



One Hundred Thirteenth Congress  
U.S. House of Representatives  
Committee on Homeland Security  
Washington, DC 20515

May 15, 2013

**COMMITTEE ACTION**

The Committee on Homeland Security met, pursuant to notice, in open markup session, a quorum being present, on Wednesday, May 15, 2013, in 311 Cannon House Office Building to consider the following measure: H.R. 1417, to require the Secretary of Homeland Security to develop a comprehensive strategy to gain and maintain operational control of the international borders of the United States, and for other purposes.

The Committee took the following actions:

H.R. 1417, To require the Secretary of Homeland Security to develop a comprehensive strategy to gain and maintain operational control of the international borders of the United States, and for other purposes; was ordered to be reported to House of Representatives with a favorable recommendation, as amended, by voice vote.

The Committee agreed to H.R. 1417, as amended, by voice vote.  
The following amendments were offered:

An Amendment in the Nature of a Substitute to H.R. 1417 offered by Mr. McCaul (#1); was AGREED TO, as amended, by voice vote.

A unanimous consent request by Mr. McCaul to consider the Amendment in the Nature of a Substitute as base text for purposes of amendment was not objected to.

An amendment to the Amendment in the Nature of a Substitute to H.R. 1417 offered by Mr. Thompson (#1A); At the end of the bill add a new section entitled "Sec. 4. Authorization of Appropriations."; was NOT AGREED TO by a record vote of 14 yeas and 15 nays (Roll Call 1).

The vote was as follows:

COMMITTEE ON HOMELAND SECURITY  
ROLL CALL 1  
H.R. 1417

H.R. 1417, to require the Secretary of Homeland Security to develop a comprehensive strategy to gain and maintain operational control of the international borders of the United States, and for other purposes.  
Date: May 15, 2013

On agreeing to the amendment to the Amendment in the Nature of a Substitute to H.R. 1417 offered by Mr. Thompson (#1A)  
 Not agreed to: 14 yeas and 15 nays

Representative	Yea	Nay	Representative	Yea	Nay
Mr. McCaul, Chairman .....		X	Mr. Thompson of Mississippi, Ranking Member	X	
Mr. Smith of Texas .....			Ms. Loretta Sanchez of California .....	X	
Mr. King of New York .....		X	Ms. Jackson Lee .....	X	
Mr. Rogers of Alabama .....		X	Ms. Clarke .....	X	
Mr. Broun of Georgia .....		X	Mr. Higgins .....	X	
Mrs. Miller of Michigan .....			Mr. Richmond .....	X	
Mr. Meehan .....		X	Mr. Keating .....	X	
Mr. Duncan of South Carolina .....		X	Mr. Barber .....	X	
Mr. Marino .....			Mr. Payne .....	X	
Mr. Chaffetz .....		X	Mr. O'Rourke .....	X	
Mr. Palazzo .....		X	Ms. Gabbard .....	X	
Mr. Barletta .....		X	Mr. Vela .....	X	
Mr. Stewart .....		X	Mr. Horsford .....	X	
Mr. Hudson .....		X	Mr. Swalwell of California .....	X	
Mr. Daines .....		X			
Mrs. Brooks of Indiana .....		X			
Mr. Perry .....		X			
Vacancy					
			<b>Vote Total:</b>	<b>14</b>	<b>15</b>

An amendment to the Amendment in the Nature of a Substitute to H.R. 1417 offered by Mr. Thompson (#1B); In paragraph (1) of subsection (c) of section 3 in the matter preceding subparagraph (A), insert after the first sentence the following: “Such implementation plan shall include, at a minimum, an integrated master schedule and cost estimate, including lifecycle costs, for the activities contained in such plan.”; was AGREED TO by voice vote.

An amendment to the Amendment in the Nature of a Substitute to H.R. 1417 offered by Mr. Smith (#1C); In subsection (a) of section 3, strike “situational awareness and operational control by the date that is not later than two years after the date of the submission of the implementation plan required under subsection (c)” and insert “situational awareness by the date that is not later than two years after the date of the submission of the implementation plan required under subsection (c) and operational control by the dates specified in subsection (o)(8)”.

Amend paragraphs (1) and (2) of subsection (k) of section 3 to new sections entitled “(1) By The Secretary of Homeland Security.” “(2) By The Comptroller General.”

