

information security. I think we have missed some key opportunities in that regard.

For example: (1) We haven't seriously considered, to my knowledge, the need to pursue providing incentives for agency success—such as financial incentives for agencies which excel.

(2) We haven't given enough consideration, to my knowledge, to the need to pursue funding penalties and personnel reforms which provide real motivation for an agency to improve its information security.

(3) Although I've pushed the scorecards for many years, we need increased Congressional oversight of agency information security practices.

(4) Have we done enough to bring greater consistency across the IG community regarding standards and review regarding improved information security?

(5) And in our recent review of this issue, I do not believe we have considered, nor do we address, what I believe is one of the most important and complex problems associated with these issues: the difficulties faced by agency Chief Information Officers in their attempts to be successful and effective—both in terms of their status within their agencies and their underlying statutory authority.

(6) Also, have we taken a serious look at whether the creation of a Federal CIO or an Information Czar at OMB would improve the Federal Government's ability to handle and process information? I do not believe so.

Yesterday, OMB Deputy Director for Management, Clay Johnson, wrote to the Committee asking to work with us on a handful of concerns the Administration has with the current draft of the legislation. Although the majority did make important modifications, removing controversial provisions affecting data brokers for example, which were of particular concern to Representative MIKE TURNER, other areas still need to be addressed.

The Administration has expressed particular concern about the bill's codification of terms and requirements in statute, including the definition of "personally identifiable information" as well as various technology-specific provisions, including "personal digital devices" and "peer-to-peer file-sharing programs". I have long maintained that effective security legislation should be technology neutral to enable the government to adequately address constantly evolving threats and technologies. Ironically, we could find ourselves less secure as agencies are forced to meet outdated mandates and requirements. I trust the majority is willing to continue these discussions as the legislation moves forward.

Mr. Speaker, public confidence in government is essential. In the end, the public demands effective government. And effective government depends on secure information. I remain concerned that this legislation falls short in a number of these important areas.

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

The SPEAKER pro tempore (Mr. SALAZAR). The question is on the motion offered by the gentleman from Missouri (Mr. CLAY) that the House suspend the rules and pass the bill, H.R. 4791, 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.

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 4 o'clock and 6 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1831

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. MCNULTY) at 6 o'clock and 31 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

House Concurrent Resolution 138, by the yeas and nays;

House Resolution 923, by the yeas and nays;

House Resolution 1114, 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.

SUPPORTING NATIONAL MEN'S HEALTH WEEK

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the concurrent resolution, H. Con. Res. 138, 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 Illinois (Mr. DAVIS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 138, as amended.

The vote was taken by electronic device, and there were—yeas 362, nays 0, answered "present" 0, not voting 71, as follows:

[Roll No. 367]

