

all working together in a cohesive way to stop what would be the absolutely devastating impact of a dirty bomb attack, the human toll that that would take, the devastating economic impact it would have, the fact that it would make parts of the city unlivable for extended periods of time, and the fact that it would, in effect, cut off transportation into New York City.

All of these are reasons that we have to go ahead and continue with this Securing the Cities program. It's no guarantee, but it's another layer of defense that we need to protect ourselves against a terrorist attack.

As we know, the terrorists are constantly adapting, and we have to try to stay one step ahead of them. We have to always be on our guard. Actually, we have to be lucky all the time. They only have to be lucky once. We have to rely on more than luck. We have to have preparation, and we have to have a layered defense.

That's why I am so proud to support this legislation which will, in effect, almost set in stone the importance of the Securing the Cities program. We will expand it beyond New York City because, again, while Congresswoman CLARKE and I feel that those of us in the New York area are the main targets, the fact is that a human life is a human life; an American life is an American life. Whether it's New York City or any other city in this country, any, certainly, major urban area, I believe this program is adaptable and compatible to those areas.

So I thank Congresswoman CLARKE for her effort. I thank the bipartisan support that we have for this legislation, and I, certainly, strongly urge its adoption.

I yield back the balance of my time.

Ms. CLARKE. Madam Speaker, as you have heard, the measure under consideration is important Homeland Security legislation that has previously received and that again deserves the support of the Members of the House of Representatives.

In closing, I encourage my colleagues to vote "aye" on passage of the bill.

Mrs. LOWEY. Madam Speaker, I rise in support of H.R. 2611, permanently authorizing the Securing the Cities initiative. I thank Chairman THOMPSON, Ranking Member KING and my New York colleagues and cosponsors Representatives ISRAEL and CLARKE for their efforts to bring this bill forward.

Securing the Cities was created to design and implement a layered approach for the detection and interdiction of illicit radiological materials in New York. While this program was initially a pilot and significant progress has been made, unfortunately detection technology and systems are not yet fully in place. Given the known threats that New York faces, it is no surprise that NYPD considers this initiative the most important federal security program. We must continue Securing the Cities until all technology and systems are fully operable.

As a member of the Appropriations Subcommittee on Homeland Security, I have fought to fund this security imperative, and passing this bill will help ensure that funding continues in future years.

I thank my colleagues for their hard work and dedication to ensure our most threatened cities are adequately protected, and I urge a yes vote on H.R. 2611.

Mr. AL GREEN of Texas. Madam Speaker, I would like to express my strong support of H.R. 2611, a bipartisan measure authorizing the Department of Homeland Security's Securing the Cities initiative.

I would like to recognize my colleague, Chairman BENNIE THOMPSON, for his leadership on the House Homeland Security Committee and his commitment to protecting the citizens and homeland of our great nation.

I would also like to acknowledge and thank Ranking Member PETER KING for introducing this important legislation which includes an amendment I offered that would expand the scope of the Securing the Cities program to include at least two additional high-risk urban areas, making it a national program.

Launched in 2006, Securing the Cities is a unified effort among Federal, state and local law enforcement officials in New York, New Jersey, and Connecticut to defend against the threat of a radiological or nuclear attack. Presently, Securing the Cities operates only in New York City and its surrounding areas.

While it appears that New York City remains the prime target for terrorist activity, it is important to ensure that other densely populated areas and those housing critical infrastructure are equally protected from dirty bombs. My amendment would benefit even more high-risk urban areas by providing the necessary resources to detect and intercept illicit radiological material before it is used in a weapon by would-be terrorists.

Through a ring of detectors on highways, bridges, tunnels and on mobile units around the city, Securing the Cities provides a layered defense against the smuggling of a nuclear weapon. The idea behind Securing the Cities is that the more law enforcement officials are on the lookout for nuclear material outside New York City, the better chance law enforcement has to prevent a successful nuclear attack.

Like New York City, Houston is among the highest threat cities in the nation. Our region is extremely dense with critical infrastructure assets, which includes our large energy and petrochemical sectors. By replicating the success of Securing the Cities in more places like Houston, we can bolster law enforcement capabilities to combat potential terrorist activity and protect our communities.

I strongly urge my colleagues to support H.R. 2611.