In subsection (l) of section 3, strike “If the Secretary of Homeland Security determines that situational awareness or operational control, or both, has not been achieved by the date referred to in subsection (a), the Secretary shall, not later than 60 days after such date,” and insert “If the Secretary of Homeland Security determines that situational awareness, operational control, or both, as the case may be, has not been achieved by the dates referred to in

subparagraphs (A) and (B) of subsection (k)(1), as the case may be, the Secretary shall, not later than 60 days after such dates,”.

Amend paragraph (8) of subsection (o) of section 3 to insert a new section entitled “(8) Operational Control.”; was AGREED TO, as amended, by voice vote.

An amendment to the amendment offered by Mr. Smith to the Amendment in the Nature of a Substitute to H.R. 1417 offered by Ms. Jackson Lee (#1C1); Page 2, beginning line 17, insert a new section (C) Annual Updates.”

Page 2, line 21, strike “subparagraphs (A) and (B) and insert “subparagraphs (A), (B), and (C)”.

Page 3, in the matter proposed to be inserted in subsection (l) of section 3, insert “or if the Secretary determined that operational control is not being annually maintained pursuant to subparagraph (C) of such subsection,” before “the Secretary shall,”.; was AGREED TO by voice vote.

An amendment to the Amendment in the Nature of a Substitute to H.R. 1417 offered by Mr. Smith (#1D); In paragraph (6) of subsection (o) of section 3, add at the end the following: “The data used by the Secretary of Homeland Security to determine such rate shall be collected and reported in a consistent and standardized manner across all Border Patrol sectors.”; was AGREED TO by voice vote.

A unanimous consent request that Mr. Barber be listed as a cosponsor of the amendment offered by Mr. Smith (#1D), was not objected to.

An en bloc amendment to the Amendment in the Nature of a Substitute to H.R. 1417 offered by Ms. Sanchez (#1E); consisting of the following amendments:

In paragraph (4) of subsection (e) of section 3, insert “total deaths and injuries resulting from such attempted illegal border crossings,” before “the rate of apprehension”.;

In paragraph (11) of section 3(b), insert before the period at the end the following: “, including coordinated installation of standardized land border inspection technology, such as license plate readers and RFID readers”.;

In subsection (b) of section 3, add at the end the following: (15) An assessment of how border security operations affect crossing times.; was AGREED TO by voice vote.

An amendment to the Amendment in the Nature of a Substitute to H.R. 1417 offered by Ms. Sanchez (#1F); At the end of the bill, add a new section entitled “Sec. 4. US-VISIT Implementation.”; was AGREED TO by a record vote of 29 yeas and 0 nays (Roll Call 2).

The vote was as follows:

COMMITTEE ON HOMELAND SECURITY  
ROLL CALL 2

H.R. 1417

H.R. 1417, to require the Secretary of Homeland Security to develop a comprehensive strategy to gain and maintain operational control of the international borders of the United States, and for other purposes.

Date: May 15, 2013

On agreeing to the amendment to the Amendment in the Nature of a Substitute to H.R. 1417 offered by Ms. Sanchez (#1F).

Agreed to: 29 yeas and 0 nays.

Representative	Yea	Nay	Representative	Yea	Nay
Mr. McCaul, Chairman .....	X		Mr. Thompson of Mississippi, Ranking Member	X	
Mr. Smith of Texas .....			Ms. Loretta Sanchez of California .....	X	
Mr. King of New York .....	X		Ms. Jackson Lee .....	X	
Mr. Rogers of Alabama .....	X		Ms. Clarke .....	X	
Mr. Broun of Georgia .....	X		Mr. Higgins .....	X	
Mrs. Miller of Michigan .....	X		Mr. Richmond .....	X	
Mr. Meehan .....	X		Mr. Keating .....	X	
Mr. Duncan of South Carolina .....	X		Mr. Barber .....	X	
Mr. Marino .....			Mr. Payne .....	X	
Mr. Chaffetz .....	X		Mr. O'Rourke .....	X	
Mr. Palazzo .....	X		Ms. Gabbard .....	X	
Mr. Barletta .....	X		Mr. Vela .....	X	
Mr. Stewart .....	X		Mr. Horsford .....	X	
Mr. Hudson .....	X		Mr. Swalwell of California .....	X	
Mr. Daines .....	X				
Mrs. Brooks of Indiana .....	X				
Mr. Perry .....	X				
Vacancy					
			<b>Vote Total:</b>	<b>28</b>	<b>0</b>

An en bloc amendment to the Amendment in the Nature of a Substitute to H.R. 1417 offered by Ms. Sanchez (#1G); consisting of the following amendments:

In paragraph (7) of section 3(b), insert “under carriage cameras, high resolution license plate readers,” after “surveillance systems.”;

In subparagraph (E) of section 3(c)(1), strike “and” at the end.