YEAS—362

Abercrombie	Bean	Boozman	Butterfield	Hensarling	Myrick
Ackerman	Becerra	Boren	Buyer	Heger	Napolitano
Aderholt	Berkley	Boucher	Calvert	Hereth Sandlin	Neal (MA)
Akin	Berman	Boustany	Camp (MI)	Higgins	Neugebauer
Alexander	Berry	Boyd (FL)	Campbell (CA)	Hill	Nunes
Allen	Biggart	Boyda (KS)	Cannon	Hinojosa	Oberstar
Altmire	Bilbray	Brady (PA)	Cantor	Hirono	Obey
Arcuri	Bilirakis	Brady (TX)	Capito	Hobson	Oliver
Bachmann	Bishop (GA)	Braley (IA)	Capps	Hodes	Ortiz
Bachus	Bishop (NY)	Broun (GA)	Capuano	Hoekstra	Pastor
Baird	Bishop (UT)	Brown (SC)	Carnahan	Holden	Paul
Baldwin	Blackburn	Brown-Waite,	Carney	Holt	Pence
Barrett (SC)	Blumenauer	Ginny	Carson	Honda	Perlmutter
Barrow	Blunt	Buchanan	Carter	Hoolley	Peterson (MN)
Bartlett (MD)	Bonner	Burgess	Castle	Hoyer	Petri
Barton (TX)	Bono Mack	Burton (IN)	Chabot	Insee	Pickering
			Chandler	Israel	Pitts
			Childers	Issa	Platts
			Clarke	Jackson (IL)	Poe
			Clay	Jefferson	Pomeroy
			Cleaver	Johnson (GA)	Porter
			Clyburn	Johnson, E. B.	Price (GA)
			Coble	Johnson, Sam	Price (NC)
			Cohen	Jones (NC)	Putnam
			Cole (OK)	Jordan	Rahall
			Conaway	Kagen	Ramstad
			Conyers	Kaptur	Rangel
			Cooper	Keller	Regula
			Costa	Kildee	Rehberg
			Costello	Kilpatrick	Reichert
			Cramer	Kind	Renzi
			Crenshaw	King (IA)	Reyes
			Cuellar	King (NY)	Reynolds
			Culberson	Kingston	Rodriguez
			Cummings	Kirk	Rogers (AL)
			Davis (AL)	Klein (FL)	Rogers (KY)
			Davis (CA)	Kline (MN)	Rogers (MI)
			Davis (IL)	Kucinich	Ros-Lehtinen
			Davis (KY)	Kuhl (NY)	Ross
			Davis, David	LaHood	Roybal-Allard
			Davis, Lincoln	Lamborn	Royce
			Davis, Tom	Lampson	Ruppersberger
			Deal (GA)	Langevin	Ryan (OH)
			DeFazio	Larson (CT)	Ryan (WI)
			DeGette	Latham	Salazar
			Delahunt	LaTourette	Sali
			DeLauro	Latta	Sánchez, Linda
			Dent	Levin	T.
			Diaz-Balart, L.	Lewis (CA)	Sanchez, Loretta
			Diaz-Balart, M.	Lewis (GA)	Sarbanes
			Dicks	Lewis (KY)	Saxton
			Dingell	Linder	Scalise
			Doggett	Lipinski	Schakowsky
			Donnelly	LoBiondo	Schiff
			Doyle	Loeback	Schmidt
			Drake	Lofgren, Zoe	Schwartz
			Dreier	Lowey	Scott (GA)
			Duncan	Lucas	Scott (VA)
			Ehlers	Lungren, Daniel	Sensenbrenner
			Ellsworth	E.	Serrano
			Emerson	Lynch	Sessions
			Engel	Mack	Shays
			English (PA)	Mahoney (FL)	Shea-Porter
			Eshoo	Manzullo	Sherman
			Etheridge	Marchant	Shimkus
			Fallin	Markey	Shuster
			Farr	Marshall	Simpson
			Fattah	Matheson	Skelton
			Feeney	Matsui	Slaughter
			Flake	McCarthy (CA)	Smith (NE)
			Forbes	McCarthy (NY)	Smith (NJ)
			Fortenberry	McCaul (TX)	Smith (TX)
			Fossella	McCotter	Snyder
			Foster	McCrery	Solis
			Fox	McDermott	Souder
			Frank (MA)	McHenry	Space
			Franks (AZ)	McHugh	Speier
			Frelinghuysen	McIntyre	Spratt
			Garrett (NJ)	McKeon	Stark
			Gerlach	McMorris	Stearns
			Giffords	Rodgers	Stupak
			Gingrey	McNulty	Sullivan
			Gohmert	Meeke (NY)	Sutton
			Gonzalez	Melancon	Tancredo
			Goode	Mica	Tanner
			Goodlatte	Michaud	Tauscher
			Gordon	Miller (FL)	Taylor
			Granger	Miller (MI)	Terry
			Graves	Miller (NC)	Thompson (CA)
			Green, Al	Miller, Gary	Thompson (MS)
			Green, Gene	Miller, George	Thornberry
			Hall (NY)	Mitchell	Tiahrt
			Hall (TX)	Mollohan	Tiberi
			Hare	Moore (KS)	Tierney
			Harman	Moore (WI)	Towns
			Hastings (FL)	Moran (KS)	Tsongas
			Hastings (WA)	Murphy (CT)	Turner
			Hayes	Murphy, Patrick	Upton
			Heller	Murphy, Tim	Van Hollen