

I urge my colleagues to join me in supporting this legislation that will help ensure the effective operations of the Department of Homeland Security.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in full support of H.R. 1617, legislation that will greatly enhance the security of the Department of Homeland Security, thereby making our nation safer. I wish to recognize my colleague, the gentleman from Pennsylvania, CHRISTOPHER CARNEY, for his work on this bill. In addition, I would like to thank the Chairman of the Committee on Homeland Security, BENNIE THOMPSON for his continued leadership in making our nation as safe as possible.

This bill amends Subtitle C of the Homeland Security Act of 2002, mandating a full-time privacy official within each part of the Department of Homeland Security. The privacy official will act under the direction of the senior appointed official of the Department of Homeland Security. The privacy official will work within the following components:

- The Transportation Security Administration.
- The Bureau of Citizenship and Immigration Services.
- Customs and Border Protection.
- Immigration and Customs Enforcement.
- The Federal Emergency Management Agency.
- The Coast Guard.
- The Directorate of Science and Technology.
- The Office of Intelligence and Analysis.
- The Directorate for National Protection and Programs.

The privacy official will be the senior official's eyes and ears regarding matters of privacy and matters that are within the Department of Homeland Security's jurisdiction.

The bill requires the new component privacy officials to monitor the Department of Homeland Security's component's compliance with all applicable federal privacy laws and regulations, implement corrective or preventative actions, and notify the senior privacy official for the department.

The privacy component officials would assist in drafting and reviewing privacy impact assessments, privacy threshold assessments, and the system of records notices, for any new or changed program or technology that collects, maintains, or disseminates personally identifiable information within their components, or for proposed rulemakings and regulations within their components. The level of hands-on involvement gives me confidence that the privacy officers in the various divisions will be able to perform their jobs effectively.

The privacy component officials would be required to conduct supervision of programs or procedures, to ensure protection of privacy, as well as implement and monitor privacy training for employees and contractors. The privacy officials would provide the senior privacy official with written materials and information regarding the relevant activities of the component, including privacy violations or abuse, that the senior official needs to prepare reports for Congress. These are protective measures which could be deemed intrusive, but that is exactly what we want from our privacy officials. A hallmark of the new administration is transparency in government. I believe that as the American people see more of what we do in Congress their confidence in government.

Any other responsibilities could be assigned by the Secretary of the Department of Home-

land Security or the senior privacy official for the Department. Nothing in the bill should be considered to abolish the role and responsibilities of the senior privacy official, or diminish their capacity within the Department of Homeland Security framework.

This is an important job and my wish is that the new appointees are put in place in regular order and fashion so that they can get on with the job of protecting our homeland.

Mr. CARNEY. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. CARNEY) that the House suspend the rules and pass the bill, H.R. 1617.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. CARNEY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

MARITIME BIOMETRIC IDENTIFICATION PROGRAM

Mr. CARNEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1148) to require the Secretary of Homeland Security to conduct a program in the maritime environment for the mobile biometric identification of suspected individuals, including terrorists, to enhance border security.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1148

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. MARITIME BIOMETRIC IDENTIFICATION.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Homeland Security shall conduct, in the maritime environment, a program for the mobile biometric identification of suspected individuals, including terrorists, to enhance border security and for other purposes.

(b) REQUIREMENTS.—The Secretary shall ensure the program described in subsection (a) is coordinated with other biometric identification programs within the Department of Homeland Security.

(c) COST ANALYSIS.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Appropriations and the Committee on Homeland Security of the House of Representatives and the Committee on Appropriations and the Committee on Homeland Security and Governmental Affairs of the Senate an analysis of the cost of expanding the Department's biometric identification capabilities for use by departmental maritime assets considered appropriate by the Secretary. The analysis may include a tiered plan for the deployment of the program described in subsection (a) that gives priority to vessels and units more likely to encounter individuals suspected of making unlawful border crossings through the maritime environment.

