gary				Campbell (CA)	Hulshof	Peterson (MN)
Campbell (CA)	Hastings (WA)	Moran (KS)				Cannon	Hunter	Peterson (PA)
Cannon	Hayes	Murphy				Cantor	Hyde	Petri
Cantor	Hayworth	Murtha				Capito	Inglis (SC)	Pickering
Capito	Hefley	Musgrave				Carter	Issa	Pitts
Cardoza	Hensarling	Myrick				Castle	Istook	Poe
Carter	Herger	Neugebauer				Chabot	Jenkins	Pombo
Castle	Hobson	Ney				Chocola	Jindal	Price (GA)
Chabot	Hoekstra	Northup				Coble	Johnson (CT)	Price (NC)
Chocola	Holden	Norwood				Cole (OK)	Johnson (IL)	Pryce (OH)
Coble	Hooley	Nunes				Conaway	Johnson, Sam	Putnam
Cole (OK)	Hostettler	Nussle				Crenshaw	Jones (NC)	Radanovich
Conaway	Hoyer	Olver				Cubin	Kanjorski	Regula
Cooper	Hulshof	Osborne				Culberson	Kaptur	Rehberg
Costa	Hunter	Otter				Davis, Jo Ann	Keller	Reichert
Cramer	Hyde	Oxley				Davis, Tom	Kelly	Renzi
Crenshaw	Inglis (SC)	Pearce				Deal (GA)	King (IA)	Reynolds
Cubin	Issa	Pence				Diaz-Balart, L.	King (NY)	Rogers (AL)
Culberson	Istook	Peterson (MN)				Doolittle	Kingston	Rogers (KY)
Davis (KY)	Jenkins	Peterson (PA)				Doyle	Kline	Rogers (MI)
Davis (TN)	Jindal	Petri				Drake	Knollenberg	Rohrabacher
Davis, Jo Ann	Johnson (CT)	Pickering				Dreier	Kolbe	Ros-Lehtinen
Davis, Tom	Johnson (IL)	Pitts				Duncan	Kuhl (NY)	Royce
Deal (GA)	Johnson, Sam	Platts				Edwards	LaHood	Ryan (WI)
Diaz-Balart, L.	Jones (NC)	Poe				Ehlers	Latham	Ryan (KS)
Diaz-Balart, M.	Kanjorski	Pombo				Emerson	LaTourette	Sabo
Dicks	Kaptur	Price (GA)				English (PA)	Levin	Saxton

Schmidt	Sodrel	Visclosky
Sensenbrenner	Souder	Walden (OR)
Serrano	Stearns	Walsh
Sessions	Sullivan	Wamp
Shadegg	Sweeney	Weldon (FL)
Shaw	Taylor (NC)	Westmoreland
Sherwood	Terry	Whitfield
Shimkus	Thomas	Wicker
Shuster	Thornberry	Wolf
Simmons	Tiahrt	Young (AK)
Simpson	Tiberi	Young (FL)
Smith (TX)	Turner	

NOT VOTING—11

DeLay	Flake	Paul
Diaz-Balart, M.	Kennedy (RI)	Snyder
Eshoo	Mollohan	Wilson (SC)
Evans	Ney	

□ 1855

Mr. FORD changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. STUPAK

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. STUPAK) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 348, noes 74, not voting 10, as follows:

[Roll No. 215]

AYES—348

Abercrombie	Campbell (CA)	Dent
Ackerman	Cannon	Dicks
Aderholt	Capito	Dingell
Akin	Capps	Doggett
Allen	Capuano	Doyle
Andrews	Cardin	Drake
Baca	Cardoza	Duncan
Bachus	Carnahan	Edwards
Baird	Carson	Ehlers
Baldwin	Case	Emanuel
Barrett (SC)	Castle	Emerson
Barrow	Chabot	Engel
Bass	Chandler	Etheridge
Bean	Chocola	Everett
Beauprez	Clay	Farr
Becerra	Cleaver	Fattah
Berkley	Clyburn	Feeney
Berman	Cole (OK)	Ferguson
Berry	Conyers	Filner
Bilirakis	Cooper	Fitzpatrick (PA)
Bishop (NY)	Costa	Foley
Blackburn	Costello	Forbes
Blumenauer	Cramer	Ford
Boehlert	Crowley	Fortenberry
Bonner	Cubin	Fossella
Bono	Cuellar	Fox
Boozman	Culberson	Frank (MA)
Boren	Cummings	Franks (AZ)
Boswell	Davis (AL)	Galleghy
Boucher	Davis (CA)	Garrett (NJ)
Boyd	Davis (FL)	Gerlach
Bradley (NH)	Davis (IL)	Gibbons
Brady (TX)	Davis (KY)	Gingrey
Brown (OH)	Davis (TN)	Gohmert
Brown, Corrine	Davis, Jo Ann	Gonzalez
Brown-Waite,	Davis, Tom	Goode
Ginny	Deal (GA)	Goodlatte
Burgess	DeFazio	Gordon
Burton (IN)	DeGette	Graves
Butterfield	Delahunt	Green (WI)
Camp (MI)	DeLauro	Green, Al

Green, Gene	McCarthy	Ruppersberger
Grijalva	McCaul (TX)	Rush
Gutierrez	McCollum (MN)	Ryan (OH)
Gutknecht	McCotter	Ryan (WI)
Harman	McKeon	Salazar
Hart	McGovern	Sánchez, Linda
Hastings (FL)	McHenry	T.
Hayes	McHugh	Sanchez, Loretta
Hayworth	McIntyre	Sanders
Hefley	McKean	Saxton
Hensarling	McKinney	Schakowsky
Herger	McMorris	Schiff
Herseth	McNulty	Schmidt
Higgins	Meehan	Schwartz (PA)
Hinchee	Meek (FL)	Schwarz (MI)
Hinojosa	Meeks (NY)	Scott (GA)
Holden	Melancon	Scott (VA)
Holt	Mica	Sensenbrenner
Honda	Michaud	Serrano
Hooley	Millender-	Sessions
Hostettler	McDonald	Shadegg
Hoyer	Miller (MI)	Shaw
Hulshof	Miller (NC)	Shays
Hunter	Miller, Gary	Sherman
Inglis (SC)	Miller, George	Sherwood
Inslee	Moore (KS)	Shimkus
Israel	Moore (WI)	Shuster
Issa	Moran (KS)	Simmons
Jackson (IL)	Moran (VA)	Skelton
Jackson-Lee	Murphy	Slaughter
(TX)	Musgrave	Smith (NJ)
Jefferson	Myrick	Smith (TX)
Jindal	Nadler	Smith (WA)
Johnson (CT)	Napolitano	Sodrel
Johnson (IL)	Neal (MA)	Solis
Johnson, E. B.	Northup	Souder
Jones (NC)	Norwood	Spratt
Jones (OH)	Nussle	Stark
Kanjorski	Oberstar	Stearns
Kaptur	Obey	Strickland
Kelly	Olver	Stupak
Kennedy (MN)	Ortiz	Sweeney
Kildee	Osborne	Tancredo
Kilpatrick (MI)	Owens	Tanner
Kind	Pallone	Tauscher
King (IA)	Pascarell	Taylor (MS)
King (NY)	Pastor	Thompson (CA)
Kingston	Payne	Thompson (MS)
Kirk	Pelosi	Tiberi
Kline	Pence	Tierney
Kucinich	Peterson (MN)	Towns
Kuhl (NY)	Peterson (PA)	Turner
LaHood	Petri	Udall (CO)
Langevin	Pickering	Udall (NM)
Lantos	Platts	Upton
Larsen (WA)	Poe	Van Hollen
Larson (CT)	Pombo	Velázquez
LaTourette	Pomeroy	Visclosky
Leach	Porter	Walden (OR)
Lee	Price (GA)	Wasserman
Levin	Price (NC)	Schultz
Lewis (GA)	Pryce (OH)	Waters
Lewis (KY)	Putnam	Watson
Lipinski	Rahall	Watt
LoBiondo	Ramstad	Waxman
Lofgren, Zoe	Rangel	Weiner
Lowey	Regula	Weldon (FL)
Lucas	Reichert	Weldon (PA)
Lungren, Daniel	Renzi	Weller
E.	Reyes	Westmoreland
Lynch	Reynolds	Wexler
Mack	Rogers (MI)	Whitfield
Maloney	Rohrabacher	Wilson (NM)
Markey	Ross	Wolf
Marshall	Rothman	Woolsey
Matheson	Roybal-Allard	Wu
Matsui	Royce	Wynn

NOES—74

Alexander	Diaz-Balart, L.	Kolbe
Baker	Diaz-Balart, M.	Latham
Bartlett (MD)	Doolittle	Linder
Barton (TX)	Dreier	Manzullo
Biggert	English (PA)	Marchant
Bishop (GA)	Frelinghuysen	McCrery
Bishop (UT)	Gilchrest	Miller (FL)
Blunt	Gillmor	Murtha
Boehner	Granger	Neugebauer
Bonilla	Hall	Ney
Boustany	Harris	Nunes
Brady (PA)	Hastings (WA)	Otter
Brown (SC)	Hobson	Oxley
Buyer	Hoekstra	Pearce
Calvert	Hyde	Pitts
Cantor	Istook	Radanovich
Carter	Jenkins	Rehberg
Coble	Johnson, Sam	Rogers (AL)
Conaway	Keller	Rogers (KY)
Crenshaw	Knollenberg	Ros-Lehtinen

Ryun (KS)	Terry	Wamp
Sabo	Thomas	Wicker
Simpson	Thornberry	Young (AK)
Sullivan	Tiahrt	Young (FL)
Taylor (NC)	Walsh	

NOT VOTING—10

DeLay	Kennedy (RI)	Snyder
Eshoo	Lewis (CA)	Wilson (SC)
Evans	Mollohan	
Flake	Paul	

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised there is 1 minute remaining in this vote.

□ 1859

Mr. SHAYS, Mr. WELLER, and Ms. FOXF changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. LYNCH

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. LYNCH) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 225, noes 197, not voting 10, as follows:

[Roll No. 216]

AYES—225

Abercrombie	Cooper	Grijalva
Ackerman	Costa	Gutierrez
Allen	Costello	Hall
Andrews	Cramer	Harman
Baca	Crowley	Hastings (FL)
Baird	Cuellar	Herseth
Baldwin	Cummings	Higgins
Barrow	Davis (AL)	Hinchee
Bass	Davis (CA)	Holt
Bean	Davis (FL)	Honda
Becerra	Davis (IL)	Hooley
Berkley	Davis (KY)	Inslee
Berman	Davis (TN)	Israel
Berry	DeFazio	Jackson (IL)
Biggert	DeGette	Jackson-Lee
Bishop (NY)	Delahunt	(TX)
Blumenauer	DeLauro	Jefferson
Boehlert	Dent	Johnson (CT)
Boren	Dicks	Johnson, E. B.
Boswell	Dingell	Jones (NC)
Boucher	Doggett	Jones (OH)
Bradley (NH)	Doyle	Kaptur
Brown (OH)	Emanuel	Kelly
Brown, Corrine	Engel	Kennedy (MN)
Brown-Waite,	Etheridge	Kildee
Ginny	Farr	Kilpatrick (MI)
Butterfield	Fattah	Kind
Camp (MI)	Ferguson	Kucinich
Capps	Filner	Kuhl (NY)
Capuano	Fitzpatrick (PA)	Langevin
Cardin	Ford	Lantos
Cardoza	Fossella	Larsen (WA)
Carnahan	Frank (MA)	Larson (CT)
Carson	Garrett (NJ)	LaTourette
Case	Gerlach	Lee
Castle	Gohmert	Levin
Chandler	Gonzalez	Lewis (GA)
Clay	Gordon	Lipinski
Cleaver	Green (WI)	LoBiondo
Clyburn	Green, Al	Lofgren, Zoe
Conyers	Green, Gene	Lowey

Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-
McDonald
Miller (MI)
Miller (NC)
Miller, George
Moore (KS)
Moore (WI)
Moran (VA)
Nadler
Napolitano
Neal (MA)
Ney
Oberstar
Obey
Olver
Ortiz

Owens
Pallone
Pascarell
Pastor
Payne
Pelosi
Platts
Pomeroy
Rahall
Ramstad
Rangel
Reichert
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda
T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Simmons
Skelton

Slaughter
Smith (NJ)
Smith (WA)
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Woolsey
Wu
Wynn

NOES—197

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Beauprez
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Boyd
Brady (PA)
Brady (TX)
Brown (SC)
Burgess
Burton (IN)
Buyer
Calvert
Campbell (CA)
Cannon
Cantor
Capito
Carter
Chabot
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis, Jo Ann
Davis, Tom
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Edwards
Ehlers
Emerson
English (PA)
Everett
Feeney
Foley
Forbes
Fortenberry
Foxy
Franks (AZ)

Frelinghuysen
Gallegly
Gibbons
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Granger
Graves
Gutknecht
Harris
Hart
Hastings (WA)
Hayes
Hefley
Hensarling
Herger
Hinojosa
Hobson
Hoekstra
Holden
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (IL)
Johnson, Sam
Kanjorski
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Latham
Leach
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel
E.
Mack
Manzullo
Marchant
McCaul (TX)
McCrery
McHenry
McKeon
McMorris

Mica
Miller (FL)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Poe
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Sabo
Schmidt
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry

Thomas
Thornberry
Tiahrt
Visclosky
Walden (OR)

Walsh
Wamp
Weldon (FL)
Westmoreland
Whitfield

Wicker
Wilson (NM)
Wolf
Young (AK)
Young (FL)

NOT VOTING—10

DeLay
Eshoo
Evans
Flake

Kennedy (RI)
Mollohan
Murtha
Paul

Snyder
Wilson (SC)

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote).
One minute remains in this vote.

