

Blackburn Fortenberry Lofgren, Zoe
 Blumenauer Foster Lowey
 Blunt Foxx Lucas
 Boccieri Frank (MA) Luetkemeyer
 Bonner Franks (AZ) Lujan
 Bono Mack Frelinghuysen Lummis
 Boozman Fudge Lungren, Daniel
 Boren Gallegly E.
 Boswell Garrett (NJ) Lynch
 Boucher Gerlach Mack
 Boustany Giffords Maffei
 Brady (PA) Gingrey (GA) Maloney
 Brady (TX) Gohmert Manzullo
 Braley (IA) Gonzalez Marchant
 Broun (GA) Goodlatte Markey (CO)
 Brown (SC) Granger Markey (MA)
 Brown, Corrine Graves Massa
 Brown-Waite, Grayson Matheson
 Ginny Green, Al Matsui
 Buchanan Green, Gene McCarthy (CA)
 Burgess Griffith McCarthy (NY)
 Burton (IN) Grijalva McCaul
 Butterfield Guthrie McClintock
 Buyer Gutierrez McCotter
 Calvert Hall (NY) McDermott
 Camp Halvorson McGovern
 Campbell Hare McHenry
 Cantor Harman McIntyre
 Capito Harper McKeon
 Capps Hastings (FL) McMahon
 Capuano Hastings (WA) McMorris
 Cardoza Heinrich Rodgers
 Carnahan Heller McNeerney
 Carson (IN) Hensarling Meek (FL)
 Carter Herger Meeks (NY)
 Cassidy Herseth Sandlin Mica
 Castle Higgins Michaud
 Castor (FL) Hill Miller (FL)
 Chaffetz Himes Miller (MI)
 Chandler Hinchey Miller (NC)
 Childers Hinojosa Miller, Gary
 Chu Hirono Miller, George
 Clarke Hodes Minnick
 Clay Hoekstra Mitchell
 Cleaver Holden Moore (KS)
 Clyburn Holt Moore (WI)
 Coble Honda Moran (KS)
 Coffman (CO) Hoyer Moran (VA)
 Cohen Hunter Murphy (CT)
 Cole Inglis Murphy (NY)
 Conaway Inslee Murphy, Patrick
 Connolly (VA) Israel Murphy, Tim
 Conyers Issa Murtha
 Cooper Jackson (IL) Myrick
 Costa Jackson-Lee Nadler (NY)
 Costello (TX) Napolitano
 Courtney Jenkins Neal (MA)
 Crenshaw Johnson (GA) Neugebauer
 Crowley Johnson (IL) Nunes
 Cuellar Johnson, E. B. Nye
 Culberson Johnson, Sam Oberstar
 Cummings Jones Obey
 Dahlkemper Jordan (OH) Olson
 Davis (AL) Kagen Oliver
 Davis (CA) Kanjorski Ortiz
 Davis (IL) Kaptur Pallone
 Davis (KY) Kennedy Pascrell
 Davis (TN) Kildee Pastor (AZ)
 Deal (GA) Kilpatrick (MI) Paul
 DeFazio Kilroy Paulsen
 DeGette Kind Payne
 Delahunt King (IA) Pence
 DeLauro King (NY) Perlmutter
 Dent Kingston Perriello
 Diaz-Balart, L. Kirk Peters
 Diaz-Balart, M. Kirkpatrick (AZ) Peterson
 Dicks Kissell Petri
 Dingell Klein (FL) Pingree (ME)
 Doggett Kline (MN) Pitts
 Donnelly (IN) Kosmas Poe (TX)
 Doyle Kratovil Polis (CO)
 Dreier Kucinich Pomeroy
 Driehaus Lamborn Posey
 Duncan Lance Price (GA)
 Edwards (MD) Langevin Price (NC)
 Edwards (TX) Larsen (WA) Putnam
 Ehlers Larson (CT) Quigley
 Ellison Latham Rahall
 Ellsworth LaTourette Rangel
 Engel Latta Rehberg
 Eshoo Lee (CA) Reichert
 Etheridge Lee (NY) Reyes
 Fallon Levin Richardson
 Farr Lewis (CA) Rodriguez
 Fattah Lewis (GA) Roe (TN)
 Filner Linder Rogers (AL)
 Flake Lipinski Rogers (KY)
 Fleming LoBiondo Rogers (MI)
 Forbes Loebach Rohrabacher

Rooney Shuler Towns
 Ros-Lehtinen Shuster Tsongas
 Roskam Simpson Turner
 Ross Sires Upton
 Rothman (NJ) Skelton Van Hollen
 Roybal-Allard Slaughter Velázquez
 Royce Smith (NE) Visclosky
 Ruppersberger Smith (NJ) Walden
 Rush Smith (TX) Walz
 Ryan (OH) Smith (WA) Wamp
 Ryan (WI) Snyder Wasserman
 Salazar Souder Schultz
 Sánchez, Linda Space
 T. Speier Waters
 Sanchez, Loretta Spratt Watson
 Sarbanes Stearns Watt
 Schakowsky Stupak Waxman
 Schauer Sullivan Weiner
 Schiff Sutton Welch
 Schmidt Tanner Westmoreland
 Schock Taylor Wexler
 Schrader Teague Whitfield
 Schwartz Terry Wilson (OH)
 Scott (GA) Thompson (CA) Wilson (SC)
 Scott (VA) Thompson (MS) Wittman
 Sensenbrenner Thompson (PA) Wolf
 Sessions Thornberry Woolsey
 Sestak Tiahrt Wu
 Shadegg Tiberi Yarmuth
 Shea-Porter Tierney Young (AK)
 Sherman Titus Young (FL)
 Shimkus Tonko

NOT VOTING—17

Boehner Gordon (TN) Platts
 Boyd Hall (TX) Radanovich
 Bright Marshall Scalise
 Cao McCollum Serrano
 Carney Melancon Stark
 Emerson Molohan

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Ms. DEGETTE) (during the vote). There are 2 minutes remaining in this vote.

□ 1149

So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RESIGNATION AS MEMBER OF COMMITTEE ON THE JUDICIARY

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on the Judiciary:

OCTOBER 14, 2009.

HON. NANCY PELOSI,
Speaker, House of Representatives, The Capitol,
Washington, DC.

DEAR MADAM SPEAKER: I am writing to notify you of my resignation from the Judiciary Committee, effective October 14, 2009. It was an honor to serve you and Chairman Conyers as a member of this prestigious committee.

I look forward to continuing to serve on the Foreign Affairs and Financial Services Committees in the 111th Congress.

Sincerely,

BRAD SHERMAN,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.
 There was no objection.

ELECTING MEMBER TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. LARSON of Connecticut. Madam Speaker, by direction of the Demo-

cratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 834

Resolved, That the following named Member be and is hereby elected to the following standing committees of the House of Representatives:

(1) COMMITTEE ON THE JUDICIARY.—Ms. Chu (to rank immediately after Mr. Quigley).

(2) COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM.—Ms. Chu.

Mr. LARSON of Connecticut (during the reading). Madam Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3612

Mr. BROUN of Georgia. Madam Speaker, I ask unanimous consent to remove Congressman SAM JOHNSON of Texas as a cosponsor of H.R. 3612.

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

There was no objection.

CONFERENCE REPORT ON H.R. 2892, DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2010

Mr. PRICE of North Carolina. Madam Speaker, pursuant to House Resolution 829, I call up the conference report on the bill (H.R. 2892) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 829, the conference report is considered read.

(For conference report and statement, see proceedings of the House of October 13, 2009, at page H11195.)

The gentleman from North Carolina (Mr. PRICE) and the gentleman from Kentucky (Mr. ROGERS) each will control 30 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. PRICE of North Carolina. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include tabular and extraneous material on the conference report to accompany H.R. 2892.

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

There was no objection.

Mr. PRICE of North Carolina. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I am pleased to present the conference report for the Department of Homeland Security appropriations for fiscal year 2010. This agreement provides \$42.78 billion for the Department, \$2.64 billion, or 7 percent, above the fiscal year 2009 level.

I want to thank the distinguished ranking member, Mr. ROGERS, for his advice and counsel and help in making this a better bill, and also his staff for working so closely and constructively with us. I want to highlight the work of all staff on both sides of the aisle who have helped us present such a strong legislative product to the Congress.

This is a critical year for the Department of Homeland Security, as it has weathered its first leadership transition with the new administration, in the midst of a global economic recession. I commend the Department's new leadership on its strong efforts to enhance our Nation's security posture and its willingness to reach out to Congress to make adjustments and to promote change when needed.

This conference report, carrying the seventh annual appropriation for the Department since its inception, addresses the needs and challenges that this still-young Department faces. It also represents a considered approach to funding critical domestic security requirements and other core departmental missions within a bipartisan consensus on fiscal responsibility.

Madam Speaker, one can make an argument for increasing funding for many of the programs contained in this report. When discussing homeland security, worst-case scenarios often abound, as do advocates for fixating on one threat while downplaying others.

Our obligation, by contrast, is to take a balanced, realistic approach, to weigh risks carefully, and to set priorities and make prudent investments in smart, effective security. I believe this conference agreement supports the Department's efforts to focus on the highest priorities for protecting our country and to prevent, prepare for, and respond to legitimate threats, whether natural or man-made.

To conserve time, Madam Speaker, I will highlight just a few items in the proposed agreement, items I believe are of interest to all Members.

First, the conference agreement provides the resources to support the readiness of our State and local partners, our first responders out on the front lines. This includes \$810 million for firefighters, \$887 million for the Urban Areas Security Initiatives grants and \$340 million for emergency managers. It also includes over \$900 million to strengthen FEMA's operational response capabilities and to enhance the agency's emergency management mission.

The conference agreement includes \$1.5 billion for more effective efforts by

U.S. Immigrations and Customs Enforcement to identify and remove illegal aliens who have committed crimes, a priority we share with the President and Secretary Napolitano. Of this total, \$200 million furthers development of the Secure Communities Program, which offers a productive approach for Federal immigration agents to work closely with State and local law enforcement, while maintaining the distinction between the traditional Federal role of enforcing immigration law and the local role of prosecuting criminal violations.

The conference agreement includes \$800 million for infrastructure and technology to secure the border, with an emphasis on developing technological surveillance and improving tactical communications so our Border Patrol can make smart use of its resources to police an expansive border. It includes \$40 million to minimize adverse environmental impacts of border infrastructure and operations, and maintains strong oversight requirements to ensure the Secure Border Initiative delivers as promised.

The conference agreement provides a total of \$7.66 billion for the Transportation Security Administration to improve aviation security and efficiency. Two areas of note are over \$1 billion available to deploy explosives detection systems at airports throughout the country that have less capable and slower screening systems, and \$122 million for air cargo security so TSA can meet the August 2010 deadline for screening 100 percent of cargo in the hold of passenger planes.

This conference agreement continues to take steps to increase the Coast Guard's contribution to national security, including protection of our waterways and those who use them and stemming the flow of illegal drugs into this country. Overall, this bill includes \$10.14 billion for the Coast Guard, \$170 million more than the administration requested. Most of this increase is to purchase materials for a new national security cutter and to complete the refurbishment of a heavy icebreaker that will help secure America's interests in the Arctic. It also boosts support for the existing fleet, making investments above the administration's request for backlogged vessel maintenance.

The conference agreement includes nearly \$400 million for DHS cybersecurity programs, 26 percent above fiscal year 2009, to ramp up our protections for governmental computer networks and to bring on more professionals with cybersecurity expertise. In addition, DHS will be able to initiate new efforts to help those responsible for critical infrastructure and other private networks, reducing their vulnerability to cyberattacks.

Also, the conference agreement includes \$11 million to promote legal paths to U.S. citizenship by expanding the successful immigration integration program of U.S. Citizenship and Immigration Services.

The conference agreement includes \$1.1 billion for departmental operations, up \$90 million or 17 percent above fiscal year 2009, to improve DHS management and make it more cost-effective, to secure sensitive information, and to ensure that contractors are overseen by trained government professionals, not by other contractors.

