

In closing, I once again want to express my strong support for H.R. 5531, the Next Generation Radiation Screening Act of 2008. I again thank Ranking Member KING for offering this legislation and for continuing to work in a bipartisan manner as we move legislation to make our country more secure.

This bill will help to ensure the state-of-the-art technology that allows our Customs and Border Protection officers to effectively and efficiently scan cargo is procured and deployed. This was the promise of the Advanced Spectroscopic Portal Monitors program.

We have to make sure that the ASP delivers and provides significant improvement of operational effectiveness. Al Qaeda and other terrorist groups are interested in attacking us with dirty bombs, and we must do everything we can to find and intercept these materials. That means looking for materials not just at our borders and ports, but inside the United States too, and that is why authorizing the Securing the Cities Initiative is so important.

I am proud to support this critical bill that also advances the important process of providing congressional input to improve the Department. H.R. 5531 represents an important step in protecting the country from nuclear terrorism, and I urge my colleagues to support it.

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 Mississippi (Mr. THOMPSON) that the House suspend the rules and pass the bill, H.R. 5531, 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. BILIRAKIS. 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The point of no quorum is considered withdrawn.

AUTHORIZING COAST GUARD MOBILE BIOMETRIC IDENTIFICATION PROGRAM

Mr. THOMPSON of Mississippi. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2490) to require the Secretary of Homeland Security to conduct a pilot program for the mobile biometric identification in the maritime environment of aliens unlawfully attempting to enter the United States, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2490

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.—Within one year after the date of the enactment of this Act, the Secretary of Homeland Security, acting through the Commandant of the Coast Guard, 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 required in this section is coordinated with other biometric identification programs within the Department of Homeland Security.

(c) COST ANALYSIS.—Within 90 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Appropriations and Homeland Security of the House of Representatives and the Committees on Appropriations and Homeland Security and Governmental Affairs of the Senate an analysis of the cost of expanding the Coast Guard's biometric identification capabilities for use by the Coast Guards Deployable Operations Group, cutters, stations, and other deployable maritime teams considered appropriate by the Secretary, and any other appropriate Department of Homeland Security maritime vessels and units. The analysis may include a tiered plan for the deployment of this program that gives priority to vessels and units more likely to encounter individuals suspected of making illegal border crossings through the maritime environment.

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

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Mississippi (Mr. THOMPSON) and the gentleman from Florida (Mr. BILIRAKIS) will each 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 such time as I may consume.

H.R. 2490 is an important milestone in protecting our Nation's maritime security. This bill authorizes a program that has been conducted by the Coast Guard since November of 2006. The Biometric Identification at Sea Pilot Project has allowed the Coast Guard to collect biometrics from individuals interdicted in the Caribbean to run them against terrorists and criminal data bases.

Under this program, the Coast Guard has collected biometric information from over 1,100 individuals, using state-of-the-art handheld scanners. As a result, over 250 individuals with criminal records have been identified, and 72 have been brought ashore for prosecution under U.S. laws.

This program breaks the cycle of migrants with criminal histories being re-

turned to their country of origin without prosecution. It also has proven itself to be an effective partnership between the Coast Guard and Federal law enforcement.

I would note that these provisions also are carried on H.R. 2830, the FY 2009 U.S. Coast Guard Authorization, a measure that was approved by the House in April of 2008.

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I am pleased that this is being considered today as one of the key provisions that we have included in our DHS authorization package. I urge passage of this important legislation, which will significantly improve the security of our Nation's maritime environment.

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

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

I rise today in support of legislation I have introduced, H.R. 2490, which would codify and expand a Coast Guard pilot program to collect biometric information on aliens interdicted at sea. I want to thank Homeland Security Committee Chairman BENNIE THOMPSON for his willingness to move this bill through our committee and to the floor for consideration today. I also want to thank PETER KING, our ranking member, for his support of this measure and his determined effort to strengthen our homeland security, first as chairman of our committee and now as ranking member. I am honored to serve with both of these great men.

The House unanimously adopted H.R. 2490 as an amendment to the Coast Guard Authorization Act several months ago. However, I believe it is important for this body to act on H.R. 2490 independently, given the uncertain prospect for enactment of the Coast Guard bill in this Congress.

My bill requires the Coast Guard to move forward on its biometrics at sea effort within 1 year and provide a cost analysis to Congress on expanding these capabilities to other Coast Guard and Department of Homeland Security vessels and units. As part of this analysis, my bill also encourages DHS to give priority to expanding mobile biometric collection capability to assets and areas that are most likely to encounter illegal border crossings in the maritime environment.

The efforts of the Coast Guard in this area show great promise. Since the collection of limited biometrics on individuals interdicted at sea began, the Coast Guard has collected biometric data from 1,530 migrants, resulting in nearly 30 matches against databases of wanted criminals, immigration violators and others who have previously encountered government authorities. Instead of being released to repeat their dangerous and illegal behavior, these individuals are now detained and prosecuted. The U.S. Attorney's Office in San Juan, Puerto Rico, has prosecuted more than 118 individuals for violations of U.S. immigration laws and other offenses based substantially

on information obtained through the biometrics program.

The Coast Guard reports that illegal migration in the Mono Pass, an area between the Dominican Republic and Puerto Rico, has been reduced by 50 percent in just the past year as a result of the biometrics program. By leveraging its relationships with DHS, the Coast Guard now has access to millions of fingerprint files it can use to positively identify individuals encountered at sea, those who are without identification and are suspected of attempting to illegally enter the United States.