(d) DEFINITION.—For the purposes of this section, the term "biometric identification" means the use of fingerprint and digital photography images.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. CARNEY) and the gentleman from Florida (Mr. BILIRAKIS) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. CARNEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include therein extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CARNEY. I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 1148, a bill that will enhance the Department of Homeland Security's ability to execute its border security mission in the maritime environment.

The U.S. coastline extends over 95,000 miles, and every day illegal immigrants and potential terrorists attempt to bypass the Department of Homeland Security watchdogs—the Coast Guard and Customs and Border Protection—in their efforts to sneak into the United States. Many of these individuals have already been convicted of felonies in the United States, and many more are wanted by U.S. law enforcement on outstanding warrants for felonies and other dangerous crimes.

As the lead Federal agency charged with border security, it is DHS's mission to keep dangerous people out of our country. H.R. 1148 authorizes DHS to use technology that has been successfully piloted by the Coast Guard and the US-VISIT program since November of 2006 to identify dangerous people before they cross our borders and to better coordinate prosecution with Federal law enforcement agencies.

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For example, as of March 3, 2009, the department has collected biometric information from 2,455 individuals interdicted in the Mona Pass, a 90-mile stretch of water in the Caribbean between Puerto Rico and the Dominican Republic.

DHS uses satellite technology to immediately compare the individual's fingerprints against the US-VISIT databases, which includes information about wanted criminals, immigration violators, and those who have previously encountered government authorities. Of these nearly 2,500 individuals who have been checked, almost 600 people have been found to have outstanding warrants and warrants in the United States.

To date, Federal prosecutors have successfully prosecuted 271, or 45 percent, of the matched individuals. As a

result, migrant flow in the Mona Pass has been reduced by 75 percent since November 17, 2006.

I would like to note that my colleague on the Management, Investigations and Oversight Subcommittee, Representative BILIRAKIS, had already an identical bill in the 110th Congress. And I was pleased to support his homeland security measure that passed the House by a vote of 394-3, with one Member voting present.

I urge my fellow Members to vote for this bill, one which gives the Secretary of Homeland Security the tools she needs to secure our Nation's maritime border.

I reserve the balance of my time.

Mr. BILIRAKIS. I yield myself, Mr. Speaker, as much time as I may consume.

Mr. Speaker, I rise today in support of H.R. 1148 which I introduced earlier this year. This bill directs the Secretary of Homeland Security to conduct a cost analysis and determine the most appropriate places to expand upon a successful pilot program conducted by the Coast Guard that collects biometric information on illegal aliens interdicted at sea. This tool, as used by the Coast Guard, has made a measurable impact on our border security and could be used by other DHS components with assets in the maritime environment, such as Customs and Border Protection. The expansion of this program will further enhance the Department's efforts to secure our borders.

The February 3 episode of Homeland Security U.S.A. showed the Coast Guard using this technology at sea when it rescued a boat full of illegal aliens attempting to make it from the Dominican Republic to Puerto Rico. As a result of the use of these biometrics, the Coast Guard was able to identify and detain 10 individuals with criminal records in the United States, including a repeat human smuggler who was wanted by Customs and Border Protection. This episode illustrated the use of biometrics at sea and on land. It works. In fact, the Coast Guard has reported that illegal migration in the Mona Pass, the narrow body of water between the Dominican Republic and Puerto Rico, has been reduced by 75 percent as a result of the biometrics program.

Since the beginning of the Coast Guard's biometrics pilot in the Caribbean in November, 2006, the Coast Guard has collected biometric data from 2,455 migrants using handheld scanners. This has resulted in the identification of 598 individuals with criminal records, and the U.S. Attorney's Office in San Juan, Puerto Rico, has prosecuted 271 individuals for violations of U.S. law, with a 100 percent conviction rate.

We have seen the success of this pilot program. It ensures that individuals attempting to enter the United States illegally by sea that have criminal records will not simply be returned to

their homelands. They will be detained so they cannot attempt to enter the U.S. again.

