

Mr. Timothy J. Johnson, Minnetonka, Minnesota.

There was no objection.

COMMUNICATION FROM THE
CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 21, 2001.

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

DEAR MR. SPEAKER: Pursuant to the provisions of 44 U.S.C. 2702, I hereby reappoint as a member of the Advisory Committee on the Records of Congress the following person: Susan Palmer, Aurora, Illinois.

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
Clerk.

TORNADO SHELTERS ACT

The SPEAKER pro tempore. Pursuant to House Resolution 93 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 247.

□ 1224

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 247) to amend the Housing and Community Development Act of 1974 to authorize communities to use community development block grant funds for construction of tornado-safe shelters in manufactured home parks, with Mr. MILLER of Florida in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentlewoman from New Jersey (Mrs. ROUKEMA) and the gentleman from Massachusetts (Mr. FRANK) each will control 30 minutes.

The Chair recognizes the gentlewoman from New Jersey (Mrs. ROUKEMA).

Mrs. ROUKEMA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as Chair of the subcommittee, I appreciate this opportunity to express my support for H.R. 247, the Tornado Shelters Act. It was introduced by the gentleman from Alabama (Mr. BACHUS), our colleague.

This legislation would permit the use of Community Development Block Grant funds to construct or enhance tornado shelters in manufactured housing communities or for the residents of manufactured housing.

Mr. Chairman, I will shortly turn the floor over to the gentleman from Alabama (Mr. BACHUS), our colleague, so that he may manage the bill, but, before I do, I want to make a few points.

I do not hail from an area of the country that frequently suffers outbreaks of tornados. While we have regular bouts of severe weather, especially during the summer months, we are far from "tornado alley", but we certainly appreciate and understand that this is a national problem.

As many of my colleagues know, however, the tornado season just started last week and will continue through June for many parts of the country.

I want to stress this, Mr. Chairman, this is truly a matter of life or death. We have heard over and over again some of the statistics about the numbers of people who have died year after year in tornados. In fact, already this year 10 people have died from tornados, and last year there were over 40 fatalities.

So we will continue going on, and I am sure the gentleman from Alabama (Mr. BACHUS) and others will document the need, but I want to point out that these are killer storms and repeat this issue is a matter of life or death.

As the gentleman from Alabama (Mr. BACHUS) says, in the face of the tornado threat, we can do two things. I like the way he said this. We can pray and prepare. Pray that it will not happen again, and prepare for the next line of twisters.

That is why we are here today. We are expediting the process of responsible congressional action. While the citizens can pray, our responsibility as their governmental officials must be to help all prepare.

Mr. Chairman, I understand that there are different questions of interpretation on whether the legislation is needed or not. Frankly, I do not understand why there are different interpretations. It seems to me that the common-sense legislation will explicitly clear any ambiguity in the law and permit the use of these funds to allow communities to build and/or improve tornado shelters.

Mr. Chairman, I strongly support this legislation and thank the gentleman from Alabama (Mr. BACHUS) for his leadership.

Mr. Chairman, as Chair of the subcommittee, I appreciate the opportunity to support H.R. 247—the "Tornado Shelters Act," introduced by our colleague, the gentleman from Alabama, Mr. BACHUS.

The legislation would permit the use of CDBG (Community Development Block Grant) funds to construct or enhance tornado shelters in manufactured housing communities or for residents of manufactured housing.

I will shortly turn over the floor to my colleague from Alabama, so that he may manage this bill, but before I do that, I wanted to make a few points.

Mr. Chairman, I do not hail from an area of the country that frequently suffers outbreaks of

tornadoes. While we do have regular bouts of severe weather—especially in the summer months—we are far from "Tornado Alley."

As many of you may know, however, the tornado season started last week and will continue through June.

This is truly a matter of life or death.

In this calendar year 2001, already 10 people have died from tornadoes.

In 2000, there were slightly less than 898 tornadoes resulting in 40 fatalities.

In 1999, there were over 1,300 reported tornadoes resulting in 94 fatalities.

In Camilla, Georgia last year, for example, 12 people died and more than 125 manufactured homes were destroyed after a series of pre-season tornadoes covered a 10-mile path.

I am struck by the words of my colleague from Alabama, the site of far too many of these killer storms. Mr. BACHUS says that in the face of the tornado threat we can do two things—pray and prepare. Pray it won't happen again, and prepare for the next line of twisters.

That's why we are here today—expediting the process of responsible congressional action. While the citizens can pray, their government must help all to prepare. I understand that there are different questions of interpretation on whether this legislation is needed or not. This common-sense legislation will explicitly clarify and permit the use of these funds to allow communities to build or improve tornado shelters in manufactured housing communities.

Mr. Chairman, I ask unanimous consent that the gentleman from Alabama (Mr. BACHUS) be permitted to control the remainder of the time on this bill.

The CHAIRMAN. Without objection, the remaining time allocated to the gentlewoman from New Jersey (Mrs. ROUKEMA) will be controlled by the gentleman from Alabama (Mr. BACHUS).

There was no objection.

Mr. FRANK. Mr. Chairman, I yield 6 minutes to the gentleman from New York (Mr. LAFALCE), the ranking member of the Committee on Financial Services, for the first time in the consideration of this bill.

Since there has been no committee deliberations, this is the first opportunity the gentleman from New York (Mr. LAFALCE), the ranking member of the Committee on Financial Services, gets to deliberate on the bill.

Mr. LAFALCE. Mr. Chairman, I thank the gentleman from Massachusetts (Mr. FRANK), the ranking minority member of the Subcommittee on Housing and Community Opportunity. The intent of the bill is quite laudable, to make it easier to use CDBG, that is Community Development Block Grant, funds to build tornado and storm shelters for the benefit of manufactured housing residents.

□ 1230

With a few perfecting amendments that we will be offering, the final bill may well become one that the Democrats can support.

However, I rise now to talk primarily about what we should be discussing today, and that is the severe housing and community development cuts proposed under President Bush's budget.

Since this bill deals with the CDBG program, we ought to be debating the fact that this administration's budget cuts \$422 million from it compared to last year's CDBG bill. It is astounding that, at a time when the administration on a daily basis warns us that we may be heading into a recession, that they can propose to cut almost a half billion dollars in economic development funds.

It is astounding that, while it touts tax breaks tilted toward higher-income Americans, the administration wants to cut CDBG funding, which is targeted to families and communities which have participated the least in our economic recovery.

In justifying these cuts, the administration touts the fact that it is funding the formula grants at the same level as fiscal 2001 funding. The problem with that is that this level is insufficient. In fact, that level is \$132 million lower than the level that was funded 7 years ago, which happened to be the last time Democrats controlled the Congress. When one factors in inflation, this amounts to an 18 percent real cut in community development monies in real terms under the Republican control of the Congress.

Now, of course the CDBG program is not the only part of the HUD budget which is, unfortunately, suffering severe cuts under this administration's budget. When one factors out the phantom increases in section 8 budget authority, that is the renewal of contracts, the renewal of contracts keeps things at a steady level; but whenever it is renewed, this administration calls the renewal an increase, even though it is the exact same dollar amount as the previous year and the year before that. So it is a phantom in increase.

When one factors that out, one finds that the administration budget actually cuts housing and community development programs by \$1.3 billion compared to last year's approved level. When one factors in inflation, we find that the HUD budget blueprint cuts housing programs by some \$2.2 billion, an 8 percent real spending decrease compared to last year.

But we are not talking about that today, because the Republicans do not want to. We are talking about something else, without hearings, without deliberation.

The cuts that I have talked about are confirmed by the specifics in their budget. The \$422 million cut already cited in CDBG, an \$859 million cut for public housing, a \$200 million cut in the HOME affordable housing formula grant, elimination of the rural housing program, a \$460 million reduction in section 8 reserves, from 2 months to 1,

which will result in lowering utilization rates by low-income families of section 8 assistance, and higher FHA loan fees for home rehab and condo loans and for multifamily housing.

At a time when this administration is projecting budget surpluses, record budget surpluses, we should be reinvesting some of our budget surpluses in affordable housing. We should not be cutting funding.

At a time when Republicans in Congress are about to pass a \$2 trillion tax cut predominantly tilted to our Nation's most affluent, we should not ignore the needs of our Nation's homeless as the Bush administration's budget blueprint does.

At a time when we have just begun to make progress over the last few years and assisting those of our Nation's families with worst-case housing needs, and there are over 5 million such families, this administration proposes to cut in half the number of annual incremental section 8 vouchers that we have funded over the last few years.