Ms. CLARKE. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. CLARKE) that the House suspend the rules and pass the bill, H.R. 2611, as amended.

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

A motion to reconsider was laid on the table.

#### NUCLEAR FORENSICS AND ATTRIBUTION ACT

Ms. CLARKE. Madam Speaker, I move to suspend the rules and concur

in the Senate amendment to 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 Senate amendment is as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

#### 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 CO-OPERATION.

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) lead the development and implementation of the national strategic five-year plan for improving the nuclear forensic and attribution capabilities of the United States required under section 1036 of the National Defense Authorization Act for Fiscal Year 2010;

“(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 and attribution activities—

“(A) to ensure an enduring national technical nuclear forensics capability to strengthen the collective response of the United States to nuclear terrorism or other nuclear attacks; and

“(B) to coordinate and implement the national strategic five-year plan referred to in paragraph (10);

“(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;

“(B) shall—

“(i) make available for undergraduate study student scholarships, with a duration of up to 4 years per student, which shall include, if possible, at least 1 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 doctoral study student fellowships, with a duration of up to 5 years per student, which shall—

“(I) include, if possible, at least 2 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) require each recipient to commit to serve for 2 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 3 to 5 years each, to ensure faculty and their graduate students have a sustained funding stream; and

“(iv) place a particular emphasis on reinvigorating technical nuclear forensics programs while encouraging the participation of undergraduate students, graduate students, and university faculty from historically Black colleges and universities, Hispanic-serving institutions, Tribal Colleges and Universities, Asian American and Native American Pacific Islander-serving institutions, Alaska Native-serving institutions, and Hawaiian Native-serving institutions; and

“(C) shall—

“(i) provide for the selection of individuals to receive scholarships or fellowships under this section through a competitive process primarily on the basis of academic merit and the nuclear forensics and attribution needs of the United States Government;

“(ii) provide for the setting aside of up to 10 percent of the scholarships or fellowships awarded under this section for individuals who are Federal employees to enhance the education of such employees in areas of critical nuclear forensics and attribution needs of the United States Government, for doctoral education under the scholarship on a full-time or part-time basis;

“(iii) provide that the Secretary may enter into a contractual agreement with an institution of higher education under which the amounts provided for a scholarship under this section for tuition, fees, and other authorized expenses are paid directly to the institution with respect to which such scholarship is awarded;

“(iv) require scholarship recipients to maintain satisfactory academic progress; and

“(v) require that—

“(I) a scholarship recipient who fails to maintain a high level of academic standing, as defined by the Secretary, who is dismissed for disciplinary reasons from the educational institution such recipient is attending, or who voluntarily terminates academic training before graduation from the educational program for which the scholarship was awarded shall be liable to the United States for repayment within 1 year after the date of such default of all scholarship funds paid to such recipient and to the institution of higher education on the behalf of such recipient, provided that the repayment period may be extended by the Secretary if the Secretary determines it necessary, as established by regulation; and

“(II) a scholarship recipient who, for any reason except death or disability, fails to begin or complete the post-doctoral service requirements in a technical nuclear forensics-related specialty at a national laboratory or appropriate Federal agency after completion of academic training shall be liable to the United States for an amount equal to—

“(aa) the total amount of the scholarship received by such recipient under this section; and

“(bb) the interest on such amounts which would be payable if at the time the scholarship was received such scholarship was a loan bearing interest at the maximum legally prevailing rate;

“(13) provide an annual report to Congress on the activities carried out under paragraphs (10), (11), and (12); and”;

(2) by adding at the end the following new subsection:

“(b) **DEFINITIONS.**—In this section:

“(1) **ALASKA NATIVE-SERVING INSTITUTION.**—The term ‘Alaska Native-serving institution’ has the meaning given the term in section 317 of the Higher Education Act of 1965 (20 U.S.C. 1059d).

“(2) **ASIAN AMERICAN AND NATIVE AMERICAN PACIFIC ISLANDER-SERVING INSTITUTION.**—The term ‘Asian American and Native American Pacific Islander-serving institution’ has the meaning given the term in section 320 of the Higher Education Act of 1965 (20 U.S.C. 1059g).

“(3) **HAWAIIAN NATIVE-SERVING INSTITUTION.**—The term ‘Hawaiian native-serving institution’ has the meaning given the term in section 317 of the Higher Education Act of 1965 (20 U.S.C. 1059d).