It is now time for the Department to determine the best and most effective manner to expand this program to enhance border security. I hope the Department will deploy this program in the most risk-based, cost-efficient manner possible consistent with the current appropriations of the Coast Guard and other DHS components. I also look forward to expanding the appropriations for this program. And I urge my colleagues to join me in this effort.

This is the third time that the House is considering legislation to authorize this program. An amendment I offered to the Coast Guard Authorization Act that was similar to the bill was considered, it was passed actually, last year by a voice vote on April 24. In addition, the House passed a stand-alone version of that amendment last summer, as Mr. CARNEY said, with his support, at 394-3.

The biometrics program is another tool that is being used by the Department in its effort to secure our borders. I urge my colleagues to join me in supporting H.R. 1148.

I reserve the balance of my time.

Mr. CARNEY. Mr. Speaker, I have no more speakers. If the gentleman from Florida has no more speakers, then I'm prepared to close after the gentleman closes.

Mr. BILIRAKIS. I have no more speakers, Mr. Speaker. I urge my colleagues to pass H.R. 1148, and I thank the chairman.

I yield back the balance of my time.

Mr. CARNEY. Mr. Speaker, I yield myself as much time as I might consume.

I urge passage of H.R. 1148, a bill to harness technology used for the past 3 years by the Coast Guard and the US-VISIT program to enhance border security in the maritime environment. H.R. 1148 seeks to build upon the success of the DHS pilot by requiring the Secretary of Homeland Security to analyze the cost of deploying the biometric program in other waters.

If enacted, H.R. 1148 would enhance the ability of DHS to conduct mobile biometric identification of suspected individuals, including terrorists interdicted at sea.

For these reasons, I urge my colleagues to join me in supporting H.R. 1148.

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise in support of H.R. 1148, a bill that will enhance the Department of Homeland Security's ability to execute its border security mission in the maritime environment.

Specifically, H.R. 1148 seeks to enhance DHS's ability to harness technology successfully piloted by the Coast Guard and US-VISIT program since November 2006 to identify dangerous people before they enter our shores.

Under this program, biometrics collected from individuals interdicted—at sea—are run, in real time, against our terrorist and criminal databases.

Today, state-of-the-art handheld scanners are used by DHS personnel to collect biometric information from individuals encountered at sea.

As of March 3, 2009, DHS has collected biometric information from 2,455 individuals interdicted in the Mona Pass—the 90-mile stretch between Puerto Rico and the Dominican Republic.

Through these checks, nearly 600 people have been found to have outstanding warrants and in the U.S.

Federal prosecutors have successfully prosecuted 271 or 45% of the matched individuals.

This program is appropriately targeted to help break the cycle of individuals who are known criminals or criminal suspects being repatriated through U.S. borders, without prosecution.

It is also worth noting that, as considered today, the Secretary of Homeland Security is given wide discretion to come up with the parameters of the maritime biometric program, including a determination as to which DHS components will participate.

Last Congress, nearly identical legislation was passed in the House by a vote of 394 to 3, with one Member voting present.

I am committed to working with Secretary Napolitano, Representative BILIRAKIS and other key stakeholders to ensure that the language of H.R. 1148 is clarified and strengthened as it moves through the legislative process.

I urge passage of this important homeland security legislation that will help enhance the security of our maritime borders.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H.R. 1148, a measure that will help protect our nation from another attack. This bill may not make headlines but it is at the essence of what protecting the American people is all about. We cannot wrap our nation in bubble wrap but we can take thorough and effective steps to thwart potential attacks. As we have seen, the forces of evil will go to enormous lengths to accomplish their insidious goals. That is why I join in a bipartisan spirit my colleague from Florida, GUS BILIRAKIS in support of this measure.

This bill requires the Department of Homeland Security, no later than one year after the date of enactment, to conduct a maritime program for the mobile biometric identification of suspected individuals, including terrorists.