Should we be considering the bill before us today? After committee deliberation, of course. But we have not had that committee deliberation. But much more importantly, we ought to be considering this Congress' responsibility to those who need shelter; clothe the naked and make sure you find shelter for the homeless. We are defaulting on that moral, legal responsibility.

Mr. BACHUS. Mr. Chairman, I yield 2 minutes to the gentleman from Missouri (Mr. BLUNT).

Mr. BLUNT. Mr. Chairman, I thank the gentleman for yielding and for working so hard to bring this legislation to the floor.

Where I live in southwest Missouri, this is the beginning of the tornado season. We have, if you live in one, you know you live in it, a thing called a tornado alley which, for whatever reason, year after year seems to be the same path that kind of attracts the destruction, the disruption, the loss of property and, unfortunately, sometimes the loss of life that families have to suffer.

This is a great addition to the Community Development Block Grant program. It is a way that people who live in manufactured housing can have the same kind of access to funds that people that live in site-based housing or in low-income apartments can have right now.

It is such a good idea that it is amazing we have not done it before. I was reading an article in the Kansas City Star this morning; and my good friend, Sam Graves from northwest Missouri said, "Every once in a while something is brought to our attention that makes all the sense in the world, and you wonder why it has never been done before."

Well, we need to get this done. It is a great idea. Obviously, we are not going

to hear many objections to this bill and objections to when we do it. Maybe we ought to go back to the Sam Graves' principle. The real question is not why the bill is on the floor today. The real question is, why has the bill not been on the floor before? Why have we not done it before? Why have we not provided this kind of protection to people that live in manufactured housing?

Really, there are two most dangerous places in the tornado: in one's house or trying to get away from one's house in a car. This provides a place to go and access to the funds to help provide more safety for people who live in these kinds of housing.

I urge my colleagues to vote for this bill today. I look forward to its passage.

Mr. FRANK. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. Mr. Chairman, I thank the gentleman from Massachusetts and my friend for this time.

Mr. Chairman, I rise in opposition to the process by which the Tornado Shelters Act has come before us today.

While I do have some concerns about the underlying legislation, my strongest concerns lie in the nature by which this legislation has made its way to the floor. It received no consideration in either the appropriate subcommittee or through the full committee of jurisdiction. It seems to have appeared on the floor, in my opinion, if only as a space filler to keep Members here in D.C.

The committee of jurisdiction, the Committee on Financial Services, of which I am a member, in a bipartisan manner should have had the opportunity to fully review this bill before bringing it to the floor.

This legislation, from the short notice that I have had to look at it, would take important funding from the Community Development Block Grant program, a program, to my understanding, that the President wants to slash by more than \$400 million this year, and could provide funding to private enterprises or to enterprises that do not meet the income thresholds of the CDBG funding.

Tornado prevention is a good thing. But should Congress be providing funding to private groups, to groups who may not meet the regular criteria for CDBG funding? I do not think they should be.

I do not have an informed answer as of yet, and I have not had the time to fully vet this legislation, again, because the committee process was waived, as was the possibility of any review by the Democratic members of the Committee on Financial Services.

I have a good relationship with the gentleman from Ohio (Chairman OXLEY), and I understand that there was no evidence that he or the gentleman from Alabama (Chairman BACHUS), the author of this bill, was party

to bringing this measure to the floor under these dubious circumstances.

But because of those circumstances, this bill should be pulled from full consideration and brought back for hearings and mark-up in the committee of jurisdiction. This could be a good bill, but this House has not yet had the chance to review it properly.

While we have a President who plans to slash CDBG funds as well as cut section 8 vouchers for low- and moderate-income Americans and eliminate the Drug Elimination Program which fights the scourge of drugs in our Nation's public housing, this body needs to have the chance to fully vet this bill, to ensure it is in the best interest of all Americans.

I hope my friends on the Republican side of the aisle will understand the discomfort of the minority at this legislation coming to the floor, and hope that we can work together to have a chance to review this bill in committee.

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

Mr. CROWLEY. Yes, I yield to the gentleman from Massachusetts.

Mr. FRANK. Mr. Chairman, the rules of the House do not permit us to address people who are not present on the floor, so I would just take this opportunity to express my best wishes to the absent chairman of the full committee. It is not usual for a committee, in my experience, to consider a bill in the complete absence of the chairman of the full committee. I hope all is well with him.

Mr. BACHUS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, before I get to the merits of this legislation, I want to commend the Members who have spoken on the other side and who said we are not addressing the merits of this legislation. We are addressing the bill. But they have unknowingly let two rabbits out, and I am going to chase those rabbits for a minute.

The first rabbit is this rabbit of immaculate conception; that this bill was just beamed down to us from outer space, or that there was an immaculate conception, and sometime last week this bill took a form.

Mr. Chairman, nothing could be further from the truth. This legislation was introduced in January and referred to the Committee on Financial Services and referred to the Subcommittee on Housing and Community Opportunity. I requested a hearing on it. But that subcommittee has got important work on some complex issues and is having hearings. I do not set the agenda for the hearings before that committee. I know that one is not scheduled.

I really had no objection to the bill coming up now or, as I told the gentleman from Massachusetts (Mr. FRANK), 2 weeks from today would have

served me fine. I told him that. I will say this, the gentleman from New York (Mr. LAFALCE), the ranking member of the full committee, said, even if we get this bill out today, it will be September before the Senate takes the bill up. If that is the case, although I did tell the gentleman from Massachusetts (Mr. FRANK) I have no objection to it being 2 weeks from today, and I appreciate his kindness, we have always worked well together, but I will tell my colleagues this, if it gets over to the Senate in September, the local communities are not even going to have a shot at building some of these shelters for the next tornado season. I do not, quite frankly, want to get this bill over to the Senate late. I hope they take it up before September.

Now, another rabbit that has been loosed on this body is that there has been a cut in Community Development Block Grant funding. The overall funding, and only in Washington a \$300 million increase is considered a cut. It went from \$4.8 billion to \$5.1 billion.

Now that, hopefully, we have chased those rabbits out, I would like to turn to the merits of the bill. People have said why? Why this bill? Is this bill an attempt to divert money from other needed programs that communities spend the money on? No.

□ 1245

I am going to change mikes, and I am going to tell my colleagues what this bill is about.

Mr. Chairman, this bill is about this little girl. She was a mobile home resident in my district. She was 6 years old when a tornado struck Tuscaloosa, Alabama. She survived. She was found some time later, in fact so much later that an Associated Press photographer was able to get his camera out and take this picture, so she laid on the ground for several hours. Her 16-month-old baby brother was not so fortunate. He died. Her mother survived and she will raise Whitney and her little sister, both of whom stayed in the hospital several days, but they will not have the help of Whitney's father who was also killed in this tornado.

This is what remains of their house. Today and until this legislation passes, this little girl and her mother or those in the small mobile home park, and I will call it a park, there are five mobile homes there, they will not have any access to community development block grant funds.

Now if she lived in a rental unit, if she lived in public housing, if she lived in a site-built home, she would qualify. But she has been discriminated against because she lives in a manufactured home. But as we sadly found out when this tornado struck Tuscaloosa, Alabama and seriously injured 75 of the citizens that the gentleman from Alabama (Mr. HILLIARD) and I represent, and the gentleman from Alabama is a

cosponsor of this legislation, a Democrat, it has bipartisan support, Tuscaloosa County wanted to look at the option of using Community Development Block Grant money to build shelters. They were told that they didn't qualify. Subsequent to that, we have been told that on three occasions by the HUD project manager that recommends this and I will read what he says. He says that we need clarifying language, it is not clear, and they have not allowed this to be eligible.

One reason is these mobile home parks are built on private land. Someone said that, look, they are going to be able to build these things on private land. Well, this little girl lived on private land. She cannot help that. The county is not going to go out there and purchase a 25-by-25 square foot piece of property and locate a shelter. It is total madness that we as a government will allow someone in a permanent site-built home with a basement and an interior hall, that we will allow them money to build a safe room in that home yet, we will not allow this family to take advantage of that same fund to hide underground when these powerful tornadoes come.

Let me tell my colleagues, a lot of our citizens, they choose mobile homes. They choose manufactured homes. A lot of our senior citizens choose them. When we talk about mobile home parks or manufactured homes, we are talking about young families, with children, struggling to get along. In many cases we are talking about senior citizens and handicapped and disabled people, but they are good citizens and they deserve better.

I hope that they will not have to wait past this year for some equality out of this body. Now, I do not know why the regulations are the way that they are. I do not know why the bureaucrats, whether they have made a tangle of that. I do not know why, but I know that it is something that we need to address and it is something that we need to address today, and we need to do it overwhelmingly.