“(4) **HISPANIC-SERVING INSTITUTION.**—The term ‘Hispanic-serving institution’ has the meaning given that term in section 502 of the Higher Education Act of 1965 (20 U.S.C. 1101a).

“(5) **HISTORICALLY BLACK COLLEGE OR UNIVERSITY.**—The term ‘historically Black college or university’ has the meaning given the term ‘part B institution’ in section 322(2) of the Higher Education Act of 1965 (20 U.S.C. 1061(2)).

“(6) **TRIBAL COLLEGE OR UNIVERSITY.**—The term ‘Tribal College or University’ has the meaning given that term in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b)).”.

(b) **JOINT INTERAGENCY ANNUAL REPORTING REQUIREMENT TO CONGRESS AND THE PRESIDENT.**—

(1) **IN GENERAL.**—Section 1907(a)(1) of the Homeland Security Act of 2002 (6 U.S.C. 596a(a)(1)) is amended—

(A) in subparagraph (A)(ii), by striking “; and” and inserting a semicolon;

(B) in subparagraph (B)(iii), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following new subparagraph:

“(C) the Director of the Domestic Nuclear Detection Office and each of the relevant departments that are partners in the National Technical Forensics Center—

“(i) include, as part of the assessments, evaluations, and reviews required under this paragraph, each office's or department's activities and investments in support of nuclear forensics and attribution activities and specific goals and objectives accomplished during the previous year pursuant to the national strategic five-year plan for improving the nuclear forensic and attribution capabilities of the United States required under section 1036 of the National Defense Authorization Act for Fiscal Year 2010;

“(ii) attach, as an appendix to the Joint Interagency Annual Review, the most current version of such strategy and plan; and

“(iii) includes a description of new or amended bilateral and multilateral agreements and efforts in support of nuclear forensics and attribution activities accomplished during the previous year.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Ms. CLARKE) and the gentleman from New York (Mr. KING) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York (Ms. CLARKE).

#### GENERAL LEAVE

Ms. CLARKE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to insert extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. CLARKE. I yield myself such time as I may consume.

Madam Speaker, I rise in support of concurring in the Senate amendment to H.R. 730.

H.R. 730, the Nuclear Forensics and Attribution Act, was first introduced in the 110th Congress by the gentleman from California (Mr. SCHIFF).

To strengthen our Nation's ability to prepare for and to respond to a conventional nuclear or dirty bomb threat, that measure, H.R. 2631, was marked up and adopted unanimously by the Subcommittee on Emerging Threats, Cybersecurity, and Science and Technology in October 2007, which is the subcommittee I now chair.

It was unanimously approved by the full Committee on Homeland Security on May 20, 2008, and in the House of Representatives on June 18, 2008. Though the measure was taken up, amended and passed by the Senate in late September, the stars didn't align, and it didn't clear the last hurdle to arrive on the President's desk. In this Congress, we started early and brought the measure directly to the floor where it passed on March 24, 2009. Now the Senate has acted, and it is time to pass this bill into law.

I would like to congratulate Congressman SCHIFF and my colleagues on the committee for recognizing the need to move quickly.

We know that our enemies, both terrorists and rogue nations, are interested in developing and using nuclear or radiological weapons. In the case of an attempted or, heaven forbid, a successful nuclear or radiological attack, rapid attribution is critical. Our government must have the capacity to quickly determine the source of the nuclear material so that key decision-makers have the information needed to respond.

The deterrent effect of a robust nuclear forensics capability should not be underestimated. Certainly, if terrorists know that we have a nuclear forensics capability that can pinpoint their role in creating a bomb, they are bound to have second thoughts. Unfortunately, today, the U.S. must rely on forensic expertise and technology developed during the Cold War to address both nuclear weapons and the emerging threat of a radiological dirty bomb.

The nuclear weapons workforce is aging just as its mission has shifted from traditional deterrent policy to the more complicated challenge of containing the terrorist threat. Our Nation's capabilities in the scientific fields of radiochemistry and geochemistry must be fostered to meet this new threat. That is the purpose of this bill. H.R. 730 expresses the sense of Congress that the President should pursue international agreements and develop protocols to share sensitive information needed to identify the source of a nuclear detonation.