□ 1903

Mr. FOSSELLA changed his vote
from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced
as above recorded.

AMENDMENT OFFERED BY MR. PASCARELL

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. PASCARELL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 188, noes 227, not voting 17, as follows:

[Roll No. 217]

AYES—188

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkeley
Berman
Berry
Bishop (NY)
Blumenauer
Bonner
Boswell
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Costa
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
DeGette
Delahunt

DeLauro
Dent
Doggett
Doyle
Duncan
Emanuel
Engel
Etheridge
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Frank (MA)
Frelinghuysen
Garrett (NJ)
Gerlach
Gonzalez
Gordon
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Holden
Holt
Honda
Hooley
Inslee
Israel
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)

Kanjorski
Kelly
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Lewis (GA)
Lipinski
LoBiondo
Loftgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Melancon
Michaud
Millender-
McDonald
Miller (MI)
Miller (NC)
Miller, George
Moore (KS)
Moore (WI)
Moran (VA)
Nadler
Napolitano
Neal (MA)
Obey

Ortiz
Owens
Pallone
Pascarell
Pastor
Payne
Pelosi
Pickering
Platts
Pomeroy
Porter
Price (NC)
Ramstad
Rangel
Reichert
Reyes
Rothman
Ruppersberger
Rush
Ryan (OH)

Salazar
Sánchez, Linda
T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (VA)
Shays
Sherman
Shuster
Simmons
Skelton
Slaughter
Smith (WA)
Solis
Stark
Strickland
Stupak

NOES—227

Aderholt
Akin
Alexander
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bono
Boozman
Boren
Boucher
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite,
Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Cooper
Costello
Cramer
Crenshaw
Crowley
Cubin
Culberson
Davis (KY)
Davis (TN)
Davis, Tom
Deal (GA)
DeFazio
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doolittle
Drake
Dreier
Edwards
Ehlers
Emerson
English (PA)
Everett
Feeney
Foley
Forbes
Ford
Fortenberry
Fossella
Foxy
Franks (AZ)
Gallegly

Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hinojosa
Hobson
Hoekstra
Hostettler
Hoyer
Hulshof
Hyde
Inglis (SC)
Issa
Jenkins
Johnson, Sam
Jones (NC)
Kaptur
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel
E.
Mack
Manzullo
Marchant
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McHenry
McHugh
McMorris
Meeks (NY)
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar

Olver
Osborne
Otter
Oxley
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pitts
Poe
Pombo
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rahall
Regula
Rehberg
Renzi
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Sabo
Saxton
Schmidt
Schwarz (MI)
Scott (GA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Spratt
Stearns
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (NC)
Terry
Thomas
Thornberry
Tiberi
Turner
Udall (NM)
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wolf
Wu
Young (AK)
Young (FL)

NOT VOTING—17

Bachus	Istook	Paul
DeLay	Keller	Rogers (AL)
Eshoo	Kennedy (RI)	Snyder
Evans	McKeon	Tiahrt
Flake	Mollohan	Wilson (SC)
Hunter	Murtha	

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). One minute remains in this vote.

□ 1906

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. MARKEY

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 198, noes 224, not voting 10, as follows:

[Roll No. 218]

AYES—198

Abercrombie	Dingell	Lee
Ackerman	Doggett	Levin
Allen	Emanuel	Lewis (GA)
Andrews	Engel	Lipinski
Baca	Etheridge	LoBiondo
Baird	Farr	Lofgren, Zoe
Baldwin	Fattah	Lowe
Barrow	Ferguson	Lynch
Bean	Filner	Maloney
Becerra	Fitzpatrick (PA)	Markey
Berkley	Ford	Marshall
Berman	Frank (MA)	Matheson
Bishop (NY)	Gonzalez	Matsui
Blumenauer	Gordon	McCarthy
Boren	Green (WI)	McCollum (MN)
Boswell	Green, Al	McDermott
Boucher	Green, Gene	McGovern
Boyd	Grijalva	McIntyre
Brown (OH)	Gutierrez	McKinney
Brown, Corrine	Harman	McNulty
Butterfield	Hastings (FL)	Meehan
Capps	Herseth	Meek (FL)
Capuano	Higgins	Meeks (NY)
Cardin	Hinchey	Melancon
Cardoza	Hinojosa	Michaud
Carnahan	Holt	Millender
Carson	Honda	McDonald
Case	Hookey	Miller (NC)
Chandler	Hoyer	Miller, George
Clay	Insee	Moore (KS)
Cleaver	Israel	Moore (WI)
Clyburn	Jackson (IL)	Moran (VA)
Conyers	Jackson-Lee	Nadler
Costa	(TX)	Napolitano
Costello	Jefferson	Neal (MA)
Crowley	Jindal	Oberstar
Cuellar	Johnson (CT)	Obey
Cummings	Johnson, E. B.	Oliver
Davis (AL)	Jones (NC)	Ortiz
Davis (CA)	Jones (OH)	Owens
Davis (FL)	Kelly	Pallone
Davis (IL)	Kennedy (MN)	Pastore
Davis (TN)	Kildee	Pascor
Davis, Jo Ann	Kilpatrick (MI)	Payne
DeFazio	Kind	Pelosi
DeGette	Kucinich	Price (NC)
Delahunt	Langevin	Ramstad
DeLauro	Lantos	Rangel
Dent	Larsen (WA)	Reichert
Dicks	Larson (CT)	Reyes

Ross	Sherman	Van Hollen
Rothman	Skelton	Velázquez
Roybal-Allard	Slaughter	Visclosky
Ruppersberger	Smith (NJ)	Wasserman
Rush	Smith (WA)	Schultz
Ryan (OH)	Solis	Waters
Sabo	Spratt	Watson
Salazar	Stark	Watt
Sánchez, Linda	Strickland	Waxman
T.	Stupak	Weiner
Sanchez, Loretta	Tanner	Weldon (PA)
Sanders	Tauscher	Wexler
Schakowsky	Thompson (CA)	Wilson (NM)
Schiff	Thompson (MS)	Woolsey
Schwartz (PA)	Tierney	Wu
Scott (GA)	Towns	Wynn
Scott (VA)	Udall (CO)	
Serrano	Udall (NM)	

NOES—224

Aderholt	Gerlach	Norwood
Akin	Gibbons	Nunes
Alexander	Gilchrest	Nussle
Bachus	Gillmor	Osborne
Baker	Gingrey	Otter
Barrett (SC)	Gohmert	Oxley
Bartlett (MD)	Goode	Pearce
Barton (TX)	Goodlatte	Pence
Bass	Granger	Peterson (MN)
Beauprez	Graves	Peterson (PA)
Berry	Gutknecht	Petri
Biggart	Hall	Pickering
Bilirakis	Harris	Pitts
Bishop (GA)	Hart	Platts
Bishop (UT)	Hastings (WA)	Poe
Blackburn	Hayes	Pombo
Blunt	Hayworth	Pomeroy
Boehlert	Hefley	Porter
Boehner	Hensarling	Price (GA)
Bonilla	Herger	Pryce (OH)
Bonner	Hobson	Putnam
Bono	Hoekstra	Rahall
Boozman	Holden	Regula
Boustany	Hostettler	Rehberg
Bradley (NH)	Hulshof	Renzi
Brady (PA)	Hunter	Reynolds
Brady (TX)	Hyde	Rogers (AL)
Brown (SC)	Inglis (SC)	Rogers (KY)
Brown-Waite,	Issa	Rogers (MI)
Ginny	Istook	Rohrabacher
Burgess	Jenkins	Ros-Lehtinen
Burton (IN)	Johnson (IL)	Royce
Buyer	Johnson, Sam	Ryan (WI)
Calvert	Kanjorski	Ryun (KS)
Camp (MI)	Kaptur	Saxton
Campbell (CA)	Keller	Schmidt
Cannon	King (IA)	Schwarz (MI)
Cantor	King (NY)	Sensenbrenner
Capito	Kingston	Sessions
Carter	Kirk	Shadegg
Castle	Kline	Shaw
Chabot	Knollenberg	Shays
Chocola	Kolbe	Sherwood
Coble	Kuhl (NY)	Shimkus
Cole (OK)	LaHood	Shuster
Conaway	Latham	Simmons
Cooper	LaTourette	Simpson
Cramer	Leach	Smith (TX)
Crenshaw	Lewis (CA)	Sodrel
Cubin	Lewis (KY)	Souder
Culberson	Linder	Stearns
Davis (KY)	Lucas	Sullivan
Davis, Tom	Lungren, Daniel	Sweeney
Deal (GA)	E.	Tancredo
Diaz-Balart, L.	Mack	Taylor (MS)
Diaz-Balart, M.	Manzullo	Taylor (NC)
Doolittle	Marchant	Terry
Doyle	McCaul (TX)	Thomas
Drake	McCotter	Thornberry
Dreier	McCrery	Tiahrt
Duncan	McHenry	Tiberi
Edwards	McHugh	Turner
Ehlers	McKeon	Upton
Emerson	McMorris	Walden (OR)
English (PA)	Mica	Walsh
Everett	Miller (FL)	Wamp
Feeney	Miller (MI)	Weldon (FL)
Foley	Miller, Gary	Weller
Forbes	Moran (KS)	Westmoreland
Fortenberry	Murphy	Whitfield
Fossella	Murtha	Wicker
Fox	Musgrave	Wolf
Franks (AZ)	Myrick	Young (AK)
Frelinghuysen	Neugebauer	Young (FL)
Gallegly	Ney	
Garrett (NJ)	Northup	

NOT VOTING—10

DeLay	Kennedy (RI)	Snyder
Eshoo	Mollohan	Wilson (SC)
Evans	Paul	
Flake	Radanovich	

□ 1916

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I move to strike the last word.

Mr. Chairman, as you know, the Department of Homeland Security is currently in the process of consolidating its data center as part of its infrastructure transformation program.

The bill includes \$41 million to establish services for a mirror data center to provide sufficient back-up and redundancy for the Department of Homeland Security data operations.

Mr. ROGERS of Kentucky. The gentleman is correct.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield to my friend from Virginia who shares my concerns.

Mr. MORAN of Virginia. Mr. Chairman, as the Department proceeds with the site selection for the mirror data services center, we feel it is important that all appropriate GSA site selection procedures be followed and that an RFP be issued clearly stating objective criteria for the site.

We seek your assistance in ensuring these procedures are used and that a proper RFP is issued.

Mr. ROGERS of Kentucky. You have my assurances proper site selection procedures will be used.

