

state sponsor of terrorism, allowing them even more time in their inexorable march toward a nuclear weapons capability.

After the terrorist attacks on 9/11, the Department of Homeland Security was founded. It created a Presidentially-appointed position for an Assistant Secretary for Infrastructure Protection. Among the Assistant Secretary's main duties is the responsibility to "develop a comprehensive national plan for securing the key resources and critical infrastructure of the United States, including power production, generation, and distribution systems."

Yet 12 years later, Mr. Speaker, no such plan is in place, and our Nation's critical infrastructure, including those key resources like power production, generation, and distribution systems, are still vulnerable to large-scale blackouts from severe electromagnetic pulse and geomagnetic disturbances.

For all of these reasons, Mr. Speaker, we are here this night to pass the Critical Infrastructure Protection Act, which, if signed into law, will represent the first time in history that Congress will be specifically addressing this dangerous threat of electromagnetic pulse. This legislation will enhance the DHS threat assessments for EMP through research and reporting requirements. It will also help the United States prevent and prepare for such an event by including large-scale blackouts into existing national planning scenarios, including educational awareness for the first responders, all to protect the critical infrastructure. Most importantly, Mr. Speaker, it will require specific plans for protecting and recovering the electric grid and other critical infrastructure from a dangerous electromagnetic pulse event.

Mr. Speaker, there is a moment in the life of nearly every problem when it is big enough to be seen by reasonable people and still small enough to be addressed. Those of us in this Chamber, and across America, live in a time where there still may be opportunity for the free world to address and mitigate the vulnerability that naturally occurring or weaponized EMP represents to the mechanisms of our civilization. This is our moment.

Ms. CLARKE of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, while the threat of an EMP or GMD event is real, I believe we need to use fully informed risk-based, scientific, and, frankly, commonsense plans and exercises to give us a clearer picture of how to prevent and respond in the event of an EMP or GMD incident.

This bill will give Congress a more complete understanding of preparedness, response, and recovery activities related to any type of EMP or geomagnetic disturbance incident, and could provide a thoughtful background that can assist the Nation's response and resiliency if high-impact, grid-related events do occur.

With that, I urge Members to support H.R. 3410, the Critical Infrastructure Protection Act, and I yield back the balance of my time.

Mr. MEEHAN. Mr. Speaker, I will include in the RECORD a letter exchange between the Committee on Homeland Security and the Committee on Science, Space, and Technology.

Mr. Speaker, I want to conclude my remarks by once again thanking the gentlewoman from New York for all of her bipartisan work on the important matters before this committee, and I urge all Members to join me in supporting this bipartisan bill.

I yield back the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON SCIENCE, SPACE, AND
TECHNOLOGY,

Washington, DC, December 1, 2014.

Hon. MICHAEL MCCAUL,
Chairman, Committee on Homeland Security,
Washington, DC.

DEAR CHAIRMAN MCCAUL: I am writing to you concerning the jurisdictional interest of the Committee on Science, Space, and Technology in H.R. 3410, the "Critical Infrastructure Protection Act". The bill contains provisions that fall within the jurisdiction of the Committee on Science, Space, and Technology.

I recognize and appreciate the desire to bring this legislation before the House of Representatives in an expeditious manner, and accordingly, I will waive further consideration of this bill in Committee, notwithstanding any provisions that fall within the jurisdiction of the Committee on Science, Space, and Technology. This waiver, of course, is conditional on our mutual understanding that agreeing to waive consideration of this bill should not be construed as waiving, reducing, or affecting the jurisdiction of the Committee on Science, Space, and Technology.

This waiver is also given with the understanding that the Committee on Science, Space, and Technology expressly reserves its authority to seek conferees on any provision within its jurisdiction during any House-Senate conference that may be convened on this, or any similar legislation. I ask for your commitment to support any request by the Committee for conferees on H.R. 3410 as well as any similar or related legislation.

I ask that a copy of this letter and your response be placed in the Congressional Record during consideration of this bill on the House floor.

Sincerely,

LAMAR SMITH,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, December 1, 2014.

Hon. LAMAR SMITH,
Chairman, Committee on Science, Space, and
Technology, Washington, DC.

