



## NAYS—4

Amash Massie  
Biggs Rohrabacher

## ANSWERED ‘PRESENT’—2

Rice (SC) Sanford

## NOT VOTING—44

Barletta	Gutiérrez	O'Halleran
Beyer	Hudson	Pittenger
Bishop (MI)	Jenkins (KS)	Polis
Black	Jones (NC)	Price (NC)
Blackburn	Keating	Rooney, Thomas
Brady (PA)	Knight	J.
Buchanan	Lamborn	Roskam
Costa	Lewis (GA)	Ross
Denham	Lieu, Ted	Rush
DeSaulnier	Lipinski	Shuster
Ellison	Lujan Grisham,	Simpson
Engel	M.	Tipton
Gabbard	Marchant	Tsongas
Gonzalez (TX)	Mast	Walz
Gowdy	McSally	
Grijalva	Noem	

□ 1902

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. DESAULNIER. Mr. Speaker, I regret that I was unable to vote on Monday, December 10, 2018, as I was attending an important event in Contra Costa, California.

Had I been present, I would have voted “yea” on rollcall No. 426, H. Res. 792 and “yea” on rollcall No. 427, H.R. 3008.

## COUNTERING WEAPONS OF MASS DESTRUCTION ACT OF 2018

Mr. DONOVAN. Mr. Speaker, I ask unanimous consent that the Committee on Homeland Security and the Committee on Energy and Commerce be discharged from further consideration of the bill (H.R. 7213) to amend the Homeland Security Act of 2002 to establish the Countering Weapons of Mass Destruction Office, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. SMUCKER). Is there objection to the request of the gentleman from New York?

There was no objection.

The text of the bill is as follows:

H.R. 7213

*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 “Countering Weapons of Mass Destruction Act of 2018”.

## SEC. 2. COUNTERING WEAPONS OF MASS DESTRUCTION OFFICE.

(a) IN GENERAL.—Title XIX of the Homeland Security Act of 2002 (6 U.S.C. 591 et seq.) is amended—

(1) in the title heading, by striking “DOMESTIC NUCLEAR DETECTION OFFICE” and inserting “COUNTERING WEAPONS OF MASS DESTRUCTION OFFICE”;

(2) by striking section 1901 and inserting the following:

## “SEC. 1900. DEFINITIONS.

“In this title:

“(1) ASSISTANT SECRETARY.—The term ‘Assistant Secretary’ means the Assistant Sec-

retary for the Countering Weapons of Mass Destruction Office.

“(2) INTELLIGENCE COMMUNITY.—The term ‘intelligence community’ has the meaning given such term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

“(3) OFFICE.—The term ‘Office’ means the Countering Weapons of Mass Destruction Office established under section 1901(a).

“(4) WEAPON OF MASS DESTRUCTION.—The term ‘weapon of mass destruction’ has the meaning given the term in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).

## “Subtitle A—Countering Weapons of Mass Destruction Office

## “SEC. 1901. COUNTERING WEAPONS OF MASS DESTRUCTION OFFICE.

“(a) ESTABLISHMENT.—There is established in the Department a Countering Weapons of Mass Destruction Office.

“(b) ASSISTANT SECRETARY.—The Office shall be headed by an Assistant Secretary for the Countering Weapons of Mass Destruction Office, who shall be appointed by the President.

“(c) RESPONSIBILITIES.—The Assistant Secretary shall serve as the Secretary’s principal advisor on—

“(1) weapons of mass destruction matters and strategies; and

“(2) coordinating the efforts of the Department to counter weapons of mass destruction.

“(d) DETAILS.—The Secretary may request that the Secretary of Defense, the Secretary of Energy, the Secretary of State, the Attorney General, the Nuclear Regulatory Commission, and the heads of other Federal agencies, including elements of the intelligence community, provide for the reimbursable detail of personnel with relevant expertise to the Office.

“(e) TERMINATION.—The Office shall terminate on the date that is 5 years after the date of the enactment of the Countering Weapons of Mass Destruction Act of 2018.”;

(3) by adding at the end the following:

## “Subtitle B—Mission of the Office

## “SEC. 1921. MISSION OF THE OFFICE.

“The Office shall be responsible for coordinating with other Federal efforts and developing a strategy and policy for the Department to plan for, detect, and protect against the importation, possession, storage, transportation, development, or use of unauthorized chemical, biological, radiological, or nuclear materials, devices, or agents in the United States and to protect against an attack using such materials, devices, or agents against the people, territory, or interests of the United States.