Mr. TOM DAVIS of Virginia. Thank you, Mr. Chairman.

AMENDMENT OFFERED BY MR. DEFAZIO

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

The Clerk read as follows:

Amendment offered by Mr. DeFAZIO:
Page 3, line 15, insert after the dollar amount the following: “(reduced by \$15,000,000)”.

Page 5, line 19, insert after the dollar amount the following: “(increased by \$11,500,000)”.

Mr. DEFAZIO (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. DEFAZIO. Mr. Chairman, this is a modified version of the amendment I offered earlier to bring the pay-out rates to sync. So I have reduced the additional funding for the Office of Inspector General to \$11,500,000.

Now, at that level, that is way below the \$1 recovery for \$1 expenditure level for that office. If we put that additional funding in there, the taxpayers will save far in excess of that.

As I said earlier, 3,622 allegations are still pending and have not yet been investigated because of the backlog of that office. Quite simply, to respond to the chairman's concerns earlier, I

would see that this money could come from the what they call plus-up or that is, an increase of \$3.4 million in the Chief of Staff's Office. The gentleman mentioned Office of the Under Secretary for Management earlier; that woman has resigned, and the office is vacant.

And then if we took the \$7 million from the limousine account, we would have more than \$11,500,000. I would recommend this as a good investment for the taxpayers of America.

Mr. ROGERS of Kentucky. Mr. Chairman, I rise in opposition to the amendment.

The committee bill already provides \$96 million plus for the Inspector General. That is an increase of \$14 million over the current level. And of that increase, \$11 million is to continue and expand audits and investigations related to the gulf coast hurricanes.

So we have already increased funding for the inspector general by 17 percent over current levels. And again, this money would come out of the Under Secretary of Management's Office. We have already cut \$70 million from that office.

We are going to shut it down, and the Department will not be able to operate. So I urge a no vote.

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

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. DEFAZIO. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Oregon will be postponed.

AMENDMENT OFFERED BY MR. MARSHALL

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

The Clerk read as follows:

Amendment offered by Mr. MARSHALL:

Page 3, line 15, after the dollar amount, insert the following: "(reduced by \$20,000,000)".

Page 39, line 6, after the first dollar amount, insert the following: "(increased by \$20,000,000)".

Mr. ROGERS of Kentucky. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman from Kentucky reserves a point of order.

Mr. MARSHALL. Mr. Chairman, Chairman Rogers will be happy to know that the target of this amendment is also the Under Secretary of Management's budget, which still has money in it after our last series of votes.

Mr. Chairman, in the 1980s, we gave amnesty and told the American people that the flow of illegal immigrants from Mexico was going to stop. It has not. And one of the main problems that employers have right now is their ability to quickly and reliably identify whether or not a proposed employee is a legal resident of the United States.

In the President's budget, the President requested \$110 million for the Em-

ployment Eligibility Verification Program. The committee has provided \$90 million. Mrs. MILLER of Michigan and I have joined together to submit this amendment which would add \$20 million to the Employment Eligibility Verification Program, which would bring it up to the level that the President has requested.

The moneys that are necessary to offset come from the Office of the Under Secretary For Management.

POINT OF ORDER

Mr. ROGERS of Kentucky. Mr. Chairman, the amendment proposes to amend portions of the bill not yet read. The amendment may not be considered en bloc under clause 2(f) of rule XXI, because the amendment proposes to increase the level of outlays in the bill.

Mr. Chairman, I ask for a ruling.

The CHAIRMAN. Are there further Members wishing to be heard on the point of order?

If not, the Chair is prepared to rule.

Mr. MARSHALL. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

Mr. Chairman, I would like to make an inquiry if I could. Mr. Chairman, we have a CBO scoring.

Apparently, Mr. Chairman, I apologize, the amendment which has been provided and which is at the desk and which was announced is not the amendment that we have submitted.

What we would ask is permission to withdraw the amendment which has been submitted and actually submit the one that is supposed to have been submitted.

The CHAIRMAN. Is there objection?

Mr. ROGERS of Kentucky. Mr. Chairman, the amendment that was read is what we are relying upon here.

Mr. MARSHALL. Mr. Chairman, we have an amendment that proposes to cut \$20 million, pardon me, cut \$24 million from the Office of the Under Secretary of Management and add \$20 million to the employment verification program.

CBO has scored it. We have been told that that is the appropriate amount to reduce the management budget by. I thought this amendment was at the desk. I am not somebody who delivered it for the purposes of this.

But we should have an amendment at the desk that provides to reduce by \$24 million the management budget, and increase by \$20 million the budget for the Employment Eligibility Verification Program. CBO says that is the appropriate scoring.

The CHAIRMAN. Is there objection to withdrawal of the current amendment?

There was no objection.

AMENDMENT OFFERED BY MR. MARSHALL

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

The Clerk read as follows:

Amendment offered by Mr. MARSHALL:

Page 3, line 15, after the dollar amount, insert the following: "(reduced by \$24,000,000)".

Page 39, line 6, after the first dollar amount, insert the following: "(increased by \$20,000,000)".

Mr. MARSHALL. Mr. Chairman, I do not want to take a whole bunch of additional time repeating what I have previously said.

Right now we have a very difficult time where illegal immigration is concerned, and employers tell all of us that the system we have in place right now for identifying whether or not a proposed employee is a legal resident is broken. It simply does not work. The President has asked for \$110 million to work on this problem. We propose in this budget to give him \$90 million.

Mr. Chairman, I know the chairman supports the concept. The chairman and the committee chose not to give full funding. We simply recommend full funding, and we take the funds that are necessary from the Office of the Under Secretary of Management.

Mrs. MILLER of Michigan joins me in this request.

Mrs. MILLER of Michigan. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I certainly want to thank the gentleman from Georgia (Mr. MARSHALL) for offering this amendment, which I am proud to co-sponsor.

Very simply, Mr. Chairman, this amendment would increase funding for the Employment Eligibility Verification Program. It is a very important program. It requires employers to verify the employment eligibility and identity documents presented to the employer and record the document information.

This program is a very important piece in our efforts to get control of our borders. One of the primary reasons so many immigrants, of course, come here illegally is to find work. That incentive only exists if jobs are available.

The vast majority of businesses do want to comply with the law and hire only those in the country legally. But because of a lack of a reliable verification system, they are unable to be certain that those that they seek to hire are actually here legally.

There are still other businesses that knowingly break the law in order to exploit cheap labor, and that has to be stopped. We are a Nation of laws, and the American people expect those laws to be followed. They have had enough of the current broken system, and we need to take action to ensure that only those that are in our country legally are able to find work.

This program is key to ensuring that businesses are complying with the labor and immigration laws of our Nation. The President has requested \$110 million for this program in his fiscal year 2007 budget proposal.

As it stands, the legislation only provides for \$90 million. And while I certainly understand and appreciate the chairman and the committee having very, very difficult decisions to make, I do believe the funding for this program is one of the most important things that we can do to cut down on

the flood of immigrants who are here illegally crossing our border.

Mr. Chairman, I think it is absolutely essential that we get control of our borders, and increased funding for employment eligibility verification will help us to do this.

□ 1930

Mr. ROGERS of Kentucky. Mr. Chairman, I rise in opposition to the amendment.

The committee included 160 million dollars in the bill for USCIS salaries and expenses which is \$115 million above the 2006 level. Their request included \$110 million for the Employment Eligibility Verification program, mainly to fund development of new systems and intelligence communications, to support employer requests for confirmation of immigration status of their employees.

The bill provides \$90 million. The reason that we did not fully fund that program is because they do not need that much money. This \$90 million will be enough to begin the work needed to start defining systems needs and begin the design and procurement process. That is all they need for this. If we give them more, it will not be spent. They cannot spend more.

We could certainly use that money. Certainly the Under Secretary for Management can use that money. If we continue to dip into his account, he will not exist and that is very, very important to manage the whole Department. I understand the gentleman and the gentlewoman's point on this; however, when you think that this amount of money will be all that they can use to get the program up and running, I think you will be satisfied with it. I urge defeat of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia (Mr. MARSHALL).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. MARSHALL. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

The Clerk will read.

The Clerk read as follows:

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, as authorized by section 103 of the Homeland Security Act of 2002 (6 U.S.C. 113), \$43,480,000, of which \$18,000,000 is for the eMerge² Program: *Provided*, That \$10,000,000 shall be withheld from obligation until the Office of the Chief Financial Officer submits monthly budget execution reports to the Committees on Appropriations of the Senate and the House of Representatives as required by section 529 of this Act.

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, as authorized by section 103 of the Homeland Security Act of 2002 (6 U.S.C. 113), and Department-wide technology investments, \$364,765,000; of which \$79,521,000 shall be available for sala-

ries and expenses; and of which \$285,244,000 shall be available for development and acquisition of information technology equipment, software, services, and related activities for the Department of Homeland Security, and for the costs of conversion to narrowband communications, including the cost for operation of the land mobile radio legacy systems, to remain available until expended: *Provided*, That none of the funds appropriated shall be used to support or supplement the appropriations provided for the United States Visitor and Immigrant Status Indicator Technology project or the Automated Commercial Environment.

AMENDMENT NO. 5 OFFERED BY MR. POE

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. POE:

Page 4, line 11, after the dollar amount, insert the following: "(reduced by \$41,000,000)".

Page 4, line 13, after the dollar amount, insert the following: "(reduced by \$41,000,000)".

Page 14, line 6, after the dollar amount, insert the following: "(increased by \$41,000,000)".

Page 14, line 18, after the dollar amount, insert the following: "(increased by \$41,000,000)".

Mr. POE. Mr. Chairman, I offer this amendment today because the Federal Government has failed to protect our Nation's interiors from illegals. We allow thousands a day to enter illegally in this country and do not know where they are or why they are coming here. It is a common understanding among illegals that once they get past the Border Patrols, which only patrols the first inner 30 miles of our borders, and get into the United States, they are home free in America. There are not enough interior officers to capture illegals.

What this shows us is we need a new approach, one centered on enforcing the Nation's interior. We send a mixed message when we say we are serious about border protection but give a wink and a nod to those who make it into the interior of this country. They know they will not be captured.

With the other Chamber passing sweeping immigration changes today that will undoubtedly place more of a burden on our Border Patrol, and even allow more illegal aliens to settle into the community, it is incumbent on this body to give communities more resources to clean up Federal failures. Increasingly, more of the burden of illegal immigration is falling on the shoulders of State and local governments to absorb the populations into their communities. The problem is particularly troubling in border communities and major trafficking routes in the Southwest. I know because I have been there and I have seen it.

Mr. Chairman, the first duty of government is to protect the citizens. The 287(g) program fulfills this duty. This program is a voluntary program that gives State and local enforcement, at their choosing, immigration enforcement training so they can protect their

communities. The Nation has 750,000 State and local law enforcement, and they can be an effective force in assisting Federal authorities. The program is voluntary to local police if they choose to help enforce immigration laws.

For example, the Florida Department of Law Enforcement, the first in the Nation to enter into a 287(g) agreement, used trained officers to fight terrorism. Alabama has used these agreements to go after a growing human trafficking problem because the Federal ICE presence in Alabama was limited in their State to only three officers.

Los Angeles County is looking at the program to help identify and remove criminal aliens from their jails before they are released. This is a major problem as ICE estimates there are a half million criminal aliens in U.S. jails and prisons, and they have not been identified for removal to their countries. Without adequate action, many of these criminals could be released back into the community rather than being deported. A 287 agreement between ICE and local officials could result in more criminal aliens being identified and removed from the United States before they are released from jail and have to be rearrested.

Mr. Chairman, as a co-chair of the Congressional Victims Right Caucus, crimes committed by people who have no right to be here in the first place are especially troubling to me, especially if we have already had them in custody once.

Take into account the following cases: in Lake Worth, Florida, an illegal alien from the Bahamas named Milagro Cunningham took an 8-year-old girl to a nearby landfill where he proceeded to sexually assault her, choke her and leave her for dead in a rock-filled trash bin. Cunningham had been arrested three times by Palm Beach County Sheriff's Department prior to the incident and not once was his immigration investigated. If Palm Beach County Sheriff's Department had the authority under 287(g) and an agreement been in place, his status could have been verified and then turned over to Federal immigration for his removal from this country.

