

a problem for Speaker PELOSI and this Congress.

Take the latest boondoggle in the stimulus bill—\$3 million for the city of Georgetown and Adams Morgan, upper income neighborhoods of Washington, DC, so that they can do, what? Install bike racks and buy 400 new bicycles for these poor yuppie elitist residents there, many of them who make six-digit incomes.

Now, to my knowledge, the Speaker pro tempore and I are the only Members of Congress who regularly ride bikes to work. I am glad. He's got a great bike. Mine isn't quite as nice, but I think it is a good bike. But we paid for them with our own money.

Why should the Federal Government have a bicycle program? Why are we going out to two of the wealthiest neighborhoods in Washington, DC and saying, hey, we are going to buy bicycles for you people? That is ridiculous, and that is part of the reason that we need to reject the Democrat budget. It spends too much, taxes too much, and borrows too much.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair 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 incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

DEPARTMENT OF HOMELAND SECURITY COMPONENT PRIVACY OFFICER ACT OF 2009

Mr. CARNEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1617) 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.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1617

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 2009".

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 policies 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 con-

tractors 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 decisionmaking 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 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 insert extraneous materials 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. Mr. Speaker, I yield myself such time as I might consume.

I rise in support of H.R. 1617, the Department of Homeland Security Component Privacy Officer Act of 2009. This legislation will give the Department of Homeland Security the resources it needs to accurately assess how its programs will impact the privacy of Americans.

The Department's Chief Privacy Officer was the first ever statutorily created Federal privacy officer. The goal when establishing this office was for it to serve as the gold standard for other Federal agencies as they sought to fulfill their missions, while ensuring that privacy was protected.

Building on the original intent of the privacy officer, this bill would make the Department the first Federal agency with statutorily created privacy officers in its component agencies. This will put the Department at the forefront of individual privacy protection

and will expedite privacy impact assessments awaiting completion and approval at the Department of Homeland Security.

The bill arose from a Government Accountability Office study, internal discussions with the Department's Office of Privacy, and publications released by the DHS Chief Privacy Officer.

The act requires the Component Privacy Officers to, among other things: Serve as the main point of contact between their component head and the DHS Chief Privacy Officer; draft and review Privacy Impact Assessments and Federal Register notices published by their component; monitor the component's compliance with all applicable Federal privacy laws and regulations; and conduct supervision of programs, regulations, policies, procedures, or guidelines to ensure the component's protection of privacy.

The presence of a full-time Component Privacy Officer would ensure that privacy considerations are integrated into the decision-making process at each of the DHS's components.

This body approved this common-sense measure during the previous Congress, and I urge my colleagues to continue to support this much-needed legislation so that DHS can effectively protect everyone's right to privacy.

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 H.R. 1617, the Department of Homeland Security Component Privacy Officer Act of 2009. Introduced by my committee colleague, CHRIS CARNEY, this bill is identical to H.R. 5170, which passed the House by voice vote last summer.

H.R. 1617 directs the Secretary of Homeland Security to designate a privacy officer in each of the Department's components, including the Transportation Security Administration, the Citizenship and Immigration Services, the Immigration and Customs Enforcement, FEMA, Customs and Border Protection, the Coast Guard, the Office of Intelligence and Analysis, the Science and Technology Directorate, and the National Protection and Programs Directorate.

Each of these privacy officers would be responsible for implementing the Department's privacy policy at the component level and would report directly to both the component head and the Department's Chief Privacy Officer.

We can all agree on the importance of ensuring privacy issues are considered and addressed when the Department's programs are developed and implemented. That is why I am pleased that the Department, under former Secretary Chertoff's leadership, has already taken the steps to establish privacy officers at the component level. The bill we are considering today will further strengthen these positions by statutorily mandating them and their roles and responsibilities.

I hope the committee will work to craft an authorization bill for the Department this year to address issues such as this one and to ensure the Department has all the necessary tools to achieve its vital mission. I urge my colleagues to support H.R. 1617.

I reserve the balance of my time.

Mr. CARNEY. Mr. Speaker, I am prepared to close after the gentleman closes.

Mr. BILIRAKIS. I yield to the gentleman from Georgia (Mr. BROUN) 3 minutes.

