

existing programs, such as TWIC, and identify approaches on how biometrics can enhance protections for secure and sterile areas of the airport. TSA is also required by this bill to provide Congress and airport operators with a breakdown on best practices for using biometrics to improve airport security.

Mr. Speaker, this bill is not about re-inventing the wheel or putting a stop to any good work at TSA on this issue. It is about encouraging public-private partnerships and promoting an open dialogue between TSA, industry, and Congress on how best to secure our airports. I am proud to support this important and timely legislation, and I encourage my colleagues to join me in so doing.

Mr. DANIEL E. LUNGREN of California. I reserve the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mrs. LOWEY).

Mrs. LOWEY. I wanted to rise to thank our chairman for your important work on this issue. We have worked together on 100 percent screening of workers at airports, and now, there is a pilot project in place for seven of those airports, and we know that in three they are doing 100 percent screening. And at the others, they're looking at other methods, and one of the methods that they are seriously considering and some are using are the issue of biometrics because it is so important.

So I do want to thank the chairman for your leadership on this issue, and I look forward to following the work of the seven airports. Hopefully, we'll be able to spread it to all of our airports.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, again, in closing, I rise in support of H.R. 5982, the BEAR Act, the Biometric Enhancement for Airport-Risk Reduction Act, brought to us by the chairman of this committee. This is an advancement. This is a push to where we need to go with respect to biometrics.

We ought to understand that the United States is the leader in the world in technology and technology application. We need to do that here as well. And it sometimes seems strange that we don't take advantage of the leadership that we have in applying it to certain areas. The urgency that we need to adopt with respect to the threat that is out there is, I think, shared by this committee, but I'm not sure that it is shared totally by the full Congress, nor by the Federal establishment all together nor, in some cases, by the American people, where, after our successes in forestalling any major terrorist attack on our shores since 9/11, it allows us a certain relaxation that I think is dangerous. The gentleman moves us in the right direction with this bill.

I might say that as we move with this bill I would hope we would move with some other bills on this floor dealing with the threat that we have to our national economy and our national security through our energy dependence on many, many others.

The U.S. is the leader in the potential for oil shale, just as we're the leader in technology in this world. The U.S. might be called the Saudi Arabia of oil shale. According to the Department of Energy, this Nation is endowed with more than 2 trillion barrels of oil. To put this figure in perspective, the world has used 1 trillion barrels of oil since the first oil well was successfully drilled in Pennsylvania in 1859. According to the Department of Energy, let me repeat, we are endowed with more than 2 trillion barrels of oil, and we're talking about U.S. oil shale.

The problem is that we had a rider on an appropriations bill just last year that makes this huge domestic resource off-limits. That would be as silly as us having a bill on the floor that would say, even though we're the leader in biometric technology, we will prohibit its use in the area of airport security. That would make no sense, Mr. Speaker, nor does it make sense for us not to utilize this tremendous resource we have.

So again, Mr. Speaker, I would say that I would encourage all Members to support H.R. 5982, the Biometric Enhancement for Airport-Risk Reduction Act, otherwise known as the BEAR Act, brought to us on this floor by the distinguished gentleman from Mississippi, the chairman of our committee.

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

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I urge all my colleagues to support this commonsense approach to studying how biometrics can be used to improve airport security.

I think it is important to make clear again, this bill does not create any new mandates on airports. This bill does not require airports to use biometric identifying systems. Instead, it only provides for a study of how biometrics could be used.

I strongly believe that strategic deployment of biometrics in the airport is a sensible part of any layered security plan for the airport environment. Therefore, I urge my colleagues to support this important legislation and make our airports safer.

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today in support of H.R. 5982, Chairman THOMPSON's legislation that would take an important step toward improving airport security.

Since 9/11, Congress and the airline industry have taken strong actions to tighten security at our nation's airports.

These measures have included the creation of the TSA, the expansion of the air marshal service, and the full screening of airline passengers.

Chairman THOMPSON's proposal before us today would build upon these early efforts by implementing a study on the use of biometrics in identifying airport workers.