Angel Resendez, the notorious railroad killer, who sits now on Texas death row for 14 murders he committed in the United States, he came to this country illegally from Mexico. And during his killings, Resendez crossed the U.S. southern border with Mexico at will and managed to slip in and out of the hands of local law enforcement many times. Just think if 287(g) was enforced, we could have spared the lives of 14 people had local law enforcement had the training and authority to inquire into his legal status instead of letting him go.

The 287(g) programs can be expanded and modeled for any need, whether it is a task force investigating alien gangs such as the MS-13 or the document fraud rings or human smuggling.

While these examples show the great promise of 287(g) programs, the reality is Congress hasn't provided the funds to see how effective this program can really be. The authority has been available for 10 years, but since 2001 only funding has been allowed for 159 State and local officers. The fact of the matter is local law enforcement is going to come in contact with criminal aliens like Cunningham and Resendez during the course of their daily duties. Now, what are we going to do about that?

Today we have a choice. We can sit idly by and let these criminals slip through law enforcement's hands, or we can give our country's finest local and State in uniform the resources they need to protect and serve. We have the ability today to send a strong message that the lawlessness will not stand and we will preserve our first duty of government to protect the citizens.

This amendment today seeks to increase the 287(g) program by \$41 million by removing the \$41 million that is even above the President's request for the bureaucrat backup information technology center under the Chief Information Officer of the DHS. There is a growing need to expand these and I ask adoption of this amendment.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in opposition to the Poe amendment. Although I have some concerns about the intended use of the \$41 million that is the subject of this amendment, I want to focus tonight on the offset.

My colleague from Texas proposes to offset the cost of his amendment with an equivalent reduction to the Office of Chief Information Officer, specifically targeting funds that the committee has included to cover the establishment of a mirror, or back-up, data center.

It has been 4 years now since the creation of the Department of Homeland Security, and we are still at least months away from consolidating and securing data that is essential to protecting the homeland. Agreeing to the Poe amendment would strip funds intended for the establishment of this second data center which we should be accelerating, not delaying.

To take on face value that this funding is not important because it was not part of the President's budget request is to abandon this institution's responsibility and authority. We are responsible for overseeing the Department's budget and operations, and this additional funding is the result of our subcommittee's best judgment.

Having a mirror data center for the Department of Homeland Security is not only desirable; it is essential. If last hurricane season taught us anything, it is that we need to be fully prepared for the next disaster. The Poe amendment would compromise that preparedness. I urge colleagues to reject it.

Mr. ROGERS of Kentucky. Mr. Chairman, I rise in opposition to the amendment.

I want to identify with the remarks just made by the gentleman from North Carolina. It is urgent, in my judgment, that Mr. POE secures more money for the 287(g) program. I think that is an essential matter that needs to be taken care of, to get State and local law enforcement assistance in the enforcement of the immigration laws. We will never be able to get enough border control to completely handle the problem in my judgment, unless we get the active assistance of State and local law enforcement, as authorized and funded.

In the bill we provided \$5.4 million for training of local law enforcement officers in participation in 287(g) and the President's border supplemental proposes a \$50 million increase. So we are going to get that money that Mr. POE would like for us to have; we are just going to get it from another source.

I agree with the gentleman from North Carolina on the need to keep the money in the Chief Information Officer's account for the data center. And it will assist, those data centers will assist the border effort to be sure that we keep out people that should not be in the country. We cannot do it without a coordinated data collection center, and that is what this bill includes \$41 billion for.

Currently, the Department has 17 of these centers scattered all over the country, largely a legacy of consolidating multiple agencies when we formed the Department. Running those multiple data floors is expensive. It hinders information sharing. It creates security vulnerabilities. The Department estimates that consolidation to twin facilities as the bill proposes will save \$50 million each year, starting in 2009, with two mirror sites.

The current information silos scattered across the Department will be done away with, allowing a consolidated view of information, a critical element of information sharing. Having information at twin sites allows it to be under one security umbrella, leaving fewer opportunities to compromise secure information.

The first center is being built in Stennis, Mississippi. The Department plans to release a request for information to begin the competitive process to locate a surface for a second mirror facility this year. Without a redundant data center, should something happen to this Stennis facility, DHS would not be able to operate. People could not cross the border. Travelers would stop at airports. Coast Guard data would be lost.

So I urge the Members to reject this amendment so that we can have the data centers that are absolutely vital to the successful operation of the Department and the battle to keep illegals out of the country.

I would point out again to Mr. POE that when the President's border sup-

plemental passes, you will get not just the \$41 million you seek, but \$50 million dollars. So we are with you. We are just doing it a different way. I urge a defeat of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. POE).

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

ANALYSIS AND OPERATIONS

For necessary expenses for information analysis and operations coordination activities, as authorized by title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.), \$298,663,000, to remain available until September 30, 2008, of which not to exceed \$5,000 shall be for official reception and representation expenses.

OFFICE OF THE FEDERAL COORDINATOR FOR GULF COAST REBUILDING

For necessary expenses of the Office of the Federal Coordinator for Gulf Coast Rebuilding, \$3,000,000: *Provided*, That \$1,000,000 shall not be available for obligation until the Federal Coordinator submits to the Committee on Appropriations of the House of Representatives a report related to Federal rebuilding efforts.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), \$96,185,000, of which not to exceed \$100,000 may be used for certain confidential operational expenses, including the payment of informants, to be expended at the direction of the Inspector General.

TITLE II—SECURITY, ENFORCEMENT, AND INVESTIGATIONS

UNITED STATES VISITOR AND IMMIGRANT STATUS INDICATOR TECHNOLOGY

For necessary expenses for the development of the United States Visitor and Immigrant Status Indicator Technology project, as authorized by section 110 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1365a), \$362,494,000, to remain available until expended: *Provided*, That of the total amount made available under this heading, \$312,494,000 may not be obligated for the United States Visitor and Immigrant Status Indicator Technology project until the Committees on Appropriations of the Senate and the House of Representatives receive and approve a plan for expenditure prepared by the Secretary of Homeland Security that—

(1) meets the capital planning and investment control review requirements established by the Office of Management and Budget, including Circular A-11, part 7;

(2) complies with the Department of Homeland Security information systems enterprise architecture;

(3) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government;

(4) includes a certification by the Chief Information Officer of the Department of Homeland Security that an independent verification and validation agent is currently under contract for the project;

(5) is reviewed and approved by the Department of Homeland Security Investment Review Board, the Secretary of Homeland Security, and the Office of Management and Budget; and

(6) is reviewed by the Government Accountability Office.

CUSTOMS AND BORDER PROTECTION
SALARIES AND EXPENSES

For necessary expenses for enforcement of laws relating to border security, immigration, customs, and agricultural inspections and regulatory activities related to plant and animal imports; purchase and lease of up to 4,500 (3,500 for replacement only) police-type vehicles; and contracting with individuals for personal services abroad; \$5,435,310,000; of which \$3,026,000 shall be derived from the Harbor Maintenance Trust Fund for administrative expenses related to the collection of the Harbor Maintenance Fee pursuant to section 9505(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 9505(c)(3)) and notwithstanding section 1511(e)(1) of the Homeland Security Act of 2002 (6 U.S.C. 551(e)(1)); of which not to exceed \$45,000 shall be for official reception and representation expenses; of which not less than \$162,976,000 shall be for Air and Marine Operations; of which such sums as become available in the Customs User Fee Account, except sums subject to section 13031(f)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)(3)), shall be derived from that account; of which not to exceed \$150,000 shall be available for payment for rental space in connection with preclearance operations; and of which not to exceed \$1,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security: *Provided*, That for fiscal year 2007, the overtime limitation prescribed in section 5(c)(1) of the Act of February 13, 1911 (19 U.S.C. 267(c)(1)) shall be \$35,000; and notwithstanding any other provision of law, none of the funds appropriated by this Act may be available to compensate any employee of the Bureau of Customs and Border Protection for overtime, from whatever source, in an amount that exceeds such limitation, except in individual cases determined by the Secretary of Homeland Security, or the designee of the Secretary, to be necessary for national security purposes, to prevent excessive costs, or in cases of immigration emergencies: *Provided further*, That no funds shall be available for the site acquisition, design, or construction of any Border Patrol checkpoint in the Tucson sector: *Provided further*, That the Border Patrol shall relocate its checkpoints in the Tucson sector at least once every seven days in a manner designed to prevent persons subject to inspection from predicting the location of any such checkpoint: *Provided further*, That of the total amount made available under this heading, \$115,000,000 shall be for the Secure Border Initiative Technology and Tactical Infrastructure (SBInet) program, project, and activity, to remain available until expended, of which \$25,000,000 shall not be available for obligation until the Committees on Appropriations of the Senate and the House of Representatives receive and approve a plan for expenditure prepared by the Secretary of Homeland Security that—

(1) defines activities, milestones, and costs for implementing the program;

(2) demonstrates how activities will further the goals and objectives of the SBI, as defined in the SBI multi-year strategic plan;

(3) identifies funding and the organizational staffing (including full-time employee equivalents, contractors, and detailees) requirements by activity;

(4) reports on costs incurred, the activities completed, and the progress made by the program;

(5) includes a certification by the Chief Procurement Officer of the Department of Homeland Security that procedures to prevent conflicts of interest between the prime integrator and major subcontractors are es-

tablished and that an independent verification and validation agent is currently under contract for the project;

(6) is reviewed and approved by the Department of Homeland Security Investment Review Board, the Secretary of Homeland Security, and the Office of Management and Budget;

(7) complies with the capital planning and investment control review requirements established by the Office of Management and Budget, including Circular A-11, part 7;

(8) complies with all applicable acquisition rules, requirements, guidelines, and best systems acquisition management practices of the Federal Government; and

(9) is reviewed by the Government Accountability Office.

□ 1945

AMENDMENT OFFERED BY MR. KING OF IOWA

Mr. KING of Iowa. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KING of Iowa:

Page 7, line 23, after the first dollar amount, insert the following: “(reduced by \$2,000,000)”.

Page 14, line 6, after the dollar amount, insert the following: “(increased by \$2,000,000)”.

Mr. KING of Iowa. Mr. Chairman, I rise to offer the King-Shadegg-Souder amendment. It is an amendment that transfers \$2 million for the Shadow Wolves. They are a unique organization that takes the funding from Customs and Border Patrol and shifts it over to ICE, and the intention is to transfer Shadow Wolves over to ICE, that \$2 million.

That would take care of the salaries and expenses and the appropriations accordingly. The intent is to make sure that this specialized unit called the Shadow Wolves, who have shown so much efficiency with their border patrol and their drug interdiction and the unique skills that they have, can be protected and enhanced and encouraged and their unique culture can be expanded.

They now work within the Tohono O’odham Reservation in southern Arizona. They control 76 miles of that border which is 2.8 million acres. Their record has been astonishing. Mr. Chairman, and I have been down there to review their work and gotten to know some of them. We tried to work out a solution here by which they can be encouraged and enhanced.

One of the people who has a great voice for Native Americans all across this country is the gentleman from Oklahoma (Mr. COLE) to whom I would be happy to yield.

Mr. COLE of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. KING of Iowa. I yield to the gentleman from Oklahoma.

Mr. COLE of Oklahoma. Mr. Chairman, I rise in support of this important amendment that will aid the outstanding work of the Shadow Wolves.

The Shadow Wolves, who were recognized by Congress in 1972, patrol the international land border within the Tohono O’odham Indian Nation in the State of Arizona. The Shadow Wolves’

officers are Native Americans who combine modern technology and traditional Native American tracking techniques. Their unit includes the Blackfoot, Cheyenne and Pima tribes. Their motto is: “In brightest day, in darkest night, no evil shall escape my sight, for I am the Shadow Wolf.”

Mr. Chairman, these agents, numbering only 16, have combined to seize an average of over 100,000 pounds of illegal narcotics annually. In some years, they intercept as much as a third of all the marijuana stopped by Customs officials in Arizona.

This commonsense amendment is budget neutral. It will merely transfer the Shadow Wolves’ unit funding from Customs and Border Patrol to Immigration and Customs enforcement.

