



FOR IMMEDIATE RELEASE

## Statement of Ranking Member Bennie G. Thompson

### *Markup of H.R. 3283, H.R. 4007, H.R. 4228*

April 30, 2014 (Washington) – Today, Committee on Homeland Security Ranking Member Bennie G. Thompson (D-MS) delivered the following prepared remarks for the full Committee markup of: HR 3283, HR 4007, HR 4228:

“I am pleased that the Full Committee is meeting to consider bills that address Emergency Communications, Chemical Security, and Acquisitions.

Though all three bills under consideration were authored by Republican Members, Democrats on this Committee have been constructive partners, offering amendments that, through the legislative process, have markedly improved each of these measures.

Representatives Payne, Clarke, and Barber, the Ranking Members of the three originating subcommittees, warrant special recognition for their efforts to ensure that these measures reflect the oversight findings of this Committee as well as stakeholder feedback.

Throughout my years on this Committee, I can safely say that oversight of procurement and acquisitions has consumed a significant amount of our attention.

Rightly so, I would add.

Each year, the Department spends approximately one fourth of its entire budget on procuring goods and services. Yet, since its inception, managing acquisition has been a significant challenge for the Department.

Presently, there are about 100 “major acquisitions” with estimated life-cycle costs of more than \$300 million each underway at the Department.

Thirty-seven of these acquisitions are estimated to incur over \$1 billion each in life-cycle cost.

Cancelation of a major acquisition, as occurred repeatedly with integrated technology programs to bolster security at the Southwest Border, is costly not only from a financial standpoint but operationally.

In the current budget climate, in particular, DHS cannot afford costly, avoidable missteps in its procurement process.

The management framework that was put in place under the Obama Administration has, by all accounts, the potential for improving DHS acquisitions management in some significant ways.

H.R. 4228 codifies much of what has been deemed by the Comptroller General and other watchdogs as successful at the Department, and where gaps existed, it seeks to close them.

Again, I commend Rep. Barber, for the work that he has done along with the Subcommittee’s Chairman, Rep. Duncan, to produce a bipartisan bill that passed the Subcommittee without objection.

Democratic Members—myself included—have prepared a number of amendments to further strengthen the integrity of the Department's acquisitions process. I look forward to a robust debate about these amendments.

I also expect that debate will be robust regarding H.R. 4007, legislation to renew authorization for the Chemical Facility Anti-Terrorism Standards program through 2017.

As a lead author of the original legislation, I have consistently supported efforts for this Committee to assert its jurisdiction and advance chemical security legislation.

In the eight years since DHS first received authority to stand up CFATS in an appropriations bill, the jurisdictional obstacles that stood in the way of freestanding legislation in 2006 have not been overcome.

The closest we got was in the 111th Congress, when, after a year and a half of negotiations with Representative Waxman, the Chairman of the Energy and Commerce Committee at the time, I was able to secure passage in the House of a 178-page bill.

H.R. 2868 eliminated the regulatory exemptions on water and wastewater facilities that have worried every Secretary of Homeland Security since Secretary Chertoff.

It called for assessments of methods to reduce the consequences of a terrorist attack to be done on highest-risk facilities in populous communities.

H.R. 2868 also laid out the Department's obligations with respect to providing timely feedback to regulated facilities.

I could go on and on about that bill but suffice is to say it was comprehensive.

The bill before us today would best be characterized as "H.R. 2868's distant cousin". H.R. 4007 reflects the political realities of the 113th Congress, I suppose. As I have told the Chairman, I had major misgivings about a number of provisions in the bill, as introduced.

However, I am pleased that through the legislative process many of my fundamental concerns have been addressed. In particular, I would like to acknowledge the inclusion of language authored by Representative Clarke to clarify the personnel surety program that will ensure that the Department meets some commonsense requirements.

I am also pleased that it expands the Department's capabilities to bring so-called "outlier" facilities into compliance.

One aspect of the bill that continues to concern me is the retention of language barring the regulation of water and wastewater facilities for security.

The Committee has received extensive testimony over many years about this regulatory security gap. This is no small matter.

Earlier this month, the Chemical Safety Board found that the deadly fire and explosion at West Fertilizer last April "was preventable" and that it was due, in part, to the "inability of federal, state and local regulatory agencies to identify a serious hazard and correct it." I look forward to discussing this and other important aspects of chemical security today."

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FOR IMMEDIATE RELEASE

## Statement of Ranking Member Bennie G. Thompson

### ***Markup of H.R. 3283, H.R. 4007, H.R. 4228***

April 30, 2014 (Washington) – Today, Committee on Homeland Security Ranking Member Bennie G. Thompson (D-MS) delivered the following prepared remarks for the full Committee markup of: HR 3283, HR 4007, HR 4228:

“I am pleased that the Full Committee is meeting to consider bills that address Emergency Communications, Chemical Security, and Acquisitions.

Though all three bills under consideration were authored by Republican Members, Democrats on this Committee have been constructive partners, offering amendments that, through the legislative process, have markedly improved each of these measures.

Representatives Payne, Clarke, and Barber, the Ranking Members of the three originating subcommittees, warrant special recognition for their efforts to ensure that these measures reflect the oversight findings of this Committee as well as stakeholder feedback.

Throughout my years on this Committee, I can safely say that oversight of procurement and acquisitions has consumed a significant amount of our attention.

Rightly so, I would add.

Each year, the Department spends approximately one fourth of its entire budget on procuring goods and services. Yet, since its inception, managing acquisition has been a significant challenge for the Department.

Presently, there are about 100 “major acquisitions” with estimated life-cycle costs of more than \$300 million each underway at the Department.

Thirty-seven of these acquisitions are estimated to incur over \$1 billion each in life-cycle cost.

Cancelation of a major acquisition, as occurred repeatedly with integrated technology programs to bolster security at the Southwest Border, is costly not only from a financial standpoint but operationally.

In the current budget climate, in particular, DHS cannot afford costly, avoidable missteps in its procurement process.

The management framework that was put in place under the Obama Administration has, by all accounts, the potential for improving DHS acquisitions management in some significant ways.

H.R. 4228 codifies much of what has been deemed by the Comptroller General and other watchdogs as successful at the Department, and where gaps existed, it seeks to close them.

Again, I commend Rep. Barber, for the work that he has done along with the Subcommittee’s Chairman, Rep. Duncan, to produce a bipartisan bill that passed the Subcommittee without objection.

Democratic Members—myself included—have prepared a number of amendments to further strengthen the integrity of the Department's acquisitions process. I look forward to a robust debate about these amendments.

I also expect that debate will be robust regarding H.R. 4007, legislation to renew authorization for the Chemical Facility Anti-Terrorism Standards program through 2017.

As a lead author of the original legislation, I have consistently supported efforts for this Committee to assert its jurisdiction and advance chemical security legislation.

In the eight years since DHS first received authority to stand up CFATS in an appropriations bill, the jurisdictional obstacles that stood in the way of freestanding legislation in 2006 have not been overcome.

The closest we got was in the 111th Congress, when, after a year and a half of negotiations with Representative Waxman, the Chairman of the Energy and Commerce Committee at the time, I was able to secure passage in the House of a 178-page bill.

H.R. 2868 eliminated the regulatory exemptions on water and wastewater facilities that have worried every Secretary of Homeland Security since Secretary Chertoff.

It called for assessments of methods to reduce the consequences of a terrorist attack to be done on highest-risk facilities in populous communities.

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