As TSA continues to look for ways to ensure that airport workers—in addition to passengers—do not pose security risks, pursuing biometrics is a timely and necessary effort.

At the same time, pursuing biometrics would also enhance efforts to conduct 100 percent screening of airport workers with access to secure parts of an airport.

Congresswoman NITA LOWEY and I have long supported 100 percent screening of airport workers.

Earlier in this Congress, we were proud to introduce and pass H.R. 1413, a bill to establish a pilot program to test such worker screening at a number of airports.

Just recently, TSA launched a pilot similar to the program outlined in our bill, and I look forward to learning the results of this important test upon its completion.

Of course, no one wants more bureaucracy for bureaucracy's sake, but Congress needs to look continuously for ways to improve protection for the traveling public.

As 9/11 so painfully taught us, we must resolve our security weaknesses before terrorists exploit the remaining gaps.

I urge my colleagues to support H.R. 5982.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi (Mr. THOMPSON) that the House suspend the rules and pass the bill, H.R. 5982, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

CATCHING OPERATIONAL VULNERABILITIES BY ENSURING RANDOM TESTING ACT OF 2008

Mr. THOMPSON of Mississippi. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5909) to amend the Aviation and Transportation Security Act to prohibit advance notice to certain individuals, including security screeners, of covert testing of security screening procedures for the purpose of enhancing transportation security at airports, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5909

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Catching Operational Vulnerabilities by Ensuring Random Testing Act of 2008" or the "COVERT Act of 2008".

SEC. 2. PROHIBITION OF ADVANCE NOTICE OF COVERT TESTING TO SECURITY SCREENERS.

Section 111 of the Aviation and Transportation Security Act (Public Law 107-71; 49 U.S.C. 44935 note) is amended—

(1) by striking the section enumerator and heading and inserting the following:

"SEC. 111. TRAINING, EMPLOYMENT, AND TESTING OF SECURITY SCREENING PERSONNEL."

and

(2) by adding at the end the following:

"(e) PROHIBITION OF ADVANCE NOTICE TO SECURITY SCREENERS OF COVERT TESTING AND EVALUATION.—

"(1) IN GENERAL.—The Secretary of Homeland Security shall ensure that information concerning a covert test of a transportation security system to be conducted by a covert testing office, the Inspector General of the Department of Homeland Security, or the Government Accountability Office is not provided to any individual prior to the completion of the test.

"(2) EXCEPTIONS.—Notwithstanding paragraph (1)—

"(A) an individual may provide information concerning a covert test of a transportation security system to employees, officers, and contractors of the Federal Government (including military personnel); employees and officers of State and local governments; and law enforcement officials, who are authorized to receive or directed to be provided such information by the Assistant Secretary of Homeland Security (Transportation Security Administration), the Inspector General of the Department of Homeland Security, or the Comptroller General of the United States, as the case may be; and

"(B) for the purpose of ensuring the security of any individual in the vicinity of a site where a covert test of a transportation security system is being conducted, an individual conducting the test may disclose his or her status as an individual conducting the test to any appropriate individual if a security screener or other individual who is not a covered employee identifies the individual conducting the test as a potential threat.

"(3) SPECIAL RULES FOR THE TRANSPORTATION SECURITY ADMINISTRATION.—

"(A) MONITORING AND SECURITY OF TESTING PERSONNEL.—The head of each covert testing office shall ensure that a person or group of persons conducting a covert test of a transportation security system for the covert testing office is accompanied at the site of the test by a cover team comprised of one or more employees of the covert testing office for the purpose of monitoring the test and confirming the identity of personnel involved in the test under subparagraph (B).

"(B) RESPONSIBILITY OF COVER TEAM.—Under this paragraph, a cover team for a covert test of a transportation security system shall—

"(i) monitor the test; and

"(ii) for the purpose of ensuring the security of any individual in the vicinity of a site where the test is being conducted, confirm, notwithstanding paragraph (1), the identity of any individual conducting the test to any appropriate individual if a security screener or other individual who is not a covered employee identifies the individual conducting the test as a potential threat.