The agreement provides \$221 million to continue efforts to safeguard international commerce and to prevent the use of cargo containers to carry or deliver weapons. This includes an increase of \$12.5 million, or 8 percent, above fiscal 2009 to build on the Secure Freight Initiative and Container Security Initiative, as well as funding to sustain programs targeting high-risk cargo and shippers. DHS is also required to submit a realistic strategy for achieving effective cargo and supply chain security.

To ensure that DHS can adequately protect public safety in its efforts to identify and prepare for biological or agricultural threats, the conference agreement requires DHS to conduct a thorough risk assessment to determine requirements for safe operation of the National Bio and Agro Defense Facility scheduled for Manhattan, Kansas.

□ 1200

It calls for the National Academy of Sciences to provide an independent evaluation of the Department's safety, planning, and mitigation efforts in connection with this project.

In addition, the conference report extends authorizations for the E-Verify program and for visas for physicians serving in rural areas, religious workers, and investors, each of these by 3 years. These are all short-term solutions until comprehensive immigration reform can be considered by the authorizing committees and by the Congress.

Finally, I want to discuss two items that have been raised repeatedly, the release of photographs and videos of individuals detained by U.S. Armed Forces since 9/11, and restrictions on the administration's ability to transfer detainees from Guantanamo Bay Naval Station to the United States or elsewhere in the world.

On the first topic, the conference report codifies the President's decision to allow the Secretary of Defense to bar the release of detainee photos for a period of 3 years.

On the second topic, the conference report establishes strict safeguards on the movement of Guantanamo's detainees, and if the administration chooses to address their cases in U.S. courts, this legislation ensures that that will be done with due consideration, planning, and forethought.

It prohibits current detainees from being released into the United States or any U.S. territory. It allows the transfer of a detainee to custody inside the United States only for the purpose of prosecuting that individual and only after Congress receives a plan detailing

the risks involved and a plan for mitigating such risks, the cost of the transfer, the legal rationale and court demands, and a copy of the notification provided to the governor of the receiving State 14 days before a transfer, with a certification by the Attorney General that the individual poses little or no security risk.

Our bill also prevents current detainees from being transferred or released to another country, including freely associated states, unless the President submits to the Congress 15 days prior to such transfer the name of the individual and the country the individual

will be transferred to, an assessment of risks posed and actions taken to mitigate such risks, and the terms of the transfer agreement with the other country, including any financial assistance.

It requires the President to submit a report to Congress describing the disposition of each current detainee before the facility in Guantanamo Bay can be closed. It bars the use of funds to provide any immigration benefits to Guantanamo detainees, other than to allow them to be brought to the U.S. for prosecution, and it mandates the inclusion of all detainees on the TSA

No Fly List. These are provisions that have been supported on a bipartisan basis in Appropriations Committee markups and on the floor of this House.

Madam Speaker, the conference report before us today represents hard work in a cooperative and bipartisan spirit. It invests in critical government efforts designed to keep the American people safe. I strongly support the proposed agreement, and urge my colleagues to do the same.

Madam Speaker, I include the following for the RECORD:

DEPARTMENT OF HOMELAND SECURITY - FY 2010 (H.R. 2892)
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	House	Senate	Conference	Conference vs. Enacted
DEPARTMENT OF HOMELAND SECURITY						
TITLE I - DEPARTMENTAL MANAGEMENT AND OPERATIONS						
Departmental Operations						
Office of the Secretary and Executive Management.....	123,456	160,760	117,727	149,268	147,818	+24,362
Office of the Under Secretary for Management.....	191,793	337,990	153,790	307,690	254,190	+62,397
Emergency appropriations.....	200,000	---	---	---	---	-200,000
Office of the Chief Financial Officer.....	55,235	65,530	60,530	63,530	60,530	+5,295
Office of the Chief Information Officer.....	272,169	338,393	281,593	338,393	338,393	+66,224
Analysis and operations.....	327,373	357,345	345,556	347,845	335,030	+7,657
Subtotal, Departmental Operations.....	1,170,026	1,260,018	959,196	1,206,726	1,135,961	-34,065
Office of the Federal Coordinator for Gulf Coast Rebuilding.....	1,900	2,000	2,000	2,000	2,000	+100
Office of Inspector General						
Operating expenses.....	98,513	127,874	111,874	115,874	113,874	+15,361
Emergency appropriations.....	5,000	---	---	---	---	-5,000
(transfer from Disaster relief).....	(16,000)	---	(16,000)	(16,000)	(16,000)	---
Total, Office of Inspector General (including transfers).....	119,513	127,874	127,874	131,874	129,874	+10,361
Total, title I, Departmental Management and Operations.....	1,291,439	1,389,892	1,089,070	1,340,600	1,267,835	-23,604
Appropriation.....	(1,070,439)	(1,389,892)	(1,073,070)	(1,324,600)	(1,251,835)	(+181,396)
Emergency appropriations.....	(205,000)	---	---	---	---	(-205,000)
By transfer.....	(16,000)	---	(16,000)	(16,000)	(16,000)	---
TITLE II - SECURITY, ENFORCEMENT, AND INVESTIGATIONS						
U.S. Customs and Border Protection						
Salaries and expenses.....	7,600,052	7,619,842	7,612,571	8,072,423	8,061,487	+461,435
Harbor maintenance fee collection (trust fund)....	3,154	3,226	3,226	3,226	3,226	+72
Emergency appropriations.....	206,200	---	---	---	---	-206,200
Subtotal, Salaries and expenses.....	7,809,406	7,623,068	7,615,797	8,075,649	8,064,713	+255,307
Automation modernization.....	511,334	462,445	462,445	462,445	422,445	-88,889
Border security fencing, infrastructure, and technology (BSFIT).....	775,000	779,452	732,000	800,000	800,000	+25,000
Emergency appropriations.....	100,000	---	---	---	---	-100,000
Air and Marine Interdiction, Operations, Maintenance and Procurement.....	528,000	505,826	513,826	515,826	519,826	-8,174
Emergency appropriations.....	5,000	---	---	---	---	-5,000
Construction and facilities management.....	403,201	678,633	682,133	316,070	319,570	-83,631
Emergency appropriations.....	420,000	---	---	---	---	-420,000
Fee accounts.....	(1,448,145)	(1,432,000)	(1,432,000)	(1,432,000)	(1,432,000)	(-16,145)
Total, Customs and Border Protection.....	(12,000,086)	(11,481,424)	(11,438,201)	(11,601,990)	(11,558,554)	(-441,532)
Appropriations.....	(9,820,741)	(10,049,424)	(10,006,201)	(10,169,990)	(10,126,554)	(+305,813)
Emergency appropriations.....	(731,200)	---	---	---	---	(-731,200)
Fee accounts.....	(1,448,145)	(1,432,000)	(1,432,000)	(1,432,000)	(1,432,000)	(-16,145)

DEPARTMENT OF HOMELAND SECURITY - FY 2010 (H.R. 2892)
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	House	Senate	Conference	Conference vs. Enacted
Immigration and Customs Enforcement						
Salaries and expenses.....	4,927,210	5,348,000	5,313,193	5,360,100	5,342,134	+414,924
Emergency appropriations.....	66,800	---	---	---	---	-66,800
Federal protective service.....	640,000	---	1,115,000	---	---	-640,000
Offsetting fee collections.....	-640,000	---	-1,115,000	---	---	+640,000
Automation modernization.....	57,000	110,000	105,000	85,000	90,000	+33,000
Emergency appropriations.....	20,000	---	---	---	---	-20,000
Construction.....	5,000	---	11,818	---	4,818	-182
Total, Direct appropriations.....	5,076,010	5,458,000	5,430,011	5,445,100	5,436,952	+360,942
Fee accounts.....	(299,000)	(318,000)	(318,000)	(304,800)	(304,800)	(+5,800)
Total, Immigration and Customs Enforcement.....	(5,375,010)	(5,776,000)	(5,748,011)	(5,749,900)	(5,741,752)	(+366,742)
Appropriations.....	(4,989,210)	(5,458,000)	(5,430,011)	(5,445,100)	(5,436,952)	(+447,742)
Emergency appropriations.....	(86,800)	---	---	---	---	(-86,800)
Fee accounts.....	(299,000)	(318,000)	(318,000)	(304,800)	(304,800)	(+5,800)
Transportation Security Administration						
Aviation security.....	4,754,518	5,310,850	5,265,740	5,233,328	5,214,040	+459,522
Emergency appropriations.....	1,000,000	---	---	---	---	-1,000,000
Aviation security fees - offsetting collections.....	-2,320,000	-2,100,000	-2,100,000	-2,100,000	-2,100,000	+220,000
Other fees - offsetting collections (nonadd).....	(-275)	(-19,600)	(-2,700)	(-19,600)	---	(+275)
Total, Aviation security (net).....	3,434,518	3,210,850	3,165,740	3,133,328	3,114,040	-320,478
Aviation security capital fund.....	(250,000)	(250,000)	(250,000)	(250,000)	(250,000)	---
Surface transportation security.....	49,606	128,416	103,416	142,616	110,516	+60,910
Transportation Threat Assessment and Credentialing....	116,018	191,999	171,999	171,999	171,999	+55,981
Fee accounts.....	(40,000)	(28,000)	(44,900)	(28,000)	(47,620)	(+7,620)
Transportation security support.....	947,735	1,004,580	992,980	999,580	1,001,780	+54,045
Federal Air Marshals.....	819,481	860,111	860,111	860,111	860,111	+40,630
Total, Transportation Security Admin. (gross)....	7,977,358	7,773,956	7,689,146	7,685,634	7,656,066	-321,292
Offsetting fee collections.....	(-2,320,000)	(-2,100,000)	(-2,100,000)	(-2,100,000)	(-2,100,000)	(+220,000)
Aviation security capital fund.....	(250,000)	(250,000)	(250,000)	(250,000)	(250,000)	---
Fee accounts.....	(40,000)	(28,000)	(44,900)	(28,000)	(47,620)	(+7,620)
Total, Transportation Security Admin. (net).....	5,367,358	5,395,956	5,294,246	5,307,634	5,258,446	-108,912
United States Coast Guard						
Operating expenses.....	5,854,925	6,216,188	6,240,523	6,256,788	6,223,888	+368,963
Overseas deployment and other activities.....	139,503	---	241,503	241,503	241,503	+102,000
(By transfer - contingent emergencies).....	---	(241,503)	---	---	---	---
Defense function.....	340,000	340,000	340,000	340,000	340,000	---
Subtotal, Operating expenses (incl. transfers)....	6,334,428	6,797,691	6,822,026	6,838,291	6,805,391	+470,963
Environmental compliance and restoration.....	13,000	13,198	13,198	13,198	13,198	+198
Reserve training.....	130,501	133,632	133,632	133,632	133,632	+3,131
Acquisition, construction, and improvements.....	1,494,576	1,383,980	1,347,480	1,597,580	1,537,080	+42,504
Emergency appropriations.....	98,000	---	---	---	---	-98,000
Alteration of bridges.....	16,000	---	10,000	4,000	4,000	-12,000
Emergency appropriations.....	142,000	---	---	---	---	-142,000
Research, development, test, and evaluation.....	18,000	19,745	19,745	29,745	24,745	+6,745
Health care fund contribution (permanent indefinite appropriation).....	257,305	261,000	261,000	261,000	261,000	+3,695
Subtotal, U.S. Coast Guard discretionary.....	8,503,810	8,367,743	8,607,081	8,877,446	8,779,046	+275,236
Retired pay (mandatory).....	1,236,745	1,361,245	1,361,245	1,361,245	1,361,245	+124,500
Total, United States Coast Guard (including transfers).....	9,740,555	9,970,491	9,968,326	10,238,691	10,140,291	+399,736
Appropriations.....	(9,361,052)	(9,728,988)	(9,726,823)	(9,997,188)	(9,898,788)	(+537,736)
Emergency appropriations.....	(240,000)	---	---	---	---	(-240,000)
Overseas deployment and other activities....	(139,503)	---	(241,503)	(241,503)	(241,503)	(+102,000)
(By transfer - contingent emergencies).....	---	(241,503)	---	---	---	---