Mr. Chairman, I have lost too many people in my district, 32 on April 8, 1998; and then December 16, 2000, I lost 11. I had over 300 that received injuries bad enough to be hospitalized. Let me just say that those are bad injuries. I was hit by a tractor-trailer truck and broke my collarbone and have five fractured ribs and a fractured sternum as I stand up here before my colleagues, and I went to the hospital, but I did not stay overnight. I had 300 citizens that were hurt worse than that, and let me tell you, I have hurt the last month. So it is not just those who were killed, it is this little girl. She will live without a father, and she will live without a little brother.

I do not know whether my colleagues' communities will choose to

use these monies for this worthy cause or another. There are no mandates in this bill, there is just fairness for mobile home residents.

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

Mr. FRANK. Mr. Chairman, I yield myself such time as I may consume to simply say to the gentleman from Alabama, who began by saying that our complaints about the process were wrong because the bill had been introduced in January and referred to the committee, that the committee should then have had a hearing. The gentleman is a member of the committee. He should have asked for one. We could have had this out earlier. The Subcommittee on Housing and Community Opportunity has had one hearing. I think we could have found the time.

So the notion that because the bill was introduced in January, that that somehow justifies totally bypassing the process, seems to be wrong. And in fairness to the committee, it is not my impression the committee was pressed to have a hearing. Again, let us be clear. The only reason this bill is on the floor today is because it meets the needs of the majority's scheduling concerns so they could keep Members in town. It has nothing to do with anything else, and that is an improper way to go about things.

Mr. Chairman, I yield 4 minutes to the gentlewoman from Florida (Mrs. MEEK), one of the great defenders of the true purposes of the Community Development Block Grant program.

Mrs. MEEK of Florida. Mr. Chairman, I certainly have feelings for the gentleman from Alabama (Mr. BACHUS), who introduced this bill. I represent some of the same kinds of constituents that he represents, and each of my colleagues has similar kinds of constituents. But that is not what this bill is all about.

Number one, this bill is about the utilization of Community Development Block Grant funds to build shelters. That is what it is about. Now, each of us at some time in our life here in the Congress has a disaster or we have some problem that there is a sense of urgency about it. In my area it is a flood, or it may be a hurricane, but that does not mean that I can stretch outside the parameters of things that are already statutorily set to receive funds for those things when the funds were designed for people in similar straits.

So I do feel compassion for the gentleman from Alabama (Mr. BACHUS) and the constituents he is trying to help. But it does not change the fact that each of us has some of these urgent things we need to get taken care of. I need to get floods taken care of, I need to get hurricane problems taken care of, and they are emergencies, but I cannot come and take it out of the CDBG funds in the way that this gentleman has described it.

The gentleman wants to now allow private developers or private builders to build a shelter on private property. Remember this, they can buy the land, they can acquire it, they can buy it, and after that they can place it at the site of the manufactured homes.

Now, I came from the State legislature. We had a lot of problems with manufactured homes. There were certain guidelines that they could not reach and never would reach. But this bill is not about that. This bill is to say let us give them money to provide a shelter so that we can save some lives. I agree with that. What I do not agree with is why we are going to give Federal money to build shelters when that county could build them. If the county feels that is as much of an emergency as my good Republican colleague said, why could that county not use this as one of their priorities?

We know we have people who are living in manufactured homes; that they need better protection; who are in an area where there will be tornadoes, there will be floods. Why do we not use our general revenue funds? Why should we come to the Federal Government when the entire Nation needs this for low- and moderate-income people to provide homes.

In the face of that, the Republican administration has cut all of the funds for our Community Development Block Grant funds. What bothers me is that every time there is a need for funds, my Republican colleagues run to this little pile of funds and say, okay, we can take it from there. This year it is one thing, next week it will be another thing. We are constantly decimating those funds.

I say to my colleagues that the amendment of the gentleman from Alabama (Mr. BACHUS) is for a good cause. Had it gone to the committee, they could have pointed up some things. Number one, they should have said let us look for some more money, let us look for some more funds, let us not cut into funds that the President has already cut. We still have people who do not have houses, we still have homeless people, we still have poor people.

My colleague would be surprised. I could bring a litany of things to him, and he would feel very, very sorry for some of the fates of some of these people who are dismally located in slums and decimated areas, with flood water, sewage water, everything running into it. Is that an emergency that I should say come here quickly pass this bill? No, I should not do that. It is not the thing to do, and I do not think we should pass this amendment.

Mr. BACHUS. Mr. Chairman, I yield myself such time as I may consume to recognize the cosponsors of this bill, and then I want to yield some time.

The gentleman from Missouri (Mr. BLUNT), who has already spoken on the bill, he was a cosponsor. The gen-

tleman from Tennessee (Mr. CLEMENT), I want to commend him for pushing this bill and the letters he has written supporting it. The gentleman from Alabama (Mr. EVERETT), who lost two residents of manufactured housing in the last few weeks. The gentleman from Alabama (Mr. HILLIARD) and the gentleman from Oklahoma (Mr. ISTOOK). The gentleman from Oklahoma (Mr. ISTOOK), by the way, told me that the highest recorded wind ever in the United States was recorded during a tornado in Oklahoma in the past year or 2. The gentleman from Mississippi (Mr. PICKERING), who submitted a statement for the RECORD, and the gentleman from Alabama (Mr. RILEY). And, finally, the colleague who has been with me since the start on this legislation, who has been as strong a supporter as anyone, the gentleman from Alabama (Mr. CRAMER).

Mr. Chairman, I yield such time as he may consume to the gentleman from Alabama (Mr. CRAMER).

Mr. CRAMER. Mr. Chairman, I thank my colleague from Alabama, and I will not take that much time, but I wanted to commend him over the issue that he is bringing to the floor today.

It is hard to tell in Alabama where tornado alley is not. We have vulnerable citizens from north to south; all around us in the south and all around us in the country as well. I am not here to get myself involved in the procedural dispute here today, but I am here to say we need all the help that we can get for residents that live in manufactured housing and in the communities that consolidate that kind of housing as well.

The gentlewoman from Florida (Mrs. MEEK) is a tough act to follow, my colleague from South Florida there, but she knows as well as I do that we have vulnerable citizens that live in these communities.

Mr. Chairman, I do want to engage my colleague from Alabama in a dialogue here.

A number of our colleagues are confused about funding that is provided by this particular bill in this particular process. They are afraid that we cannot afford this or that it robs other valuable programs. This reflects on the CDBG program. Can the gentleman speak to the funding?

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

Mr. CRAMER. I yield to the gentleman from Alabama.

Mr. BACHUS. I appreciate the question. This fund has got \$5.1 billion in it, and that money, a large amount of that money, goes to the States and to the local governments; to the communities. Cities and counties is what most people would identify with. And those cities and counties make the decision over how to spend those funds.

I do not mandate that they spend a dime on this program. I simply make

the available funding available for this category. It is already available for site-built homes, it is already available for rental property, it is already available for public housing. I simply expand it to manufactured housing.

Mr. CLEMENT. There is, then, a process that would be available on the local level that would review the cost, who is going to own this particular shelter, and have a safety net with regard to money; but the money comes from preexisting funds that we have already appropriated?

□ 1300

Mr. BACHUS. It is funds that we appropriate every year for the communities to spend as they see fit. We actually restrict them to certain categories. I want this to be a category that they can spend money on. They may choose not to.

FEMA suggested that I put a restriction in here that it apply only in areas where an F-5 or F-4 tornado had hit. I felt like if it had not been an F-5 or F-4 tornado and the community was concerned about it and they wanted to spend it here as opposed to another program, they should be able to. The gentlewoman from Florida says we have got a lot of worthy programs there, but I submit to her that this is one of them. I submit to her that hurricane victims would qualify. These are storm shelters for high wind.

Mr. CRAMER. I applaud the gentleman's efforts and certainly want to join with him early to make sure we protect the citizens that live in this kind of housing. It is time that we do it.

Mr. BACHUS. Adding upon that, we can use this money to prevent beach erosion in New York State. I think we would be able to use it to stop deaths from tornadoes wherever they may strike.

Mr. CRAMER. I thank the gentleman.

Mr. BACHUS. Mr. Chairman, I yield myself such time as I may consume.

I want to read something that the Birmingham News said about this bill. I want to emphasize this. The gentleman from Alabama had asked me about this.

This is what their editorial endorsing the bill says:

All Bachus wants to do is give local governments the option of applying for Federal community block grants to build shelters in mobile home parks. There is no mandate and there is no cost for mobile home buyers. Indeed, the measure could make manufactured homes more attractive to those who wondered about safety during storms. The fact is, when deadly storms strike Alabama, people in mobile homes are likely to be victims. A 1999 Birmingham News analysis showed that more than 60 percent of the fatalities connected to the most recently occurring tornadoes were mobile home residents.

