

Dicks	Lantos	Ross	The vote was taken by electronic device, and there were—ayes 239, noes 188, not voting 8, as follows:	Calvert	Hensarling	Poe
Dingell	Larsen (WA)	Rothman	[Roll No. 13]	Camp (MI)	Herger	Price (GA)
Doggett	Larson (CT)	Royal-Allard	AYES—239	Campbell (CA)	Hobson	Pryce (OH)
Donnelly	Lee	Ruppersberger		Cannon	Hoekstra	Putnam
Doyle	Levin	Rush		Cantor	Hulshof	Radanovich
Edwards	Lewis (GA)	Ryan (OH)		Capito	Hunter	Ramstad
Ellison	Lipinski	Salazar		Carter	Inglis (SC)	Regula
Ellsworth	Loebssack	Sánchez, Linda		Castle	Issa	Rehberg
Emanuel	Lofgren, Zoe	T.		Chabot	Jindal	Reichert
Engel	Lowey	Sanchez, Loretta		Coble	Johnson (IL)	Renzi
Eshoo	Lynch	Sarbanes		Neal (MA)	Johnson, Sam	Reynolds
Etheridge	Mahoney (FL)	Schakowsky		Oberstar	Conaway	Jordan
Farr	Maloney (NY)			Obey	Crenshaw	Rogers (AL)
Fattah	Markey	Schiff		Higgins	Cubin	Rogers (KY)
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Frank (MA)	Matheson	Scott (GA)		Hinchey	Davis (KY)	Ros-Lehtinen
Giffords	Matsui	Scott (VA)		Baldwin	Kingston	Roskam
Gillibrand	McCarthy (NY)	Serrano		Barrow	Davis, David	Royce
Gonzalez	McCollum (MN)	Sestak		Bean	Davis, Jo Ann	Ryan (WI)
Gordon	McDermott	Shea-Porter		Becerra	Davis, Tom	Sali
Green, Al	McGovern	Sherman		Berkley	Holt	Lamborn
Green, Gene	McIntyre	Shuler		Berman	Honda	Saxton
Grijalva	McNerney	Sires		Berry	Hooley	Schmidt
Gutierrez	McNulty	Skelton		Bishop (GA)	Hoyer	Sensenbrenner
Hall (NY)	Meehan	Slaughter		Bishop (NY)	Inslee	Lewis (CA)
Hare	Meek (FL)	Smith (WA)		Blumenauer	Israel	Lewis (KY)
Harman	Meeks (NY)	Snyder		Boren	Jackson (IL)	Sessions
Hastings (FL)	Melancion	Solis		Boswell	Jackson-Lee	Shadegg
Hereth	Michaud	Space		Boucher	(TX)	Shays
Higgins	Millender	Spratt		Boyd (FL)	Jefferson	Lucas
Hill	McDonald	Stark		Boysa (KS)	Johnson (GA)	Shuster
Hinchey	Miller (NC)	Stupak		Brady (PA)	Johnson, E. B.	Shumkus
Hinojosa	Miller, George	Sutton		Braley (IA)	Rothman	Tancredo
Hirono	Mitchell	Tanner		Brown, Corrine	Ruppertsberger	Terry
Hodes	Mollohan	Tauscher		Butterfield	Johnson (PA)	McCarthy (CA)
Holden	Moore (KS)	Taylor		Capps	Rush	Smith (NE)
Holt	Moore (WI)	Thompson (CA)		Capuano	Ryan (OH)	Smith (TX)
Honda	Moran (VA)	Thompson (MS)		Cardoza	Feeley	Souder
Hooley	Murphy (CT)	Tierney		Carnahan	Flake	McCotter
Hoyer	Murphy, Patrick	Towns		Kildree	Salazar	Stearns
Inslee	Murtha	Udall (CO)		Kilpatrick	Sánchez, Linda	Sullivan
Israel	Nadler	Udall (NM)		Jones (E. B.)	T. Rothman	Tancredo
Jackson (IL)	Napolitano	Van Hollen		Jones (NC)	Sanchez, Loretta	Terry
Jackson-Lee (TX)	Neal (MA)	Velazquez		Jones (OH)	Sarbanes	McMorris
Jefferson	Oberstar	Visclosky		Jones (PA)	Franks (AZ)	Thornberry
Johnson (GA)	Obey	Walz (MN)		Kagan	Frelighuysen	Tiahrt
Johnson, E. B.	Olver	Wasserman		Kajonkski	McCarthy (CA)	Tiberi
Jones (OH)	Pallone	Schultz		Kaptur	Gallegly	Turner
Kagen	Pascrall	Conyers		Cardoza	Garrett (NJ)	Miller (MI)
Kanjorski	Pastor	Waterson		Kennedy	Gerlach	Upton
Kaptur	Payne	Watson		Kilpatrick	Goodlatte	Miller, Gary
Kennedy	Pelosi	Costello		Waters	Gingrey	Walberg
Kildee	Perlmutter	Courtney		Costello	Hohmert	Musgrave
Kilpatrick	Peterson (MN)	Welch (VT)		DeFazio	Goodlatte	Walder (OR)
Kind	Pomeroy	Wexler		DeGette	Gingrey	Walsh (NY)
Klein (FL)	Price (NC)	Wilson (OH)		Delahunt	Hastert	Wamp
Rahall	Rahall	Woolsey		DeLauer	Hastings (WA)	Weldon (FL)
Rangel	Rangel	Wu		Dicks	Hayes	Westmoreland
Lampson	Reyes	Wynn		Dingell	Heller	Young (AK)
Langevin	Rodriguez	Yarmuth		Doggett	Heller	Young (FL)
NOT VOTING—8						
Buyer	Knollenberg	Norwood		Donnelly	NOT VOTING—8	
Culberson	Marchant	Ortiz		Doyle	Buyer	Knollenberg
Gillmor	Moran (KS)			Ellis	Gillmor	Norwood
□ 1804						
Mr. CAPUANO, Mr. CRAMER, Mrs. NAPOLITANO, and Ms. WOOLSEY changed their vote from “yea” to “nay.”						
Messrs. SAXTON, BROWN of South Carolina, ROGERS of Michigan, LATHAM, EHLDERS, SOUDER, WELDON of Florida, and KIRK changed their vote from “nay” to “yea.”						
So the motion to recommit was rejected.						
The result of the vote was announced as above recorded.						
The SPEAKER pro tempore. The question is on the resolution.						
The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.						
RECORDED VOTE						
Ms. SLAUGHTER. Madam Speaker, I demand a recorded vote.						
A recorded vote was ordered.						
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Jackson (IL)	Napolitano	Van Hollen		Kagan	McHenry	Upton
Jackson-Lee (TX)	Neal (MA)	Velázquez		Klein (FL)	Torbert	Upton
Jefferson	Oberstar	Walz (MN)		Meek (FL)	Fortenberry	Upton
Johnson (GA)	Obey	Wasserman		Welch (VT)	Fossella	Upton
Johnson, E. B.	Olver	Schultz		Waters	McKeon	Upton
Jones (OH)	Pallone	Conyers		Costello	McMorris	Upton
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Rangel	Rangel	Wu		Ellis	Weldon (FL)	Upton
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Hoyer	Murphy, Patrick	Towns		Jones (E. B.)	McCrery	Upton
Inslee</						

Mr. HENSARLING. Mr. Speaker, pursuant to what order of the House are we considering this resolution, H.R. 1?

The SPEAKER pro tempore. The House is proceeding under House Resolution 6.

Proceedings will now resume on H.R. 1.

Mr. HENSARLING. Mr. Speaker, I have a further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. HENSARLING. Does that special order of the House waive all points of order against H.R. 1, including the newly enacted and much advertised pay-as-you-go point of order?

The SPEAKER pro tempore. All points of order are waived by House Resolution 6.

Mr. HENSARLING. Mr. Speaker, I have a further parliamentary inquiry. Does the special order provide for the consideration of any amendments?

The SPEAKER pro tempore. By way of a motion to recommit.

Mr. HENSARLING. Mr. Speaker, I have a further parliamentary inquiry. Does the special order treat the minority's right to offer a motion to recommit in the same manner as the bill itself by waiving all points of order again, including the much advertised new pay-as-you-go point of order against the motion to recommit?

The SPEAKER pro tempore. The motion to recommit is admissible. No waivers are provided for such motion.

When proceedings were postponed earlier today, 11 minutes of debate remained on the bill.

The gentleman from Mississippi (Mr. THOMPSON) had 6½ minutes remaining, and the gentleman from New York (Mr. KING) had 4½ minutes remaining.

The Chair recognizes the gentleman from Mississippi.

Mr. THOMPSON of Mississippi. Mr. Speaker, because her time was accidentally cut off earlier, I yield 2 minutes to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Mr. Speaker, I thank the gentleman for yielding and for his leadership.

Mr. Speaker, today belongs to the family members of the attacks of September 11 who have worked tirelessly to see these recommendations enacted. They spent today in Congress in meetings in support of this legislation.

The 9/11 Commission gave us a blueprint for better security which was not meant to be on a shelf gathering dust. With this legislation, Congress accomplishes more for security in less than a week than it previously could accomplish in more than 2 years.

Homeland security is a high priority of the first 100 hours agenda, and it includes many important and common-sense provisions. It requires Homeland Security grants to be based on risk, not politics. And the radios that did not work on 9/11 still do not work, and they did not work at Katrina. It establishes a grant program specifically for

communications equipment for first responders.

It establishes an independent privacy and civil liberties board with subpoena power, and it includes the prevention and helps to prevent the proliferation of weapons of mass destruction and terrorism. The bill expands the U.S. diplomatic outreach in the Middle East.

In short, the bill will make our citizens and our country safer. It is an important bill, and the 9/11 families thank the leadership of this Congress. The responders thank the leadership of this Congress. And I am deeply grateful that H.R. 1 is among the first bills in the first Democratic Congress to pass. It will make us safer in this country. I congratulate the new leadership on their hard work at making this happen.

Mr. KING of New York. Mr. Speaker, may I inquire of the gentleman from Mississippi as to how many speakers he has?

Mr. THOMPSON of Mississippi. Mr. Speaker, I have one speaker, and I will be prepared to close after that.

Mr. KING of New York. Mr. Speaker, I reserve the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield 1½ minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Speaker, for the last 4 years I have worked to ensure that no shipping container should be put on a ship bound for the United States until it is scanned for radiation and density, and sealed with a tamper-proof seal. The 9/11 Commission insisted on better port security measures.

Last year, along with Mr. OBERSTAR, I introduced the Sail Only if Scanned Act. We tried to insert into the SAFE Port Act, but the Republican leadership opposed this provision with near party-line votes in committee and on the floor.

But now, Title V of this bill will implement the Sail Only if Scanned Act, and require that every container be scanned and sealed with a tamper-proof seal before being placed on a ship bound for the U.S. We phase in the requirement, within 3 years for large ports, 5 years for small. But it must be done.

We must be serious about protecting ourselves against the terrorists. Studies are not enough. This bill finally takes the threat seriously.

The cost to scan each container is only about \$6.50. The startup cost to purchase and install the scanning equipment world wide is about \$1.5 billion. Foreign ports can recover the cost by charging about \$20 per container. Given the fact that it costs about \$4,000 to ship a container from Asia to the United States and a container might hold \$50,000 or \$100,000 worth of goods, that is a drop in the bucket.

This bill also includes critical provisions to strengthen aviation security, to distribute homeland security grants based on risk, and it will strengthen the Cooperative Threat Reduction Program to secure nuclear materials in

the former Soviet Union. For years, some of us have been pushing to accelerate counter-proliferation programs. This bill will go a long way toward securing loose nuclear materials around the world.

I congratulate the new leadership of this House for pressing this bill. I urge all my colleagues to vote for this and finally implement the key recommendations of the 9/11 Commission and make this country safer.