"(C) AVIATION SCREENING.—Notwithstanding subparagraph (A), the Transportation Security Administration is not required to have a cover team present during a test of the screening of persons, carry-on items, or checked baggage at an aviation security checkpoint at or serving an airport if the test—

"(i) is approved by the Federal Security Director for such airport; and

"(ii) is carried out under an aviation screening assessment program of the Department of Homeland Security.

"(D) USE OF OTHER PERSONNEL.—The Transportation Security Administration may use employees, officers, and contractors of the Federal Government (including military personnel) and employees and officers of State and local governments to conduct covert tests.

"(4) IMPACT STUDY AND REPORT ON COVERT TESTING PROCEDURES.—

"(A) IMPACT STUDY.—The Secretary of Homeland Security shall conduct a study of the im-

pact of the implementation of this subsection on the Department of Homeland Security's efforts to improve transportation security.

"(B) REQUIREMENTS.—The study under subparagraph (A) shall include an assessment of—

"(i) the impact of the implementation of this subsection on personnel of the Department of Homeland Security;

"(ii) the impact of such implementation on information sharing within the Department;

"(iii) best practices for integrating the topic of covert testing into existing training and testing programs for personnel of the Department; and

"(iv) the effectiveness of covert testing as a method to improve security.

"(C) REPORT.—Not later than 270 days after the date of the enactment of this subsection, the Secretary shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report that contains—

"(i) the results of the study under subparagraph (A);

"(ii) recommendations for changes to the training of personnel of the Department that are necessary to ensure compliance with the requirements of this subsection; and

"(iii) recommendations to improve the effectiveness of the implementation of this subsection.

"(5) DEFINITIONS.—For purposes of this subsection, the following definitions apply:

"(A) APPROPRIATE INDIVIDUAL.—The term 'appropriate individual', as used with respect to a covert test of a transportation security system, means any individual that—

"(i) the individual conducting the test determines needs to know his or her status as an individual conducting a test under paragraph (2)(B); or

"(ii) the cover team monitoring the test under paragraph (3)(B)(i) determines needs to know the identity of an individual conducting the test.

"(B) COVERED EMPLOYEE.—The term 'covered employee' means any individual who receives notice of a covert test before the completion of a test under paragraph (2)(A).

"(C) COVERT TEST.—

"(i) IN GENERAL.—The term 'covert test' means an exercise or activity conducted by a covert testing office, the Inspector General of the Department of Homeland Security, or the Government Accountability Office to intentionally test, compromise, or circumvent transportation security systems to identify vulnerabilities in such systems.

"(ii) LIMITATION.—Notwithstanding clause (i), the term 'covert test' does not mean an exercise or activity by an employee or contractor of the Transportation Security Administration to test or assess compliance with regulations under title 49 of the Code of Federal Regulations.

"(D) COVERT TESTING OFFICE.—The term 'covert testing office' means any office of the Transportation Security Administration designated by the Assistant Secretary of Homeland Security (Transportation Security Administration) to conduct covert tests of transportation security systems.

"(E) EMPLOYEE OF A COVERT TESTING OFFICE.—The term 'employee of a covert testing office' means an individual who is an employee of a covert testing office or a contractor or an employee of a contractor of a covert testing office."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Mississippi (Mr. THOMPSON) and the gentleman from California (Mr. DANIEL E. LUNGREN) each will control 20 minutes.

The Chair recognizes the gentleman from Mississippi.

GENERAL LEAVE

Mr. THOMPSON of Mississippi. Mr. Speaker, I ask unanimous consent that

all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise in strong support of this bill and yield myself as much time as I may consume.

Mr. Speaker, H.R. 5909, the Catching Operational Vulnerabilities by Ensuring Random Testing Act of 2008, or the COVERT Act of 2008, was introduced by Congresswoman LOWEY of New York.

The COVERT Act of 2008 was introduced to eliminate the practice of giving advance notice to transportation security workers of covert tests before the tests happened. I want to thank Congresswoman LOWEY and the other members of the Committee on Homeland Security for working together in a bipartisan manner to approve this measure unanimously.

