

Mr. THOMPSON of Mississippi. Madam Speaker, I rise in support of S. 3243, the Anti-Border Corruption Act.

The men and women of Customs and Border Protection (CBP) are the guardians of our Nation's borders.

They protect our ports of entry and areas in between against homeland security threats, including illicit trafficking and other criminal activity, while facilitating legitimate trade and travel.

The vast majority of CBP personnel are committed to the border security mission.

However, there have been instances in recent years of individuals seeking and securing employment with CBP for the express purpose of engaging in smuggling and other criminal activities.

For example, last December, Border Patrol Agent Raquel Esquivel was sentenced to 15 years in prison for informing smugglers on the location of patrols.

She reportedly joined the Border Patrol based on the recommendation of a high school friend and drug smuggler who convinced her it was a "good career move" for both of them.

More recently, just last week, a Customs Officer based at Atlanta's Hartsfield-Jackson Airport was arrested in one of the largest ecstasy pill seizures in the country.

The officer was charged with conspiring to launder drug money, bulk cash smuggling and attempting to bring weapons onto an aircraft. He allegedly used his badge to bypass security and avoid screening.

H.R. 3243 would strengthen CBP by enhancing the agency's personnel integrity policies.

Specifically, the bill would require CBP to:

(1) require all applicants for CBP law enforcement positions to undergo polygraph examinations; and

(2) commence background re-investigations of certain employees within six months of enactment.

CBP deploys more than 57,000 employees each day.

On a typical day, they process about one million passengers and pedestrians; execute more than two thousand apprehensions between ports and over one hundred criminal arrests at ports of entry.

Given this high-threat environment, it is not surprising that drug trafficking organizations have turned their attention to infiltrating and compromising CBP.

The dramatic increases in staffing have also contributed to personnel vulnerabilities.

The Border Patrol has seen its agents double from approximately 10,000 agents in FY 2002 to more than 20,000 in FY 2009.

This rate of growth has made it difficult for CBP to pace with periodic personnel re-investigations.

I urge passage of S. 3243 which takes some important steps to help prevent the hiring of those who seek to infiltrate CBP for terrorist or criminal purposes and ensure that re-investigations are conducted on a regular basis to weed out any potential corruption.

Ms. JACKSON LEE of Texas. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by

the gentlewoman from Texas (Ms. JACKSON LEE) that the House suspend the rules and pass the bill, S. 3243.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. JACKSON LEE of Texas. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

NORTHERN BORDER COUNTER-NARCOTICS STRATEGY ACT OF 2010

Mr. SCOTT of Virginia. Madam Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 4748) to amend the Office of National Drug Control Policy Reauthorization Act of 2006 to require a northern border counternarcotics strategy, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Northern Border Counternarcotics Strategy Act of 2010".

SEC. 2. NORTHERN BORDER COUNTERNARCOTICS STRATEGY.

The Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109-469; 120 Stat. 3502) is amended by inserting after section 1110 the following:

"SEC. 1110A. REQUIREMENT FOR NORTHERN BORDER COUNTERNARCOTICS STRATEGY.

"(a) DEFINITIONS.—In this section, the terms 'appropriate congressional committees', 'Director', and 'National Drug Control Program agency' have the meanings given those terms in section 702 of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701).

"(b) STRATEGY.—Not later than 180 days after the date of enactment of this section, and every 2 years thereafter, the Director, in consultation with the head of each relevant National Drug Control Program agency and relevant officials of States, local governments, tribal governments, and the governments of other countries, shall develop a Northern Border Counternarcotics Strategy and submit the strategy to—

"(1) the appropriate congressional committees (including the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives);

"(2) the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, and the Committee on Indian Affairs of the Senate; and

"(3) the Committee on Armed Services, the Committee on Homeland Security, and the Committee on Natural Resources of the House of Representatives.

"(c) PURPOSES.—The Northern Border Counternarcotics Strategy shall—

"(1) set forth the strategy of the Federal Government for preventing the illegal trafficking of drugs across the international border between the United States and Canada, including through ports of entry and between ports of entry on the border;

"(2) state the specific roles and responsibilities of each relevant National Drug Control Program agency for implementing the strategy;

"(3) identify the specific resources required to enable the relevant National Drug Control Program agencies to implement the strategy; and

"(4) reflect the unique nature of small communities along the international border between the United States and Canada, ongoing cooperation and coordination with Canadian law enforcement authorities, and variations in the volumes of vehicles and pedestrians crossing through ports of entry along the international border between the United States and Canada.