Madam. Speaker, for the last four years, I have worked to insure that no shipping container should be put on a ship bound for the U.S. until it is scanned for radiation and density, and sealed with a tamper-proof seal. The 9/11 Commission insisted on better port security measures.

Last year, along with Chairman OBERSTAR, I introduced the Sail Only if Scanned (SOS) Act. We then tried to insert it into the SAFE Port Act. Unfortunately, the Republican leadership opposed this provision, with near party-line votes in committee and on the floor.

But now, Title V of this bill will implement the Sail Only if Scanned Act, and require that every container be scanned and sealed with a tamper-proof seal before being placed on a ship bound for the U.S. We phase in the requirement—within three years for large ports, five years for small. But it must be done.

We know our port security system is vulnerable. The 9/11 Commission said the opportunities to do harm are as great, or greater, in maritime transportation than in our aviation system.

Luckily, the Democratic Leadership is willing to follow through on our promise to scan 100 percent of shipping containers so that we can prevent nuclear weapons from being smuggled into the United States through our ports. We recognize that it is time for Congress to catch up to the rest of the World. In Hong Kong, the Integrated Container Inspection System (ICIS) pilot program has successfully achieved 100 percent scanning, proving that the technology works without slowing down commerce. Many other ports are already starting to purchase this equipment, and many in the shipping industry realize that it is in their best interest to secure their cargo before, G-d forbid, someone uses our ports to cause harm, and the system has to be completely shut down.

We must be serious about protecting ourselves against the terrorists. Studies are not enough. This bill, finally takes the threat seriously.

The cost to institute this system is minimal. It could be folded into the cost of doing business and the consumer would never even notice. The cost to scan each container is only about \$6.50. The startup cost to purchase and install the scanning equipment worldwide is about \$1.5 billion. Foreign ports can recover the cost by charging about \$20 per container. This is a drop in the bucket given that it costs about \$4,000 to ship a container from Asia to the United States, and that container might hold \$50,000–\$100,000 or more worth of goods. We waste billions of dollars in Iraq and on other Defense Programs, such as "Star Wars," but we can protect ourselves against this very real threat to our port security system with virtually no cost to the U.S. Government.

We must not wait to impose security measures until containers reach the United States.

If there is a bomb inside a container, and it is detected in Newark, or Miami, or Los Angeles, it may be too late. Reading the cargo manifest is not enough. Trusting the shippers is not enough. We must verify the contents of the containers at the point of origin, before they are loaded onto a ship destined for America. This bill will do just that.

This bill also includes critical provisions to strengthen aviation security, to distribute homeland security grants based on risk, and it will strengthen the Cooperative Threat Reduction Program to secure nuclear materials in the former Soviet Union. For years, I have been pushing to accelerate counter proliferation programs, and this bill will go a long way toward securing loose nuclear materials around the world.

I urge all my colleagues to vote for H.R. 1 and finally implement all of the recommendations of the 9/11 Commission.

Mr. KING of New York. Mr. Speaker, I yield myself the balance of the time.

Mr. Speaker, as I said at the outset of the debate, I commend the gentleman from Mississippi (Mr. THOMPSON) on his elevation to the position of chairman. He is an outstanding Member of this House, and I look forward to working with him in a bipartisan manner throughout the next 2 years.

I must say, however, that I am deeply disappointed in the manner in which this bill was brought to the floor today and, indeed, with many of the provisions that are in this bill. I say that as someone who lost more than 150 friends, neighbors and constituents on September 11th, who has a number of staff members working for me who lost relatives on September 11th, so no issue is more important to me than getting homeland security right and making it work.

But during the previous 2 years, certainly during the 15 months that I was chairman of the Homeland Security Committee, it was bipartisan. Every bill that came to the floor went through subcommittee and went through the full committee. Port security legislation, FEMA restructuring, chemical plant security bill, all went through the subcommittee, full committee and were adopted by this House and were signed into law.

In addition to that, we had the risk-based funding bill which went through the committee and again passed on the House floor. It was blocked in the Senate. But the fact is, we got results, and we got them in a bipartisan basis. No bill came to the floor without full bipartisan cooperation from day one.

Now, unfortunately, for whatever reason, as part of the 100 hours show, the leadership refuses to allow any bipartisan input, no committee involvement at all, no subcommittee involvement and no amendments. And in doing that, it is not just a shot at us. We can survive that. We will be back in 2 years. But what I am concerned about is, what this does for the next 2 years and what it does to the Homeland Security Committee, because the 9/11 Commission specifically stated that a committee should be given primary ju-

risdiction. That should be the Homeland Security Committee.

□ 1830

The Democrats could have taken care of that in their rules package. They refused to do it. So the most important recommendation of the 9/11 Commission is not being enacted today. It is not being done at all. In fact, they are weakening the committee by bypassing the committee process.

I will use as one example what happens when a bill is rushed to the floor without the proper deliberative process. We talk about 100 percent scanning of all cargo coming into our ports. The fact is in the port security bill, which passed the House, passed the Senate and was enacted into law, we set up pilot projects around the world to find a scanning process that works.

The fact is there is no current technology that works at 100 percent. We don't have it. We want to find what works the best. Nowhere in the 9/11 Commission report do they call for 100 percent scanning. All of us want to have it. The fact is we are not going to be able to scan 11 million containers coming into our shores.

Now, last year when this was first raised by the Democratic Party, the Washington Post said it is a terrible idea. It is a slogan, not a solution. We hope lawmakers resist the temptation to use it in the election season to come.

Now, the Washington Post is not exactly an advocate of the Republican Party. Today in their editorial, they talk about what a tough job it is to bring about homeland security. They say it will not be done by wasting money on the kind of political shenanigans written into the sprawling Democratic bill introduced on the House floor today.

The Democrats don't offer a realistic cost estimate for the mandate they will propose, but the cost to the government and the economy is sure to be in the tens of billions of dollars and quite possibly hundreds of billions annually.

Luckily, the Senate will give more thought to its homeland security bill, the Washington Post says, but House Democrats can figure those odds as well as anyone, but why not score some easy political points in your first 100 hours.

Well, the fact is you shouldn't be scoring political points on the issue of homeland security. That is too important an issue to be trivialized the way you are doing it here today. Now I will, in the end, I will vote for this bill despite its faults, because I want to send a bipartisan message that the House stands behind homeland security.

But I will hope that in the future, we will have a Homeland Security Committee which is empowered the way it should be by the Democratic leadership, that a Homeland Security Committee, which I know the chairman wants to do, will work in a bipartisan

way so we can address the scourge of Islamic terrorism as Republicans and Democrats and Americans and not having something rammed through to score cheap political points in the 100-hour circus.

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

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield myself the remainder of the time.

First of all, I would like to set a couple of things straight for the record. For my ranking member, these 9/11 recommendations are not cheap political tricks; they are very serious and things that we all take very seriously because of that.

With respect to the 100 percent port cargo screening, it says take the lessons learned from the pilots and then implement what you learned from the pilots, not go forward, like you say.

You talk about not bringing bills before the committee. You brought a fence bill straight to the floor without going through a subcommittee or a committee.

So I might say to my colleague, I look forward to working with him over the next 2 years on making sure that we keep America safe from bad people, but also that we are able to respond to natural disasters and other things.

Mr. Speaker, it is fitting and proper that this bill, the first bill voted upon by the new Congress, gets the record straight on the 9/11 Commission's report. We finished the job. Yesterday, former Vice Chair Lee Hamilton of the 9/11 Commission made it very clear why we are here today.

He said in his view, "The terrorists are plotting today on how best to strike the United States. They will not wait, and it has been a source of very considerable frustration to the members of the 9/11 Commission that so many of our recommendations, which really are commonsense recommendations, like the ability of the first responders to communicate with one another, the allocation of funds on the basis of risk and not politics, and many other recommendations, are simply common sense. It has puzzled us and frustrated us that they have not been enacted into law."

Let us be very clear, Mr. Speaker, today's bill fixes these problems and fulfills many of the 9/11 Commission's recommendations. In short, as 9/11 Vice Chair Lee Hamilton said yesterday, if this bill is enacted, funded and implemented, the American people will be safer.

I urge support of the bill.

Mr. STARK. Mr. Speaker, I rise in support of an important bill that will make America safer and more secure.

Today's legislation ends years of gridlock by finally enacting recommendations made by the 9/11 Commission over two years ago. H.R. 1 will distribute homeland security grants based on risk, enhance nuclear non-proliferation, and improve education and economic development in Arab and Muslim countries.

Under the Republican regime, I was never one to jump on the homeland security bandwagon as Congress passed meaningless resolutions intended to frighten and divide the American people, repeatedly and falsely claimed progress was being made in Iraq, and conducted no oversight of the Department of Homeland Security. In contrast, the Democratic Congress is already taking meaningful action to improve American security. H.R. 1 is short on rhetoric and long on reforms and tough new security requirements.

The 9/11 Commission Recommendations Act contains common sense, bipartisan ideas. Opponents may argue that this bill is too ambitious, but they won't find a single provision inserted merely to instigate a political fight.

In the recent election, Democrats pledged to work across the aisle to pass substantive legislation that will affect the everyday lives of all Americans. This first bill meets that pledge. I urge my colleagues to heed the pleas of our constituents to stop posturing and start legislating by voting yes to make America more secure.

Mr. ETHERIDGE. Mr. Speaker, I rise in strong support of H.R. 1, and I urge all my colleagues to join me in voting to pass this vitally important legislation to implement the recommendations of the bipartisan 9/11 Commission.

Keeping all Americans safe should be the top priority of the government. Congress cannot wait for another attack to take steps to protect our nation from terrorism. I have worked on the Homeland Security Committee to implement the 9/11 Commission's recommendations, and I hope that the rest of my colleagues will join me in supporting these critical reforms.

The bill includes a number of steps to improve homeland security, including:

Requiring major improvements in aviation security, border security, and infrastructure security;

Requiring 100 percent inspection of cargo at ports and on passenger aircraft;

Providing first responders the equipment and training they need including the critical issue of communications interoperability;

Increasing efforts to prevent terrorists from acquiring weapons of mass destruction;

Significantly expanding diplomatic, economic and educational strategies designed to counter Islamic terrorism;

Strengthening privacy and civil liberties protections; and

Restoring America's moral leaderships throughout the world.

As North Carolina's only Member of the Homeland Security Committee, I worked with my colleagues in the 109th session of Congress to implement many of the reforms included in today's legislation. In particular, I joined my colleagues on the committee in supporting legislation to screen 100 percent of all containers entering U.S. ports, and to provide first responders with interoperable communications equipment.

The bipartisan 9/11 Commission was created by Congress to provide recommendations on preventing another terrorist attack. The recommendations were released in 2004. Congress implemented several of the recommendations in December 2004, however the Republican-controlled Congress did not implement many, and only partially implemented others. In its final report card, the 9/

11 Commissioners gave the Administration and Congress many poor grades on implementing the recommendations, and this legislation will make America safer by putting these new policies into place.

Mr. Speaker, the American people want bipartisan action to provide real solutions for a safe and secure country, and I urge my colleagues to join me in voting to pass H.R. 1.

Mr. LARSON of Connecticut. Mr. Speaker, I rise today in strong support of H.R. 1, a long awaited legislative package that will finally fulfill our duty to protect the people of our nation by fully implementing the recommendations of the 9/11 Commission.

After months of careful investigation into the security weakness that led to the 9/11 attacks, the bipartisan and independent 9/11 Commission proposed a series of reforms necessary to secure our country and prevent future terrorist attacks. These recommendations addressed a number of areas, including revamping the way we fund homeland security, preventing nuclear materials and WMD from falling in the worst hands, and targeting the root causes of terrorism. Yet, despite bipartisan public support for their work, 20 of the Commission's 41 recommendations—nearly half—have gone unfulfilled.