I am heartened that the Obama administration has indicated its willingness to engage in and to reenergize such activities.

It also tasks the Secretary of Homeland Security with the mission of developing methods to attribute nuclear or radiological material both within

the Department's Domestic Nuclear Detection Office, DNDO, and in partnership with other Federal agencies.

The legislation emphasizes that the development of a robust nuclear forensics capability depends chiefly on an expertly trained workforce in this area, and it provides support for education programs relevant to nuclear forensics.

H.R. 730 also authorizes the National Technical Nuclear Forensics Center, NTNFC, to enhance the centralized planning and integration of Federal nuclear forensics activities. It requires the Secretary to report annually to Congress on the Federal Government's efforts to enhance its nuclear forensics capabilities, including the status of workforce development programs; and it authorizes \$30 million per year for the next 3 fiscal years for this effort.

H.R. 730 continues the Homeland Security Committee's practice of authorizing programs and offices within DHS that are of value to the agency's mission in order to assure that the work can continue and that progress can be achieved in the years to come.

I urge my colleagues to support this bill.

Madam Speaker, I reserve the balance of my time.

Mr. KING of New York. I yield myself such time as I may consume.

Madam Speaker, again, let me thank Congresswoman CLARKE for her leadership on this. Let me also thank Ranking Member DAN LUNGREN for his work.

Let me especially thank Mr. SCHIFF for his efforts on this and for so many other efforts on behalf of our national security. I have the privilege of serving with Mr. SCHIFF on the Intelligence Committee, so I have firsthand knowledge of the dedication which he brings to issues such as this.

Madam Speaker, I rise in strong support of H.R. 730. Let me just say that, in many ways, this is the other side of the same coin. We just adopted H.R. 2611, which is to prevent nuclear attacks against our cities. H.R. 730 will enable us to detect where those nuclear devices came from. It's absolutely essential that we deal with the process of determining the source of confiscated nuclear material. This is a grave, grave threat to our homeland, and it must be addressed immediately and robustly. We must have a rigorous attribution program to find the culprits of these crimes and to offer a deterrent to nuclear terrorism.

The one concern I do have is that the bill, as amended, coming back from the Senate does not authorize the appropriation of \$30 million. I believe that is important. It is essential that we have it; but, again, this is a major step forward, so I am pleased to support the legislation even though I wish that the \$30 million had been included in it.

This bill targets an ongoing threat in a unique way. It will reinvigorate the workforce pipeline to guarantee the Nation a resource of technical experts in this vital and critical field, and it

will strengthen America's attribution capabilities.

Again, this is a bipartisan effort. It's the Homeland Security Committee working with Mr. SCHIFF and the Intelligence Committee. It is important that we pass this and that we really, again, send a strong signal of how we do believe in layered defenses, of how we realize the need of staying ahead of the terrorist threat and of doing all we can to protect the American people in a way which certainly transcends Republican or Democrat lines or liberal-conservative lines. It is an issue that should galvanize all Americans.

So, with that, I strongly urge support of H.R. 730.

I reserve the balance of my time.

Ms. CLARKE. Madam Speaker, I yield 5 minutes to the gentleman from California (Mr. SCHIFF), the author of this bill.

Mr. SCHIFF. Madam Speaker, at the outset, I want to thank and congratulate the Homeland Security Committee and Chairman THOMPSON. The committee has taken an important step forward towards preventing nuclear terrorism by persevering with this legislation, and I appreciate all of the hard work that the chairman and staff have put into it.

I also want to thank other Members who have contributed greatly to the effort, one being the ranking member, PETER KING.

Mr. KING, once again, I thank you for your leadership in this area.

I want to thank the former chairman of the Emerging Threats Subcommittee, an early supporter, JIM LANGEVIN; the current chairwoman of that subcommittee, YVETTE CLARKE; as well as the ranking member of the subcommittee, DAN LUNGREN; and in the last Congress, MICHAEL MCCAUL.

The Nuclear Forensics and Attribution Act will help us fight one of the most important national security threats we face, that of nuclear proliferation. Countries around the world now have access to technology that was once the realm of the few; and dangerous nuclear materials are, unfortunately, sprinkled around the world. This is not a new problem. Illicit nuclear material has been intercepted in transit out of the former Soviet Union many times since the end of the Cold War, and the material we catch is surely only a small fraction of the total amount trafficked.