DEAR CHAIRMAN SMITH: Thank you for your letter regarding H.R. 3410, the "Critical Infrastructure Protection Act." I acknowledge that by forgoing a sequential referral on this legislation, your Committee is not diminishing or altering its jurisdiction.

I also concur with you that forgoing action on this bill does not in any way prejudice the Committee on Science, Space, and Technology with respect to its jurisdictional prerogatives on this bill or similar legislation in the future, and I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving this legislation.

Finally, I will include your letter and this response in the Congressional Record during consideration of this bill on the House floor. I appreciate your cooperation regarding this legislation, and I look forward to working with the Committee on Science, Space, and Technology and the bill moves through the legislative process.

Sincerely,

MICHAEL T. MCCAUL,
Chairman.

Mr. SESSIONS. Mr. Speaker, I rise today in support of the Critical Infrastructure Protection Act. Over the past 10 years, the United States has seen an unprecedented expansion of electronic communication and commerce that boosts our economy and facilitates entrepreneurship. However, this technology is also susceptible to new types of potential threats, such as Electromagnetic Pulse (EMP), that could dramatically disrupt electronic activity or severely damage our electrical grids.

Due to the potential of an EMP threat, I joined Congressman TRENT FRANKS in introducing H.R. 3410—the Critical Infrastructure Protection Act. This legislation directs the Department of Homeland Security to enhance our nation's threat assessments of EMPs and to plan how to best protect and recover after an EMP occurs. The Critical Infrastructure Protection Act is the first step towards getting the U.S. closer to protecting ourselves from a potentially catastrophic nationwide blackout. It is my hope that this legislation will promote a national dialogue about the threat of EMPs and ensure that we are adequately prepared to protect our nation's critical infrastructure.

I want to thank Chairman MCCAUL for his important work on this legislation, as well as my dear friend, Congressman TRENT FRANKS for his leadership. Additionally, I want to thank Frank Gaffney, the Founder and President of the Center for Security Policy, for his policy expertise and much needed efforts to educate and spread awareness regarding the potential threats posed by an Electromagnetic Pulse. I strongly support the passage of this important legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. MEEHAN) that the House suspend the rules and pass the bill, H.R. 3410, 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.

□ 1730

NATIONAL LABORATORIES MEAN NATIONAL SECURITY ACT

Mrs. BROOKS of Indiana. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3438) to amend the Homeland Security Act of 2002 to authorize use of grants under the Urban Area Security Initiative and the State Homeland Security Grant Program to work in conjunction with a Department of Energy national laboratory.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3438

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 “National Laboratories Mean National Security Act”.

SEC. 2. USE OF HOMELAND SECURITY GRANT FUNDS IN CONJUNCTION WITH DEPARTMENT OF ENERGY NATIONAL LABORATORIES.

Section 2008(a) of the Homeland Security Act of 2002 (6 U.S.C. 609(a)) is amended in the matter preceding paragraph (1) by inserting “including by working in conjunction with a National Laboratory (as defined in section 2(3) of the Energy Policy Act of 2005 (42 U.S.C. 15801(3)),” after “plans.”

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Indiana (Mrs. BROOKS) and the gentleman from California (Mr. SWALWELL) each will control 20 minutes.

The Chair recognizes the gentlewoman from Indiana.

GENERAL LEAVE

Mrs. BROOKS of Indiana. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

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

There was no objection.

Mrs. BROOKS of Indiana. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this bill simply clarifies that State and local governments and emergency management officials may use existing FEMA State Homeland Security Grant Program and Urban Area Security Initiative funds, known as UASI, to work with a national lab or research facility.

H.R. 3438 amends the Homeland Security Act of 2002 by inserting a clarification into the “allowable use” section of the Homeland Security Grant Program Title. Providing this clarification will allow these State and local first responders to leverage the expertise at national labs, should they choose to do so.

This is a simple, good government measure that will help maximize the use of limited Federal grant dollars.

This bill will allow State and local officials to cut through FEMA’s red tape, which makes it harder for first responders to work with Federal national labs and make the best decisions for their homeland security needs. This bill will eliminate hoops that State and local grant recipients have had to go through in order to gain access to this expertise.

H.R. 3438 is a commonsense, bipartisan bill. It is similar to a bill sponsored by former Congressman Dan Lungren in the 112th Congress, which passed the House by voice vote.