I also want to thank the Transportation Security Administration for recognizing the need for this legislation and working with us to ensure that the bill accomplishes its goal without impeding the way in which TSA conducts its covert testing.

This legislation is vital to protecting the integrity of covert tests of transportation security systems. We know of at least three incidents where covert tests were compromised by individuals who inappropriately warned security officials.

This bill will prohibit individuals from providing advance notice of these important covert tests to any persons, unless authorized to do so by the Assistant Secretary of TSA, the Inspector General of DHS, or the Comptroller General of GAO.

Covert testing efforts by TSA, the DHS IG, and GAO have helped to increase the effectiveness of our transportation security systems by highlighting vulnerabilities and keeping the screening workforce on their toes. Any effort to compromise these important testing efforts, whether intentional or accidental, should not be tolerated by this Congress.

If we choose to ignore the problems of the past, we will provide future opportunities to compromise a worthy program intended to educate the workforce and benefit the security of our transportation security systems throughout the country.

I strongly encourage all my colleagues to support H.R. 5909, which complements the work the committee has done on H.R. 1684, the DHS authorization bill that is pending before the Senate.

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

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 5909, the Catching Operational

Vulnerabilities by Ensuring Random Testing Act of 2008, otherwise known as the COVERT Act.

This act simply would prohibit the disclosure of information concerning a covert test conducted by TSA, the Inspector General of DHS, or GAO to any individual prior to the completion of the test. The bill also requires any TSA covert testing team to be accompanied by a cover team to monitor the covert test and to confirm the identity of the covert testing team to any appropriate individual, if an individual or security screener not aware of the covert test identifies the covert testing team as a threat to security.

This bill is substantially modified from the bill as originally introduced because there was some real give-and-take and compromise produced on the part of both sides of the aisle at the subcommittee level and with the full committee staff.

□ 1130

And for that I am thankful and believe that we have a better product as a result of that consultation and that give and take.

One of the things we wanted to make sure we did not do in attempting to prevent people spilling the beans, so to speak, on these kinds of covert tests was to have such a heavy-handed approach that it might tip off people by the presence of additional folks. We've worked that out here, and I thank the gentleman and the gentlelady for being able to do that.

I would just have one small point, perhaps disagreement with the chairman. There are reports that there was a tipping off in one particular instance that was intentional, seemingly meant to give people notice that there was going to be a test or it was about to take place. In another case, at least from my review of the files, it appears to be inadvertent, and I believe something on the order of within 30 seconds the notice that was contained in an e-mail was retrieved by the responsible party when he realized someone else had put that out. And then there's a third one that's somewhat in dispute between TSA and some Members of the House, and others.

And all I would say is, irrespective of how many there were, if there was just one, that's one too many. This bill I think helps us move in the direction of improving the circumstances so the likelihood of that occurring is much less in the future than it would have been without this legislation. And so for those reasons, I would enthusiastically support H.R. 5909 and ask my colleagues to support it.

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

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield 4 minutes to the author and supporter of this legislation, the gentlelady from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Speaker, I rise in support of H.R. 5909 and begin by

thanking Chairman THOMPSON, Ranking Member KING, Subcommittee Chairwoman JACKSON-LEE, and Subcommittee Ranking Member LUNGREN for moving this legislation to the floor.

My bill, the Catching Operational Vulnerabilities by Ensuring Random Testing, or COVERT, Act would prohibit the advance notification of covert tests on transportation systems without direct approval from the highest officials in our Homeland Security operations.

This legislation bolsters accountability and integrity for covert testing within our transportation systems overseen by the Transportation Security Administration and the Department of Homeland Security.

The core principles and goals of covert testing are undermined when individuals are alerted in advance that a test or evaluation is imminent. In fact, in case we haven't figured it out, there is nothing covert about activities employees already know will occur. Unfortunately, there have been a number of reported incidents in which covert tests may have been compromised as a result of advanced notification to Transportation Security officers.