Funding for the Shadow Wolves should not be held hostage by internal power struggles within the Department of Homeland Security. Instead, they should be funded and allowed to operate to their fullest potential.

Mr. Chairman, I thank the gentleman from Iowa for bringing this excellent amendment to the floor.

Mr. KING of Iowa. Mr. Chairman, reclaiming my time, I thank the gentleman.

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

Mr. KING of Iowa. I yield to the gentleman from Indiana, the chairman of the Government Reform Subcommittee on Criminal Justice, Drug Policy and Human Resources.

Mr. SOUDER. Mr. Chairman, I thank the gentleman, and I want to thank Chairman ROGERS and the committee for being willing to hopefully support this amendment and continue to work in conference.

This is a major breakthrough. This is something we have been working towards for years to keep this unit together.

I want to thank Julie Miers and Deb Spiro of the CBP and the ICE assistant secretary, Chairman KING and Chairman LUNGREN and the Homeland Security authorizing committee.

This is something that is finally happening, and it is an exciting time for one of the most critical drug trafficking organizations in the sense of they break the drug trafficking, they break the smuggling and trafficking inside of the Native American reservation. It is something we ought to be working to preserve, and I want to thank the committee for working with us and all the others, as well as the agencies.

This is a historic night that we have been working towards for 4 to 6 years. I thank you very much.

Mr. ROGERS of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. KING of Iowa. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Mr. Chairman, I think the gentleman has offered a very helpful amendment, and I congratulate him on that and those who are supporting the amendment, and the committee would like to accept it.

Mr. KING of Iowa. Mr. Chairman, I thank the chairman and I am grateful for his work on all of our security in this Nation, and I am hopeful that as we go forward to conference we could have a better look at the finances required to keep the Shadow Wolves as vital as we can.

With that, I encourage support of the amendment, the King-Souder-Shadegg amendment, and I thank the chairman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. KING).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. REYES

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

The CHAIRMAN. The Chair notes that the amendment addresses a portion of the bill not yet read for amendment.

Is there objection to consideration of the amendment at this time?

Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. REYES:

Page 7, line 23, after the first dollar amount, insert the following: "(increased by \$1,950,000,000)".

Page 11, line 2, strike the period at the end and insert a colon.

Page 11, after line 2, insert the following: *Provided further*, That, of the total amount provided, \$1,700,000,000 shall be for an additional 10,000 Border Patrol agents: *Provided further*, That, of the total amount provided, \$250,000,000 shall be for expanding the Border Patrol Training Academy to accommodate training for such additional Border Patrol agents.

Mr. ROGERS of Kentucky. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The CHAIRMAN. The gentleman from Kentucky reserves a point of order.

Mr. REYES. Mr. Chairman, before being elected to Congress, I served for 26½ years in the United States Border Patrol, including 13 of those as sector chief in McAllen and El Paso, Texas. I have years of experience patrolling the desert of the U.S.-Mexico border region, supervising thousands of hard-working, dedicated Border Patrol agents and doing anything within my power to strengthen our borders and to reduce illegal immigration.

However, Mr. Chairman, it does not take that kind of experience to know that this bill fails to provide the funding required to hire and train the Border Patrol agents that we need to secure our Nation's borders.

Instead of funding the 2,000 new Border Patrol agents authorized under the 9/11 Commission legislation passed by this very Congress in 2004, the bill before us today provides only enough money for 1,200 new agents.

Mr. Chairman, I ask you, what kind of logic is it to spend \$1.9 billion to deploy our already overburdened National Guard troops to the U.S.-Mexico border on a supposedly temporary basis but then fail to provide the resources

necessary to hire and train an adequate number of Border Patrol agents who are charged with securing our Nation's borders? From my perspective, Mr. Chairman, it is flawed logic, and it is also bad policy.

That is why I am offering this amendment with my friend and colleague from Texas, Representative Solomon Ortiz, who also has many years of law enforcement experience as a sheriff in the border region and today represents a border district.

Our amendment would provide the funds necessary to hire and train 10,000 new Border Patrol agents, which is in line with what Congress authorized in the 9/11 Commission bill. It would also about double the current size of the U.S. Border Patrol, which is about what we need to do in my opinion before we can reassess whether or not we have achieved operational control of our borders.

Mr. Chairman, many of my congressional colleagues talk a great deal about border security. Yet, when it comes time to actually fund additional Border Patrol agents or other necessary security personnel, equipment and technology, we always come up very short. From my perspective, I guess this bill is no different. What is it going to take for us to start putting our money where our mouth is?

With that, I urge my colleagues to support this amendment.

POINT OF ORDER

The CHAIRMAN. Does the gentleman insist on his point of order?

Mr. ROGERS of Kentucky. Mr. Chairman, I do make a point of order against the amendment because it is in violation of section 302(f) of the Congressional Budget Act of 1974.

The Committee on Appropriations filed a suballocation of budget totals for fiscal year 2007 on May 18. The adoption of this amendment would cause the subcommittee suballocation for budget authority made under section 302(b) to be exceeded and is not permitted under section 302(f) of the Act.

I ask for a ruling.

The CHAIRMAN. Are there any Members who wish to be heard further on the point of order?

Mr. REYES. Mr. Chairman, I believe that we are long overdue in taking the proper action to fund our United States Border Patrol. I have heard a number of my colleagues come on this floor and criticize them, because they get erroneous information, I might add, from members of the Minutemen project. The Minutemen project came about because of the frustration that the general population was feeling at our inability to control this Nation's borders.

If, in fact, this amendment is ruled out of order, and in fact we cannot come up with the \$1.9 billion that are necessary to fund the Border Patrol so they can control the border, then why is it that we spend so much time talking tough about border enforcement, talking tough about stopping an inva-

sion, talking tough about securing the border at a time when we are at war with terrorists?

All of the talk in the world does not translate to resources for the United States Border Patrol. All the talk in the world does not stop terrorists from coming into this country, but what we do need to do is recognize that the Border Patrol needs additional staffing. They need additional equipment. They need additional technology. The President went on national TV to make that point.

The CHAIRMAN. If the gentleman would suspend, the Chair is constrained to point out that remarks need to be directed to the point of order as opposed to the merits of the amendment. Does the gentleman wish to be heard on the point of order raised by the gentleman from Kentucky?

Mr. REYES. No, thank you.

The CHAIRMAN. Are there further Members wishing to speak on the point of order? If not, the Chair is prepared to rule.

The Chair is authoritatively guided under section 312 of the Budget Act by an estimate of the Committee on the Budget that an amendment providing any net increase in new discretionary budget authority would cause a breach of the pertinent allocation of such authority. The amendment offered by the gentleman from Texas would increase the level of new discretionary budget authority in the bill and, as such, the amendment violates section 302(f) of the Budget Act. The point of order is sustained, and the amendment is not in order.

The Clerk will read.

The Clerk read as follows:

AUTOMATION MODERNIZATION

For expenses for customs and border protection automated systems, \$451,440,000, to remain available until expended, of which not less than \$316,800,000 shall be for the development of the Automated Commercial Environment: *Provided*, That of the total amount made available under this heading, \$216,800,000 may not be obligated for the Automated Commercial Environment until the Committees on Appropriations of the Senate and the House of Representatives receive and approve a plan for expenditure prepared by the Secretary of Homeland Security that—

(1) meets the capital planning and investment control review requirements established by the Office of Management and Budget, including Circular A-11, part 7;

(2) complies with the Department of Homeland Security information systems enterprise architecture;

(3) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government;

(4) includes a certification by the Chief Information Officer of the Department of Homeland Security that an independent verification and validation agent is currently under contract for the project;

(5) is reviewed and approved by the Department of Homeland Security Investment Review Board, the Secretary of Homeland Security, and the Office of Management and Budget; and

(6) is reviewed by the Government Accountability Office.

CBP AIR AND MARINE INTERDICTION,
OPERATIONS, MAINTENANCE, AND PROCUREMENT

For necessary expenses for the operations, maintenance, and procurement of marine vessels, aircraft, unmanned aerial vehicles, and other related equipment of the air and marine program, including operational training and mission-related travel, and rental payments for facilities occupied by the air or marine interdiction and demand reduction programs, the operations of which include the following: the interdiction of narcotics and other goods; the provision of support to Federal, State, and local agencies in the enforcement or administration of laws enforced by the Department of Homeland Security; and at the discretion of the Secretary of Homeland Security, the provision of assistance to Federal, State, and local agencies in other law enforcement and emergency humanitarian efforts, \$373,199,000, to remain available until expended: *Provided*, That no aircraft or other related equipment, with the exception of aircraft that are one of a kind and have been identified as excess to the Bureau of Customs and Border Protection requirements and aircraft that have been damaged beyond repair, shall be transferred to any other Federal agency, department, or office outside of the Department of Homeland Security during fiscal year 2007 without the prior approval of the Committees on Appropriations of the Senate and the House of Representatives: *Provided further*, That of the total amount made available under this heading, \$6,800,000 shall not be available for obligation until the Committee on Appropriations and the Committee on Homeland Security of the House of Representatives receive a report on the April 25, 2006, unmanned aerial vehicle mishap.

AMENDMENT OFFERED BY MR. MICA

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

The Clerk read as follows:

Amendment offered by Mr. MICA:

Page 13, lines 13 and 14, after “the Committee on Appropriations” insert “, the Committee on Transportation and Infrastructure,”.

Mr. MICA. Mr. Chairman, I appreciate consideration of my amendment by the subcommittee.

This amendment adds the Transportation and Infrastructure Committee to the list of committees to receive a report on the April 25, 2006, unmanned aerial vehicle mishap.

The operation of Customs and Border Protection unmanned aerial vehicles sometimes occurs and has occurred in our National Airspace System, and that is also taking place along our Nation's southern border, and perhaps eventually that will also occur on the northern border.

All Customs and Border Protection UAV operations are conducted now in compliance with the Federal Aviation Administration with an FAA-issued Certificate of Authorization. It sets forth various restrictions and conditions of operation.

Operations will take place within an FAA-established Temporary Flight Restriction area.

□ 2000

The operations of UAVs outside the restricted airspace, in the integrated airspace with manned vehicles, poses some unique safety issues for the FAA.

Information indicates that the unmanned aerial system accident rate is two to three orders of magnitude greater than it is for manned systems. That is why it is important that the Customs and Border Protection UAV, which was involved in a mishap on April 25, 2006, and operating again within this space and under an FAA-issued certificate of authorization, should also be under the jurisdiction or at least the concern of this report provided to the Committee on Transportation and Infrastructure. This accident is being investigated by the National Safety Transportation Board with the assistance of the FAA.

The Transportation and Infrastructure Committee of the House has great interest in learning about this accident, particularly as the FAA is developing regulations and procedures for the integration of these UAV vehicles into our National Air System for the future.

It is a minor amendment, but it does recognize some of the jurisdictional interests of our committee, and I ask for its consideration.

Mr. ROGERS of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. MICA. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Mr. Chairman, I think the gentleman has offered a very helpful amendment and certainly should be accepted.

The Transportation and Infrastructure Committee and the Aviation Subcommittee, which the gentleman chairs, has a very direct interest in the flights of the UAVs as it relates to commercial aviation especially.

So I thank the gentleman for the amendment.

Mr. MICA. I thank the gentleman for his consideration and also for his acceptance of this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. MICA).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

CONSTRUCTION

For necessary expenses to plan, construct, renovate, equip, and maintain buildings and facilities necessary for the administration and enforcement of the laws relating to customs and immigration, \$175,154,000, to remain available until expended.