I want to thank my colleague from California (Mr. SWALWELL) for continuing to work on this issue, and I urge passage of this bill.

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

Mr. SWALWELL of California. Mr. Speaker, I yield myself as much time as I may consume.

I rise in strong support of H.R. 3438, the National Laboratories Mean National Security Act, legislation that I have introduced that would expand the way in which national laboratories can help protect our homeland.

I want to thank the chairman of the Homeland Security Committee, Mr. MCCAUL, and the ranking member, Mr. THOMPSON, for allowing this bipartisan bill to move to the floor.

I also want to thank my colleague on the committee, a fellow freshman, Mrs. BROOKS, for working with me on this bill. Mrs. BROOKS, I understand, is leaving the committee and will be going to the Committee on Energy and Commerce. We are going to miss her.

I have enjoyed working with you also as a fellow prosecutor and as someone who has been an active participant in the United Solutions Caucus, trying to find ways that freshmen, Republican and Democrat, can work together.

We are fortunate in this country to have a system of Department of Energy national laboratories, at which some of the brightest scientists in our country can work on some of the most complex issues of our time.

They are keeping our national nuclear defense secure, advancing clean energy sources, and changing ways to protect us from the threat of chemical, biological, radiological, or nuclear terrorist attacks. Now it is time to make sure that we maximize the way that our national laboratories and the gifted minds who work there can protect and secure the homeland.

I am honored to represent two of these national laboratories, Lawrence Livermore and Sandia National Laboratories, and I look forward to representing them again in the 114th Congress.

I want to take this opportunity to thank the thousands of employees at Lawrence Livermore National Laboratory, Sandia National Laboratories, and our laboratories across the country for their commitment to country and their faithfulness to science and advancing human progress.

Lawrence Livermore, Sandia, and the remaining DOE labs are truly unique institutions. One part of their uniqueness is their operating structure. This structure has caused an issue, and that is what this bill is designed to fix. It is to maximize and utilize the national laboratories in every way possible to keep us safe and secure at home.

Now, to maximize efficiency and agility at our national laboratories, almost all the laboratories are what is called government-owned, contractor-operated—GOCO. While the Federal government owns the labs, they are operated by private sector organizations. Only one is government-owned and government-operated.

Here is the issue. The Department of Homeland Security issues millions of dollars in grants every year to State and local agencies.

Some State and local homeland security grant recipients have expressed

uncertainty about whether or not they can work with Department of Energy national laboratories on homeland security issues with these grant funding sources.

As Members know, FEMA offers grant programs, like the Urban Area Security Initiative, to help States, local governments, and other public servant entities to prevent and respond to terrorist attacks.

In fact, in my district, the Alameda County Sheriff’s Office, led by Sheriff Greg Ahern, uses this grant, the UASI grant, to support Urban Shield, which is a comprehensive, region-wide preparedness exercise that prepares first responders in the case of a natural or manmade disaster.

The confusion for some recipients may have been caused by the fact that they believe that they cannot use government-owned, contractor-operated laboratories with Federal funds. FEMA may have been under a similar impression or been unclear to recipients on this point as well.

These concerns are misplaced. There is no prohibition against using these funds. My bill will make sure, once and for all, that we use and we fully maximize our national laboratories and make sure that every recipient knows these dollars can be used there.

My bill would clarify the issue by explicitly including in law DOE national labs as entities with which FEMA homeland security grant recipients could work.

Providing this clarification would allow our DOE national labs to fully use their knowledge and experience to improve our homeland security. For example, at Sandia National Laboratories, they are providing modeling and simulations to help jurisdictions develop threat hazard identification risk assessments.

Lawrence Livermore houses the National Atmospheric Release Advisory Center, which provides tools that help us predict and map how chemical, biological, radiological, and nuclear threats might spread in the atmosphere.

H.R. 3438 is an important clarification in the law which will allow our scientists at Sandia, Lawrence Livermore, and across the country to more fully contribute to homeland security.

As Mrs. BROOKS pointed out, it is also a bipartisan idea, and it is a measure that was sponsored by former Republican Congressman and former prosecutor Dan Lungren, so I think it is fitting that it takes two prosecutors to bring it back to the floor here today to fix this. It passed in the last Congress by a voice vote.

