

will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken after 6:30 p.m. today.

□ 1215

# CHARLES L. BRIEANT, JR. FEDERAL BUILDING AND UNITED STATES COURTHOUSE

Ms. NORTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6340) to designate the Federal building and United States Courthouse located at 300 Quarropas Street in White Plains, New York, as the "Charles L. Brieant, Jr. Federal Building and United States Courthouse," as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6340

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

## SECTION 1. DESIGNATION.

The Federal building and United States courthouse located at 300 Quarropas Street in White Plains, New York, shall be known and designated as the "Charles L. Brieant, Jr., Federal Building and United States Courthouse".

## SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building and United States courthouse referred to in section 1 shall be deemed to be a reference to the "Charles L. Brieant, Jr., Federal Building and United States Courthouse".

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from Arkansas (Mr. BOOZMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

GENERAL LEAVE

Ms. NORTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to exclude extraneous material on H.R. 6340.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the District of Columbia? There was no objection.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume and I am happy to yield to the gentlewoman from New York, who is the author of the bill.

Mrs. LOWEY. Mr. Speaker, it is a pleasure for me to express my appreciation for my good friend and colleague, ELEANOR HOLMES NORTON, and I want to thank Chairman OBERSTAR for his support of this bill and for his help bringing it to the floor today.

Mr. Speaker, I rise in support of this legislation, which would designate the Federal building and United States Courthouse in White Plains, New York,

as the "Charles L. Brieant, Jr. Federal Building and United States Courthouse."

Federal Judge Charles Brieant, Jr., a graduate of Columbia University and Columbia Law School, served in the United States Army Air Force during World War II. Appointed to the Federal judiciary by President Nixon in 1971, Judge Brieant rose to the high-profile post of Chief Judge of the influential U.S. District Court for the Southern District of New York, a court well regarded for its legal prowess and well-reasoned decisions. His thoughtful interpretation of the law often earned great praise, and the United States Supreme Court agreed with Judge Brieant's rulings six times.

Additionally, Judge Brieant received many awards and honors, including the Servant of Justice Award from the Guild of St. Ives in 1998 and the Edward Weinfeld Award for Distinguished Contributions to the Administration of Justice in 2006.

Mr. Speaker, Judge Brieant can lay claim to hundreds of court decisions, many of which have impacted the lives of ordinary New Yorkers in extraordinary ways.

Judge Brieant is survived by his wife Virginia, their four children, nine grandchildren and two great-grandchildren.

Judge Brieant deserves our admiration and recognition for his selfless commitment to the law and public service. In fact, beyond the bench, Judge Brieant was instrumental in the construction of the very building we seek to name in his honor.

I urge my colleagues to join me in honoring this great American by passing this legislation.

Ms. NORTON. Mr. Speaker, I reserve the balance of my time.

Mr. BOOZMAN. Mr. Speaker, I yield myself such time as I may consume.

H.R. 6340 designates the Federal building and United States Courthouse located in White Plains, New York, as the "Charles L. Brieant, Jr. Federal Building and United States Courthouse."

Charles Brieant served as the Chief Judge of the United States District Court for the Southern District of New York from 1986 until 1993. His original appointment to the bench by President Nixon in 1971 began a 36-year career with the Southern District Court.

Prior to his service on the Federal bench, Judge Brieant served honorably in the United States Army Air Force during World War II. After his service in the Armed Forces, Judge Brieant returned to Columbia University, where he had begun his college education before being called into the service, and graduated in 1947. He received his law degree in 1949 and began a life of public service, working as a town justice, assistant district attorney, town supervisor, and a county legislator.

It is fitting that we give Judge Brieant's name to the courthouse where he served for so many years.

Judge Brieant worked for many years to help build the courthouse in White Plains and another in Manhattan. He was particularly proud of the White Plains courthouse which opened in 1995. His work helped ensure that new courthouses would meet the needs of the court for many years.

As we honor him today by naming this Federal building and courthouse, we ensure that Judge Brieant, who passed away just last week, will not be forgotten. Judge Brieant leaves behind his wife of 60 years, Virginia Brieant, three daughters and a son, nine grandchildren and two great-grandchildren.