"(d) SPECIFIC CONTENT RELATED TO CROSS-BORDER INDIAN RESERVATIONS.—The Northern Border Counternarcotics Strategy shall include—

"(1) a strategy to end the illegal trafficking of drugs to or through Indian reservations on or near the international border between the United States and Canada; and

"(2) recommendations for additional assistance, if any, needed by tribal law enforcement agencies relating to the strategy, including an evaluation of Federal technical and financial assistance, infrastructure capacity building, and interoperability deficiencies.

"(e) LIMITATION.—

"(1) IN GENERAL.—The Northern Border Counternarcotics Strategy shall not change the existing agency authorities and this section shall not be construed to amend or modify any law governing interagency relationships.

"(2) LEGITIMATE TRADE AND TRAVEL.—The Northern Border Counternarcotics Strategy shall be designed to promote, and not hinder, legitimate trade and travel.

"(f) TREATMENT OF CLASSIFIED OR LAW ENFORCEMENT SENSITIVE INFORMATION.—

"(1) IN GENERAL.—The Northern Border Counternarcotics Strategy shall be submitted in unclassified form and shall be available to the public.

"(2) ANNEX.—The Northern Border Counternarcotics Strategy may include an annex containing any classified information or information the public disclosure of which, as determined by the Director or the head of any relevant National Drug Control Program agency, would be detrimental to the law enforcement or national security activities of any Federal, State, local, or tribal agency."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. SCOTT) and the gentleman from Texas (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

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

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

There was no objection.

Mr. SCOTT of Virginia. I yield myself such time as I may consume.

Madam Speaker, H.R. 4748 amends the Office of National Drug Control

Policy Reauthorization Act of 2006 to require the Director of the National Drug Control Policy to submit to Congress a northern border counter-narcotics strategy.

The United States' northern border with Canada is the longest open border in the world, spanning 12 States and over 4,000 miles. The House initially passed this bill 5 months ago, recognizing the increased amount of drug trafficking and related criminal activity occurring near the Canadian border, including on Indian reservations in that area.

To combat this development, H.R. 4748 requires the creation of a northern border counternarcotics strategy similar to what has been in place for our southwest border for several years. This will promote more effective consultation and coordination between Federal law enforcement agencies so that we can bring new force to our efforts to curb the flow of illegal drugs across the northern border and the crime it brings in its wake. In addition, H.R. 4748 gives Indian tribes with reservations on or near the Canadian border a consulting role in implementing the strategy on their reservations.

This bill is the result of efforts by our colleague, the gentleman from New York (Mr. OWENS), whose district spans 250 miles of the border on land along the St. Lawrence River and on Lake Erie. The Homeland Security chairman, the gentleman from Mississippi (Mr. THOMPSON), helped to shape the bill and bring it to the floor last summer. The Senate has now returned the bill with some modest, but helpful, refinements; and I urge my colleagues to support this revised version so that we can send it to the President.

I reserve the balance of my time.

Mr. SMITH of Texas. I yield myself such time as I may consume.

Madam Speaker, H.R. 4748, the Northern Border Counternarcotics Strategy Act, requires the Director of the Office of National Drug Control Policy, ONDCP, to develop a counter-narcotics strategy for the U.S. Canadian border. The House passed this legislation last July. The Senate made several technical and conforming changes to the language and sent it back to the House for final consideration.

Significant attention has been paid to drug trafficking along our southern border with Mexico, but the northern border with Canada is also a major transit point for high-potency marijuana, Ecstasy, and other illegal drugs. According to the 2010 National Drug Threat Assessment, Asian drug trafficking organizations produce the drug Ecstasy in Canada and then smuggle it across the northern border into the U.S. America's northern border is remote, heavily wooded and sparsely populated, ideal for smugglers seeking to move their product into the U.S. undetected.

In 2006, Congress directed the ONDCP to prepare a counternarcotics strategy for our southwestern border. H.R. 4748 mirrors this strategy, but for our northern border.

While we continue to address drug trafficking across our southern border, we must not lose sight of the ease with which our northern border can be exploited by dangerous drug smugglers. I urge my colleagues to support this legislation.

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

Mr. SCOTT of Virginia. Madam Speaker, I yield the balance of my time to the gentleman from New York (Mr. OWENS), who has been working hard on this particular bill.

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Mr. OWENS. Madam Speaker, I want to thank Chairman CONYERS and Chairman THOMPSON for their leadership and for bringing H.R. 4748 to the floor with the Senate amendment.

Our northern border with Canada spans over 4,000 miles, the longest open border in the world. I am intimately familiar with the unique status of our shared border. My congressional district in Upstate New York includes 13 ports of entry and border crossings, and nearly 2,000 jobs depend on a stable trading relationship with our northern neighbor.