Some of the best and brightest minds in the world are toiling away right now at our national laboratories. Today, let’s make sure that nothing stands in the way of maximizing these public servants’ ability to keep our country safe.

I urge all Members to support H.R. 3438.

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

Mrs. BROOKS of Indiana. Mr. Speaker, this is a bipartisan bill, and I too want to thank my colleague from California for picking up the torch that Congressman Lungren started that will permit this very important security coordination between our first responders, who work day in and day out on our behalf, and the national labs.

As the Congressman from California has so eloquently stated, they have such incredible scientific expertise that needs to be shared with our first responders, and there is much good that can come from the passage of this bill.

While FEMA is very careful in the manner in which it administers its grant dollars, we believe that this is one of those commonsense pieces of legislation that will make it much more efficient to allow those first responders to gain the incredible knowledge from our national labs, and so I urge its passage.

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 Indiana (Mrs. BROOKS) that the House suspend the rules and pass the bill, H.R. 3438.

The question was taken.

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

Mrs. BROOKS of Indiana. 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, further proceedings on this motion will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 39 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LANKFORD) at 6 o'clock and 30 minutes p.m.

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:

H.R. 5629, by the yeas and nays;

H.R. 3438, by the yeas and nays.

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

STRENGTHENING DOMESTIC NUCLEAR SECURITY ACT OF 2014

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 5629) to amend the Homeland Security Act of 2002 to strengthen the Domestic Nuclear Detection Office, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. MEEHAN) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 374, nays 11, not voting 49, as follows:

[Roll No. 532]

YEAS—374

Adams	Crowley	Hastings (FL)
Amodei	Cuellar	Hastings (WA)
Bachus	Culberson	Heck (NV)
Barber	Cummings	Heck (WA)
Barletta	Daines	Hensarling
Barr	Davis (CA)	Herrera Beutler
Barrow (GA)	Davis, Rodney	Higgins
Barton	DeFazio	Himes
Beatty	DeGette	Hinojosa
Becerra	Delaney	Holding
Benishek	DeLauro	Honda
Bentivolio	DeBene	Hoyer
Bera (CA)	Denham	Hudson
Bilirakis	Dent	Huelskamp
Bishop (GA)	DeSantis	Huffman
Black	DesJarlais	Huizenga (MI)
Blackburn	Deutch	Hunter
Blumenauer	Diaz-Balart	Hurt
Bonamici	Dingell	Israel
Boustany	Doggett	Issa
Brady (PA)	Doyle	Jackson Lee
Brady (TX)	Duffy	Jeffries
Braley (IA)	Duncan (SC)	Jenkins
Brat	Duncan (TN)	Johnson (GA)
Bridenstine	Edwards	Johnson (OH)
Brooks (AL)	Ellison	Johnson, E. B.
Brooks (IN)	Ellmers	Johnson, Sam
Brownley (CA)	Engel	Jolly
Buchanan	Enyart	Jordan
Bucshon	Eshoo	Kaptur
Burgess	Esty	Keating
Bustos	Farenthold	Kelly (IL)
Butterfield	Farr	Kelly (PA)
Byrne	Fattah	Kennedy
Calvert	Fincher	Kildee
Camp	Fitzpatrick	Kilmer
Capito	Fleischmann	Kind
Capps	Flores	King (IA)
Capuano	Forbes	King (NY)
Cardenas	Fortenberry	Kirkpatrick
Carney	Foster	Kline
Carson (IN)	Frankel (FL)	Kuster
Carter	Franks (AZ)	Lamborn
Cartwright	Frelinghuysen	Lance
Castor (FL)	Fudge	Langevin
Castro (TX)	Gabbard	Lankford
Chabot	Gallego	Larsen (WA)
Chaffetz	Garamendi	Larson (CT)
Cicilline	Garcia	Latham
Clark (MA)	Gardner	Latta
Clarke (NY)	Garrett	Levin
Clawson (FL)	Gibbs	Lewis
Cleaver	Gibson	LoBiondo
Clyburn	Gingrey (GA)	Loeback
Coble	Goodlatte	Lofgren
Coffman	Gosar	Long
Cohen	Gowdy	Lowenthal
Cole	Granger	Lowe
Collins (GA)	Graves (GA)	Lucas
Collins (NY)	Grayson	Luetkemeyer
Conaway	Green, Al	Lujan Grisham
Connolly	Green, Gene	(NM)
Conyers	Griffin (AR)	Lujan, Ben Ray
Cook	Griffith (VA)	(NM)
Cooper	Grimm	Lummis
Costa	Guthrie	Lynch
Cotton	Hanabusa	Maffei
Courtney	Hanna	Maloney
Cramer	Harper	Carolyn
Crawford	Harris	Maloney, Sean
Crenshaw	Hartzler	Marchant