The Inspector General at the Department of Homeland Security found that between August 2003 and May 2004, Transportation Security Administration officials at San Francisco International Airport compromised covert testing efforts by tracking testers throughout the airport utilizing surveillance cameras, then notifying screening personnel in advance of the testers arriving at security checkpoints. The Inspector General also found that Transportation Security officers at Jackson-Evers International Airport in Jackson, Mississippi, reported receiving advance notice of covert tests conducted by TSA's Office of Inspection on February 12, 2004.

Finally, led by Chairman THOMPSON's efforts, the Homeland Security Committee discovered on April 2006 an e-mail sent via TSA's net hub system from the Office of Security Operations to all Federal security directors and other TSA airport officials informing them of testing at airports throughout the country.

In this unfortunate instance, while the e-mail may have violated TSA protocols, it did not constitute the sharing of sensitive information under the law. My legislation will close that loophole, making it a violation to tip off employees before covert tests without high-level approval at TSA and DHS.

During mark-up of this legislation, the Homeland Security Committee adopted an amendment allowing local law enforcement to be notified prior to a test if directed by the administrator providing for personnel flexibility by clarifying that only one individual is necessary to serve as a cover agent supervising testing, and including a study on implementation of these procedures and their impact on the Department's effort to improve transportation security.

I want to make it very clear to my colleagues that this bill does not tie the hands of DHS or TSA. It simply ensures that any decision to notify personnel in advance must come directly from the TSA administrator, the Inspector General of the Department, or the Comptroller General at GAO to ensure the safety of the traveling public and the testers.

I urge my colleagues to support H.R. 5909.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield the gentlelady an additional minute.

Mrs. LOWEY. I will probably need an additional 4 minutes to respond, if you have it, Mr. Chairman, to Mr. LUNGREN on this very, very important issue that he has been referencing concerning drilling.

We've been hearing frequently from my colleagues, my good friends like Mr. LUNGREN, from President Bush, and from other Republicans in the Congress. They continue to argue that opening more of the Outer Continental Shelf to oil and gas drilling will lower gasoline prices. But we can't drill our way to energy independence. The United States has only 1.6 percent of the world's oil reserves, but Americans consume 25 percent of the oil used around the world every day. Nearly 80 percent of oil and 82 percent of natural gas believed to exist on the Outer Continental Shelf is located in areas that are now open for leasing.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield the gentlelady an additional 3 minutes to complete her statement.

Mrs. LOWEY. I thank the distinguished Chair.

Only 10.5 million of the 44 million leased offshore acres are actually producing oil or gas. So oil companies, my colleagues, are reaping billions in record profits, \$123 billion in 2007 alone, received billions in subsidies in the 2005 energy bill, but they are not using the Federal lands already open to development. Given this, opening sensitive areas to drilling makes no sense.

For example, ExxonMobil made \$40 billion in profits last year alone, but has only increased investment in drilling and production by \$3 billion over the last 5 years. Oil and gas companies have stockpiled 9,000 drilling permits—9,000—my good friends—drilling permits—without expanding domestic production.

The New Direction Congress is working to make America more energy independent and secure, lower costs to consumers, grow our economy with hundreds of thousands of new green jobs, and reduce global warming. This Congress has fought for historic new commitments to American-grown biofuels, sustained investments in clean renewable energy, large-scale efficiency improvements to buildings and

transportation, enhanced tools to crack down on OPEC price fixing and price gouging, and to investigate the effects on price of rampant commodity speculation. And this Congress has forced the President to increase supply and thereby lower costs by not continuing to fill the almost full Strategic Petroleum Reserve starting June 30.

I'm sure this debate will continue, my colleagues. And it seems to be a mantra of many of my good friends on the other side of the aisle, but I do wish there would be more focus on the oil companies using the drilling leases that they have and taking some of those profits and investing them and producing the oil that we need.

So I thank you, I thank the Chair, and I thank my good friend on the other side of the aisle for focusing on this issue. I'm sure we'll continue this discussion. But I would like to conclude by thanking everybody, because it has been a bipartisan effort, and I encourage support of H.R. 5909.

