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Rule for H.R. 1817, Department of Homeland Security Authorization Act for Fiscal Year 2006

Mr. Speaker, famed writer and political commentator George Orwell once wrote that "people sleep peaceably in their beds at night only because rough men stand ready to do violence on their behalf." That statement should have a special resonance for Americans in today's world.

We are fighting a new kind of war every day here in America. Our struggle against terror is one that requires us to focus our resources inward like no time in our history, because today the battlefields are the streets and sidewalks of this country and not some faraway land.

We have to ensure that our government is prepared to responsibly address any threat that imperils the peace and prosperity of this Nation. Only then will the American people truly sleep peaceably through the night. That is why this Homeland Security authorization bill is critically important, because it represents the blueprint of our homeland defense and our collective peace of mind for many years to come.

With such a weighty mandate, I would like to congratulate the Committee on Homeland Security in putting together their first committee authorization. But I would have wished today for an open rule, and we are still faced with serious issues of accountability and trust in the management of the Department of Homeland Security. This is in no small part as a result of the Bush administration's unwillingness to fill critical job vacancies at the senior levels of the agency.

In fact, the Department of Homeland Security has had two Secretaries and three Deputy Secretaries in 2 years. Today, 42 percent of the high-level political positions inside the agency are vacant or staffed by people who have already announced their departures. This lack of stability at the Department has impacted the agency's ability to meet its mandate effectively.

For example, in my district, the Peace Bridge, which connects Buffalo to Canada, continues to face obstacles in moving to alleviate traffic congestion. Last December, the United States and Canadian governments agreed to move forward with a shared border management initiative which would remedy the situation. But it has been stalled by endless bureaucracy and lack of accountability at the Department of Homeland Security.

But it is not just a lack of accountability that has plagued the agency. Our country's epic struggle against terror is also a struggle against fear. We recently discovered that the infamous homeland security terror alerts, which were raised so often in the months leading up to the Presidential election, and rarely since, if ever, were repeatedly elevated over the objections of the Homeland Security Secretary and his staff. The terror alerts were raised on what Secretary Ridge himself called "flimsy evidence" by individuals in the administration who were really aggressive about raising it, which shows that they were used for political purposes.

I know I am not the only one who questions why in the 5 1/2 months since Election Day there has not been a single terror alert. Perhaps Mr. Ridge's comments put the answer in the proper perspective. That constitutes a violation of trust with the American people, and we cannot afford that in this war on terror. We ought not to employ the tactics of fear as a means of control in our pursuit to keep the homeland secure. Such draconian measures are not in keeping with the spirit of America.

It is beneath us as a Nation to have partisan politics injected into our national security apparatus in an ugly and manipulative way. We dare not trade in a currency of fear, but rather should strive to liberate ourselves from fear through awareness of our world and an honest understanding of the challenges which lay before us.

I know many of my colleagues on both sides of the aisle agree on this principle, and I am pleased that the committee has seen fit to include more specific criteria for how the terror alert is and is not to be utilized. Likewise, the appropriation bill passed yesterday by a nearly unanimous vote also included measures that promise to provide a higher degree of accountability at the agency, accountability that I am sure we all agree is sorely needed.

Despite the serious problems at DHS, which still must be addressed, there is much in this authorization bill that I believe every Member of Congress will support. As a representative from a border State, I am pleased to see that the legislation authorizes \$1.9 billion, enough money to hire 2,000 additional border agents this year, agents sorely needed. This funding would mark a welcome change in the administration's approach to handling border security issues away from an economically disastrous agenda of imposing passport requirements on our citizens who want to cross our northern border and towards a more sensible policy of effective border enforcement, one which maximizes security resources and safeguards the freedoms and options our citizens and our trading partners deserve.

But that would require that the majority had the will to actually spend the border security dollars and not just authorize them. It is, after all, easy to talk tough about securing borders, but we need action. We need a true commitment from this Congress to put more agents in the field. We seem to have an ongoing problem here with leadership when it comes to this issue where reality does not measure up to rhetoric. It is my hope that this time will be different.

The House leadership's decision to include in this rule two amendments of mine suggests there may be room for common ground on the critical border issue after all. Clearly, the most effective tool we have to protect our borders is knowledge. Those of us who represent border economies understand how important the unencumbered flow of commerce across the northern border is to continued economic growth and to prosperity. The NEXUS program, we hope, will reduce the long waits at the border and allow an unprecedented level of security. It will be smart management, and I look forward to the upcoming debate on the amendment.

But there are many others, I know, we would all like to debate here on the floor today; but of 89, only 25 were ruled in order, which is less than 30 percent. And as I have said previously, I do wish this had been an open rule because we

need to spend the extra time and we need to allow our colleagues to consider more ideas on how to improve the homeland security. Is that not what democracy is about, debate and deliberation? Our framers thought so, and I think so, and I think most of my colleagues and most Americans think so.

One amendment we will not consider today, which I regret, would have established a much-needed railroad security plan for America, which we do not have. And, incredibly, an amendment which would have required all cargo transported on commercial and passenger airplanes be inspected for explosives was not allowed. How could we not allow a debate on a critical homeland security issue such as this?

My colleagues, the gentleman from Georgia (Mr. Barrow) and the gentleman from Massachusetts (Mr. Markey), offered an amendment which would have upgraded security requirements associated with transporting extremely hazardous materials. But, inexplicably, it too was blocked from consideration.

But just as we cannot afford to live in fear in this age of terrorism, we also cannot fear engaging in genuine debate in consideration of those matters which may be controversial for some, but which are clearly important for the safety of all Americans. The free flow of debate and democracy are a hallmark of our American values, which this House was designed to embody. They are the core values which separate us from those who seek to destroy us and our way of life. And here in the cradle of democracy, we diminish those most American of values at our own peril.