Over the past two years, the 9/11 Commission has rated Congress' implementation of their recommendations with failing grades. Protecting the American people is the primary responsibility of our government, and I am proud that one of the first bills considered by the new Congress is the implementation of all of the 9/11 recommendations. This bill meets our duty to protect the nation we serve by requiring the scanning of all air and maritime cargo, increasing resources that will enable our first responders to communicate with each other in times of crisis, and ensuring that we distribute our homeland security funding where it is needed the most.

I am particularly grateful that this bill increases our commitment to preventing the worst weapons from falling into the worst hands. During public forums on nuclear non-proliferation I have hosted in the past year at St. Joseph College and Trinity College, many of my constituents expressed their concerns about nuclear materials falling into the hands of terrorists. That threat to our nation is real, and this bill fulfills the 9/11 Commission recommendation to prevent terrorists from acquiring weapons of mass destruction and strengthen our nonproliferation programs around the world.

More than sixty Connecticut residents lost their lives on that tragic September day in 2001. Over five years later, we owe it to them and their families to finally implement these measures and ensure that such a day will never happen again.

Mr. LANGEVIN. Mr. Speaker, I rise today to commend this body for considering legislation which will finally get us back on track to fully implement all of the recommendations made by the bipartisan 9/11 Commission in 2004.

The 9/11 Commission provided our nation an objective and eye-opening assessment of how terrorists were able to exploit our security vulnerabilities on September 11th and made 41 key recommendations to address these shortcomings.

Unfortunately, two and a half years after the Commission's recommendations, there are still glaring threats that remain to be addressed. In

fact, just over a year ago, the 9/11 Public Discourse Project issued a report card that gave the Administration D's and F's in some of the most critical areas.

Today, we finally have an opportunity to ensure that the 9/11 Commission's tireless efforts were not in vain. The legislation before us would shore up remaining vulnerabilities and implement recommendations that have been ignored completely or only partially addressed until now.

As the former Ranking Member of the Subcommittee on Prevention of Nuclear and Biological Attack, I am particularly pleased that this bill contains several provisions to make our nation more secure from the threat of a nuclear attack. H.R. 1 strengthens our most effective global non-proliferation programs, like Cooperative Threat Reduction and the Global Threat Reduction Initiative. These programs have proven successful in securing the most dangerous nuclear material abroad, before it can get into the hands of those who would do us harm.

Additionally, this measure gives the United States the power to sanction individuals involved in the illegal trade of nuclear material. It also builds upon the recently enacted SAFE Ports Act by requiring all cargo containers be scanned before leaving their port of origin and improves the quality of their inspections.

Today we are also taking a long-overdue, comprehensive approach to the vulnerabilities that remain in our aviation system. Under this measure, we will finally screen 100 percent of cargo on passenger planes and improve airline screening checkpoints to detect explosives. This measure will also create a redress process for passengers misidentified against the "No Fly" or "Selectee" watchlists who have been wrongfully delayed or prohibited from boarding a flight.

This measure provides significant support to first responders, who place their lives on the line each day, by funding state and local efforts to obtain the interoperable communication systems essential for emergency response. Additionally, our bill will considerably improve information sharing, which is one of our most effective forms of defense. H.R. 1 will strengthen fusion centers across the country, helping state and local law enforcement build relationships across every level and discipline of government and with the private sector to help ensure that criminal intelligence and other information is shared with those who can put it to the best use.

Finally, this legislation will protect the privacy and civil liberties of Americans, while effectively combating terrorism. Under this measure, the Privacy and Civil Liberties Oversight Board will be reestablished as an independent agency, which will greatly enhance the Board's oversight functions and help to ensure that we do not sacrifice freedom in the name of security.

The best way to honor those who died in the attacks of September 11th is to learn from the lessons of that tragic day, and this bill brings us much closer towards achieving this goal.

Mr. CUMMINGS. Mr. Speaker, I rise today in strong support of H.R. 1.

I am deeply disappointed that it has taken more than 5 years since the terrible events of September 11, 2001, to implement the recommendations of the 9/11 Commission.

However, by making legislation implementing these recommendations the first

measure brought to the floor, our Democratic leadership has affirmed what will be our unwavering commitment to homeland security throughout the 110th Congress.

I am also deeply heartened that this bill would exceed the 9/11 Commission's recommendations by finally requiring the examination of all shipping containers bound for the United States.

Only a small percentage of the 11 million containers delivered during the more than 62,000 port calls made annually at U.S. ports is physically inspected upon arrival. It is therefore critical that all possible measures be taken to interdict containers that could pose a threat to our Nation's security before they ever set sail for our shores.

I urge the passage of H.R. 1 and I commend Speaker PELOSI, Leader HOYER, and Chairman THOMPSON for their dedication to port security. I look forward to working with our distinguished Chair, Mr. OBERSTAR and the leadership to strengthen the security of every facet of our Nation's transportation network.

Mr. STEARNS. Mr. Speaker, H.R. 1, the "Fully Implementing the 9/11 Commission Recommendations Act," does not achieve what it advertises. In fact, in many cases, it inhibits our Nation's ability to secure our citizens against attack. This bill neglects to address many recommendations, including classified oversight of the Homeland Security Department, declassification of the intelligence budget, and a shift of paramilitary operations from the CIA to the Defense Department. There are other provisions inserted in this bill, that do not appear anywhere in the 9/11 Commission Report, including unionization of Transportation Security Administration (TSA) employees, 100 percent screening of cargo containers, and several foreign policy initiatives, some of which have already been passed into law.

Incredibly, a provision in this bill would cede one of our Nation's most critical and effective national security initiatives to regulation by the United Nations. The Proliferation Security Initiative (PSI) is a 4-year-old program created and run by the United States to coordinate nonproliferation efforts by ourselves and our allies. This program's effectiveness was a key deterrent to Libya's nuclear program, and was directly responsible to uncovering the large Pakistani nuclear black market ring run by A.Q. Khan. Transferring this program to the United Nations would require participants in the program to seek the approval of these foreign governments prior to interdicting illicit WMD material, creating yet another hurdle that agencies would have to overcome prior to intercepting illegal WMD shipments.

This program relies heavily on shared intelligence, which is the primary reason it must not be handed over to the UN Security Council. This would jeopardize the intelligence, routes, methods and sources used by U.S. and allied forces to prevent proliferation of WMDs by rogue regimes and terrorist organizations. Allowing members of the United Nations Security Council, which in the past has counted Syria and Pakistan as members, will compromise operations, cripple the program's effectiveness and endanger our citizens.

In yet another disparity, the 9/11 Commission does not recommend 100 percent screening of cargo containers. However, the last Congress determined that greater security was a need, and therefore passed, with bipartisan support, the SAFE Ports Act. Under these ex-

panded security measures, all cargo entering the country is assessed for risk long before it reaches our shores, and when designated as questionable, those shipments are thoroughly inspected. In fact, current best practices by the Customs and Border Patrol also includes random inspections both at dockside during loading and unloading, and of the trucks as they leave the port.

This 100 percent mandate is also incredibly burdensome financially. House Democrats expect industry, and possibly foreign governments, to cover the costs of ensuring 100 percent cargo screening of containers entering the United States by air or sea. The airlines would be expected to pay for air cargo inspections; while foreign port terminal operators would be expected to pay for scanning U.S. bound sea cargo. The bill does not estimate how much this will cost, but DHS is already spending \$60 million a year to scan sea cargo at six foreign ports. According to DHS, there are more than 700 U.S. seaports that ship to the U.S., raising estimates of the costs of this program into the tens of billions.

Funding for Homeland Security must be split to address a wide array of threats against the United States to minimize risk as best possible. To allocate funding on any program that has little likelihood of effectiveness is egregiously irresponsible. Container-screening technology is improving, but is not yet proficient enough to scan all of those containers in a useful, accurate, and speedy manner. That is why in the SAFE Ports Act, Congress included provisions to conduct feasibility studies of the 100% container-screening proposal and of emerging screening technology. The results of these studies have not even been reported, and yet the Democratic leadership insists on pushing through this incredibly ill advised mandate without the full information, without hearings and without mark-up sessions in committee. This illogical, ill-informed approach to our national security is being pursued with only one discernable purpose, political clout by achieving passage of the Democrats' "100 hours agenda".

There is also the extraordinarily troubling provision that would grant collective bargaining rights to TSA employees. On the surface, this may seem reasonable, but it poses a clear danger to our national security. Granting unionization rights to TSA employees would allow them to strike when negotiating their contracts. Imagine a strike of TSA screeners at airports across the nation at Thanksgiving, or the during the Fourth of July holiday. It would be a nightmare—airport operations would cease or the security of our flights would be threatened from lack of adequate passenger and luggage screening. That is one reason why federal employees in positions impacting National Security were purposely excluded from collective bargaining rights when Congress passed the Labor-Management Relations Act in 1947, and affirmed again when the TSA was re-established under the Department of Homeland Security in 2002.

DHS must have the flexibility to move and retrain employees at will in response to the changing nature of threats against the United States. Following last July's intelligence revelation that terrorists were plotting action against U.S. flights from the United Kingdom, one critical advantage that DHS cited was the ability to shift employees to respond to this new emerging threat. Should TSA employees

unionize, DHS would no longer have this speed and flexibility, weakening our responses to terrorist threats.

This bill is touted by democrats to implement many of the recommendations of the 9/11 Commission, but not only does it not accomplish this, it fails to identify funding for the initiatives. In fact, only one provision in the entire bill contains a defined funding authorization: the checkpoint screening security fund, which would authorize \$250 million for FY2008. Therefore, this legislation could end up only as an exercise in futility should appropriators not allocate funds for these programs. House Homeland Security Chairman BENNIE THOMPSON conceded that he may have included more authorization levels had there been more time, "But, in the spirit of 'let's get it done,' we'll work it out." Ramming through legislation with the expectation that legitimate concerns and problems with legislation will be addressed at some later date is not the way to protect our citizens, and it is certainly a haphazard manner in which to pass laws.

National security is not an issue that should hinge on "rough drafts" of proposals awaiting future refinement. If there is a need to reform our national security procedures, which I believe there is, it is imperative that we thoroughly consider these issues in Committee with hearings and legislation mark-up sessions. We must always consider national security issues with due deference and the humbling knowledge that every initiative we pass here in Washington will directly impact the security of our constituents at home.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in support of H.R. 1. The 9/11 Commission made its recommendations over two and a half years ago, and I am pleased this legislation to implement those recommendations is a top priority in this Congress.

Among other things, this legislation will address the allocation of Homeland Security grants to ensure risk-based distribution of funds to provide the most vulnerable areas with the resources necessary to protect citizens and infrastructure. Section 2001 of this bill defines what critical sectors should be used to determine high risk areas, and representing a district that is home to many of these sectors, I have long supported these changes.

This bill will also improve information sharing among different levels of law enforcement, improve the interoperability of communications for first responders, and strengthen aviation and cargo security.

As the 9/11 Commission pointed out, these are all important steps toward securing our homeland. But I am concerned about how some of these objectives are accomplished and the jurisdictional implications in this bill.

In particular, this bill provides the Department of Homeland Security with broad authority over public health, electric transmission, site security, and communications. The agencies and departments that currently oversee these areas have expertise working with these issues and it is not clear that DHS is better prepared to regulate, advise or award grants in these areas.

I look forward to working with my colleagues to ensure these issues are worked out either in conference or through committee oversight.

Mr. HOLT. Mr. Speaker, after more than 2 years of needless delay, the House is finally taking action on the balance of the recommendations made by the 9/11 Commission.

This is a large bill that tackles a range of critical issues, but I want to comment on three areas in particular: risk-based funding for homeland security needs, making our first responder's communications truly interoperable, and measures we need to take overseas to stop the terrorist from getting here in the first place.