IMMIGRATION AND CUSTOMS ENFORCEMENT

SALARIES AND EXPENSES

For necessary expenses for enforcement of immigration and customs laws, detention and removals, and investigations; and purchase and lease of up to 2,740 (2,000 for replacement only) police-type vehicles, \$3,843,257,000, of which not to exceed \$7,500,000 shall be available until expended for conducting special operations pursuant to section 3131 of the Customs Enforcement Act of 1986 (19 U.S.C. 2081); of which not to exceed \$15,000 shall be for official reception and representation expenses; of which not to exceed \$1,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security; of which not less than \$102,000 shall be for promotion of public

awareness of the child pornography tipline; of which not less than \$203,000 shall be for Project Alert; of which not less than \$5,400,000 may be used to facilitate agreements consistent with section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)); and of which not to exceed \$11,216,000 shall be available to fund or reimburse other Federal agencies for the costs associated with the care, maintenance, and repatriation of smuggled illegal aliens: *Provided*, That none of the funds made available under this heading shall be available to compensate any employee for overtime in an annual amount in excess of \$35,000, except that the Secretary of Homeland Security, or the designee of the Secretary, may waive that amount as necessary for national security purposes and in cases of immigration emergencies: *Provided further*, That of the total amount provided, \$15,770,000 shall be for activities to enforce laws against forced child labor in fiscal year 2007, of which not to exceed \$6,000,000 shall remain available until expended.

AMENDMENT OFFERED BY MR. REYES

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

The Clerk read as follows:

Amendment offered by Mr. REYES:

Page 14, line 6, after the dollar amount, insert the following: “(increased by \$2,050,000,000)”.

Page 15, line 9, insert before the period at the end the following:

: *Provided further*, That, of the total amount provided, \$2,050,000,000 shall be for necessary detention bed space, personnel, and removal costs to end “catch and release”

Mr. ROGERS of Kentucky. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman reserves a point of order.

Mr. REYES. Mr. Chairman, I rise today as a Member who represents a border community who has always been concerned about our national security and our border security. Today, still, our border security is driven by money not policy, and certainly not in the best interest of our security. This amendment gives DHS the necessary funds, \$2.05 billion, to fund the 35,000 beds they have stated they need to eliminate the budget-driven catch-and-release policy.

What has appalled so many of us is that DHS is catching and releasing thousands of illegal immigrants into the general population of the United States because they simply do not have the detention space to hold them. These illegal immigrants, also referred to as OTMs, or other than Mexicans, are given what they refer to as “walking papers” and are released on their own recognizance with an order to appear voluntarily at a deportation hearing weeks after their release. In fact, Mr. Chairman, they are asked where they are traveling to in order to give them a hearing near their final destination. Of those released, about 5 percent actually return for this hearing. But that number is probably high, in my opinion.

This is hurting the morale of our U.S. Border Patrol agents and is a misguided process. Because of catch-and-release, the number of immigrants who have come across our borders has significantly increased. According to the

April 2006 DHS Inspector General report, here is what underfunding border security means to this country: 774,112 illegal immigrants were apprehended during the past 3 years. Of those, 280,987, or approximately 36 percent, were released largely due to lack of personnel, bed space, and funding.

The report also says that the number of illegal immigrants apprehended in the U.S. is increasing, while personnel and bed space levels are declining. In the 2 years just after 9/11, illegal immigrants captured in the U.S. rose some 19 percent, from 231,000 to about 275,000.

This remains a prominent national security risk. And I am including for the RECORD a news story about how the deportations work. These OTMs include aliens from countries whose governments support state-sponsored terrorism as well as those from countries of special interest who promote, produce or protect terrorist organizations and their members. They also include aliens who should be identified, detained, and removed under the DHS's Criminal Alien Removal Program, but who are not included in that program because there is no funding.

The 9/11 Commission recognized this national security risk and recommended to us in Congress that we fund 8,000 detention beds each year for the next 5 years, for a total of 40,000 beds. We passed these recommendations into law in December of 2004, yet this Congress has not funded those very recommendations. In fact, the homeland security appropriations bill that we have before us today includes funding for only about 4,800 detention beds. That is approximately 3,100 less than what the 9/11 Commission said was the minimum that we should be doing to increase our security. Last year, the Congress funded only 4,250 detention beds. That is 3,700 short of what the 9/11 Commission recommended.

Our willful neglect of our border security has angered our fellow citizens. As a political gesture, this administration and this Congress want to build walls and militarize the border as a response. That is not what we need. We need to keep our promises to the American people and fund those promises that we have made. We must send a clear message that when you cross our borders illegally, you will be caught and detained.

Believe me, Mr. Chairman, I, as well as every Member in this House, understand the fiscal situation that we are in. However, time after time we seem to find money for other things. Why can't we find the money for our detention space which we desperately need and which is directly related to the security of this country? Compromising border security is not the way to trim our deficit.

We are long past the point of an emergency and must include this money to protect our borders, to protect our country, and to get us out of this crisis that we have worked our way into.

POINT OF ORDER

The CHAIRMAN. Does the gentleman from Kentucky insist upon his point of order?

Mr. ROGERS of Kentucky. I do, Mr. Chairman.

I make a point of order against the amendment because it is in violation of section 302(f) of the Congressional Budget Act of 1974.

The Committee on Appropriations filed a suballocation of budget totals for fiscal year 2007 on May 18. The adoption of this amendment would cause the subcommittee's suballocation for budget authority made under section 302(b) to be exceeded, and is not permitted under section 302(f) of the act.

I ask for a ruling.

The CHAIRMAN. Are there any Members wishing to speak on the point of order? If not, the Chair is prepared to rule.

For the reasons stated in the Chair's ruling on the prior amendment by the gentleman from Texas, the point of order is sustained, and the amendment is not in order.

The Clerk will read.

The Clerk read as follows:

FEDERAL PROTECTIVE SERVICE

The revenues and collections of security fees credited to this account, not to exceed \$516,011,000, shall be available until expended for necessary expenses related to the protection of federally-owned and leased buildings and for the operations of the Federal Protective Service.

CONSTRUCTION

For necessary expenses to plan, construct, renovate, equip, and maintain buildings and facilities necessary for the administration and enforcement of the laws relating to customs and immigration, \$26,281,000, to remain available until expended.

TRANSPORTATION SECURITY ADMINISTRATION

AVIATION SECURITY

For necessary expenses of the Transportation Security Administration related to providing civil aviation security services pursuant to the Aviation and Transportation Security Act (Public Law 107-71; 115 Stat. 597; 49 U.S.C. 40101 note), \$4,704,414,000, to remain available until September 30, 2008, of which not to exceed \$3,000 shall be for official reception and representation expenses: *Provided*, That of the total amount made available under this heading, not to exceed \$3,740,866,000 shall be for screening operations, of which \$136,000,000 shall be available only for procurement of checked baggage explosive detection systems and \$94,000,000 shall be available only for installation of checked baggage explosive detection systems; and not to exceed \$963,548,000 shall be for aviation security direction and enforcement: *Provided further*, That security service fees authorized under section 44940 of title 49, United States Code, shall be credited to this appropriation as offsetting collections and shall be available only for aviation security: *Provided further*, That the sum herein appropriated from the General Fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2007, so as to result in a final fiscal year appropriation from the General Fund estimated at not more than \$2,284,414,000: *Provided further*, That any security service fees collected in excess of the amount made available under this heading shall become

available during fiscal year 2008: *Provided further*, That notwithstanding section 44923 of title 49, United States Code, the share of the cost of the Federal Government for a project under any letter of intent shall be 75 percent for any medium or large hub airport and not more than 90 percent for any other airport, and all funding provided by section 44923(h) of title 49, United States Code, or from appropriations authorized under section 44923(i)(1) of title 49, United States Code, may be distributed in any manner deemed necessary to ensure aviation security and to fulfill the Government's planned cost share under existing letters of intent: *Provided further*, That no funding may be obligated for air cargo security, other than that for air cargo inspectors, canines, and screeners, until a detailed air cargo security action plan addressing each of the recommendations contained in the 2005 Government Accountability Office Report (GAO-06-76) on domestic air cargo security is provided to the Committee on Appropriations and Committee on Homeland Security of the House of Representatives: *Provided further*, That beginning in fiscal year 2007 and thereafter, reimbursement for security services and related equipment and supplies provided in support of general aviation access to the Ronald Reagan Washington National Airport shall be credited to this appropriation and shall be available until expended solely for those purposes: *Provided further*, That none of the funds in this Act shall be used to recruit or hire personnel into the Transportation Security Administration which would cause the agency to exceed a staffing level of 45,000 full-time equivalent screeners.

SURFACE TRANSPORTATION SECURITY

For necessary expenses of the Transportation Security Administration related to providing surface transportation security activities, \$37,200,000, to remain available until September 30, 2008.

TRANSPORTATION THREAT ASSESSMENT AND CREDENTIALING

For necessary expenses for the development and implementation of screening programs of the Office of Transportation Threat Assessment and Credentialing, \$74,700,000, to remain available until September 30, 2008.

TRANSPORTATION SECURITY SUPPORT

For necessary expenses of the Transportation Security Administration related to providing transportation security support and intelligence pursuant to the Aviation and Transportation Security Act (Public Law 107-71; 115 Stat. 597; 49 U.S.C. 40101 note), \$523,283,000, to remain available until September 30, 2008: *Provided*, That of the funds appropriated under this heading, \$5,000,000 may not be obligated until the Secretary of Homeland Security submits to the Committees on Appropriations of the Senate and the House of Representatives a detailed expenditure plan for explosive detection systems refurbishment, procurement, and installations on an airport-by-airport basis for fiscal year 2007: *Provided further*, That this plan shall be submitted no later than 60 days from the date of enactment of this Act.

AMENDMENT OFFERED BY MR. FOSSELLA

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

The Clerk read as follows:

Amendment offered by Mr. FOSSELLA:

Page 18, line 22, after the dollar amount insert "(reduced by \$20,000,000)".

Page 28, line 23, after the dollar amount insert "(increased by \$20,000,000)".

Page 29, line 15, after the dollar amount insert "(increased by \$20,000,000)".

Page 29, line 18, after the dollar amount insert "(increased by \$20,000,000)".

Mr. FOSSELLA (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. FOSSELLA. Mr. Chairman, I rise in support of the Fossella-Crowley amendment, and I first want to thank Chairman ROGERS for the tough task he has of putting together a good bill.

My amendment would increase by \$20 million the High Density Urban Area Program by transferring that same amount from the TSA Transportation Security Support appropriation of \$523 million. The President's budget funded the High Density Urban Area Grant Program, also known as UASI grants, at \$838 million. The underlying legislation funds it at \$750 million, an \$88 million shortfall.

In short, Mr. Chairman, we are here in large part because of what happened on September 11. It happened in 2001 and it happened in New York City. So it is a grim reminder of what needs to be done in protecting our homeland. Just yesterday, a Pakistani man was convicted for plotting to plant a bomb at the Herald Square subway station in midtown Manhattan.

It is clear that New York City, like other major cities, still remains exhibit A, and this grant program helps cities combat terrorism. New York City alone dedicates \$200 million and 1,000 police officers to combat terrorism, and they are still \$263 million short to do that for the people of New York City and those who tour.

Mr. Chairman, I urge the adoption of this amendment.

Mr. ROGERS of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. FOSSELLA. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Mr. Chairman, I want to congratulate the gentleman. This is an excellent amendment. It increases the funding for the UASI program for the cities the Department has determined are at greatest risk.

Mr. GARRETT of New Jersey. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I join proudly with my colleagues, Mr. FOSSELLA and Mr. CROWLEY from just across the river, on introducing this very important amendment.

The Secretary of Homeland Security, Michael Chertoff, has stated that the administration will continue to champion funding based on risk and needs in order to "ensure that our finite resources are allocated and prioritized successfully."

UASI recipients are determined through a robust risk formula that considers three primary variables: consequences, vulnerability, and threats. Factors such as the presence of international borders, population and population density, the location of critical

infrastructures, formal mutual aid cooperation, law enforcement investigations, and enforcement activities are also considered in correlation with the risk formula developed under this.

These risk factors are precisely the kind of factors that should be the ones that govern more of our homeland security spending. Simply put, money needs to go where the threat is. Places like New York City and northern New Jersey are those risk areas. Our police departments, our fire departments, our emergency management officials, all these men and women are doing their best to prevent terrorist attacks and prepare for worst-case scenarios. So we here in Congress should do our best to see that those in the most risky areas get the tools they need to keep America safe.

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

Mr. GARRETT of New Jersey. I yield to the gentleman from New York.

Mr. FOSSELLA. I just would like to thank my colleague from New York as well, Mr. CROWLEY, for being supportive; and perhaps the gentleman from New Jersey would yield to the gentleman from New York (Mr. CROWLEY).