We currently lack a unified approach to stopping the flow of drugs from the northern border. As the southern border has witnessed the spread of violence that has accompanied the increased drug trade, we must be proactive and vigilant in ensuring that our northern border remains safe and open for business. Organized criminal elements are increasingly exploiting the northern border to traffic narcotics, illicit cigarettes, firearms, and people. According to the 2010 National Drug Threat Assessment, the amount of ecstasy seized at or between northern border points of entry increased 594 percent from 2004 to 2009. In 2009, there were 1,100 drug-related arrests in New York's North Country. Just last week, the Franklin County Border Narcotics Task Force caught a Malone man believed to be headed downstate with 119 pounds of marijuana. The Narcotics Task Force, consisting of law enforcement officials from the Federal, State, and local level, stand to benefit greatly from this legislation. They will have the added advantage of increased cooperation and information sharing with their counterparts across the northern border.

By enacting this important legislation into law, the Federal agency that is responsible for stopping illegal drugs from entering the U.S. will, for the first time, be mandated by Congress to create a comprehensive strategy to stop the flow of drugs across the northern border. By coordinating the efforts

of Federal, State, and local officials responsible for the safety of our communities, the Northern Border Counter-narcotics Strategy Act will help ensure that law enforcement has the tools and information they need to keep the drug trade out of the northern border communities.

This legislation also recognizes the important balance between allowing the flow of legitimate trade and travel across the border with Canada and stopping the flow of illegal narcotics. This new strategy will reflect the unique nature of the small communities that dot the northern border and recognize the need for continued cooperation and coordination with our counterparts in Canadian law enforcement. This legislation will ultimately make these communities safer, attracting new businesses and providing the long-term assurances of protection they need to grow and prosper.

Upstate New York has benefited for decades from a robust business relationship with our Canadian neighbors, and any illegal activity that takes place over our borders threatens that relationship. The Northern Border Counter-narcotics Strategy Act starts the process of developing a new approach to combating the international drug trade along our shared border with Canada. It is a vital component to the economic development and safety of our communities along that border. I ask my colleagues for their support.

Mr. THOMPSON of Mississippi. Madam Speaker, as an original cosponsor of H.R. 4748, I urge passage of this important homeland security bill so that it can be sent to the President for signature.

H.R. 4748, as amended by the Senate, would require the Director of National Drug Control Policy, ONDCP, to work with Federal, state, local, and international law enforcement to develop a comprehensive plan to prevent drug trafficking across the Northern Border. The bill requires the strategy to include clear recommendations for better coordination and assistance for tribal law enforcement agencies.

More often than not, when I hear someone lament about our "broken borders," they are talking about the Southern Border. While certainly the high-profile drug cartel violence and human smuggling activities warrant significant attention, we must not overlook the fact that there are significant border security challenges to the north, as well. In recent years, a diverse array of traffickers ranging from outlaw motorcycle gangs to Canadian drug rings have exploited the long, sparsely populated and very wooded border to traffic in large quantities of marijuana, ecstasy, and methamphetamines. Surveillance of the border is particularly challenging since smugglers have a wide range of delivery options—from helicopter and other small craft to boat and float plane to cattle trucks and even snowmobiles.

Representative OWENS, with his firsthand perspective of conditions on the Northern Border, is to be commended for authoring this bill to ensure that the Federal government has a

unified approach to preventing the flow of drugs into the United States through this critical border—which spans about 4,000 miles.

The bill is not only integral to border security, but is vital for economic development in New York's North Country and other communities in the 13 states along our border with Canada. Thousands of jobs in these areas depend on the swift movement of lawful commerce across the Northern Border; illicit activity along the border risks undermining this critical trading relationship.

I congratulate Representative OWENS, a valuable member on the Homeland Security Community, for his work on Northern Border security issues and—especially—his efforts in introducing a strategic approach to stemming the flow of illicit drugs across the U.S.-Canadian border. I urge passage of H.R. 4748.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. SCOTT) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 4748.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

PREDISASTER HAZARD MITIGATION ACT OF 2010

Ms. NORTON. Madam Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 1746) to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to reauthorize the predisaster mitigation program of the Federal Emergency Management Agency.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Predisaster Hazard Mitigation Act of 2010”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The predisaster hazard mitigation program has been successful and cost-effective. Funding from the predisaster hazard mitigation program has successfully reduced loss of life, personal injuries, damage to and destruction of property, and disruption of communities from disasters.

(2) The predisaster hazard mitigation program has saved Federal taxpayers from spending significant sums on disaster recovery and relief that would have been otherwise incurred had communities not successfully applied mitigation techniques.

