

PENALTIES FOR HARMING ANIMALS USED IN FEDERAL LAW ENFORCEMENT

Mr. BURNS. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of H.R. 1791, and the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 1791) to amend title 18, United States Code, to provide for penalties for harming animals used in Federal law enforcement.

There being no objection, the Senate proceeded to consider the bill.

Mr. KYL. Mr. President, I am proud to support H.R. 1791, the Federal Law Enforcement Animal Protection Act, a bill by Representative WELLER which would make it a federal crime to willfully and maliciously harm an animal used by a Federal agency for the principal purpose of investigating crimes, enforcing laws, or apprehending criminals.

I would first like to thank Senator HATCH for his help in discharging this important bill from Committee. I would also like to thank the advocacy groups and agencies, most notably, the Humane Society of the U.S., U.S. Police Canine Association, U.S. Customs Service, U.S. Border Patrol, and our very own Capital Police, for helping to publicize the need for legislation to protect federal law enforcement animals.

I was pleased when Representative WELLER called me and asked for my support of H.R. 1791. Under current law, a person who willfully injures a federal law enforcement animal can only be punished under the statute that makes it a crime to damage federal property.

Unfortunately, many of these animals have a monetary value of less than a \$1,000, even though their training can cost up to \$20,000, so the act of willfully harming them can only be prosecuted as a misdemeanor. H.R. 1791 will address this problem and punish willful and malicious harm done to these animals more severely than an act of damage to an inanimate object.

This bill is important for law enforcement. These animals play an integral role in protecting our borders, airports and our own capital grounds. In fiscal year 1999, U.S. Customs Canine Enforcement Teams were involved in over 11,000 narcotic or currency seizures. The street value of the narcotics uncovered by the canines exceeded several billion dollars. The dogs detected approximately 631,909 pounds of marijuana, 50,748 pounds of cocaine, 358 pounds of heroin, and \$25.5 million in currency. H.R. 1791 would put federal law enforcement animals on equal ground with local law enforcement animals that are protected in 27 states, including my own state of Arizona.

Mr. BURNS. Mr. President, I ask unanimous consent that the bill be

read the third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 1791) was read the third time and passed.

DISASTER MITIGATION AND COST REDUCTION ACT OF 1999

Mr. BURNS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 551, H.R. 707.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 707) to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize a program for predisaster mitigation, to streamline the administration of disaster relief, to control the Federal costs for disaster assistance, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

AMENDMENT NO. 3946

Mr. BURNS. Mr. President, Senator SMITH of New Hampshire has an amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Montana (Mr. BURNS), for Mr. SMITH of New Hampshire, proposes an amendment numbered 3946.

(The text of the amendment is printed in today's RECORD under "Amendments Submitted.")

Mr. INHOFE. Mr. President, I am pleased to speak today in favor of passage of the Disaster Mitigation Act of 1999. As the chairman of the Senate Subcommittee with jurisdiction over FEMA, I have been working on this legislation for the last couple of years. Senator GRAHAM and I introduced this legislation last fall and have been working diligently on it ever since. We can both attest to this process being long and arduous, with many unforeseen pitfalls. However, the final result has been a piece of legislation that while changing the scope of disaster assistance, continues to assure that FEMA will have the resources and the capability to deliver disaster assistance when called upon.

As we all know, the Federal government, through FEMA, has been there to help people and their communities deal with the aftermath of disasters for over a generation. As chairman of its oversight Subcommittee, I want to ensure that FEMA will continue to respond and help people in need for generations to come.

Unfortunately, this goal is becoming increasingly difficult since the costs of disaster recovery have spiraled out of control. For every major disaster Congress is forced to appropriate additional funds through Supplemental Emergency Spending Bills, another of which we will be discussing at some point later this year. This not only

plays havoc with the budget and forces us to spend funds which would have gone to other pressing needs, but sets up unrealistic expectations of what the federal government can and should do after a disaster.

For instance, following the Oklahoma City tornadoes on May 3, 1999, there was an estimated \$900 million in damage, with a large portion of that in federal disaster assistance. In the aftermath of hurricane Floyd in North Carolina, estimates of \$1 billion or more in damage have been discussed. This problem is not just isolated to Oklahoma City or North Carolina. In the period between fiscal years 1994 and 1998, FEMA disaster assistance and relief costs grew from \$8.7 billion to \$19 billion. That marks a \$10.3 billion increase in disaster assistance in just five years. To finance these expenditures, we have been forced to find over \$12 billion in rescissions.

The Bill we are passing today will address this problem from two different directions. First, it authorizes a Predisaster Hazard Mitigation Program, which assists people in preparing for disaster before they happen. Second, it provides a number of cost-saving measures to help control the costs of disaster assistance.

In our bill, we are authorizing Project Impact, FEMA's natural disaster mitigation program. Project Impact authorizes the use of small grants to local communities to give them funds and technical assistance to mitigate against disasters before they occur; but this is not just a federal give-away program. Local communities are required to have a demonstrated public-private partnership before they can become a Project Impact community.

Too often, we think of disaster assistance only after a disaster has occurred. For the very first time, we are authorizing a program to think about preventing disaster-related damage prior to the disaster. We believe that by spending these small amounts in advance of a disaster, we will save the federal government money in the long-term. However, it is important to note that we are not authorizing this program in perpetuity. The program, as adopted, is set to expire in 2003. If Project Impact is successful, we will have the appropriate opportunity to review its work and make a determination on whether to continue the program.

This forward thinking approach is revolutionary in terms of the way the federal government responds to a disaster. We all know it is more cost effective to prevent damage than to respond after the fact. I should note that in my state of Oklahoma, which has recently been hit by severe flooding, one of the affected communities, my home town of Tulsa, was a Project Impact community. While the community suffered some damage, the effects could have been much more severe had the community not undertaken preventative mitigation measures.