Mr. GARRETT of New Jersey. I would be glad to yield.

Mr. CROWLEY. Mr. Chairman, I thank the gentleman from New York and the gentleman from New Jersey for yielding. I also want to thank the chairman for allowing this discussion here this evening, as well as the ranking member, and for their agreeing to this amendment.

This \$20 million to this much-needed fund will not only support New York City and New Jersey but other major metropolises around the country, high-threat, high-risk areas. I thank you again for your support for this amendment, in particular my cosponsor of the amendment, Mr. FOSSELLA.

Mr. Chairman, first, after talks with the Majority and Minority, I understand this amendment will be accepted by the Chair and Ranking Member, and I thank you for that.

I understand the Committee may have some concerns about this program—but it has proven itself for our major urban areas.

Working in a bipartisan manner, Representative SERRANO, Representative BILL YOUNG, Representative FOSSELLA and myself sat down and crafted this program for the FY 2003 Omnibus, recognizing a gaping hole in homeland security funds for our major urban areas—those high target areas, like New York City, Houston, Washington, DC or Chicago, among other major cities.

The gaping hole was our government's ignoring the unique and most pressing needs of our major urban areas, therefore, the birth of the High Threat, High Density Urban Area Program.

This program is the only homeland security program specifically targeted towards those municipalities with the greatest threat and vulnerability for terror attacks.

With skewed homeland security formulas distributing a portion of all funds equally to all states—ignoring basic security realities—this

program is a breath of fresh air, providing funds to those areas deemed at greatest risk of attack.

This program has been extremely successful over the years and has provided resources to those communities at greatest risk of attack.

Unfortunately, and not due to the hard work of Chairman ROGERS or Ranking Member SABO, this year's Homeland Security bill reduces the funding for this important high threat high density program by over \$7 million below last year's enacted amount.

This amendment increases this urban area account by \$20 million—or an increase of \$12.7 million over last year and \$20 million greater than in this original bill. We offset this funding from TSA—Headquarters Administration.

As Representative FOSSELLA stated our offset is aimed at the \$292 million in the bill allocated for funding their Headquarters Administration at TSA—not for the intelligence or intelligence technology under the TSA title.

This offset does not threaten air safety or national security. In fact, our amendment will increase the security of Americans. This urban area program is the front line program to fund first responders, firefighters, EMT's and others who are on the front line defending our cities everyday from terrorist threats.

I was recently in 81. Louis with my colleague RUSS CARNAHAN who invited me to the Arch Way, to talk about the pressing needs of first responders and how our Federal Government continues to underfund the frontline in the war on terror.

We need to send a message to the firefighters, police officers, EMT's and others that we will as a Congress stand behind these everyday heroes to ensure that they receive the assistance they need to do their job.

I am pleased that this amendment will be accepted and, I thank the Chair and Ranking Member.

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The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. FOSSELLA). The amendment was agreed to.

Mr. ROGERS of Kentucky. Mr. Chairman, I move to strike the last word.

We are making good progress on the bill. I would encourage Members who have amendments who want to be heard to come to the floor to be available to offer their amendments so we can move through this process as quickly as possible. I would hope Members would be here to offer their amendments.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

FEDERAL AIR MARSHALS

For necessary expenses of the Federal Air Marshals, \$699,294,000.

UNITED STATES COAST GUARD OPERATING EXPENSES

For necessary expenses for the operation and maintenance of the United States Coast Guard not otherwise provided for; purchase or lease of not to exceed 25 passenger motor vehicles, which shall be for replacement only; payments pursuant to section 156 of Public Law 97-377 (42 U.S.C. 402 note); and recreation and welfare; \$5,481,643,000, of which \$340,000,000 shall be for defense-related activities; of which \$24,255,000 shall be derived from the Oil Spill Liability Trust Fund

to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)); and of which not to exceed \$3,000 shall be for official reception and representation expenses: *Provided*, That none of the funds made available by this or any other Act shall be available for administrative expenses in connection with shipping commissioners in the United States: *Provided further*, That none of the funds made available by this Act shall be for expenses incurred for yacht documentation under section 12109 of title 46, United States Code, except to the extent fees are collected from yacht owners and credited to this appropriation.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses to carry out the environmental compliance and restoration functions of the United States Coast Guard under chapter 19 of title 14, United States Code, \$11,880,000, to remain available until expended.

RESERVE TRAINING

For necessary expenses of the Coast Guard Reserve, as authorized by law; operations and maintenance of the reserve program; personnel and training costs; and equipment and services; \$122,348,000.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of acquisition, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto; and maintenance, rehabilitation, lease and operation of facilities and equipment, as authorized by law; \$1,139,663,000, of which \$19,800,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)); of which \$24,750,000 shall be available until September 30, 2011, to acquire, repair, renovate, or improve vessels, small boats, and related equipment; of which \$15,000,000 shall be available until September 30, 2011, to increase aviation capability; of which \$101,823,000 shall be available until September 30, 2009, for other equipment; of which \$24,450,000 shall be available until September 30, 2009, for shore facilities and aids to navigation facilities; of which \$81,000,000 shall be available for personnel compensation and benefits and related costs; and of which \$892,640,000 shall be available until September 30, 2011, for the Integrated Deepwater Systems program: *Provided*, That the Commandant of the Coast Guard is authorized to dispose of surplus real property, by sale or lease, and the proceeds shall be credited to this appropriation as offsetting collections and shall be available until September 30, 2009: *Provided further*, That the Secretary of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives, in conjunction with the President's fiscal year 2008 budget, a review of the Revised Deepwater Implementation Plan that identifies any changes to the plan for the fiscal year; an annual performance comparison of Deepwater assets to pre-Deepwater legacy assets; a status report of legacy assets; a description of the competitive process conducted in all contracts and subcontracts exceeding \$5,000,000 within the Deepwater program; and the earned value management system gold card data for each Deepwater asset: *Provided further*, That the Secretary shall submit to the Committees on Appropriations of the Senate and the House of Representatives a comprehensive review of the Revised Deepwater Implementation Plan every five years, beginning in fiscal year 2011, that includes a complete projection of the acquisition costs and schedule for

the duration of the plan through fiscal year 2027: *Provided further*, That the Secretary shall annually submit to the Committees on Appropriations of the Senate and the House of Representatives, at the time that the President's budget is submitted under section 1105(a) of title 31, United States Code, a future-years capital investment plan for the Coast Guard that identifies for each capital budget line item—

- (1) the proposed appropriation included in that budget;
- (2) the total estimated cost of completion;
- (3) projected funding levels for each fiscal year for the next five fiscal years or until project completion, whichever is earlier;
- (4) an estimated completion date at the projected funding levels; and
- (5) changes, if any, in the total estimated cost of completion or estimated completion date from previous future-years capital investment plans submitted to the Committees on Appropriations of the Senate and the House of Representatives:

Provided further, That the Secretary shall ensure that amounts specified in the future-years capital investment plan are consistent to the maximum extent practicable with proposed appropriations necessary to support the programs, projects, and activities of the Coast Guard in the President's budget as submitted under section 1105(a) of title 31, United States Code, for that fiscal year: *Provided further*, That any inconsistencies between the capital investment plan and proposed appropriations shall be identified and justified: *Provided further*, That no funding may be obligated for the Rescue 21 vessel subsystem until a vessel solution has been provided to the Committee on Appropriations of the House of Representatives.

ALTERATION OF BRIDGES

For necessary expenses for alteration or removal of obstructive bridges, as authorized by section 6 of the Truman-Hobbs Act (33 U.S.C. 516), \$17,000,000, to remain available until expended.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

For necessary expenses for applied scientific research, development, test, and evaluation; and for maintenance, rehabilitation, lease, and operation of facilities and equipment; as authorized by law; \$13,860,000, to remain available until expended, of which \$495,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)): *Provided*, That there may be credited to and used for the purposes of this appropriation funds received from State and local governments, other public authorities, private sources, and foreign countries for expenses incurred for research, development, testing, and evaluation.

RETIRED PAY

For retired pay, including the payment of obligations otherwise chargeable to lapsed appropriations for this purpose, payments under the Retired Serviceman's Family Protection and Survivor Benefits Plans, payment for career status bonuses, concurrent receipts and combat-related special compensation under the National Defense Authorization Act, and payments for medical care of retired personnel and their dependents under chapter 55 of title 10, United States Code, \$1,063,323,000.

UNITED STATES SECRET SERVICE

PROTECTION, ADMINISTRATION, AND TRAINING

For necessary expenses of the United States Secret Service, including purchase of not to exceed 755 vehicles for police-type use, of which 624 shall be for replacement only,

and hire of passenger motor vehicles; purchase of American-made motorcycles; hire of aircraft; services of expert witnesses at such rates as may be determined by the Director of the Secret Service; rental of buildings in the District of Columbia, and fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control, as may be necessary to perform protective functions; payment of per diem or subsistence allowances to employees where a protective assignment during the actual day or days of the visit of a protectee requires an employee to work 16 hours per day or to remain overnight at a post of duty; conduct of and participation in firearms matches; presentation of awards; travel of United States Secret Service employees on protective missions without regard to the limitations on such expenditures in this or any other Act if approval is obtained in advance from the Committees on Appropriations of the Senate and the House of Representatives; research and development; grants to conduct behavioral research in support of protective research and operations; and payment in advance for commercial accommodations as may be necessary to perform protective functions; \$954,399,000, of which not to exceed \$25,000 shall be for official reception and representation expenses: *Provided*, That up to \$18,000,000 provided for protective travel shall remain available until September 30, 2008: *Provided further*, That of the total amount provided under this heading, \$2,000,000 shall not be available for obligation until the Director of the Secret Service submits a comprehensive workload re-balancing report to the Committees on Appropriations of the Senate and the House of Representatives that includes funding and position requirements for current investigative and protective operations: *Provided further*, That the United States Secret Service is authorized to obligate funds in anticipation of reimbursements from Executive agencies and entities, as defined in section 105 of title 5, United States Code, receiving training sponsored by the James J. Rowley Training Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available under this heading at the end of the fiscal year.

INVESTIGATIONS AND FIELD OPERATIONS

For necessary expenses for investigations and field operations of the United States Secret Service, not otherwise provided for, including costs related to office space and services of expert witnesses at such rates as may be determined by the Director of the Secret Service, \$312,499,000, of which not to exceed \$100,000 shall be to provide technical assistance and equipment to foreign law enforcement organizations in counterintelligence investigations; of which \$2,366,000 shall be for forensic and related support of investigations of missing and exploited children; and of which \$5,445,000 shall be a grant for activities related to the investigations of missing and exploited children and shall remain available until expended.

SPECIAL EVENT FUND

For necessary expenses of the United States Secret Service to perform protective functions related to special events, \$20,900,000, to remain available until expended, of which \$18,400,000 shall be for protection activities related to presidential campaigns in the United States, and of which \$2,500,000 shall be for extraordinary costs of National Special Security Events.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For necessary expenses for acquisition, construction, repair, alteration, and improvement of facilities, \$3,725,000, to remain

available until expended: *Provided further*, That of the total amount provided under this heading, \$1,000,000 shall not be available for obligation until the Director of the Secret Service submits a revised master plan to the Committees on Appropriations of the Senate and the House of Representatives for the James J. Rowley Training Center.

TITLE III—PREPAREDNESS AND RECOVERY

PREPAREDNESS

UNDER SECRETARY FOR PREPAREDNESS

For salaries and expenses of the Office of the Under Secretary for Preparedness, the Office of the Chief Medical Officer, and the Office of National Capital Region Coordination, \$39,468,000, of which \$15,000,000 shall be for the National Preparedness Integration Program: *Provided*, That not to exceed \$7,000 shall be for official reception and representation expenses: *Provided further*, That of the amounts appropriated under this heading, \$4,400,000 shall not be available for obligation until the Secretary of Homeland Security submits to the Committees on Appropriations of the Senate and the House of Representatives the final National Preparedness Goal.

AMENDMENT OFFERED BY MR. JINDAL

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

The Clerk read as follows:

Amendment offered by Mr. JINDAL:

Page 28, line 9, after the first dollar amount, insert the following: “(increased by \$9,000,000) (reduced by \$9,000,000)”.