We hope that the naming of this courthouse will bring comfort to his family in their time of loss, and honor his legacy of service to the court.

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

Ms. NORTON. I thank the gentleman for his statement in support of the Judge Brieant bill. The gentlelady and my colleague covered the matter extensively. I have only to add that this was a very distinguished judge who enjoyed the respect of both sides of the aisle.

I commend the gentlelady for her bill; this is very well deserved. We're very pleased in our subcommittee to be able to bring it forward.

Mr. Speaker, I rise in strong support of H.R. 6340 and commend Congresswoman LOWEY for her staunch support for this bill, which has broad bi-partisan support.

Federal Judge Charles Brieant, Jr. born in 1923 in Ossining, New York and who recently died on July 20, 2008.

He graduated from Columbia University and Columbia Law School. From 1943 until 1946 he served in the United States Army Air Force. He began his career practicing in White Plains, New York, while serving as Water Commissioner for the town of Ossining, New York.

Judge Brieant was elected Ossining Town Justice in 1952 before serving as Village Attorney for Briarcliff Manor, New York. From 1960 through 1963 he served as Town Supervisor for Ossining.

In 1970, he was elected to Westchester County legislature and one year later was nominated to serve on the District Court for the Southern District of New York by President Richard Nixon. He served as Chief Judge for the Southern District from 1986 to 1993. Judge Brieant took senior status on May 31, 2007. During his distinguished career Judge Brieant received many awards and honors including the Servant of Justice Award from the Guild of St. Ives in 1998 and the Edward Weinfeld Award for Distinguished Contributions to the Administration of Justice in 2006.

It is most fitting and proper that we honor the outstanding public career of this imminent jurist.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill, H.R. 6340, as amended.

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. BOOZMAN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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.

The point of no quorum is considered withdrawn.

#### DEPARTMENT OF HOMELAND SECURITY COMPONENT PRIVACY OFFICER ACT OF 2008

Mr. THOMPSON of Mississippi. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5170) to amend the Homeland Security Act of 2002 to provide for a privacy official within each component of the Department of Homeland Security, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5170

*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 "Department of Homeland Security Component Privacy Officer Act of 2008".

#### SEC. 2. ESTABLISHMENT OF PRIVACY OFFICIAL WITHIN EACH COMPONENT OF DEPARTMENT OF HOMELAND SECURITY.

(a) *IN GENERAL.*—Subtitle C of title II of the Homeland Security Act of 2002 (6 U.S.C. 141 et seq.) is amended by inserting after section 222 the following new section:

##### "SEC. 222A. PRIVACY OFFICIALS.

"(a) *DESIGNATION.*—

"(1) *IN GENERAL.*—For each component of the Department under paragraph (2), the Secretary shall, in consultation with the head of the component, designate a full-time privacy official, who shall report directly to the senior official appointed under section 222. Each such component privacy official shall have primary responsibility for its component in implementing the privacy policy for the Department established by the senior official appointed under section 222.

"(2) *COMPONENTS.*—The components of the Department referred to in this subparagraph are as follows:

"(A) The Transportation Security Administration.

"(B) The Bureau of Citizenship and Immigration Services.

"(C) Customs and Border Protection.

"(D) Immigration and Customs Enforcement.

"(E) The Federal Emergency Management Agency.

"(F) The Coast Guard.

"(G) The Directorate of Science and Technology.

"(H) The Office of Intelligence and Analysis.

"(I) The Directorate for National Protection and Programs.

"(b) *RESPONSIBILITIES.*—Each privacy official designated under subsection (a) shall report directly to both the head of the official's component and the senior official appointed under section 222, and shall have the following responsibilities with respect to the component:

"(1) Serve as such senior official's main point of contact at the component to implement the

polices and directives of such senior official in carrying out section 222.

"(2) Advise the head of that component on privacy considerations when any law, regulation, program, policy, procedure, or guideline is proposed, developed, or implemented.

"(3) Assure that the use of technologies by the component sustain or enhance privacy protections relating to the use, collection, and disclosure of personal information within the component.