Now that the Coast Guard has determined the most effective way to collect biometrics at sea, the Department of Homeland Security needs to determine the most appropriate way to move forward and expand this effort as cost effectively as possible, which is what my bill requires. Given the success of existing efforts on biometrics by the Coast Guard, I believe that it is imperative that we move forward on this bill so that these efforts are cost effective and will do the most good.

Mr. Speaker, it is clear that the collection of biometrics at sea by the Coast Guard is already helping greatly deter illegal migration and prevent the capture and release of dangerous individuals so we are not releasing them anymore, and that is very important.

I urge all of my colleagues to help further that effort by voting for this bill.

Mr. Speaker, before I yield back the balance of my time, I urge this House to consider both the authorization and appropriations bills this year, the Homeland Security authorization and appropriations bills.

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

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first of all I would like to congratulate Mr. BILIRAKIS on what is a good bill. We enjoyed working with him on it. I look forward to working with him on future bills.

I support H.R. 2490, Mr. Speaker, because it breaks the cycle of migrants with criminal histories being returned to their country of origin without prosecution. This bill also requires the Secretary of Homeland Security to analyze the cost of expanding the biometrics program outside the Caribbean.

Every day, the United States Coast Guard men and women are valiantly protecting our Nation's 95,000 miles of shoreline with aging infrastructure. This legislation will provide them with the additional high-tech tools they so desperately need.

For these reasons, I urge my colleagues to join me in supporting H.R. 2490.

Mr. Speaker, I yield back the balance of my time, and urge support of this legislation.

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from Mississippi (Mr. THOMPSON) that the House suspend the rules and pass the bill, H.R. 2490, 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. BILIRAKIS. 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.

REDUCING OVER-CLASSIFICATION ACT OF 2008

Ms. HARMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4806) to require the Secretary of Homeland Security to develop a strategy to prevent the over-classification of homeland security and other information and to promote the sharing of unclassified homeland security and other information, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4806

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 "Reducing Over-Classification Act of 2008".

SEC. 2. FINDINGS.

Congress finds the following:

(1) A key conclusion in the Final Report of the National Commission on Terrorist Attacks Upon the United States (commonly known as the "9/11 Commission") was the need to prevent over-classification by the Federal Government.

(2) The 9/11 Commission and others have observed that the over-classification of homeland security information interferes with accurate, actionable, and timely homeland security information sharing, increases the cost of information security, and needlessly limits public access to information.

(3) The over-classification problem, which has worsened since the 9/11 attacks, causes considerable confusion about what information can be shared with whom both internally at the Department of Homeland Security and with its external partners. This problem negatively impacts the dissemination of homeland security information to the Department's State, local, tribal, and territorial homeland security and law enforcement partners, private sector customers, and the public.

(4) Excessive government secrecy stands in the way of a safer and more secure homeland. This trend is antithetical to the creation and operation of the information sharing environment established under section 1016 of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 485), and must be halted and reversed.

(5) To do so, the Department should start with the understanding that all departmental information that is not properly classified, or marked as controlled unclassified information and otherwise exempt from disclosure, should be made available to members of the public pursuant to section 552 of title 5, United States Code (commonly re-

ferred to as the "Freedom of Information Act").

(6) The Department should also develop and administer policies, procedures, and programs that promote compliance with applicable laws, executive orders, and other authorities pertaining to the proper use of classification markings and the United States National Archives and Records Administration policies implementing them.

SEC. 3. OVER-CLASSIFICATION PREVENTION WITHIN THE DEPARTMENT OF HOMELAND SECURITY.

Subtitle A of title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.) is amended by adding at the end the following new section:

"SEC. 210F. OVER-CLASSIFICATION PREVENTION PROGRAM.

"(a) IN GENERAL.—The Secretary shall develop and administer policies, procedures, and programs within the Department to prevent the over-classification of homeland security information, terrorism information, weapons of mass destruction information, and other information within the scope of the information sharing environment established under section 1016 of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 485) that must be disseminated to prevent and to collectively respond to acts of terrorism. The Secretary shall coordinate with the Archivist of the United States and consult with representatives of State, local, tribal, and territorial government and law enforcement, organizations with expertise in civil rights, civil liberties, and government oversight, and the private sector, as appropriate, to develop such policies, procedures, and programs.

"(b) REQUIREMENTS.—Not later than one year after the date of the enactment of the Reducing Over-Classification Act of 2008, the Secretary, in administering the policies, procedures, and programs required under subsection (a), shall—

"(1) create, in consultation with the Archivist of the United States, standard classified and unclassified formats for finished intelligence products created by the Department, consistent with any government-wide standards, practices or procedures for similar products;

"(2) require that all finished intelligence products created by the Department be simultaneously prepared in the standard unclassified format, provided that such an unclassified product would reasonably be expected to be of any benefit to a State, local, tribal or territorial government, law enforcement agency or other emergency response provider, or the private sector, based on input provided by the Interagency Threat Assessment and Coordination Group Detail established under section 210D;

"(3) ensure that such policies, procedures, and programs protect the national security as well as the information privacy rights and legal rights of United States persons pursuant to all applicable law and policy, including the privacy guidelines for the information sharing environment established pursuant to section 1016 of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 485), as appropriate;

"(4) establish an ongoing auditing mechanism administered by the Inspector General of the Department or other appropriate senior Department official that randomly selects, on a periodic basis, classified information from each component of the Department that generates finished intelligence products to—

"(A) assess whether applicable classification policies, procedures, rules, and regulations have been followed;

"(B) describe any problems with the administration of the applicable classification