Biometric identification is defined to apply to the use of fingerprint and digital photography images. The Department of Homeland Security must ensure that the maritime program is coordinated with other biometric identification programs.

The Department of Homeland Security must submit a cost analysis no later than 90 days after the prospective enactment of this bill, expanding its biometric identification capabilities for maritime use to the House Appropriations and Homeland Security committees, and to the Senate Appropriations, and Homeland Security and Governmental Affairs committees. The analysis could include a tiered plan for the deployment of the program that gives priority to vessels and units more likely to encounter individuals suspected of making unlawful border crossings by sea. It is clear that we must try to secure our borders from all sides and often the liquid borders are forgotten in the discussion.

Indeed, Mr. Speaker, this legislation passed the House of Representatives and I, like 394

of my colleagues, both Democratic and Republican voted for it. Fighting against terrorists and other criminals must remain a bipartisan effort.

It is also something that we must take up on all fronts: land, sea and air. Last weekend, in my role as Chairwoman of the Homeland Security Subcommittee on Transportation and Infrastructure, I had the opportunity to meet some of the fine professionals who work for the Department of Homeland Security's Transportation Security Administration division. They work tirelessly to defend our nation's airports. They make a stressful job seem effortless, and often are invisible, which is the hallmark of good security. And just as the transportation security professionals I met in New York City's LaGuardia Airport make our nation safer, so will the maritime security professionals from the United States Coast Guard.

The Coast Guard is made of truly dedicated and able professionals.

Again, Mr. Speaker, I rise in strong support and urge my colleagues to support this legislation that will further strengthen our nation's ability to protect ourselves from both criminal and terrorist attacks.

Mr. CARNEY. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. CARNEY) that the House suspend the rules and pass the bill, H.R. 1148.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

NUCLEAR FORENSICS AND ATTRIBUTION ACT

Mr. CARNEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 730) to strengthen efforts in the Department of Homeland Security to develop nuclear forensics capabilities to permit attribution of the source of nuclear material, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 730

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Nuclear Forensics and Attribution Act".

SEC. 2. FINDINGS.

Congress finds the following:

(1) The threat of a nuclear terrorist attack on American interests, both domestic and abroad, is one of the most serious threats to the national security of the United States. In the wake of an attack, attribution of responsibility would be of utmost importance. Because of the destructive power of a nuclear weapon, there could be little forensic evidence except the radioactive material in the weapon itself.

(2) Through advanced nuclear forensics, using both existing techniques and those under development, it may be possible to identify the source and pathway of a weapon or material after it is interdicted or detonated. Though identifying intercepted smuggled material is now possible in some cases,

pre-detonation forensics is a relatively undeveloped field. The post-detonation nuclear forensics field is also immature, and the challenges are compounded by the pressures and time constraints of performing forensics after a nuclear or radiological attack.

(3) A robust and well-known capability to identify the source of nuclear or radiological material intended for or used in an act of terror could also deter prospective proliferators. Furthermore, the threat of effective attribution could compel improved security at material storage facilities, preventing the unwitting transfer of nuclear or radiological materials.

(4)(A) In order to identify special nuclear material and other radioactive materials confidently, it is necessary to have a robust capability to acquire samples in a timely manner, analyze and characterize samples, and compare samples against known signatures of nuclear and radiological material.

(B) Many of the radioisotopes produced in the detonation of a nuclear device have short half-lives, so the timely acquisition of samples is of the utmost importance. Over the past several decades, the ability of the United States to gather atmospheric samples—often the preferred method of sample acquisition—has diminished. This ability must be restored and modern techniques that could complement or replace existing techniques should be pursued.

(C) The discipline of pre-detonation forensics is a relatively undeveloped field. The radiation associated with a nuclear or radiological device may affect traditional forensics techniques in unknown ways. In a post-detonation scenario, radiochemistry may provide the most useful tools for analysis and characterization of samples. The number of radiochemistry programs and radiochemists in United States National Laboratories and universities has dramatically declined over the past several decades. The narrowing pipeline of qualified people into this critical field is a serious impediment to maintaining a robust and credible nuclear forensics program.