For the past several years, I've sponsored a series of homeland security grant writing workshops for first responder organizations in my district. These workshops are always well attended and I'm pleased that they've been of value in helping various fire, EMS, and police departments cross central New Jersey become competitive in applying for these grants. However, the one question I get most often from these professionals is "Why aren't these grants allocated on the basis of risk?" I know many of my colleagues were hearing the same thing from their first responders, which is why last year I joined a number of my colleagues in sending a letter to Secretary of Homeland Security Michael Chertoff asking him to make grant award decisions on the basis of risk. While DHS has made some progress in this area, it hasn't come far enough quickly enough. That's why I'm pleased that this bill requires DHS to use a risk-based funding formula when allocating these grants. New Jersey is at far greater risk of attack—and it has more infrastructure targets, like chemical plants—than more rural, less densely populated states. Our vulnerabilities require commensurately greater resources.

Another critical fix contained in this bill is a grant program dedicated to communications interoperability. As incredible as it may seem, 5 years after the 9/11 attacks, and one year after Hurricanes Katrina and Rita, the Department of Homeland Security still does not allocate funds specifically for the purpose of helping local first responders coordinate in an emergency. As a result, states and localities are forced to rob Peter to pay Paul by using large chunks of homeland security grant funding—in some instances 80 percent—to purchase communications equipment. As a result, fewer resources are spent securing bridges, ports, and buildings. This is a false choice being forced upon local officials. Today's legislation is a down payment on those needs.

Importantly, the federal grants can be used only for equipment, technology, and systems that have been determined by the Secretary of Homeland Security to meet emergency communications equipment and technology standards. Therefore, State and local governments will be protected from relying solely on the claims of vendors, and can use the grants to invest in emerging technologies, not the same dinosaur systems that first responders historically have been forced to rely on. Also, this bill also takes steps to ensure the completion of a National Emergency Communication Plan. Such a plan will help to ensure that Federal, State, and local governments are developing plans and systems to improve multi-jurisdictions communications in an emergency that is truly "National" in scope.

Finally, while this bill includes useful provisions for strengthening our outreach to the Islamic world, we have to recognize that defensive measures at home are necessary in part because of a failure of our policies abroad.

For decades, our government has had a devil's bargain with a number of corrupt, des-

potic regimes in the Middle East and South Asia: they help us maintain order in the region, and we help them maintain order at home. We don't like to talk about this hypocritical double standard, but it exists, and it is impossible to truly quantify how much damage that hypocrisy and our support for such dictatorial regimes has cost us.

This is another legacy of the Cold War, where any country—no matter how brutal its government—was a potential ally for us against the Soviets. The same misguided approach is now being applied in our relationships with various countries with corrupt, brutal governments that ruthlessly suppress dissent at home even as they proclaim their solidarity with us in the war against Al Qaeda and like-minded groups.

The reality is that by viciously obliterating the voices of moderation in their societies, these despotic regimes are paving the way for Al Qaeda. By eliminating those calling for a free press and free elections, these governments are driving ever-greater numbers of Muslims into bin Laden's ranks. So long as we stand by and let them repress or destroy the voices of moderation in these countries, will we be complicit in the creation of the next generation of people who reject democracy in favor of the Kalishnikov rifle or the car bomb.

Mr. Speaker, I'm pleased that the House will pass this bill today and I will gladly support it. But we must know that even if this bill becomes law, the work of protecting our citizens and restoring our country's standing in the world has only begun.

Ms. MATSUI. Mr. Speaker, the new Congress has begun and today we debate the first piece of our 100 hours agenda, H.R. 1—the implementation of some of the long-overdue bipartisan 9/11 Commission recommendations.

As I have stated on numerous occasions, national security is our highest priority. By passing these long-overdue 9/11 Commission recommendations today, we will be taking significant steps towards better protecting our country. This means scanning all air cargo loaded onto passenger planes and seaborne cargo containers shipped into the United States, as well as encouraging intelligence information sharing among federal, state and local agencies.

Further, it will increase the share of state homeland security grants provided to our communities, based on risk—an issue of particular concern to my home state of California. The current formula results in 40 percent of funding equally distributed to each state with the remainder allocated based on risk. With H.R. 1, each state is guaranteed a minimum of .25 percent of funding, while states that share an international border, or are connected to a body of water with an international border would receive at least .45 percent. This strikes a balance between risk-based allocations and ensuring a funding minimum for all states. Another result of this new distribution is that more funding will be directed towards essential programs such as the Urban Area Security Initiative, the State Homeland Security Grant program and the Law Enforcement Terrorism Prevention program.

Concerns have also been raised about the gaps in the Department of Homeland Security's critical infrastructure asset database. Over the past year, I have repeatedly highlighted overlooked infrastructure with DHS, which led to the Department making changes

to the Urban Area Security Initiative Grant. This bill will begin to close this gap by requiring annual assessments of information regarding critical infrastructure and the creation of a regularly updated asset databases.

As I have repeatedly stated, the federal government needs to do its job of protecting the American people. Part of that is providing leadership by setting standards as incorporated in H.R. 1 and the other is to provide resources.

Mr. Speaker, Congress has had far too long to implement these critical reforms recommended by the bipartisan 9/11 Commission. I am pleased to be able to vote today in favor of H.R. 1. I know that these reforms will direct our limited federal funds toward areas facing higher threats, and ensure further safety standards for our transportation systems. Through H.R. 1 we will ensure that our country is better protected against and prepared for any future terrorist attack.

Mr. HERGER. Mr. Speaker, there are a number of provisions in this bill that I believe will improve our national security. For instance, I support increasing protections at our most important infrastructure facilities, like dams and power plants, and improving the Homeland Security grant allocation process so that it is truly risk-based. I also agree with the provisions in the bill that would strengthen sanctions on countries that participate in the proliferation of nuclear materials, equipment and weapons technology.

However, I do have concerns with the bill's cargo inspection provision. We need to arrive at a system that ensures that all cargo entering the U.S. is safe. I believe the best way to approach supply chain security is through a risk-based approach, as endorsed by the SAFE Ports Act, which became law last fall. In particular, the SAFE Ports Act establishes a pilot program to test a system of 100 percent scanning at three ports. Then, based on lessons learned from that program, we could deploy a broader functioning inspection system.

Although the goal of today's legislation is laudable, I am concerned that it imposes an arbitrary deadline for its new requirement for 100 percent scanning in all ports without first considering the effectiveness of such a proposal or our ability to carry it out. We must also consider who will pay for this new program—both inside and outside the United States.

Mr. Speaker, I remain committed to working with others in the House to see that the provisions of last year's SAFE Ports Act are implemented, and believe that the feasibility of any new measures and mandates should be demonstrated before they're passed into law.

Mr. SENSENBRENNER. Mr. Speaker, during this past campaign, Democrats pledged to move legislation through the regular committee process and to allow Republicans more latitude to offer amendments on the House floor. They broke this promise last week, again today, and they intend to do it next week as well. Today, as the House considers H.R. 1, the Implementing the 9/11 Commission Recommendations Act of 2007, Members are not allowed to offer any amendments. Formal committee process, rather than a closed rule and no committee consideration, would have identified the absurdity of providing an unelected board with an administrative subpoena authority that exceeds that of the FBI.

An administrative subpoena is an order from a government official to a third party, instructing the recipient to produce certain information. Congress has granted subpoena authority to many agencies that exercise regulatory powers. One problem with administrative subpoenas is that they are not reviewed by courts unless challenged or for enforcement reasons.

The 9/11 Commission's final report recommended that "there should be a board within the executive branch to oversee adherence to the guidelines we recommend and the commitment the government makes to defend our civil liberties." H.R. 1 makes the Privacy and Civil Liberties Oversight Board an independent agency within the executive branch.

I generally oppose administrative subpoenas within the executive branch, specifically those for law enforcement. I opposed granting the FBI administrative subpoena authority during consideration of the PATRIOT Act and I oppose it in this case.

During a Judiciary Committee markup of H.R. 10 in September 2004, I offered an amendment to establish a Privacy and Civil Liberties Oversight Board to provide advice and counsel on policy development and implementation as it pertains to privacy and civil liberties implications of executive branch actions, proposed legislation, regulations, and policies related to efforts to protect the Nation from terrorism. My amendment was a complete substitute for an amendment offered by Mr. WATT that would have provided for a similar board with broad administrative subpoena power and provided nearly unlimited authority to analyze all aspects of the Nation's war on terrorism.

While it is necessary to provide the proper tools and resources needed to fight and win the war on terror, giving an unelected board broad administrative subpoena authority is not the answer.

Mr. GARRETT of New Jersey. Mr. Speaker, I am greatly pleased that the first priority of this legislation is to continue the efforts of the 109th Congress to fundamentally change the way in which Homeland Security grants are dispersed. By current formulae, only 60 percent of grants are assigned on the basis of risk, meaning that we are spending hundreds of millions of dollars that should be protecting our most vulnerable citizens and infrastructure on political priorities.

Restructuring this grant program to better protect the regions at highest risk of terrorist threat has been amongst my highest priorities since coming to Congress. North Jersey, which I represent, lost many residents and family members in the 9/11 attacks and, in fact, sent many of its own first responders over the Hudson River to respond to those attacks. While those same brave New Jersey first responders have struggled to purchase the communications and safety equipment that are necessary to deal with any future attacks, operating with outdated air packs and obsolete radio equipment, other areas of the country with less risk of terrorist attack have had the luxury of using these funds for far less necessary purchases.

Three times the 109th Congress passed legislation to fix this gross oversight. I hope that the current leadership will stand strong and insist that their colleagues in the Senate take the appropriate steps to better prioritize our limited funds and make our people safer.

I am further concerned that this large and expensive bill has come to floor outside of any

normal procedure. There are a number of new programs, panels, reports, and procedures contained in the bill that have never come before the Committee on Homeland Security. Some of these programs may be effective in enhancing our security, but without expert testimony or any comment from the department officials who will carry out these directives, we can have no confidence in their value.

In fact, there is no real way to even determine what all these provisions will cost since the bill fails to appropriate or authorize specific sums. Given the claims of our new leadership that they are retaking the mantle of fiscal responsibility, it is disturbing to see that their first piece of legislation, H.R. 1, comes to the floor without any plan for how much is to be spent and where all this new funding is supposed to come from.

Security for the American people should be our number one priority, but we absolve ourselves of our responsibility as legislators by writing a blank check. I hope that in the coming months we can work together to bring real solutions to the House floor and work with the Senate to send strong legislation to the President.

Mrs. CAPP. Mr. Speaker, I rise in strong support of H.R. 1, the Implementing the 9/11 Commission Recommendations Act.

I am pleased that in the first 100 hours of the 110th Congress, the Democratic leadership is taking up legislation of enormous importance: how to make our Nation safe from future terrorist attacks.

As a Nation, we must work harder to close the security gaps that still exist. For example, we know that transportation systems are a frequent target of terrorist attacks. In fact, one third of the terrorist attacks that take place around the world's largest transportation systems.

As many have observed, our Nation's security is only as strong as our weakest link. This bill will help strengthen some of our weakest links, especially with respect to security at our ports.

Today only about 5 percent of the more than 11 million shipping containers destined for the United States are inspected or scanned. We cannot own or control the entire global trade network, but we can and should ensure the security of containers destined for this country.

Security experts agree that nuclear weapons, or bomb-making materials, could easily be smuggled into the country under the current regime.

Beyond the human toll, an attack on or through our ports would have a dramatic economic impact and could bring the flow of commerce to a dead stop. A terrorist attack on our ports—or an attack carried out through a cargo container system—would undermine our Nation's confidence in the hundreds of thousands of containers that crisscross our country every day.

I'm proud to represent one of the busiest commercial ports on the West Coast—the Port of Hueneme. The employees at the Port and the people that live and work around it appreciate that this bill will finally close this glaring security gap.