Mr. DANIEL E. LUNGREN of California. May I inquire as to how much time I have remaining?

The SPEAKER pro tempore. The gentleman from California has 17 minutes remaining.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I yield myself such time as I may consume.

Again I rise in support of H.R. 5909, the Catching Operational Vulnerabilities by Ensuring Random Testing Act of 2008. I just wish we had the Catching Operational Vulnerabilities by Ensuring Real Energy Production in this Country Act of 2008.

The gentlelady from New York has suggested that it's almost insignificant what we do offshore and that we are not actually going after those things right now. Well, let me just put some facts on the table.

According to the U.S. Minerals Management Service—not a Republican or Democratic operation—America's deep seas on the Outer Continental Shelf contain 420 trillion cubic feet of natural gas. Now, to put that in perspective, the United States consumes 23 trillion cubic feet per year; so 20 times, almost, what we get per year.

And 86 billion barrels of oil contained in the deep seas on the Outer Continental Shelf; 86 billion barrels of oil, and currently the U.S. imports 4.5 billion barrels of oil per year. So that's about the equivalent of a little less than 20 years of our imports. But 85 percent of the lower 48 Outer Continental Shelf energy resources remain under the lock and key of the Federal Government.

Now, why do I say this deals with operational vulnerabilities? We have said in this bill that if you tip off people that they're being investigated, they might not act as they normally do. They might take advantage of you because they know that you are doing these covert operations. Similarly, we are the only developed Nation in the world that forbids safe energy produc-

tion on our Outer Continental Shelf. No other country in the world does that. Brazil just explored on theirs, and they found the largest single gas find in modern history. In fact, some people are saying that Brazil will now be energy independent and not even have to deal with their ethanol production by way of sugar. Oh, by the way, we could be importing ethanol from sugar from Brazil at much lower costs than ethanol produced by corn in the United States. We have a 53 cent per gallon subsidy for corn-based ethanol, and we have something on the order of a 51 cent tariff on any ethanol brought in produced by sugar from Brazil or anywhere else, and I believe the farm bill brings it down to 45 cents. So we basically have put ourselves in the hole by about 90 cents per gallon with respect to ethanol that makes more cents from sugar than that that we're producing in corn.

But even though Brazil is the leader in the world in ethanol produced by sugar, it went ahead and explored on their Outer Continental Shelf. And what did they find? The largest single find. Now, if you had looked a year ago or 2 years ago about the proven reserves for Brazil, that would not even be there because we didn't know about it.

The other thing is, with technology, already known fields can produce more than they ever did before. One of the reasons I have a little bit of knowledge of this, I grew up in Long Beach, California.

□ 1145

We have been producing offshore Long Beach since before I was born. Every single citizen of the State of California who has any interest in the schools of California is proud of the fact, frankly, that there are subsidies that go to our schools from the royalties paid as a result of producing offshore Long Beach.

Now we haven't had a major oil spill in my lifetime. We have I think over 1,000 rigs in the gulf coast that have been sitting there during these tremendous storms that we call hurricanes, including Katrina, that came through that area in the last few years. Not a single drop of oil has resulted, even though we have had massive destruction of all other kinds of facilities in that area.

The United States companies, that some on this floor have berated, have spent billions of dollars in development of new technology to make it safer. And the suggestion that somehow they are hiding, somehow they are not utilizing these leases that they have, is just a fantastic claim, because it is utterly preposterous that they would pay money for leases and then not try to see what is there. The fact of the matter is that 52 percent of the oil and gas wells that have been drilled by American companies, 52 percent over the last 5 years, have turned out dry. Now, did they get these leases because they

wanted to find dry wells? No. They went because there is a certain risk.

It is not as easy as is suggested on this floor of the House that, okay, I am an oil company. I make money. I have friends who have worked on oil rigs who are missing fingers from the work that goes on there. I have friends that have worked in South and Central America who have worked on rigs at all time using what is called drilling mud, using those drill bits, losing fingers, working hard at it, realizing that you don't have a guarantee of every time you put a well down, you are going to get oil up.