(3) A 2007 Congressional Budget Office report found that the predisaster hazard mitigation program reduced losses by roughly \$3 (measured in 2007 dollars) for each dollar invested in mitigation efforts funded under the predisaster hazard mitigation program. Moreover, the Congressional Budget Office found that projects funded under the predisaster hazard mitigation program could lower the need for post-disaster assistance from the Federal Government so that the predisaster hazard mitigation investment by

the Federal Government would actually save taxpayer funds.

(4) A 2005 report by the Multihazard Mitigation Council showed substantial benefits and cost savings from the hazard mitigation programs of the Federal Emergency Management Agency generally. Looking at a range of hazard mitigation programs of the Federal Emergency Management Agency, the study found that, on average, \$1 invested by the Federal Emergency Management Agency in hazard mitigation provided the Nation with roughly \$4 in benefits. Moreover, the report projected that the mitigation grants awarded between 1993 and 2003 would save more than 220 lives and prevent nearly 4,700 injuries over approximately 50 years.

(5) Given the substantial savings generated from the predisaster hazard mitigation program in the years following the provision of assistance under the program, increasing funds appropriated for the program would be a wise investment.

SEC. 3. PREDISASTER HAZARD MITIGATION.

(a) ALLOCATION OF FUNDS.—Section 203(f) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133(f)) is amended to read as follows:

“(f) ALLOCATION OF FUNDS.—

“(1) IN GENERAL.—The President shall award financial assistance under this section on a competitive basis and in accordance with the criteria in subsection (g).

“(2) MINIMUM AND MAXIMUM AMOUNTS.—In providing financial assistance under this section, the President shall ensure that the amount of financial assistance made available to a State (including amounts made available to local governments of the State) for a fiscal year—

“(A) is not less than the lesser of—

“(i) \$575,000; or

“(ii) the amount that is equal to 1 percent of the total funds appropriated to carry out this section for the fiscal year; and

“(B) does not exceed the amount that is equal to 15 percent of the total funds appropriated to carry out this section for the fiscal year.”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 203(m) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133(m)) is amended to read as follows:

“(m) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

“(1) \$180,000,000 for fiscal year 2011;

“(2) \$200,000,000 for fiscal year 2012; and

“(3) \$200,000,000 for fiscal year 2013.”.

(c) TECHNICAL CORRECTIONS TO REFERENCES.—The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) is amended—

(1) in section 602(a) (42 U.S.C. 5195a(a)), by striking paragraph (7) and inserting the following:

“(7) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the Federal Emergency Management Agency.”; and

(2) by striking “Director” each place it appears and inserting “Administrator”, except—

(A) in section 622 (42 U.S.C. 5197a)—

(i) in the second and fourth places it appears in subsection (c); and

(ii) in subsection (d); and

(B) in section 626(b) (42 U.S.C. 5197e(b)).

SEC. 4. PROHIBITION ON EARMARKS.

Section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133) is amended by adding at the end the following:

“(n) PROHIBITION ON EARMARKS.—

“(1) DEFINITION.—In this subsection, the term ‘congressionally directed spending’ means a statutory provision or report language included primarily at the request of a Senator or a Mem-

ber, Delegate or Resident Commissioner of the House of Representatives providing, authorizing, or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific State, locality, or Congressional district, other than through a statutory or administrative formula-driven or competitive award process.

“(2) PROHIBITION.—None of the funds appropriated or otherwise made available to carry out this section may be used for congressionally directed spending.

“(3) CERTIFICATION TO CONGRESS.—The Administrator of the Federal Emergency Management Agency shall submit to Congress a certification regarding whether all financial assistance under this section was awarded in accordance with this section.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from Florida (Mr. MARIO DIAZ-BALART) each will control 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

GENERAL LEAVE

Ms. NORTON. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous materials in the RECORD on the Senate amendment to H.R. 1746.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the District of Columbia?

There was no objection.

Ms. NORTON. Madam Speaker, I yield myself such time as I may consume.

I rise today to support H.R. 1746, as amended, a bill to reauthorize the predisaster mitigation program. This program’s authorization expires with the current continuing resolution.

The predisaster mitigation program is authorized by section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, or the Stafford Act, and was first authorized by this committee in the Disaster Mitigation Act of 2000. My subcommittee held a hearing in which we received testimony on empirical evidence that show that this predisaster mitigation program manages to get a substantial return on this investment, with some estimations as high as a 4-to-1 return to the national government.

Examples of mitigation activities highlighted at the hearing include the seismic strengthening of buildings and infrastructure, acquiring repetitively flooded homes, installing shelters and shatter-resistant windows in hurricane-prone areas, and the building of “safe rooms” in houses and other buildings to protect from high winds. The subcommittee came to the conclusion that predisaster mitigation is effective in accomplishing the goal of reducing the risk of future damage, hardship, and loss from all hazards, including loss of life.