Last year, Graham Allison wrote in *Newsweek* that the only thing that could keep nuclear bombs out of the hands of terrorists is a brand-new science of nuclear forensics. He continued that the key to a new deterrent is coming up with some way of tracing the nuclear material backward from an explosion in New York City to the reactor that forged the fissile material, even to the mines that yielded the original uranium ore.

The Nuclear Forensics and Attribution Act is designed to do just that. It is aimed at the decision-makers in

North Korea, Pakistan, Iran or elsewhere who could sell nuclear material, as well as the smugglers and corrupt officials around the world who could steal it. Those parts of the nuclear network can be deterred by the knowledge that, if their material is later intercepted, the United States will find out and will hold them responsible.

This bill expands our ability to determine the source of nuclear material by authorizing the National Technical Nuclear Forensics Center in the Department of Homeland Security. This center will coordinate the various agencies, and it will ensure an efficient combined response when nuclear material is intercepted or used, God forbid, in a weapon. It will also advance the science of nuclear forensics, bringing in new radiochemists and physicists to rejuvenate a rapidly aging workforce and funding research on new methods to identify materials. It also takes an important step toward building the nuclear forensic database we will need to effectively track nuclear material.

The bill asks the President to negotiate agreements with other nations to share forensic data on their nuclear materials, both civilian and military.

This effort is vital, and the National Technical Nuclear Forensics Center must play a key role in negotiations to ensure that the data we obtain is the data we need for quick attribution and response.

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Nuclear terrorism is an indistinct threat of devastating consequence and therefore difficult to guard against. But as communications and transportation revolutions bring us ever closer to our allies, they bring our enemies close as well. I believe this bill will help make sure that our ability to prevent a nuclear terror attack keeps up with our enemies' ability to attempt one.

Again, I want to thank the chairman and ranking member for their leadership and urge all Members to support the bill.

Mr. KING of New York. Madam Speaker, I would like to close by stating that all of us realize that a terrorist attack is a nightmare scenario.

The fact that we came so close to the loss of life on Christmas Day reminded us dramatically of the dangerous world in which we live. Those of us from New York will never forget September 11, 2001. But just think of the ultimate nightmare scenario, and that would be a nuclear attack. That is almost beyond our imagination. That is why everything must be done to stop those attacks, and to also have the deterrent, as Congressman SCHIFF said, the deterrent of retaliation against any country, against any entity, against any individual, any organization, which was in any way involved in providing nuclear weaponry to be used against the United States.

I strongly urge the adoption of this legislation.

I have no further requests for time, and I yield back the balance of my time.

Ms. CLARKE. Madam Speaker, I yield myself such time as I may consume.

In closing, I would encourage my colleagues to vote "aye" on the pending question. Doing so will allow this important homeland security legislation to be sent to the President's desk for his signature without delay.

I yield back the balance of my time. The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. CLARKE) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 730.

The question was taken.

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

Ms. CLARKE. Madam 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.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

ordering the previous question on H.R. 1017, by the yeas and nays;  
adoption of H.R. 1017, if ordered;  
motion to suspend the rules on H.R. 3726, by the yeas and nays;  
motion to suspend the rules on H.R. 3538, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

#### PROVIDING FOR CONSIDERATION OF H.R. 3254, TAOS PUEBLO INDIAN WATER RIGHTS SETTLEMENT ACT; FOR CONSIDERATION OF H.R. 3342, AAMODT LITIGATION SETTLEMENT ACT; AND FOR CONSIDERATION OF H.R. 1065, WHITE MOUNTAIN APACHE TRIBE WATER RIGHTS QUANTIFICATION ACT OF 2009