So I just find it fantastic that in this argument, number one, we are told, well, we don't have that much oil. It is really the fault of Americans because they use so much oil. I don't know whether that sells too much, blaming Americans for using energy that allows their lives to be better than our parents' and grandparents' generation was in terms of the standard of living. And secondly, to berate American companies that are leaders in the world in technology around the world.

It is strange to me that some on the other side of the aisle believe that it is important for us to make sure we don't have any Outer Continental Shelf drilling off Florida, for instance, when Cuba has lease agreements with a number of countries, including China, although they haven't yet started to drill, that would allow them to drill within either 45 miles or 60 miles of our Florida coast. Now maybe it makes sense to tell the American people that they are at fault. I don't believe they are at fault. I think they are looking at us for some solutions.

We have a solution here to the problem of the possibility of tipping people off to testing. It makes no sense to me, and most on my side of the aisle, for us to be the only developed nation in the world tipping off the rest of the world that we are going to close off most of our areas of natural resources. Remember, when we got Alaska, some referred to it as Seward's Folly. Maybe we didn't realize the folly until now when we intentionally cut off our ability to be able to environmentally and safely explore and produce energy in Alaska.

But we divert a little bit from this bill. This bill is the Catching Operational Vulnerabilities By Ensuring Random Testing Act of 2008, COVERT testing. I congratulate the gentlelady for bringing this bill forward. I congratulate the chairwoman of the subcommittee for working on this along with those of us on this side. I congratulate the chairman of the committee, the gentleman from Mississippi, for bringing this forward.

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

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I cannot emphasize how important these covert tests are to

protecting the country's transportation security systems. A single tip-off of a covert test is too many. We have already had three we know of. We must do our part to stop the next one from happening. We must do whatever we can to ensure that these tests remain covert and candid so we can truly evaluate our transportation security workers.

I look forward to working with my colleagues as we move forward on this important legislation that will make our transportation systems more secure. I ask my colleagues to support this important legislation.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H.R. 5909, Catching Operational Vulnerabilities by Ensuring Random Testing Act of 2008, introduced by my distinguished colleague from New York, Representative LOWE. This important legislation will further shore up the gaps in our testing and evaluation protocols for transportation security.

As we've seen just in the past year, the details of covert tests and evaluations have been disseminated to the screener workforce, thereby "tipping-off" those we are trying to accurately and responsibly test. The Committee on Homeland Security has been extremely concerned about this issue and I have held hearings in the Subcommittee on Transportation Security and Infrastructure Protection, of which I am the chair, in order to examine what exactly has gone wrong.

Any efforts to compromise these important testing efforts, whether intentional or on accident, should not be tolerated. Some have claimed that one of these incidents—the April 2006 e-mail from TSA's Office of Security Operations that tipped TSA field staff off to covert tests—was unintentional, but evidence suggests otherwise. The April 2006 e-mail clearly referenced that individuals who were probing the system were Federal employees and even provided a physical description of one of the employees conducting the tests. This bill is necessary to prohibit individuals from providing advance notice of covert tests to any persons, unless authorized to do so by the Assistant Secretary of the Transportation Security Administration, the Inspector General of the Department, or the Comptroller General of the United States.

The COVERT Act of 2008 explicitly prohibits the advance notice or notification to individuals by those employees who are participating in a covert test or evaluation, which will ensure that the integrity of all covert testing efforts—across all modes of transportation—are protected, not just aviation. This legislation puts in place controls to monitor the testing personnel and the testing and evaluation procedures by building in accountability. It establishes the presence of a second team of covert test and evaluation employees with the first team in order to monitor and confirm their actions. Finally, the act requires an impact study to evaluate covert testing and evaluation and how it could be incorporated into other training and testing programs. The study is required to include: Recommendations on the implementation and execution of this section; an assessment on the results of covert testing; a summary of best practices on how to best integrate covert testing into other programs; and recommendations for additional personnel

training necessary to fulfill this act. The study and report will also provide an assessment on the test and evaluation results and recommendations for personnel training required to fulfill the act.