Mr. BROUN of Georgia. Mr. Speaker, I thank the gentleman from Pennsylvania (Mr. CARNEY) for offering this very important suspension.

As the gentleman knows, I am also on the Homeland Security Committee, and feel as though there is no greater responsibility of this body than to protect the homeland. But, Mr. Speaker, protecting the homeland doesn't begin and end with creating privacy officers in the Department of Homeland Security. It is also our responsibility as Members of Congress to protect the economic security of the homeland. Governing in a fiscally responsible manner is one way to ensure that the citizens of this country are economically secure.

I would note, Mr. Speaker, that the gentleman from Pennsylvania (Mr. CARNEY) who brought forth this suspension has voted for both the \$1 trillion stimulus which included a secret provision to allow the AIG bonuses to go forward, and a \$410 billion omnibus spending bill which contained nearly 9,000 earmarks. That is nearly \$2 trillion of added debt that the gentleman from Pennsylvania (Mr. CARNEY) and his Democratic colleagues voted to place on our children and our grandchildren.

Mr. Speaker, next week we will have another opportunity to vote up or down on massive deficit spending. The Democratic budget will add trillions more of spending to the national debt and to the families of this country.

Mr. Speaker, I would ask the gentleman, Mr. CARNEY, if he intends to vote for next week's budget which runs contrary to the security of this country?

I yield to the gentleman, if he would care to respond.

Mr. CARNEY. Mr. Speaker, on the matter under consideration, I believe in the privacy that we are after.

Mr. BROUN of Georgia. Mr. Speaker, it is unfortunate that the gentleman from Pennsylvania will not share his intentions with the American people. I think we should all be transparent about our votes here in Congress.

In 8 years, American families will either be on the hook for \$70,000 apiece, or they won't. If you vote "yes" on this budget, you intend to put \$70,000 of debt on each family in this country. If you vote "no" on the budget, you don't intend to put that burden on families. I hope we all keep that in mind as we prepare to vote on the Democratic

budget next week. I believe that this budget is fiscally irresponsible.

Mr. CARNEY. I reserve the balance of my time.

Mr. BILIRAKIS. I urge my colleagues to pass H.R. 1617, and I yield back the balance of my time.

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

Mr. Speaker, public trust in the Department's ability to protect personal privacy rights is abysmally low. The last administration's habit of bringing in the privacy office at the 11th hour is not the proper way to blend in the privacy protections and appropriate safeguards before policies and programs are under way.

Although we trust the new administration to do better, we must also acknowledge that privacy protections have to begin at the component level.

This bill will provide each Department of Homeland Security component that handles personally identifiable information with its own privacy officer that will report up to both its component head and to DHS headquarters. Further, the bill will balance the need for greater accountability of privacy rights associated with personally identifiable information while enhancing the safety of our Nation. I therefore urge my colleagues to support this measure.

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today in support of H.R. 1617, the Department of Homeland Security Component Privacy Officer Act of 2009.

The Department's Chief Privacy Officer has the distinction of being the first-ever statutorily-created Federal Privacy Officer.

Along those same lines, this bill, introduced by Representative CARNEY, the Chairman of our Management Subcommittee, would make DHS the first Federal agency to have statutorily-required privacy officers in all its major component agencies.

To be effective, privacy officers need to be where the action is happening, not waiting for notice after key decisions have already been made.

However, currently, if the Department's Chief Privacy Officer needs information concerning programs and policies that impact privacy rights, he has to go through the head of the relevant component.

Sometimes this information is shared, sometimes it is not.

When it is not, we have seen major privacy missteps, wasted Federal tax dollars, and even cancelled programs.

Under this bill, the Transportation Security Administration, Customs and Border Protection, Immigration and Customs Enforcement, FEMA, and Coast Guard are among the key components that would receive a privacy officer.

Placing Privacy Officers in these key component agencies is the first step in ensuring that privacy protections are in place at the beginning of the policymaking process.

This bill was informed by an investigation by the Government Accountability Office, internal discussions with the Department's Office of Privacy, and publications released by the DHS Chief Privacy Officer.

Moreover, this legislation was approved overwhelmingly by voice vote when considered by the House in the 110th Congress.

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