Maybe in the next 10 years that will not be the case. But they simply de-

serve the same protection we afford our other citizens. It is simply a matter of fairness.

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

Mr. FRANK. Mr. Chairman, I yield 2 minutes to the gentleman from Mississippi (Mr. SHOWS).

Mr. SHOWS. Mr. Chairman, I thank my friend from Massachusetts for yielding me this time.

On February 24 of this year, a tornado devastated a 23-mile-long path through Mississippi and killed six people. Just last week we had another tornado that came through Tylertown, Mississippi, and killed one man who was driving along in his pickup truck. A tree fell on him. Thirty more people in my State were injured. One of these persons was a 10-year-old boy who was killed during his birthday sleepover party at a friend's house. By definition this was a small tornado, but, just like the large ones, it caused a lot of devastation. Mississippi has the horrible distinction of leading the country in average deaths due to tornadoes.

Were all of these people adequately prepared? No. Unfortunately, the answer to this question is 40 percent of all tornado-related fatalities occur in manufactured housing. Only 10 percent of the victims are permanent home residents. Residents of mobile homes are not able to seek the common shelter that many of us take for granted because they have no basement.

This bill creates no Federal mandate. It does not say "you must build these shelters", but it does provide communities the ability to seek funding not previously available to manufactured housing residents to construct these shelters. This is a vote that we should make with our hearts so that we may give the good people of this country the option to protect their children if and when tragedy may strike.

Mr. FRANK. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I always like to congratulate those who have seen the error of their ways, and the Republican Party is entitled to that on several counts in this bill.

In the first place, the gentleman from Alabama approached me. We talked privately and publicly. He said that they have this terrible need in Alabama, and the local communities cannot afford to do it. The local communities, given the nature of some of the jurisdictions, do not have the financial ability to do it, and here is this important lifesaving goal.

This is not a matter of interstate commerce. We are not talking about something that transcends State lines. We are talking about providing physical protection for residents of vulnerable structures in particular localities. It is a very local business. But because the local communities either do not want to or cannot easily raise the reve-

nues, they come to whom? The Federal Government. This is a request that local communities be allowed to use Federal funds collected by Federal taxes for local purposes.

I am all for it. I welcome my Republican colleagues to the recognition of the point that in this one country of ours we have an obligation to help.

Some people used to believe in something they called States rights and States responsibilities. Some people used to argue against the Federal Government. Ronald Reagan, who was inaugurated the year I came to Congress, and those were not causally related, said, "The Federal Government is not the answer to our problems. It is the problem."

Today we have a Republican recognition that the Federal Government must be part of the answer to a problem, that absent Federal revenues, local communities cannot make it on their own. I think that is a very wise evolution on the part of my conservative friends. I congratulate them for it.

I will point out the gentlewoman from Florida knew this earlier. She did not have to be convinced.

Mrs. MEEK of Florida. Mr. Chairman, will the gentleman yield?

Mr. FRANK. I yield to the gentlewoman from Florida.

Mrs. MEEK of Florida. This appears to me, the issue here, and the gentleman can clarify this, is not that anyone is against using CDBG funds to build a shelter in and around a manufactured home. In my estimation, CDBG's money should not be used to buy private land, acquire private land by a private owner and build a shelter.

Mr. FRANK. I would say to the gentlewoman it is not even acquiring the private land. What I understand in this bill, and this is the question I would have raised if we had had the possibility to do it during subcommittee and committee, the question would have been, the bill appears to say that public money, Federal money, given to the communities, can then by the communities in turn be given to a private owner to build a shelter on his or her private land which he or she would then own, with no provisions about recapturing anything. That does trouble me. That is what we would have addressed.

We would be all in favor of building the shelters. The question is, should you provide the public money, the Federal money, to local private owners so they can own it? Should you do that without some further restriction?

I want to get back to the other point about government. It illustrates a Republican dilemma. My Republican friends are against government in general. They are just in favor of everything government does. The government is a bad thing. The Federal Government is a bad thing. But Federal

funds should go to local communities to build shelters.

Now, I agree with that. The problem is they cannot continuously denounce the whole and inflate the parts. It does not work. But this is what we have. We have a Republican proposal now to expand the uses of Federal funds so that local communities in dealing with local problems can have more Federal money. I am all for that. But let us not think this only applies when you have a particular problem in your own area.

There is another area where I want to talk about. I mentioned previously to our colleague, the gentleman from Texas, whose father, the gentleman from Texas, used to chair this committee back when we were allowed to refer to it as the Housing Committee in part. He was a great crusader to improve the safety of manufactured housing. Last year, we had a debate over improving the safety of manufactured housing. Frankly, years ago I thought some people were going to sue the distinguished gentleman from San Antonio, the former chairman of the Banking Committee, for defamation because he suggested that there was a particular danger with manufactured housing as it was then built with regard to storms, hurricanes and tornadoes.

What do we have now? A recognition on the part of my Republican friends that manufactured housing is particularly vulnerable to tornadoes. Once again, we have known that, and many of us have been trying to fight it.

Yes, the people who live in manufactured housing have been ill-treated. These are generally people of limited income, though not entirely. Many of them are retired people trying to live prudently on a reasonable retirement income.

They deserve much better treatment in a number of ways. They deserve better treatment here. They deserve better consumer protections. Many of them deserve at the State level better protection against owners who simply decide to throw them out and they have no protection. They deserve better treatment in getting mortgages, when in the past their homes were treated as if they were automobile loans rather than housing loans. There is a lot that should be done for them. That includes the shelters.

But there is this issue, as the gentleman from Florida raised, does it make sense to just give this money to the private owner in a relatively unrestricted way? We will address some of that with amendments.

There is one other issue where the Republicans, having learned something, deserve credit. I want to again give credit where credit is due. In 1993, then President Clinton proposed a countercyclical program to deal with what he believed then was a recession. It turns out the economy was doing

better than he thought. But one of the things he proposed was an increase in spending through the Community Development Block Grant program. I urge Members and others to go back to the CONGRESSIONAL RECORD of those days and read the denunciation of the Community Development Block Grant program as a big slush fund, as pork-barrel spending. The very aspects of that program which the gentleman from Alabama has hailed today were the basis for an attack on that program in 1993. The argument from the Republicans was, oh, this is terrible, these communities will just do all kinds of things with it, unsupervised.

We now have a recognition of the value of the CDBG program. We have a recognition of the value of using Federal funds to do things that Thomas Jefferson might have thought were of local concern. The Republican Party has gone beyond Thomas Jefferson most of the time in terms of what the right function ought to be, but it is an incomplete lesson. They cannot continue to advocate increased Federal funding for particular programs and then consistently cut Federal programs elsewhere.

The gentleman from Alabama and his colleague, the other gentleman from Alabama, correctly pointed out local communities will have the choice. They will be able to build the tornado shelters. In many cases, that is a good choice. But at present they will be able to do that at the cost of doing something about housing or doing something about a playground in a low-income area or doing something about other things.

Why do we force them to give up the one to do the other? If this is a new thing they ought to be doing more of, maybe we ought to be increasing the funding for it.

In fact, Community Development Block Grants, unrestricted ones, have gone down. The gentleman referred to some increased overall amounts, but those increased overall amounts tended to be in terms of some very specific projects. Members differed about the value of those specific projects. But the specific projects were not available for local communities to deal with. As we add to the purposes, we are, I think, disserving ourselves if we do not also add to the money.

I want to again just return to the procedural point. The gentleman from Alabama again noted this bill was introduced in January, he said, and, therefore, we on the minority side should not be upset that it came to the floor in March. We do not set the hearing schedule. We do not set the markup schedule. If it was introduced in January, all the more reason to have done something about it.

By the way, it was introduced in January and substantially rewritten last week, probably after consultation with

HUD. I think it is a good idea to consult with HUD. I think it is a good idea, having filed the bill, to talk to HUD about it, but should the committee not have something to say about it? This bill was, in fact, revised. That is a good thing. The bad thing is leaving the committee out of the revision process.

We will address some of these things in amendments, yes. I think we should be providing tornado shelters for people in manufactured housing. We should be enhancing their safety. We should be enhancing their ability to get mortgages on their homes. We should be increasing the consumer protections they have at both the State and the Federal level. I am for all those things, and with a couple of changes I would enthusiastically support this bill, but I hope that the next time we have something like this, instead of introducing it in January and waiting 2½ months and then bringing it to the floor without any committee process, we show people that we do care about their concerns and we care about their concerns enough to do it in the right way.