H.R. 1 ensures that every container is scanned using the best available technology before being loaded onto a ship destined for our country. And it mandates a gradual implementation to ensure that overseas ports have

the time to purchase and install new scanning equipment. These measures will ensure that commerce will continue to flow as these important security measures are taken.

As you know, this legislation is modeled on the operations conducted at container terminals in Hong Kong, which scans 100 percent of cargo containers without impeding commerce. The cost of creating this security system is quite minimal. In fact, the estimated cost to scan a container is only \$6.50—a drop in the bucket given it costs about \$4,000 to ship a container from Asia to the United States.

All Congress needs to do is make 100 percent scanning the policy of the United States. And this legislation would do just that.

To protect the security of our Nation, Congress must act to implement this recommendation of the 9/11 Commission, and the others included in this legislation, to further secure our homeland.

Mr. Speaker, we continue to confront grave threats, and there is no greater priority than ensuring the safety of our country.

I urge my colleagues to support this vital legislation.

Mr. BACA. Mr. Speaker, I rise in support of this important legislation to make Americans safer.

One of the most important functions of government is to protect people.

On September 11, 2001, our Nation suffered the devastating terrorist attacks on the World Trade Center in New York and at the Pentagon. Thousands of people were killed, many were injured, and all of us were scarred.

We vowed to do whatever was necessary to protect our homeland. We owe it to the victims and their families. We owe it to all Americans.

And we are taking a big step to make Americans safe.

Congress is now following the recommendations made by the bipartisan commission formed to report on the 9/11 failures.

This Commission had both Republicans and Democrats, men and women who have served our country well. They worked hard to produce a report that would help us understand what needed to be done.

The 9/11 Commission issued 41 recommendations to the Administration and Congress that were designed to improve homeland security, prevent terrorists from acquiring weapons of mass destruction, and develop strategies for preventing the spread of Islamic terrorism.

Many of these recommendations have only been partially implemented. Others have been ignored.

For more than 5 years after the September 11 attacks, Republican leaders refused to take action on many of the recommendations essential to the security of the American people.

The 9/11 Commissioners have routinely given the Bush Administration and Congress failing grades on implementing the recommendations and taking actions to protect Americans.

So it is important that we pass this legislation.

This bill includes many provisions to improve homeland security, including steps to prevent terrorist attacks by speeding up the installation of explosive detection systems to monitor passengers and baggage at airports, requiring 100 percent inspection of air cargo over the next 3 years and 100 percent scanning of U.S.-bound shipping containers over the next 5 years.

These steps are especially important to the people I represent in the Inland Empire of California because our region is an important transportation route for cargo arriving in the United States at the ports of Long Beach and Los Angeles and at LAX airport.

We must make sure that dangerous weapons or chemicals or other hazardous material are not brought into our country and then traveling on highways or railroad tracks or stored in warehouses in the San Bernardino area.

With this legislation, we are also creating a grant program to help first responders have the equipment they need and make sure they can communicate with one another in an emergency.

These are just some of the important and necessary ways we are making Americans safer by passing this legislation.

I am proud to support H.R. 1 to implement the recommendations of the 9/11 Commission.

Mr. DINGELL. Mr. Speaker, on July 22, 2004, the 9/11 Commission released its final report on the 2001 terrorist attacks. That was 2½ years ago. Since that time, we have had two elections and two Congresses. Yet only today are we beginning to enact most of the recommendations of the 9/11 Commission.

This is a long and complicated bill that is far from perfect. The scope of the bill's language must be addressed before it is finalized into law. This is, however, an important step forward.

The inaction of the previous Congress and the current administration has left America vulnerable, with the American people questioning its leadership. Cargo remains largely unscreened. Not all first responders can communicate effectively. International alliances against terrorism are in shambles. Civil protections have been weakened. Any bill that attempts to hold the administration accountable for this state of affairs is indeed welcome.

The legislation calls for vulnerability assessments of our Nation's infrastructure and seeks to prioritize threats. It establishes grant programs involving the private sector and public safety officials, for communications, intelligence, and border protection, and encourages a common set of criteria for private sector preparedness efforts.

Some of these functions already occur within Federal agencies that regulate sectors of our economy, including energy, public health, telecommunications, information technology, drinking water, chemical and transportation systems, as well as other commercial facilities. We must ensure the bill will not result in wasteful or duplicative efforts that may cause further confusion, or compromise our national security.

H.R. 1 establishes a new grant program at DHS to improve communications among public safety organizations during emergencies. But true interoperability requires more than just spectrum and technology. Stepped-up coordination and planning among public safety personnel, accompanied by greater funding, are critical.

Congress directed the Department of Commerce to use its spectrum and communications expertise to administer a \$1 billion interoperable communications grant program, which is currently underway. Recognizing the value of such a grant program, this legislation now seeks to emulate this approach within DHS. I hope that doing so will properly focus DHS on ways to achieve widespread communications interoperability.

In addition, given the Government Accountability Office's cyber security concerns, I fully expect nothing in this bill will distract DHS or other Federal agencies from properly preparing for and reacting to cyber threats.

Additionally, my home State of Michigan has one of the busiest—and most peaceful—border crossings in the world. Businesses on both sides of the border are dependent on smooth and regular transit between the U.S. and Canada. We need to consider the costs to the economy of northern border States as we strike a balance between open borders and security.

In the weeks following 9/11, the delays at the Ambassador Bridge—Detroit's only crossing with Canada—cost Michigan billions and forced factories to suspend production. Hopefully this legislation can speed the technological enhancements and personnel expansion we desperately need.

I also appreciate the independence this legislation provides to the Privacy and Civil Liberties Oversight Board, whose membership will be confirmed by the Senate. This should go a long way toward ensuring that civil liberties of Americans are truly protected. Without independence, opportunities for chicanery will persist.

I look forward to working with my colleagues to improve upon this important first step. As this legislation moves into conference, members of the Committee on Energy and Commerce with extensive expertise on these matters including issues as diverse as nuclear energy, the reliability of our communications systems, and the safety of our food supply and drinking water, will enhance these policies for the betterment of the American people.

Mr. FOSSELLA. Mr. Speaker, at the outset let me just thank the majority for bringing this bill to the floor because I think that most Americans want Democrats and Republicans to work together to ensure that all America remains safe and secure and not to repeat another September 11.

And by and large there are some very good elements of the legislation, but let me right at the outset request that as we go forward there are some specific concerns that New York City has that I think need to be addressed. First is the issue that the city itself cannot apply directly for the interoperable communications grants, it must go through the State without any requirements that the State get the funds to the locality like New York City such as exists in the UASI process. We know by now that New York City has specific needs and therefore I believe this should be addressed.

The same would apply to what could be a duplicative process in relation to the new interoperability grant program under DHS speaking as someone who was involved with the establishment of the first interoperability grant program under the Department of Commerce where as we speak the NTIA is in the process of preparing guidelines. My concern is that we don't get in a situation where there are two different agencies getting into a bureaucratic trap which will prevent the flow of money.

Most importantly, however, is that we know that one size does not fit all and I speak specifically that under current law there could be, and I think will be a problem, with relation to section 3006 of Public Law 109-171. And that is, as much that over the last 10 years New York City has allocated a lot of money and in

the last 5 years since 9/11 almost a billion dollars to upgrade its interoperability capacity to allow firefighters and police officers to talk to each other. So now under current law we are essentially saying that everyone must use the 700 MHz in the spectrum. New York City cannot, like I said, they have allocated a billion dollars, in the 400 and the 800 megahertz spectrum, Why? Because they found out that it is easier to use that to communicate into subways, into high rise buildings. The last thing I think this Congress wants to be on the record for is to essentially tie the hands of New York City. Undo much of the good work that has taken place over the last 5 years and allow New York City and other localities that have unique and specific needs to continue to deploy and build on the networks that they have put in place. I think it would be a big mistake, I encourage the majority to consider using this legislation as a vehicle to clarify congressional intent in current law as the process goes forward. I make no mistake, I make no hesitation that not acting will hurt and punish New York City and the millions, tens of millions of people who come there to visit the greatest city in the world.

Ms. HOOLEY. Mr. Speaker, I rise today to support H.R. 1, Implementing the 9/11 Commission Recommendations Act of 2007. With this legislation we finally have a real opportunity to address the unfulfilled recommendations of the bipartisan 9/11 Commission on improving homeland security, preventing terrorists from acquiring WMD, and developing strategies for preventing the spread of Islamic terrorism.

While I support H.R. 1, there is one area of concern that I believe we could do more to improve and that involves security improvements to our ports and incoming containers. Certainly, screening containers is important but it isn't enough. We have to start with the basics.

The idea of screening 100 percent of all cargo containers is a formidable task that is expensive and extremely time consuming. I believe we should strive to meet these goals, however, this could take many years and cost billions of dollars before we achieve that objective. In the meantime, there are many inexpensive basic steps that we can take to make our ports and containers more secure. Tampering of containers in route to the United States is a genuine threat. Today, containers are only protected by a simple bolt seal. All it takes to defeat our current container security is bolt cutter. Fortunately better technology is available. For over 3 years, the Department of Homeland Security and Customs and Border Patrol have been developing a Container Security Device or a CSD.

The job of a CSD is simple. It attaches to the inside of a cargo container, protected from the elements and anybody who might want to remove or disable it. It monitors and records door openings—authorized and unauthorized. The CSD can then report those breaches to port or customs authorities. It sounds simple and it is simple. These devices are currently being used by the private sector—companies like Starbucks—to safeguard their shipments worldwide. But unbelievably, despite extensive evaluation by DHS, CBP and commercial entities, it still has not been deployed in even a pilot program in the supply chain.

Today, we don't know where a container has been, whether someone has opened the

doors or who actually stuffed it. CSD technology that is available today can provide critical security information. It is also important to note that the CSD program is available at little cost to the Federal Government and to shippers. At less than \$20 per shipment, we have a chance to make a real difference in port security. The administration should move to deploy CSD technology and do it at soon as possible.

Mr. KIND. Mr. Speaker, I rise today in support of H.R. 1, legislation to fully implement the remaining recommendations of the 9/11 Commission. I am pleased the new House leadership has made this one of the first major pieces of legislation debated in the 110th Congress.

In the 5 years since the appalling acts of September 11, our country has been fighting terrorism to protect America and our friends and allies. On July 22, 2004, the independent and bipartisan 9/11 Commission provided to Congress and the American public 41 recommendations to improve homeland security.

At the end of the 108th Congress, legislation was passed and signed into law that implemented some of the recommendations of the 9/11 Commission. I was disappointed that the bill did not implement all of the Commission's recommendations. That is why I am pleased to support the bill before us today which includes all of the remaining recommendations.

One of the most important subjects the bill addresses is how the U.S. Government interacts with the Arab and Muslim world. The United States must extend our preemptive strategy to include winning the hearts and minds in the developing world; I believe this can be achieved through education reform. H.R. 1 would significantly enhance the International Arab and Muslim Youth Opportunity Fund, which is designed to improve educational opportunities for these youth, by calling for greater funding and outlining specific purposes for the fund.

Education reform in the Arab and Muslim world is of great importance to me. In fact during the 109th Congress I introduced the Universal Education Act to reform education in the developing world. Despite strong evidence that education can make nations more prosperous, healthy, stable, and democratic, the total amount spent each year on foreign aid directed at education could not even build 20 American high schools. If one of our strategic goals is to defeat terrorism around the world, we need to drastically increase our foreign aid spending, and to help developing nations improve their education systems.

Additionally, the bill before us improves the capabilities of the Human Smuggling and Trafficking Center by authorizing additional funding and hiring intelligence analysts experienced in the fields of human trafficking and terrorist travel. Cutting off the ability for terrorist to leave their country of origin is a first good step to stopping another attack on U.S. soil.