In Subparagraph (F) of section 3(c)(1), strike the period at the end and insert “; and”.

In section 3(c)(1), add at the end the following:

(G) a description on how the Secretary shall consult with border communities in the development of such plan;

(H) an assessment of existing and proposed new surveillance technology and infrastructure used for land and maritime security to evaluate and analyze the environmental, social, economic, and cultural impacts; and

(I) a detailed estimate of personnel needed to operate and maintain such technologies.; was WITHDRAWN.

An amendment to the Amendment in the Nature of a Substitute to H.R. 1417 offered by Ms. Sanchez (#1H); Add at the end of the bill a new section entitled “Sec. 4. Department of Homeland Security Border Oversight Task Force.”; was WITHDRAWN.

An amendment to the Amendment in the Nature of a Substitute to H.R. 1417 offered by Mr. Marino (#1I); In section (1) of section 3, add at the end the following: “Such report shall include, at a minimum, impediments incurred, potential remedies, and recommendations to achieve situational awareness, operational control, or both, as the case may be.”; was AGREED TO by voice vote.

An amendment to the Amendment in the Nature of a Substitute to H.R. 1417 offered by Ms. Jackson Lee (#1J); In paragraph (2) of section 3(b), insert before the period at the end the following: “and with other appropriate Federal departments and agencies with missions associated with the border”.  
In paragraph (9) of section 3(b), insert “and information sharing” after “Cooperative agreements”.; was AGREED TO by voice vote.

An amendment to the Amendment in the Nature of a Substitute to H.R. 1417 offered by Ms. Jackson Lee (#1K); In paragraph (1) of section 3(b), insert before the period at the end the following: “, including threats relating to the smuggling and trafficking of humans, weapons, and illicit drugs”.; was AGREED TO by a record vote of 28 yeas and 0 nays (Roll Call 3).

The vote was as follows:

COMMITTEE ON HOMELAND SECURITY  
ROLL CALL 3  
H.R. 1417

H.R. 1417, to require the Secretary of Homeland Security to develop a comprehensive strategy to gain and maintain operational control of the international borders of the United States, and for other purposes.

Date: May 15, 2013

On agreeing to the amendment to the Amendment in the Nature of a Substitute to H.R. 1417 offered by Ms. Jackson Lee (#1K)

Agreed to: 28 yeas and 0 nays.

Representative	Yea	Nay	Representative	Yea	Nay
Mr. McCaul, Chairman .....	X		Mr. Thompson of Mississippi, Ranking Member	X	
Mr. Smith of Texas .....			Ms. Loretta Sanchez of California .....	X	
Mr. King of New York .....	X		Ms. Jackson Lee .....	X	
Mr. Rogers of Alabama .....	X		Ms. Clarke .....	X	
Mr. Broun of Georgia .....	X		Mr. Higgins .....	X	
Mrs. Miller of Michigan .....	X		Mr. Richmond .....	X	
Mr. Meehan .....	X		Mr. Keating .....	X	
Mr. Duncan of South Carolina .....			Mr. Barber .....	X	
Mr. Marino .....			Mr. Payne .....	X	
Mr. Chaffetz .....	X		Mr. O'Rourke .....	X	
Mr. Palazzo .....	X		Ms. Gabbard .....	X	
Mr. Barletta .....	X		Mr. Vela .....	X	
Mr. Stewart .....	X		Mr. Horsford .....	X	
Mr. Hudson .....	X		Mr. Swalwell of California .....	X	
Mr. Daines .....	X				
Mrs. Brooks of Indiana .....	X				
Mr. Perry .....	X				
Vacancy					

			<b>Vote Total:</b>	<b>28</b>	<b>0</b>
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An amendment to the Amendment in the Nature of a Substitute to H.R. 1417 offered by Mr. Higgins (#1L); At the end of the bill add a new section entitled “Sec. 4. Prohibition on Land Border Crossing Fee Study.”; was AGREED TO by voice vote.

An amendment to the Amendment in the Nature of a Substitute to H.R. 1417 offered by Mr. Palazzo (#1M); In subsection (b) of section 2, redesignate paragraphs (9) through (14) as paragraphs (10) through (15), respectively. In subsection (b) of section 3, insert after paragraph (8) the following: (9) Lessons learned from operation Jumpstart and Operation Phalanx.; was AGREED TO by voice vote.

An amendment to the Amendment in the Nature of a Substitute to H.R. 1417 offered by Mr. Barber (#1N); In paragraph (10) of section 3(b), insert “(Including through public meetings with such stakeholders)” after “border community stakeholders”.; was AGREED TO by voice vote.