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

Mr. BACHUS. Mr. Chairman, I yield myself such time as I may consume. I believe that was an endorsement of this legislation.

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

Mr. BACHUS. I yield to the gentleman from Massachusetts.

Mr. FRANK. It is an endorsement of the legislation if the gentleman would address, and I have never objected to the legislation, if he addresses the issue that I have about giving public money through the communities to a private owner who then owns the structure and has unrestricted control of it. That is what concerns me.

□ 1315

Mr. BACHUS. Mr. Chairman, reclaiming my time, let me say this: the gentleman from Massachusetts talked about the whole philosophy of government, and let me tell you what the people of Tuscaloosa County would really like. They would really like to not send their money to Washington. Federal taxes are at a peacetime high. They would like to keep that money and put it in local government, or they would like to keep it in their own pockets and make their own decisions. But over the last 40 years we have raised their taxes and the taxes of all our citizens so high that they now have to come to Washington and a lot of their needs have to be met here because we take so much of their money.

They would rather not apply for community development block grants. They would rather their taxes be cut by that much, and just let them make the decisions at the city hall in Tuscaloosa or North Port, or the Tuscaloosa

County Commission. But, unfortunately, all that money comes up here, so it is parceled back.

Just to add insult to injury, not only do we take their money away from them; but then when we send it back, we tell them they cannot use it for what they wanted to use it for. Thus, this bill.

Mr. Chairman, I yield 2½ minutes to the gentleman from Alabama (Mr. RILEY).

Mr. RILEY. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, my grandfather told me one time, learn how to take yes for an answer. I would like to thank the gentleman from Massachusetts for the support of this bill. I think everything that the gentleman said, when you talk about allowing a community to have the opportunity to make a determination for what is best for their citizens, I think everyone in this Chamber would agree with it.

I want to compliment the gentleman from Alabama (Mr. BACHUS), because we do have a unique problem in Alabama. I had an opportunity with the Vice President a couple of years ago to go through Tuscaloosa County and also through Birmingham when an F-5 tornado came through. It was one of the most horrific things I have ever seen in my life.

When you have a great deal of the population living in clusters where there is absolutely no protection now, for us to make a determination that a local government should not be able to use these grants as they see fit to protect their citizens I think is an abomination of the process.

So I just want to congratulate the author of this bill, offer my support for it, and, again, congratulate and thank the gentleman from Massachusetts for his continued support.

Mr. FRANK. Mr. Chairman, I yield myself such time as I may consume to say I guess this is apparently a temporary bill, because the gentleman from Alabama, the author of the bill, said that we needed this because Federal taxes were too high, although the rates are not higher than they were 20 years ago when Ronald Reagan reduced them. We put them part of the way back up.

But the Republican Party apparently is about to put taxes at what it thinks is the appropriate level. In fact, that is why we are doing this bill today. We are doing this bill today so they can corral enough Republicans to be here and stay in the Committee on Ways and Means and vote for another part of the tax cut. That is the reason it is on the floor today.

So the gentleman from Alabama said you need CDBG because Federal taxes are too high. So I assume that once they get their tax cut through at the level they have decided, if they are able to do it, that we will then see the

demise of CDBG, because once we have cut taxes back to what the Republican Party thinks is the appropriate level, we will not need the CDBG program.

Many of us have long suspected that that was the plan. When we look at their approach to the Federal budget, it occurred to us that when you enact the level of tax reduction they are talking about, then many current Federal programs we will no longer be able to afford.

So I think what the gentleman has given us is the philosophical rationale, first come the tax cuts, then will come the elimination of programs such as CDBG.

Mr. BACHUS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to wrap up by simply hitting two points. The first thing I wanted to make very clear, Mr. Chairman, is that H.R. 247 creates no new Federal mandates on local governments or on private industry, nor does it authorize the expenditure of one dime of taxpayer money. It merely permits local communities entirely at their option to tap into available Federal funds to build storm-safe shelters for residents of manufactured housing. That is all it does. Those are existing funds. It gives them the right to use that for what they want it for. It is their money; they paid the taxes. I want to give them this option.

I want to clarify something else, since I have been sponsoring this legislation. What have we done about tornadoes over the last 150 years? Interestingly enough, at one time we were an agrarian society; and 80 years ago, 100 years ago, most of us worked outside, many of us in the field. An old-timer recently told me after the Tuscaloosa tornado that his grandfather could predict these things. He could tell they were coming; he could read the sky, read the signs; and he could tell you when a tornado was coming 30 minutes before, and they would all go down in that shelter.

Well, we do not have that luxury today. We are inside, we are not outside in the field, we do not know how to read the weather, we do not know the signs like our grandfathers and great grandfathers did, but we have got something that they never dreamed of having. We have the technology of turning on our TV screen and seeing a street map with our street on that map and the television station telling us that in 30 minutes a tornado will be hitting our community, and telling us within 2 minutes of when it will arrive.

The next time, next year, not this year, it is too late for this year, but next year, when the citizens that the gentleman from Alabama (Mr. RILEY) and the gentleman from Alabama (Mr. CRAMER) and the gentleman from Alabama (Mr. HILLIARD) and I represent turn on that radio or they turn on that TV and they hear that in 30 minutes a

tornado will be in the New Bethel community, or the Rock Creek community, like the one that hit Rock Creek, that they will be able to go down in a shelter near their mobile home or near their manufactured home, and they will have a chance to survive this tornado. When they do that, when that money is spent by that county or that city, it will be the people's money, money they sent to Washington, and they ought to ultimately decide how it is spent.

Mr. FRANK. Mr. Chairman, I yield the balance of my time to the gentleman from New York (Mr. LAFALCE), the ranking member of the full committee.

Mr. LAFALCE. Mr. Chairman, I would like to put the entire debate on this bill in some perspective. The gentleman from Alabama (Mr. BACHUS) has introduced a very good-faith effort to deal with a real problem. At every single Congress, at the beginning of the Congress, especially when you have a new administration, you run into a difficulty. You want the committee to work; and unfortunately, there is not that much legislation that has gone through the committee process, so you try to create filler legislation on the floor.

There is a difficulty, however. Very frequently the leadership will bring to the floor exclusively bills that have been principally sponsored by Members of their own party. They will not look at all the bills that have been principally sponsored by Members of the opposition party.

Secondly, sometimes they go as far as totally bypassing every single procedure that is required by the rules of the House, that is, subcommittee hearing and markup, full committee hearing and markup, et cetera. Sometimes they bypass that in cooperation and consultation with the minority; sometimes they just bypass the minority and have no prior consultation and concurrence.

That is what happened here. There was nothing. They needed filler, they went to a Republican chiefly sponsored bill and said we have to bring something to the floor, let us bring it up, and forget about the fact that there was no hearing, forget about the fact there was no markup, and forget about the fact that you did not discuss it with the Democrats; we will just bring it to the floor.

That is what we objected to, not all that strenuously. We had one motion to adjourn, and that was it, just to make the point. We were willing to go on. It was the Republicans that then called for the vote on the rule. Why? Because they wanted to delay, because they have got committee meetings going on right now, the Committee on Ways and Means, for example; and they wanted more filler. So they were the ones that engaged in the dilatory tactics on that.

With respect to this bill, this can be a very good bill, a bill we can support. I, for one though, have two, and, depending upon the disposition of those two, possibly three amendments. For example, a State or locality right now is required to use 70 percent of its CDBG funds for the support of activities that benefit persons of low and moderate income. That means that States and localities could use 30 percent for affluents, if they wanted to. Under this bill, the monies could be used for a for-profit owner of a manufactured housing development for higher-income individuals, or even in resort properties.

So I think we need to deal with that, and I have an amendment that I think should be accepted that deals with that, that says it should only be used in a neighborhood consisting predominantly of persons of low and moderate income.

Secondly, who are we going to help? Is it just going to be the individuals who live within this complex? Is it going to be exclusively for them, even though it should be a shelter for the public?

We could deal with that, and I have an amendment that would deal with that. It would say they may not be made available for use on an exclusive basis, but shall generally serve the residents of the local area.

If those two amendments are accepted, I would be able to support the bill. If they are not, I have a third amendment.

Mr. BACHUS. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN pro tempore (Mr. LAHOOD). The gentleman from Alabama has 1½ minutes remaining.

Mr. BACHUS. Mr. Chairman, in closing, it was asked, who is this bill for? This bill was described as "filler." Well, let me again go back to who this bill is for.