Further, the legislation strengthens several Federal non-proliferation initiatives so that weapons of mass destruction, WMD, do not fall into the hands of terrorists. Moreover, H.R. 1 would enact the Nuclear Black Market Counter-Terrorism Act. This bill requires the President to impose sanctions on any foreign person who trades nuclear enrichment technology to a non-nuclear weapons state or provides items that contribute to the development

of a nuclear weapon by a non-nuclear weapons state or any foreign person. This action sends a clear message to would be terrorists that if they do attempt to arm themselves there will be serious consequences.

I praise the Commission for its excellent work, leadership, patriotism, and service to our country. We owe it to the families of the victims of 9/11 and to the citizens of our country to use the report's recommendations to make certain such attacks never happen again.

Again, I would like to congratulate and thank the House leadership for making one of the first tasks of the 110th Congress implementing the wise reforms suggested by the 9/11 Commission. I urge my colleagues to vote "yes" on H.R. 1.

Mr. CUMMINGS. Mr. Speaker, I rise today in strong support of H.R. 1.

I am deeply disappointed that it has taken more than 5 years since the terrible events of September 11, 2001, to implement the recommendations of the 9/11 Commission.

However, by making legislation implementing these recommendations the first measure brought to the floor, our Democratic leadership has affirmed what will be our unwavering commitment to homeland security throughout the 110th Congress.

I am also deeply heartened that this bill would exceed the 9/11 Commission's recommendations by finally requiring the examination of all shipping containers bound for the U.S.

Only a small percentage of the 11 million containers delivered during the more than 62,000 port calls made annually at U.S. ports is physically inspected upon arrival. It is therefore critical that all possible measures be taken to interdict containers that could pose a threat to our Nation's security before they ever set sail for our shores.

I urge the passage of H.R. 1 and I commend Speaker PELOSI, Leader HOYER, and Chairman THOMPSON for their dedication to port security.

Mr. BERMAN. Mr. Speaker, I rise in strong support of this long-overdue legislation to implement the recommendations of the 9/11 Commission.

The war on terror isn't just a military operation—it's also a battle to persuade people in Arab and Muslim countries that the universal values of freedom and democracy are far superior to radical ideologies that preach intolerance, hate and violence.

This bill includes several important provisions to help us succeed in that struggle.

Building on previous legislation, it establishes an enhanced International Arab and Muslim Youth Opportunity Fund to provide educational opportunities for young people.

The Fund will support teacher training, the development of modern curricula, and the translation of western publications to help ensure that students have alternatives to the radical Madrassas that nurtured the Taliban and al-Qaeda.

A related provision in the bill extends a program I authored with Mr. Knollenberg that provides scholarships for Arab and Muslim students to attend American-sponsored elementary and secondary schools in their home countries.

This can be a cost-effective means to ensure that needy students receive an American-style education and exposure to western ideas and values.

H.R. 1 also authorizes the designation of a Middle East Foundation to support democracy, human rights, civil society, independent media and the rule of law in countries throughout the greater Middle East.

Like the highly successful Asia Foundation, this non-profit, non-governmental institution will make it easier for the U.S. to support reform-minded organizations and individuals without arousing the suspicion and mistrust that often comes with direct government funding.

Consistent with the recommendation of the 9/11 Commission, this legislation also calls for a significant expansion of U.S. international broadcasting and other public diplomacy in Arab and Muslim countries, and provides new authority that will allow the Broadcasting Board of Governors to respond quickly to a crisis overseas.

As Congress takes these steps to improve our international broadcasting capabilities, I hope the President will appoint a new Chairman of the BBG to enhance the credibility and effectiveness of that important organization.

Finally, this bill also contains some very important provisions to combat the proliferation of weapons of mass destruction.

It repeals unnecessary restrictions on the Nunn-Lugar Cooperative Threat Reduction program, strengthens the Global Threat Reduction Initiative, and establishes a U.S. Coordinator for the Prevention of WMD Proliferation and Terrorism.

I urge all of my colleagues to vote "aye" on this important legislation.

Mr. BLUMENAUER. Mr. Speaker, I could not be more pleased that we start the hundred legislative hours dealing with the implementation of 9/11 commission recommendations.

On the first somber anniversary of 9/11, I asked myself whether we had done all we could have as a Congress to make America safe. Sadly I did not think so and my feelings were vindicated when the bipartisan independent 911 commission later reported that much more was left to be done. That was as unacceptable then as it is now.

The American public expects and deserves better. By moving forward with these recommendations today, we are keeping faith with that commitment and making long overdue progress. I understand that this is the beginning of that commitment rather than the end. There are other things that I would do much more quickly including giving the American public the budget numbers so they can begin to evaluate our stewardship, but I understand that these will take more time.

We are striking a balance between rapid action, broader consensus and bipartisan engagement. Today we're dealing with the lowest hanging fruit and setting the stage for more progress. I look forward to the committees' of jurisdiction in the House stepping up their efforts, and to the Senate joining us in what I hope will be a steady stream of further reform. Until that happens, launching the grant program for interoperability among first responders refocusing investments based on risks and not political power and providing a platform for the legislative leadership to coordinate in these critical oversight areas are very important first steps.

We'll continue to work for further streamlining the congressional intelligence and security oversight, but I am delighted that this will be done in an open legislative platform and

moving away from the backroom dealing that has shut out the minority.

This represents an important and long overdue step forward.

Mr. LEVIN. Mr. Speaker, I rise in strong support of H.R. 1, which provides for the implementation of remaining recommendations by the bipartisan 9/11 Commission.

Implementation of the 9/11 Commission's recommendations is long overdue. In 2004, the 9/11 Commission submitted 41 recommendations to the Bush Administration and Congress to fill critical gaps in our nation's homeland security. More than two years later, many of these recommendations have only been partially implemented and others not at all. Troubling gaps in our homeland security still exist. As the Co-Chairmen of the Commission stated last August, "we are not as safe as we should be."

As just one example, the 9/11 Commission found that the inability of first responders to communicate with each other and their commanders resulted in a loss of life after the planes hit the World Trade Center towers five years ago. In an emergency situation, first responders in a unit—and across departments—must be able to talk to each other. In response, one of the Commission's recommendations stated that establishing and funding interoperable communications for first responders had to be given a high priority. This hasn't happened; indeed, after Hurricane Katrina slammed into New Orleans last year, the communications network in that city simply collapsed.

Securing funding for interoperable radios is the number one homeland security priority for my district, but the high cost of establishing the required infrastructure and acquiring the necessary equipment has greatly slowed this vital effort. For smaller communities, the tens of thousands of dollars needed to upgrade their systems is simply too great. The stand-alone interoperability grant program included in this legislation is a great step forward, and I look forward to working to secure appropriations for this critical effort in the future.

The Commission also criticized the current funding system for federal first responder funding—which guarantees States a large portion of baseline funding with some additional funding distributed on the basis of population—arguing that homeland security assistance should be based "strictly on an assessment of risks and vulnerabilities."

One result of the current funding formula is that States at low risk of terrorist attack receive far more money per capita than states at much higher risk from terrorism. For example, under the current formula, Wyoming received \$18.06 per capita in Department of Homeland Security grants in 2006 while Michigan, whose border crossings are the busiest on the northern border and conduct about \$450 million in trade every day, received \$5.13 per capita.

The legislation before the House significantly increases that share of state homeland security grants provided on the basis of risk. Under the bill, most States would be guaranteed a minimum of 0.25 percent of Homeland Security grant money, down from 0.75 percent. Eighteen states that have international borders, including Michigan, would get a higher guaranteed amount of 0.45 percent of the total. The rest of the money would be distributed based on the Homeland Security Department's assessment of risk and need. I agree

with this approach. We must focus our resources on high-threat areas where the risk from terrorist attack are greatest.

The most basic job of government is to be ready to respond in the event of a disaster, whether natural or man-made. We can't afford another response like the one following Hurricane Katrina. I urge all my colleagues to join me in voting for this important legislation.

Mr. COSTELLO. Mr. Speaker, I rise in support of H.R. 1, the 9/11 Commission Fulfillment Act of 2007. Specifically, I strongly support the provision in this bill that creates a new Checkpoint Screening Security Fund, with \$250 million in dedicated funding for explosive detection technology at airport checkpoints. This provision is derived from H.R. 1818, the Airport Screener Technology Improvement Act of 2005, which Chairman OBERSTAR and I introduced last Congress.

Mr. Speaker, the single greatest security threat to aviation today is the suicide-bomber as evidenced by the 9/11 Commission specifically recommending that the Transportation Security Administration (TSA) and Congress "give priority attention to improving the ability of screening checkpoints to detect explosives on passengers."

Several months later, the Department of Homeland Security Inspector General (IG) reported that airport screeners were still having serious problems detecting threat items at checkpoints because they lacked the technology. Specifically, the IG found that:

"Despite the fact that the majority of screeners . . . were diligent in the performance of their duties . . . lack of improvement since our last audit indicates that significant improvement in performance may not be possible without greater use of technology . . . We encourage TSA to expedite its testing programs and give priority to technologies, such as backscatter x-ray, that will enable the screening workforce to better detect both weapons and explosives."

In response to the IG's findings, the TSA concurred.

In September 2005, the 9/11 Commission reiterated its recommendation to strengthen passenger security screening declaring that "minimal progress" had been made. The Commission urged Congress to:

" . . . provide the funding for, and TSA needs to move as expeditiously as possible with, the installation of explosives detection trace-portals at more of the nation's 441 commercial airports, while both continue to support the development of more advanced screening technology."

Mr. Speaker, the recommendations, findings and statements of the DHS IG, TSA, and the 9/11 Commission all suggest that technology is sorely needed to improve security at our airports. But, limited funding has prevented the wide-scale deployment of these technologies.

We know what needs to be done to improve screener performance, and we must take action now. If a U.S. airliner is destroyed by a suicide-bomber it will not be regarded as a "failure of imagination"—it will be regarded simply as a failure of funding and a failure of political will to provide the resources that might have prevented it.

Mr. Speaker, I am extremely pleased that H.R. 1 provides dedicated funding to improve airport security checkpoints and I ask my colleagues to vote yes on this bill so we can work to deploy technologies that will help our screeners do their jobs and keep the American traveling public safe.

Mr. HASTERT. Mr. Speaker, our Government has no greater responsibility to the American people than national security. It is one of the few prescribed duties specifically outlined in both the preamble and body of the United States Constitution.

It has been over 5 years since the terrorist attacks of September 11 and America is safer and much more alert to the dangers that lurk in our world. Since 9/11, our military and our intelligence services have thwarted dozens of attacks. Their efforts have saved countless lives. These successes were possible because of the tools we armed them with through the passage of laws on the floor of this House.

Mere days after September 11, Republicans responded by approving the USA PATRIOT Act to address the ways in which American law enforcement agencies can combat terrorism. By making necessary changes such as modernizing wiretapping laws and allowing more information sharing between law enforcement agencies, we increased the likelihood of catching terrorists and punishing them accordingly. This law, which we recently reauthorized, has enabled the Federal Government to effectively deter and punish terrorist acts in the U.S. and around the world.

Following the release of the 9/11 Commission's report and recommendations. Members of the House and Senate met to discuss these issues. At times, our views differed significantly regarding the changes we believed were necessary, but, in the end, we were able to find common ground on many of these issues and did what was right for America.

This culminated in the passage of the Intelligence Reform and Terrorism Prevention Act. This legislation provided the largest overhaul in the structure of the U.S. intelligence community since the creation of the CIA and incorporated most of the recommendations offered by the 9/11 Commission. Furthermore, this legislation allowed the intelligence community to focus its efforts on 21st century threats and was a tremendous step to further protecting the safety of the American people.