DEPARTMENT OF HOMELAND SECURITY - FY 2010 (H.R. 2892)
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	House	Senate	Conference	Conference vs. Enacted
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United States Secret Service						
Salaries and expenses.....	1,408,729	1,485,609	1,457,409	1,482,709	1,478,669	+69,940
Emergency appropriations.....	100,000	---	---	---	---	-100,000
Acquisition, construction, improvements, and related expenses.....	4,225	3,975	3,975	3,975	3,975	-250
Total, United States Secret Service.....	1,512,954	1,489,584	1,461,384	1,486,684	1,482,644	-30,310
<hr/>						
Total, title II, Security, Enforcement, and Investigations (including transfers).....	32,248,818	32,363,455	32,160,168	32,648,099	32,444,887	+196,069
Appropriations.....	(29,951,315)	(32,121,952)	(31,918,665)	(32,406,596)	(32,203,384)	(+2,252,069)
Emergency appropriations.....	(2,158,000)	---	---	---	---	(-2,158,000)
Overseas deployment and other activities....	(139,503)	---	(241,503)	(241,503)	(241,503)	(+102,000)
(By transfer - contingent emergencies).....	---	(241,503)	---	---	---	---
(Fee funded programs).....	(1,787,145)	(1,778,000)	(1,794,900)	(1,764,800)	(1,784,420)	(-2,725)
<hr/>						
TITLE III - PROTECTION, PREPAREDNESS, RESPONSE AND RECOVERY						
National Protection and Programs Directorate						
Management and administration.....	51,350	44,577	44,577	44,577	44,577	-6,773
Infrastructure protection and information security....	806,913	918,166	883,346	901,416	899,416	+92,503
Federal Protective Service.....	---	1,115,000	---	1,115,000	1,115,000	+1,115,000
Offsetting collections.....	---	-1,115,000	---	-1,115,000	-1,115,000	-1,115,000
U.S. Visitor and Immigrant Status Indicator Technology	300,000	356,194	351,800	378,194	373,762	+73,762
Total, National Protection and Programs.....	1,158,263	1,318,937	1,279,723	1,324,187	1,317,755	+159,492
Office of Health Affairs.....	157,191	138,000	128,400	135,000	139,250	-17,941
Federal Emergency Management Agency						
Management and administration.....	743,378	744,719	750,619	752,219	703,769	-39,609
Defense function.....	94,059	107,481	93,881	107,481	93,881	-178
(Transfer from Disaster Relief).....	(105,600)	(50,000)	(90,080)	(50,000)	(105,600)	---
Subtotal, Management and administration (including transfers).....	943,037	902,200	934,580	909,700	903,250	-39,787
Grants and Training:						
State and local programs.....	3,105,700	3,867,000	2,836,000	3,067,200	3,015,200	-90,500
Emergency appropriations.....	330,000	---	---	---	---	-330,000
Firefighter assistance grants.....	775,000	---	810,000	810,000	810,000	+35,000
Emergency appropriations.....	210,000	---	---	---	---	-210,000
Emergency management performance grants.....	315,000	---	330,000	350,000	340,000	+25,000
Subtotal, Grants and Training.....	4,735,700	3,867,000	3,976,000	4,227,200	4,165,200	-570,500
Radiological emergency preparedness program.....	-505	-265	-265	-265	-265	+240
United States Fire Administration.....	44,979	45,588	45,588	45,588	45,588	+609
Disaster relief.....	1,400,000	2,000,000	2,000,000	1,456,866	1,600,000	+200,000
(Transfer to Management and administration).....	(-105,600)	(-50,000)	(-90,080)	(-50,000)	(-105,600)	---
(Transfer to Inspector General).....	(-16,000)	---	(-16,000)	(-16,000)	(-16,000)	---
Subtotal, Disaster Relief (including transfers)	1,278,400	1,950,000	1,893,920	1,390,866	1,478,400	+200,000
Disaster assistance direct loan program account:						
(Limitation on direct loans).....	(25,000)	(25,000)	(25,000)	(25,000)	(25,000)	---
Direct loan subsidy.....	295	295	295	295	295	---
Flood map modernization fund.....	220,000	220,000	220,000	220,000	220,000	---
National flood insurance fund:						
Salaries and expenses.....	49,418	52,149	52,149	52,149	38,680	-10,738
Flood plain management and mapping.....	107,181	107,320	107,320	107,320	107,320	+139
Offsetting fee collections.....	-156,599	-159,469	-159,469	-159,469	-146,000	+10,599
National predisaster mitigation fund.....	90,000	150,000	100,000	120,000	100,000	+10,000

DEPARTMENT OF HOMELAND SECURITY - FY 2010 (H.R. 2892)
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	House	Senate	Conference	Conference vs. Enacted
Emergency food and shelter.....	200,000	100,000	200,000	175,000	200,000	---
Emergency appropriations.....	100,000	---	---	---	---	-100,000
Cerro Grande fire claims (rescission).....	-9,000	---	---	---	---	+9,000
Total, Federal Emergency Management Agency (including transfers).....	7,602,906	7,234,818	7,370,118	7,088,384	7,112,468	-490,438
Appropriations.....	(6,987,906)	(7,234,818)	(7,386,118)	(7,104,384)	(7,128,468)	(+140,562)
Emergency appropriations.....	(640,000)	---	---	---	---	(-640,000)
Rescissions.....	(-9,000)	---	---	---	---	(+9,000)
By Transfer.....	(105,600)	(50,000)	(90,080)	(50,000)	(105,600)	---
Transfer out.....	(-121,600)	(-50,000)	(-106,080)	(-66,000)	(-121,600)	---
(Limitation on direct loans).....	(25,000)	(25,000)	(25,000)	(25,000)	(25,000)	---
Total, title III, Protection, Preparedness Response and Recovery (including transfers)...	8,918,360	8,691,755	8,778,241	8,547,571	8,569,473	-348,887
Appropriations.....	(8,303,360)	(8,691,755)	(8,794,241)	(8,563,571)	(8,585,473)	(+282,113)
Emergency appropriations.....	(640,000)	---	---	---	---	(-640,000)
Rescissions.....	(-9,000)	---	---	---	---	(+9,000)
By transfer.....	(105,600)	(50,000)	(90,080)	(50,000)	(105,600)	---
Transfer out.....	(-121,600)	(-50,000)	(-106,080)	(-66,000)	(-121,600)	---
(Limitation on direct loans).....	(25,000)	(25,000)	(25,000)	(25,000)	(25,000)	---
TITLE IV - RESEARCH AND DEVELOPMENT, TRAINING, AND SERVICES						
United States Citizenship and Immigration Services						
Salaries and expenses.....	101,740	364,000	298,000	135,700	224,000	+122,260
Immigration examination fee account.....	(2,495,186)	(2,451,884)	(2,451,884)	(2,451,884)	(2,451,884)	(-43,302)
Fraud prevention and detection fee account.....	(31,000)	(38,348)	(38,348)	(38,348)	(38,348)	(+7,348)
H-1B Non-Immigrant Petitioner Fee Account.....	(13,000)	(13,000)	(13,000)	(13,000)	(13,000)	---
Total, U. S. Citizenship and Immigration Services Fee funded programs.....	(2,640,926)	(2,867,232)	(2,801,232)	(2,638,932)	(2,727,232)	(+86,306)
Federal Law Enforcement Training Center						
Salaries and expenses.....	246,530	245,356	239,356	244,356	239,356	-7,174
Acquisition, construction, improvements, and related expenses.....	86,456	43,456	43,456	43,456	43,456	-43,000
Total, Federal Law Enforcement Training Center	332,986	288,812	282,812	287,812	282,812	-50,174
Science and Technology						
Management and administration.....	132,100	142,200	142,200	143,200	143,200	+11,100
Research, development, acquisition, and operations....	800,487	826,191	825,356	851,729	863,271	+62,784
Total, Science and Technology.....	932,587	968,391	967,556	994,929	1,006,471	+73,884
Domestic Nuclear Detection Office						
Management and administration.....	37,500	39,599	39,599	37,500	38,500	+1,000
Research, development, and operations.....	323,200	326,537	376,537	326,537	324,537	+1,337
Systems acquisition.....	153,491	---	---	10,000	20,000	-133,491
Total, Domestic Nuclear Detection Office.....	514,191	366,136	416,136	374,037	383,037	-131,154
Total, title IV, Research and Development, Training, and Services.....	1,881,504	1,987,339	1,964,504	1,792,478	1,896,320	+14,816
Fee funded programs.....	(2,539,186)	(2,503,232)	(2,503,232)	(2,503,232)	(2,503,232)	(-35,954)
TITLE V - GENERAL PROVISIONS						
Enacted provisions:						
Sec. 547: REAL ID Grants.....	50,000	---	---	---	---	-50,000
Sec. 547: REAL ID Information sharing and verification system.....	50,000	---	---	---	---	-50,000
Sec. 549: Rescission, TSA undistributed carryover.	-31,000	---	---	---	---	+31,000

DEPARTMENT OF HOMELAND SECURITY - FY 2010 (H.R. 2892)
(Amounts in thousands)

	FY 2009 Enacted	FY 2010 Request	House	Senate	Conference	Conference vs. Enacted
Sec. 550: Rescission of unobligated balances, A&O.	-21,373	---	---	---	---	+21,373
Sec. 551: Rescission of unobligated balances, Coast Guard.....	-20,000	---	---	---	---	+20,000
Sec. 603(a) Rescission of emergency funding, FEMA Disaster Relief.....	-100,000	---	---	---	---	+100,000
Sec. 603(b): FEMA State and local programs, emergency appropriations.....	100,000	---	---	---	---	-100,000
Sec. 609: Federal share of disaster assistance, emergency appropriations.....	---	---	---	---	---	---
Subtotal, enacted provisions.....	27,627	---	---	---	---	-27,627
Sec. 535: Fraud prevention and detection programs....	---	---	---	---	---	---
Rescission of unobligated balances:						
Sec. 573: Trucking Industry Security Grants.....	---	---	-5,572	-5,500	-5,572	-5,572
Sec. 574: Analysis and Operations.....	---	---	-2,203	-5,000	-2,358	-2,358
Sec. 575: Infrastructure protection and information security.....	---	---	-5,963	-8,000	-8,000	-8,000
Sec. 576: Science and Technology.....	---	---	---	-7,500	-6,944	-6,944
Sec. 577: Domestic Nuclear Detection Office.....	---	---	---	-8,000	-8,000	-8,000
Sec. 578: TSA research and development.....	---	---	---	---	-4,000	-4,000
Sec. 579: Coast Guard AC&I.....	---	---	---	---	-800	-800
Sec. 580: Counterterrorism Fund.....	---	---	---	---	-5,600	-5,600
Sec. 551: ICE, Construction.....	---	---	---	-7,000	---	---
Total, title V, General Provisions.....	27,627	---	-13,738	-41,000	-41,274	-68,901
Appropriations.....	(100,000)	---	---	---	---	(-100,000)
Emergency appropriations.....	(100,000)	---	---	---	---	(-100,000)
Rescissions (including emergencies).....	(-172,373)	---	(-13,738)	(-41,000)	(-41,274)	(+131,099)
Grand total, Department of Homeland Security....	44,367,748	44,190,938	43,978,245	44,287,748	44,137,241	-230,507
Appropriations.....	(41,306,618)	(44,190,938)	(43,750,480)	(44,087,245)	(43,937,012)	(+2,630,394)
(Discretionary).....	(40,069,873)	(42,829,693)	(42,389,235)	(42,726,000)	(42,575,767)	(+2,505,894)
(Mandatory).....	(1,236,745)	(1,361,245)	(1,361,245)	(1,361,245)	(1,361,245)	(+124,500)
Emergency appropriations.....	(3,003,000)	---	---	---	---	(-3,003,000)
Overseas deployment and other activities....	(139,503)	---	(241,503)	(241,503)	(241,503)	(+102,000)
Rescissions.....	(-81,373)	---	(-13,738)	(-41,000)	(-41,274)	(+40,099)
(By transfer - contingent emergencies).....	---	(241,503)	---	---	---	---
(By transfer).....	(121,600)	(50,000)	(106,080)	(66,000)	(121,600)	---
(Transfer out).....	(-121,600)	(-50,000)	(-106,080)	(-66,000)	(-121,600)	---
Fee funded programs.....	(4,326,331)	(4,281,232)	(4,298,132)	(4,268,032)	(4,287,652)	(-38,679)
Aviation security capital fund.....	(250,000)	(250,000)	(250,000)	(250,000)	(250,000)	---
(Limitation on direct loans).....	(25,000)	(25,000)	(25,000)	(25,000)	(25,000)	---

Mr. ROGERS of Kentucky. Madam Speaker, I yield myself such time as I may consume.

