

**FOR IMMEDIATE RELEASE****Statement of Ranking Member Bennie G. Thompson*****Markup of the Department of Homeland Security Authorization Act for Fiscal Year 2012***

October 12, 2011 (Washington) – Today, Committee on Homeland Security Ranking Member Bennie G. Thompson (D-MS) delivered the following prepared remarks for the full Committee markup of the Department of Homeland Security Authorization Act for Fiscal Year 2012 (H.R. 3116):

“Turning to the legislation before us today, I am troubled that a bill called the “Department of Homeland Security Authorization Act for Fiscal Year 2012” does not actually authorize funding for the Department to undertake all its missions. In fact, nowhere in this 181-page bill, is there a top-line funding level for DHS.

In contrast, I will be offering an amendment to fund the Department at \$43.22 billion, the level requested by the President, which this Committee supported earlier this year, as reflected in the bipartisan budget recommendations we submitted to the Budget Committee.

This mark up is our opportunity, while the so-called “Super Committee” meets behind closed doors to decide where, in the Federal budget, to cut, to stand together and send a strong bipartisan message of support for the Department.

Approving this bill without adequate top-line funding is tantamount to rubberstamping H.R. 2017, a Homeland Security appropriations bill that the Chairman and every Democratic Member of the Committee vocally opposed in June.

At the time, Mr. Chairman, you and I agreed that the appropriations bill was fatally flawed, as it failed to provide adequate funding for the Department to carry out its critical security mission.

My view on H.R. 2017 has not changed; I still believe it cuts the Department’s budget in dangerous ways and as an authorizer, I feel an obligation to do something about it. Beyond the failure to set a top-line funding level for the Department, the Chairman’s bill falls woefully short of being a comprehensive authorization bill for the Department.

For instance, it fails to authorize the directorate responsible for DHS’ cybersecurity, infrastructure protection, emergency communication, and Federal building security operations.

The National Protection and Programs Directorate has operated without specific authorization since 2007, when then-Secretary Michael Chertoff established it.

We have an obligation, as authorizers, to make sure that DHS’ components are held accountable. We cannot adequately do that, if we stay silent about our expectations for major DHS components and operations. To address this and other glaring omissions, I, along with my fellow Democratic colleagues, will be offering amendments.

Interestingly, even as the bill avoids actually funding DHS or authorizing components within the

Department to actually execute its missions and activities, H.R. 3116 place a multitude of new mandates on DHS—most notably on the Management and Science and Technology Directorates.

In particular, it is worth noting that bill tasks the Department's Directorate of Science and Technology with many new congressional mandates at a when that the S&T Under Secretary has told us that, in the wake of the House-passed DHS appropriations bill, she would have to cancel scores of research and lay off scientists.

By any measure, H.R. 3116 is little more than a simulation of an authorization bill.

A better descriptor might be to call it a collection of assorted ideas and nowhere are those ideas more flawed than when it comes to the homeland security challenge of countering violent ideology. "Ideology" seems to be at the heart of a number of problematic provisions.

The ideology that the bill embraces runs counter to my personal values and beliefs. While I acknowledge that the violent ideology espoused by terrorist organizations like Al Qaeda is dangerous, I refuse to turn a blind eye to the violent ideologies espoused by right-wing militias and other groups that seek to do harm to our nation.

As a nation, we cannot fall into the trap of what the 9/11 Commission called a "failure of imagination." It is one thing if you, Mr. Chairman, choose to be single-minded on this issue, it is quite another when you direct the Department to establish a position to carry out your objectives. Section 102 seems to do just that.

And while I am on the subject of the 9/11 Commission, I cannot see, from a cost-benefit perspective, why we would want to reopen the investigation when we all acknowledge that the 9/11 Commission Report painstakingly answered the questions that haunted all Americans after those deadly attacks. Yet, Title Four would do just that.

Finally, H.R. 3116 seeks to greatly expand civil immunity provisions that were narrowly crafted back in 2007 for reports of potential terrorism activity in transportation. Since that time, there is no evidence that the fear of litigation has prevented Americans, including the Muslim Americans who came forward to help thwart two of the last five attempted terrorist plots since the 2009 Christmas Day incident, from coming forward. Title Eight is a solution looking for a problem. That is not how we should be legislating.

Before yielding back, I would like to address the press statement the Chairman released upon the introduction of his bill last week. It states that the introduction and forthcoming markup of H.R. 3116 is yet another example of "robust legislative oversight of DHS under Republican leadership."

I find it difficult to reconcile the Chairman's claim of "robust legislative oversight under Republican leadership" with the Committee's failure to take a single bill to the floor during this Congress. At this point during the 111th Congress, under Democratic leadership, the Committee had taken to the House floor and secured passage of seven bills, including a bill to authorize the Transportation Security Administration.

If zero bills passed by the House constitutes robust legislative oversight of DHS, what does seven amount to? The statement also makes certain assertions about past efforts to move DHS authorization bills. Let me just remind the Chairman that unlike the other two former chairmen of this panel, he has never seen his authorization bill passed by the House."

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