As we learned, access to timely and accurate information is critical to defeating terrorists and protecting our Nation from other threats. As such, the bill created the Office of the National Intelligence Director who acts as the unifying central point bringing together U.S. intelligence efforts. In addition, the bill addressed the loop-holes that existed in our national security structure by making improvements to law enforcement, defense intelligence, emergency preparedness, and border and aviation security.

The Intelligence Reform Act also addressed the issue of communications interoperability for first responders. The act required the Secretary of Homeland Security to establish a national strategy for public safety interoperability communications, and required the Secretary to establish two pilot projects to serve as national models. In addition, we passed subsequent legislation to establish an Office of Emergency Communications within the Department of Homeland Security.

Furthermore, we included provisions in the Deficit Reduction Act to plan for the release of radio frequency spectrum, and create a fund to receive spectrum auction proceeds. Among other things, the fund establishes a grant program of up to \$1 billion for public safety agencies to deploy interoperable systems.

Nonetheless, we still had important border security and immigration provisions to be addressed. To that end, the House passed the REAL ID Act of 2005. A key 9/11 Commission recommendation, the REAL ID Act federally standardizes the requirements for applying and issuing State identification cards. According to the 9/11 Commission, the 19 hijackers responsible for the 9/11 terrorist attacks carried between them 13 valid drivers' licenses and 21 State-issued ID cards. The Commission recommended Congress establish Federal standards for sources of identification in order to target terrorist travel and better prevent another terrorist attack on American soil. This legislation addressed that.

And that's not all—over the past 5 years, this House has passed legislation to address maritime and port security, aviation security, and research and development of biomedical countermeasures to potential biological attacks.

As President John F. Kennedy once said, "In the long history of the world, only a few generations have been granted the role of defending freedom in its hour of maximum danger." This is a responsibility we have never shied away from. America must continue to be vigilant and prepared for terrorist threats and attacks. And we will continue to work together to that end.

Mr. ORTIZ. Mr. Speaker, I rise in support of the long-awaited legislation this nation has desperately needed since the 9/11 attacks on our democracy . . . yet which was pushed to the back burner by the previous Congress.

I'm proud that—within the first 100 legislative hours of this Congress—we are considering this bill to make our Nation safer by implementing the 9/11 Commission's recommendations left out of the Intelligence Reform bill in 2004. The bill also goes beyond the Commission's recommendations by requiring, within five years, 100 percent scanning of U.S.-bound shipping containers.

I represent two major ports in South Texas—the Port of Brownsville and the Port of Corpus Christi, which also has a strategic sealift command—and the array of possibilities for terrorists to access our Nation through shipping containers is amazing and horrifying.

Implementing the Commission's recommendations will make us safer by enhancing homeland security, strengthening efforts to stop the proliferation of WMD, and promoting strategies to reduce the appeal of extremism, particularly in Muslim parts of the world.

Today, we are—at long last—making a number of substantial improvements to homeland security, including: distributing homeland security grants on the basis of risk alone; creating a stand-alone grant program for interoperable communications for first responders; requiring a 100 percent inspection of air cargo over the next 3 years; accelerating the installation of explosive detection systems for checked baggage; and mandating a strategic plan to deploy explosive detection equipment at passenger checkpoints.

Today's bill also offers provisions to prevent terrorists from acquiring WMD by creating a U.S. Coordinator for the Prevention of WMD Proliferation and Terrorism and a blue-ribbon commission to recommend further reforms. We also strengthen efforts to eliminate nuclear black-market networks, easily the greatest danger to the civilized nations of the world.

Through this bill we offer strategies to reduce the appeal of extremism by providing as-

sistance for expanding modern educational programs for Arab and other Muslim youth around the world, as well as promoting economic opportunities, education reform, human rights, and democratic processes in the countries of the Middle East.

This is a good day for this nation . . . and when the president signs this bill into law, we will be a safer nation.

Mr. THOMPSON of Mississippi. Mr. Speaker, I would like to take the opportunity to make reference to the fact that H.R. 1 includes provisions in which the Judiciary Committee has a jurisdictional interest. Specifically, I am speaking of provisions that touch on the following aspects of the bill: the Human Smuggling and Trafficking Center, the Fusion and Law Enforcement Education and Teaming Grant Program, the Privacy and Civil Liberties Oversight Board, the Federal Advisory Committee Act, and the treatment of detainees.

I appreciate the assistance of my colleague from Michigan, Mr. CONYERS, in assuring the expedited consideration of this important legislation on the House floor, given his Committee's jurisdictional interest in the legislation. While it is important to note that I do not control the entire process, as there are other House Committees involved and the Senate will likely have its own positions on a variety of these issues, I am glad to work with the gentleman from Michigan and other Members of the Judiciary Committee as this legislation moves forward.

Mr. MCNERNEY. Mr. Speaker, the terrorist attacks of September 11, 2001 remain a dark day in our Nation's history, but the tragedy of 9/11 rallied Americans to the aid of their fellow citizens and showed the world our resilience.

Throughout the country, patriotic Americans responded to the attacks by volunteering to serve their country in the armed forces, and I am proud to count my son among those who signed up.

Since 9/11 we've known that we need to do more to expand security measures nationwide. The legislation we will be voting on today takes us a few steps closer to protecting Americans here at home by increasing security at our nation's ports and airports, improving communication, and providing funding for our first responders.

The 9/11 Commission created the blueprint for increasing security some time ago, and I'm pleased today that we are implementing these critical security recommendations to make America more safe.

I commend the House for taking up this legislation today, and I urge all of my colleagues to support its adoption.

Mr. Sires. Mr. Speaker, I rise today in support of H.R. 1. My district in Northern New Jersey was greatly impacted by the terrorist attacks on September 11, 2001. It has been over 5 years since that terrible day and we are still mourning for those who were lost. I can think of no better way to honor the memories of those who were lost and to honor those who were injured than to pass H.R. 1 today.

Two and half years ago the bipartisan 9/11 Commission released their report and submitted 41 recommendations to Congress. As of today, many of those recommendations have not been implemented and therefore we have not done everything we can to help secure our nation.

One of the most important recommendations is to change the distribution of homeland

security funding for high risk States and regions. My district has been named one of the areas in the country that is most susceptible to terrorist attacks. The risk that we live with every day should warrant more federal funding in order to help ensure security. The cities and towns in my district need to know that they can count on funding for overtime, equipment, and all of the other demands that are put on our communities due to these threats.

Mr. Speaker, this bill is long overdue. I strongly support H.R. 1 and I urge all of my colleagues to support this legislation.

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

The SPEAKER pro tempore (Mr. MURTHA). Pursuant to section 507 of House Resolution 6, the bill is considered read and the previous question is ordered.

The question is on the engrossment and third reading of the bill.

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

MOTION TO RECOMMIT OFFERED BY MS. ROS-LEHTINEN

Ms. ROS-LEHTINEN. Mr. Speaker, I offer a motion to recommit with instructions.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Ms. ROS-LEHTINEN. I am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Ros-Lentinen moves to recommit the bill H.R. 1 to the Committee on Foreign Affairs with instructions to report the same back to the House forthwith with the following amendments:

Page 191, after line 22, insert the following:

(a) STATEMENT OF POLICY.—The following shall be the policies of the United States:

(1) The responsibility for ensuring the security of the American people rests exclusively with the Government of the United States and may not be delegated in whole or in part to any international organization, agency, or tribunal or to the government of any other country.

(2) The freedom of the Government of the United States to act as it deems appropriate to ensure the security of the American people may not be limited by, or made dependent upon, the act or lack thereof, by any international organization, agency, or tribunal or by the government of any other country.

(3) The U.S. Constitution is the supreme law of the land and cannot be subordinated to, or superseded by, any act, or lack thereof, by any international organization, agency, or tribunal or by the government of any other country.

(4) In carrying out its responsibility for ensuring the security of the American people, the Government of the United States has sought and should continue to seek to enlist the cooperation and support of international organizations, agencies, and tribunals, including the United Nations and its affiliated organizations and agencies, as well as the governments of other countries; but no act taken by the Government of the United States regarding its responsibility to ensure the security of the American people may be deemed to require authorization, permission, or approval by any international organization, agency, or tribunal or by the government of any other country.

Page 191, line 23, redesignate subsection (a) as subsection (b).

Page 192, strike lines 10 through 12.

Page 192, line 13, redesignate paragraph (3) as paragraph (2).

Page 192, line 15, redesignate paragraph (4) as paragraph (3).

Page 193, strike lines 6 through 9.

Page 193, line 10, redesignate subsection (b) as subsection (c).

Page 193, line 14, redesignate subsection (c) as subsection (d).

Page 193, lines 23 to 24, strike “paragraph (4) of subsection (a)” and insert “paragraph (3) of subsection (b)”.

Page 194, lines 2 to 3, strike “paragraphs (1), (2), (3), and (5) of subsection (a)” and insert “paragraphs (1) and (2) of subsection (b)”.

Page 194, line 4, redesignate subsection (d) as subsection (e).

Page 194, line 9, strike “(a)” and insert “(b)”.

Mr. THOMPSON of Mississippi (during the reading). Mr. Speaker, I ask unanimous consent that the motion to recommit be considered as read and printed in the RECORD.

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

Ms. ROS-LEHTINEN. I object.

The SPEAKER pro tempore. Objection is heard.

The Clerk continued to read the motion to recommit.

The SPEAKER pro tempore. The gentlewoman from Florida is recognized for 5 minutes in support of her motion to recommit.

Ms. ROS-LEHTINEN. Mr. Speaker, since its creation by this administration in the year 2002, the Proliferation Security Initiative, known as PSI, has quickly become one of this country’s most valuable tools in helping to stop spread the weapons of mass destruction and preventing them falling into the hands of terrorist countries.

Our PSI partners, working at times with others, have stopped the transhipment of materials and equipment that have been bound for Iran’s ballistic missiles programs and also has prevented Iran from procuring goods to support its WMD programs, including its nuclear program. Again, it was PSI cooperation between the United States, Britain and other European partners that began the demise of the Dr. A.Q. Khan network, an action that also contributed to the decision of the Libyan Government to stop and abandon its nuclear weapons and longer-range missile program.

However, despite this extraordinary record of success, some of our Democratic colleagues tell us, as noted in the Dear Colleague that they have circulated today, that securing United Nations authorization under international law would persuade countries that are not currently cooperating with us in the United States to prevent this illicit trade in items of proliferation concern to somehow cooperate with us.

They dismissed a coalition of the willing, on which the PSI is based as an ad hoc assembly. But the PSI has been

a success precisely because it is a coalition of the willing.

Countries that might wish to slow or limit its activities have no means of doing so. The fact is that no country that genuinely wishes to cooperate with the United States, another PSI participant, is prevented from doing so. The idea that there is a need for the United Nations to provide legitimacy to the PSI under international law to permit countries to cooperate is nonsense.

I do not share the sentiments of my Democratic colleagues who have the surprising faith in the United Nations’ desire to advance the interests of the United States. Whether it is Iran, Syria, terrorism, Middle East peace, the U.N. is rarely a help and more often than not a hindrance to the advancement of the goals of the United States. Rather, the desire for consensus, an agreement for agreement’s sake, as a result, is a race to the bottom.

We have seen this with the so-called Human Rights Council, Mr. Speaker. If we allow the section cited in the motion to remain in the bill, a similar result is likely to happen with PSI. Some of my Democratic colleagues appear to regard U.N. authorization under international law as something upon which U.S. action must be predicated, that it is a higher authority to which we must turn in order to secure authorization for all our actions, a permission which may be granted or held as the U.N. sees fit.

We must reject that interpretation. I am certain that many of our constituents do reject it. What troubles me most are statements that begin with the phrase “international law does not allow.”

#### □ 1845

We on this side of the aisle do not believe that international law controls what the U.S. can and cannot do, what it must do to protect the interests of the American people. That is why I have included language in this motion to recommit stating that simple truth.