Let me begin by sincerely thanking Chairman PRICE for his partnership during this 2010 appropriations cycle. Through the transition in administrations, the very late submission of the 2010 budget request and the truncated appropriations process, he has been fair and respectful and has been willing to listen to our concerns and accommodate the minority's interests where possible. So I want to thank the chairman for his friendship and his ability to work with everyone to write the best possible bill.

This subcommittee, Madam Speaker, since its inception in 1993, has a long-standing tradition of bipartisanship, a tradition that stands in stark contrast, I might add parenthetically, to the exclusionary tactics of the House's Democrat leadership that trounced the rights of the minority and stifled debate during floor consideration of the House bill.

But in spite of some of that partisan mischief, I am truly grateful for Chairman PRICE's efforts to maintain the long-standing comity that has defined this Chamber's appropriation process, as well as Chairman OBEY's work to move this vital spending bill towards completion.

So I am thankful that we were able to hammer out an agreement in conference, for the most part. After all, the safety and security of our Nation's citizens should be the number one priority of the Congress. This urgency is underscored by the recent terrorism cases being investigated in Colorado, New York, Texas, Illinois and North Carolina, as well as the persistent acts of terrorism and violence by radical extremists overseas.

What this terrorist activity tells me is that real security demands persistent commitment. Eight years after 9/11 and 6 years after the Department was created, we must remain vigilant in addressing every threat and every vulnerability. I am pleased to see the conference report is willing to honor that commitment by properly resourcing our homeland security needs.

While I can't say that I agree with everything in the conference report, I think it represents a fairly reasonable compromise on most of our homeland security priorities. However, there is a notable provision that I must respectfully take issue with that the chairman has referred to.

Section 552 of this conference report permits the terrorists detained at Guantanamo Bay to be brought to the U.S. for purposes of prosecution. Since the President announced the decision to close Guantanamo some 9 months ago, we have seen nothing, Madam Speaker, no plan, in spite of the requests of this Congress, this subcommittee, this committee, no plan, no idea of how to dispose of the detainees remaining there, and no legal ra-

tionale for the prosecution, sentencing and incarceration of these terrorists wherever.

Instead, those detainees who pose a minimal security threat have been shuttled off to other foreign countries by way of backroom deals, leaving hundreds of suspected terrorists potentially bound for American soil because no one else in the world will let them be brought to their soil. Apparently we have tried, to no avail.

So I for one see no reason why we should afford enemy combatants who have been caught on the battlefield battling American soldiers, to allow them the same constitutional rights as American citizens or the same due process even as criminal defendants in the civilian courts of the U.S., and I see no reason why these terrorists can't be brought to justice right where they are in Cuba before military tribunals, as we have in the past there. In fact, we know military tribunals work. We have completed three tribunals and convicted and sentenced terrorists right there in Gitmo.

It is clear that the majority of Members in this Chamber and in the Senate agree with this point of view, given the clear passage of the motion to instruct two weeks ago in this body, and the Senate's near unanimous adoption of a total prohibition of detainee transfers to this country with the passage of their Defense appropriations bill just last week. Both bodies have spoken by huge majorities: Keep these detainees off sacred American soil.

This is a critical issue that I think we must get right, so I am disappointed that the conferees did not follow the convincing and bipartisan votes that both Chambers have taken over the past few weeks and deny these terrorists access to the United States.

Now, having said all that, and in spite of my opposition to the section on the Gitmo detainees, I believe the base of this conference agreement will go indeed a long way towards the protection of our great country.

I once again thank Chairman PRICE for his consideration of our concerns and all of his good work throughout the year on this very important bill.

I reserve my time.

Mr. PRICE of North Carolina. Madam Speaker, I yield 2 minutes to our valued colleague from New York (Mrs. LOWEY), a member of the subcommittee.

Mrs. LOWEY. Mr. Speaker, I rise in support of the conference report, and I want to thank our chairman, Chairman PRICE, for his strong leadership on this bill.

Assistance for our first responders is one of the most effective tools to protect our homeland, as evidenced by the Federal Government and the New York Police Department's discovery of the plot to bomb the city's subways last month. The bill provides \$4.17 billion to invest in that partnership, including the Urban Area Security Initiative, the only grant program for high-risk cities.

The conference report increases funding for it by \$50 million.

All too often our brave first responders have to rely on communications methods that resemble the time of Paul Revere. The conference report provides \$50 million for new technology through the Interoperable Emergency Communications Grant, which I fought very hard with the chairman to create.

To help prevent illicit radiological material from entering New York, the bill provides \$20 million for securing the cities, the same level for equipment procurement as in FY 2009, and I look forward to working with the chairman and the subcommittee to ensure that the program is fully implemented.

In addition to aiding our first responders, the bill tackles a number of pressing issues, including providing \$1.5 billion to identify and remove dangerous criminal aliens, bolstering border security with more than 20,000 Border Patrol agents, and securing our airports and transit system by providing \$678 million more than in FY 2009 for the Transportation Security Administration.

So I thank the chairman and the ranking member for their work on this bill, and I urge my colleagues' support.

Mr. ROGERS of Kentucky. Madam Speaker, I yield 2 minutes to the very distinguished ranking member of the Homeland Security authorization committee in the House, the gentleman from New York (Mr. KING).

Mr. KING of New York. Madam Speaker, I thank the distinguished ranking member for yielding, and at the outset I want to commend Ranking Member ROGERS and Chairman PRICE for the outstanding job they have done on this bill. I certainly intend to vote for it. I will vote for it. I must say, however, there are three specific problems, three areas where I do have questions.

Number one is on the Secure the Cities program, which is essential to protect New York City from radiation, dirty bomb attacks. This House by an overwhelming margin approved an amendment by Congresswoman CLARKE and me which would have put \$40 million in the bill for that. Instead, in conference that was reduced to \$20 million. This is a shortfall which I believe can have damaging impact.

Secondly, on the issue of Guantanamo, I concur in everything that Ranking Member ROGERS has said. To me, it is wrong to bring terrorists, enemy battlefield combatants, to our shores for any purpose, even to stand trial, especially to stand trial, because I believe they should be tried in military tribunals.

Again, I bring up the issue of New York City, where I am certain a number of these will be brought. Those who were involved in the 9/11 attacks will be brought to the Southern District of New York. To me, this is a timebomb

waiting to happen, to have those terrorists in New York City for a protracted period of time before, during and after their trial.

Thirdly, on the issue of the firefighter grants, the President cut them by 70 percent. I know the committee put money back in, but the level was still lower than it was last year. This, I believe, is going to impact negatively on fire departments throughout our country.

Having said that, Madam Speaker, this is a fine bill. I look forward to supporting it. I thank the committee for the way they approached it in a bipartisan way. As Congresswoman LOWEY said, our Nation is under threat. There are threats every day. They have targeted various cities throughout our country. This bill goes a long way towards resolving that.

But, again, on the issues of Secure the Cities, Guantanamo and the firefighter grants, I do have real issues, real concerns. Having said that, I support the bill.

Mr. PRICE of North Carolina. Madam Speaker, I yield 2 minutes to another fine member of our subcommittee, the gentleman from New Jersey (Mr. ROTHMAN).

Mr. ROTHMAN of New Jersey. I thank the chairman.

Madam Speaker, I rise today in support of the conference agreement on the 2010 Department of Homeland Security appropriations bill. I want to thank our distinguished chairman, Chairman PRICE, and our distinguished ranking member, Mr. ROGERS, for their outstanding leadership on this bill, and my colleagues on the subcommittee for their outstanding work.

First, I would like to remind my colleagues that I come from one of the most densely populated regions in the most densely populated State in the United States, northern New Jersey. This area contains many high-risk terrorist targets. So I understand, as do my constituents, how vitally important this funding is to our region's and our Nation's security.

The bill provides, for example, our first responders with excellent resources for the training, equipment and personnel we need to keep our communities safe.

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It includes \$60 million for emergency operations centers, \$810 million for local fire departments, and \$950 million to protect high-risk urban areas from terrorist attacks. It provides \$300 million for port security grants to stop the flow of illegal drugs from coming into this country. It also increases resources for our Customs and Border Protection by over \$10 billion to combat drugs and weapons smuggling.

In closing, Madam Speaker, this bill, the Fiscal Year 2010 Department of Homeland Security Appropriations bill, honors the commitment we made to provide our first responders with the best training and equipment available

to keep our ports safe and our borders safe and all of our citizens safe from the terror that lurks out there by individuals still seeking to do us harm.

Mr. ROGERS of Kentucky. Madam Speaker, I yield 3 minutes to one of the hardest working members of this body and a valued member of our subcommittee, the gentleman from Texas (Mr. CULBERSON).

Mr. CULBERSON. I want to thank Chairman PRICE.

The members of our subcommittee have a good personal working relationship. One of the things I enjoy most about this wonderful committee on appropriations is that there are no real partisan differences between us. We always work together for the good of the country. We have always worked together without regard to our party label. And this subcommittee, in particular, is one that has worked well together to protect the country from a very severe terrorist threat that we know we all face since 9/11.

I want to thank the chairman and our ranking member for the support that this committee has given to our Border Patrol; for Immigration and Customs Enforcement funding; for Operation Stone Garden, a very successful program that allows cooperation between local law enforcement agencies on the border and our border patrol. That program has been a great success.

My good friends CIRO RODRIGUEZ and HENRY CUELLAR, we've worked together very successfully in Texas in implementing Stone Garden, as well as a program called Operation Streamline that the country needs to know is working very well. If you cross the Texas border between Lake Amistad and Zapata County, you will be arrested, you will be prosecuted, you will be deported. And as a result, the crime rate has dropped by over 70 percent in Del Rio. We've seen a 60 percent drop in the crime rate in the Laredo sector. The local community, which is 96 percent Hispanic, loves this program. What mom or dad wouldn't like their streets safer? As a result of simply using existing law and a little additional resources and using the good judgment, the good sense and the good hearts of uniformed law enforcement officers on the border, we have secured the border in Texas, and with the help of the chairman and the committee members, we're working to expand that up and down the border.

There are many great, good things about this bill, but one very serious concern that I have that Mr. ROGERS has already expressed is that this bill puts into law a policy that has never, in the history of this country, been followed, and that is that as soon as the President issues a plan to Congress for the disposition of the prisoners in Guantanamo, 45 days after the President submits that plan, this bill explicitly authorizes the prosecution of enemy soldiers in U.S. courts. Now, that's unprecedented.

And my good friend Mr. RUPPERSBERGER, whom I've worked

with before on so many good causes, we all in this House voted to make sure that we would not bring enemy soldiers to the U.S. for prosecution, giving them all the constitutional rights as if they were captured on the streets of New York or Los Angeles. We voted not to bring these prisoners from Guantanamo to be incarcerated in U.S. jails.

The security question is one thing, but the one that really concerns me is the fact that this bill gives explicit authorization. For the first time in American history, we will, if we pass this legislation as it is, be authorizing what we now know is going to be the policy of this President for U.S. soldiers, for the first time in history, to be police officers. Our soldiers in the field, in addition to trying to protect themselves and their friends, are going to have—

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

Mr. ROGERS of Kentucky. I yield the gentleman another 1 minute.

