

A RESOLUTION TO BE SUBMITTED BY
LEGISLATOR WALTER

RE: Opposing H.R. 1555 Which Would Threaten Security in Western New York

WHEREAS, H.R. 1555, "An Act to Amend the Homeland Security Act of 2002 to Limit the Number of Urban Area Security Initiative Grants Awarded and to Clarify the Risk Assessment Formula Used When Making Such Grants" is designed to increase the share of federal homeland security funds received by New York City and the New York City Metropolitan Statistical Area to the detriment of approximately 30 other metropolitan areas around the nation; and

WHEREAS, the Buffalo-Niagara Metropolitan Statistical Areas is among those that H.R. 1555 proposes depriving of funding for vital homeland security functions; and

WHEREAS, the population of the Buffalo-Niagara Metropolitan Statistical Area exceeds 1.1 million residents, all of whom are potentially vulnerable to a homeland security incident and its aftermath; and

WHEREAS, the federal government currently spends a mere \$5,544,750 on the Buffalo-Niagara Urban Area Security Initiative, or \$4.88 for every man, woman and child residing within that vulnerable area, despite those residents of the Buffalo-Niagara Falls Metropolitan Statistical Area enduring a total federal tax burden of \$13,334 (as of 2004) per household, according to statistical data compiled by The Tax Foundation; and

WHEREAS, the average annual Urban Area Security Initiative funding for New York City has been \$135 million per year, or \$16.51 for every man, woman, and child, and other non-UASI homeland security funds have also been provided to New York City, including \$12 million in funding from the federal Environmental Protection Agency to "protect drinking water from terrorists;" and

WHEREAS, according to the New York City Office of Management and Budget's November 18, 2010 Financial Plan Revenue Budget, New York City's allocated \$24.3 million of Federal Fiscal Year 2010 Urban Area Security Initiative funds was used to pay for police overtime, rather than homeland security initiatives or equipment; and

WHEREAS, in September 2007, the New York City Department of Health and Mental Hygiene purchased 12 new computer servers "to enhance tracking of infectious diseases and bioterrorism risks" using homeland security funds, however a June 9, 2009 audit by the New York State Office of Homeland Security Fiscal Monitoring Unit revealed that nearly two years later, "these servers were not operational and no project completion plan was offered;" and

WHEREAS, a separate audit by the New York State Office of Homeland Security found that gamma monitors and toxic vapor analyzers purchased by the New York City Department of Environmental Protection went "unutilized" more than a year after being acquired; and

WHEREAS, the New York Harbor Waterfront Commission spent \$619,000 on port security grants to purchase laptop computers, but an August 2009 audit discovered those computers had not been used for their intended purpose due to a "lack of proper training," and an additional \$170,000 was spent by the same Commission to purchase a boat "for patrolling the harbor" that was used, instead, primarily to escort guests and VIPs during New York FleetWeek; and

WHEREAS, the Buffalo-Niagara Urban Area Security Initiative includes such vulnerable infrastructure critical to national security as the Niagara Power Project, the Niagara Falls Air Reserve Station and those aviation and personnel assets based there, and four international border crossing points, including the Peace Bridge, the Rainbow Bridge, the Lewiston-Queenston Bridge and the Whirlpool Bridge; and

WHEREAS, a Government Accountability Office study released February 1, 2011, found that the federal Department of Homeland Security has "acceptable control" of less than 1% of the total international border between the United States and Canada; and

WHEREAS, the same Government Accountability Office report did conclude that there is a greater threat of terrorism emanating from Canada than Mexico, with Senate Homeland Security Committee Chairman Joseph I. Lieberman noting that Islamic extremism in Canada is a significant threat to the United States; and

WHEREAS, under H.R. 1555's plan to redistribute homeland security funds away from vulnerable targets outside New York City, the entirety of Upstate New York would lose \$9,880,967 in critical funding for homeland security, leaving additional entry points along the international border weaker and additional critical infrastructure, such as the St. Lawrence-Franklin D. Roosevelt Power Project, vulnerable to a homeland security incident.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby declare its opposition to H.R. 1555; and be it further

RESOLVED, that the Erie County Legislature urges the United States Congress and the federal Department of Homeland Security to be mindful of the critical infrastructure present in Western New York, as well as the significant concentration of people in close proximity to said infrastructure and the international border, and be it further

RESOLVED, that copies of this resolution be forwarded to President Barack Obama, Secretary of State Janet Napolitano, Speaker of the House John Boehner, Senate Majority Leader Harry Reid, the local delegation of the United States Congress and Erie County Emergency Services Commissioner Greg Skibitsky.

Fiscal Impact: None.

112TH CONGRESS
1ST SESSION

H. R. 1555

To amend the Homeland Security Act of 2002 to limit the number of Urban Area Security Initiative grants awarded and to clarify the risk assessment formula to be used when making such grants, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 14, 2011

Mrs. LOWEY (for herself and Mr. ISRAEL) introduced the following bill; which was referred to the Committee on Homeland Security

A BILL

To amend the Homeland Security Act of 2002 to limit the number of Urban Area Security Initiative grants awarded and to clarify the risk assessment formula to be used when making such grants, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. DISTRIBUTION AND AWARDED OF URBAN**
4 **AREA SECURITY INITIATIVE GRANTS.**

5 (a) **LIMITATION ON NUMBER OF URBAN AREA SECUR-**
6 **ITY INITIATIVE GRANTS.**—Section 2003(b)(1) of the
7 Homeland Security Act of 2002 (6 U.S.C. 604(b)(1)) is

1 amended by inserting “not more than 25” after “des-
2 ignate”.

3 (b) RISK ASSESSMENT FORMULA.—The Homeland
4 Security Act of 2002 is amended—

5 (1) in section 2003(b)(2)(A) (6 U.S.C.
6 604(b)(2)(A)), in the matter preceding clause (i), by
7 inserting “, in accordance with section 2007(c),”
8 after “shall conduct”; and

9 (2) in section 2007 (6 U.S.C. 608)—

10 (A) in subsection (a)(1), in the matter pre-
11 ceding subparagraph (A), by inserting “in ac-
12 cordance with subsection (c)” after “terrorism”;
13 and

14 (B) by adding at the end the following new
15 subsection:

16 “(c) RISK ASSESSMENT FORMULA.—In allocating the
17 funds referred to in subsection (a), the Administrator
18 shall, when weighing considerations of threat, vulner-
19 ability, and consequences from acts of terrorism, assign
20 a percentage value that is not less than 33.”.

21 (c) CLARIFICATION OF MINIMUM ALLOCATION TO
22 APPLY ONLY TO STATE HOMELAND SECURITY
23 GRANTS.—Clauses (iv) and (v) of section 2004(e)(1)(A)
24 of the Homeland Security Act of 2002 (6 U.S.C.

1 605(e)(1)(A)) are amended by striking “and section
2 2003” each place it appears.

3 (d) EFFECTIVE DATE.—This Act (and the amend-
4 ments made by this Act) shall take effect on the date of
5 the enactment of this Act and shall apply to grants made
6 on or after such date.

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