An amendment to the Amendment in the Nature of a Substitute to H.R. 1417 offered by Mr. Stewart (#1O); Amend section 2, insert a new section entitled “Sec. 2. Reports on Current Border Security Status.”; was AGREED TO by voice vote.

An amendment to the Amendment in the Nature of a Substitute to H.R. 1417 offered by Mr. Payne (#1P); In paragraph (1) of subsection (c) of section 3, in the matter preceding subparagraph (A), insert after the first sentence the following:”Such implementation plan shall specify what protections will be put in place to ensure that staffing and resources necessary for the maintenance of operations at ports of entry are not diverted to the detriment in favor of operations between ports of entry.”; was AGREED TO by voice vote.

An en bloc amendment to the Amendment in the Nature of a Substitute to H.R. 1417 offered by Mr. O’Rourke (#1Q); In paragraph (1) of section 3(b), insert “and civic” after business”.

In paragraph (2) of section 3(e), insert “and type” after “the amount” each place it appears.

In subparagraph (B) of section 3(f)(1), insert “and type” after “ the amount” each place it appears.

In paragraph (3) of section 3(g), insert “and type” after “the amount” each place it appears.

In subsection (e) of section 3, add at the end the following: (7) Estimates of the relative cost effectiveness of various border security strategies and operations, including deployment of personnel and technology, and construction of new physical and virtual barriers.

In subsection (m) of section 3, in the heading, add at the end the following: “and Cost Effectiveness”.

In subsection (m) of section 3, insert before the period at the end the following: “and the relative cost effectiveness of border security strategies, including deployment of additional personnel and technology, and construction of virtual and physical barriers”.; was AGREED TO by voice vote.

An amendment to the Amendment in the Nature of a Substitute to H.R. 1417 offered by Mr. O’Rourke (#1R); In subsection (b) of section 3, add at the end the following:

(15) An assessment of training programs, including training programs regarding—

(A) identifying and detecting fraudulent documents;

(B) protecting the civil, constitutional, human, and privacy rights of individuals;

(C) understanding the scope of enforcement authorities and the use of force policies;

(D) screening, identifying, and addressing vulnerable populations, such as children and victims of human trafficking; and

(E) social and cultural sensitivity toward border communities.; was AGREED TO by voice vote.

An amendment to the Amendment in the Nature of a Substitute to H.R. 1417 offered by Mr. O’Rourke (#1S); In subsection (b) of section 3, add at the end the following: (15) Local crime indices of municipalities and counties along the Southern border.; was AGREED TO by voice vote.

An amendment to the Amendment in the Nature of a Substitute to H.R. 1417 offered by Mr. Meehan (#1T); In subsection (n) of section 3, add at the end the following: (4) Detailed information that examines both the security impacts and competitive impacts of entering into a reimbursement agreement with foreign governments for U.S. Customs and Border Protection preclearance facilities.; was AGREED TO by voice vote.

An amendment to the Amendment in the Nature of a Substitute to H.R. 1417 offered by Mr. Barletta (#1U); In subsection (h) of section 3, add at the end the following: “Such collaboration shall also include consultation by the Secretary with the Governors of every border State and representatives of the Border Patrol and U.S. Customs and Border Protection.”.; was AGREED TO by voice vote.

An amendment to the Amendment in the Nature of a Substitute to H.R. 1417 offered by Mr. Barletta (#1V); In paragraph (2) of section 3(k), add at the end a new subparagraph “(C) Congressional Resolution of Approval.”

In subsection (1) of section 3, insert “, in consultation with the Comptroller General of the United States;” after “Secretary of Homeland Security”; was WITHDRAWN.

An amendment to the Amendment in the Nature of a Substitute to H.R. 1417 offered by Mr. Perry (#1W); In paragraph (8) of section 3(o), insert “, with a goal of a 100 percent illegal border crossing effectiveness rate” before “, informed by situational awareness”; was WITHDRAWN.

Without objection, the Chair authorized staff to make technical and conforming corrections to H.R. 1417.

A motion by Mrs. Miller that, pursuant to Rule XXII, clause 1, the Committee authorize the Chair to offer such motions as may be necessary in the House to go to conference with the Senate on H.R. 1417 or on any similar Senate bills, was agreed to.

A motion by Mr. Thompson that, pursuant to Rule XI clause 2(1), Members may have two days in which to file supplemental, minority, and additional views on H.R. 1417, was agreed to.