Mr. Speaker, if we choose to ignore these past disclosures, we provide future opportunities to compromise a worthy program intended to educate the workforce and benefit the security of our transportation systems throughout the country. One tip-off of a covert test is one too many. We've already had three that we know of. Let's do our part to stop any future tip-offs.

I am proud to support this incredibly important and timely legislation and I strongly encourage my colleagues to support this important legislation.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi (Mr. THOMPSON) that the House suspend the rules and pass the bill, H.R. 5909, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

SENSE OF HOUSE REGARDING TRANSPORTATION SECURITY ADMINISTRATION

Mr. THOMPSON of Mississippi. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1150) expressing the sense of the House of Representatives that the Transportation Security Administration should, in accordance with the congressional mandate provided for in the Implementing Recommendations of the 9/11 Commission Act of 2007, enhance security against terrorist attack and other security threats to our Nation's rail and mass transit lines, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1150

Whereas the Transportation Security Administration is uniquely positioned to lead the efforts to secure our Nation's rail and mass transit lines from the threat of terrorism as a result of expertise developed through over five years of securing our Nation's commercial air transportation system;

Whereas the successes of the Transportation Security Administration's National Explosives Detection Canine Team Program has furthered the Transportation Security Administration's ability to provide security against terrorist attacks on the Nation's transportation systems by preventing and protecting against explosives threats;

Whereas each weekday 11,300,000 passengers depend on our Nation's mass transit lines as a means of transportation, and mass transit lines serve as an enticing target for terrorists as evidenced by the March 11, 2004, attack on the Madrid, Spain, mass transit system, the July 7, 2005, attack on the London, England, mass transit system, and the July 11, 2006, attack on the Mumbai, India, mass transit system;

Whereas each weekday more than 25 million children depend on our Nation's school transportation system, in addition to mass transit systems, to get to and from school and school activities, and the security of these systems must be enhanced to address the threat of terrorism; and

Whereas securing our Nation's rail and mass transit lines from terrorist attack and other security threats is essential due to their impact on our Nation's economic stability and the continued functioning of our national economy: Now, therefore, be it

Resolved, That the Transportation Security Administration should—

(1) continue to enhance security against terrorist attack and other security threats to our Nation's rail and mass transit lines, as well as school transportation systems, including as provided for in the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110-53);

(2) continue development of the National Explosives Detection Canine Team Program, which has proven to be an effective tool in securing against explosives threats to our Nation's rail and mass transit lines, with particular attention to the application of its training standards and the establishment of a reliable source of domestically-bred canines;

(3) improve upon the success of the Online Learning Center by providing increased person-to-person professional development programs to ensure those responsible for securing against terrorist attacks on our transportation systems are highly trained in both securing against terrorist attacks and professional relations with the traveling public; and

(4) continue to secure our Nation's mass transit and rail lines against terrorist attack and other security threats, so as to ensure the security of commuters on our Nation's mass transit lines and prevent the disruption of rail lines critical to our Nation's economy, and to give special attention to school transportation systems by working with school administrators, State and local law enforcement, and other representatives in the school transportation industry to keep children safe from terrorist attack.

The SPEAKER pro tempore. Pursuant to the rule the gentleman from Mississippi (Mr. THOMPSON) and the gentleman from California (Mr. DANIEL E. LUNGREN) each will control 20 minutes.

The Chair recognizes the gentleman from Mississippi.

GENERAL LEAVE

Mr. THOMPSON of Mississippi. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the measure under consideration.

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

There was no objection.

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise in strong support of this measure and I yield myself as much time as I may consume.

Mr. Speaker, House Resolution 1150 was introduced earlier this year by Congresswoman SHEILA JACKSON-LEE. The resolution was marked up and adopted unanimously by the Subcommittee on Transportation Security and Infrastructure Protection on May 1. The full committee approved it unanimously on May 20.

I would like to congratulate Congresswoman JACKSON-LEE who is both