Mr. CULBERSON. Never before in our history have American soldiers had to worry about protecting the chain of evidence. Never before in history have American soldiers had to worry about whether or not they were reading the Miranda rights to enemy soldiers captured on foreign battlefields. Now, this bill makes that explicit. In fact, Chairman OBEY's fact sheet that he has issued on his Web site says this bill prohibits the transfer of Guantanamo detainees except for legal proceedings.

Now, anyone standing in a U.S. court in front of a U.S. judge is given all the protections of the U.S. Constitution. Now, that is what concerns me more than anything else is that we are explicitly changing—this is a monumental change in American policy. We cannot and should not burden our soldiers in the field with having to worry about the U.S. constitutional rights of enemy soldiers.

Do you think Sergeant York read Miranda warnings or was worried about the constitutional rights of the Germans that he captured during World War I? Do you think that the brave men who landed on Omaha Beach were worried about the constitutional rights of the Nazis at Omaha Beach or Normandy? I mean, this is an extremely important point that we have to raise, and we need to make sure that all the Members of the House are aware of it.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. ROGERS of Kentucky. I yield the gentleman another 1 minute.

Mr. CULBERSON. In fact, during the subcommittee hearing, during the conference committee meeting, my good friend, the chairman, Mr. PRICE, made it clear that this is the policy of the majority that's going to bring these—you'll want to bring these enemy soldiers to the United States to be prosecuted in U.S. courts.

That means that these enemy soldiers will be clothed in the protection

of the U.S. Constitution. That means that enemy soldiers, these terrorists, can lawyer up at U.S. taxpayer expense. They're going to be given Miranda warnings. U.S. soldiers are going to have to protect the chain of evidence, just like a police officer on the streets of Los Angeles or New York, and make sure that the chain of evidence is protected, that all their rights are protected, and that we have to prove beyond a reasonable doubt that these enemy soldiers committed whatever it is crime that they're going to be prosecuted for.

Let me remind the Congress that in 1942 a number of German terrorists landed on the beaches of Long Beach and in Florida. In June of 1942, they were prosecuted in military tribunals—the U.S. Supreme Court ruled that's the proper way to handle enemy soldiers captured on a foreign battlefield—and they were executed by the end of August 1942.

It is unacceptable to put this burden on U.S. soldiers. It's a monumental and unacceptable change in American policy. We cannot let enemy soldiers lawyer up at taxpayer expense.

Mr. PRICE of North Carolina. Madam Speaker, I yield 3 minutes to another valued subcommittee colleague, Mr. RUPPERSBERGER of Maryland.

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

Mr. RUPPERSBERGER. Madam Speaker, I stand in strong support of the Homeland Security Appropriations Conference Report for FY 2010. The security of our Nation is clearly our top priority. And this bill dedicates more money for homeland security when compared to 2009 levels.

Homeland security is not a Democratic or Republican issue. It is USA first—our community, our families, and our country. I want to thank Chairman PRICE and Ranking Member ROGERS, as well as our friends in the Senate, for their bipartisan and bicameral efforts in crafting this conference report. And I'd like to speak about two key issues, two key components in this bill: the Coast Guard and cybersecurity. But before I do that, I have to respond to my friend JOHN CULBERSON's comments. I disagree with his comments.

Number 1, as far as prisoners are concerned, if, in fact, there are prisoners that are so dangerous that would hurt our country, I would much rather have us control those prisoners. If we need to bring them to the United States of America to try them, I have more confidence in our court system and our prison system than some of the countries they go back to where they could escape and come back and do harm to our citizens. That's step one.

The second thing I disagree with my friend about is the issue about Miranda rights in theater. Now, those of us who have been to Iraq and Afghanistan know that that is not the case. It started when a friend of mine—I am on the

Intelligence Committee—another Mr. ROGERS came back and said that he got information that soldiers were having to give Miranda warnings to people, to the enemy. That is not the case. We've had hearings. I've done my own due diligence. That is not what our men and women are required to do. So let's get the facts straight. Let's get the politics off the table, and let's talk about this Homeland Security bill, how it affects and protects our country, our families, and that is very important and relevant.

Now, the Coast Guard. The Coast Guard of the United States of America, since 1790, has been a critical part of our Nation's defenses. They handle everything from water rescues, as an example, in the Baltimore harbor, which I represent, to drug interdictions off our Nation's coast. Since 9/11, the Coast Guard has been asked to do even more. They have stepped up to the plate and kept watch on our Nation's waterways to keep our country safe.

I support the \$3.8 billion for the Coast Guard included in this legislation. This is more than \$275 million above the 2009 level. I am proud to represent the Coast Guard Yard at Curtis Bay in Congress in my district. The yard is in my district near the Port of Baltimore. The men and women of the yard do an excellent job maintaining and repairing the entire Coast Guard fleet.

Now I want to get to the issue of cyber. The second thing, and one of the most important issues that we're dealing with as far as national security, is cyberattacks. I would support \$283 million to address the growing threats to our Nation's networks. Our Nation's networks control much of what we do every day. They power our computers and our cell phones. They power the electrical grid that allows us to turn the lights on and the classified military and intelligence networks that keep our country safe. It's all too easy to use basic Internet hacking techniques to wreak havoc on our Nation's information infrastructure. Imagine if the Bank of America was suddenly cyberattacked.

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

Mr. PRICE of North Carolina. I yield the gentleman an additional 30 seconds.

Mr. RUPPERSBERGER. Fifty-nine million customers in 150 countries would suddenly be unable to access their accounts, their debit cards or their money, credit cards. It would cripple the economy. Think of what an attack would do to our electrical grid system, our security, our national security.

This threat is real. We must shore up our defenses. We must ensure that the Federal Government, the private sector, and our citizens beef up our cybersecurity efforts. This funding for cybersecurity will be a step in the right direction.

Mr. ROGERS of Kentucky. I yield such time as he may consume to the

very distinguished ranking member of the full Appropriations Committee in the House, Mr. LEWIS of California.

Mr. LEWIS of California. Madam Speaker, at the end of the bill, Mr. ROGERS of Kentucky will be presenting a motion to recommit that addresses the issue of detainees at Guantanamo Bay, Cuba. This motion to recommit is very much designed to implement that which was the motion to instruct that so successfully passed the other day. It passed the House by a vote of 258-163, and I presume that the vote will reflect that pattern when we go to the motion to recommit. But first let me thank the gentleman for the time.

Mr. Chairman, in many ways, this conference report represents both the best and the worst of this Chamber's storied history. On the one hand, this conference report typifies the type of work that can result from strong bipartisanship. We are most certainly at our best when our very capable Members work together in the professional manner that we've seen with Chairman PRICE and Ranking Member ROGERS. So I congratulate the two of them for producing what is essentially a very well-balanced piece of legislation that will undoubtedly improve the safety and security of this great Nation.

However, this conference report also represents some of the worst in terms of partisan maneuvering. The language contained in section 552 pertaining to Guantanamo Bay detainees is a result of a last-minute mystery insert by the majority of language that was not in either the House or the Senate bill.

□ 1230

With this language, Chairman OBEY and the Democratic leadership are trying to establish Congress' de facto position on Gitmo detainees. And that position, in my view, is regrettably weak as well as flawed. To permit enemy combatants to come to the United States for the purpose of prosecution is a misguided and is potentially a very dangerous decision. Terrorists should not be treated like common criminals in the Federal court. These detainees are enemies of the State, and should be treated as such by being held and brought to justice right where they are: in a very well-established judicial facility at Guantanamo.

Both the House and the Senate have cast clear, bipartisan votes over the last 2 weeks that made it very clear where Members and the American people are on this issue. They do not want these terrorists brought to the United States for any reason. It is regrettable that the Democrat leadership's flawed position on Guantanamo Bay detainees casts a shadow over what is otherwise a bipartisan, well-crafted conference report that will provide key resources for our security.

I appreciate the very, very good work of Chairman PRICE and Ranking Member ROGERS on this measure, but take considerable exception to Democrat leadership's insertion on Guantanamo Bay detainees.

Mr. PRICE of North Carolina. Madam Speaker, I would like to yield 2 minutes to one of our hardest working subcommittee members, Mr. FARR of California.

Mr. FARR. Thank you very much, Mr. Chairman, for yielding. I appreciate the opportunity to address the House on the DHS appropriations bill.

I want to just first say at the outset, I am really surprised to hear, kind of shocked to hear, that they are taking an appropriations bill and trying to make it into something that it isn't. We stand here year after year passing these appropriation bills, pointing out that you cannot legislate on an appropriations bill, you cannot make legal policy; it is about spending the money and the ways to spend that money, not on inventing new law.

This bill does not deal with how you treat prisoners in Guantanamo Bay. We ought to get over it and know that it doesn't do that. What this bill does do, though, is address a lot of other issues, one of which is very important to this country. They're talking about how to keep those prisoners out of our jails and out of our prisons. Frankly, there are some States that would love to have the revenue; they know that their court system can handle it. But that's not the emphasis of this bill because what we really are trying to address is the biggest industry of all in this country, which is tourism.

Tourism relies on a lot of people from a lot of countries coming into this country. Just a few weeks ago, the entire House voted for a travel initiative bill to allow the United States to go out and advertise to get more tourists in here, and there wasn't one single vote against it. So we do want to attract these people to spend money and come to our country. And we need the facilities when they come in, the facilities to give them visas when they go down to apply for those visas and certainly when they enter.

And one of the great things about this bill is it sets up the Western Travel Initiative, which essentially appropriates money into 46 of the busiest border ports—these could be airports, harbor ports, the kind of ways in which people come into this country from abroad—to facilitate getting them through all the security and getting them through the customs and so on. That is a very important investment in the biggest industry in this country with the biggest payoff to our local communities.

So I want to point out some of the real positive things in here. This also allows for a tracking of all these visitors through the status indicator technology.

There are a lot of good things in this bill. I urge a "yes" vote on the appropriations bill and a vote against any motion to recommit.

Mr. ROGERS of Kentucky. Madam Speaker, I reserve the balance of my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded not to traffic the well while another Member is under recognition.

Mr. PRICE of North Carolina. Madam Speaker, may I inquire as to how much time is available on both sides.

The SPEAKER pro tempore. The gentleman from North Carolina has 10½ minutes remaining; the gentleman from Kentucky has 13½ minutes remaining.

Mr. PRICE of North Carolina. Madam Speaker, I would like to yield 2 minutes at this point to the distinguished chairman of the authorizing committee with whom we work very closely, Mr. THOMPSON of Mississippi.

Mr. THOMPSON of Mississippi. Thank you very much, Mr. Chairman.

Madam Speaker, I appreciate the opportunity to speak in support of the conference report on H.R. 2892, the Department of Homeland Security Appropriations Act.

The funding provided in this package would help ensure the Department of Homeland Security, under the leadership of Secretary Janet Napolitano, will have the resources it needs to execute all its missions.

DHS has a lot to do, from deterring, detecting and responding to terrorism to rescuing wayward boaters, to pre-positioning disaster resources. H.R. 2892 gives DHS the \$42.7 billion it needs to fulfill its mission.

With respect to border security, the bill makes significant new investments to enhance border security along the southern and northern borders. I am particularly pleased that the bill provides \$72.6 million to increase personnel and provide new equipment in the Southwest Border Counterdrug Initiative, which dedicates resources to target the flow of guns and bulk cash that fuel border violence.

This bill also provides \$1.5 billion to support targeted, smarter immigration enforcement. These funds will expand critical programs such as Securing the Communities, which identifies and removes the most dangerous and violent criminal aliens on our border.

I support the new resources the legislation appropriates to transportation security, including funds for air cargo and surface transportation security.

Chemical security is another area of critical infrastructure that garnered significant attention in this bill. It provides \$100 million in funding to DHS to support the coordination and management of regulating high-risk chemical facilities and brings the size of the C-FATS regulatory staff to 250.

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

Mr. PRICE of North Carolina. I yield the gentleman an additional 30 seconds, Madam Speaker.