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 1017, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—yeas 239, nays 175, not voting 19, as follows:

|                |                  |                  |
|----------------|------------------|------------------|
| Ackerman       | Green, Gene      | Oberstar         |
| Adler (NJ)     | Grijalva         | Obey             |
| Andrews        | Gutierrez        | Oliver           |
| Arcuri         | Hall (NY)        | Ortiz            |
| Baca           | Halvorson        | Owens            |
| Baird          | Hare             | Pallone          |
| Baldwin        | Harman           | Pascarell        |
| Barrow         | Hastings (FL)    | Pastor (AZ)      |
| Bean           | Heinrich         | Payne            |
| Becerra        | Herseth Sandlin  | Perlmutter       |
| Berkley        | Higgins          | Perriello        |
| Berman         | Himes            | Peters           |
| Berry          | Hinchey          | Peterson         |
| Bishop (GA)    | Hirono           | Pingree (ME)     |
| Bishop (NY)    | Hodes            | Polis (CO)       |
| Blumenauer     | Holden           | Pomeroy          |
| Bocieri        | Holt             | Price (NC)       |
| Boren          | Honda            | Quigley          |
| Boswell        | Hoyer            | Rahall           |
| Boucher        | Inslee           | Rangel           |
| Boyd           | Israel           | Reyes            |
| Brady (PA)     | Jackson (IL)     | Richardson       |
| Braley (IA)    | Jackson Lee      | Rodriguez        |
| Bright         | (TX)             | Ross             |
| Brown, Corrine | Johnson (GA)     | Rothman (NJ)     |
| Butterfield    | Kagen            | Roybal-Allard    |
| Capps          | Kanjorski        | Ruppersberger    |
| Capuano        | Kaptur           | Rush             |
| Cardoza        | Kennedy          | Ryan (OH)        |
| Carnahan       | Kildee           | Salazar          |
| Carney         | Kilpatrick (MI)  | Sanchez, Linda   |
| Carson (IN)    | Kilroy           | T.               |
| Castor (FL)    | Kind             | Sanchez, Loretta |
| Chandler       | Kirkpatrick (AZ) | Sarbanes         |
| Childers       | Kissell          | Schakowsky       |
| Chu            | Klein (FL)       | Schauer          |
| Clarke         | Kosmas           | Schiff           |
| Clay           | Kucinich         | Schrader         |
| Clyburn        | Langevin         | Schwartz         |
| Cohen          | Larsen (WA)      | Scott (GA)       |
| Connolly (VA)  | Larson (CT)      | Scott (VA)       |
| Conyers        | Lee (CA)         | Serrano          |
| Cooper         | Levin            | Sestak           |
| Costa          | Lewis (GA)       | Shea-Porter      |
| Costello       | Lipinski         | Sherman          |
| Courtney       | Loebach          | Sires            |
| Crowley        | Lowey            | Skelton          |
| Cuellar        | Lujan            | Slaughter        |
| Cummings       | Lynch            | Smith (WA)       |
| Dahlkemper     | Maffei           | Snyder           |
| Davis (CA)     | Maloney          | Space            |
| Davis (IL)     | Markey (CO)      | Speier           |
| Davis (TN)     | Markey (MA)      | Spratt           |
| DeFazio        | Marshall         | Stupak           |
| DeGette        | Massa            | Sutton           |
| Delahunt       | Matheson         | Tanner           |
| DeLauro        | Matsui           | Teague           |
| Dicks          | McCarthy (NY)    | Thompson (CA)    |
| Dingell        | McCollum         | Thompson (MS)    |
| Doggett        | McDermott        | Tierney          |
| Doyle          | McGovern         | Titus            |
| Driehaus       | McIntyre         | Tonko            |
| Edwards (MD)   | McMahon          | Towns            |
| Edwards (TX)   | McNerney         | Tsongas          |
| Ellison        | Meek (FL)        | Van Hollen       |
| Ellsworth      | Meeks (NY)       | Velázquez        |
| Engel          | Melancon         | Visclosky        |
| Eshoo          | Michaud          | Walz             |
| Etheridge      | Miller (NC)      | Wasserman        |
| Farr           | Miller, George   | Schultz          |
| Fattah         | Mollohan         | Waters           |
| Filner         | Moore (KS)       | Watson           |
| Foster         | Moore (WI)       | Watt             |
| Frank (MA)     | Moran (VA)       | Waxman           |
| Fudge          | Murphy (CT)      | Weiner           |
| Garamendi      | Murphy (NY)      | Welch            |
| Giffords       | Murtha           | Wilson (OH)      |
| Gonzalez       | Nadler (NY)      | Woolsey          |
| Gordon (TN)    | Napolitano       | Wu               |
| Grayson        | Neal (MA)        | Yarmuth          |
| Green, Al      | Nye              |                  |

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