(5) Once samples have been acquired and characterized, it is necessary to compare the results against samples of known material from reactors, weapons, and enrichment facilities, and from medical, academic, commercial, and other facilities containing such materials, throughout the world. Some of these samples are available to the International Atomic Energy Agency through safeguards agreements, and some countries maintain internal sample databases. Access to samples in many countries is limited by national security concerns.

(6) In order to create a sufficient deterrent, it is necessary to have the capability to positively identify the source of nuclear or radiological material, and potential traffickers in nuclear or radiological material must be aware of that capability. International cooperation may be essential to catalogue all existing sources of nuclear or radiological material.

SEC. 3. SENSE OF CONGRESS ON INTERNATIONAL AGREEMENTS FOR FORENSICS COOPERATION.

It is the sense of the Congress that the President should—

(1) pursue bilateral and multilateral international agreements to establish, or seek to establish under the auspices of existing bilateral or multilateral agreements, an international framework for determining the source of any confiscated nuclear or radiological material or weapon, as well as the source of any detonated weapon and the nuclear or radiological material used in such a weapon;

(2) develop protocols for the data exchange and dissemination of sensitive information

relating to nuclear or radiological materials and samples of controlled nuclear or radiological materials, to the extent required by the agreements entered into under paragraph (1); and

(3) develop expedited protocols for the data exchange and dissemination of sensitive information needed to publicly identify the source of a nuclear detonation.

SEC. 4. RESPONSIBILITIES OF DOMESTIC NUCLEAR DETECTION OFFICE.

(a) ADDITIONAL RESPONSIBILITIES.—Section 1902 of the Homeland Security Act of 2002 (as redesignated by Public Law 110-53; 6 U.S.C. 592) is amended—

(1) in subsection (a)—

(A) in paragraph (9), by striking "and" after the semicolon;

(B) by redesignating paragraph (10) as paragraph (14); and

(C) by inserting after paragraph (9) the following:

"(10) develop and implement, with the approval of the Secretary and in coordination with the heads of appropriate departments and agencies, methods and capabilities to support the attribution of nuclear or radiological material to its source when such material is intercepted by the United States, foreign governments, or international bodies or is dispersed in the course of a terrorist attack or other nuclear or radiological explosion;

"(11) establish, within the Domestic Nuclear Detection Office, the National Technical Nuclear Forensics Center to provide centralized stewardship, planning, assessment, gap analysis, exercises, improvement, and integration for all Federal nuclear forensics activities in order to ensure an enduring national technical nuclear forensics capability and strengthen the collective response of the United States to nuclear terrorism or other nuclear attacks;

"(12) establish a National Nuclear Forensics Expertise Development Program which—

"(A) is devoted to developing and maintaining a vibrant and enduring academic pathway from undergraduate to post-doctorate study in nuclear and geochemical science specialties directly relevant to technical nuclear forensics, including radiochemistry, geochemistry, nuclear physics, nuclear engineering, materials science, and analytical chemistry; and

"(B) shall—

"(i) make available for undergraduate study student scholarships, with a duration of up to four years per student, which shall include, whenever possible, at least one summer internship at a national laboratory or appropriate Federal agency in the field of technical nuclear forensics during the course of the student's undergraduate career;

"(ii) make available for graduate study student fellowships, with a duration of up to five years per student, which—

"(I) shall include, whenever possible, at least two summer internships at a national laboratory or appropriate Federal agency in the field of technical nuclear forensics during the course of the student's graduate career; and

"(II) shall require each recipient to commit to serve for two years in a post-doctoral position in a technical nuclear forensics-related specialty at a national laboratory or appropriate Federal agency after graduation;

"(iii) make available to faculty awards, with a duration of three to five years each, to ensure faculty and their graduate students a sustained funding stream; and

"(iv) place a particular emphasis on reinvigorating technical nuclear forensics programs, while encouraging the participation