Mr. THOMPSON of Mississippi. Madam Speaker, in closing, I urge the passage of this important legislation because it makes the necessary investment in security and resilience to pro-

tect Americans from future threats and catastrophic incidents, natural or man-made.

Mr. PRICE of North Carolina. Madam Speaker, I reserve.

Mr. ROGERS of Kentucky. Madam Speaker, I yield 2 minutes to a hard-working member of our subcommittee, the gentleman from California (Mr. CALVERT).

Mr. CALVERT. I want to thank the gentleman from Kentucky for his hard work and the diligence that went forth in putting this bill together. However, Madam Speaker, today I cannot vote for this bill unless the motion to recommit passes because of my concern about what is going to happen with these prisoners at Guantanamo.

So I would suggest to all the Members this is a very serious concern to our country. It's a very serious concern to this fight on terrorism throughout the world. And I believe that we should show our unity and vote for the motion to recommit. And if that motion to recommit passes, then I will be happy to vote for this bill, which I think for the most part is a good bill with that exception.

Mr. ROGERS of Kentucky. Madam Speaker, I yield myself the balance of the time.

In closing, I regret that this bipartisan and well-balanced conference report contains permission to bring Guantanamo Bay detainees onto American soil.

At the conclusion of today's general debate, I intend to offer a motion to recommit that will give this Chamber the opportunity to once again voice its will to the conferees just as it did 2 weeks ago by way of a clear and convincing bipartisan vote.

I appreciated your overwhelming vote then, and I ask the Members once again to register your objection to bringing these enemy combatants, caught in battle with American soldiers, onto America's sacred soil.

The conferees ignored our instructions of 2 weeks ago, which prohibited detainees from being released, transferred, or detained in the United States for any reason, period. My motion today will have the same effect as the language Members voted for then and has the same effect as what the Senate voted for 93-7.

This motion will keep these terrorists off American soil, out of our Federal civilian courts, and in a place that is far more appropriate, given their status as enemy combatants apprehended on a battlefield with American soldiers.

This motion will correct the flaw in the conference report's language and aligns the will of Congress with that of the U.S. Senate as reflected by the strong bipartisan votes on this issue over the last 2 weeks in both bodies of the Congress.

I would hope Members would join me in supporting this motion so that we can further improve and strengthen this critical conference report.

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

Mr. PRICE of North Carolina. Madam Speaker, I yield myself the remainder of our time.

Madam Speaker, I rise once again to urge colleagues to support this carefully worked out conference report. And since no debate is permitted on the motion to recommit, I do wish to say a few words about the motion and strongly urge its rejection.

The motion to recommit would derail \$42.8 billion in Homeland Security investments, investments in critical efforts to protect the American people from the threat of terrorist attacks and natural disasters, and to secure our borders, ports and skies.

The motion to recommit would reopen the compromises made with the Senate that allowed us to provide \$2.5 billion in additional resources for our homeland security efforts.

My colleagues should make no mistake, this motion to recommit will dissolve our conference and kill the bill. Now, that should be reason enough for voting against the motion, but let me talk about the substance of the motion as well, because I do want to make certain that Members understand what we're dealing with.

The motion to recommit would dismantle the agreement that we on the majority side had with the minority in our full committee, which was passed by a large bipartisan vote in the House as a whole. In listening to our colleagues debate today, you would hardly understand that. But as a matter of fact, they readily agreed, eagerly agreed, in the markup in the Appropriations Committee that of course there should be an exception for bringing detainees to this country for prosecution if that was determined to be the best way of dealing with their case. I think it's fair to say that no matter what President was in the White House, he or she would insist on this flexibility, and we should insist on it for them.

This motion to recommit would guarantee, I'm afraid, no progress in resolving the status of detainees for a year. It goes against the basic American principles of due process and access to a fair trial. It goes against America's basic interests as well, the interest in closing down Guantanamo—and that, I remind colleagues, is an objective articulated by President Bush as well as by President Obama—our interest in closing down Guantanamo and in bringing related cases to an orderly conclusion.

The motion to recommit unreasonably and unwisely exalts these detained individuals above the most savage prisoners in the U.S., saying we just can't handle them, we just can't handle these dangerous people in our court system. This, I would say, emboldens the terrorists, perhaps even helps their recruiting efforts. We have tried, convicted, and punished people who are the worst of the worst in this

country repeatedly, and we can do so again.

Similar provisions, Madam Speaker, were rejected by this body just last week in a motion to recommit the Defense authorization bill, and they should be rejected today.

Now, we heard a lot of arguments today about "Mirandizing" prisoners and reading them their rights on the battlefield. That is a red herring, unrelated to this bill. Legal protections are a matter for the courts; they are a matter for other committees in this body. Our conference report does not reach these matters.

□ 1245

We have assurances, as a matter of fact, from General Petraeus that U.S. military forces are not and will not Mirandize detainees. The Department of Justice has said there has been no policy change nor blanket instruction issued for FBI agents to Mirandize detainees overseas. There have been specific cases in which FBI agents have done this at Bagram and in other situations in order to preserve the quality of some evidence, but there has been no overall policy change.

In fact, the whole issue of Mirandizing terrorists on the field of battle shows a lack of understanding of what "Miranda rights" are. Miranda warnings are given prior to interrogation for collecting evidence from a suspect in a crime. They are a protection against a suspect's making self-incriminating statements. They are not a part of arrest or detention procedures. The courts have held that they do not prevent questioning about identity and that they do not apply in cases where public safety is threatened, such as on the field of battle or at the site of a terrorist attack. We don't interrogate on the field of battle. It's a red herring.

By the way, we're also not reaching the question of the future of military tribunals, but the ranking member's motion to recommit would very definitely shut off access to U.S. courts. We need to ask ourselves whether that is something we want to do in cases where that may be the most appropriate venue for prosecution.

My colleague seems to think that three convictions by military tribunals in the entire period of their existence is an impressive record. One of those was by a guilty plea. It's not an impressive record. By contrast, a recent analysis of the 119 terrorism cases involving 289 defendants tried over the last 20 years in U.S. courts shows a 91 percent conviction rate for the cases that had been resolved as of June 2.

Is that an option that we simply summarily want to close off?

I've already indicated, Madam Speaker—and I won't repeat—the layered protections that our bill contains with respect to the movement of detainees, the transparency it requires and the accountability it enforces. This bill contains multiple protections, and I stress again that they're based on an

earlier bipartisan consensus. They reflect not just the wording in our bill but the language in several of the appropriations bills.

This move today to recommit this bill makes me wonder just how much our colleagues have really meant it when they have urged us to consider this bill quickly and to act with dispatch. We heard this through much of September.

The Guantanamo provisions that they asked for were included in the bill. We brought the bill with those provisions intact from the conference. They've been clamoring for weeks to get this bill to the floor, to pass it as a free-standing bill. But all of a sudden as the conference proceeded, again they cried, "Stop."

Now they're objecting to provisions that they, themselves, endorsed in the Appropriations Committee and on the House floor. They're objecting to our good faith safeguards on the movement of detainees to other countries and to the transparency requirements. They're simply saying, "Stop." Once again, "Stop."

Well, we can't afford to stop, Madam Speaker. We're already into the fiscal year. We have no reason to stop, and we cannot afford to stop. We will not hold up the \$1.5 billion in this conference report to identify and to remove illegal aliens who have been convicted of crimes. We will not delay \$800 million to secure our borders. We will not delay \$4.2 billion for Homeland Security grants to ensure our first-responder community is well-prepared to meet all hazards. We will not delay funding for our Coast Guard, for our Secret Service, for disaster assistance, or for cybersecurity.

We will, in fact, pass this bill today. We've worked with our colleagues. We've debated the priorities. We've operated in good faith. We've accommodated interests by Members throughout this body. Now it is time to get on with it, to get past the political games, to get past the "gotcha" amendments and motions, and to fund Homeland Security. This body has a responsibility to legislate. Let's get the job done.

I urge my colleagues to vote "no" on this motion to recommit and to vote enthusiastically for this conference report.

Mr. SMITH of Texas. Madam Speaker, I plan to support the conference to H.R. 2892; however, I have serious concerns about some of the language in the conference report.

Specifically, the conference report directs the Secretary of Homeland Security to "prioritize the identification and removal of aliens convicted of a crime by the severity of that crime."

If an individual is in this country illegally, they should be deported. We shouldn't wait for them to commit a crime before we remove them from the country.

Unfortunately, across the United States, illegal immigrant criminals are being released onto the streets and into our neighborhoods every day instead of being deported. In 2006, the DHS Inspector General found that most of the foreign-born criminal aliens in state and

local jails “are being released into the U.S. at the conclusion of their respective sentences due to the lack of [DHS] resources.”

In January 2007, 22-year-old Nashville, Tennessee, resident Joycelyn Gardiner was killed by illegal immigrant Victor Benitez who was driving drunk, ran a red light and hit Gardiner. Ms. Gardiner was a track star at Tennessee State University and planned to go to law school after graduation. Benitez had prior convictions for car burglary, public intoxication, and resisting arrest.

Are burglary, public intoxication, and resisting arrest convictions considered severe enough to warrant deportation under this conference report? Had Benitez been detected by immigration authorities before committing even his first few crimes, wouldn't it have been better to deport him based solely on his immigration violations then?

American taxpayers deserve to be protected. They deserve to have those of us in Congress do everything possible to prevent them from becoming victims. And they deserve to have the laws of the United States followed by the enforcement wing of our government.

This misguided prioritization is not the only concern I have with the conference report to H.R. 2892.

The Senate bill provisions that made E-Verify permanent allowed employers to use it to check the work eligibility of current employees, required over 700 miles of pedestrian fencing along the southwest border and prevented funding from being used to rescind the “no-match” rule should have been retained in the conference report.

And some of the reports required by the conference report could be attempts to slow implementation of REAL ID and the deportation of illegal immigrants. Yet another report should have required a validation of the success of use of Alternatives to Detention prior to nationwide use of such alternatives.

So I am troubled by several provisions of the bill. However I appreciate the inclusion of the 3-year extensions of the E-Verify, religious worker visa, EB-5 Investor Visa Regional Center and Conrad J-1 Physicians' Waiver programs. These are good immigration programs that should be extended.

Mr. CALVERT. Madam Speaker, I would like to thank Chairman PRICE and Ranking Member ROGERS, and their staff, for crafting a very thoughtful Fiscal Year 2010 Homeland Security Appropriations bill. I especially appreciate the recognition of the Air and Marine Operations Center, also known as AMOC, which is located in my congressional district. AMOC has become the foremost aviation-oriented law enforcement operations and coordination center in the U.S. It plays an integral role in protecting us from attack and from human, drug and gun smuggling across our borders.

However, I was disappointed that the extension of E-Verify was reduced from the Senate language which would have provided for a permanent reauthorization of E-Verify. The House overwhelmingly passed a 5-year reauthorization last year and I think the American people would support a permanent reauthorization of E-Verify.

I would also like to commend Ranking Member ROGERS for his work on language pertaining to the closing of Guantanamo Bay.

While the bill prohibits the release of detainees into the U.S., the report does not go far

enough to prevent prisoners from being transferred to or detained on U.S. soil. I maintain that the President must provide a disposition plan which includes a risk assessment for each of the detainees and the danger they pose to the American people as well as to the national security of the United States. The requirement to have the administration report to Congress on these matters is similar to that of my bill, H.R. 1069, which I introduced on February 13 in response to the administration's January announcement that it would close the detention facility in Guantanamo Bay.

In closing, I would like to reiterate my support for the conference report but with strong reservations about the majority's actions that has severely restricted amendments and has shut down a once open appropriations process.

Ms. HARMAN. Madam Speaker, eight years after 9/11, there remains a very real, very serious threat of another attack on U.S. soil. The recent series of arrests—in Dallas, Chicago, Denver and New York City—underscores the need for continued resolve. The safety of the American people relies upon multiple layers of security—from intelligence to local police to the technologies that help us identify potential threats. Our duty as lawmakers is to ensure that all of these pieces are properly in place and constantly reevaluated.