This is, as I said, Whitney, and her little brother, Wesley, Crowder. It is too late for Wesley. He is dead. But it is not too late for Whitney. I will tell you, I do not think the people that live in my district that live in mobile homes consider this legislation as filler. In fact, I think they would take offense to the characterization of this legislation as filler. To them, it is a matter of life or death.

Now, there are questions raised about the bill. The bill was published in the CONGRESSIONAL RECORD on Monday. Several speakers have said they have not had a chance to read the bill. Well, here is the bill. It is one page long. They could read it in about 40 seconds.

Mr. CRENSHAW. Mr. Chairman, I rise in support of the Tornado Shelters Act, H.R. 247, which makes a modest change in the use of existing federal block grant money that will help localities all across the Nation build tornado shelters in manufactured housing communities.

Just last week, a tornado hit a small community in my district, Yulee, FL. Though the tornado was by all accounts a weak one, officially registering an F-0, it reminded all of us in northeast Florida just how vulnerable we are to these sort of natural disasters. This mild tornado shattered 91 double-paned classroom windows, pulled a portable classroom off its concrete block piers, and damaged roof vents and computers with rain and mud at the local elementary school. In addition, it tore a 12-by-12 foot section of roof from a local church.

In a nearby county, where an F-1 tornado hit a few hours earlier, similar property damage was done to vehicles, buildings, and homes, including mobile homes.

The people of Yulee were relatively fortunate—the damage was primarily to crops and property and no lives were lost. But, even that kind of damage can be devastating to the individuals affected. It takes a lot to rebuild your home and life after a disaster hits.

This bill merely remedies a quirk in the law. Community Development Block Grant money can now be used to construct storm shelters in low-to-moderate income housing communities and apartment buildings, but it cannot be used to build a shelter in a mobile home park. It makes no new appropriations and removes no current authority. It merely gives communities more flexibility in using existing funds.

Thus, I rise in support of this commonsense legislation and I urge my colleagues to support it.

The CHAIRMAN pro tempore. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the CONGRESSIONAL RECORD and numbered 1 is considered as an original bill for the purpose of amendment and is considered read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 247

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Tornado Shelters Act".

SEC. 2. CDBG ELIGIBLE ACTIVITIES.

Section 105(a) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)) is amended—

(1) in paragraph (22), by striking "and" at the end;

(2) in paragraph (23), by striking the period at the end and inserting a semicolon; and

(3) by inserting after paragraph (23) the following new paragraph:

"(24) the construction or improvement of tornado- or storm-safe shelters for manufactured housing parks and residents of other manufactured housing, the acquisition of real property for sites for such shelters, and the provision of assistance (including loans and grants) to nonprofit or for-profit entities (including owners of such parks) for such construction, improvement, or acquisition; and".

The CHAIRMAN pro tempore. During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the

designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

Are there any amendments to the bill?

AMENDMENT OFFERED BY MR. FRANK

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

The Clerk read as follows:

Amendment offered by Mr. FRANK:

In section 2, insert "(a) IN GENERAL.—" before "Section 105(a)".

At the end of section 2, add the following new subsection:

(b) AUTHORIZATION OF APPROPRIATIONS.—In addition to any amounts otherwise made available for grants under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.), there is authorized to be appropriated for assistance only for activities pursuant to section 105(a)(24) of such Act \$50,000,000 for fiscal year 2002.

Mr. BACHUS. Mr. Chairman, I reserve a point of order.

The CHAIRMAN pro tempore. The gentleman from Alabama reserves a point of order.

Mr. FRANK. Mr. Chairman, I had consulted with the Parliamentarian.

Mr. Chairman, this is not a general increase in the authorization. This is an authorization of \$50 million specifically for the purposes authorized in the bill. It is a grant of money specific to the particular bill.

The point is one we have already addressed. Many of us agree with the gentleman from Alabama that this is an important purpose. With the changes that the gentleman from New York talked about, we are very much in support of it. I agree and have worked long and hard to protect people who live in manufactured housing.

□ 1330

The problem is that absent this amendment and subsequent action, we would hope, by the Committee on Appropriations, communities will be faced with a choice. They can accommodate this particular authority to build the shelters only by reducing activities in which they are currently engaged. Indeed, this would set aside \$50 million only for these activities so that this particular level of activity would be in some ways protected. It is a life-saving activity. If we believe that there is a very broad activity, then it seems to me incumbent upon us to fund it fully and not put communities to the choice.

It is one thing when we are creating a brand new program; it is another when we are funding an already existing program. With existing programs in many areas, there tend to be existing funding patterns. So that if a new purpose is now allowed to them to take advantage of this new purpose, they may face the need to defund some other purpose, because their money has tended to be committed. That is not true in every area, but I do think in ongoing programs we are aware that there is

very often a set of expectations that people have, such as these groups have been funded, et cetera.

I do not think we ought to say to the local communities, okay, you must, if you are going to take advantage of this, stop doing something you are now doing; I think instead we ought to say, here is additional money for that purpose, and that is what this amendment does. This amendment authorizes additional money for this important purpose. It would seem to me odd if we were to talk about how important this lifesaving function is and not be prepared to provide communities with the money to make sure that they were taking advantage of it without them having to make the kind of difficult choices that they would otherwise have to make.

I say this in particular because what many of us have found is, and again, I admire the gentleman's desire to protect people in manufactured housing; not coming from an area where tornadoes have been a problem, this particular aspect had not been one that is foremost in my mind, but I think they deserve protection; but what we found is that in some areas, people who live in manufactured housing are not fully respected in the political process. They are sometimes seen as a small minority, sometimes are seen as isolated within the community, and the danger here is that if we simply submit this into the regular Community Development Block Grant process, in communities where there is an ongoing set of claimants, the chances that the people who live in manufactured housing will be able to get the full benefit of this may not be great.

So the virtue of this amendment is that it makes sure that in those areas where there is vulnerable manufactured housing, there is a very high chance that the people will get the benefit of the program and they will not be put in a political conflict with other claimants in that community, and it addresses the issue raised by the gentlewoman from Florida who is not now with us and who has been a great champion of this; namely, making sure that as we increase the purposes for which CDBG is put, we do not dilute the pot. I would hope this is a case that will be a precedent that would say, as we add to the functions of CDBG, we should add to the money that is available to perform them.

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

Mr. FRANK. I yield to the gentleman from Alabama.

Mr. BACHUS. Mr. Chairman, I agree, and I withdraw my point of order to the amendment.

The CHAIRMAN pro tempore (Mr. LAHOOD). The gentleman withdraws his point of order.

The CHAIRMAN pro tempore. The question is on the amendment offered

by the gentleman from Massachusetts (Mr. FRANK).

The amendment was agreed to.

The CHAIRMAN pro tempore. Are there further amendments?

AMENDMENT NO. 2 OFFERED BY MR. TRAFICANT

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. TRAFICANT:

At the end of the bill, add the following new section:

SEC. 3. USE OF AMERICAN PRODUCTS.

(a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available for the activities authorized under the amendment made by this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available for the activities authorized under the amendment made by this Act, the Secretary of Housing and Urban Development, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

Mr. TRAFICANT. Mr. Chairman, the last quarter trade deficit was \$119 billion. Three months. That is about \$40 billion a month.

I agree wholeheartedly with the amendment of the gentleman from Massachusetts (Mr. FRANK) and with the debate that has come from both the gentleman from Massachusetts and the gentleman from New York (Mr. LAFALCE). I think this is a good bill, and we should consider their concerns.

But one thing is for sure, and that is when we do have a disaster, I think everybody should try to at least purchase and price American goods and services before they purchase foreign-made goods. It is a very simple, straightforward amendment. I think the arguments that are being made from this side on this bill are noteworthy and should be taken into consideration.

Mr. Chairman, I ask for approval of my amendment.

Mr. BACHUS. Mr. Chairman, I rise in support of the amendment.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Ohio (Mr. TRAFICANT).

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

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

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule VIII, further proceedings on the amendment offered by the gentleman from Ohio (Mr. TRAFICANT) will be postponed.

Are there further amendments?

AMENDMENT OFFERED BY MR. LAFALCE

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

The Clerk read as follows:

Amendment offered by Mr. LAFALCE:

In the new paragraph (24) proposed to be inserted by section 2(3) of the bill, insert before “; and” the following: “, except that a shelter assisted with amounts made available pursuant to this paragraph shall be located in a neighborhood consisting predominantly of persons of low and moderate income”.

Mr. LAFALCE. Mr. Chairman, this is a perfecting amendment to the bill designed to conform it to the purpose of CDBG.