Marino	Pocan	Sinema
Matheson	Poe (TX)	Sires
Matsui	Polis	Slaughter
McCarthy (CA)	Pompeo	Smith (MO)
McCaul	Posey	Smith (NE)
McClintock	Price (GA)	Smith (NJ)
McCollum	Price (NC)	Smith (TX)
McDermott	Quigley	Smith (WA)
McGovern	Rahall	Southerland
McHenry	Rangel	Speier
McKinley	Reed	Stewart
McMorris	Reichert	Stivers
Rodgers	Renacci	Stutzman
McNerney	Ribble	Swalwell (CA)
Meadows	Rice (SC)	Takano
Meehan	Rigell	Terry
Meeks	Roby	Thompson (CA)
Meng	Roe (TN)	Thompson (MS)
Messer	Rogers (AL)	Thompson (PA)
Mica	Rogers (KY)	Thornberry
Michaud	Rogers (MI)	Tiberi
Miller (FL)	Rokita	Tipton
Miller (MI)	Rooney	Tonko
Miller, George	Ros-Lehtinen	Tsongas
Moore	Ross	Turner
Mullin	Rothfus	Upton
Mulvaney	Roybal-Allard	Valadao
Murphy (FL)	Royce	Van Hollen
Murphy (PA)	Ruiz	Vargas
Nadler	Runyan	Veasey
Napolitano	Ruppersberger	Vela
Neal	Ryan (OH)	Velázquez
Neugebauer	Ryan (WI)	Visclosky
Noem	Salmon	Walberg
Nolan	Sánchez, Linda	Walden
Norcross	T.	Walorski
Nugent	Sanford	Walz
Nunes	Sarbanes	Wasserman
Nunnelee	Scalise	Schultz
O'Rourke	Schakowsky	Waters
Olson	Schiff	Webster (FL)
Palazzo	Schneider	Welch
Pallone	Schwartz	Wenstrup
Pascarella	Schweikert	Whitfield
Paulsen	Scott (VA)	Williams
Payne	Scott, Austin	Wilson (FL)
Pearce	Scott, David	Wilson (SC)
Pelosi	Sensenbrenner	Wittman
Perry	Serrano	Wolf
Peters (CA)	Sessions	Womack
Peters (MI)	Sewell (AL)	Woodall
Peterson	Shea-Porter	Yarmuth
Petri	Sherman	Yoder
Pingree (ME)	Shimkus	Young (AK)
Pittenger	Shuster	Young (IN)
Pitts	Simpson	

NAYS—11

Amash	Jones	Weber (TX)
Fleming	Labrador	Westmoreland
Foxx	Massie	Yoho
Gohmert	Stockman	

NOT VOTING—49

Aderholt	Hahn	Negrete McLeod
Bachmann	Hall	Owens
Bass	Holt	Pastor (AZ)
Bishop (NY)	Horsford	Perlmutter
Bishop (UT)	Hultgren	Richmond
Broun (GA)	Joyce	Rohrabacher
Brown (FL)	Kingston	Roskam
Campbell	Kinzinger (IL)	Rush
Cassidy	LaMalfa	Sanchez, Loretta
Chu	Lee (CA)	Schock
Clay	Lipinski	Schrader
Davis, Danny	McAllister	Tierney
Duckworth	McCarthy (NY)	Titus
Gerlach	McIntyre	Wagner
Graves (MO)	McKeon	Waxman
Grijalva	Miller, Gary	
Gutiérrez	Moran	

□ 1855

Messrs. YOHO, STOCKMAN, FLEMING, and WEBER of Texas changed their vote from "yea" to "nay."

Mr. MULVANEY changed his vote from "nay" to "yea."

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.