A New York Times report this week highlighted a gaping hole in one of these layers—we still have no system in place to verify whether foreign visitors have left this country. Congress and DHS have known about this hole. In March, Secretary Napolitano joined me for a tour of one of the nation's top airport terror targets: Los Angeles International Airport, part of which is in my Congressional District. We walked through customs to observe the collection of foreign visitors' fingerprints upon entry and I pointed out the absence of an exit program. Secretary Napolitano committed her Department to addressing this issue in a timely fashion.

Work is already underway. DHS just completed a pilot project to test exit systems and will soon release a report on their findings. This bill provides \$50 million to put an air exit system in place. It is imperative that DHS do so.

By collecting fingerprints when foreign passengers exit, we can match them with those collected upon entry and cross-check them with a range of databases—from the State Department to the FBI. This isn't just data for the sake of data. It builds situational awareness and makes it easier for terrorism investigators to connect the “dots.” This kind of capability is a vital tool in the ongoing struggle to prevent the next attack on American soil.

It's true that our intelligence and law enforcement agencies successfully thwarted recent plots, but that's no guarantee that they'll detect the next plot. A biometric system will provide them with better information that can more quickly identify potential threats. Four of the 9/11 hijackers overstayed their visas. It is exactly this type of thing that exit data will help us detect.

I would also like to thank the Conferees for including a 1-year waiver of the port security grant matching requirement. Since 2006, the SAFE Port Act has provided hundreds of millions of dollars to secure U.S. ports. But tough financial times—and a decline in shipping—have made it difficult for ports to meet the 25

percent cost-sharing requirement. Officials at the Ports of Los Angeles and Long Beach have repeatedly told me just how burdensome the requirement is. It creates a disincentive for ports to apply for grants, without which fund vital efforts to mitigate threats cannot be funded.

Mr. HOLT. Madam Speaker, I rise in support of this bill.

The Department of Homeland Security Appropriations Act for 2010 continues to fund a series of important public safety and disaster preparedness initiatives. To help us better protect our borders, the bill provides \$3.587 billion, \$86 million above 2009, to fully support 20,163 Border Patrol agents—which has expanded by 6,000 since 2006. The bill also provides \$373.7 million, \$73.7 million above 2009, for the US-VISIT program. US-VISIT uses biometrics to track the entry of visitors to the United States. The bill directs that a total of \$50 million be used to implement a biometric air exit capability so that we can determine if individuals have overstayed their visas.

Ensuring that 100 percent of air cargo is screened for explosives is essential to our efforts to thwart future terrorist attacks. To that end, the bill provides \$122.8 million, including \$3.5 million above the budget request for 50 additional inspectors to ensure compliance with the 100 percent screening mandate set for August 2010 in the 9/11 Act. Regarding rail security, the bill builds on my previous work by providing \$300 million to protect critical transit infrastructure, including freight rail, Amtrak and ferry systems in high-threat areas. I remain very concerned that Amtrak in particular has been extremely slow to make the kind of security upgrades that are necessary to make the system less vulnerable to the kinds of attacks that killed so many in Madrid, London, and Mumbai over the last 5 years, and I will continue to press Amtrak officials to quickly implement security improvements for the system.

I am also pleased that some key needs in my district are being met in this bill. The Township of Old Bridge will receive \$500,000 to upgrade its emergency communications system, and the City of Trenton will receive \$300,000 to help protect its water filtration plant from periodic Delaware River floods. Even as we take measures to protect our country and communities from potential terrorist attacks, it's important to remember that the most common calamities that strike our towns come from nature and other sources. We must ensure that our communities are prepared to meet the full range of threats they may face.

I am disappointed that this bill allows the Secretary of Defense to withhold indefinitely from public release photographs of potential detainee abuse by U.S. government personnel. The assumption underlying this provision is that the release of the photographs would lead to increased violence against U.S. government personnel (civilian and military) overseas in the Middle East and southwest Asia. I would respectfully submit that our repeated mistargeting of civilians in Afghanistan and Pakistan, along with our continuing and expanding military presence in Afghanistan, provide our enemies with far better recruiting tools than the photographs in question might ever provide.

I regret that the conferees did not direct the Attorney General to review the photos to determine if any do in fact show evidence of violations of either domestic or international law

with respect to the treatment of detainees. Using one law to shield from disclosure information that might be prosecutable under another law undermines the very foundation of our legal system and sends a clear signal to the world that we will cast aside our obligations under international law if it is politically expedient for us to do so. The best way we can protect our soldiers and civilians working overseas is to show that we will not tolerate the abuse of other human beings in our custody and that we will not hide our complicity in such acts behind politically expedient legal contortions.

Despite this serious flaw in the bill, I will support it and urge my colleagues to do likewise.

Mr. VAN HOLLEN. Madam Speaker, I stand in support of H.R. 2892, the Homeland Security Appropriations Act of 2010. This conference report represents Congress' commitment to partnering with State and local authorities to meet the homeland security challenges of the nation.

State and local emergency managers and first responders are the country's front line defense in times of crisis. Whenever ordinary Americans find themselves in harm's way, State and local authorities are often first on the scene. Not only does the bill provide almost \$4 billion for grants to assist State and local governments with emergency planning and equipment, the bill provides an additional \$3.9 billion in grants for high-risk urban areas like the National Capital region for mass transit security, and fire and rescue programs. This conference report recognizes State and local governments as full and equal partners in the effort to protect American citizens by helping ensure that they have the tools they need to get the job done.

The bill also provides important support for key elements of the domestic and international transportation, maritime and cyber security defenses of the country. The bill contains funding to update and maintain airport baggage handling and electronic cargo inspection systems in the Nation's air and sea ports; the bill helps protect Americans and American ships abroad with funding for U.S. Coast Guard operations; and the bill includes \$397 million in funding for cyber security efforts to protect the nation's cyber infrastructure against unauthorized access.

Americans turn to first responders and emergency managers for help in a crisis. This bill helps ensure that the resources are there when they are needed. I encourage my colleagues to join me in support of the 2010 Homeland Security Appropriations Act.

The SPEAKER pro tempore. The gentleman's time has expired.

Pursuant to House Resolution 829, the previous question is ordered on the conference report.

MOTION TO RECOMMIT

Mr. ROGERS of Kentucky. Madam Speaker, I have a motion at the desk.

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

Mr. ROGERS of Kentucky. I am in its current form.

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

The Clerk read as follows:

Mr. ROGERS of Kentucky moves to recommit the conference report accompanying the

bill H.R. 2892 to the committee of conference with instructions to the managers on the part of the House to not agree to any language allowing a detainee held at Guantanamo Bay, Cuba to be brought to the United States for prosecution or incarceration.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

Mr. ROGERS of Kentucky. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on adoption of the conference report; and motion to suspend the rules on H.R. 2423.

The vote was taken by electronic device, and there were—yeas 193, nays 224, not voting 15, as follows:

[Roll No. 783]

YEAS—193

Aderholt	Flake	Marchant
Adler (NJ)	Fleming	McCarthy (CA)
Akin	Forbes	McCaul
Alexander	Fortenberry	McClintock
Altmire	Poster	McCotter
Austria	Foxo	McHenry
Bachmann	Franks (AZ)	McIntyre
Bachus	Frelinghuysen	McKeon
Barrett (SC)	Gallegly	McMahon
Barrow	Garrett (NJ)	McMorris
Bartlett	Gerlach	Rodgers
Barton (TX)	Gingrey (GA)	McNerney
Biggert	Gohmert	Mica
Bilbray	Goodlatte	Miller (FL)
Billirakis	Granger	Miller (MI)
Bishop (UT)	Graves	Miller, Gary
Blackburn	Griffith	Mitchell
Boehner	Guthrie	Moran (KS)
Bonner	Hall (NY)	Murphy, Tim
Bono Mack	Harper	Myrick
Boozman	Hastings (WA)	Neugebauer
Boren	Heller	Nunes
Boustany	Hensarling	Olson
Brady (TX)	Herger	Paulsen
Bright	Herseth Sandlin	Pence
Broun (GA)	Hodes	Peters
Brown (SC)	Hoekstra	Petri
Brown-Waite,	Holden	Pitts
Ginny	Hunter	Platts
Buchanan	Inglis	Poe (TX)
Burgess	Issa	Posey
Burton (IN)	Jenkins	Price (GA)
Buyer	Johnson (IL)	Putnam
Calvert	Johnson, Sam	Rehberg
Camp	Jones	Reichert
Campbell	Jordan (OH)	Roe (TN)
Cantor	King (IA)	Rogers (AL)
Capito	King (NY)	Rogers (KY)
Cassidy	Kingston	Rogers (MI)
Castle	Kirk	Rohrabacher
Chaffetz	Kirkpatrick (AZ)	Rooney
Childers	Kline (MN)	Ros-Lehtinen
Coble	Kratovil	Roskam
Coffman (CO)	Lamborn	Royce
Cole	Lance	Ryan (WI)
Conaway	Latham	Schmidt
Crenshaw	LaTourette	Sensenbrenner
Culberson	Latta	Sessions
Davis (AL)	Lee (NY)	Shadegg
Davis (KY)	Lewis (CA)	Shea-Porter
Deal (GA)	Linder	Shimkus
Dent	LoBiondo	Shuster
Diaz-Balart, L.	Lucas	Simpson
Diaz-Balart, M.	Luetkemeyer	Smith (NE)
Donnelly (IN)	Lummis	Smith (NJ)
Dreier	Lungren, Daniel	Smith (TX)
Duncan	E.	Souder
Ehlers	Mack	Space
Fallin	Manzullo	Stearns

Sullivan	Tiberi
Taylor	Turner
Teague	Upton
Terry	Walden
Thompson (PA)	Wamp
Thornberry	Westmoreland
Tiahrt	Whitfield

NAYS—224

Abercrombie	Gutierrez	Ortiz
Ackerman	Halvorson	Pallone
Andrews	Hare	Pascarell
Arcuri	Harman	Pastor (AZ)
Baca	Hastings (FL)	Paul
Baird	Heinrich	Payne
Baldwin	Higgins	Perlmutter
Bean	Hill	Perrillo
Becerra	Himes	Peterson
Berkley	Hinchey	Pingree (ME)
Berman	Hinojosa	Polis (CO)
Berry	Hirono	Pomeroy
Bishop (GA)	Holt	Price (NC)
Bishop (NY)	Honda	Quigley
Blumenauer	Hoyer	Rahall
Bocieri	Inslee	Rangel
Boswell	Israel	Reyes
Boucher	Jackson (IL)	Richardson
Brady (PA)	Jackson-Lee	Rodriguez
Braley (IA)	(TX)	Ross
Brown, Corrine	Johnson (GA)	Rothman (NJ)
Butterfield	Johnson, E. B.	Roybal-Allard
Capps	Kagen	Ruppersberger
Capuano	Kanjorski	Rush
Cardoza	Kaptur	Salazar
Carnahan	Kennedy	Sanchez, Linda
Carson (IN)	Kildee	T.
Castor (FL)	Kilpatrick (MI)	Sanchez, Loretta
Chandler	Kilroy	Sarbanes
Chu	Kind	Schakowsky
Clarke	Kissell	Schauer
Clay	Klein (FL)	Schiff
Cleaver	Kosmas	Schradner
Clyburn	Kucinich	Schwartz
Cohen	Langevin	Scott (GA)
Connolly (VA)	Larsen (WA)	Scott (VA)
Conyers	Larson (CT)	Serrano
Cooper	Lee (CA)	Sestak
Costa	Levin	Sherman
Costello	Lewis (GA)	Shuler
Courtney	Lipinski	Sires
Crowley	Loebach	Skelton
Cuellar	Loftgren, Zoe	Slaughter
Cummings	Lowey	Smith (WA)
Dahlkemper	Lujan	Snyder
Davis (CA)	Lynch	Speier
Davis (IL)	Maffei	Spratt
Davis (TN)	Maloney	Stark
DeFazio	Markey (CO)	Stupak
DeGette	Markey (MA)	Sutton
Delahunt	Marshall	Tanner
DeLauro	Massa	Thompson (CA)
Dicks	Matheson	Thompson (MS)
Dingell	Matsui	Tierney
Doggett	McCarthy (NY)	Titus
Doyle	McDermott	Tonko
Driehaus	McGovern	Towns
Edwards (MD)	Meek (KS)	Tsongas
Edwards (TX)	Meeks (NY)	Van Hollen
Ellison	Michaud	Velazquez
Ellsworth	Miller (NC)	Visclosky
Engel	Miller, George	Walz
Eshoo	Moore (KS)	Wasserman
Etheridge	Moore (WI)	Schultz
Farr	Moran (VA)	Waters
Fattah	Murphy (CT)	Watson
Filner	Murphy (NY)	Watt
Frank (MA)	Murphy, Patrick	Waxman
Fudge	Murtha	Weiner
Giffords	Nadler (NY)	Welch
Gonzalez	Napolitano	Wexler
Gordon (TN)	Neal (MA)	Wilson (OH)
Grayson	Nye	Woolsey
Green, Al	Oberstar	Wu
Green, Gene	Obey	Yarmuth
Grijalva	Oliver	

NOT VOTING—15

Blunt	Emerson	Mollohan
Boyd	Hall (TX)	Radanovich
Cao	McCollum	Ryan (OH)
Carney	Melancon	Scalise
Carter	Minnick	Schock

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1314

Messrs. RUSH, GENE GREEN of Texas, SCOTT of Georgia, WU, COURTNEY, HINCHEY, Ms. SUTTON, Ms. MOORE of Wisconsin and Ms. CLARKE changed their vote from “yea” to “nay.”