## “SEC. 1922. RELATIONSHIP TO OTHER DEPARTMENT COMPONENTS AND FEDERAL AGENCIES.

“(a) IN GENERAL.—The authority of the Assistant Secretary under this title shall not affect or diminish the authority or the responsibility of any officer of the Department or any officer of any other Federal agency with respect to the command, control, or direction of the functions, personnel, funds, assets, or liabilities of any component of the Department or any other Federal agency.

“(b) OFFICE FOR STRATEGY, POLICY, AND PLANS.—Not later than one year after the date of the enactment of the Countering Weapons of Mass Destruction Act of 2018, the Assistant Secretary shall, in coordination with the Under Secretary for Strategy, Policy, and Plans, submit to the appropriate congressional committees a strategy and implementation plan to direct programs within the Office and to integrate those programs with other programs and activities of the Department.

“(c) FEDERAL EMERGENCY MANAGEMENT AGENCY.—Nothing in this title or any other

provision of law may be construed to affect or reduce the responsibilities of the Federal Emergency Management Agency or the Administrator of the Agency, including the diversion of any asset, function, or mission of the Agency or the Administrator of the Agency.”;

(4) by striking section 1905;

(5) by redesignating sections 1902, 1903, 1904, 1906, and 1907 as sections 1923, 1924, 1925, 1926, and 1927, respectively, and transferring such sections to appear after section 1922, as added by paragraph (3);

(6) in section 1923, as redesignated—

(A) in the section heading, by striking “MISSION OF OFFICE” and inserting “RESPONSIBILITIES”; and

(B) in subsection (a)(11), by striking “Domestic Nuclear Detection Office” and inserting “Office”;

(7) in section 1925, as redesignated, in subsection (a), in the first sentence, by striking “section 1902” and inserting “section 1923”;

(8) in section 1926, as redesignated—

(A) in the matter preceding paragraph (1)—

(i) by striking “Director for Domestic Nuclear Detection” and inserting “Assistant Secretary”; and

(ii) by striking “paragraphs (6) and (7) of section 1902(a)” and inserting “section 1923”; and

(B) in paragraph (2), by striking “paragraphs (6) and (7) of section 1902(a)” and inserting “section 1923”;

(9) in section 1927, as redesignated—

(A) in subsection (a)(1)(C), in the matter preceding clause (i), by striking “Director of the Domestic Nuclear Detection Office” and inserting “Assistant Secretary”; and

(B) in subsection (c), by striking “section 1902” and inserting “section 1923”; and

(10) by inserting after section 1927, as redesignated, the following:

## “SEC. 1928. SECURING THE CITIES PROGRAM.

“(a) ESTABLISHMENT.—The Secretary, through the Assistant Secretary, shall establish a program, to be known as the ‘Securing the Cities’ or ‘STC’ program, to enhance the ability of the United States to detect and prevent terrorist attacks and other high-consequence events utilizing nuclear or other radiological materials that pose a high risk to homeland security in high-risk urban areas.

“(b) ELEMENTS.—Through the STC program the Secretary shall—

“(1) assist State, local, Tribal, and territorial governments in designing and implementing, or enhancing existing, architectures for coordinated and integrated detection and interdiction of nuclear or other radiological materials that are out of regulatory control;

“(2) support the development of an operating capability to detect and report on nuclear and other radiological materials out of regulatory control;

“(3) provide resources to enhance detection, analysis, communication, and coordination to better integrate State, local, Tribal, and territorial assets into Federal operations;

“(4) facilitate alarm adjudication and provide subject matter expertise and technical assistance on concepts of operations, training, exercises, and alarm response protocols;

“(5) communicate with, and promote sharing of information about the presence or detection of nuclear or other radiological materials among appropriate Federal, State, local, Tribal, and territorial government agencies, in a manner that ensures transparency with the jurisdictions designated under subsection (c);

“(6) provide augmenting resources, as appropriate, to enable State, local, Tribal, and