"(4) Identify privacy issues related to component programs and apply appropriate privacy policies in accordance with Federal privacy law and Departmental policies developed to ensure that the component protects the privacy of individuals affected by its activities.

"(5) Monitor the component's compliance with all applicable Federal privacy laws and regulations, implement corrective, remedial, and preventive actions and notify the senior official appointed under section 222 of privacy issues or non-compliance, whenever necessary.

"(6) Ensure that personal information contained in Privacy Act systems of records is handled in full compliance with section 552a of title 5, United States Code.

"(7) Assist in drafting and reviewing privacy impact assessments, privacy threshold assessments, and system of records notices, in conjunction with and under the direction of the senior official appointed under section 222, for any new or substantially changed program or technology that collects, maintains, or disseminates personally identifiable information within the official's component.

"(8) Assist in drafting and reviewing privacy impact assessments, privacy threshold assessments, and system of records notices in conjunction with and under the direction of the senior official appointed under section 222, for proposed rulemakings and regulations within the component.

"(9) Conduct supervision of programs, regulations, policies, procedures, or guidelines to ensure the component's protection of privacy and, as necessary, promulgate guidelines and conduct oversight to ensure the protection of privacy.

"(10) Implement and monitor privacy training for component employees and contractors in coordination with the senior official appointed under section 222.

"(11) Provide the senior official appointed under section 222 with written materials and information regarding the relevant activities of the component, including privacy violations and abuse, that are needed by the senior official to successfully prepare the reports the senior official submits to Congress and prepares on behalf of the Department.

"(12) Any other responsibilities assigned by the Secretary or the senior official appointed under section 222.

"(c) *ROLE OF COMPONENT HEADS.*—The head of a component identified in subsection (a)(2) shall ensure that the privacy official designated under subsection (a) for that component—

"(1) has the information, material, and resources necessary to fulfill the responsibilities of such official under this section;

"(2) is advised of proposed policy changes and the development of new programs, rules, regulations, procedures, or guidelines during the planning stage and is included in the decision-making process; and

"(3) is given access to material and personnel the privacy official deems necessary to carry out the official's responsibilities.

"(d) *LIMITATION.*—Nothing in this section shall be considered to abrogate the role and responsibilities of the senior official appointed under section 222."

(b) *CLERICAL AMENDMENT.*—The table of contents in section 1(b) of such Act is amended by inserting after the item related to section 222 the following new item:

"Sec. 222A. Privacy officials."

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

The Chair recognizes the gentleman from Mississippi.

#### GENERAL LEAVE

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

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

There was no objection.

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise in support of this measure and yield myself as much time as I may consume.

Mr. Speaker, I rise today in support of H.R. 5170, the Department of Homeland Security Component Privacy Officer Act of 2008.

The Department's Chief Privacy Officer was the first ever statutorily created Federal Privacy Officer. The creation of this Office served as the "gold standard" for other Federal agencies to follow.

Along those same lines, this bill advances the committee's authorization process by improving DHS and making it the first Federal agency to have statutorily created privacy officers in its component agencies. Hopefully, this will put the Department at the forefront of individual privacy protection.

Under the current structure, the Chief Privacy Officer has to rely on component agencies—such as TSA, Customs and Border Protection and FEMA—for information concerning programs and policy that impact privacy rights. Sometimes this information is shared, sometimes it's not. When it's not, the risk includes spending valuable taxpayer funds on programs that may become stalled or cancelled due to privacy concerns or missteps.

The component agencies are the pulse of the Department of Homeland Security. Most homeland security efforts stem from component agency actions. Privacy officers need to be where the action is happening, not waiting for a phone call after decisions have already been made.

Establishing privacy officers in the component agencies that make up the Department of Homeland Security is the first step in ensuring that privacy protections are in place at the beginning of the process.

Under the leadership of Management, Investigations and Oversight Subcommittee chairman, Mr. CARNEY, this legislation is informed by Government Accountability Office findings, internal discussions with the Department's Office of Privacy, and publications released by the DHS Chief Privacy Officer.

H.R. 5170 requires the component privacy officers to, among other things,