Messrs. COFFMAN, TERRY, CAMP, WALDEN, ROSKAM and CANTOR changed their vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. MINNICK. Madam Speaker, on rollcall No. 783, I was caught in traffic returning from a lunch at I and 18th Street, NW. Had I been present, I would have voted “yea.”

The SPEAKER pro tempore. The question is on the conference report.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 307, nays 114, not voting 11, as follows:

[Roll No. 784]

YEAS—307

Abercrombie	Crowley	Himes
Ackerman	Cuellar	Hinche
Aderholt	Cummings	Hinojosa
Adler (NJ)	Dahlkemper	Hirono
Alexander	Davis (AL)	Hodes
Altmire	Davis (CA)	Holden
Andrews	Davis (IL)	Holt
Arcuri	Davis (TN)	Honda
Austria	DeFazio	Hoyer
Baca	DeGette	Inslee
Baird	DeLauro	Israel
Baldwin	Dent	Jackson (IL)
Barrow	Diaz-Balart, L.	Jackson-Lee
Bean	Diaz-Balart, M.	(TX)
Becerra	Dicks	Jenkins
Berkley	Dingell	Johnson (GA)
Berman	Doggett	Johnson, E. B.
Berry	Donnelly (IN)	Kagen
Biggert	Doyle	Kanjorski
Blibray	Drieaus	Kaptur
Bilirakis	Edwards (MD)	Kennedy
Bishop (GA)	Edwards (TX)	Kildee
Bishop (NY)	Ellison	Kilpatrick (MI)
Blumenauer	Ellsworth	Kilroy
Boccheri	Engel	Kind
Bonner	Eshoo	King (NY)
Boren	Etheridge	Kirk
Boswell	Farr	Kirkpatrick (AZ)
Boucher	Fattah	Kissell
Boustany	Filner	Klein (FL)
Brady (PA)	Fleming	Kosmas
Braley (IA)	Forbes	Kratovil
Bright	Fortenberry	Kucinich
Brown, Corrine	Foster	Lance
Brown-Waite,	Frank (MA)	Langevin
Ginny	Frelinghuysen	Larsen (WA)
Buchanan	Fudge	Larson (CT)
Butterfield	Gallegly	Latham
Camp	Garrett (NJ)	LaTourette
Capito	Gerlach	Lee (CA)
Capps	Giffords	Lee (NY)
Capuano	Gonzalez	Levin
Cardoza	Gordon (TN)	Lewis (GA)
Carnahan	Grayson	Lipinski
Carson (IN)	Green, Al	LoBiondo
Cassidy	Green, Gene	Loebsack
Castor (FL)	Griffith	Lofgren, Zoe
Chandler	Grijalva	Lowey
Childers	Hall (NY)	Luetkemeyer
Chu	Halvorson	Lujan
Clarke	Hare	Lynch
Clay	Harman	Maffei
Cleaver	Harper	Maloney
Clyburn	Hastings (FL)	Manzullo
Cohen	Hastings (WA)	Markey (CO)
Connolly (VA)	Heinrich	Markey (MA)
Conyers	Heller	Marshall
Cooper	Herseth Sandlin	Massa
Costa	Higgins	Matheson
Courtney	Hill	Matsui

McCarthy (NY)	Platts	Smith (NJ)
McCaul	Pomeroy	Smith (TX)
McCotter	Price (NC)	Smith (WA)
McDermott	Quigley	Snyder
McGovern	Rahall	Space
McIntyre	Rangel	Speier
McMahon	Reichert	Spratt
McMorris	Reyes	Stupak
Rodgers	Richardson	Sutton
McNerney	Rodriguez	Tanner
Meek (FL)	Rogers (AL)	Taylor
Meeks (NY)	Rogers (KY)	Teague
Michaud	Rogers (MI)	Terry
Miller (MI)	Rohrabacher	Thompson (CA)
Miller (NC)	Ros-Lehtinen	Thompson (MS)
Miller, Gary	Ross	Tiberi
Miller, George	Rothman (NJ)	Tierney
Minnick	Roybal-Allard	Titus
Mitchell	Ruppersberger	Tonko
Moore (KS)	Rush	Towns
Moore (WI)	Ryan (OH)	Tsongas
Moran (VA)	Salazar	Upton
Murphy (CT)	Sanchez, Linda	Van Hollen
Murphy (NY)	T.	Visclosky
Murphy, Patrick	Sanchez, Loretta	Walden
Murtha	Sarbanes	Walz
Nadler (NY)	Schakowsky	Wasserman
Napolitano	Schauer	Schultz
Neal (MA)	Schiff	Waters
Nye	Schock	Watson
Oberstar	Schrader	Watt
Obey	Schwartz	Waxman
Oliver	Scott (GA)	Weiner
Ortiz	Scott (VA)	Welch
Pallone	Serrano	Wexler
Pascarella	Sestak	Whitfield
Pastor (AZ)	Shea-Porter	Wilson (OH)
Payne	Sherman	Wittman
Perlmutter	Shimkus	Wolf
Perriello	Shuler	Woolsey
Peters	Sires	Wu
Peterson	Skelton	Yarmuth
Pingree (ME)	Slaughter	Young (AK)
Pitts	Smith (NE)	Young (FL)

NAYS—114

Akin	Franks (AZ)	Myrick
Bachmann	Gingrey (GA)	Neugebauer
Bachus	Gohmert	Nunes
Barrett (SC)	Goodlatte	Olson
Bartlett	Granger	Paul
Barton (TX)	Graves	Paulsen
Bishop (UT)	Guthrie	Pence
Blackburn	Gutierrez	Petri
Boehner	Hensarling	Poe (TX)
Bono Mack	Herger	Polis (CO)
Boozman	Hoekstra	Posey
Brady (TX)	Hunter	Price (GA)
Broun (GA)	Inglis	Putnam
Brown (SC)	Issa	Rehberg
Burgess	Johnson (IL)	Roe (TN)
Burton (IN)	Johnson, Sam	Rooney
Buyer	Jones	Roskam
Calvert	Jordan (OH)	Royce
Campbell	King (IA)	Ryan (WI)
Cantor	Kingston	Schmidt
Carter	Kline (MN)	Sensenbrenner
Castle	Lamborn	Sessions
Chaffetz	Latta	Shadegg
Coble	Lewis (CA)	Shuster
Coffman (CO)	Linder	Simpson
Cole	Lucas	Souder
Conaway	Lummis	Stark
Costello	Lungren, Daniel	E.
Crenshaw	E.	Stearns
Culberson	Mack	Sullivan
Davis (KY)	Marchant	Thompson (PA)
Deal (GA)	McCarthy (CA)	Thornberry
Delahunt	McClintock	Tiahrt
Dreier	McHenry	Turner
Duncan	McKeon	Velazquez
Ehlers	Mica	Wamp
Fallin	Miller (FL)	Westmoreland
Flake	Moran (KS)	Wilson (SC)
Fox	Murphy, Tim	

NOT VOTING—11

Blunt	Emerson	Mollohan
Boyd	Hall (TX)	Radanovich
Cao	McCollum	Scalise
Carney	Melancon	

□ 1321

Mr. BOOZMAN changed his vote from “yea” to “nay.”

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GEORGE P. KAZEN FEDERAL BUILDING AND UNITED STATES COURTHOUSE

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 2423, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Hawaii (Ms. HIRONO) that the House suspend the rules and pass the bill, H.R. 2423, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 421, nays 0, not voting 11, as follows:

[Roll No. 785]

YEAS—421

Abercrombie	Carnahan	Flake
Ackerman	Carson (IN)	Fleming
Aderholt	Carter	Forbes
Adler (NJ)	Cassidy	Fortenberry
Akin	Castle	Foster
Alexander	Castor (FL)	Fox
Altmire	Chaffetz	Frank (MA)
Andrews	Chandler	Franks (AZ)
Arcuri	Childers	Frelinghuysen
Austria	Chu	Fudge
Baca	Clarke	Gallegly
Bachmann	Clay	Garrett (NJ)
Bachus	Cleaver	Gerlach
Baird	Clyburn	Giffords
Baldwin	Coble	Gingrey (GA)
Barrett (SC)	Coffman (CO)	Gohmert
Barrow	Cohen	Gonzalez
Bartlett	Cole	Goodlatte
Barton (TX)	Conaway	Gordon (TN)
Bean	Connolly (VA)	Granger
Becerra	Conyers	Graves
Berkley	Cooper	Grayson
Berman	Costa	Green, Al
Berry	Costello	Green, Gene
Biggert	Courtney	Griffith
Blibray	Crenshaw	Grijalva
Bilirakis	Crowley	Guthrie
Bishop (GA)	Cuellar	Gutierrez
Bishop (NY)	Culberson	Hall (NY)
Bishop (UT)	Cummings	Halvorson
Blackburn	Dahlkemper	Hare
Blumenauer	Davis (AL)	Harman
Blunt	Davis (CA)	Harper
Boccheri	Davis (IL)	Hastings (FL)
Boehner	Davis (KY)	Hastings (WA)
Bonner	Davis (TN)	Heinrich
Bono Mack	Deal (GA)	Heller
Boozman	DeFazio	Hensarling
Boren	DeGette	Herger
Boswell	Delahunt	Herseth Sandlin
Boucher	DeLauro	Higgins
Boustany	Dent	Hill
Brady (PA)	Diaz-Balart, L.	Himes
Brady (TX)	Diaz-Balart, M.	Hinche
Braley (IA)	Dicks	Hinojosa
Bright	Dingell	Hirono
Broun (GA)	Doggett	Hodes
Brown (SC)	Donnelly (IN)	Hoekstra
Brown, Corrine	Doyle	Holden
Brown-Waite,	Dreier	Holt
Ginny	Drieaus	Honda
Buchanan	Duncan	Hoyer
Burgess	Edwards (MD)	Hunter
Burton (IN)	Edwards (TX)	Inglis
Butterfield	Ehlers	Inslee
Buyer	Ellison	Israel
Calvert	Ellsworth	Issa
Camp	Engel	Jackson (IL)
Campbell	Eshoo	Jackson-Lee
Cantor	Etheridge	(TX)
Capito	Fallin	Jenkins
Capps	Farr	Johnson (GA)
Capuano	Fattah	Johnson (IL)
Cardoza	Filner	Johnson, E. B.