Mr. Speaker, I would like to yield the remaining time to Mr. WOLF of Virginia, a man who understands the failures of the United Nations. And I strongly urge my colleagues to vote for this restatement of the fundamental principle upon which our Constitution and the foreign policy of our country is based.

Mr. WOLF. Why would you give the United Nations any impact when, in Rwanda, 700,000 people died, and the U.N. did nothing? In Srebrenica, the U.N. stood by as 700 Muslims were led to their death by the Serbs. In Darfur, where I have been, I led the first delegation, 450,000 people have died, and this House has called it genocide, and genocide continues today.

Why would you give the U.N. any authority when it couldn’t stop genocide in Darfur, genocide in Srebrenica, and genocide in Darfur today? I strongly support the amendment.

Mr. LANTOS. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes.

Mr. LANTOS. Let me first say, I strongly agree with my good friend from Virginia in opposing genocide. Genocide has nothing to do with this legislation. Let’s make that clear.

Mr. Speaker, my friends on the other side are misrepresenting provisions in H.R. 1 that strengthen and reform the Proliferation Security Initiative. They are attempting to exhume an old tactic: Scare the American people with the specter of the all-powerful, irresistible military machine that is the United Nations.

Of course, Mr. Speaker, this characterization is as absurd as ever and has about as much substance as Shakespeare’s Banquo’s Ghost. But it is part and parcel of the irrational opposition to all things multilateral even when multilateral and international institutions clearly benefit American interests.

In fact, Mr. Speaker, our bill seeks to use international law to our benefit. Our bill seeks to broaden the Proliferation Security Initiative’s authorities under international law to help us convince more nations to support U.S. efforts to stop and prevent the illicit trade in dangerous items of proliferation concern. It does not relinquish any responsibility to the United Nations.

Current international law gives no basis for partners in the Proliferation Security Initiative to intercept shipments related to weapons of mass destruction. One cannot overcome this weakness by ad hoc assemblages of coalitions of the willing.

Even the White House has admitted that international law is weak in this regard and needs to be strengthened.

Mr. Speaker, the motion to recommit would in fact weaken U.S. counter proliferation efforts by undermining effective action at the United Nations to increase Proliferation Security Initiative’s global legitimacy and authority.

Mr. Speaker, we will never allow any other government or international organization to control what actions we take to safeguard U.S. national security, but we will use international tools that are available to us in the real world to protect America regardless of the purely ideological preferences of some on the other side.

Mr. Speaker, I urge my colleagues to oppose the motion to recommit, and yield the balance of the time to my good friend from Missouri, the distinguished chairman of the committee on Armed Services, IKE SKELTON.

Mr. SKELTON. Mr. Speaker, as a fellow says back home: You can have your own opinion, but you can’t have your own facts. As I said to my friend the gentlewoman from Florida a few moments ago: Read the language. It is not what folks on the other side are saying it is.

The Proliferation Security Initiative, as established by the President in 2003,



Lewis (GA) Obey  
 Lipinski Olver  
 LoBiondo Pallone  
 Loebssack Pascrell  
 Lofgren, Zoe Pastor  
 Lowey Payne  
 Lynch Pelosi  
 Mack Perlmutter  
 Mahoney (FL) Peterson (MN)  
 Maloney (NY) Platts  
 Markey Pomeroy  
 Marshall Porter  
 Matheson Price (NC)  
 Matsui Pryce (OH)  
 McCarthy (NY) Rahall  
 McCaul (TX) Ramstad  
 McCollum (MN) Rangel  
 McCotter Regula  
 McCrery Reichert  
 McDermott Reyes  
 McGovern Rodriguez  
 McHugh Rogers (AL)  
 McIntyre Rogers (MI)  
 McMorris Ros-Lehtinen  
 Rodgers Roskam  
 McNerney Ross  
 McNulty Rothman  
 Meehan Roybal-Allard  
 Meek (FL) Ruppersberger  
 Meeks (NY) Rush  
 Melancon Ryan (OH)  
 Michaud Ryan (WI)  
 Millender- McDonald Sánchez, Linda  
 Miller (MI) T.  
 Miller (NC) Sanchez, Loretta  
 Miller, George Sarbanes  
 Mitchell Schakowsky  
 Mollohan Schiff  
 Moore (KS) Schmidt  
 Moore (WI) Schwartz  
 Murphy (CT) Scott (GA)  
 Murphy, Patrick Scott (VA)  
 Murphy, Tim Serrano  
 Murtha Sestak  
 Nadler Shays  
 Napolitano Shea-Porter  
 Neal (MA) Sherman  
 Oberstar Shimkus

## NOES—128

Aderholt Fallin Nunes  
 Akin Feeney Paul  
 Bachmann Flake Pearce  
 Bachus Forbes Pence  
 Baker Foxx Peterson (PA)  
 Barrett (SC) Franks (AZ) Garrett (NJ)  
 Bartlett (MD) Gilchrest  
 Barton (TX) Gingrey  
 Biggert Hohmert  
 Bilbray Goode  
 Bishop (UT) Goodlatte Radanovich  
 Blackburn Graves Rehberg  
 Blunt Hastert Renzi  
 Boehner Hensarling Reynolds  
 Bonner Herger Rogers (KY)  
 Boozman Hoekstra Rohrabacher  
 Boustany Hunter Royce  
 Brady (TX) Inglis (SC) Sali  
 Brown (SC) Issa Saxton  
 Burgess Burton (IN) Johnson, Sam Sensenbrenner  
 Calvert Jordan Sessions  
 Campbell (CA) King (IA) Shadegg  
 Cannon Kingston Shuster  
 Cantor Kline (MN) Smith (NE)  
 Coble Lamborn Souder  
 Cole (OK) Latham Stearns  
 Conaway Lewis (CA) Sullivan  
 Crenshaw Lewis (KY) Tancredo  
 Cubin Linder Terry  
 Culberson Lucas Thornberry  
 Davis (KY) Lungren, Daniel Tiahrt  
 Davis, David E. Walberg  
 Davis, Jo Ann Manzullo Wamp  
 Davis, Tom McCarthy (CA) Weldon (FL)  
 Deal (GA) McHenry Westmoreland  
 Drake McKeon Whitfield  
 Dreier Mica Wicker  
 Duncan Miller (FL) Wilson (NM)  
 Ehlers Miller, Gary Wilson (SC)  
 Emerson Musgrave Wolf  
 English (PA) Myrick Young (AK)  
 Everett Neugebauer Young (FL)

## NOT VOTING—8

Buyer Merchant Norwood  
 Gillmor Moran (KS)  
 Knollenberg Moran (VA)

Shuler  
 Simpson  
 Sires  
 Skelton  
 Slaughter  
 Smith (NJ)  
 Smith (TX)  
 Smith (WA)  
 Snyder  
 Solis  
 Space  
 Spratt  
 Stark  
 Stupak  
 Sutton  
 Tanner  
 Tauscher  
 Taylor  
 Thompson (CA)  
 Thompson (MS)  
 Tiberi  
 Tierney  
 Towns  
 Turner  
 Udall (CO)  
 Udall (NM)  
 Upton  
 Van Hollen  
 Velázquez  
 Visclosky  
 Walden (OR)  
 Walsh (NY)  
 Walz (MN)  
 Wasserman  
 Schultz  
 Waters  
 Watson  
 Watt  
 Waxman  
 Weiner  
 Welch (VT)  
 Weller  
 Welexer  
 Wilson (OH)  
 Woolsey  
 Wu  
 Wynn  
 Yarmuth

## □ 1917

Mr. CARDOZA changed his vote from “no” to “aye.”  
 So the bill was passed.  
 The result of the vote was announced as above recorded.  
 A motion to reconsider was laid on the table.  
 Stated for:  
 Mr. MORAN of Virginia. Madam Speaker, on rollcall No. 15, I missed the rollcall vote inadvertently. Had I been present, I would have voted “yea.”

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ELLISON). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Any record vote on the postponed question will be taken tomorrow.

## MOURNING THE PASSING OF PRESIDENT GERALD RUDOLPH FORD

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 15) mourning the passing of President Gerald Rudolph Ford and celebrating his leadership and service to the people of the United States, as amended.

The Clerk read as follows:

## H. RES. 15

Whereas all American Presidents affect the history of the United States, but President Gerald Rudolph Ford leaves a legacy of leadership and service that will endure for years to come;

Whereas millions of men and women across America mourn the death of the 38th President of the United States;

Whereas Gerald R. Ford is the only person from the State of Michigan to have served as President of the United States;

Whereas Gerald R. Ford graduated from the University of Michigan with academic and athletic excellence;

Whereas Gerald R. Ford attended Yale University Law School and graduated in the top 25 percent of his class while also working as a football coach;

Whereas Gerald R. Ford joined the United States Navy Reserves in 1942 and served valiantly on the U.S.S. Monterrey in the Philippines during World War II;

Whereas the U.S.S. Monterrey earned 10 battle stars, awarded for participation in battle while Gerald R. Ford served on the ship;

Whereas Gerald R. Ford was released to inactive duty in 1946 with the rank of Lieutenant Commander;

Whereas in 1948, Gerald R. Ford was elected to the House of Representatives, where he served with integrity for 25 years;

Whereas Gerald R. Ford's contributions to the foreign operations and defense subcommittees of the Committee on Appropriations earned him a reputation as a “congressman's congressman”;

Whereas in 1963, President Lyndon Johnson appointed Gerald R. Ford to the Warren Commission investigating the assassination of President John F. Kennedy;

Whereas from 1965 to 1973, Gerald R. Ford served as minority leader of the House of Representatives;

Whereas from 1974 to 1976, Gerald R. Ford served as the 38th President of the United States, taking office at a dark hour in the history of the United States and returning the faith of the people of the United States in the Presidency through his wisdom, courage, and integrity;

Whereas the Presidency of Gerald R. Ford is remembered for restoring trust and openness to the Presidency;

Whereas President Gerald R. Ford followed a steady, sensible course to cope with the Nation's economic problems and during his Administration halted double-digit inflation and lowered unemployment;

Whereas President Gerald R. Ford worked to solidify President Nixon's accomplishments in China, bring representatives of Israel and Egypt to the conference table, and provide developmental assistance to poor countries;

Whereas in 1975, under Gerald R. Ford's leadership, the United States signed the Final Act of the Conference on Security and Cooperation in Europe, commonly known as the “Helsinki Agreement”, which ratified post-World War II European borders and supported human rights;

Whereas Gerald R. Ford, together with Betty Ford, was awarded the Congressional Gold Medal in 1999 in recognition of dedicated public service and outstanding humanitarian contributions to the people of the United States;

Whereas in 1999, Gerald R. Ford received the Medal of Freedom, the Nation's highest civilian award, for his role in guiding the Nation through the turbulent times of Watergate, the resignation of President Nixon, and the end of the Vietnam War, and for restoring integrity and public trust to the Presidency;

Whereas since leaving the Presidency, Gerald R. Ford has been an international ambassador of American goodwill, a noted scholar and lecturer, and a strong supporter of the Gerald R. Ford School of Public Policy at the University of Michigan, which was named for the former President in 1999; and

Whereas Gerald R. Ford's life has been characterized by honesty, integrity, and dedication of purpose: Now, therefore, be it Resolved, That the House of Representatives—

(1) expresses its appreciation for the profound public service of President Gerald Rudolph Ford;

(2) tenders its deep sympathy to Betty Ford; to Michael, Jack, Steven, and Susan; and to the rest of the family of the former President; and

(3) directs the Clerk of the House to transmit a copy of this resolution to the family of President Gerald Rudolph Ford.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentleman from Virginia (Mr. TOM DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that the debate on the pending motion to suspend the rules be extended to 1 hour.

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

There was no objection.

## GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in