Mr. Chairman, H.R. 247 allows for-profit entities to gain access to CDBG funds for the construction, improvement or acquisition of tornado or storm-safe shelters for manufactured housing. In general, one might assume that the residents of manufactured housing or of a manufactured housing park would be low- and moderate-income. However, that is not always the case, and H.R. 247 does not require this.

Now, allowing for-profit entities to use CDBG funds is not without precedent, although it is certainly not the norm. For example, we do allow for-profits to use CDBG funds to carry out economic development activity. However, we condition such use on targeting language; that is, they are only eligible to use funds if the activity benefits low- and moderate-income persons.

So my amendment would simply track this type of amendment for the new eligible use we would authorize by this bill simply requiring that the tornado or storm shelter be located in a neighborhood consisting predominantly of persons of low- and moderate-income.

Mr. Chairman, I urge its acceptance and adoption.

Mr. BACHUS. Mr. Chairman, I have no objection to the amendment.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from New York (Mr. LAFALCE).

The amendment was agreed to.

The CHAIRMAN pro tempore. Are there further amendments?

AMENDMENT OFFERED BY MR. LAFALCE

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

The Clerk read as follows:

Amendment offered by Mr. LAFALCE:

In the new paragraph (24) proposed to be inserted by section 2(3) of the bill, insert before “; and” the following: “, except that a shelter assisted with amounts made available pursuant to this paragraph may not be made available exclusively for use of the residents of a particular manufactured housing park or of other manufactured housing, but shall generally serve the residents of the area in which it is located”.

Mr. LAFALCE. Mr. Chairman, this is a perfecting amendment to the bill designed to conform it to the purpose of CDBG.

The primary bill, H.R. 247, allows for-profit entities to gain access to CDBG

funds for the construction, improvement or acquisition of tornado or storm-safe shelters for manufactured housing. But, the way the bill is drafted, it would seem possible for the shelters to be used exclusively for the residents of the manufacturing housing development of the for-profit entity. It cannot and should not be the case that these for-profits can use these public funds just to serve their paying residents.

The facilities should be, if built with public monies, available to the general public. On a practical level, I do not see how we can demand less. If there is a tornado, it is unimaginable that individuals who find themselves in the approximate vicinity of the onset of a huge storm and have nowhere else to go should be turned away and put at physical risk. Certainly we should not be using public funds to sanction such an action.

So my amendment simply states that the shelters constructed under this bill may not be made available exclusively for the use of the residents of a particular manufactured housing park or of other manufactured housing, but shall generally serve the residents of the area in which it is located.

I would assume this change is unobjectionable; I would assume this amendment would be supported. If this amendment is supported, as the last one, I will support the bill and allow the bill to pass by voice vote, so if there is any recorded vote, it would have to be the members of the majority who are asking for it, perhaps for purposes of whipping their members on some bill coming up next week, not because we are desirous of it.

Mr. BACHUS. Mr. Chairman, I rise in support of the amendment.

As with the previous amendment, it is my understanding that only low-income and moderate-income families would qualify under the existing law, but to clarify it further and to clarify with this amendment the additional wording, I welcome that as the intent of the bill.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from New York (Mr. LAFALCE).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. TRAFICANT

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

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 396, noes 0, not voting 36, as follows:

[Roll No. 60]

AYES—396

Abercrombie	Dingell	Jenkins
Aderholt	Doggett	John
Akin	Dooley	Johnson (IL)
Allen	Doolittle	Johnson, Sam
Andrews	Doyle	Jones (NC)
Baca	Dreier	Kanjorski
Bachus	Duncan	Kaptur
Baird	Dunn	Keller
Baker	Edwards	Kelly
Baldacci	Ehlers	Kennedy (MN)
Baldwin	Ehrlich	Kennedy (RI)
Ballenger	Emerson	Kerns
Barcia	Engel	Kildee
Barr	English	Kilpatrick
Barrett	Eshoo	Kind (WI)
Bartlett	Etheridge	King (NY)
Barton	Evans	Kingston
Bass	Everett	Kirk
Bereuter	Farr	Kleczka
Berkley	Fattah	Knollenberg
Berry	Ferguson	Kolbe
Biggett	Filner	Kucinich
Bilirakis	Flake	LaFalce
Bishop	Foley	LaHood
Blagojevich	Ford	Lampson
Blumenauer	Fossella	Langevin
Blunt	Frank	Lantos
Boehlert	Frelinghuysen	Largent
Boehner	Frost	Larsen (WA)
Bonilla	Galleghy	Larson (CT)
Bonior	Ganske	Latham
Bono	Gekas	LaTourette
Borski	Gephardt	Leach
Boswell	Gibbons	Lee
Boucher	Gilchrest	Levin
Boyd	Gillmor	Lewis (CA)
Brady (PA)	Gilman	Lewis (GA)
Brady (TX)	Gonzalez	Lewis (KY)
Brown (OH)	Goode	Linder
Brown (SC)	Goodlatte	Lipinski
Bryant	Goss	LoBiondo
Burr	Graham	Lofgren
Burton	Granger	Lowe
Buyer	Graves	Lucas (KY)
Callahan	Green (TX)	Lucas (OK)
Camp	Green (WI)	Luther
Cantor	Greenwood	Maloney (CT)
Capito	Grucci	Maloney (NY)
Capps	Gutierrez	Manzullo
Capuano	Gutknecht	Markey
Cardin	Hall (TX)	Mascara
Carson (IN)	Hansen	Matheson
Carson (OK)	Harman	Matsui
Castle	Hart	McCarthy (MO)
Chabot	Hastings (FL)	McCarthy (NY)
Chambliss	Hayes	McCrery
Clay	Hayworth	McGovern
Clayton	Hefley	McHugh
Clement	Herger	McInnis
Clyburn	Hill	McIntyre
Coble	Hilleary	McKeon
Collins	Hilliard	McKinney
Combest	Hinches	McNulty
Condit	Hinojosa	Meehan
Conyers	Hobson	Meek (FL)
Cooksey	Hoefel	Meeks (NY)
Costello	Hoekstra	Menendez
Coyne	Holden	Mica
Cramer	Holt	Millender-
Crane	Honda	McDonald
Crenshaw	Hooley	Miller (FL)
Crowley	Horn	Miller, Gary
Cubin	Hostettler	Miller, George
Culberson	Houghton	Mink
Cummings	Hoyer	Mollohan
Davis (CA)	Hulshof	Moore
Davis (IL)	Hunter	Moran (KS)
Davis, Jo Ann	Hutchinson	Moran (VA)
Davis, Tom	Hyde	Murtha
Deal	Insee	Myrick
DeFazio	Isakson	Nadler
DeGette	Israel	Napolitano
Delahunt	Issa	Neal
DeLauro	Istook	Nethercutt
DeLay	Jackson (IL)	Ney
DeMint	Jackson-Lee	Northup
Deutsch	(TX)	Norwood
Dicks	Jefferson	Nussle

Oberstar	Royce	Tanner
Obey	Rush	Tauscher
Oliver	Ryan (WI)	Tauzin
Ortiz	Ryun (KS)	Taylor (MS)
Osborne	Sabo	Taylor (NC)
Ose	Sanchez	Terry
Otter	Sanders	Thomas
Owens	Sandlin	Thompson (CA)
Oxley	Sawyer	Thompson (MS)
Pallone	Saxton	Thornberry
Pascrell	Schaffer	Thune
Pastor	Schakowsky	Thurman
Paul	Schiff	Tiahrt
Pelosi	Schrock	Tiberi
Pence	Scott	Tierney
Peterson (MN)	Sensenbrenner	Towns
Peterson (PA)	Serrano	Traficant
Petri	Sessions	Turner
Phelps	Shadegg	Udall (CO)
Pickering	Shaw	Udall (NM)
Pitts	Shays	Upton
Platts	Sherman	Velázquez
Pombo	Sherwood	Visclosky
Pomeroy	Shimkus	Vitter
Price (NC)	Shows	Walden
Pryce (OH)	Simmons	Walsh
Putnam	Skeen	Wamp
Quinn	Skelton	Waters
Radanovich	Slaughter	Watkins
Rahall	Smith (NJ)	Watt (NC)
Ramstad	Smith (TX)	Waxman
Regula	Smith (WA)	Weiner
Rehberg	Snyder	Weldon (FL)
Reynolds	Solis	Weldon (PA)
Riley	Souder	Weller
Rivers	Spence	Wexler
Rodriguez	Spratt	Whitfield
Roemer	Stark	Wicker
Rogers (KY)	Stearns	Wilson
Rogers (MI)	Stenholm	Woolsey
Rohrabacher	Strickland	Wu
Ros-Lehtinen	Stump	Wynn
Ross	Stupak	Young (AK)
Roukema	Sununu	Young (FL)
Roybal-Allard	Sweeney	

NOT VOTING—36

Ackerman	Fletcher	Portman
Armey	Gordon	Rangel
Becerra	Hall (OH)	Reyes
Bentsen	Hastings (WA)	Rothman
Berman	Johnson (CT)	Scarborough
Brown (FL)	Johnson, E.B.	Simpson
Calvert	Jones (OH)	Sisisky
Cannon	McCollum	Smith (MI)
Cox	McDermott	Tancredo
Cunningham	Moakley	Toomey
Davis (FL)	Morella	Watts (OK)
Diaz-Balart	Payne	Wolf

□ 1403

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

Stated for:

Mr. SIMPSON. Mr. Chairman, I was unavoidably detained and missed rollcall vote No. 60, on the Traficant amendment. Had I been here, I would have voted "aye."