Mr. JINDAL. Mr. Chairman, I have an amendment to enhance the real-time capabilities assessments. The events of Hurricanes Katrina and Rita highlighted serious flaws and deficiencies in our national response plan, the National Incident Management System, and State and local regional responses that were caused by a lack of valid, real-time data related to resident capabilities.

For example, one Texas community had an overflow of special needs residents that were using dance studios, abandoned shopping centers even though it was determined later there were over 10,000 special needs beds available within 100 miles.

The city of New Orleans had an emergency excavation plan, but it couldn't be executed as written because assumed capabilities not functional and prior coordination of assets were not implemented. Response plans called for the utilization of National Guard troops even though at the time of Hurricane Katrina one of the designated units was deployed to Iraq.

Hundreds of thousands of hours were spent on phone calls and e-mails to obtain real-time capability information, finding suitable replacements or options, or to redirecting assets from locations with excess capabilities to those with critical needs.

The underlying bill takes important steps to build upon the existing Department of Homeland Security requirements to build a national assessment and reporting system by September 30, 2006.

The intent of my amendment is to further direct the Department to develop a system that verifies and vali-

dates in real-time what qualified assets are available in order to meet emergent or anticipated events, even when the information supplied is coming from disparate or incompatible databases.

These technologies are already being used by the Department of Defense and should be applied toward DHS preparedness goals.

Mr. ROGERS of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. JINDAL. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. The gentleman has offered an excellent amendment, and we accept it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana (Mr. JINDAL).

The amendment was agreed to.

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

Mr. Chairman, I intended to offer and withdraw an amendment tonight in order to make the point that over the last generation, Congress has created barriers to keeping and creating jobs in America.

One of those barriers is excessive regulations, and I was trying to make the point that whenever this government makes regulations, they should take into consideration that the competitiveness of America is very important, not only for today and today's economy, but for the next economy.

Many countries are preparing for the future economy, and this country seems to be trying to erect new barriers to making us more competitive.

In deference to the Members' time tonight, I know the hour is getting late and we have much work to accomplish, I will not be offering the amendment. But I do want to leave the House with this point, that we must look forward to the next economy and remove barriers that have been created so we can bring jobs back to America and create more jobs.

Mr. JINDAL. Mr. Chairman, I have an amendment at the desk.

The CHAIRMAN. At what point in the bill is your amendment?

Mr. JINDAL. It is in title III, page 34.

The CHAIRMAN. The reading has not progressed to that point yet.

Without objection, we will proceed to that point in the bill.

There was no objection.

The text of the bill through page 35, line 13 is as follows:

OFFICE OF GRANTS AND TRAINING

STATE AND LOCAL PROGRAMS

For grants, contracts, cooperative agreements, and other activities, including grants to State and local governments for terrorism prevention activities, notwithstanding any other provision of law, \$2,524,000,000, which shall be allocated as follows:

(1) \$545,000,000 for formula-based grants and \$400,000,000 for law enforcement terrorism prevention grants pursuant to section 1014 of the USA PATRIOT ACT (42 U.S.C. 3714): *Provided*, That the application for grants shall be made available to States within 45 days from the date of enactment of this Act; States shall submit applications within 90

days after the grant announcement; and the Office of Grants and Training shall act within 90 days after receipt of an application: *Provided further*, That no less than 80 percent of any grant under this paragraph to a State shall be made available by the State to local governments within 60 days after the receipt of the funds.

(2) \$1,165,000,000 for discretionary grants, as determined by the Secretary of Homeland Security, of which—

(A) \$750,000,000 shall be for use in high-threat, high-density urban areas;

(B) \$200,000,000 shall be for port security grants pursuant to the purposes of section 70107(a) through (h) of title 46, United States Code, which shall be awarded based on risk and threat notwithstanding subsection (a), for eligible costs as described in subsections (b)(2) through (4);

(C) \$5,000,000 shall be for trucking industry security grants;

(D) \$10,000,000 shall be for intercity bus security grants;

(E) \$150,000,000 shall be for intercity rail passenger transportation (as defined in section 24102 of title 49, United States Code), freight rail, and transit security grants; and

(F) \$50,000,000 shall be for buffer zone protection grants:

Provided, That for grants under subparagraph (A), the application for grants shall be made available to States within 45 days after the date of enactment of this Act; States shall submit applications within 90 days after the grant announcement; and the Office of Grants and Training shall act within 90 days after receipt of an application: *Provided further*, That no less than 80 percent of any grant under this paragraph to a State shall be made available by the State to local governments within 60 days after the receipt of the funds.

(3) \$75,000,000 shall be available for the Commercial Equipment Direct Assistance Program.

(4) \$339,000,000 for training, exercises, technical assistance, and other programs:

Provided, That none of the grants provided under this heading shall be used for the construction or renovation of facilities, except for a minor perimeter security project, not to exceed \$1,000,000, as determined necessary by the Secretary of Homeland Security: *Provided further*, That the preceding proviso shall not apply to grants under subparagraphs (B), (E), and (F) of paragraph (2) of this heading: *Provided further*, That grantees shall provide additional reports on their use of funds, as determined necessary by the Secretary of Homeland Security: *Provided further*, That funds appropriated for law enforcement terrorism prevention grants under paragraph (1) of this heading and discretionary grants under paragraph (2)(A) of this heading shall be available for operational costs, to include personnel overtime and overtime associated with the Office of Grants and Training certified training, as needed.

FIREFIGHTER ASSISTANCE GRANTS

For necessary expenses for programs authorized by the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.), \$540,000,000, of which \$500,000,000 shall be available to carry out section 33 of such Act (15 U.S.C. 2229) and \$40,000,000 shall be available to carry out section 34 of such Act (15 U.S.C. 2229a), to remain available until September 30, 2008: *Provided*, That not to exceed 5 percent of this amount shall be available for program administration.

EMERGENCY MANAGEMENT PERFORMANCE GRANTS

For necessary expenses for emergency management performance grants, as authorized by the National Flood Insurance Act of

1968 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.), and Reorganization Plan No. 3 of 1978 (5 U.S.C. App.), \$186,000,000: *Provided*, That total administrative costs shall not exceed 3 percent of the total appropriation.

RADIOLOGICAL EMERGENCY PREPAREDNESS PROGRAM

The aggregate charges assessed during fiscal year 2007, as authorized in title III of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999 (42 U.S.C. 5196e), shall not be less than 100 percent of the amounts anticipated by the Department of Homeland Security to be necessary for its radiological emergency preparedness program for such fiscal year: *Provided*, That the methodology for assessment and collection of fees shall be fair and equitable and shall reflect costs of providing such services, including administrative costs of collecting such fees: *Provided further*, That fees received under this heading shall be deposited in this account as offsetting collections and will become available for authorized purposes on October 1, 2007, and remain available until expended.

UNITED STATES FIRE ADMINISTRATION AND TRAINING

For necessary expenses of the United States Fire Administration and for other purposes, as authorized by the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.) and the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.), \$46,849,000.

INFRASTRUCTURE PROTECTION AND INFORMATION SECURITY

For necessary expenses for infrastructure protection and information security programs and activities, as authorized by title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.), \$549,140,000, of which \$464,490,000 shall remain available until September 30, 2008: *Provided*, That of the amount made available under this heading, \$10,000,000 shall not be available for obligation for management and administration until the Department of Homeland Security has released the National Infrastructure Protection Plan: *Provided further*, That of the amount made available under this heading, \$10,000,000 shall not be available for obligation for management and administration until the Department has submitted its national security strategy for the chemical sector report.

FEDERAL EMERGENCY MANAGEMENT AGENCY ADMINISTRATIVE AND REGIONAL OPERATIONS

For necessary expenses for administrative and regional operations, \$254,499,000, including activities authorized by the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.), the Defense Production Act of 1950 (50 U.S.C. App. 2061 et seq.), sections 107 and 303 of the National Security Act of 1947 (50 U.S.C. 404, 405), Reorganization Plan No. 3 of 1978 (5 U.S.C. App.), and the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.): *Provided*, That not to exceed \$3,000 shall be for official reception and representation expenses.

READINESS, MITIGATION, RESPONSE, AND RECOVERY

For necessary expenses for readiness, mitigation, response, and recovery activities, \$238,199,000, including activities authorized by the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance

Act (42 U.S.C. 5121 et seq.), the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.), the Defense Production Act of 1950 (50 U.S.C. App. 2061 et seq.), sections 107 and 303 of the National Security Act of 1947 (50 U.S.C. 404, 405), Reorganization Plan No. 3 of 1978 (5 U.S.C. App.), and the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.): *Provided*, That of the total amount made available under this heading, \$20,000,000 shall be for Urban Search and Rescue Teams, of which not to exceed \$1,600,000 may be made available for administrative costs: *Provided further*, That of the amounts appropriated under this heading, \$20,000,000 shall not be available for obligation until the Secretary of Homeland Security submits to the Committees on Appropriations of the Senate and the House of Representatives a catastrophic planning expenditure plan.

AMENDMENT OFFERED BY MR. JINDAL

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

The Clerk read as follows:

Amendment offered by Mr. JINDAL:

Page 34, line 20, after the dollar amount insert “(increased by \$1,000,000) (reduced by \$1,000,000)”.

Mr. JINDAL. Mr. Chairman, I have an amendment to reduce FEMA waste, fraud, and abuse.

In the wake of Hurricanes Katrina and Rita, FEMA provided \$2,000 in individual and household program payments to affected households. Individuals could apply for disaster assistance using the Internet or telephone.

As of mid-December, such payments totaled \$5.4 billion with almost half of that, \$2.3 billion, in the form of expedited assistance.

According to Social Security Administration data, FEMA made millions of dollars in payments to thousands of registrants who submitted false Social Security numbers. According to a GAO study, 165 of 248 sampled registrations contained false Social Security numbers, and 80 of 200 alleged disaster addresses were false.

This amendment says that FEMA should implement a fully tested process that can provide real-time access to data required to validate identities and addresses for those seeking disaster assistance.

While FEMA has taken certain steps to curtail waste, fraud and abuse within its program, more needs to be done.

The intent of my amendment is to direct FEMA to implement an identity verification system that assures disaster assistance payments are made only to qualified individuals. In a statement I will submit for the RECORD, I have some specific criteria that will be used.

The intent of my amendment is to allocate \$1 million to FEMA to implement an identity verification system that assures disaster assistance payments are made only to qualified individuals.

Specifically by (1) establishing detailed criteria for registration and provide clear instructions to registrants on the identification information required, (2) creating a field within registration that asks registrants to provide their name exactly as it appears on their Social Security Card in order to prevent name and social security mismatches, (3) fully field testing

the identity verification process prior to implementation, (4) ensuring that call center employees give real-time feedback to registrants on whether their identities have been validated, and (5) establishing a process that uses alternative means of identity verification to expeditiously handle legitimate applicants that are rejected by identity verification controls.

I want to thank the chairman and ranking member for their work on this bill and their consideration of my amendment.

Mr. ROGERS of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. JINDAL. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. The gentleman has offered another excellent amendment, and we are happy to accept it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana (Mr. JINDAL).

The amendment was agreed to.

Mr. ROGERS of Kentucky. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. JINDAL) having assumed the chair, Mr. GILLMOR, 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. 5441) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2007, and for other purposes, had come to no resolution thereon.

LIMITING AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 5441, DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2007

Mr. ROGERS of Kentucky. Mr. Speaker, the majority leader has announced that we will conclude the business of the House this evening with votes no later than 10, and so with that in mind, Mr. Speaker, I ask unanimous consent that, during further consideration of H.R. 5441 in the Committee of the Whole pursuant to House Resolution 836, notwithstanding clause 11 of rule XVIII, no further amendment to the bill may be offered except:

Pro forma amendments offered at any point in the reading by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate;

The additional amendments specified in this order; and

Amendments en bloc specified in this order;

It shall be in order at any time for the chairman of the Committee on Appropriations or a designee, after consultation with the ranking minority member of the Committee on Appropriations, to offer amendments en bloc as follows:

Amendments en bloc shall consist of amendments that may be offered under this order;