The CHAIRMAN pro tempore (Mr. LAHOOD). Are there any other amendments? If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN pro tempore. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SHIMKUS) having assumed the chair, Mr. LAHOOD, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 247) to amend the Housing and Community Development Act of 1974 to authorize communities to use community development

block grant funds for construction of tornado-safe shelters in manufactured home parks, pursuant to House Resolution 93, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

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

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

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. BACHUS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8(c) of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting on the question of the Speaker's approval of the Journal, which will occur immediately after this vote.

The vote was taken by electronic device, and there were—ayes 401, noes 6, not voting 25, as follows:

[Roll No. 61]

AYES—401

Abercrombie	Brown (SC)	Deal
Aderholt	Bryant	DeFazio
Akin	Burr	DeGette
Allen	Burton	Delahunt
Andrews	Buyer	DeLauro
Armey	Callahan	DeLay
Baca	Camp	DeMint
Bachus	Cantor	Deutsch
Baird	Capito	Dicks
Baker	Capps	Dingell
Baldacci	Capuano	Doggett
Baldwin	Cardin	Dooley
Ballenger	Carson (IN)	Doolittle
Barcia	Carson (OK)	Doyle
Barr	Castle	Dreier
Barrett	Chabot	Dunn
Bartlett	Chambliss	Edwards
Barton	Clay	Ehlers
Bass	Clayton	Ehrlich
Bereuter	Clement	Emerson
Berkley	Clyburn	Engel
Berman	Coble	English
Berry	Combest	Eshoo
Biggert	Condit	Etheridge
Bilirakis	Conyers	Evans
Bishop	Cooksey	Everett
Blagojevich	Costello	Farr
Blumenauer	Cox	Fattah
Blunt	Coyne	Ferguson
Boehlert	Cramer	Filner
Boehner	Crane	Foley
Bonilla	Crenshaw	Ford
Bonior	Crowley	Fossella
Bono	Cubin	Frank
Borski	Culbertson	Frelinghuysen
Boswell	Cummings	Frost
Boucher	Davis (CA)	Gallegly
Boyd	Davis (FL)	Ganske
Brady (PA)	Davis (IL)	Gekas
Brady (TX)	Davis, Jo Ann	Gephardt
Brown (OH)	Davis, Tom	Gibbons

Gilchrest	Lofgren	Ross
Gillmor	Lowey	Roukema
Gilman	Lucas (KY)	Roybal-Allard
Gonzalez	Lucas (OK)	Royce
Goode	Luther	Rush
Goodlatte	Maloney (CT)	Ryan (WI)
Graham	Maloney (NY)	Ryun (KS)
Granger	Manzullo	Sabo
Graves	Markey	Sanchez
Green (TX)	Mascara	Sanders
Green (WI)	Matheson	Sandiin
Greenwood	Matsui	Sawyer
Grucci	McCarthy (MO)	Saxton
Gutierrez	McCarthy (NY)	Schaffer
Gutknecht	McCollum	Schakowsky
Hall (OH)	McCrery	Schiff
Hall (TX)	McDermott	Schrock
Hansen	McGovern	Scott
Harman	McHugh	Sensenbrenner
Hart	McInnis	Serrano
Hastings (FL)	McIntyre	Sessions
Hayes	McKeon	Shaw
Hayworth	McKinney	Shays
Hefley	McNulty	Sherman
Herger	Meehan	Sherwood
Hill	Meek (FL)	Shimkus
Hilleary	Meeks (NY)	Shows
Hilliard	Menendez	Simmons
Hinchey	Mica	Skeen
Hinojosa	Millender-	Skelton
Hobson	McDonald	Slaughter
Hoekstra	Miller (FL)	Smith (NJ)
Holden	Miller, Gary	Smith (TX)
Holt	Miller, George	Smith (WA)
Honda	Mink	Snyder
Hooley	Mollohan	Solis
Horn	Moore	Souder
Hostettler	Moran (KS)	Spence
Houghton	Moran (VA)	Spratt
Hoyer	Morella	Stark
Hulshof	Murtha	Stearns
Hunter	Myrick	Stenholm
Hutchinson	Nadler	Strickland
Hyde	Napolitano	Stupak
Inslie	Neal	Sununu
Isakson	Nethercutt	Sweeney
Israel	Ney	Tancredo
Issa	Northup	Tanner
Istook	Norwood	Tauscher
Jackson (IL)	Nussle	Tauzin
Jackson-Lee	Oberstar	Taylor (MS)
(TX)	Obey	Taylor (NC)
Jefferson	Olver	Terry
Jenkins	Ortiz	Thomas
John	Osborne	Thompson (CA)
Johnson (CT)	Ose	Thompson (MS)
Johnson (IL)	Otter	Thornberry
Johnson, Sam	Owens	Thune
Jones (NC)	Oxley	Thurman
Kanjorski	Pallone	Tiahrt
Kaptur	Pascrell	Tiberi
Keller	Pastor	Tierney
Kelly	Payne	Towns
Kennedy (MN)	Pelosi	Trafficant
Kennedy (RI)	Pence	Turner
Kerns	Peterson (MN)	Udall (CO)
Kildee	Peterson (PA)	Udall (NM)
Kilpatrick	Petri	Upton
Kind (WI)	Phelps	Velázquez
King (NY)	Pickering	Vislosky
Kingston	Pitts	Vitter
Kirk	Platts	Walden
Kleczka	Pombo	Walsh
Knollenberg	Pomeroy	Wamp
Kolbe	Price (NC)	Waters
Kucinich	Pryce (OH)	Watkins
LaFalce	Putnam	Watt (NC)
LaHood	Quinn	Waxman
Lampson	Radanovich	Weiner
Langevin	Rahall	Weldon (FL)
Largent	Ramstad	Weldon (PA)
Larsen (WA)	Rangel	Weller
Larson (CT)	Regula	Wexler
Latham	Rehberg	Whitfield
LaTourette	Reyes	Wicker
Leach	Reynolds	Wilson
Lee	Riley	Wolf
Levin	Rivers	Woolsey
Lewis (CA)	Rodriguez	Wu
Lewis (GA)	Roemer	Wynn
Lewis (KY)	Rogers (KY)	Young (AK)
Linder	Rogers (MI)	Young (FL)
Lipinski	Rohrabacher	
LoBiondo	Ros-Lehtinen	

NOES—6

Collins	Flake	Shadegg
Duncan	Paul	Stump

NOT VOTING—25

Ackerman	Gordon	Rothman
Becerra	Goss	Scarborough
Bentsen	Hastings (WA)	Simpson
Brown (FL)	Hoeffel	Sisisky
Calvert	Johnson, E.B.	Smith (MI)
Cannon	Jones (OH)	Toomey
Cunningham	Lantos	Watts (OK)
Diaz-Balart	Moakley	
Fletcher	Portman	

□ 1420

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. DIAZ-BALART. Mr. Speaker, I was absent on rollcall vote 61, final passage for H.R. 247. Had I been present, I would have voted "aye."

Mr. SIMPSON. Mr. Speaker, I was unavoidably detained and missed rollcall vote No. 61, on passage of H.R. 247. Had I been here, I would have voted "aye."

THE JOURNAL

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to clause 1, rule I, the pending business is the question of the Speaker's approval of the Journal of the last day's proceedings.

Pursuant to clause 1, rule I, the Journal stands approved.

GENERAL LEAVE

Mr. OXLEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 247, the bill just passed.

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

There was no objection.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN EN-GROSSMENT OF H.R. 247, TORNADO SHELTERS ACT

Mr. OXLEY. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 247, the Clerk be authorized to correct section numbers, punctuation, and cross-references and to make such other technical and conforming changes as may be necessary to reflect the actions of the House.

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

There was no objection.